

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, JANUARY 8, 2024

A regular meeting of the City Council of Gering, Nebraska was held in open session on January 8, 2024 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Shields. 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 O'Neal to approve the absence of Councilmember Bohl from the December 11, 2023 regular City Council meeting. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. 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 December 11, 2023 Regular City Council Meeting
2. Approve Claims
3. Approve November, 2023 Financial Report
4. Approval of Fire Department Roster
5. Approval of Volunteer Fire Department LOSAP (Length of Service Award Program) 2023 Qualified Participants List and Nebraska State Tax Credit Qualified Firefighters List
6. Approval of using forfeiture funds from Incentive Program Account to pay for administration fees of the Volunteer Fire Department Retirement Account
7. File for record TCD Quarterly Report – October through December, 2023

Claims 12/12/23 – 1/8/24

21ST CENTURY EQUIPMENT \$830.28, 24/7 FITNESS \$226.00, A & A PORTA POTTIES \$450.00, ACCENT WIRE-TIE \$1,164.97, ACE HARDWARE \$1,079.08, ALLO COMMUNICATIONS \$3,177.71, ALTEC INDUSTRIES, INC. \$1,846.10, AMAZON CAPITAL SERVICES \$859.19, AMERITAS LIFE INSURANCE COPR. \$593.96, AT&T MOBILITY \$1,790.33, AULICK INDUSTRIES \$2,600.00, B & C STEEL \$97.58, BAIRD HOLM LLP \$1,856.00, BENZEL PEST CONTROL \$221.71, BIG MACK HEATING & COOLING \$245.00, BLACK HILLS ENERGY \$4,111.79, BLUFFS FACILITY SOLUTIONS \$413.24, BORDER STATES INDUSTRIES, INC \$5,010.53, BRETHOURS HONEYWAGON EXPRESS \$200.00, BRINC DRONES, INC \$21,999.00, CASH-WA DISTRIBUTING \$656.16, CENGAGE LEARNING/GAGE \$254.03, CHARLES SCHWAB & CO \$33,000.00, CIERA WYNNE \$75.00, CITY OF GERING \$275.73, CITY OF MINATARE \$733.80, COLORADO GOLF & TURF \$565.80, CONTINUUM EAP \$3,750.00, CONTRACTORS MATERIALS, INC. \$1,110.10, CORE & MAIN LP \$3,072.26, COZAD SIGNS, LLC \$260.00, CRESCENT ELECTRIC SUPPLY CO. \$274.10, CROELL, INC \$7,374.00, DANKO EMERGENCY EQUIPMENT CO \$750.22, DE NORA WATER \$1,625.92, DEARBORN LIFE INSURANCE COMPAN \$103.20, DOOLEY OIL \$191.03, DUTTON-LAINSON COMPANY \$314.10, EAKES INC \$330.18, ECOLAB \$356.24, ELITE TOTAL FITNESS \$129.00, ELLIOTT EQUIPMENT CO. \$102.09, ELLISON, KOVARIK & TURMAN LAW \$11,757.50, FASTENAL COMPANY \$745.25, FIRST NATIONAL BANK OF OMAHA \$11,200.41, FIRST NATIONAL BANK OMAHA - POLICE \$1,100.00, FLOYD'S TRUCK CENTER, INC. \$668.23, FRANK PARTS COMPANY \$2,143.93, FRESH FOODS INC. \$260.95, FYR-TEK, INC. \$493.48, GALLS, AN ARAMARK COMPANY \$832.75, GERING PUBLIC SCHOOLS \$2,400.00, GERING VOLUNTEER FIRE DEPT. \$1,797.00, GOLDSTAR PRODUCTS INC \$1,072.36, GREATAMERICA FINANCIAL SERVICE \$100.00, GREG WOODEN \$100.00, GWORKS \$6,057.00, HEALTHBREAK, INC. \$595.00, HEIMAN FIRE EQUIPMENT \$5,050.00, HENNINGS CONSTRUCTION, INC. \$1,300.00, HIGH PLAINS SCUBA CENTER \$1,258.00, HOME DEPOT CREDIT SERVICES

\$282.59, HOMETOWN LEASING \$144.52, HYDRO OPTIMIZATION & AUTOMATION \$15,891.50, IDEAL LAUNDRY AND CLEANERS, INC. \$446.61, INDOFF INCORPORATED \$114.95, INFINITY CONSTRUCTION INC. \$1,575.00, INGRAM LIBRARY SERVICES \$1,302.30, INTERNAL REVENUE SERVICE \$110,717.04, INTERSTATE BATTERY \$707.75, INTRALINKS, INC. \$37,973.92, IRBY TOOL & SAFETY \$5,516.74, JAMES JACKSON \$95.00, JOHN HANCOCK USA \$37,703.10, JOHN HANCOCK USA FIRE \$1,523.56, JOHN HANCOCK USA POLICE \$15,815.99, JOHNSON CASHWAY CO. \$2,125.50, JUSTIN BERNHARDT \$200.00, KANSAS GOLF & TURF INC \$1,859.07, KEVIN LEHR \$400.00, LEE ENTERPRISES \$754.77, LEXIPOL \$3,999.00, LOGOZ LLC \$780.00, MACQUEEN EQUIPMENT, LLC \$9,586.60, MARRIOTT CORNHUSKER HOTEL \$652.34, MASEK DISTRIBUTING INC \$79.80, MATHESON TRI-GAS INC \$1,000.41, MATTHEW HUTT PH.D. \$900.00, MB KEM ENTERPRISE \$143.85, MCLAUGHLIN WATER CONSULTANTS, LLC \$1,703.33, MEAT SHOPPE \$56,729.23, MENARDS \$1,271.09, MIDTOWN ANIMAL HOSPITAL, P.C. \$137.50, MIDWEST CONNECT \$396.49, MILES PARTNERSHIP LLLP \$10,800.00, MOBIUS COMMUNICATIONS COMPANY \$30.00, MUNICIPAL SUPPLY, INC. OF NE. \$1,070.45, NAPE \$25.00, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$1,429.86, NEBRASKA DEPARTMENT OF REV (PR) \$28,541.27, NEBRASKA DEPT OF REVENUE \$117.05, NEBRASKA DEPT. OF REVENUE \$55,795.88, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$994.00, NEBRASKA PUBLIC POWER DISTRICT \$1,622.99, NEBRASKA RURAL RADIO ASSOC. \$583.18, NEBRASKA SAFETY AND FIRE EQUIPMENT, INC \$1,520.00, NKC TIRE \$70.00, NORTHWEST PIPE FITTINGS, INC \$1,375.05, OMAHA MAGAZINE, LTD \$6,420.00, ONE CALL CONCEPTS, INC \$39.76, O'REILLY AUTOMOTIVE STORE \$115.52, PANHANDLE CONCRETE PROD. INC. \$600.00, PANHANDLE COOP ASSOCIATION \$5,111.40, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$3,390.00, PANHANDLE GEOTECHNICAL & \$151.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PATTLEN ENTERPRISES, INC \$100,542.34, PIPE WORKS PLUMBING LLC \$850.00, PROTEX CENTRAL, INC. \$12,218.84, PT HOSE AND BEARING \$900.15, PVB VISA \$10,160.63, QUADIENT LEASING USA \$882.00, QUADIENT POSTAGE FUNDING \$800.00, REGIONAL CARE INC. \$62,142.84, RIVERSIDE DISCOVERY CENTER \$27,500.00, RIVERSTONE BANK \$1,261.99, ROBERT GOSS \$500.00, ROCKMOUNT RESEARCH & ALLOYS IN \$717.53, ROLL RITE, LLC \$3,490.08, RVW INC \$1,005.00, SANDBERG IMPLEMENT, INC. \$249.87, SANDRY FIRE SUPPLY \$1,662.50, SCB COUNTY REGISTER OF DEEDS \$58.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCB. COUNTY SHERIFF OFFICE \$156.60, SCB/GERING UNITED CHAMBER OF \$3,932.00, SCHANK ROOFING SERVICE \$62,792.55, SCOTTS BLUFF COUNTY COURT \$17.00, SCOTTS BLUFF COUNTY TREASURER \$35.00, SCOTTSBLUFF-GERING UNITED WAY \$221.25, SELECT TRAVELER \$395.00, SENIOR CITIZENS CENTER \$1,000.00, SHAWNA WINCHELL \$1,380.00, SHERWIN WILLIAMS \$232.35, SIMMONS OLSEN LAW FIRM, P.C. \$1,762.50, SIMON CONTRACTORS \$15,437.32, SOUTHWESTERN EQUIPMENT COMPANY \$210.32, SPEAK WRITE \$129.50, SUN MOUNTAIN SPORTS \$188.50, SYSCO DENVER, INC. \$3,629.65, TEAM CHEVROLET \$375.00, TERESA TOSH \$10,833.34, TERRY CARPENTER, INC. \$650.00, THE TORO COMPANY \$175.00, TRANUNION RISK AND ALTERNATIV \$75.00, TRANSWEST \$129.99, TWIN CITY AUTO, INC \$10.25, TWIN CITY DEVELOPMENT ASSOC \$12,500.00, UNANIMOUS, INC. \$60.00, UNITED STATES GOLF ASSOC, INC. \$150.00, VALLEY AUTO LOCATORS LLC \$1,320.08, VERIZON WIRELESS SERVICES, LLC \$673.88, W & R INC. \$6,742.81, WARRIOR RUN \$4,353.23, WESTERN COOPERATIVE COMPANY \$27,738.17, WESTERN NEBRASKA TOURISM COALI \$540.00, WNCC FOUNDATION \$6,000.00, WYOMING FIRST AID & SAFETY \$172.14, WYOMING NEWSPAPERS INC. \$555.00, YMCA OF SCOTTSBLUFF \$1,044.00, UTILITY BILL REFUNDS \$753.68 TOTAL CLAIMS \$980,136.86

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

BIDS/PROPOSALS:

1. Approve emergency purchase of Alto Shaam Combi-Oven - Civic Center

City Engineer, Annie Folck, stated that this is one of the key pieces of equipment at the Civic Center used for cooking. The current operators have been using the existing one. It has been having some issues and not working correctly. In the past, they've been able to get it repaired but it's so old that it's basically obsolete; they're all digital now. The Kellers have been informed that there's no repairing this one. They're able to use it right now, but staff's goal is to get a new one in there so our new operators are able to have something that works. Right now if something happens, if it completely stops, there's really no way to cook for large amounts of people. Administrator Heath approved an emergency purchase; staff are coming to Council for approval of this replacement oven for the Civic Center. Mayor Ewing asked if this meets the needs of the new operator. Engineer Folck replied that new operator believes this will work well for her needs.

Motion by Councilmember Morrison to approve the emergency purchase of an Alto Shaam Combi-Oven from JES Restaurant Equipment in the amount of \$33,606.88 for the Civic Center. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

2. Award bid for Overhead Door Replacement - Central Stores

Engineer Folck stated that overhead doors for the main Central Stores building were budgeted in the FY24 budget. The current ones leave a gap at the bottom on some of them; they're not sealing correctly. The new insulated doors are going to help a lot with energy savings. The project was publicly bid and advertised.

The City received two bids. The low bid was from Frontier Overhead Door for \$93,261.82 – well below the amount budgeted. Staff is recommending awarding the bid to Frontier Overhead Door. Councilmember Morrison asked where Frontier Overhead Door is. Engineer Folck replied, Johnson Cashway. Councilmember Bohl asked about lead times. Engineer Folck replied that the specifications stated eight to twelve weeks and they said they should be able to complete the project well within that timeframe. Mayor Ewing asked how many doors there are. Engineer Folck replied there are 13 doors; 10 of the smaller ones (14 foot) and three larger ones. There is one that needs an exhaust port (in the mechanic bay).

Motion by Councilmember Bohl to award the Central Stores Overhead Door Replacement bid to Frontier Overhead Door in the amount of \$93,261.82. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

3. Award 2024 Street Improvement Bid for Asphalt Streets - Transportation Department

Engineer Folck stated this project was also budgeted for 17th Street near Geil Elementary and a section on Crescent. One bid was received from Simon; they're about the only contractor in the area that does asphalt. The bid was in the amount of \$309,214.00 which was above the engineer's estimate of \$287,628.00, mainly because of the increased cost of asphalt. At the time the project was estimated, asphalt was \$200 per ton, it's now \$235 per ton. Staff typically puts a 10% contingency on all estimates. \$315,000.00 was budgeted for the asphalt overlays and there will be a couple ADA concrete handicap ramps that should still fall within that \$315,000.00. Councilmember Bohl asked if this will lock the City in if asphalt goes up. Engineer Folck replied that this is locked in.

Motion by Councilmember Wiedeman to award the 2024 Street Improvement Bid for asphalt streets to Simon Construction Company in the amount of \$309,214.00. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

CURRENT BUSINESS:

1. Presentation of TeamMates Proclamation

Mayor Ewing read and presented a proclamation to Maurie Deines and Mary Kay Haun with the TeamMates Program for their 25th year providing mentors for mentees in the area.

2. Approve Final Plat for Lot 10A, Block 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska

Engineer Folck stated that this was done at the request of the City. Staff have been working with the property owners for a while now. There were issues with City garbage trucks; she showed the area on the overhead screens. City trucks were having a hard time with the corner in the alley and sliding off into the ditch. It's not a good situation. After looking at it, staff noticed that the property owner's yard has encroached into the alleyway. At the same time, City trucks have been encroaching on their property to make the turn. There has been a positive discussion and the property owner is willing to give up some of their corner in return for the City allowing them to keep five feet into the right of way (that they get to keep in their yard). Part of that corner will become part of the alleyway to make it easier for trucks to make the turn. Everyone is in agreement. Staff wanted to memorialize it with a plat showing the property lines so if someone else should move in, or the City gets new staff, everyone knows where the property boundaries are. Planning Commission recommended approval at their December, 2023 meeting and staff recommends approval as well.

Motion by Councilmember Gillen to approve a Final Plat for Lot 10A, Block 1, Monument Heights, a Replat of Lot 10, Block 1, Monument Heights and a Vacated Portion of Pinewood Road in the City of Gering, Scotts Bluff County, Nebraska. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

3. Approval of Casey L. Dahlgrin, License #1417-A, as Street Superintendent for the purpose of the 2024 Incentive Payment from the Nebraska Department of Transportation

Motion by Councilmember Bohl to approve Casey L. Dahlgrin, License #1417-A, as Street Superintendent for the purpose of the 2024 Incentive Payment from the Nebraska Department of Transportation. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

4. Approve and authorize the Mayor to sign Assignment Agreement by and between the City of Gering, Baker and Associates, Inc. and JEO Consulting Group, Inc.

Motion by Councilmember Wiedeman to approve and authorize the Mayor to sign an Assignment Agreement by and between the City of Gering, Baker and Associates, Inc. and JEO Consulting Group, Inc. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields. Motion Carried.

PUBLIC HEARINGS: None.

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

ADJOURN:

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

Meeting adjourned at 6:20 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk




Kent E. Ewing, Mayor