

## **THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, FEBRUARY 24, 2025**

A regular meeting of the City Council of Gering, Nebraska was held in open session on February 24, 2025 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Gillen, Seay, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl, and City Attorney Jim Ellison. Absent were Councilmember Shields and Wiedeman. 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 February 10, 2025 regular City Council Meetings
2. Approve Claims
3. Approve December, 2024 Financial Report

### **Claims 2/11/25 – 2/24/25**

24/7 FITNESS \$316.00, ACE HARDWARE \$942.59, ACTION COMMUNICATIONS, INC. \$59.70, ACUSHNET COMPANY \$286.33, AFLAC \$1,734.94, ALTEC INDUSTRIES, INC. \$9,162.38, AMAZON CAPITAL SERVICES \$1,633.94, AMERITAS LIFE INSURANCE CORP. \$566.10, AT&T MOBILITY \$1,678.58, B & C STEEL \$71.26, B & H INVESTMENTS, INC. \$327.00, BEACON ATHLETICS, LLC \$29.95, BEELINE SERVICE NC \$130.00, BENZEL PEST CONTROL \$165.00, BIBLIONIX LLC \$2,480.00, BLACK HILLS ENERGY \$6,534.28, BLUFFS FACILITY SOLUTIONS \$217.91, BORDER STATES INDUSTRIES, INC. \$2,381.28, CITY OF GERING \$1,719.97, CLARK PRINTING LLC \$423.80, COLUMN SOFTWARE, PBC \$594.93, CONTRACTORS MATERIALS, INC. \$104.40, DANKO EMERGENCY EQUIPMENT CO \$367.78, DEINES IRRIGATION \$3.70, DICKIE K COCHRANE \$33.00, DINGES FIRE COMPANY \$3,132.06, DOOLEY OIL \$180.96, DUTTON-LAINSON COMPANY \$1,011.86, EAKES INC \$61.14, ECOLAB \$130.87, ELITE TOTAL FITNESS \$165.00, ELLISON, KOVARIK & TURMAN LAW \$10,016.00, ERIC REICHERT CONSTRUCTION \$2,975.17, FASTENAL COMPANY \$626.49, FIRST NATIONAL BANK OF OMAHA \$20,895.58, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$166.75, FRANK PARTS COMPANY \$967.19, FRASER STRYKER PC LLO \$1,485.00, FYR-TEK, INC. \$224.68, GERING VALLEY PLUMBING & HTG., INC. \$740.00, GREATAMERICA FINANCIAL SERVICE \$100.00, GROUND UP CONSTRUCTION & CLEAN \$6,978.50, HOLIDAY INN KEARNEY \$288.28, HOME DEPOT CREDIT SERVICES \$149.21, HOMETOWN LEASING \$150.57, HYDRO OPTIMIZATION & AUTOMATION \$551.24, IDEAL LAUNDRY AND CLEANERS, INC. \$800.88, INDOFF INCORPORATED \$362.67, INGRAM LIBRARY SERVICES \$90.26, INLAND TRUCK PARTS CO. \$1,237.80, INTERNAL REVENUE SERVICE \$47,627.90, J RODZ \$150.00, JOHN HANCOCK USA \$17,686.33, JOHN HANCOCK USA FIRE \$873.56, JOHN HANCOCK USA POLICE \$9,366.27, LAKEVIEW BOOKS \$262.89, LANE SEIFERT \$823.50, LEAGUE ASSOC./RISK MANAGEMENT \$36,558.84, LEGACY COOPERATIVE \$8,541.59, LOGOZ LLC \$198.00, MARKETING CONSULTANTS \$46.00, MATHESON TRI-GAS INC \$79.52, MB KEM ENTERPRISE \$689.00, MENARDS \$638.63, MIDWEST CONNECT \$3,196.91, MOBIUS COMMUNICATIONS COMPANY \$30.00, MUNICIPAL ENERGY AGENCY OF NE \$396,710.94, MUNICIPAL SUPPLY, INC. OF NE. \$535.02, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF REV (PR) \$15,132.44, NEBRASKA DEPT OF REVENUE \$2,168.87, NEBRASKA DEPT. OF REVENUE \$64,103.06, NEBRASKA PUBLIC POWER DISTRICT \$1,215.69, NORTHWEST PIPE FITTINGS, INC. \$265.98, O'REILLY AUTOMOTIVE STORE \$238.26, PANHANDLE CLERK'S ASSOCIATION \$40.00, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$120.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PANHANDLE REGIONAL DEVELOPMENT, INC. \$50.00, PATTLEN ENTERPRISES, INC. \$14.30, PETE'S QUICK LUBE \$52.31, PING INC \$464.67, PIPE WORKS PLUMBING LLC \$1,000.00, POWERPLAN OIB \$642.83, PRECISION AIR \$895.60, PROTEX CENTRAL, INC. \$3,379.62, PT HOSE AND BEARING \$216.25, PVB VISA \$6,180.50, QUADIENT POSTAGE FUNDING \$8.94, R & R PRODUCTS, INC.

\$280.95, REGION 22 EMERGENCY MANAG \$4,875.64, REGIONAL CARE INC. \$1,043.10, RILEY SMITH \$56.00, RIVERSIDE DISCOVERY CENTER \$8,333.34, RIVERSTONE BANK \$593.51, RPM FITNESS \$70.00, RVW INC \$401.00, RYAN'S WELDING LLC \$18,500.00, SANDBERG IMPLEMENT, INC. \$499.99, SCB COUNTY REGISTER OF DEEDS \$30.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTTSBLUFF-GERING UNITED WAY \$273.02, SCS ENGINEERS \$2,578.00, SENIOR CITIZENS CENTER \$1,000.00, SHERWIN WILLIAMS \$430.43, SMART APPLE MEDIA \$311.26, SUNBELT SOLOMON \$4,182.83, TERESA TOSH \$27,906.03, TERRY CARPENTER, INC. \$650.00, THE ABY MANUFACTURING GROUP \$271.50, THE PEAVY CORP. \$545.55, THE YOGA COLLECTIVE \$65.00, TRANSWEST \$123.29, UNANIMOUS, INC. \$1,900.00, UNITED STATES GEOLOGICAL SURVEY \$4,950.00, VALLEY AUTO LOCATORS LLC \$1,662.31, W J R INC. \$4,774.24, WESTERN COOPERATIVE COMPANY \$6,455.94, WESTERN PATHOLOGY CONSULTANTS \$253.00, YMCA OF SCOTTSBLUFF \$896.00, TOTAL \$804,352.79

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

#### **CURRENT BUSINESS:**

##### **1. Presentation to Cody Bohl, outgoing Ward IV Council Member**

Mayor Ewing presented a plaque to Cody Bohl for four years of service as a Gering City Council Member.

##### **2. Gering Fire Department Annual Report - Fire Chief, Nathan Flowers**

Fire Chief, Nathan Flowers, presented the 2024 Fire Department Annual Report. He stated as with any organization, their people have the most value. He believes the Gering Fire Department represents the best of our community. Their hard work, determination and commitment to their community is behind the data he wants to present to the Mayor and Council. It's his honor and privilege to present the 2024 report. There was a 9% increase in call volume from the previous year. They reported to a total of 995 calls for service, which is the most they've ever had in a calendar year. Medical calls accounted for 69% of their total call volume. They logged 5,509 man-hours of training last year. Chief Flowers provided additional information from the report and talked about trainings that were hosted in Gering in 2024 as well as grants and donations that were received. Mayor Ewing stated that he and the Council appreciate his and his personnel's dedication to the Fire Department. The 2024 Fire Department Annual Report is on file at the Office of the City Clerk.

**Motion by Councilmember Cowan to enter the Gering Fire Department Annual Report into the public record. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Seay, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.**

##### **3. Approve and authorize the Mayor to sign Agreement for Personnel and Equipment between the City of Gering, NE and the City of Mitchell, NE**

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign an Agreement for Personnel and Equipment between the City of Gering, NE and the City of Mitchell, NE. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Seay, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.**

##### **4. Approve statement of opposition to LB354 and authorize staff to submit electronically to the Revenue Committee on the Nebraska Legislature website**

Councilmember Morrison asked if staff heard any more about this. Administrator Heath replied that an amendment was attached to the bill to exempt cities between 5000 and 15,000 (in population), but it was recommended that Gering still submit the statement. There is a possibility that the senator that introduced the bill could pull the bill and they would look at a study. The Finance Committee hearing is on Wednesday afternoon.

**Motion by Councilmember Gillen to approve a statement of opposition to LB354 and authorize staff to submit electronically to the Revenue Committee on the Nebraska Legislature website. Second by Councilmember Morrison. There was no discussion. Mayor**

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

#### **BIDS/PROPOSALS:**

##### **1. Award Bid for 2025 Street Improvements - Transportation Department**

City Engineer, Annie Folck, explained that the City budgeted for a couple of street repair overlays for all of Arroyo Road and a portion of Hackberry Road. They are on the one year of the one and six year Street Improvement Plan. One thing that was part of this bid that was not previously planned on are some repairs to Kimball Avenue as a result of a vehicle fire there that caused damage to the road. Rather than paying to have a company mobilize just to do that portion of it, staff added it to this bid because the City gets better prices that way. It was publicly advertised, one bid was received. That is not unusual for asphalt projects, it is typically just the one. The bid was from Simon contractors for \$312,380. It is within the engineer's estimate, and it's also within the amount that was budgeted. Staff recommends approval of the bid.

**Motion by Councilmember Gillen to award the 2025 Street Improvements bid to Simon Construction in the amount of \$312,380. Second by Councilmember Seay. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Seay, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.**

##### **2. Award Bid for Three Phase Pad Mount Transformers - Electric Department**

**Motion by Councilmember Gillen to award the three phase pad mount transformer bid to RESCO in the amount of \$674,969.93 for the Electric Department. Second by Councilmember Cowan.**

**Discussion:** Councilmember Gillen asked to have it in the record why the City is not taking the lowest bid. Engineer Folck stated that the City received four bids for the remainder of the transformers needed for the conversion. The low bid was actually from Border States. The concern with that bid was the lead time, the bigger concern was that it was not a fixed price. They quoted what the price would be if it were to be delivered today, but they cannot deliver for 50 to 52 weeks and it stated in the bid that if there are any changes to their costs, those costs would be passed along to the City and those prices could increase up to a month before they would ship. Due to the volatility that could occur with the potential for tariffs, material availability, new efficiency standards and things going on in the market for transformers right now, staff recommends going with the next lowest bid which was roughly 9% higher, but they have a fixed cost and a better lead time of 16 to 24 weeks. More importantly, the price quoted today is the price the City will pay for them. Staff recommends going with the bid from RESCO.

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

#### **RESOLUTIONS:**

##### **1. Approve Resolution 2-25-1 establishing fees for the use of City of Gering Ballfields**

Director of Parks and Recreation, Amy Seiler, stated that the Recreation Committee met five times to discuss the potential to have fees for the ballfields. The Committee and staff had several in-depth conversations. There have never been fees for the use of the City's ballfields. The City is looking at ways to cover some of the costs, including maintenance and work on the fields. She worked with the Parks Board and they made recommendations which were discussed in-depth by the Recreation Committee. The resolutions being presented at this meeting are the numbers they came up with for the ballfields. GO Baseball had representation at one of the Recreation Committee meetings, as well as GGSA. She also visited with some travel teams and they also came to a Recreation Committee meeting and provided input. Councilmember Gillen added that staff also did a comparative study to many other municipal locations that have ballfields and what they're charging for the use of their fields.

##### **Resolution No. 2-25-1**

##### **A RESOLUTION ESTABLISHING FEES FOR USE OF CITY OF GERING BALLFIELDS**

**WHEREAS** the City Council of the City of Gering has determined there is a need to establish fees for the use of ballfields owned by the City of Gering; and

**WHEREAS** the City Council has determined these fees will, in part, support the costs of maintaining the

aforementioned amenities.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA** that the following fees are established:

**ANNUAL RATES FOR BALLFIELDS MARCH 1 THROUGH OCTOBER 31**

<u>Field/Amenity</u>	<u>Organization</u>	<u>Fee</u>
Diamond 1 Field	Legion Baseball (Senior, Junior and Prep Teams)	\$1,500
Dome Rock Diamonds, Diamond 1, and practice fields	GO Baseball (includes the use of all fields for travel baseball and league association under the insured umbrella of GO Baseball)	\$2,000
Dome Rock Diamonds, Diamond 1, and practice fields	GO Baseball (if no travel team)	\$1,500
All Dome Rock Diamonds Softball & Practice Fields	GGSA - Gering Girls Softball Association (includes league use and travel teams under the insured umbrella of GGSA)	\$2,000
All Dome Rock Diamonds Softball & Practice Fields	GGSA - Gering Girls Softball Association (if no travel teams)	\$1,500
Field #1, #2 and #5 and practice fields	Gering Public Schools Softball Team	\$1,500

**OUTSIDE TRAVEL TEAMS**

<u>Field/Amenity</u>	<u>Teams outside of local organizations</u>	<u>Fee</u>
All Dome Rock Diamonds, Diamond 1 & Practice Fields	Practice: (Maximum two hours per day)	\$25 per hour
	Game/Scrimmage:	\$75 per game

**CLEAN-UP FEE**

<u>Field/Amenity</u>	<u>Applicable to all field users</u>	<u>Fee</u>
All Fields	A clean-up fee will be invoiced if facility is not cleaned and/or left unorderly	\$50 per day per field

**TOURNAMENT FEES FOR OUTSIDE ASSOCIATIONS**

<u>Field</u>	<u>Fee</u>
Diamond 1	\$150 per day
Oregon Trail Park Stadium (special conditions apply, see below)	\$150 per day
Dome Rock Diamonds	\$150 per day
Field prep fee*	\$500 per day

Tournament fees include use of fields and lights. Field prep is the responsibility of the tournament organizer unless arrangements have been made. If field prep is needed, arrangements shall be made two weeks in advance with Parks Supervisor and field prep fee will apply.

\* Optional

**DEPOSITS**

Crow's Nest & Bathroom Key Deposit *	\$250 per year per organization
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Keys shall be checked out and must be returned within a week of completion of a tournament or within 14 days of completion of the season. Key deposit fees are refundable when key is returned.

\*Dome Rock Diamonds only.

**SPECIAL CONDITIONS FOR OREGON TRAIL PARK STADIUM**

Arrangements must be made with lessee/operator of the stadium 30 days in advance with a special event permit.

### OTHER REQUIREMENTS

An agreement, provided by the City of Gering Parks and Recreation Department, along with a Certificate of Liability Insurance with a minimum coverage amount of one million dollars (\$1,000,000) adding the City as additional insured and a signed waiver of liability are required prior to any entity using any City facility.

**NOW THEREFORE BE IT RESOLVED** that effective immediately, the City of Gering shall charge the aforementioned fees for the use of ballfields and amenities.

Adopted this \_\_\_\_\_ of \_\_\_\_\_, 2025

\_\_\_\_\_  
Kent Ewing, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen J. Welfl, City Clerk

**Motion by Councilmember Gillen to approve Resolution 2-25-1 establishing fees for the use of City of Gering Ballfields. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Seay, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.**

### **2. Approve Resolution 2-25-2 establishing fees for the use of the Concession Stand at Dome Rock Diamonds**

#### **Resolution No. 2-25-2**

#### **A RESOLUTION ESTABLISHING FEES AND DEPOSIT FOR USE OF CONCESSION STAND AT DOME ROCK DIAMONDS**

**WHEREAS**, The Gering City Council, Gering, Nebraska shall establish fees and deposit for use of the concession stand at Dome Rock Diamonds.

**WHEREAS**, Concession building fees and deposit shall be as follows:

Concession Stand Lease for Recreational Baseball/Softball season	\$500 per season
Daily Use Fee	\$50 per day
Gering High School	\$250 per High School Softball Season
Damage/key deposit fee	\$250

An agreement, provided by the City of Gering Parks and Recreation Department, will be required for use of the concession building.

Keys shall be checked out and must be returned within a week of completion of a tournament or within 14 days of completion of the season. Damage/key deposit fees are refundable when key is returned and facility walk-through has been completed.

**NOW THEREFORE BE IT RESOLVED** that effective immediately the City of Gering shall charge the aforementioned fees and deposit at the Dome Rock Diamond Concession Building.

**PASSED AND APPROVED THIS** \_\_\_\_\_ **day of** \_\_\_\_\_ **2025.**

\_\_\_\_\_  
Kent Ewing, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen J. Welfl, City Clerk

**Motion by Councilmember Gillen to approve Resolution 2-25-2 establishing fees for the use of the Concession Stand at Dome Rock Diamonds. Second by Councilmember Seay.**

**Discussion:** Councilmember O'Neal noted that the Recreation Committee met several times on this, too. They received a lot of input from different people and that's how they came up with these fees. Councilmember Gillen added that the current concession stand operator participated in those discussions.

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

## **ORDINANCES:**

### **1. Approve Ord. No. 2155 - AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF**

Councilmember Gillen made a motion to introduce Ordinance No. 2155 – AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Seay. There was no discussion. Mayor Ewing called for the vote. “AYES”: Gillen, Seay, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.

Councilmember O’Neal moved that the Ordinance be designated as Ordinance No. 2155 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 Morrison. There was no discussion. The Clerk called the roll. “AYES”: Gillen, Seay, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Shields, Wiedeman. Motion carried.

## **REPORTS:**

### **1. Liaison Report - WNED (Western Nebraska Economic Development), Councilmember Gillen**

Councilmember Gillen reported that:

- WNED is a partnership with several communities in the panhandle in which Gering participates.
- WNED encourages economic development and growth in western Nebraska.
- He has had the opportunity to serve as Chairman for the last several years.
- Their primary mission is finding ways to spur economic growth through shared resources and knowledge.
- They did a housing study in the past where the communities participated and contributed financially for the study because it's more cost effective to have a regional housing study instead of each community doing their own study. They saved money by working together.
- They have started focusing on doing work meetings as well as monthly meetings. Every other month they meet to focus on a specific topic and work towards a goal. One good thing that came out of that was attracting a local contractor to do some housing development. That was through the shared participation with all those other communities.
- The WNED has done a lot of great things in the last few years and he looks forward to continuing to work with this organization.

**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.

Director of Tourism, Tina Worthman, addressed Council and shared at the Nebraska Tourism Annual Conference held in Lincoln, February 11-13, the highlight was the presentation of the prestigious Henry Fonda Award that was awarded to the City's former Director of Tourism, Karla Niedan-Streeks. She was recognized for her lifetime service to Nebraska and the Nebraska Tourism Industry. Executive Director of Visit Nebraska, John Ricks said, "Karla's leadership, vision and unwavering dedication have helped shape western Nebraska into the incredible tourism destination it is today. Her tireless efforts in promoting the regions history, culture and natural beauty have made a lasting impact that will be felt for generations to come."


Tourism Director Worthman added that the USA Cycling Gravel National Championship event was honored as the winner of the outstanding event for communities of populations below 9,999. She also noted that several local tourism organizations that directly impact Gering received over \$53,000 in marketing grants from Visit Nebraska.

**ADJOURN:**

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

Meeting adjourned at 6:31 p.m.

ATTEST

  
Kathleen J. Welfl, City Clerk



  
Kent E. Ewing, Mayor