

## **THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, MARCH 10, 2025**

A regular meeting of the City Council of Gering, Nebraska was held in open session on March 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.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence

**Motion by Councilmember Gillen to excuse the absence of Councilmembers Shields and Wiedeman from the February 24, 2025 regular City Council meeting and Councilmember Seay from the March 5, 2025 special meeting. 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.**

### **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 24, 2025 regular City Council meeting and the March 5, 2025 special City Council meeting
2. Approve Claims
3. Approve January, 2025 Financial Report

#### **Claims 2/25/25 – 3/10/25**

911 CUSTOM \$818.74, A & A PORTA POTTIES \$150.00, ACE HARDWARE \$114.11, ACUSHNET COMPANY \$9,692.45, ALLO COMMUNICATIONS \$3,432.74, AMAZON CAPITAL SERVICES \$414.25, AMERITAS LIFE INSURANCE CORP. \$566.10, AT&T MOBILITY \$292.85, BAIRD HOLM LLP \$457.50, BENCHMARK GOVERNMENT SOLUTIONS, LLC \$927.15, BENZEL PEST CONTROL \$156.76, BLACKSTONE AUDIO, INC \$291.72, BLUFFS FACILITY SOLUTIONS \$1,734.43, BORDER STATES INDUSTRIES, INC \$122.68, BRETHOURS HONEYWAGON EXPRESS \$200.00, BROWN'S SHOE FIT COMPANY \$350.00, CALLAWAY GOLF COMPANY \$7,797.73, CAMPSHOT \$549.86, CATTLE BANK & TRUST \$10,320.68, CELLI'S CYCLE CENTER \$107.79, CITY OF GERING \$15,067.80, COLUMN SOFTWARE, PBC \$669.26, CONNECTING POINT \$14.08, CORE & MAIN LP \$5,235.09, CROSSROADS COOPERATIVE \$6,401.42, CS PRECISION MANUFACTURING \$3,938.47, DANKO EMERGENCY EQUIPMENT CO \$512.76, DEARBORN LIFE INSURANCE COMPAN \$120.40, DOCU-SHRED LLC \$238.80, DOMINGO PALOMO \$33.00, DOOLEY OIL \$102.74, DUTTON-LAINSON COMPANY \$1,193.30, EAKES INC \$2,202.13, EAST PENN MANUFACTURING CO. \$15.04, ECOLAB \$190.80, ELLISON, KOVARIK & TURMAN LAW \$10,000.00, ERIC REICHERT CONSTRUCTION \$38,876.93, FASTENAL COMPANY \$180.12, FAT BOYS TIRE & AUTO \$734.60, FEDEX \$172.08, FELSBURG HOLT & ULLEVIG INC \$1,770.00, FIRST NATIONAL BANK OF OMAHA \$15,911.77, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$655.28, FRANK PARTS COMPANY \$1,112.45, FRONTIER OVERHEAD DOOR \$883.00, GERING VALLEY PLUMBING & HTG., INC. \$1,178.00, GREGORY'S LOCK SHOP LLC \$27.00, GROUND UP CONSTRUCTION & CLEAN \$4,587.50, HACH COMPANY \$1,576.00, HEALTHBREAK, INC. \$625.00, HENNING BROTHERS \$83.00, HYDRO OPTIMIZATION & AUTOMATION \$13,618.00, IDEAL LAUNDRY AND CLEANERS, INC. \$1,085.55, INGRAM LIBRARY SERVICES \$668.39, INTERNAL REVENUE SERVICE \$54,702.98, INTRALINKS, INC. \$4,986.96, IRBY TOOL & SAFETY \$6,319.67, J RODZ \$490.00, JACO COMMODITIES, LLC \$3,939.41, JAMES & REBECCA MCALLISTER \$3,326.34, JEFFREY VANCE \$88.00, JEO CONSULTING GROUP \$4,450.00, JL BECKER INC \$4,760.00, JOHN HANCOCK USA \$18,339.23, JOHN HANCOCK USA FIRE \$873.56, JOHN HANCOCK USA POLICE \$10,388.88, KANSAS GOLF & TURF INC \$1,522.33, LEAGUE ASSOC./RISK MANAGEMENT \$13,436.27, LEGACY COOPERATIVE \$8,374.00, LOGOZ LLC \$132.00, LOST RIVER SAND & GRAVEL, INC \$8,009.82, MACQUEEN EQUIPMENT, LLC \$89.27, MAIN STREET APPLIANCE \$1,398.00, MATHESON TRI-GAS INC \$200.96, MENARDS \$1,263.55, MILE HIGH GOLF CARS OF PARKER \$13,445.24, MIZUNO USA, INC. \$1,225.28, MOBIUS COMMUNICATIONS COMPANY \$30.00, MUTUAL OF OMAHA \$4,983.13, NATIONAL AIR & SPACE SMITHSONIAN INSTITUTION \$35.00, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$784.16, NEBRASKA DEPT OF ENVIRONMENT AND EN \$300.00, NEBRASKA MUNICIPAL FIRE CHIEFS \$660.00, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$18.00, NMC INCORPORATED \$2,628.56, NORTHWEST PIPE FITTINGS, INC \$52.44, ONE CALL

CONCEPTS, INC \$62.16, O'REILLY AUTOMOTIVE STORE \$461.75, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$270.00, PATTLEN ENTERPRISES, INC \$964.64, PETE'S QUICK LUBE \$155.44, PLATTE VALLEY BANK \$31,636.30, PONY EXPRESS STATION \$260.00, PRAISE WINDOWS \$350.00, PRECISION AIR \$567.67, PT HOSE AND BEARING \$177.97, RAPID FIRE PROTECTION \$95.00, REGIONAL CARE INC. \$1,770.38, RIVERSTONE BANK \$594.42, SANDBERG IMPLEMENT, INC. \$357.39, SCOTTS BLUFF COUNTY COURT \$463.35, SCOTTSBLUFF-GERING UNITED WAY \$273.02, SIMMONS OLSEN LAW FIRM, P.C. \$1,500.00, SOUTHWESTERN EQUIPMENT COMPANY \$3,973.64, TEAM CHEVROLET \$600.00, TERESA TOSH \$27,217.08, THE TORO COMPANY \$175.00, TRANSUNION RISK AND ALTERNATIV \$75.00, TROY & LISA WEBORG \$18,308.24, UTILITY BILL REFUNDS \$178.45, VALLEY AUTO LOCATORS LLC \$99.85, VERIZON WIRELESS SERVICES, LLC \$223.14, WARRIOR RUN \$1,037.59, WESTERN COOPERATIVE COMPANY \$11,967.68, WESTERN PATHOLOGY CONSULTANTS \$446.00, WINTER EQUIPMENT CO., INC. \$1,742.71, TOTAL \$446,018.21

**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. Approve appointment of Ward IV City Council Member**

Mayor Ewing thanked both candidates, Kirstee Moore and B.J. Kinsey, for submitting letters of interest.

**Motion by Councilmember Shields to approve the appointment of B.J. Kinsey as the Ward IV City Council Member. 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.**

##### **2. Approve request for Recreation Committee meeting – Agenda item: Presentation by Miller & Associates regarding the Gering Swimming Pool Facility Evaluation**

**Motion by Councilmember Wiedeman to approve a request for Recreation Committee meeting with agenda item: Presentation by Miller & Associates regarding the Gering Swimming Pool Facility Evaluation. 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.**

##### **3. Approve request to add an agenda item to the Administrative Committee meeting scheduled for March 12, 2025 – Agenda item: Review and consider revisions to the Five Rocks Amphitheater Contract**

**Motion by Councilmember Morrison to approve a request to add an agenda item to the Administrative Committee meeting scheduled for March 12, 2025 – Agenda item: Review and consider revisions to the Five Rocks Amphitheater Contract. 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.**

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

##### **1. Award Bid for Generator – Fire Department**

Fire Chief, Nathan Flowers, stated that the Fire Department learned during the storm last April how much they needed a generator when there was a wide-spread power outage. They were not able to fill up their bottles for their SCBAs. They had to rely on other fire departments for assistance for that. Moving forward, he would like the City's Fire Department to be prepared in the event that a generator is needed. The City went out for bids and received two; both exceeded the budgeted amount. Prices have gone up since it was projected. He will forego a couple capital expenditures because he believes a generator is a significant priority; he will, however, stay within his total budget this year. This will be a diesel-powered generator permanently mounted at the fire station. He will evaluate other capital expenditures and will make sure he's under budget. He believes they'll be just fine. Engineer Folck noted that there might be some work that can be done by City staff that could bring the costs down as well.

**Motion by Councilmember O'Neal to award the Fire Department generator bid to Robinson Electric in the amount of \$74,202.00. Second by Councilmember Cowan.**

**Discussion:** Councilmember Gillen asked when the generator is expected to be installed. Chief Flowers replied that the bids specified the end of this fiscal year or the beginning of the next to finalize the project. Engineer Folck added that if it bleeds over into the next fiscal year, they'll be sure to carry over the budgeted funds. Staff will know more once it's awarded and Robinson Electric can nail down their suppliers on a delivery date.

**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 Installation of Shade Structures at Oregon Trail Park – Parks and Recreation Department**

Engineer Folck reminded Council that the materials bid for the shade structures was awarded about a month ago. This was a budgeted expenditure and a grant was applied for along with 308 United Softball for occupation tax dollars. \$106,412 was awarded towards this project. The installation went out for public bid; the low bid was \$63,000. Between that and what has already been spent for materials, it brings the total project cost to \$104,448; still within what was awarded. Staff recommend going with the low bid from Russell's Excavation in the amount of \$63,000. They are very experienced and will do a good job. The left over funds will remain in the Occ Tax Grant Fund for other projects.

**Motion by Councilmember Morrison to award the shade structure installation bid at Oregon Trail Park to Russell's Excavation in the amount of \$63,000. 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.**

## **RESOLUTIONS:**

### **1. Approve Resolution 3-25-1 regarding Avoided Costs Rate related to the Interconnection Policy with the Municipal Energy Agency of Nebraska (MEAN)**

#### **RESOLUTION 3-25-1**

##### **Avoided Costs related to Interconnection Policy with the Municipal Energy Agency of Nebraska (MEAN)**

**WHEREAS**, the Gering City Council approved a Policy and Guidelines for Interconnection for Parallel Installation and Operation of small (25 kW or less) and large (greater than 25 kW) Customer-owned Renewable Electric Generating Facilities on November 9, 2020, and

**WHEREAS**, the purpose of the policy and guidelines was to establish standards for the Utility to interconnect and operate in parallel with customer-owned renewable electric generators, and

**WHEREAS**, Avoided Costs are the increment costs of the Utility's Electric Wholesale Supplier (EWS) energy or capacity or both which, but for the purchase from the Customer's Generating Facility, the Utility would generate itself or purchase from another source, and

**WHEREAS**, the Avoided Cost Rate (Less than or equal to 100 kW) Generator nameplate rating of 25 kW or less effective April 1, 2024 was \$0.04360 per kWh and the Generator nameplate rating greater than 25 kW effective April 1, 2024 was \$0.05554 per kWh, and

**WHEREAS**, the Avoided Cost Rates have changed.

**THEREFORE, BE IT RESOLVED BY THE GERING CITY COUNCIL THAT:**

The City of Gering adopts a new Appendix to the Interconnection Policy as outlined below.

#### **Appendix Avoided Cost Rate (Less than or equal to 100 kW)**

Avoided Cost Rate:	Generator nameplate rating of 25 kW or less:	\$0.04660 per kWh
	Effective date: April 1, 2025	
	Generator nameplate rating greater than 25 kW:	\$0.05554 per kWh

Effective date: March 10, 2025

(Rate is subject to change)

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Attest:

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

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

**Motion by Councilmember Gillen to approve Resolution 3-25-1 regarding Avoided Costs Rate related to the Interconnection Policy with the Municipal Energy Agency of Nebraska also known as MEAN. 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.**

**ORDINANCES:**

**1. Approve 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**

**Councilmember Morrison 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 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.**

**Councilmember Shields 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 Shields. 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.**

**Note:** This ordinance was approved at the February 24, 2025 Council meeting. However, there were only five Council Members present. By state statute, an affirmative vote of six Council Members is required to waive the three readings.

**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 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.**

Meeting adjourned at 6:15 p.m.

ATTEST:

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



\_\_\_\_\_  
Kent E. Ewing, Mayor