

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
August 26, 2024**

A regular meeting of the City Council of Gering, Nebraska was held in open session on August 26, 2024 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. 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 Ewing called the meeting to order at 6:00 p.m. and stated that a quorum of the Council was present and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence (None)

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

Mayor Ewing 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 the Council determines that the matter requires emergency action.

**CONSENT AGENDA:**

(Items under the Consent Agenda are proposed for adoption by one action for all items unless any member of Council requests that an item be considered separately.)

1. Approve minutes of the August 12, 2024 Regular City Council Meeting
2. Approve Claims
3. Approve the June, 2024 Financial Report

**Claims 8/13/24 thru 8/26/24**

24/7 FITNESS \$226.00, 911 CUSTOM \$1,226.82, A & A PORTA POTTIES \$450.00, AC ELECTRIC MOTOR SERVICE \$2,797.83, ACE HARDWARE \$247.11, ACUSHNET COMPANY \$570.73, ADAM SAUER \$150.00, AMAZON CAPITAL SERVICES \$1,368.55, AMERICAN LEGAL PUBLISHING \$500.00, AMERITAS LIFE INSURANCE COPR. \$612.38, ANDREW LEHR \$120.00, AT&T MOBILITY \$1,860.56, B & H INVESTMENTS, INC \$315.00, BENZEL PEST CONTROL \$165.00, BIG MACK HEATING & COOLING \$1,089.02, BLACK HILLS ENERGY \$1,475.42, BLUFFS FACILITY SOLUTIONS \$734.60, BORDER STATES INDUSTRIES, INC \$3,476.23, BRETHOURS HONEYWAGON EXPRESS \$200.00, CITY OF GERING \$1,470.72, COLUMN SOFTWARE, PBC \$348.28, CONSOLIDATED MANAGEMENT COMPAN \$178.05, CONTRACTORS MATERIALS, INC. \$764.95, CORE & MAIN LP \$3,367.11, CROELL, INC \$703.00, DALTON JOHNSON \$1,600.00, DANIEL GRUMBLES \$40.00, DANKO EMERGENCY EQUIPMENT CO \$423.27, DAVE BRUNZ \$185.00, DAVID BROWN \$21.99, DIAMOND VOGEL PAINT CENTER \$146.96, DON SMITH \$540.00, DOOLEY OIL \$50.39, DUTTON-LAINSON COMPANY \$800.81, EAKES INC \$62.28, EAST PENN MANUFACTURING CO. \$34.50, ECOLAB \$401.33, EDWIN MARTINEZ \$400.00, ELITE TOTAL FITNESS \$196.00, ELLIOTT EQUIPMENT CO. \$1,311.35, ELLISON, KOVARIK & TURMAN LAW \$10,987.50, ENERGY LABORATORIES INC. \$580.00, ERA \$318.31, EUROFINS ENVIRONMENTAL TESTING NORTH CENTRAL, LLC \$1,716.00, FASTENAL COMPANY \$623.82, FAT BOYS TIRE & AUTO \$267.99, FEDEX \$103.88, FIRST NATIONAL BANK OF OMAHA \$9,788.21, FIRST NATIONAL BANK OMAHA - POLICE \$618.00, FLOYD'S TRUCK CENTER, INC. \$2,093.94, FRANK PARTS COMPANY \$862.59, FRESH FOODS INC. \$39.12, GALLS, AN ARAMARK COMPANY \$105.93, GRAINGER \$375.24, HEALTHBREAK, INC. \$595.00, HOMETOWN LEASING \$150.57, HYDRO OPTIMIZATION & AUTOMATION \$262.50, IDEAL LAUNDRY AND CLEANERS, INC. \$2,416.93, INDEPENDENT PLUMBING & HEATING \$175.00, INDOFF INCORPORATED \$156.58, INFINITY CONSTRUCTION INC. \$111,523.50, INGRAM LIBRARY SERVICES \$1,308.30, INTERNAL REVENUE SERVICE \$54,546.02, INTERSTATE BATTERY \$6,363.50, INTRALINKS, INC. \$1,138.00, IRBY TOOL & SAFETY \$3,165.49, JASON HENTON \$1,600.00, JEO CONSULTING GROUP \$3,000.00, JIRDON AGRI CHEMICALS, INC \$905.65, JOHN HANCOCK USA \$18,096.82, JOHN HANCOCK USA FIRE \$799.83, JOHN HANCOCK USA POLICE \$8,971.17, KANSAS GOLF & TURF INC \$378.44, KELSEY BRADY \$1,600.00, KRISTEN MASSIE \$188.00, LEGACY COOPERATIVE \$2,550.72, LINCOLN MARRIOTT CORNHUSKER \$118.25, LIZ REYEZ \$75.00, MACQUEEN EQUIPMENT, LLC \$913.50, MASEK DISTRIBUTING INC \$1,386.23, MATHESON TRI-GAS INC \$293.34, MATT HOLCOMB \$188.00, MB KEM ENTERPRISE \$1,620.48, MENARDS \$960.93, MITCHELL BEREAN CHURCH \$850.00, MUNICIPAL ENERGY AGENCY OF NE \$361,514.61, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF REV (PR) \$17,270.23, NEBRASKA DEPT OF ENVIRONMENT AND EN \$7,600.00, NEBRASKA DEPT OF REVENUE \$989.66, NEBRASKA DEPT. OF REVENUE \$69,679.03, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$562.00, NEBRASKA PUBLIC POWER DISTRICT \$4,558.15, NEBRASKA TOURISM COMMISSION \$2,000.00, NEW PIG CORPORATION \$1,124.41, NKC TIRE \$142.00, NORTHWEST PIPE FITTINGS, INC \$458.88, NSAE \$80.00, PANHANDLE AREA DEVELOPMENT \$5,600.00, PANHANDLE EMS \$1,200.00, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$681.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PAUL REED CONSTRUCTION & SUPP \$1,435.00, PIPE WORKS PLUMBING LLC \$10,700.00, PONY EXPRESS STATION \$200.00, PRESTIGE FLAG \$1,025.66, PT HOSE AND BEARING \$2,294.31, PVB VISA \$8,474.33, RECOVERY SYSTEMS COMPANY, INC \$2,232.35, REGIONAL CARE INC. \$106,654.56, RIVERSIDE DISCOVERY CENTER \$12,500.00, RIVERSTONE BANK \$594.03, RUGGED COMPUTING, INC \$1,322.02, RVW INC \$3,000.00, SANDBERG IMPLEMENT, INC. \$2,001.21, SANDY TRUJILLO \$75.00, SAPP BROS \$4,430.04, SCB COUNTY REGISTER OF DEEDS \$20.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCHANK ROOFING SERVICE \$7,718.00, SCOTTS BLUFF COUNTY COURT

\$520.44, SCOTTS BLUFF COUNTY TREASURER \$11,209.33, SCOTTSBLUFF TENT & AWNING \$199.24, SCOTTSBLUFF-GERING UNITED WAY \$230.67, SCS ENGINEERS \$3,995.00, SENIOR CITIZENS CENTER \$1,000.00, SIMMONS OLSEN LAW FIRM, P.C. \$3,040.00, SIMON CONTRACTORS \$309,214.00, SUNBELT SOLOMON \$24.61, TAYLOR MADE GOLF COMPANY \$476.78, TERESA TOSH \$19,687.36, TERRY CARPENTER, INC. \$650.00, THE CIT GROUP \$2,229.48, THE HEIRLOOM MARKET \$1,000.00, THE YOGA COLLECTIVE \$65.00, THOMPSON GLASS, INC. \$200.00, TIMOTHY LYNN MILTON \$1,600.00, TITAN MACHINERY INC. \$356.25, TYNDALE \$1,063.08, W & R INC. \$7,452.32, WESTERN COOPERATIVE COMPANY \$1,451.49, WESTERN PATHOLOGY CONSULTANTS \$273.00, WINSUPPLY SCOTTSBLUFF NE CO. \$917.59, YMCA OF SCOTTSBLUFF \$994.00, TOTAL \$1,295,595.30

**Motion by Councilmember Gillen to approve the Consent Agenda, noting that Council is approving the June, 2024 Financial Report, not 2025 (the agenda stated 2025). Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

#### **CURRENT BUSINESS:**

**1. Approve and authorize the Mayor to sign Agreement to Convey Equipment and Mutual Cancellation by and between the City of Scottsbluff and the City of Gering, as well as a Bill of Sale pertaining to a Valve Turning Maintenance Trailer**

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign an Agreement to Convey Equipment and Mutual Cancellation by and between the City of Scottsbluff and the City of Gering, as well as a Bill of Sale pertaining to a Valve Turning Maintenance Trailer. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**2. Approve and authorize the Mayor to sign Agreement for Legal Services by and between the City of Gering, Nebraska and Ellison, Kovarik and Turman Law Firm, P.C., L.L.O.**

Administrator Heath explained that staff have been negotiating with our City Attorney's firm to try to control legal costs as much as possible. Legal fees have ranged from roughly \$110,000 to \$170,000 per year on average, for the last 10 years. The City has negotiated a price of \$120,000 per year for legal services and there will be a \$150 per hour fee for legal services for litigation issues and when there is a claim or lawsuit against the City. Staff's recommendation is that Council approve and authorize the Mayor to sign the proposed agreement for legal services.

**Motion by Councilmember O'Neal to approve and authorize the Mayor to sign an Agreement for Legal Services by and between the City of Gering, Nebraska and Ellison, Kovarik and Turman Law Firm, P.C., L.L.O. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**3. Approve and authorize the Mayor to sign Amended Contract for 2024 Wastewater Treatment Plant Cover Replacement**

**Motion by Councilmember Morrison to approve and authorize the Mayor to sign an Amended Contract for the 2024 Wastewater Treatment Plant Cover Replacement. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**4. Approve updates to Personnel Policies**

**Motion by Councilmember O'Neal to approve the updated personnel policies as presented in the Council packet. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**5. Approve new position – Administrative Support Specialist**

**Motion by Councilmember Gillen to approve the new position of Administrative Support Specialist. Second by Councilmember Wiedeman.**

**Discussion:** Councilmember O'Neal commented that she wanted to clarify something that wasn't stated in the Personnel Committee meeting. It's not really Council's role, but she has a concern on who this position is to report to. For example, if it's going to report to Annie Folck in Engineering or if it's going to report to somebody else. If it's shared, no matter who it is, staff will have problems. HR Director, Shannon Goss, replied that ordinarily it will be Engineer Folck. Technically, it's under the Engineering Department.

Councilmember Morrison added that she thought this position was to type up reports, get them ready, and do things that needed to be done. To her, that sounds more like under the Clerk than the City Engineer. She said the Clerk is the one now that's working extra hours. Engineer Folck stated that staff have had this conversation and this is to replace a position that used to have two supervisors; it was supervised by the City Clerk and the City Engineer. The reason for this is because, while it was more of a clerical position, it was primarily a Secretary to the Planning Commission, which is intimately involved with the City Engineering Department. As staff talked about bringing this back, she and Kathy both agreed that they couldn't have someone report to two different bosses. It's not fair to them and it doesn't make for a healthy working environment. As staff discussed this, it was decided that because the duties of this position have so much to do with Planning Commission, that this person would report to the City Engineer and could certainly help the City Clerk with other tasks, which is the goal. They can help fill in at the front desk as needed, and with whatever else comes along. That's the reasoning for having this position report to the Engineering Department, and not to the Clerk.

Councilmember Morrison clarified that once those reports are typed up, it will be up to Engineer Folck to look through them and make sure they're correct. Engineer Folck replied yes, which she does already for Planning Commission. Clerk Welfl added that the Land Bank was added to the job description and this person will be assisting with data entry for building permits, which the previous position used to do. It will relieve some of the things that she's doing, but for Administrative Secretary Martin as well. She and Carol can get back to "Clerk's stuff". It will really level things out for staff and take some pressure off the Clerk's Office. She and Carol will train them on what to do in the front office, but she will not be their supervisor. Kathy and Annie will both provide training. Administrator Heath added that 80% of this position will be through Engineering; a little bit will be assisting out front, but the majority will be Engineering.

Councilmember Morrison clarified that the building permits will come out of the Engineering Department; Administrator Heath and Engineer Folck clarified that yes, it's Engineering. Currently Building Inspector, Jeff Vance, and Carol Martin work together on building permits. That's another reason it was decided to put this position in the Engineering Department. Inspector Vance issues the permits, Carol Martin enters the information in the computer.

Councilmember Gillen added, as a point of clarification, the reports for Planning Commission are just as critical as those for City Council. They are governing documents that are referred back to for any kind of legal process of how people have gone through the different ordinances and things to develop within our community. He knows Clerk Welfl is responsible to City Council, he just wants to make it very clear that the City Engineer will be responsible for making sure the reports meet standards for City guidelines, and not the Clerk. He also wants to make sure staff are clearly dividing that and who's responsible if the minutes are not up to par. He clarified that that's going to be the City Engineer. Engineer Folck replied yes. Administrator Heath added, that will be Annie, yes.

**Mayor Ewing called for the vote. "AYES": Shields, Gillen, Bohl, Wiedeman, O'Neal, Morrison. "NAYS": Backus, Cowan. Abstaining: None. Absent: None. Motion Carried.**

**6. Approve appointment of Netta Green to the Gering Occupation Tax Grant Fund Advisory Committee**

**Motion by Councilmember Morrison to approve the appointment of Netta Green to the Gering Occupation Tax Grant Fund Advisory Committee. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**7. Approve appointment of Judy Keller to the Gering Occupation Tax Grant Fund Advisory Committee**

**Motion by Councilmember Wiedeman to approve the appointment of Judy Keller to the Gering Occupation Tax Grant Fund Advisory Committee. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**8. Approve appointment of Jodi Ruzicka to the Gering Occupation Tax Grant Fund Advisory Committee**

**Motion by Councilmember O'Neal to approve the appointment of Jodi Ruzicka to the Gering Occupation Tax Grant Fund Advisory Committee. Second by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**9. Approve appointment of Michael Gillen to the Gering Occupation Tax Grant Fund Advisory Committee**

**Motion by Councilmember O'Neal to approve the appointment of Michael Gillen to the Gering Occupation Tax Grant Fund Advisory Committee. Second by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**PUBLIC HEARING:**

**1. Public Hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Integrity Developments LLC for the Integrity Developments Housing Project**

Mayor Ewing opened a public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by Integrity Developments LLC for the Integrity Developments Housing Project at 6:16 p.m.

City Engineer, Annie Folck, stated the location of this project is south of Dome Rock Manor, between 12<sup>th</sup> and 13<sup>th</sup> Street, north of K Street. This property has remained vacant for many years after everything around it developed. The proposed project is to build some workforce housing. They are planning on building 11 duplexes for a total of 22 units. In order to do this, there are some public improvements that need to be made to the property. One of the reasons it probably hasn't developed before now is because there is currently no sewer serving most of these lots. There needs to be a sewer added through the alley to serve all of these lots and additional sewer on another side to serve the other lots (shown on the overhead screen). Additionally, there is no water line along 13<sup>th</sup> Street; a water line will need to be added between K Street and the existing water line to the north in order to have both water and sewer available to the lots. The developer has been working with local realtors to make sure both the type of housing and the price point are going to be in demand. There have been some concerns with other local projects, but they feel by making these units three bedroom and two bath, and having the price point a little bit lower, they're fairly confident that these will be very marketable. With that, they are estimating that once these are built, they will be valued at \$3,520,000. They are looking at increasing the valuation from the existing base valuation of \$118,505. Because there will be an additional (approximately) \$3.4 million of value on this property, that would generate an additional \$75,343 in taxes every year. The TIF would allow them to take that \$75,000 for a period of 15 years and apply it to their qualified expenses. Under current state statute, they can do that for 15 years which would generate \$1.13 million. They're not asking for the entire amount; they're actually requesting \$890,938.75 in TIF funds.

When Council considers whether or not they want to approve this Redevelopment Plan, there are four criteria to consider:

1. Whether or not the development, as proposed, meets the goals that are laid out within the City's Comprehensive Plan. This project is located in what the Comp Plan calls the Southwest Gering Neighborhood District. The Comp Plan talks about it being a primarily residential district. This property is already zoned RM; duplexes are a permitted use by right. It meets all the goals and future desired characteristics for that area. The Comp Plan also talks about the importance of

increasing housing choices and diversity in Policy 3.1.A. Gering has a lot of single-family homes, but not everyone wants that. There is a need for duplexes and different types of housing. The Comp Plan also encourages infill development on vacant and underutilized sites in Policies 3.2.D and 3.2.E. It's easy to see on the aerial view that this is an underutilized site.

The Planning Commission met; this is the only criteria that they consider on these projects. At their meeting on August 6, 2024, they did recommend that they believe this project meets the goals of the Comprehensive Plan.

2. The second criteria for Council to consider is whether or not it meets the requirements of Community Development Law. That is whether or not it's located in an area that's blighted and substandard. This is in an area that the City has previously designated as blighted and substandard.
3. The third criteria is the Cost-Benefit Analysis. The CDA just met (prior to this meeting) and did approve the Cost-Benefit Analysis.
4. The fourth criteria is the hardest one, Engineer Folck noted. The "but for" test. The entire concept of TIF is to target underutilized sites that are in blighted areas because if there is no incentive, then past history tells us that there's no reason to believe that those would ever develop. Additional tax revenue may not be received off those for decades to come. But by using the additional revenue from property taxes, to incentivize development, the City is able to help get something built there. Yes, those taxes are diverted for a period of up to 15 years, but the benefit of that is that within 15 years at the most (less if it's paid off before then), at the end of that period of time, for this project for instance, there would be an additional \$75,000 in property taxes that would be paid to all the taxing entities per year. That would continue for the life of the property. The "but for" test is essentially to make sure that this is not a project that would happen with or without TIF. If the developer were going to go forward with the project either way and the TIF was intended just to help their bottom line a little more, then the Council should not approve this project. If this is a project that would not happen without these incentives, then it is something Council should approve. The developer has stated that in order for them to be able to get this built, and especially at a price point where people can actually purchase these properties, they're going to need that additional incentive because otherwise there's just no way they can get it down to a price point (when paying for all of that infrastructure) to build these homes. The applicants have indicated that this project will not go forward if the TIF is not approved.

Staff recommends approval of the Redevelopment Plan, the CDA recommended approval of the Cost-Benefit Analysis and the Planning Commission recommended approval as well, based on compliance with the Comprehensive Plan.

Councilmember Bohl commented, the estimated value (at completion) of \$3.5 million, the ask for financing and the estimated total available are relatively close. There's not much room for error in those numbers. In the event that that value at completion is less than the \$3.5 million, and if for whatever reason there's a shortfall from the ask to what is available, does that overage fall back on the builder? Engineer Folck replied, it does. They will be the owner of the bond and it will be entirely at their own risk. Whatever that valuation ends up being, that's going to be the amount they're going to get. If they put everything in and it doesn't value at that, the good news is that they'll be paying less in taxes, but that is their risk, not the City's.

Councilmember Wiedeman asked the total square footage of each unit. Byron Hedahl, the developer, replied roughly 1450 square feet per unit; three-bedroom, two-bath. They're trying to meet a price point that is doable for people while still providing a fairly decent-sized home. They will be on slabs except the master bedroom which will be open underneath both for HVAC equipment and for a shelter in case of an emergency (on each unit). Each unit will have detached two-car garages. They will be owner-occupied. They will not all be built before they come up for sale. The plan is the plan (there won't be variations). Further discussion followed regarding access to the back of the house from the garage. Each yard will be fenced when they are sold, so residents can go from the house to the garage in private, Mr. Hedahl added.

Mayor Ewing asked twice if there was anyone in the Council Chambers wishing to speak regarding this public hearing. Hearing none and with no further comments, the public hearing was closed at 6:29 p.m.

**1a. Review and take action on Resolution 8-24-3 to approve a Redevelopment Plan submitted by Integrity Developments LLC for the Integrity Developments Housing Project**

**RESOLUTION NO. 8-24-3**

**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.*, a redevelopment plan for the *Integrity Developments Housing Project* submitted by Integrity Developments LLC (the "Redevelopment Plan") has been submitted to the Gering Community Development Agency ("Authority"). 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 Comprehensive Plan (the "Comprehensive Plan"). The Planning Commission recommended approval of the Redevelopment Plan to the Authority and City Council.
- c. The Redevelopment Plan has been reviewed by the Authority, which found that the Redevelopment Plan conforms to the Comprehensive Plan, 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 Authority, are in the long term best interests of the community.
- d. The Authority recommended approval of the Redevelopment Plan to the City Council.
- e. On August 26, 2024, 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 Comprehensive Plan 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 the use of 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 impacted by the project.
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, or any portion thereof, 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 dates shall be determined in a Redevelopment Contract entered into between the Redeveloper and the Authority. 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 Authority 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 Authority 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 Authority 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.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

**BIDS/PROPOSALS:** None.

**CLOSED SESSION:** (Council reserves the right to enter into closed session if deemed necessary.) None.

**REPORTS:**

**1. Liaison Report, Scotts Bluff County Communications Center Advisory Board – Councilmember Backus**

Councilmember Backus reported the following:

- In the winter and spring meetings, the board was updated that the 911 Center added a training and credentialing position.
- Staff were trained on the EMD System which is a standardized algorithm that the dispatchers follow when they call in; it helps cut down on call times and also on potential lawsuits.
- The backup call center at the Scottsbluff Public Safety Building had their equipment upgraded.
- A public outreach program was set up in the winter and spring time to go around to all the schools in the area and talk to students about what they should call 911 for and how they should get help if they need it.
- Through the summer so far, 911 staff have attended conferences such as the 911 Director's Forum in Dallas, a privately funded event. There was a lot of hands-on with the equipment.
- Staff also attended the Call Centers Managers Certification Program in Montana to maintain the Call Center's certification, per state statutes.
- Staff have also been receiving training over the summer on the Scottsbluff and Gering license plate reader software.
- This is one of the most credentialed call centers in the state of Nebraska which is something to be proud of.
- On the horizon, there is still talk of expanding the 911 Center into the old jail and building a whole new one because they've outgrown the current location.

**OPEN COMMENT:** Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

Mike Brunner, 1785 21<sup>st</sup> Street, Gering, addressed Council and stated that he was one of the very few members of the public to attend the Budget Work Session on August 14. He added what a complete disappointment it was. This does not diminish the fact that the departments came in where Council wants them to be, but at what cost? There was no line item discussion about anything. Are they sacrificing basic services for frills the average citizen doesn't care about? Exactly what fat has been cut? The fire pits and landscaping at the Civic Plaza are nice for the few it can accommodate. But he still can't get the curbs painted in his neighborhood by the fire hydrant and mailboxes. He stated "Don't tell me you can't find help." He stated that it used to be almost an honor to work for the City. What happened? The City no longer needs a high school kid with a can of paint and a three-inch roller. The City now has a drivable machine, and it still doesn't get done. Is there no money being put in the paint budget? It wasn't talked about (at the work session).

Mr. Brunner stated that this spring, Council approved the purchase of a piece of equipment from a vendor out of the area that was priced at \$20,000 over local dealers with the justification that the money would be made up in fuel savings alone. Mr. Brunner commented "Show me the money. Show me the savings. Prove to me you are being responsible with my money." He went on to say that this public comment section is almost laughable. He assumed at a work session, there would be some give-and-take, a chance to express opinions, ask questions, have staff justify their expenditures, but he witnessed nothing. And he's very disappointed in the Council. Many times he has heard the comment that nobody comes to these meetings, budget hearings, etc. "Why should we?" He gets more out of watching 30 minutes of Jeopardy than he gets here. But then again, he is not paid to be here. He said to please note that he is not singling out any one individual, "You are all on the hook. Every elected official up there, every time a line of green

lights light up on the voting board and the minutes reflect no discussion, you're all responsible." He thanked Council for giving him this once monthly opportunity to rant, but he'd rather it be a public back and forth exchange.

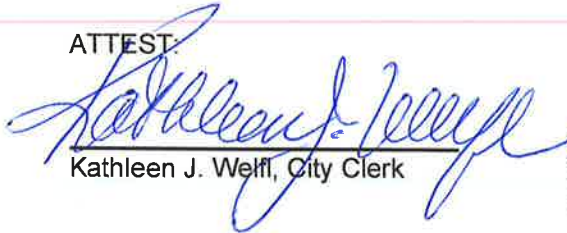
Parks and Recreation Director, Amy Seiler, addressed Council and paid honor and tribute to Jack Martin, who passed away on August 25. Mr. Martin worked for the City for 25 years and will be deeply missed; he was an incredible worker and was the epitome of the service the City looks for in our community. Staff are broken-hearted and will not know what to do without Jack, she added.

**ADJOURN:**

**Motion by Councilmember Gillen to adjourn. Second by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

Meeting adjourned at 6:39 p.m.

  
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Kent E. Ewing, Mayor

ATTEST  
  
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Kathleen J. Weiff, City Clerk

