THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, FEBRUARY 10, 2025

A regular meeting of the City Council of Gering, Nebraska was held in open session on February 10, 2025 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Seay, 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.

- Recital of the Pledge of Allegiance and Prayer
- 2. Roll Call
- 3. Accept letter of resignation from Ward IV Councilmember, Cody Bohl

Motion by Councilmember Gillen to accept a letter of resignation from Ward IV Councilmember, Cody Bohl. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Excuse councilmember absence

Motion by Councilmember Morrison to excuse the absence of Councilmember O'Neal from the January 27, 2025 regular City Council meeting. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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 January 27, 2025 regular City Council Meetings
- 2. Approve Claims

Claims 1/28/25 - 2/10/25

A & A PORTA POTTIES \$150.00, AC ELECTRIC MOTOR SERVICE \$949.55, ACE HARDWARE \$90.93, ACUSHNET COMPANY \$133.05, ADRIANA BILLLIE \$75.00, ALLO COMMUNICATIONS \$3,245.92, ALTEC INDUSTRIES, INC. \$4,532.27, AMAZON CAPITAL SERVICES \$1,232.25, AMERITAS LIFE INSURANCE CORP. \$554.90, AT&T MOBILITY \$293.06, BEELINE SERVICE NC \$175.00, BENZEL PEST CONTROL \$56.71, BLUFFS FACILITY SOLUTIONS \$893.64, BORDER STATES INDUSTRIES, INC \$2,710.76, BRETHOURS HONEYWAGON EXPRESS \$200.00, BROWN'S SHOE FIT COMPANY \$916.00, BUDGE-IT DRAIN SERVICE \$1,800.00, CAMPSPOT \$979.76, CENGAGE LEARNING/GAGE \$604.08, CHARLEE GUADARRAMA \$75.00, CITY OF GERING \$17,992.43, CITY OF MITCHELL \$8.09, CLARK PRINTING LLC \$435.95, CLEVELAND GOLF/SRIXON \$378.54, CNA SURETY DIRECT BILL \$1,912.50, CODY FERGUSON \$47.00, COLORADO STATE UNIVERSITY \$945.00, COLUMN SOFTWARE, PBC \$598.10, CONNECTING POINT \$17.67, CONTRACTORS MATERIALS, INC. \$99.00, COZAD SIGNS, LLC \$160.00, DANKO EMERGENCY EQUIPMENT CO \$29.85, DAVID S. LEIS \$540.00, DEARBORN LIFE INSURANCE COMPAN \$103.20, DOCU-SHRED LLC \$60.00, DOLAN CONSULTING GROUP \$95.00, DOOLEY OIL \$267.89, DUTTON-LAINSON COMPANY \$3,236.56, EAKES INC \$454.54, EJS SUPPLY, LLC \$12,773.00, FASTENAL COMPANY \$84.01, FAT BOYS TIRE & AUTO \$525.48, FEDEX \$62.92, FIRST NATIONAL BANK OF OMAHA \$26,298.06, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOW CONTROL AUTOMATION \$882.00, FLOYD'S TRUCK CENTER, INC. \$1,180.83, FRANCISCOS BUMPER TO BUMPER IN \$375.00, FRANK PARTS COMPANY \$922.96, FRONTIER OVERHEAD DOOR \$820.00, GALLS, AN ARAMARK COMPANY \$387.48, GENERAL TRAFFIC CONTROLS, INC. \$175.00, GERING VALLEY PLUMBING & HTG., INC. \$685.00, GERING VOLUNTEER FIRE DEPT. \$196.97, GORSUCH & SONS \$660.95, HARBOR FREIGHT TOOLS \$159.94, HEALTHBREAK, INC. \$6,409.00, HOLIDAY INN KEARNEY \$249.90, HULLINGER GLASS & LOCKS, INC. \$240.00, HYDRO OPTIMIZATION & AUTOMATION \$535.00, IDEAL LAUNDRY AND CLEANERS, INC. \$1,700.05, INDOFF INCORPORATED \$60.19, INGRAM LIBRARY SERVICES \$1,239.55, INTERNAL REVENUE SERVICE \$54,336.33, INTRALINKS, INC. \$6,798.34, IRBY TOOL & SAFETY \$6,794.00, JEO CONSULTING GROUP \$9,600.00, JIRDON AGRI CHEMICALS, INC \$538.02, JOHN HANCOCK USA \$19,573.63, JOHN HANCOCK USA FIRE \$873.56, JOHN HANCOCK USA POLICE \$9,919.66, JORDAN MCBRIDE \$134.00, LEGACY COOPERATIVE \$723.76, LOGOZ LLC

\$216.00, MATHESON TRI-GAS INC \$109.84, MELANIE SEIFERT \$75.00, MENARDS \$1,694.06, MUNICIPAL SUPPLY, INC. OF NE. \$4,788.65, MUTUAL OF OMAHA \$5,415.69, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPT OF REVENUE \$8,937.00, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$37.00, NEBRASKA SAFETY AND FIRE EQUIPMENT, INC \$95.00, NKC TIRE \$25.00, NORTH PLATTE NRD \$108.02, NORTHWEST PIPE FITTINGS, INC \$86.84, ONE CALL CONCEPTS, INC \$49.86, O'REILLY AUTOMOTIVE STORE \$225.12, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$545.00, PATTLEN ENTERPRISES, INC \$2,646.77, PETE'S QUICK LUBE \$215.51, PLATTE VALLEY BANK \$(223.82),PT HOSE AND BEARING \$25.30, QUADIENT POSTAGE FUNDING \$807.28, REGIONAL CARE INC. \$60,567.23, RIVERSTONE BANK \$621.49, RVW INC \$700.00, SAMANTHA NIEZAAG \$75.00, SANDBERG IMPLEMENT, INC. \$23,256.79, SCB CO. GIS/MAPPING DEPT. \$1,116.66, SCOTTS BLUFF COUNTY COURT \$17.00, SCOTTSBLUFF-GERING UNITED WAY \$273.02, SIMON CONTRACTORS \$1,156.72, SIRCHIE ACQUISITION COMPANY, LLC \$51.00, SOUTHWESTERN EQUIPMENT COMPANY \$119.83, STANARD & ASSOCIATES, INC \$835.00, SUNBELT SOLOMON \$54,233.76, TEAM CHEVROLET \$600.00, TERESA TOSH \$21,775.03, THE TORO COMPANY \$175.00, TITAN MACHINERY INC. \$593.75, TRANSUNION RISK AND ALTERNATIV \$75.00, UNANIMOUS, INC. \$4,500.00, UNITED CHAMBER OF COMMERCE \$25.00, UNITED STATES POSTAL SERVICE \$436.00, UTILITY BILL REFUNDS \$237.29, VALLEY AUTO LOCATORS LLC \$60.00, VERIZON WIRELESS SERVICES, LLC \$556.55, WESTERN COOPERATIVE COMPANY \$2,250.44, WINSUPPLY SCOTTSBLUFF NE CO. \$248.92, WINTER EQUIPMENT CO., INC. \$2,844.40, TOTAL \$417,542.72

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

CURRENT BUSINESS:

1. Mayoral Appointment of Special Council Committee to conduct interviews for the Ward IV City Council vacancy

Motion by Councilmember O'Neal to approve the Mayoral Appointment of a Special Council Committee to conduct interviews for the Ward IV City Council vacancy. The special committee will be comprised of all seated Council Members. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. Consider approval of Keno Fund request:

High Plains Auto Club

Keno Committee Chairman, Darrell Bentley, stated that the High Plains Auto Club brings a lot of people to Gering with the Father's Day Classic in June. It's a real plus for the Gering Civic Center as well.

Motion by Councilmember Morrison to approve a Keno Fund request for High Plains Auto Club in the amount of \$3500. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Introduction of Riverside Discovery Center Director, Kei Hodgson

Mr. Hodgson addressed the Council and stated that he's excited to be in the community as the new Director of the Riverside Discovery Center. He provided a brief history of the zoo and expressed gratitude to the City of Gering for its support. The zoo has been in existence since 1950; they will be celebrating their 75th anniversary this year. He also explained some of the endangered species programs with which the Discovery Center participates. Gering is their second largest market at 18% of their visitor numbers. Several of their staff live in Gering, as well. Mayor Ewing asked about accreditation. Mr. Hodgson replied he has been reaching out to a mentor from the Denver Zoo and they are trying to prioritize accreditation.

4. Approve Preliminary Plat of Block 1, Boyd Subdivision situated on the Southeast Quarter of the Northwest Quarter of Section 11, T21N, R55W of the 6th P.M. Scotts Bluff County, Nebraska

Administrator Heath stated that the City has received an application for a Preliminary Plat for Block 1 Boyd Subdivision. He showed the vicinity on the overhead screens. The property is primarily made up of ag land, with an existing home on the northeast corner. The property cannot be subdivided as an Ag Estate Dwelling due to the fact that it is not zoned as Ag. The intent of the subdivision is to split off the existing home from the remainder of the property. The home is currently served by a well and septic. The well is on the portion of the property that will be split off, so an easement has been drawn up in order to ensure that the home retains the right to utilize the well.

When looking at future expansion in the area, it appears that the closest location to tie in to water and sewer is to the Kimberly Park Subdivision which is directly north of the property. The City has requested an easement to allow for future utility expansion into the property. The property owner would prefer not to put a utility easement through the property they are subdividing, but stated that they would be willing to grant a utility easement through an adjacent parcel which they also own. The easement has been drawn up and was granted for the East 20' of Block 1, Wiley Addition. Planning Commission recommended approval of the preliminary plat; he explained where the easements were and how they could be used.

Councilmember Gillen asked if there was any concern for roadways and future streets. Administrator Heath replied that there is a street (a public right of way) that is platted to a portion of the property to serve the Wiley Block 1 Subdivision. That road could be extended depending on how the developers want to develop that property. There is an ability for a street to continue on to the south if the developer chooses to do that.

Motion by Councilmember Wiedeman to approve a Preliminary Plat of Block 1, Boyd Subdivision situated on the Southeast Quarter of the Northwest Quarter of Section 11, T21N, R55W of the 6th P.M. Scotts Bluff County, Nebraska. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

5. Approve and authorize the Mayor to sign a Development Agreement for Block 1, Boyd Subdivision

Motion by Councilmember Gillen to approve and authorize the Mayor to sign a Development Agreement for Block 1, Boyd Subdivision. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

6. Approve Final Plat of Block 1, Boyd Subdivision situated on the Southeast Quarter of the Northwest Quarter of Section 11, T21N, R55W of the 6th P.M. Scotts Bluff County, Nebraska

Administrator Heath explained that an easement was granted to provide the home use of the existing well. Planning Commission recommended approval of the final plat with the condition that the development agreement be enacted to ensure that the property owners would be responsible for the cost of extending the utilities to the property if and when it is further developed. Councilmember Morrison asked about a timeline to get it done. Administrator Heath replied that it's in the agreement that if the well would fail, they would be required to get the water in. If the septic fails, they would be required to get the sewer in to the property.

Motion by Councilmember Cowan to approve a Final Plat of Block 1, Boyd Subdivision situated on the Southeast Quarter of the Northwest Quarter of Section 11, T21N, R55W of the 6th P.M. Scotts Bluff County, Nebraska. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

7. Approve appointments of Rita Stinner, Aaron Raines and Krista Baird to the Occ Tax Advisory Committee

Motion by Councilmember Gillen to approve the appointments of Rita Stinner, Aaron Raines and Krista Baird to the Occ Tax Advisory Committee. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

8. Approve appointment of Pam O'Neal as liaison to the Airport Authority

Motion by Councilmember Gillen to approve the appointment of Councilmember O'Neal as liaison to the Airport Authority. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

9. Approve appointment of Rebecca Shields as liaison to the Oregon Trail Days Board

Motion by Councilmember Gillen to approve the appointment of Councilmember Shields as liaison to the Oregon Trail Days Board. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

10. Approve and authorize the Mayor to sign Supplemental Agreement Regarding Waste Collection Equipment

Motion by Councilmember Morrison to approve and authorize the Mayor to sign a Supplemental Agreement Regarding Waste Collection Equipment. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

11. Request for Recreation Committee meeting – Agenda item: Discussion of Monument Shadows Golf Course Clubhouse

Motion by Councilmember Gillen to approve a request for Recreation Committee meeting with agenda item: Discussion of Monument Shadows Golf Course Clubhouse. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

BIDS/PROPOSALS:

1. Award base bid and alternate for the 2025 Water Main Improvement Project – Public Works Department

Administrator Heath explained that the water main on 5th Street between H and I and the main on H Street between 5th & 7th have been failing for several years. The City's LB357 half cent sales tax infrastructure plan included replacing these water mains. More recently, staff experienced the same problem on 6th Street between H and I; this line was not included in the infrastructure plan. The City accepted bids to replace the water mains on H Street from 5th to 7th and on 5th Street from H to I Street; the low bid was \$292,760. Staff also bid an alternate to replace the water main on 6th Street from H to I; the low bid was \$113,851. Public Works Director, Mike Davies, has decided to forgo some capital expenditures that were budgeted to complete the alternate. The total cost for both bids is \$406,611.

The City of Gering Community Infrastructure Cooperative met on February 4 and made a positive recommendation to the CRA and the City Council regarding this project. The CRA met today at 5:30 p.m. and made a recommendation to approve the expenditure of \$232,000 of LB357 half cent sales tax funds to be used toward this project. This will be the City's first infrastructure project using LB357 funds. Staff recommends awarding the project to the low bidder, Hennings Construction, in the amount of \$406,611 with \$232,000 coming from the LB357 half cent sales tax fund and \$174,611 from the Water Capital Fund.

Motion by Councilmember Seay to award the base bid and alternate for the 2025 Water Main Improvement Project for the Public Works Department to Hennings Construction in the amount \$406,611 noting that \$232,000 of that will come from the LB357 half cent sales tax Fund for infrastructure. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. Award bid for shade structures at Dome Rock Diamonds – Parks and Recreation Department

Administrator Heath stated the City and 308 United Softball submitted a joint application to the Occupation Tax Fund to install shade structures at Dome Rock Diamonds. In addition to providing shade, these structures will also increase protection for spectators from foul balls. There will be eight structures, each at 15' wide by 30' long which will provide protection for each of the eight sets of bleachers in the park. In accordance with the City's purchasing policy, the materials for these shade structures were publicly bid.

The City received one bid from B & C Steel in the amount of \$41,448.00. There will be additional costs for installation of the shade structures that are not part of this bid. Administrator Heath added that the structures cannot be too large because there needs to be room for emergency equipment to get into the complex if needed. He thanked B & C Steel for providing a reasonable bid. Parks and Recreation Director, Amy Seiler, added that the intent is to have these installed before the start of the softball season.

Motion by Councilmember Morrison to award the Dome Rock Diamonds shade structures materials bid to B&C Steel in the amount of \$41,448. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Approve and authorize the Mayor to sign Agreement for Professional Services between the City of Gering and JEO Consulting Group, Inc. for the Gering Public Library Addition Concept Plan

Administrator Heath stated that the existing library building has many ADA deficiencies, and money has been budgeted to start addressing them. The Library Board and Library Foundation also have hopes of eventually expanding the library to provide additional space. One of the primary goals of expanding ADA access is to install a new entryway with ADA compliant ramps to both the upstairs and downstairs of the library. However, before moving forward with this project, it is important to have a vision of what a future expansion may look like for this building. This will ensure that investments in the library to address ADA issues will not have to be redone in the future in order to accommodate a future expansion project. The City sent out an RFQ to procure an architect to put together a conceptual plan that would address these two separate issues (ADA and future expansion). The committee, made up of representatives from City Staff. the Library Board, and City Council, selected JEO as the consultant best suited to work on this project. The agreement is to develop a conceptual design and provide cost estimates. It is anticipated that this architectural firm would then be utilized to put together design drawings and bid documents for the improvements that the City chooses to move forward with (which would be a separate contract, costs to be determined after a preferred concept is chosen). This contract would also include the development of renderings that would show what the new exterior of the building would look like after expansion. Staff recommend approving and authorize the Mayor to sign the agreement with JEO.

Councilmember O'Neal asked if this is the same firm that was used originally. Administrator Heath replied, no, it was Hewgley & Associates out of North Platte.

Motion by Councilmember Wiedeman to approve and authorize the Mayor to sign an Agreement for Professional Services between the City of Gering and JEO Consulting Group, Inc. for the Gering Public Library Addition Concept Plan with an expenditure of \$19,000. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

ORDINANCES:

1. Approve Ord. 2154 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND TITLE XI: BUSINESS REGULATIONS, CHAPTER 114: PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS, SUBSECTION 114.13. MOBILE FOOD/BEVERAGE VENDING AS PART OF THE GERING CODE OF ORDINANCES; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Gillen made a motion to introduce Ordinance No. 2154 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND TITLE XI: BUSINESS REGULATIONS, CHAPTER 114: PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS, SUBSECTION 114.13. MOBILE FOOD/BEVERAGE VENDING AS PART OF THE GERING CODE OF ORDINANCES; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Seay. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2154 and the title thereof approved, and that the Statutory Rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, and that the ordinance be passed as read, which motion was seconded by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

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

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 O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Seay, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Meeting adjourned at 6:43 p.m.

ATTEST

Kathleen J. Welfl, City Clerk

Kent E. Ewing, Mayor