

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, September 23, 2024

A regular meeting of the City Council of Gering, Nebraska was held in open session on September 23, 2024, at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Finance Director Lyndsey Mathews, Deputy Finance Director Cheri Hutchison, City Clerk Kathy Welfl and City Attorney Matt Turman. 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 Bohl to excuse the absence of Councilmembers Shields, Gillen and Cowan from the September 9, 2024 regular City Council meeting and Councilmembers Backus and Cowan from the September 18, 2024 special meeting. Seconded by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, 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 September 9, 2024 Regular City Council meeting
2. Approve minutes of the September 18, 2024 Special City Council meeting
3. Approve Claims
4. Approve July, 2024 Financial Report

Claims 9/10/24 – 9/23/24

24/7 FITNESS \$226.00, 308 PLUMBING SOLUTIONS \$1,450.00, A & A PORTA POTTIES \$450.00, ABC BROKERAGE, LLC \$22,952.50, ACE HARDWARE \$1,884.50, ADIDAS AMERICA, INC \$247.44, ALIZAYA TORRES \$20.00, ALLAN TURNER \$6.06, AMAZON CAPITAL SERVICES \$399.35, AMERICAN BUS ASSOCIATION \$700.00, AMERITAS LIFE INSURANCE COPR. \$612.38, AMY SEILER \$75.00, ARNOLD POOL COMPANY \$357.95, AT&T MOBILITY \$1,883.32, B & C STEEL \$2,291.03, B & H INVESTMENTS, INC \$50.50, BENZEL PEST CONTROL \$221.71, BIG MACK HEATING & COOLING \$8,433.50, BLACK CLOVER ENTERPRISES, LLC \$606.60, BLACK HILLS ENERGY \$470.62, BLUFFS FACILITY SOLUTIONS \$1,263.73, BORDER STATES INDUSTRIES, INC \$596.86, BRETHOURS HONEYWAGON EXPRESS \$200.00, CALLAWAY GOLF COMPANY \$269.89, CENGAGE LEARNING/GAGE \$26.39, CHEEMA INVESTMENTS LLC \$209.96, CHILD & FAMILY THERAPY INSTITUTE OF NEBRASKA, LLC \$480.00, CITY OF GERING \$25,750.79, COBRA PUMA GOLF, INC. \$329.76, COLUMN SOFTWARE, PBC \$1,119.85, CONSUMER REPORTS \$30.00, CONTRACTORS MATERIALS, INC. \$620.00, CONTRYMAN ASSOCIATES, P.C. \$1,100.00, CRESCENT ELECTRIC SUPPLY CO. \$763.16, CROELL, INC \$302.00, CROSSROADS COOPERATIVE \$30,880.09, CS PRECISION MANUFACTURING \$17,457.12, DHHS-ACCOUNTING \$1,181.02, DICKIE K COCHRANE \$188.32, DOCU-SHRED LLC \$1,015.75, DOOLEY OIL \$57.50, DUTTON-LAINSON COMPANY \$695.31, EAKES INC \$464.96, ECOLAB \$879.56, ELITE TOTAL FITNESS \$196.00, ELLISON, KOVARIK & TURMAN LAW \$12,445.00, FASTENAL COMPANY \$288.61, FAT BOYS TIRE & AUTO \$608.10, FEDEX \$284.53, FIRST NATIONAL BANK OF OMAHA \$8,288.21, FIRST NATIONAL BANK OMAHA - POLICE \$618.00, FLOYD'S TRUCK CENTER, INC. \$63.78, FRANK PARTS COMPANY \$1,036.59, FRASER STRYKER PC LLO \$4,815.00, FRESH FOODS INC. \$5.99, GENE PETERSON \$850.00, GEORGIA WESTERN \$16,556.75, GERING VOLUNTEER FIRE DEPT. \$8,789.00, GERING ZION CHURCH \$300.00, GOLDSTAR PRODUCTS INC \$859.49, GOLF AND SPORT SOLUTIONS, LLC \$1,543.10, GREATAMERICA FINANCIAL SERVICE \$126.00, GROUND UP CONSTRUCTION & CLEAN \$804.00, HOMETOWN LEASING \$150.57, HULLINGER GLASS & LOCKS, INC. \$124.00, IDEAL LAUNDRY AND CLEANERS, INC. \$1,212.16, INDEPENDENT PLUMBING & HEATING \$636.95, INDOFF INCORPORATED \$146.28, INGRAM LIBRARY SERVICES \$552.80, INSIGHTFUL NATURE LLC \$800.00, INTERNAL REVENUE SERVICE \$54,055.36, INTRALINKS, INC. \$5,345.49, IRBY TOOL & SAFETY \$490.74, ITRON, INC. \$3,504.78, J & A TRAFFIC PRODUCTS \$2,276.50, JC GOLF ACCESSORIES \$582.82, JEO CONSULTING GROUP \$4,200.00, JIRDON AGRI CHEMICALS, INC \$20,377.48, JOHN HANCOCK USA \$18,393.04, JOHN HANCOCK USA FIRE \$799.83, JOHN HANCOCK USA POLICE \$9,346.50, JOHNSON CASHWAY CO. \$207.29, KENT EWING \$108.00, LARRY ZLOMKE \$284.39, LEGACY COOPERATIVE \$5,268.96, LOGOZ LLC \$99.00, LOST RIVER SAND & GRAVEL, INC \$161.60, MASEK DISTRIBUTING INC \$279.11, MENARDS \$106.66, MIDWEST AUTO SUPPLY, INC. \$90.00, MIDWEST CONNECT \$3,236.41, MIDWEST LABORATORIES, INC. \$51.85, MUNICIPAL ENERGY AGENCY OF NE \$360,632.06, MUNICIPAL SUPPLY, INC. OF NE. \$9,690.66, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF REV (PR) \$17,391.93, NEBRASKA DEPT OF ENVIRONMENT AND EN \$7,600.00, NEBRASKA DEPT OF REVENUE \$768.48, NEBRASKA DEPT. OF REVENUE \$78,578.73, NEBRASKA GOLF ASSOCIATION \$50.00,

NEBRASKA PUBLIC POWER DISTRICT \$4,348.37, NEBRASKA RURAL RADIO ASSOC. \$850.00, NEBRASKA STATEWIDE ARBORETUM \$975.80, NORTHWEST PIPE FITTINGS, INC \$3,901.69, PANHANDLE HUMANE SOCIETY \$3,168.50, PAT HEATH \$132.00, PATTLEN ENTERPRISES, INC \$275.00, PERMA-BOUND \$16.20, PETE'S QUICK LUBE \$82.44, PING INC \$340.69, PIPE WORKS PLUMBING LLC \$15,244.00, PRINT BROKER \$1,341.28, PT HOSE AND BEARING \$4,258.08, PVB VISA \$10,215.34, R & C WELDING & FABRICATION \$9,869.80, REGIONAL CARE INC. \$65,919.04, RICH'S WRECKING & USED CARS, \$40.00, RIVERSTONE BANK \$620.45, ROOSEVELT PUBLIC POWER DISTRICT \$76.76, SANDBERG IMPLEMENT, INC. \$30.30, SAPP BROS \$3,168.62, SCB COUNTY REGISTER OF DEEDS \$50.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTTS BLUFF COUNTY COURT \$89.00, SCOTTSBLUFF SCREENPRINTING \$2,000.00, SCOTTSBLUFF-GERING UNITED WAY \$223.67, SENIOR CITIZENS CENTER \$1,000.00, SIMMONS OLSEN LAW FIRM, P.C. \$3,700.00, SIRCHIE ACQUISITION COMPANY, LLC \$97.35, STEVE MOUNT \$1,000.00, SWANA \$305.00, TAYLOR MADE GOLF COMPANY \$312.14, TERESA TOSH \$16,875.27, TERRY CARPENTER, INC. \$650.00, THE YOGA COLLECTIVE \$65.00, THOMPSON GLASS, INC. \$1,240.00, TRANSUNION RISK AND ALTERNATIV \$75.00, TRANSWEST \$507.13, TYNDALE \$1,481.26, UNANIMOUS, INC. \$12,660.00, VALLEY AUTO LOCATORS LLC \$2,173.05, VERIZON CONNECT \$25.90, W & R INC. \$1,071.85, WESTERN COOPERATIVE COMPANY \$4,131.15, WESTERN PATHOLOGY CONSULTANTS \$364.00, YMCA OF SCOTTSBLUFF \$930.00, TOTAL CLAIMS \$972,231.35

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

PUBLIC HEARINGS:

1. Public hearing to consider recommending the issuance or denial of a Class I Liquor License for Scott Free Brewing Company, LLC at 1032 O Street, Gering, NE

Mayor Ewing opened a public hearing to consider recommending the issuance or denial of a Class I Liquor License for Scott Free Brewing Company, LLC at 1032 O Street, Gering, NE at 6:04 p.m. One of the applicants, Crystal Schank, was present and stated the following on behalf of her husband and co-applicant, Kristian Schank:

First, I would like to apologize for my inability to be present during this meeting. I'm glad that my wife can be there in my stead. I am actually attending a series of classes in Colorado from some of the best breweries on how to offer the absolute best experience for a craft brewery to the residents of Gering. I want to say that I am excited for the chance to be able to offer Gering this opportunity. I know when my wife and I began discussing making a brewery, there was no better place in my mind than Gering to open. As a history teacher, I have always been drawn to the history of this town in particular and I intend to use that history to help build a brewery that celebrates the local heritage of our area.

I have been, over the last few months, working hard to prepare the building at 1032 O Street. In addition, I have been taking classes, such as the one I am in attendance at now, to try and be the best I can be for this business. I have voluntarily taken and passed the TIPS alcohol server training to better my understanding of serving to my customers and I intend to have a staff that has gone through the same training. In addition, I don't want to be associated with being solely a brewery; I intend to offer craft sodas and kombucha in addition to craft beers. I hope, in time, the City of Gering and Scott Free Brewing Company can develop a close relationship and help to support each other while supporting the important tourism industry that is beginning to make a huge impact in our area. I also feel that together, we can start to make Gering's main streets a destination place for individuals who are seeking to come to our area and for the residents who live here and future residents who will hopefully be coming. I want Scott Free to be a place where this community can feel free to get away from the drudgery of life and escape for a while.

Mrs. Schank added that she has letters from the two churches (Gering Zion and Cleansing Flame Church) that were within 150 feet of the proposed location stating they have no objections to the microbrewery location. The Schanks will ensure their hours of operation do not interfere with hours of worship for the two churches. She noted that Mr. Schank has taken and passed the Tips training.

Councilmember Morrison asked how many employees they will have. Mrs. Schank replied that Mr. Schank will be the Master Brewer and they're hoping to start with one to two part-time employees. They plan to be open Thursday nights through Sunday afternoons.

Councilmember Wiedeman asked if they will have food. Mrs. Schank replied they are planning on a small menu including traditional German sausages, hot-dogs and brats. They've talked to the Mixing Bowl about having them make pretzel rolls and they may have charcuterie-style snacking foods. They may also encourage food trucks to park at the parking lot across the street at the plaza ones a week or a few times a month to encourage business across several small businesses in the area. Councilmember Morrison asked if people can carry food from a food truck into their establishment. Mrs. Schank replied yes; they just can't carry alcohol out. She added that they may work with some of the local restaurants to have deliveries from their menus at different times to support local as much as possible. Their

demographic is 30-40s range; they want it to be a quiet place for people to come in and have a conversation. They want to stand alone and offer something different to the City of Gering.

Mayor Ewing asked if there was anyone in the Chambers wishing to speak regarding this application. Dale Hauck, 2355 Country Club Road, Gering, stated that he's on the Planning Commission and asked what they are brewing. Mrs. Schank replied they are planning on beer and craft sodas in-house starting with root beer and branching off to cream sodas and other craft sodas. She also referenced Kombucha from a wholesaler in Cheyenne as well. They will not be doing wine or hard alcohol, just craft beer. She further explained the potency. They will focus on German-style beers and embrace the heritage of the area.

Mayor Ewing asked again if anyone in the Chambers had any other comments. Councilmember Wiedeman asked if they will be canning and offering at local retailers. Mrs. Schank replied their long-term goal is to have a stand-alone building five or ten years down the road. To begin with, they would like to offer kegs to different restaurants around town. Some have shown interest already. Canning requires a different distribution license than what they are looking at. Canning equipment is expensive, they need to build some capital up before they offer that in the future. They will have the option for growlers for customers to take a small amount of beer home.

Councilmember Morrison asked about the grains that will be used. Mrs. Schank said the majority of the beer is made from hops, wheat and grains. They will be working with a company in Fr. Collins to acquire the ingredients. They have talked to Fresh Foods about getting fruit if they do any fruit-based beer. They will get ingredients as local as possible. It's a different type of grain than what is grown in the area; additionally, it has to be processed after it's grown.

With no further comments, the public hearing closed at 6:15 p.m.

1a. Recommend the issuance or denial of a Class I Liquor License for Scott Free Brewing Company, LLC at 1032 O Street, Gering, NE

Motion by Councilmember Gillen to recommend the issuance of a Class I Liquor License for Scott Free Brewing Company, LLC at 1032 O Street, Gering, NE. Seconded by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

ORDINANCES:

1. Approve Ordinance No. 2146 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2024; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE

Councilmember Gillen made a motion to introduce Ordinance No. 2146 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2024; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE. Seconded by Councilmember Backus. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2146 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 Wiedeman. There was no discussion. The Clerk called the roll. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Administrator Heath thanked Finance Director Lyndsey Mathews, Deputy Finance Director Cheri Hutchison, HR Director Shannon Goss and City Clerk Kathy Welfl, as well as all the Department Heads for their time and work on the FY 25 Budget and process.

2. Approve Ordinance No. 2147 - AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF

Councilmember Morrison made a motion to introduce Ordinance No. 2147 – AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

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

Councilmember Shields moved that the Ordinance be designated as Ordinance No. 2147 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 Gillen. There was no discussion. The Clerk called the roll. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Approve Ordinance No. 2148 - AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

Councilmember Bohl made a motion to introduce Ordinance No. 2148– AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember O'Neal moved that the Ordinance be designated as Ordinance No. 2148 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": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Approve Ordinance No. 2149 - 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. 2149 – 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 Backus. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2149 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 Wiedeman. There was no discussion. The Clerk called the roll. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

BIDS:

1. Reject all fuel bids

Administrator Heath stated that staff advertised for bids for winter fuel. One bid was received from Westco. They did not conform with the bid specifications by submitting an emergency delivery plan in the event of a power outage, highway closures or due to inclement weather and circumstances which require rapid fueling for City facilities. Legal Counsel has advised staff that the proper course of action is to reject all bids and readvertise. It's also staff's recommendation to Council to reject all bids and readvertise for winter fuel.

Motion by Councilmember Gillen to reject all fuel bids from the bid opening on September 17, 2024. Seconded by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

CURRENT BUSINESS:

1. Recognition of Karla Niedan-Streeks, Director of Tourism

Mayor Ewing presented a plaque to Director of Tourism, Karla Niedan-Streeks, for outstanding service to Gering and the community during her tenure.

2. Approve and authorize the Mayor to sign a Memorandum of Understanding between the City of Gering, Nebraska and the Gering Police Officers Association

Motion by Councilmember Bohl to approve and authorize the Mayor to sign a Memorandum of Understanding between the City of Gering, Nebraska and the Gering Police Officers Association. Seconded by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Review Application for Expedited Review of Community Redevelopment Plan by Kristian Schank for Scott Free Brewing Company

TIF Attorney, John Selzer, 1502 2nd Ave., Scottsbluff, addressed Council and stated that in 2021, passed a resolution to allow Mirco-TIFs; this is the first application to be received (for the brewery presented earlier in the meeting). The one-page application is in the packet and based on statute is supposed to be approved within 30 days; it was submitted on September 5. It has to be an application for a single project, which this is. It has to be for the repair or rehabilitation of an existing structure that has been within the City for at least 60 years; this building was built in 1927. The project is located in a blighted and substandard area. It has to be in a county with a population of less than 100,000 – Scotts Bluff County qualifies for that. The assessed value of the property when the project is complete is estimated to be no more than \$1.5M (for commercial property). It's well under that right now, the current assessed value is \$110,820.00. This project is expected to increase the value by \$10,000 - \$20,000. The Council has the discretion to deny it only if it doesn't meet the Comprehensive Plan of the City. This property is in the Gering Downtown District. *The goal within this district is to create a vibrant mixed-use area. There are a number of vacant, under-utilized properties that are present downtown that would benefit from redevelopment. Downtown should have an active, street-level presence that contains a good mix of commercial, retail, restaurant, entertainment, office and residential uses.* It is his opinion that it does conform to the Comprehensive Plan. Because it meets all those standards, there's a resolution in the Council packet to pass, and that is all that needs to be done (unlike the process for regular TIFs). Later, there will be another step where Council meets as the CDA and authorizes the TIF note.

Councilmember Backus asked if the Schanks are the owner of the building. Mrs. Schank replied that they are not. Mr. Selzer noted that that's not required; it's really whoever is going to do the improvements.

Motion by Councilmember Gillen to approve an application for expedited review of a Community Redevelopment Plan by Kristian Schank for Scott Free Brewing Company. Seconded by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

RESOLUTIONS:

1. Approve Resolution 9-24-1 regarding approval of an Application by Kristian Schank for Scott Free Brewing Company

RESOLUTION NO. 9-24-1

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:

Recitals:

- a. The City Council has elected to allow expedited reviews of redevelopment plans that meet the requirements in Section 18-2155(2) of the Community Development Law (NEB. REV. STAT. § 18-2101 *et seq.*).
- b. Kristian Schank (the "Redeveloper") has submitted an Application for Expedited Review of Community Redevelopment Plan (the "Plan") for the *Scott Free Brewing Co.* (the "Project"), dated September 5, 2024.
- c. The Plan proposes to redevelop an area of the City that the City Council has declared to be blighted and substandard and in need of redevelopment. The Plan includes the use of tax increment financing.
- d. The City Engineer has conducted an expedited review of the Plan, determined that the Plan meets the requirements of Section 18-2155(2) of the Community Development Law, and recommended approval of the Plan.

Resolved:

1. The City Council has determined that the Plan meets the requirements of Section 18-2155(2) of the Community Development Law and is consistent with the City's Comprehensive Plan.
2. The City Council approves the Plan and the Project.
3. The City Engineer and designees and the Community Development Agency of the City of Gering are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Plan according to Section 18-2155 of the Community Development Law.

4. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on September 23, 2024.

Mayor

ATTEST:

City Clerk (Seal)

Motion by Councilmember Morrison to approve Resolution 9-24-1 regarding approval of an Application by Kristian Schank for Scott Free Brewing Company. Seconded by Councilmember O’Neal. There was no discussion. Mayor Ewing called for the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

2. Approve Resolution 9-24-2 regarding the Fiscal Year 2023/2024 Property Tax Request

RESOLUTION NO. 9-24-2

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Gering passes by a majority vote a resolution or ordinance setting the tax request: and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Gering, resolves that:

1. The 2024-2025 property tax request for non-bond purposes be set at \$2,181,743.00.
2. The 2024-2025 property tax request for bond purposes be set at \$0.00
3. The total assessed value of property differs from last year’s total assessed value by 9.45%.
4. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.342697 per \$100 of assessed value.
5. The City of Gering proposes to adopt a property tax request that will cause its tax rate to be \$.320630 per \$100 of assessed value.
6. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Gering will exceed last year’s by 4.75 %.
7. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2024.

PASSED AND APPROVED this ____ day of _____, 2024.

Mayor

ATTEST:

City Clerk (seal)

Motion by Councilmember Gillen to approve Resolution 9-24-2 regarding the Fiscal Year 2024/2025 Property Tax Request. Seconded by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

3. Approve Resolution 9-24-3 regarding Enterprise Fund Transfer

RESOLUTION NO. 9-24-3

WHEREAS, the City of Gering transfers Enterprise Fees to the General Fund to assist in balancing the budget; and

WHEREAS, Enterprise Fees are derived from the Electric, Water, Wastewater and Sanitation Funds; and

WHEREAS, the transfer has been maintained at approximately 12% of budgeted Enterprise Fund Revenues over the last few years; an

WHEREAS, the transfer budgeted at \$2,060,000 for the 2024-2025 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Gering, Nebraska, that staff is authorized to transfer Enterprise Fees of approximately 12% of Enterprise Fund Revenues to the General for the fiscal year 2024-2025 in the amount of \$2,060,000.

PASSED AND APPROVED this ____ day of _____, 2024.

Mayor

ATTEST:

City Clerk (seal)

Motion by Councilmember Gillen to approve Resolution 9-24-3 regarding the Enterprise Fund Transfer. Seconded by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

4. Approve Resolution 9-24-4 regarding Pay Plan for Officers and Employees of the City of Gering

RESOLUTION NO. 9-24-4

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

1. That the following Pay Plan for positions of the City of Gering, Nebraska primary, full-time and part-time positions be approved and effective September 30, 2024.

PAY SCHEDULE - GENERAL EMPLOYEES ONLY

Grade	A	B	C	D	E	F	G	H	I
9	\$14.86	\$15.60	\$16.38	\$17.20	\$18.06	\$18.97	\$19.91	\$20.91	\$21.96
10	\$15.60	\$16.38	\$17.20	\$18.06	\$18.97	\$19.91	\$20.91	\$21.96	\$23.05
11	\$16.38	\$17.20	\$18.06	\$18.97	\$19.91	\$20.91	\$21.96	\$23.05	\$24.21
12	\$17.20	\$18.06	\$18.97	\$19.91	\$20.91	\$21.96	\$23.05	\$24.21	\$25.42
13	\$18.06	\$18.97	\$19.91	\$20.91	\$21.96	\$23.05	\$24.21	\$25.42	\$26.69
14	\$18.97	\$19.91	\$20.91	\$21.96	\$23.05	\$24.21	\$25.42	\$26.69	\$28.02
15	\$19.91	\$20.91	\$21.96	\$23.05	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42
16	\$20.91	\$21.96	\$23.05	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42	\$30.89
17	\$21.96	\$23.05	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42	\$30.89	\$32.44
18	\$23.05	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42	\$30.89	\$32.44	\$34.06
19	\$24.21	\$25.42	\$26.69	\$28.02	\$29.42	\$30.89	\$32.44	\$34.06	\$35.76
20	\$25.42	\$26.69	\$28.02	\$29.42	\$30.89	\$32.44	\$34.06	\$35.76	\$37.55
21	\$26.69	\$28.02	\$29.42	\$30.89	\$32.44	\$34.06	\$35.76	\$37.55	\$39.43

2. That the following positions in the Classification Plan are assigned to the following Class Grades:

NON-EXEMPT POSITIONS - General Employees Only

Grade	Class Titles	Grade	Class Titles
10	Library Assistant II	14	Public Service Librarian
11	Landfill Adm.Clerk	14	Technical Service Librarian
11	Administrative Secretary	16	EVS Coordinator*
11	Customer Service Clerk	17	Deputy City Clerk*
12	Animal Control Officer*	19	Engineering Technician
13	Recreation Coordinator*	19	Golf Course Superintendent
14	Administrative Support Specialist	19	Combination Building Inspector
14	Youth Service Librarian	20	City Planner*

* denotes positions that are currently unfilled

Grade	A	B	C	D	E	F	G	H	I
22	\$28.55	\$29.43	\$30.90	\$32.45	\$34.07	\$35.77	\$37.56	\$39.44	\$41.41
23	\$29.43	\$30.90	\$32.45	\$34.07	\$35.77	\$37.56	\$39.44	\$41.41	\$43.48
24	\$30.90	\$32.45	\$34.07	\$35.77	\$37.56	\$39.44	\$41.41	\$43.48	\$45.66
25	\$32.45	\$34.07	\$35.77	\$37.56	\$39.44	\$41.41	\$43.48	\$45.66	\$47.94
26	\$34.07	\$35.77	\$37.56	\$39.44	\$41.41	\$43.48	\$45.66	\$47.94	\$50.34
27	\$35.77	\$37.56	\$39.44	\$41.41	\$43.48	\$45.66	\$47.94	\$50.34	\$52.85
28	\$37.56	\$39.44	\$41.41	\$43.48	\$45.66	\$47.94	\$50.34	\$52.85	\$55.50
29	\$39.44	\$41.41	\$43.48	\$45.66	\$47.94	\$50.34	\$52.85	\$55.50	\$58.27
30	\$41.41	\$43.48	\$45.66	\$47.94	\$50.34	\$52.85	\$55.50	\$58.27	\$61.18

EXEMPT POSITIONS - Professional, Administrative, and Executive (salary figured at 80 hours per pay period)

Grade	Class Titles	Grade	Class Titles
22	Library Director	24	Director of Environmental Services
22	Golf Course Professional	25	Director of Parks & Rec
23	Police Captain	27	Director of Public Works
23	Director of Human Resources	27	City Engineer
24	Streets Superintendent	28	Chief of Police
24	City Clerk/ Asst to City Admin	28	Fire Chief/ Marshall
24	Director of Tourism	28	Electric Superintendent
24	Deputy Director of Finance	28	Finance Dir/ City Treasurer

3. That the Pay Schedule for the positions of Patrol Officer, Detective, and Police Sergeant be approved and effective September 30, 2024.

Hourly Pay Schedule

	1	2	3	4	5	6	7	8
Patrol Officer	\$25.63	\$26.91	\$28.25	\$29.67	\$31.15	\$32.71	\$34.34	\$36.06
Police Detective	\$26.95	\$28.30	\$29.71	\$31.20	\$32.76	\$34.40	\$36.12	\$37.92
Police Sergeant	\$28.42	\$29.84	\$31.33	\$32.90	\$34.55	\$36.27	\$38.09	\$39.99

4. That the following Pay Schedule for the below listed IBEW eligible positions of the City of Gering, Nebraska be approved and effective September 30, 2024.

IBEW Elgible Positions Only - Hourly Rates

Hourly Pay Schedule

Grade	A	B	C	D	E	F	G	H	I
3	\$ 17.55	\$ 18.43	\$ 19.35	\$ 20.32	\$ 21.34	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94
4	\$ 18.43	\$ 19.35	\$ 20.32	\$ 21.34	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23
5	\$ 19.35	\$ 20.32	\$ 21.34	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59
6	\$ 20.32	\$ 21.34	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02
7	\$ 21.34	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53
8	\$ 22.40	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10
9	\$ 23.52	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76
10	\$ 24.70	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49
11	\$ 25.94	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32
12	\$ 27.23	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32	\$ 40.23
13	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32	\$ 40.23	\$ 42.25
14	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32	\$ 40.23	\$ 42.25	\$ 44.36
15	\$ 31.53	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32	\$ 40.23	\$ 42.25	\$ 44.36	\$ 46.58
16	\$ 33.10	\$ 34.76	\$ 36.49	\$ 38.32	\$ 40.23	\$ 42.25	\$ 44.36	\$ 46.58	\$ 48.91

HOURLY POSITIONS - IBEW Employees Only

Grade	Class Titles	Grade	Class Titles
3	Solid Waste Handler	8	Maintenance Mechanic
3	Park Caretaker	8	Storekeeper/Purchasing Agent
3	Cemetery Caretaker	9	Sanitation Coordinator
4	Equipment Operator	9	Water/Wastewater Operator III
4	Water/Wastewater Operator I	10	Electric Line Apprentice
5	Heavy Equipment Operator	10	Wastewater Treatment Plant Operator
6	Water/Wastewater Operator II	10	Park Maintenance Supervisor
6	Park Crew Leader	10	Transportation Supervisor
6	Golf Groundskeeper	10	Electric Meter/ Serviceman
6	Golf Groundskeeper/ Mechanic	12	Water/Wastewater Supervisor
7	Cemetery Sexton	15	Electric Journeyman/ Lineman
8	Master Mechanic	16	Electric Line Crew Supervisor

5. That the following Pay Schedule for positions in seasonal and part-time of the City be approved and effective September 30, 2024.

PAY SCHEDULE - GENERAL EMPLOYEES ONLY

Grade	A	B	C	D	E	F	G
1	\$13.50	\$14.00	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50
2	\$14.00	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50	\$17.00
3	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50	\$17.00	\$17.50
4	\$15.00	\$15.50	\$16.00	\$16.50	\$17.00	\$17.50	\$18.00
5	\$15.50	\$16.00	\$16.50	\$17.00	\$17.50	\$18.00	\$18.50
6	\$16.00	\$16.50	\$17.00	\$17.50	\$18.00	\$18.50	\$19.00

HOURLY POSITIONS - Seasonal & Part time Positions Only

Grade	Class Titles	Grade	Class Titles
1/A	School Crossing Guard	3	Library Assistant I
1/A	Library Page	3	Lifeguard
1/A	Clubhouse Attendant I	5	Maintenance Worker
1/A	Cashier	5	Assistant Pool Manager
1	Laborer I	6	Pool Manager
2	Intern	6	Camp Host
2	Laborer II	6	Golf Pro Assistant
2	Clubhouse Attendant II		

Passed and approved this _____ day of _____, 2024.

Mayor

ATTEST:

City Clerk

Motion by Councilmember Gillen to approve Resolution 9-23-3 regarding Pay Plan for Officers and Employees of the City of Gering. Seconded by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

5. Approve Resolution 9-24-5 approving SASCB Investments, LLC d/b/a Steel Grill as a local outlet for Keno Lottery within the City of Gering

RESOLUTION 9-24-5

A RESOLUTION APPROVING SASCB INVESTMENTS, LLC D/B/A STEEL GRILL AS A LOCAL OUTLET FOR KENO LOTTERY WITHIN THE CITY OF GERING AND DETERMINING THAT THE KENO LOTTERY OUTLET MEETS THE REQUIREMENTS OF RESOLUTION 3-95-1 PERTAINING TO THE OPERATION OF A KENO LOTTERY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GERING, SCOTTS BLUFF COUNTY, NEBRASKA:

WHEREAS, it is the desire of the City Council of the City of Gering to ensure the qualification standards for an outlet for conducting a keno lottery in conformance with Section 9-642.01 of the Revised Statutes of Nebraska; and

WHEREAS, it is the desire of the City Council in order to protect the general health, welfare, and morals of the City of Gering that each sales outlet for keno lottery be a suitable establishment to conduct such sales.

BE IT THEREFORE RESOLVED THAT based upon the best information available, each keno lottery sales outlet complies with the rules and regulations of the Nebraska Department of Revenue adopted to carry out the provisions of the Nebraska County and City Lottery Act, and comply with the City of Gering Resolution 3-95-1, and have been recommended by the keno lottery contractor under contract with the City.

1. SASCB Investments, LLC d/b/a Steel Grill, 2800 10th Street, Gering, is hereby approved as a Keno Lottery outlet.

PASSED AND APPROVED THIS 23rd DAY OF SEPTEMBER, 2024.

Kent E. Ewing, Mayor

ATTEST:

Kathy Welfl, City Clerk

Motion by Councilmember Morrison to approve Resolution 9-24-5 approving SASCB Investments, LLC d/b/a Steel Grill as a local outlet for Keno Lottery within the City of Gering. Seconded by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

REPORTS:

1. Liaison Report, Councilmember Morrison – Twin Cities Development

Councilmember Morrison reported:

Rural Workforce Housing Fund has funded 10 new construction units and 10 rehabilitation units for a total of \$3.3 million in Gering, Scottsbluff, Bayard, Mitchell, and Kimball.

USDA Technical Assistance Grant: TCD is currently working on 12 applications for agricultural businesses assisting them with Rural Energy for America grant applications, SAM registrations, and energy audits and assessments. The deadline is the last day of September.

USDA Rural Business Development Grant: TCD was awarded \$90,000 to create a small business revolving loan fund with a match of \$30,000 for a total of \$120,000 to loan out to small businesses (similar to Rural Workforce Housing Fund but for business operations, equipment's, supplies, and other needs)

USDA Rural Microentrepreneur Assistance Grant: Working on a grant application to add another \$500,000 plus a \$75,000 match to increase the business loan fund by \$575,000. Also includes a Technical Assistance grant of \$100,000 per year.

Rural Community Recovery Program Grant: TCD applied for a \$1.4 million grant for an inclusive playground at Oregon Trail Park in Gering.

Site tours: TCD has given site tours to four businesses for an industrial lot that is for sale in Gering. We are also giving a site tour to a potential \$120 million project on Friday.

Oikos: TCD registered the booth and paid for marketing for WNED to attend the NIFA housing expo that landed the Oikos housing project in Gering.

Childcare: We are working with a Gering childcare facility on doubling their capacity from 60 to 120.

Stats October 2023 – present (fiscal year)

- Offered 732 free business trainings on our website (English and Spanish)

- 105 business advisement consultations
 - Supported 134 business startups with TCD Business Resources folders
- LOIS listings:
- 32 new commercial buildings/sites
 - Assisted with filling 10 commercial buildings

Western Nebraska Housing Opportunities

Down Payment Assistance: customers helped - 14 total families/individuals helped with \$45,179.00

Repairs: \$17,983.00

First Time Homebuyer Classes: 14 classes

2. Liaison Report, Councilmember Shields – Gering Public Library

Councilmember Shields reported:

- The Gering Library has 5 full-time and 3 part-time employees.
- Library Board Members: Jeff Kelley, Suzanne Myers, Mary Robinson, Kirstee Moore Schutte, Kim Walker
- Projects:
 - New circulation desk was installed in the month of July
 - Digital sign purchased through Keno Funds installed in Children’s section
 - New computers for teens and children installed
- Summer Reading Program was a success – all youth early literacy - Teens 247, Adults, 153
- Other programs:
 - Adult Wine 201 Champagne, 30
 - Earlier Literacy - Space Storytime, 52
 - Elementary - Build An Alien, 36
 - Family Theatre in the Park, 128
- Library Stats June FY to date – 1248 new books added and 2039 books withdrawn
22,320 library visitors

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.

Dale Hauck, 2355 Country Club, Gering, addressed Council and talked about his concerns regarding Tax Increment Financing.

ADJOURN:

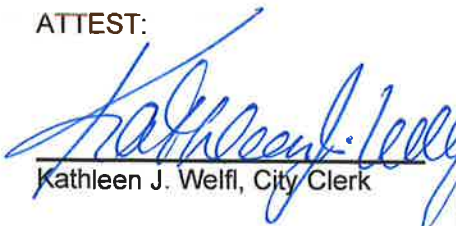
Motion by Councilmember Gillen to adjourn. Seconded by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

The meeting adjourned at 6:41 p.m.



Kent E. Ewing, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk

