

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
NOVEMBER 12, 2019**

A regular meeting of the City Council of Gering, Nebraska was held in open session on November 12, 2019 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Attorney Jim Ellison and City Clerk Kathy Welfl. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

CALL TO ORDER

Mayor Kaufman called the meeting to order at 6:00 p.m. and stated that there was a quorum of the Council and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence.

Motion by Councilmember Wiedeman to excuse the absence of Councilmembers Holliday and Morrison from the October 28, 2019 regular Council meeting. Second by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

Mayor Kaufman stated: As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Mayor. As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and Council determines that the matter requires emergency action.

CONSENT AGENDA:

1. Approve minutes of the October 28, 2019 regular City Council meeting
2. Approve Claims
3. File for Record Joint Funding Agreement with U.S. Geological Survey for Water Resource Investigations

Motion by Councilmember Morrison to approve the consent agenda. Second by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Claims:

10-19-19 to 11-1-19

24/7 FITNESS \$410.00 WELLNESS, ACCELERATED RECEIVABLES \$712.78 COLLECTIONS, ACUSHNET CO \$1,300.92 GOLF CLUBS/PAIR OF GOLF SHOES/82 GOLF BALLS/GOLF GLOVES, ADVANCED WEIGHING SYSTEMS \$5,660.00 NEW COMPUTER SOFTWARE, AHLER'S BAKING INC \$30.66 FOOD FOR SEARCH PARTY, ALTEC IND INC \$956.69 TRUCK RPR, AMAZON CAPITAL SRV \$72.20 TIRE PATCHES, ANDERSON & SHAW \$90,518.68 RETAINAGE PLAZA/PERMEABLE PAVERS/BACKET CHANGE-FENCE/NEW CABINET FOR KITCHEN, ANDERSON AUTO GROUP \$34,538.00 NEW FORD EXPLORER, B & C STEEL \$496.75 TREE STAKES PLAZA/EDGING STAKES PLAZA, BAVCO VALVE CO \$300.00 BCKFLW TSTR RPR/CALIBRATION, BENZEL PEST CONTROL \$176.44 PEST CONTROL LANDFILL/PEST CONTROL CLUBHOUSE, BLACK HILLS ENERGY \$34.92 GAS 1255 11TH ST, BLUFFS SANITARY SUPPLY \$918.32 PAPER TOWELS/CLEANING SUPP/RESTROOM FIXTURES PLAZA/TRASH BAGS/TOILET PAPER/SANITARY NAPKINS DISPOSAL, BORDER STATES INDUSTRIES \$1,707.16 NIPPLES/C PLUGS/CLAMP METERS/PHOTO CELL/TOOL BAG/SCREW DRIVER/COVER/ LUGS/SPLICE BOXES/FITTINGS, BOSSELMAN TRAVEL CENTER \$47.95 FUEL, CALLAWAY GOLF CO \$279.78 GOLF CLUB, CENEX I-80 \$66.00 FUEL TO ATTEND CLASS DAVIES, CITY INS FUND \$179,816.78 HEALTH PREM 125, CITY OF SCOTTSBLUFF \$2,995.55 JULY-SEPT 2019 EMERGENCY MGMT, CITY PAYROLL TRUST \$2,656.83 FSA MEDICAL 125, CLARK TERESA \$75.00 RV ROOM REFUND, CLOSSON PAT \$75.00 RV ROOM RENTAL DEPOSIT, CONNECTING POINT \$251.00 DRONE EQUIP, CONSOLIDATED MANAGEMENT \$3.94 MEALS-MASSIE, CONTRACTORS MATERIALS \$66.00 CHAIN, CORE & MAIN LP \$7,254.04 STORM SEWER PIPE NORTHFIELD/SEWER MANHOLE ADJUSTMENT RINGS, CULLIGAN WATER COND \$6.00 WATER, DALE'S TIRE & RETREADING \$804.03 TIRE RPR G-10/TIRE RPR G-9/ TIRE RPR FLATBED PICKUP/ TIRE RPR G-1/TIRE RPR G-6/TIRE RPR ON DODGE, DEINES IRRIGATION \$2,364.56 RPR IRRIGATION PUMP, DHHS DIVISION PUBLIC HEALTH \$1,431.00 BLOOD TEST/WATER LAB, DISCOVER BANK \$166.29 GARNISHMENT 2, DOCU-SHRED LLC \$26.00 64 GALLOON CONTAINER SHREDDING, DOLLAR GENERAL STORE #077 \$53.45 TOTES FOR SEARCH, DOMINO'S PIZZA \$85.49 LUNCH FOR SEARCH TEAM, DUTTON-LAINSON CO \$758.74 INSULATOR/ SPACERS, ECOLAB \$200.78 PEST MANAGEMENT/RODENT CONTROL WWTP, ELITE TOTAL FITNESS \$102.00 FITNESS, ENVIRO SRV INC \$1,407.00 BLOOD TESTS/ WATER LAB, EXPEDIA \$497.04

TRAINING GLEIM, FASTENAL CO \$84.20 SOCKET/ BOLTS FOR FIRE HYDRANT RPR/BOLTS FOR LOCKWOOD LIFT STATION, FAT BOYS TIRE & AUTO \$737.00 VEHICLE MAINT, FC ORGANIZATIONAL PRODUCT \$42.10 PLANNER FOR TAMMY, FERGUSON SIGNS \$455.00 RPR FD SIGN @ STATION, FIRST STATE BANK \$340.00 IBEW UNION DUES, FLOYD'S SALES & SRV \$9,409.25 WORK ON 621-223/CLAMP/TRUCK RPR/RPR'S G-10/RPR'S G-5, FORT COLLINS NURSERY \$515.60 PLANTS FOR KENO ARBOR PROJECT, FORT DEARBORN LIFE INS CO \$127.28 FIREFIGHTERS LIFE INS, FRANK PARTS CO \$955.39 SNAP RING FOR KUBOTA/THREAD ROD SIDE BY SIDE ROLLER/GRADER OIL CHANGE/BOLTS/SEAL/ SLEEVE/PARTS FOR DODGE/ADAPTERS/THERMOSTAT FOR DODGE/SOCKET TO WORK ON SHREDDER/DOOR HANDLE FLAT BED FORD/TAP PLUG FOR SHREDDER/ANTI-FREEZE/NEW INTERIOR DOOR HANDLE TAHOE/OIL & FILTER/ RPR FERTILIZER SPREADER/KEY/GEAR OIL, FRASER STRYKER PC LLO \$2,325.00 LABOR ATTORNEY, FREMONT MOTOR SCOTTSBLUFF \$559.44 SPARE RIM FOR UNIT 21, FYR-TEK \$825.00 PUMP TEST 3 ENGINES, GALL'S INC \$517.96 UNIFORMS, GARY'S CLEANING & RESTORATION \$3,398.64 CLEAN CARPETS, GENERAL TRAFFIC CONTROLS \$962.48 PEDESTRIAN SIGNAL, GERING COURIER \$54.95 SUBS 19-20 FOR ADMIN, GLEIM ROBERT \$95.45 FUEL REIMBURSEMENT, GOONIES SPORTS BAR AND GRILL \$147.23 LUNCH 12 FF'S DURING SEARCH, GREASE-N-GO \$43.70 OIL CHANGE, HEARTLAND EXPRESSWAY \$9,214.80 HEARTLAND EXP DUES 2019, HEARTLAND TRUST CO \$250.00 GLC BOND AGENT FEES, HONEY WAGON EXPRESS \$180.00 CLEAN GREASE TRAPS, IAFC MEMBERSHIP \$240.00 IAFC DUES, ICMA \$946.32 DANIELZUK MEMBERSHIP DUES, ICMA ELECTRONIC RETIREMENT \$709.74 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$101.61 EXCHANGED MATS/2 MATS/ DUST MOPS/MAT RENTAL, INDOFF INC \$592.78 ENVELOPES FOR BACK FLOW SURVEY/PRINTER INK FOR SHOP PRINTER/PAPER OFFICE/PLANNERS/CALENDARS/ STAMP BOOK/3 AAG CALENDARS/BADGE KITS, INFINITY CONSTRUCTION \$787.50 LABOR TO POUR CURB 12TH & R ST, INTERNAL REVENUE SRV \$39,260.88 FED/FICA TAX, INTERSTATE BATTERIE RAPID \$121.95 BATTERIES FOR FLAT BED, IOWA LIBRARY ASSOC \$340.00 PRESTON REG NLA / ILA CONF, IRBY TOOL & SAFETY \$214.00 STAND OFF BRACKET, JACK'S UNIFORMS & EQUIPMENT \$431.96 OUTFITTING NEW SUV, JOHN HANCOCK USA \$13,053.73 JH RETIRE 6%, JOHN HANCOCK USA POLICE \$6,244.68 MG T-POLICE, JOHNSON CASHWAY \$215.93 STORAGE TANK / MATERIALS FOR CONCRETE WASHOUT / DRILL BITS / PRUNERS/ GLOVES/ SCREWDRIVERS/SPONGE / DUCT TAPE FOR BACKFLOW/HOSE COUPLER / TOOL, KOVARIK ELLISON MATHIS \$68.75 DUNCAN BAKER PROPERTY, KWIK STOP #10 \$105.06 GAS FOR TRAINING, LD PRODUCTS (\$3.49) REFUND SALES TAX, LL JOHNSON DIST \$294.11 FILTER FOR BACKFLOW, LEAGUE OF NE MUNICIPALITY \$18,971.00 MEMBERSHIP DUES 2019-2020, LINCOLN DODGE INC \$27,129.00 NEW DODGE CHARGER, MACQUEEN EQUIPMENT LLC \$188.95 VACUUM TUBE FOR SEWER JET, MALM RENEE \$75.00 RV ROOM DEPOSIT REFUND, MASEK GOLF CAR CO \$334.00 GOLF CART TRAILER TAILGATE, MATHESON TRI-GAS INC \$309.33 SAFETY GLASSES/GAS FOR WELDER/FILTER/SHOP SUPP, MATRIX TRUST CO \$534.68 MG T-FIRE, MB KEM ENTERPRISE \$213.00 OVERHEAD DOOR #2 & #3, MEAT SHOPPE \$17,297.52 CATERING COSTS, MENARDS \$749.20 GARAGE DOOR REPLACEMENT, MONEY WISE OFFICE SUPPLY \$251.29 OFFICE SUPP/SD XC CARDS, MUNICIPAL SUPPLY INC OF \$919.12 WATER MAIN RPR/WATER SRV LINE RPR, NATIONAL FIRE PROTECTION \$175.00 NFPA MEMBERSHIP DUES, NATIONAL INS SRV \$1,096.84 VISION INS, NDOR-LODGING \$1,064.51 SEPT 2019 LODGING TAX, NDOR-LOTTERY \$6,939.00 JULY-SEPT 2019 LOTTERY TAXES, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$12,875.06 STATE TAX, NE DEPT OF REV \$78,961.90 SEPT 2019 SALES & USE TAX, NE PUBLIC POWER DISTRICT \$2,673.96 UTILITIES PHEASANT DR, NE STATE PATROL CRIMINAL \$92.76 BACKGROUND CHECK MILTON, NE DEPT OF ENVIRONMENT \$150.00 RENEW MCKEE'S WW LICENSE, NEBRASKA LAW ENFORCEMENT \$72.00 JACKSON PATROL RIFLE RECERT/ LODGING K-9 CERT CLASS, NEBRASKA MUNICIPAL POWER \$21.00 TRANSFORMER WORKSHOP, NEBRASKA TRAVEL ASSOC \$3,000.00 GERING SPONSORSHIP ABA 2020, NEBRASKA WATER ENVIRONMENT \$200.00 NAWWA/NEWA CONF REG FOR HEATH, NEOPOST BY NEOPOST \$1,600.00 POSTAGE FEES, NORTHWEST PIPE FITTINGS \$67.35 PARTS FOR 40 HOSE FITTINGS/IRRIGATION SUPP, OMAHA MAGAZINE LTD \$3,150.00 GERING CVB AD 2020 TRVL GUIDE, OUTDOOR CUSTOM SPORTS \$44.91 GOLF SHIRTS, PANHANDLE COOP ASSOC \$1,602.50 6 TIRES FORD FLAT BED/2 FRONT TIRES CASEY'S PICKUP, PANHANDLE HUMANE SOCIETY \$3,168.50 OCT 2019 MONTHLY SUPPORT, PAYROLL CHECKS \$120,719.39 PAYROLL CHECKS ON 10-25-19, PERKINS RESTAURANT & BAKE \$37.93 FOOD FOR SEARCH PARTY, PING \$977.76 GOLF CLUBS, PLANNER PADS CO \$39.98 1 PLANNER, POSTMASTER \$196.86 CERT MAIL, POWER SCREENING LLC \$2,325.24 PARTS FOR SHREDDER, POWERPLAN OIB \$3,522.17 THERMOSTAT & GASKET/PART/GREASE LINE FOR G-11/BLADE INSERTS/PARTS/BACKHOE RPR/RPR'S ON 180G/GASKET, PRAISE WINDOWS INC \$660.00 WASH WINDOWS, PREVENTION \$36.00 1 YR SUBS, PRINT EXPRESS \$379.30 500 NEW WARNING BOOKLETS, PUMP & PANTRY \$30.00 GAS - TRANSPORT, QUEST INC \$29.47 SEAL KIT, R & C WELDING & FABRICATION \$128.75 STREET SIGN RPR'S, RAY ALLEN MANUFACTURING CO \$177.95 K-9 SUPP, RED BARN SHOP LLC \$305.00 SCREED BOLT, REGANIS AUTO CENTER \$56.56 PARTS FOR DODGE, RIVERSIDE DISCOVERY CENTER \$12,500.00 QUARTERLY PYMT, ROBERTUS DARLENE \$995.00 GRADE WORK FOR PLAZA, SANDBERG IMPLEMENT INC \$534.58 RPR TO 16 KUBOTA/BOLT GASKET/OIL TANK/POLE SAW, SCB CO SHERIFF OFFICE \$9.00 SHERIFF'S OFFICE PAPER SRV, SCB CO WEED CONTROL \$2,420.00 WEED CONTROL AT WWTP, SCOTTS BLUFF CO COURT \$17.00 COUNTY COURT FEES, SCOTTSBLUFF - GERING UNITED \$70.75 UNITED WAY CTRB, SECURITY NATIONAL BANK TR \$778.48 RETIREMENT, SHERMAN & REILLY INC \$1,348.51 PULL TRAILER PARTS, SIMON CONTRACTORS \$499.50 4.54 YDS CONCRETE 12TH & R ST, SIRCHIE FINGER PRINT LAB \$863.57 EVIDENCE SUPP, SLAFTER OIL CO \$50.65 HYDRAULIC OIL FOR RPR 4500D, SMART APPLE MEDIA \$628.49 34 CHILDRENS BOOKS, STATE OF NEBRASKA \$158.86 OVER PAID FINAL EDWARDS, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SUN MOUNTAIN SPORTS \$215.00 GOLF CLUB TRAVEL BAG, SWANA \$268.00 MEMBERSHIP PETERSON, TACO JOHNS \$47.04 FOOD FOR SEARCH PARTY, TARGET \$37.99 SD CARD, TEAM CHEVROLET \$436.77 WING VEHICLE LEASE/NEW SWITCH VEHICLE MAINT, TECHSOUP \$80.00 UPGRADE WINDOW OS 5 COMP, THE COPIER NINJA LLC \$320.00 PRINTING ENVELOPES SURVEYS, THE PINE STRAW STORE \$3,409.00 PINE STRAW FOR PLAZA, THE PIONEER WOMAN \$18.00 1 YR SUBS, THE ROCK PILE \$1,877.36 CHIPPED ROCK-PATIOS/15 TONS CONCRETE FINES, TORRINGTON SOD FARMS \$105.30 SOD FOR LEAK RPR, VAN PELT FENCING \$15,832.50 FENCE AT OT PARK STADIUM, WALMART \$30.11 SUPP FOR LEAP & ST, WAREHOUSE FITNESS CENTER \$398.00 WELLNESS, WESCO DIST INC \$556.40 FUSE HOLDER, WESTCO \$16,607.85 DIESEL/GASOLINE/FUEL FOR PIT, WESTERN NEBR COMM COLLEGE \$35.32 REFUND PAID TWICE, WESTERN PATHOLOGY CONSULTANTS \$200.00 RANDOM POOL MNGT, WESTERN STATES BANK \$5,921.62 HSA CTRB 125, WESTERN STATES BANK - POL \$550.00 PO UNION DUES, WINCHELL CLEANING SRV \$790.00 CLEAN HALLS/BATHS/OFFICE, WM, RECYCLE AMERICA \$11,272.49 RECYCLING, YMCA \$470.00 WELLNESS

BIDS: None

PUBLIC HEARINGS:

1. Public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Lisa and Troy Weborg for the Weborg Hotel Project. The area to be redeveloped under the Redevelopment Plan is legally described as Lot 2, Block 1, Weborg Subdivision of the City of Gering, Scotts Bluff County, Nebraska. This Redevelopment Plan includes a request for tax

increment financing. All interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed redevelopment plan

Mayor Kaufman opened a public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Lisa and Troy Weborg for the Weborg Hotel Project. The area to be redeveloped under the Redevelopment Plan is legally described as Lot 2, Block 1, Weborg Subdivision of the City of Gering, Scotts Bluff County, Nebraska. This Redevelopment Plan includes a request for tax increment financing. All interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed redevelopment plan. The public hearing opened at 6:04 p.m. Annie Folck, City Engineer, presented the Administrative Record as well as maps and photos on the overhead screen.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	5/21/19
From:	Planning & Community Development	Zoning:	ML, BHC Overlay
Subject:	Recommendation & Report – Redevelopment Plan, Weborg Hotel Project	Property Size:	2.29 Acres
Location:	Lot 2, Block 1, Weborg Subdivision, aka 2605 N 10 th St	#Lots/Parcels:	1
Owner:	Troy and Lisa Weborg	City Council Public Hearing:	Nov 12, 2019

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations and according to Nebraska State Statutes.

Public Hearing

Mr. Mayor and City Council Members,

This is a recommendation and report to consider Redevelopment Plan for the Weborg Hotel Project. The project site is located at 2605 North 10th Street, which was the former site of "Rich's Wrecking". The property is currently vacant, and the building is deteriorating. The Plan proposes redeveloping the property into a hotel. The existing building would be renovated into a hotel lobby, ballroom, conference room, floral shop, and gentleman's salon. A 32-room hotel would be constructed directly west of the old building. The total estimated cost of the project is \$7,106,732, and the redeveloper is requesting \$820,850.00 of TIF funds to go towards all eligible expenses for the project.

The Planning Commission is to consider whether or not the plan as proposed conforms with the Comprehensive Plan. The current Comprehensive Plan notes the unsightliness of the 10th Street Corridor and sets forth some principles for the development of the 10th Street Corridor. Some of these principles include discouraging future industrial development, making design improvements to older commercial districts, and revitalizing and renewing dilapidated buildings and areas.

The Community Development Agency has met and reviewed the Cost-Benefit Analysis and has recommended approval of the Redevelopment Plan for this project to the City Council and subsequently the contract approval.

Staff recommends approving the resolution stating that the Redevelopment Plan is in conformance.

Recommendation

Approve: Approve Resolution stating that the Redevelopment Plan for the Weborg Hotel conforms to the City's General Plans and recommending approval to the Gering Community Development Agency and City Council.

Deny: Approve Resolution stating that the Redevelopment Plan for the Weborg Hotel does not conform to the City's General Plans and recommending the denial of approval to the Gering Community Development Agency and City Council.

Table: Table voting on the Resolution stating that the Redevelopment Plan for the Weborg Hotel conforms to the City's General Plans and recommending approval to the Gering Community Development Agency and City Council.

Lisa Weborg, 10580 Rd. 88, Bridgeport, NE, addressed Council and stated that she forgot to mention, when she was speaking to the CDA, that one of her goals is to add more green and not so much concrete including adding trees to the landscape.

Ms. Folck reiterated that the total estimated cost of the project is \$7,106,732, and the redeveloper is requesting \$820,850.00 of TIF funds to go towards all eligible expenses for the project.

Councilmember Backus stated that he's not a fan of TIF funds and that the City has given TIF funds to every hotel that has come into town and we've created a situation where anybody not receiving TIF funds would be at a competitive disadvantage.

Mayor Kaufman asked if anyone in the Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition.

With no further comments the Administrative Record was closed and the Public Hearing closed at 6:09 p.m.

Councilmember Wiedeman made a motion to enter the Administrative Record for this public hearing into the public record. Second by Councilmember Gillen. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

1a. Review and take action on Resolution 11-19-5 to approve Redevelopment Plan for the Weborg Hotel Project

RESOLUTION NO. 11-19-5

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the "Act"), a redevelopment plan for the *Weborg Hotel* project submitted by Lisa and Troy Weborg (the "Redevelopment Plan") has been submitted to the Gering Community Development Agency ("CDA"). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the City's general plans for development of the City as a whole (the "City General Plans"). The Planning Commission recommended approval of the Redevelopment Plan to the CDA and City Council.

c. The Redevelopment Plan has been reviewed by the CDA, which found that the Redevelopment Plan conforms to the City General Plans, that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing, and that the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the CDA, are in the long term best interests of the community.

d. The CDA recommended approval of the Redevelopment Plan to the City Council.

e. On November 12, 2019, the City Council held a public hearing on the proposal to approve the Redevelopment Plan.

f. The City Council has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as documented in writing in this Resolution.

Resolved:

1. The Redevelopment Plan is determined to be feasible and in conformity with the City General Plans and with the legislative declarations and determinations set forth in the Act.

2. The project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand

for public and private services, having been analyzed by the City Council, are in the long-term best interests of the community.

3. The City Council approves the Redevelopment Plan.

4. In accordance with NEB. REV. STAT. § 18-2147, and as proposed in the Redevelopment Plan, the City Council provides that any ad valorem tax on the Project Site as set forth in the Redevelopment Plan, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in § 18-2147, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the CDA. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies;

(b) That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CDA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the CDA for financing or refinancing, in whole or in part, the project set forth in the Redevelopment Plan. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due have been paid, the CDA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in the redevelopment project shall be paid into the funds of the respective public bodies; and

(c) Any interest and penalties due for delinquent taxes shall be paid in the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

6. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on November 12, 2019

Mayor

ATTEST:

City Clerk (Seal)

Motion by Councilmember O'Neal to adopt Resolution 11-19-5 to approve a Redevelopment Plan for the Weborg Hotel Project. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Public Hearing regarding a Blight and Substandard Survey for the East U Street Corridor. The property affected is the U Street Corridor generally described as land within the general vicinity north and east of the Union Pacific Railroad, east of 7th Street, and west of Lockwood Road

Mayor Kaufman opened a public hearing regarding a Blight and Substandard Survey for the East U Street Corridor. The property affected is the U Street Corridor generally described as land within the general vicinity north and east of the Union Pacific Railroad, east of 7th Street, and west of Lockwood Road. The public hearing opened at 6:10 p.m. Annie Folck, City Engineer, presented the Administrative Record and other information on the overhead screen, including a map.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	11/19/19
From:	Planning & Community Development	Zoning:	MH, RM, AGG
Subject:	Recommendation & Report – Blighted and Substandard Designation, East U Street Corridor	Property Size:	237.85 Acres
Location:	East U Street Corridor	#Lots/Parcels:	
Owner:		City Council Public Hearing:	Nov 12, 2019

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations and according to Nebraska State Statutes.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider a Blight and Substandard Study for East U street. The study includes 237.85 acres within the general vicinity north and east of the Union Pacific Railroad, east of 7th Street, and west of Lockwood Road. The study has found that the area meets the requirements of state statute to be designated as blighted and substandard.

Additionally, there is a list of conditions that can qualify an area as blighted, and at least one of these conditions must be met in order for the area to be designated as such. One of these conditions is that the average age of residential or commercial units in the area is at least forty years. The study found that 96% of the buildings within the area are over 40 years of age, meeting the requirement for an area to be designated as blighted.

In addition to the requirements for a blight designation, we must also consider whether or not the area meets the definition of substandard, as defined by state statutes. State statute defines a substandard area as one in which there is a predominance of buildings or improvements which is conducive to ill health, transmission of disease, conditions which endanger life or property by fire and other causes, or other criteria (see page 15 of the study for complete definition). The study documents significant amounts of junk, inoperable vehicles, unkempt properties, and abandoned homes that can be detrimental to human health as these conditions provide habitat for rodents and other pests that can potentially spread diseases (see pictures in Appendix C). Additionally, there are some defunct industrial sites which are potentially dangerous to human health because of environmental hazards left behind when the industrial sites went out of service. One of these, an old scrap metal site, is currently listed on the EPA's superfund site list and is scheduled for cleanup due to high levels of lead in the soil.

It is the opinion of staff that the study substantiates the presence of both blighted and substandard conditions within the study area, and that the area should be designated as Blighted and Substandard.

Recommendation

Approve: Make a POSITIVE RECOMMENDATION for City Council to approve the East U Street Blight Study and designate the Study Area as Blighted and Substandard.

Deny: Make a NEGATIVE RECOMMENDATION for City Council to approve the East U Street Blight Study and designate the Study Area as Blighted and Substandard.

Table: Make a motion to TABLE the East U Street Blight Study and designate the Study Area as Blighted and Substandard for the following reasons:

Ms. Folck added that "blighted and substandard" is a prerequisite before Tax Increment Financing can be used. It's nothing specific to this neighborhood; about a fourth of the community carries this designation already, so it's not singling out this neighborhood. It's actually something that helps to encourage private investment. She emphasized "private" investment because TIF is not a tool that the City can use. The City is not doing any specific projects in this area; it would have to be a private investor or current

property owner. She added that we just want to do whatever we can to encourage private investment in this area. Staff and the Planning Commission recommend approval of this blight study.

Mayor Kaufman asked if anyone in the Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition.

Paul Aguayo, 2465 6th Street, Gering, stated that one of the homes shown on the overhead screen has been under construction for quite a while. Everything in that home, including the footings, are brand new. He would hate to see anyone do anything to that house as it has been being worked on for three or four years. He added that some of the other houses that were shown need to be torn down. Mayor Kaufman stated that the City contracted with an independent to provide the blight study; this is a perfect example that you can't judge a book by its cover. From the exterior, just driving through, that was probably their assumption. Mayor Kaufman stated that Mr. Aguayo's input is appreciated.

Julie Palomo, 2010 3rd Street, Gering, stated that they live on a corner house on Third Street. She noted a few houses in that area that she believes need to be torn down. She noted certain lots and an abandoned house; no one knows who owns it. The weeds grow very tall; she has called and nothing gets done. She stated that her mother owns her own house and she didn't know what was going to happen to it. A lot of people are retired who live there; it's a good neighborhood. It's just houses like those that give a bad impression. Mayor Kaufman explained that this process and the designation really allows for program opportunities for the private sector to come in and provide Tax Increment Financing as one option, and there are other redevelopment opportunities. The unfortunate thing, in his opinion, and an initiative at the State Legislature level, is to find a new name for "blighted and substandard". Unfortunately there is a negative connotation with that name even though the activities we're talking about are actually very positive for communities. There are other terms that could be used like "redevelopment zone" or something that is more at the root of the intent of the activities. He said we're glad we found the error in the original study which allowed us to go in and correct something that was done almost 20 years ago, and it allowed us to expand the area for the betterment of the community. Hopefully people will utilize this; we're always looking for public/private partnerships to help redevelopment activities in the community. We really applaud people coming out and giving input on areas of interest as we go forward.

Ms. Palomo asked if the City can do anything to people to clean up their areas, like cars that don't run, etc. Mayor Kaufman replied that we've been working on our codes and ordinances and that's probably another issue for another night, but as we go through those processes we'll try to create another opportunity where we can look at those specific issues. Property owners are responsible for cleaning up and clearing weeds.

Councilmember Morrison stated that it's important to assure people that this is not going to devalue their properties. Mayor Kaufman added that this designation isn't a negative to the properties, it just provides enhancement opportunities for avenues for redevelopment, but there is no effect on property values. Councilmember Morrison stated that in fact, in time, property values should increase. Councilmember Backus added that it's kind of like a middle layer; the City can't just go buy all those properties, but a private developer could look at doing it and the City could give them TIF money to help do that. Even people in the neighborhood could do that.

Mr. Aguayo spoke again and wanted to know more about blighted areas. Ms. Folck replied that there is quite a bit along M Street and there are blighted areas on the 10th Street corridor all the way to Country Club and there are other areas in southeast Gering. She has a map that she can provide.

Brandy DeSantiago, 2010 6th Street, Gering, asked how long those other areas have been designated as blighted. Ms. Folck replied that the most recent one was in 2014 for the 10th Street corridor. We have blight studies that date back to the 90's. We've been doing TIF projects since the 90's and many areas have been blighted for quite some time. Most people don't even know the difference or that their area has that designation. The majority of the City meets the 40-year requirement but that's not the only requirement they have to meet. By state statute we can't designate more than 35% of the community as blighted so we try to target the areas that we think are most in need of redevelopment. Ms. Folck gave examples of TIF projects in Gering over the years such as Fresh Foods, the Cobblestone Hotel, The

Stagecoach Convenience Store, Weborg Centre and more. There haven't been as many residential areas that she's aware of... Councilmember Backus noted the McKinley area housing development.

Alva Garcia, 1945 3rd Street, Gering, asked what TIF is. If she wanted to buy properties there, then she would get help to build houses? Ms. Folck explained that the way Tax Increment Financing works is, if you were to buy a building that needed to be torn down, and you tore it down and put a new house there, you're going to increase the value of that property. When you increase the value of your property your taxes go up. What TIF allows is for someone to take the increase in the taxes for a period of 15 years - and that can get paid back to the property owner to help cover those costs. It can't pay for everything, there are eligible costs, but it will help pay for property acquisition and other qualifying expenses. Ms. Folck said she'd be happy to set up a meeting and talk more about it.

Lisa Weborg addressed the Council and audience again and stated that she has used TIF twice now for projects; she couldn't do the projects without that TIF money. She agrees that when you hear the words "blighted and substandard" it really hurts, but that's not what it's used for. It's basically used for your concrete, grass and infrastructure. It's money that can help you make those improvements and not actually be taxed on that increase in your property values. She thinks it's a great program; it's very complicated and hard to understand. The first time she bought property and found out it was blighted and substandard she thought "oh my goodness, why did I invest this much money with the term blighted." She agrees that if someone could rename that it would make us, as private individuals, feel a lot better with it, but she does appreciate the TIF funds that she has been awarded.

Michael DeSantiago, 2010 6th Street, Gering, asked (hypothetically) if there was a lot in that area that the owner didn't want to do anything with as far as improving it, and it's affecting his property value, is there any way that that can be addressed? Mayor Kaufman replied that that would be a private sector issue as a seller/willing buyer type of thing. The City can't take a position to force someone to sell but with activities like this we try to encourage development (with this designation) and added interest in the lot, maybe they would be more willing to sell it in the interest of an opportunity to redevelop it. Much like the examples, with that opportunity, it makes it more economically feasible to purchase and tear down and develop because it levels the playing field on redeveloping verses having to foot the bill on all the demolition and other redevelopment activities. Mayor Kaufman stated that we're trying to provide a tool for the public to help that area.

With no further comments the Administrative Record was closed and the Public Hearing closed at 6:36 p.m.

Councilmember Gillen made a motion to enter the Administrative Record for this public hearing into the public record. Second by Councilmember Morrison. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2a. Review and take action on Resolution 11-19-6 to designate property described in the East U Street Substandard/Blight Survey as Blighted and Substandard

RESOLUTION NO. 11-19-6

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL of the CITY OF GERING, NEBRASKA:

Recitals:

a. Certain conditions exist in the "Redevelopment Area" (as defined below), as evidenced by the City of Gering, NE East U Street Substandard/Blight Survey dated September 23, 2019 and prepared by Panhandle Area Development District (the "Study"), which is incorporated into this Resolution by this reference.

b. The "Redevelopment Area" encompasses the following area in Gering, Nebraska, the perimeter of which follows the following boundaries:

LEGAL DESCRIPTION:

A TRACT OF LAND BEING SITUATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, AND PART OF GOVERNMENT LOTS 1, 2, ,3, AND 4, SECTION 1, TOWNSHIP 21 NORTH, BOTH BEING IN RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 36; THENCE, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, N02°03'39"E FOR A DISTANCE OF 737.90 FEET; THENCE, S84°52'58"W FOR A DISTANCE OF 450.85 FEET; THENCE, S84°55'45"W FOR A DISTANCE OF 62.05 FEET; THENCE, S19°49'45"E FOR A DISTANCE OF 157.84 FEET; THENCE, ALONG A 330.00 RADIUS CURVE TO THE LEFT, SUPPORTING A CENTRAL ANGLE OF 22°56'06", CHORD BEING S31°17'48"E FOR 131.22 FEET, FOR AN ARC DISTANCE OF 132.10 FEET; THENCE, S42°45'51"E FOR A DISTANCE OF 88.06 FEET; THENCE, ALONG A 100.00 RADIUS CURVE TO THE RIGHT, SUPPORTING A CENTRAL ANGLE OF 59° 40'50", CHORD BEING S12°55'26"E FOR 99.52 FEET, FOR AN ARC DISTANCE OF 104.16 FEET; THENCE, S16°54'59"W FOR A DISTANCE OF 219.75 FEET; THENCE, N88°18'03"W FOR A DISTANCE OF 143.53 FEET; THENCE, N08°11'23"W FOR A DISTANCE OF 288.99 FEET; THENCE, N01°10'41"E FOR A DISTANCE OF 210.00 FEET; THENCE, N07°12'29"W FOR A DISTANCE OF

165.00 FEET; THENCE, N19°18'03"W FOR A DISTANCE OF 165.00 FEET; THENCE, N25°05'46"W FOR A DISTANCE OF 240.00 FEET; THENCE, N21°38'13"W FOR A DISTANCE OF 135.00 FEET; THENCE, N07°03'52"W FOR A DISTANCE OF 6.20 FEET; THENCE, N89°13'01"W FOR A DISTANCE OF 826.24 FEET; THENCE, N08°13'42"W FOR A DISTANCE OF 529.68 FEET; THENCE, N83°01'33"W FOR A DISTANCE OF 232.65 FEET; THENCE, S82°17'15"W FOR A DISTANCE OF 351.01 FEET; THENCE, S59°41'14"W FOR A DISTANCE OF 120.75 FEET; THENCE, S86°59'24"W FOR A DISTANCE OF 61.40 FEET; THENCE, N81°02'26"W TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, BEING A DISTANCE OF 197.31 FEET; THENCE, ALONG SAID WEST LINE, S02°00'29"W TO THE SOUTHWEST CORNER OF SAID SECTION 36, BEING A DISTANCE OF 1633.50 FEET; THENCE, ALONG THE WEST LINE OF SAID SECTION 1, S01°17'50"W TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILWAY RIGHT-OF-WAY, BEING A DISTANCE OF 266.29 FEET; THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY, S65°07'40"E FOR A DISTANCE OF 1443.72 FEET, S01°29'08"W FOR A DISTANCE OF 217.90 FEET, S65°07'40"E FOR A DISTANCE OF 1666.52 FEET; THENCE, DEPARTING FROM SAID RIGHT-OF-WAY, N84°28'37"E FOR A DISTANCE OF 633.26 FEET; THENCE, S65°08'34"E FOR A DISTANCE OF 507.16 FEET; THENCE, S88°03'03"E FOR A DISTANCE OF 876.75 FEET; THENCE, S01°25'02"W FOR A DISTANCE OF 13.00 FEET; THENCE, S88°34'58"E TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID SECTION 1, BEING A DISTANCE OF 446.50 FEET; THENCE, ALONG THE EAST LINE OF SAID SECTION 1, N02° 10'39"E TO THE NORTHEAST NORTH OF SAID SECTION 1, BEING A DISTANCE OF 1843.84 FEET; THENCE, ALONG THE NORTH LINE OF SAID SECTION 1, N88°19'38"W TO THE NORTH QUARTER CORNER OF SAID SECTION 1, BEING A DISTANCE OF 2643.22 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 237.85 ACRES, MORE OR LESS.

c. At the City Council meeting on November 12, 2019, a public hearing was held to determine whether the Redevelopment Area should be declared substandard and blighted and in need of redevelopment, as required by the Nebraska Community Development Law (the "Act"). At the public hearing, all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as substandard and blighted and in need of redevelopment.

d. The City Council considered the Study, the comments at the public hearing, and the recommendation of the Planning Commission in determining whether to declare the Redevelopment Area as substandard and blighted and in need of redevelopment according to the Act.

Resolved:

1. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.
2. The Redevelopment Area is declared to be substandard and blighted and in need of redevelopment according to the Act.
3. This resolution shall become effective immediately upon its adoption.

Passed and approved this ____ day of November, 2019

Mark A. Kaufman, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember Wiedeman to adopt Resolution 11-19-6 to designate property described in the East U Street Substandard/Blight Survey as Blighted and Substandard. Second by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

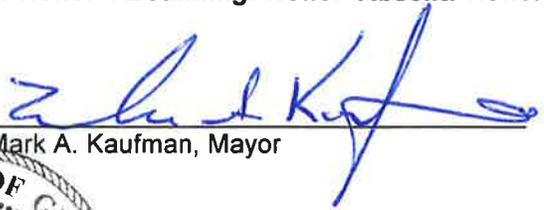
CURRENT BUSINESS: None

CLOSED SESSION: (Council reserves the right to enter into closed session if deemed necessary.)

ADJOURN:

Motion by Councilmember Gillen to adjourn. Second by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 6:37 p.m.



Mark A. Kaufman, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk

