

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

A regular meeting of the City Council of Gering, Nebraska was held in open session on July 8, 2024 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfi and City Attorney Jim Ellison. Absent were Councilmembers Shields and Backus. 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 June 24, 2024 Regular City Council Meeting
2. Approve Claims

Claims 6/25/24 thru 7/8/24

24/7 FITNESS \$256.00, 308 PLUMBING SOLUTIONS \$235.30, ACE HARDWARE \$458.82, ACUSHNET COMPANY \$675.07, ADIDAS AMERICA, INC \$60.00, ALLAN D MITCHELL \$4,300.00, ALLO COMMUNICATIONS \$3,269.67, ALTEC INDUSTRIES, INC. \$3,389.28, AMAZON CAPITAL SERVICES \$464.05, AMERITAS LIFE INSURANCE COPR. \$609.14, ANDERSON & SHAW CONSTRUCTION \$5,360.19, AT&T MOBILITY \$292.90, BAD BIRDIE GOLF \$796.00, BAR 4 BAR ENTERPRISES, LLC \$5,200.00, BENZEL PEST CONTROL \$56.71, BLACK HILLS ENERGY \$1,647.21, BLUE LADDER RENOVATIONS LLC \$6,537.24, BLUFFS FACILITY SOLUTIONS \$1,100.22, BOK FINANCIAL \$750.00, C & C MANUFACTURING LLC \$570.14, CALLAWAY GOLF COMPANY \$427.83, CENGAGE LEARNING/GAGE \$177.53, COLUMN SOFTWARE, PBC \$59.20, CONNECTING POINT \$3,277.70, CONSOLIDATED MANAGEMENT COMPAN \$62.80, CONTRYMAN ASSOCIATES, P.C. \$46,000.00, CROELL, INC \$13,299.25, DANKO EMERGENCY EQUIPMENT CO \$2,946.23, DEARBORN LIFE INSURANCE COMPAN \$130.72, DEMCO, INC \$333.74, DOCU-SHRED LLC \$60.00, DOUG LEAFGREEN \$870.00, DUTTON-LAINSON COMPANY \$77.43, EAKES INC \$273.00, ECOLAB \$389.74, EJS SUPPLY, LLC \$9,740.00, ELITE TOTAL FITNESS \$196.00, ERIC FERGUSON \$3,550.00, FAIRFIELD INN \$159.00, FASTENAL COMPANY \$392.96, FAT BOYS TIRE & AUTO \$83.40, FEDEX \$243.82, FIRST NATIONAL BANK OF OMAHA \$10,051.21, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$1,168.27, FRANK PARTS COMPANY \$1,121.78, FRONTIER OVERHEAD DOOR \$3,100.00, FYR-TEK, INC. \$1,488.00, GERING VOLUNTEER FIRE DEPT. \$350.00, GOLF AND SPORT SOLUTIONS, LLC \$2,596.65, HAWKINS, INC. \$2,318.34, HEALTHBREAK, INC. \$595.00, HIGH PLAINS AUTO CLUB \$500.00, HOME DEPOT CREDIT SERVICES \$705.91, IDEAL LAUNDRY AND CLEANERS, INC. \$111.69, INDEPENDENT PLUMBING & HEATING \$905.74, INDOFF INCORPORATED \$621.75, INFINITY CONSTRUCTION INC. \$8,232.00, INGRAM LIBRARY SERVICES \$957.98, INTERNAL REVENUE SERVICE \$58,054.68, IRBY TOOL & SAFETY \$6,751.97, J & A TRAFFIC PRODUCTS \$4,751.50, JESSE WILSON \$160.00, JG ELLIOTT INSURANCE CENTER \$80.00, JIM SCOTT \$74.26, JOHN HANCOCK USA \$18,160.64, JOHN HANCOCK USA FIRE \$799.83, JOHN HANCOCK USA POLICE \$9,465.19, KANSAS GOLF & TURF INC \$134.08, KIMBERLY BRAMER \$225.98, KLAAS STRUCTURAL ENGINEERING, L \$1,960.00, LEGACY COOPERATIVE \$5,537.82, LEGACY OF THE PLAINS \$30.00, LINCOLN MARRIOTT CORNHUSKER \$498.50, LOGOZ LLC \$396.00, MALY MARKETING \$837.20, MASEK DISTRIBUTING INC \$285.00, MB KEM ENTERPRISE \$45.48, MENARDS \$352.03, MUNICIPAL SUPPLY, INC. OF NE. \$7,242.00, MUTUAL OF OMAHA \$4,759.96, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF REV (PR) \$18,452.39, NEBRASKA DEPARTMENT OF REVENUE \$150.00, NEBRASKA LAW ENFORCEMENT \$175.00, NORTHWEST PIPE FITTINGS, INC \$3,009.19, ONE CALL CONCEPTS, INC \$142.90, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$1,023.00, PANHANDLE PARTNERSHIP FOR \$2,000.00, PATTLEN ENTERPRISES, INC \$2,402.53, PERMA-BOUND \$46.62, PETE'S QUICK LUBE \$120.24, POWERPLAN OIB \$315.54, PROTEX CENTRAL, INC. \$140.00, PT HOSE AND BEARING \$421.47, QUADIANT POSTAGE FUNDING \$1,600.00, REGIONAL CARE INC. \$69,236.87, RIVERSTONE BANK \$621.69, RON'S TOWING & RECOVERY, LLC \$375.00, SANDBERG IMPLEMENT, INC. \$1,509.46, SAPP BROS \$3,348.56, SCOTTSBLUFF-GERING UNITED WAY \$230.67, SERGIO RODRIGUEZ \$227.00, SHERWIN WILLIAMS \$55.80, SPEAK WRITE \$15.37, TAYLOR MADE GOLF COMPANY \$38.69, TEAM CHEVROLET \$375.00, TERESA TOSH \$23,816.67, THE YOGA COLLECTIVE \$65.00, TRAVIS LANG \$30.00, TYNDALE \$192.37, VALLEY AUTO LOCATORS LLC \$1,537.72, VALLEY AUTO TRUCK SHOW \$1,000.00, VAN PELT FENCING CO., INC. \$1,777.80, VERIZON WIRELESS SERVICES, LLC \$329.48, WESTERN COOPERATIVE COMPANY \$2,306.58, WESTERN NEBRASKA TOURISM COALI \$250.00, YMCA OF SCOTTSBLUFF \$1,058.00, TOTAL \$413,900.27

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

PUBLIC HEARING:

1. Public Hearing to consider adding Microbrewery as a use in the Land Use Table in Section 3.11 of the Zoning Code

Mayor Ewing opened a public hearing to consider adding Microbrewery as a use in the Land Use Table in Section 3.11 of the Zoning Code at 6:02 p.m. City Engineer, Annie Folck, stated that when the City redid its Zoning Code in 2020, a definition for Microbrewery was added. When it came time to put together the Land Use Table, the use of microbrewery was not added. There is someone who is interested in doing a microbrewery downtown right now. Staff thought the cleanest way to do this was to update the Land Use Table to make it clear that it is allowed in that zone; it would be clarified for all future uses. It would be added as a conditional use in C-1 (Neighborhood Commercial), C-2 (Downtown), and a permitted use in C-3, ML and MH (Industrial Districts). She stated that this is staff's recommendation and the Planning Commission recommended it at their June meeting.

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 6:04 p.m.

1a. Approve Ordinance No. 2143 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, TO AMEND THE ZONING ORDINANCE, ARTICLE 3, SECTION 3.11 TO INCLUDE USE OF MICROBREWERY, AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

Councilmember Gillen made a motion to introduce Ordinance No. 2143 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, TO AMEND THE ZONING ORDINANCE, ARTICLE 3, SECTION 3.11 TO INCLUDE USE OF MICROBREWERY, AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2143 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": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

2. Public hearing to consider recommending the issuance or denial of a Class C Liquor License for SGSCB Investments, LLC d/b/a Steel Grill at 2800 10th Street, Gering, NE

Mayor Ewing opened a public hearing to consider recommending the issuance or denial of a Class C Liquor License for SGSCB Investments, LLC d/b/a Steel Grill located at 2800 10th Street, Gering, NE, at 6:06 p.m. The applicants were present. Councilmember Wiedeman asked the applicant, Danielle Rajewich, what her role currently is and if they, and all the servers, have done all the training and that they've met all the requirements for the liquor license. Ms. Rajewich replied that she is currently the General Manager for both Steel Grill locations. She has worked for the Steel Grill since February of 2010; she has been managing in full capacity since 2012. She and all of her staff have taken the Responsible Beverage Training (online course). They require every server to get their certification every two years. They keep those records on hand and if the State Patrol comes in, they provide those to them as well.

Mayor Ewing asked twice if there was anyone in the Council Chambers wishing to speak regarding this application. With no comments, the public hearing closed at 6:08 p.m.

2a. Recommend the issuance or denial of a Class C Liquor License for SGSCB Investments, LLC d/b/a Steel Grill at 2800 10th Street, Gering, NE

Motion by Councilmember Gillen to recommend the issuance of a Class C Liquor License with a secondary catering license for SGSCB Investments, LLC d/b/a Steel Grill at 2800 10th Street, Gering, NE. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

CURRENT BUSINESS:

1. Approve and authorize the Mayor to sign Interlocal Cooperation Agreement for School Resource Officer between the City of Gering and Gering Public Schools

Police Chief Holthus stated that this agreement was last revisited in 2018. There were a couple of things both parties wanted to clarify. It's basically an update and there were some formatting changes to the original agreement. They removed one section, Section 3, talking about overtime; he further explained. They removed two duties from the SROs. They also revised some of the language in a few places and made clarifications (a red-lined version of the agreement was provided to Council). Legal has reviewed the updated agreement, as well as the School District, and they are all comfortable with it.

Councilmember Bohl asked about a portion of the agreement that got written out regarding the school being able to dictate the schedule for the officer. Chief Holthus explained that the officer(s) is expected to take City-recognized holidays, to save money. But the phrasing was written in such a way that it looked like the City should have had them working in the schools on those holidays. That issue was clarified as well.

Councilmember Gillen asked how often the agreement is reviewed. Chief Holthus replied that there isn't a termination date; it's a perpetual agreement that continues. There haven't been any significant changes; there isn't a specific calendar date to update the agreement. Councilmember Gillen suggested looking at agreements like this every four years (maybe to coincide with the election of the Mayor).

Motion by Councilmember O'Neal to approve and authorize the Mayor to sign an Interlocal Cooperation Agreement for School Resource Officer between the City of Gering and Gering Public Schools. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

2. Request for Personnel Committee Meeting with agenda items: 1.) Discussion of policy updates to the Employee Handbook, 2.) Discussion of a new position for the Engineering Department

Motion by Councilmember Gillen to approve a request for a Personnel Committee Meeting with agenda items: 1.) Discussion of policy updates to the Employee Handbook, and 2.) Discussion of a new position for the Engineering Department. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

3. Approve Resolution 7-24-1 Redesignating Old Oregon Trail Road

Engineer Folck stated that this started when staff was asked by the County to add additional addresses to the Lockwood building. It's such a large building that when first responders respond to that location, it can take them a few minutes to find the correct entrance for the part of the building they're trying to get into. Staff didn't think it would be a problem until they started looking at the addressing there and realized that everything along that section of road is still addressed as Highway 92. That section of road hasn't actually been Highway 92 for 20 years. Rather than continuing to assign incorrect addresses, staff thought they would assign addresses as East M Street (because that's what it should be). As they started digging into it more, staff found that there was a previous resolution and only one street sign designating this portion of

the roadway as Old Oregon Trail. There's another section on the west end that's also designated as Old Oregon Trail. She talked to Chief Flowers at the Fire Department, the Public Safety Committee and Karla Niedan-Streeks (Tourism Director). Evidently, the Old Oregon Trail designation was a tourism goal but the way it all came about, it has confused visitors more than anything. It messes up some of the GPSs and makes it hard for first responders because the addressing in that area is a mess. What was discussed at the Public Safety Committee meeting, and what staff is recommending, is to make it all M Street. Anything on the west will be M Street, anything on the east end will be East M Street, and make all the addresses correspond to that. It will all be consistent all the way through town. Anything west of the cemetery is County and will remain Old Oregon Trail. None of those addresses got changed on the west end, so the City won't have to make any address changes on the west end. Staff are recommending making it all M Street.

Councilmember O'Neal asked why it has to be designated as East M Street. Engineer Folck replied that the City's addressing is on a grid system, once it gets down to where 1st Street would be, the numbers go down to zero. The numbers get larger as they go towards 20th and 21st Street. Continuing east, there can't be negative addressing so it has to become East M Street. There won't be a West M Street; it's not necessary. After discussing it with the property owner, it was decided that the Lockwood building will be divided into suites. Only three properties will be affected by the street name change. Engineer Folck has talked to all of them (Lockwood building, Murphy Tractor and S.C. Blanton).

RESOLUTION 7-24-1

A RESOLUTION OF THE CITY COUNCIL OF GERING, NEBRASKA REDESIGNATING OLD OREGON TRAIL ROAD.

WHEREAS, Old Oregon Trail Road, previously designated as M Street, is so designated from the west corporate limit of the City of Gering to Five Rocks Road and from Rundell Road to State Highway 92; and WHEREAS, the City of Gering has the authority to name and rename streets within its jurisdiction; and WHEREAS, The City Council finds it in the best interest of the City to rename Old Oregon Trail to M Street to provide consistency and clarity for residents, businesses, and emergency services;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA, THAT:

SECTION 1: Old Oregon Trail Road from the west corporate limit of the City of Gering to Five Rocks Road shall be and hereby is redesignated as M Street.

SECTION 2: Old Oregon Trail Road from Rundell Road to State Highway 92 shall be redesignated as East M Street.

Section 3: The City Council hereby directs the proper officials of the City of Gering, Nebraska to change the official maps of the City of Gering and any necessary street signage in accordance with this resolution.

Passed and approved on this _____ day of _____, 2024.

Kent Ewing, Mayor

ATTEST:

Kathy Welfl, City Clerk

4. Approve Ordinance No. 2144 - AN ORDINANCE OF THE CITY COUNCIL OF GERING, NEBRASKA PROHIBITING PARKING ON A PORTION OF RUNDELL ROAD; PROVIDING FOR THE INSTALLATION OF "NO PARKING" SIGNS AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Engineer Folck stated that the City was approached by the Scotts Bluff County Transit Department. They have just installed a new fueling station (location was shown on the overhead screens). In order to be able to maintain access to that fueling station (and for the bus barn as well), they have requested that the City put in no parking zones to ensure cars and trucks that are waiting to get into the distribution center to the north, won't block that area. The area is described in the ordinance (shown in the aerial view). Councilmember O'Neal clarified that if it's posted "no parking" then the Police Department can enforce it. Chief Holthus confirmed that is correct.

Councilmember Gillen made a motion to introduce Ordinance No. 2144 – AN ORDINANCE OF THE CITY COUNCIL OF GERING, NEBRASKA PROHIBITING PARKING ON A PORTION OF RUNDELL ROAD; PROVIDING FOR THE INSTALLATION OF “NO PARKING” SIGNS AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2144 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”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Shields, Backus. Motion Carried.

BIDS/PROPOSALS: None.

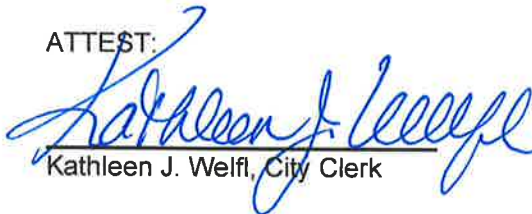
CLOSED SESSION: (Council reserves the right to enter into closed session if deemed necessary.) None.

ADJOURN:

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

Meeting adjourned at 6:25 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk




Kent E. Ewing, Mayor