

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, DECEMBER 11, 2023

A regular meeting of the City Council of Gering, Nebraska was held in open session on December 11, 2023, at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Bohl. 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

Motion by Councilmember Shields to excuse the absence of Councilmember Cowan from the November 27, 2023 regular City Council meeting and Councilmembers Gillen and Backus from the December 4, 2023 special meeting. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

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 November 27, 2023 Regular City Council meeting and the December 4, 2023 special meeting
2. Approve Claims
3. Approve October, 2023 Financial Report

Claims 11/28/23 – 12/11/23

ACE HARDWARE \$275.62, ALLIANCE PUBLISHING COMPANY INC \$301.50, ALLO COMMUNICATIONS \$3,151.72, AL'S TOWING, INC \$150.00, ALTEC INDUSTRIES, INC. \$5,968.27, AMAZON CAPITAL SERVICES \$966.98, AMERITAS LIFE INSURANCE COPR. \$581.00, ANAALICIA VASQUEZ \$75.00, AT&T MOBILITY \$2,280.64, ATCO INTERNATIONAL \$184.00, B & H INVESTMENTS, INC \$114.50, BEEHIVE INDUSTRIES LLC \$17,568.00, BENZEL PEST CONTROL \$265.05, BLUFFS FACILITY SOLUTIONS \$350.33, BORDER STATES INDUSTRIES, INC \$2,978.05, BRETHOURS HONEYWAGON EXPRESS \$200.00, BROWN'S SHOE FIT COMPANY \$200.09, CASEY DAHLGRIN \$98.99, CAVENDISH SQUARE \$151.44, CENGAGE LEARNING/GAGE \$124.75, CENTRAL PROGRAMS, INC \$21.99, CITY OF GERING \$20,879.03, CLARK PRINTING LLC \$131.00, COLLABORATIVE SUMMER LIBRARY P \$434.08, CORE & MAIN LP \$1,075.58, DANKO EMERGENCY EQUIPMENT CO \$2,634.62, DAVID BROWN \$53.74, DOCU-SHRED LLC \$30.00, DOOLEY OIL \$933.91, DUTTON-LAINSON COMPANY \$160.07, EAKES INC \$32.96, ECOLAB \$350.21, EJS SUPPLY, LLC \$26,030.00, FASTENAL COMPANY \$934.92, FIRST NATIONAL BANK OF OMAHA \$8,097.04, FIRST NATIONAL BANK OMAHA - POLICE \$550.00, FLOYD'S TRUCK CENTER, INC. \$256,215.70, FRANK PARTS COMPANY \$1,467.87, FRASER STRYKER PC LLO \$1,118.00, FRESH FOODS INC. \$15.94, FRONTIER OVERHEAD DOOR \$4,186.97, FYR-TEK, INC. \$64.29, GENERAL TRAFFIC CONTROLS, INC. \$750.00, GERING VALLEY PLUMBING & HTG., INC. \$1,566.00, GPAC, LLC \$43,889.00, GROUND UP CONSTRUCTION & CLEAN \$678.50, HOMETOWN LEASING \$144.52, IDEAL LAUNDRY AND CLEANERS, INC. \$623.01, INDOFF INCORPORATED \$156.39, INFINITY CONSTRUCTION INC. \$13,489.00, INGRAM LIBRARY SERVICES \$1,723.69, INTERNAL REVENUE SERVICE \$54,833.83, INTRALINKS, INC. \$6,772.07, IRBY TOOL & SAFETY \$583.19, JERRY KELLER \$75.00, JIRDON AGRI CHEMICALS, INC \$979.02, JOHN HANCOCK USA \$17,696.84, JOHN HANCOCK USA FIRE \$761.78, JOHN HANCOCK USA POLICE \$10,457.66, LEAGUE ASSOC./RISK MANAGEMENT \$5,564.96, LEE ENTERPRISES \$265.90, MACQUEEN EQUIPMENT, LLC \$541,906.16, MALY MARKETING \$760.00, MATHESON TRI-GAS INC \$87.92, MEAT SHOPPE \$38,448.27, MENARDS \$393.80, MIDWEST

CONNECT \$2,702.83, MOTOROLA SOLUTIONS, INC \$930.00, MUTUAL OF OMAHA \$4,376.19, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$18.00, NEBRASKA SAFETY AND FIRE EQUIPMENT, INC \$145.00, NEMNICH AUTOMOTIVE LLC \$7,548.44, NKC TIRE \$1,025.56, NSPIRE TODAY! \$250.00, ONE CALL CONCEPTS, INC \$116.50, OREGON TRAIL ASSOCIATION \$25,000.00, PANHANDLE CONCRETE PROD. INC. \$2,150.00, PANHANDLE COOP ASSOCIATION \$25.00, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$2,473.00, PATTLEN ENTERPRISES, INC \$1,315.98, PEACEFUL PRAIRIE NURSERY, INC. \$195.00, PLATTE RIVER GLASS \$270.00, POLICE CHIEFS ASSOC. OF NEBR. \$100.00, POWER SCREENING, LLC \$5,910.58, POWERPLAN OIB \$871.62, PT HOSE AND BEARING \$460.17, REGIONAL CARE INC. \$310,971.19, RIVERSTONE BANK \$628.19, SANDBERG IMPLEMENT, INC. \$3,891.74, SANDRY FIRE SUPPLY \$639.05, SARAH WYNN \$425.00, SCB COUNTY REGISTER OF DEEDS \$46.00, SCOTT M. BOSSE \$4,640.00, SCOTTS BLUFF COUNTY TREASURER \$35.00, SCOTTSBLUFF-GERING UNITED WAY \$221.25, SE CONSTRUCTION, LLC \$13,900.00, SHAWNA WINCHELL \$690.00, SHERWIN WILLIAMS \$620.94, SPEAK WRITE \$6.33, SPORTS NEBRASKA \$1,000.00, STEVE'S CLEANING & RESTORATION \$1,476.00, STRYKER SALES \$2,838.55, TEAM CHEVROLET \$375.00, THE TORO COMPANY \$175.00, TYLER BUSINESS FORMS \$419.65, TYNDALE \$575.53, ULINE, INC \$1,634.65, VALLEY AUTO LOCATORS LLC \$1,386.45, VERIZON CONNECT \$38.38, VERIZON WIRELESS SERVICES, LLC \$1,332.96, WESTERN COOPERATIVE COMPANY \$21,086.72, WESTERN PATHOLOGY CONSULTANTS \$182.00, YANDA'S MUSIC INC \$24,972.05, TOTAL \$1,554,816.79

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

BIDS/PROPOSALS:

1. Award bid for a 2023 Ford F150 Half-ton Pickup, Fire Department

Fire Chief, Nathan Flowers, addressed Council and stated that it was budgeted to replace a half-ton vehicle. Staff advertised locally. The current pickup is a 2011 with 80,593 miles. This vehicle was scheduled to be replaced in 2021, however staff deferred at that time to evaluate the public safety tax. This vehicle is used to transport personnel and equipment to and from fire scenes and other emergencies. It hauls the dive/rescue trailer, it's used to travel to and from conferences and more. One bid was received from Transwest Ford; base bid was \$53,043.60. It had an option to include the Eco Boost engine for an additional \$1,660.00. The base bid included an off-road package which is needed for various responses. Chief Flowers compared the bid to what the state bid would be, which would have been \$53,718 and an additional \$927 for the Eco engine. The state bid did not offer the off-road package. The local dealer was able to beat the state bid price. Chief Flowers further expanded on the benefits of the Eco engine. Staff recommends awarding the bid to Transwest Ford for \$54,703.60. Councilmember Wiedeman asked what Chief Flowers plans to do with the current vehicle. He replied that the new vehicle is six months out; staff will have time to evaluate and determine the best option. \$65,000 was budgeted; with the add-ons (sirens, lights, etc.) it will still come in under budget.

Motion by Councilmember O'Neal to approve the purchase of a 2024 Ford F-150 half-ton pickup from Transwest Ford in the amount of \$54,703.60 plus an additional \$5000 - \$7000 for sirens, decals and additional equipment. Seconded by Councilmember Cowan. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

CURRENT BUSINESS:

1. Economic Development Citizens Advisory Committee Annual Report – Galen Larson, Citizens Advisory Committee Chairman

Chairman Larson reported the following: The City of Gering LB840 Citizens Advisory Committee met on June 28 and November 29, 2023. The Committee was updated by staff and City legal counsel regarding Economic Development grants and loans. There are currently 14 applicants with outstanding Economic Development grants and loans. Four of the applicants were found to be non-compliant for the first half of 2023 for either a loan or grant. They have all been notified. Two of them remitted payment for the amount of non-compliance for job creation and retention. By doing this, it brought them back into compliance. A third applicant that was not in compliance for job creation and retention has been notified of the amount that is owed. The City expects to receive payment soon. The fourth applicant is non-compliant on loan payments. The City Administrator has spoken to the applicant and requested updated financial information. Once this is received, the Citizens Advisory Committee will meet again to make a recommendation on how to proceed.

Motion by Councilmember Gillen to enter the Economic Development Citizens Advisory Committee Annual Report into the public record. Seconded by Councilmember Morrison. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

2. Approve Resolution 12-23-1 authorizing the Mayor to sign the Year-End Certification of City Street Superintendent

Resolution No. 12-23-1

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

Whereas: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, **contract** (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor Village Board Chairperson _____ of _____

(Check one box)

(Print Name of Municipality)

is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted this 11th day of December, 23 at Gering, Nebraska.

City Council/Village Board Members (list out all names)

Rebecca Shields, Michael Gillen, Ben Backus, Cody Bohl, Susan Wiedeman, Pam O'Neal, Julie Morrison, Troy Cowan

City Council/Village Board Member _____ Moved the adoption of said resolution

Member _____ Seconded the Motion Roll Call: Yes No

Abstained Absent Resolution adopted, signed and billed as adopted.

Attest: _____

(Signature of Clerk)

Motion by Councilmember Gillen to approve Resolution 12-23-1 authorizing the Mayor to sign the Year-End Certification of City Street Superintendent. Seconded by Councilmember Wiedeman. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

3. Approve Resolution 12-23-2 regarding payment of claims in lieu of a second regular City Council meeting in December

Resolution 12-23-2

Whereas, City of Gering claims are to be approved by Council for payment;

Whereas, The Gering City Council has chosen not to hold a second regular meeting in December, 2023 (which would have been held on the fourth Monday of the month);

Whereas, claims need to be processed and paid in a timely manner;

NOW THEREFORE BE IT RESOLVED that City staff are authorized to prepare and pay claims that have been processed as if the second meeting in December, 2023 was held. The paid claims will then be presented to Council for review at the first meeting in January, 2024.

Adopted this 11th day of December, 2023.

Kent E. Ewing, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember Wiedeman to approve Resolution 12-23-2 regarding payment of claims in lieu of a second regular City Council meeting in December. Seconded by Councilmember O'Neal. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

4. Approve re-appointment of Phillip Schmidt to the Park, Cemetery and Tree Board

Motion by Councilmember Gillen to approve the re-appointment of Phillip Schmidt to the Park, Cemetery and Tree Board. Seconded by Councilmember Wiedeman. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

5. Approve re-appointment of Tim Maxcy to the Park, Cemetery and Tree Board

Motion by Councilmember Cowan to approve the re-appointment of Tim Maxcy to the Park, Cemetery and Tree Board. Seconded by Councilmember O'Neal. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

6. Approve appointment of Vicki Nemnich to the Park, Cemetery and Tree Board

Motion by Councilmember Gillen to approve the appointment of Vicki Nemnich to the Park, Cemetery and Tree Board. Seconded by Councilmember Morrison. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

7. Approve re-appointment of Dave Schleve to the Board of Adjustment

Motion by Councilmember Wiedeman to approve the re-appointment of Dave Schleve to the Board of Adjustment. Seconded by Councilmember Gillen. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

8. Approve re-appointment of Kevin Mooney to the Board of Adjustment

Motion by Councilmember O'Neal to approve the re-appointment of Kevin Mooney to the Board of Adjustment. Seconded by Councilmember Morrison. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

9. Approve appointment of Suzanne Myers to the Library Board

Motion by Councilmember Gillen to approve the appointment of Suzanne Myers to the Library Board. Seconded by Councilmember Wiedeman. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

10. Approve re-appointment of Etta Taylor to the Civil Service Commission

Motion by Councilmember Morrison to approve the re-appointment of Etta Taylor to the Civil Service Commission. Seconded by Councilmember Gillen. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

11. Approve re-appointment of Dale Hauck to the Planning Commission

Motion by Councilmember Gillen to approve the re-appointment of Dale Hauck to the Planning Commission. Seconded by Councilmember Wiedeman. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

12. Approve re-appointment of Allen Taylor to the Planning Commission

Motion by Councilmember Cowan to approve the re-appointment of Allen Taylor to the Planning Commission. Seconded by Councilmember Gillen. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Bohl. Motion carried.

REPORTS:

1. Liaison Report, Councilmember O'Neal – Oregon Trail Days

Councilmember O'Neal reported:

- The current Oregon Trail Days Board consists of Rebecca Shields, Jodi Ruzicka, Leticia Kanno, Chris Jackson, Bill Peters, John Ewing, Joan Dee Fisher, Tracey Bentley, Wally Schlager and newer board members Tricia Strach and Zac Zitterkoph.
- They have one board member position open.
- It was the 102nd year.
- The theme was Revisit the Old West.
- They added Cornhole as a new event this year.
- Bill Schlaepfer has resigned from doing the Chili Cook-off. Chris Jackson and Tricia Strauch will be taking that over.
- The O.T. Days Board is planning to apply for Gering's Occupation Tax Funds as O.T. Days annually brings in a lot of visitors to Gering.

2. Liaison Report, Councilmember Shields – Gering Public Library

Councilmember Shields reported:

- The Library has five full-time employees and four part-time.
- There are five board members that serve two terms at three years.
- They are writing a grant for the ADA ramp that needs to be put in and a new circulation desk.
- Their calendar of events are online; they keep very busy with everything going on there.
- They always think outside of the box and try to come up with new ideas.
- They have a Maker Space through a grant where they have a heat press, button maker, binding machine and a paper cutter.
- They did a wine 101 class that was very well-attended.
- They are starting a book discussion at the Middle School.
- They're doing Mahjong tiles that booked up really fast; there's no more room for people in that right now.
- Tinker Totts Prime Time Family Reading (a literacy program) was very popular this year with 11 families.
- The Community Room gets used pretty often.
- The Lego Club is popular as well.

OPEN COMMENT: Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only. None

ADJOURN:

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

The meeting adjourned at 6:21 p.m.



Kent E. Ewing, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk

