

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
September 25, 2023**

A regular meeting of the City Council of Gering, Nebraska was held in open session on September 25, 2023, 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, Morrison and Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Wefl and City Attorney Jim Ellison. Absent was Councilmember O'Neal. 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 Shields to excuse the absence of Councilmembers Gillen and O'Neal from the September 11, 2023 regular City Council meeting. Second by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. 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 11, 2023 Regular City Council meeting
2. Approve Claims
3. Approve August, 2023 Financial Report
4. File for Record Second Amendment to Lease and Easement Agreement for Solar Energy System

**Claims 9/12/23 - 9/25/23**

24/7 FITNESS \$226.00, A & A PORTA POTTIES \$585.00, ACE HARDWARE \$1,444.48, ACTION COMMUNICATIONS, INC. \$553.00, ACUSHNET COMPANY \$1,258.96, ALTEC INDUSTRIES, INC. \$9,869.69, AMAZON CAPITAL SERVICES \$1,161.67, AMERITAS LIFE INSURANCE COPR. \$603.68, AT&T MOBILITY \$1,140.99, B & C STEEL \$1,519.91, B & S RASK GRILL \$320.00, BAR 4 BAR ENTERPRISES, LLC \$31,637.50, BEELINE SERVICE NC \$390.00, BESLER, INC. \$85,104.50, BLACK HILLS ENERGY \$475.46, BLUFFS FACILITY SOLUTIONS \$178.54, BORDER STATES INDUSTRIES, INC \$1,119.17, BRIAN EADS \$188.00, CASEY DAHLGRIN \$81.94, CENGAGE LEARNING/GAGE \$22.39, CITY OF GERING \$598.86, COBBLESTONE HOTEL & SUITES-BROKEN BOW \$196.00, COLE SHULTZ \$2,000.00, CONNECTING POINT \$12.75, CONTRACTOR SERVICES INC \$2,102.00, CONTRACTORS MATERIALS, INC. \$2,282.80, COZAD SIGNS, LLC \$180.00, CRESCENT ELECTRIC SUPPLY CO. \$131.18, CROELL, INC \$2,389.00, CROSSROADS COOPERATIVE \$26,120.73, CS PRECISION MANUFACTURING \$13,885.24, DANIEL GRUMBLES \$2,000.00, DANKO EMERGENCY EQUIPMENT CO \$206,605.00, DEINES IRRIGATION \$56.25, DOCU-SHRED LLC \$623.33, DOOLEY OIL \$303.94, DUTTON-LAINSON COMPANY \$1,497.39, EAKES INC \$468.41, ELITE TOTAL FITNESS \$112.00, ELLISON, KOVARIK & TURMAN LAW \$9,241.25, FASTENAL COMPANY \$225.16, FAT BOYS TIRE & AUTO \$301.74, FIELDTURF USA, INC. \$40,060.05, FIRST NATIONAL BANK OF OMAHA \$7,874.61, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FRANCISCOS BUMPER TO BUMPER IN \$220.00, FRANK PARTS COMPANY \$1,478.13, FRESH FOODS INC. \$139.02, FYR-TEK, INC. \$1,297.66, GEORGE MIRAMONTES \$118.15, GERING VALLEY PLUMBING & HTG., INC. \$4,178.49, GOLDSTAR PRODUCTS INC \$1,142.33, GOLF AND SPORT SOLUTIONS, LLC \$2,577.87, HACH COMPANY \$671.80, HEALTHBREAK, INC. \$610.00, HOME DEPOT CREDIT SERVICES \$310.80, HORIZON TO HORIZON, INC \$500.00, HYDRO OPTIMIZATION & AUTOMATION \$1,556.72, HYDROTEX \$12,165.73, IDEAL LAUNDRY AND CLEANERS, INC. \$22.46, INDEPENDENT PLUMBING & HEATING \$303.31, INDOFF INCORPORATED \$173.58, INGRAM LIBRARY SERVICES \$197.64, INNOVATIVE EQUIPMENT SOLUTIONS, INC \$26,500.00, INTERNAL REVENUE SERVICE \$48,077.71, INTERSTATE BATTERY \$69.65, INTRALINKS, INC. \$4,083.92, JACK'S UNIFORMS & EQUIPMENT \$2,813.41, JARED HINEBAUCH \$2,000.00, JEFFREY VANCE \$2,000.00, JEREMIAH CLOSSON \$2,000.00, JOEL

CAMPOS HUERTA \$450.00, JOHN HANCOCK USA \$16,498.70, JOHN HANCOCK USA FIRE \$725.54, JOHN HANCOCK USA POLICE \$8,562.07, JOHNSON CASHWAY CO. \$70.13, JUSTIN BERNHARDT \$150.00, LEE ENTERPRISES \$405.15, LEGACY OF THE PLAINS \$150.00, MAC EQUIPMENT \$10,919.20, MANUEL BARRAZA \$11,700.00, MATHESON TRI-GAS INC \$386.88, MEAT SHOPPE \$25,069.70, MELLEN & ASSOCIATES, INC. \$4,875.12, MENARDS \$1,391.06, MIRIAM BENTON \$75.00, MUNICIPAL ENERGY AGENCY OF NE \$357,747.26, MUNICIPAL SUPPLY, INC. OF NE. \$528.04, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$571.63, NEBRASKA DEPARTMENT OF REV (PR) \$7,756.18, NEBRASKA DEPT OF REVENUE \$755.14, NEBRASKA DEPT. OF REVENUE \$74,452.38, NEBRASKA GAME & PARKS - WILDCAT HILLS \$110.11, NEBRASKA GOLF ASSOCIATION \$77.45, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$896.00, NEBRASKA PUBLIC POWER DISTRICT \$4,687.58, NEBRASKA RURAL RADIO ASSOC. \$583.18, NMC INCORPORATED \$244.28, NORTHWEST PIPE FITTINGS, INC \$140.80, ONE CALL CONCEPTS, INC \$120.48, O'REILLY AUTOMOTIVE STORE \$87.84, PANHANDLE COOP ASSOCIATION \$15,772.12, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$1,542.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PAUL REED CONSTRUCTION & SUPP \$82.53, POWERPLAN OIB \$800.00, PRECISION AIR \$679.02, PRINT BROKER \$1,279.89, PT HOSE AND BEARING \$277.35, PUBLIC SECTOR HR ASSOCIATION \$619.50, PVB VISA \$8,613.19, QUADIENT POSTAGE FUNDING \$800.00, REGIONAL CARE INC. \$18,993.18, RIVERSTONE BANK \$602.97, SANDBERG IMPLEMENT, INC. \$260.28, SARAH WYNN \$425.00, SCB COUNTY REGISTER OF DEEDS \$80.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTTS BLUFF COUNTY COURT \$102.00, SCOTTSBLUFF-GERING UNITED WAY \$221.25, SENIOR CITIZENS CENTER \$1,200.00, SHAWNA WINCHELL \$1,250.00, SHERWIN WILLIAMS \$497.45, SIMMONS OLSEN LAW FIRM, P.C. \$1,832.50, SIMON CONTRACTORS \$3,301.45, STATE FIRE MARSHAL TRAINING DI \$50.00, STEVE MOUNT \$123.00, SUNBELT SOLOMON \$19,011.38, TERRY CARPENTER, INC. \$650.00, TITAN MACHINERY INC. \$533.48, TOUR EDGE MFG INC \$292.00, TROY & LISA WEBORG \$77,668.59, TYNDALE \$538.52, UNANIMOUS, INC. \$230.00, VALLEY AUTO LOCATORS LLC \$1,363.41, VALSTONE CORPORATION, INC. \$4,725.00, VAN PELT FENCING CO., INC. \$15,006.00, VANTAGE APPAREL \$1,207.10, W & R INC. \$4,490.00, WESCO RECEIVABLES CORP. \$10,166.75, WESTERN COOPERATIVE COMPANY \$1,412.85, WESTERN PATHOLOGY CONSULTANTS \$253.00, WHITING SIGNS, LLC \$492.50, WINSUPPLY SCOTTSBLUFF NE CO. \$486.78, YMCA OF SCOTTSBLUFF \$1,065.00, ZIMCO SUPPLY CO \$4,900.00, TOTAL \$1,310,509.62

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

#### **BIDS:**

##### **1. Reject all fuel bids from bid opening on September 12, 2023**

City Engineer Folck informed the Council that the City advertised for winter fuel and opened bids on September 12, 2023. After opening the bids, staff recommends rejecting all bids and rebidding the fuel. News articles published the day that bids were opened stated that there had been a large spike in fuel prices that was expected to be very short-lived. Staff has readvertised for fuel bids, with a bid opening scheduled for October 3, 2023.

**Motion by Councilmember Morrison to reject all fuel bids from the bid opening on September 12, 2023. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.**

##### **2. Approve purchase of GPS unit for John Deere 750L – Environmental Services**

Environmental Services Director, Steve Mount, addressed the Council. He stated that the Sanitation Department would like to purchase a GPS unit to assist with grading and covering of trash at the Landfill. This will help save space because staff can more accurately place daily cover without wasting air space. This is a sole source purchase as the Landfill already has another Geologic Computer Systems GPS unit installed in the Aljon compactor (exactly like this one). It's important to purchase the same brand so that another bay station doesn't have to be purchased. A bay station is the equivalent of a laptop that downloads data that is transferred back and forth between the two units.

There is \$45,000 in the Capital Outlay Budget for a compactor that no longer needs to be purchased. Those funds will more than cover the cost of this unit, the software and installation. The unit is expected to be delivered in October of 2023. Geologic Computer Systems will install the unit and provide training for staff.

Two quotes were provided. The Gemini System has more options and is a newer model. It's more conducive for a dozer than the Orion System.

**Motion by Councilmember Morrison to approve the purchase of a GPS unit with three-year service agreement for the John Deere 750L for the Environmental Services Department from Geologic Computer Systems in the amount of \$38,588. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.**

**CURRENT BUSINESS:**

**1. Consider approval of an MOU between the City of Gering and the Gering Police Officers Association**

Administrator Heath stated that in the City's 2022 negotiations for this union contract, the City agreed the officers would get a 3% cost of living raise for the 23/24 fiscal year. After conducting an internal wage study, if the City stayed with that 3% COLA, these wages would have fallen behind in the wage study and would not have stayed competitive with other cities that are half Gering's size, or the size of Gering. A 5% COLA is included in the budget, which is across the board for all employees. This agreement just adjusts the union contract for this coming fiscal year from 3% to 5%.

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

**2. Consider approval of a Liquor Control Commission Manager Application for a Class A Liquor License held by HF Baseball LLC**

**Motion by Councilmember Bohl to approve a Liquor Control Commission Manager Application for a Class A Liquor License held by HF Baseball LLC with Chuck Heeman as the new Manager. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.**

**3. Consider approval of a License Agreement with the First United Methodist Church of Gering**

City Engineer Folck stated that the United Methodist Church parking lot is located just north of their building, with an alleyway separating the parking lot from their back entrance. The terrain in that area is extremely flat and the building is very tall. In the winter, the alleyway tends to ice over, making it difficult for congregants to get from the parking lot to the church building. The Church approached the City to request permission to build a removable footbridge that would span the alleyway, connecting the parking lot to the north doors of the church. This agreement would give the Church permission to locate the footbridge in the alleyway, while ensuring that all improvements will be made at the Church's cost. The City will not be liable for any damages or injury due to the placement of the bridge, and the Church will procure liability insurance and list the City as additional insured.

**Motion by Councilmember Wiedeman to approve and authorize the Mayor to sign a License Agreement with the First United Methodist Church of Gering. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.**

**4. Request for Public Safety Standing Committee meeting - Agenda item: Consider No Parking Zones on Lockwood Road and Red Barn Drive**

**Motion by Councilmember Gillen to approve a request for a Public Safety Standing Committee meeting with agenda item: Consider No Parking Zones on Lockwood Road and Red Barn Drive. Second by Councilmember Cowan. There was no discussion. Mayor**

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

**ORDINANCES:**

**1. Approve Ordinance No. 2131 – AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF GERING, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES**

Councilmember Wiedeman made a motion to introduce Ordinance No. 2131 – AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF GERING, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES. Seconded by Councilmember Morrison.

**Discussion:** Councilmember Backus stated that Council didn't receive anything to review. Clerk Welfl replied that a link was sent to Council roughly a week and half before this meeting to review the new Code. She added that all the ordinances that have been added were approved by Council.

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

Councilmember Cowan moved that the Ordinance be designated as Ordinance No. 2131 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, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**2. Approve Ordinance No. 2132 - 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, 2023; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE**

Councilmember Gillen made a motion to introduce Ordinance No. 2132 – 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, 2023; 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, Bohl, Wiedeman, Morrison, Cowan. "NAYS": Backus. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2132 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**3. Approve Ordinance No. 2133 - AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2023-2024 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS**

Councilmember Morrison made a motion to introduce Ordinance No. 2133 – AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2023-2024 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET

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

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2133 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**4. Approve Ordinance No. 2134 - AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF**

Councilmember Wiedeman made a motion to introduce Ordinance No. 2134 – AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Cowan moved that the Ordinance be designated as Ordinance No. 2134 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, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**5. Approve Ordinance No. 2135 - 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 Gillen made a motion to introduce Ordinance No. 2135 – 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 Backus. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2135 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**6. Approve Ordinance No. 2136 - 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. 2136 – 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2136 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**7. Approve Ordinance No. 2137 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ESTABLISH FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL STORMWATER SURCHARGE, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

Councilmember Bohl made a motion to introduce Ordinance No. 2137 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ESTABLISH FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL STORMWATER SURCHARGE, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2137 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 Cowan. There was no discussion. The Clerk called the roll. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**8. Approve Ordinance No. 2138 - AN ORDINANCE TO ADJUST EXISTING ELECTRICAL RATES; REPEALING ORDINANCE NO. 2095; PROVIDING FOR AN EFFECTIVE DATE THEREOF**

Councilmember Gillen made a motion to introduce Ordinance No. 2138 – AN ORDINANCE TO ADJUST EXISTING ELECTRICAL RATES; REPEALING ORDINANCE NO. 2095; PROVIDING 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

Councilmember Bohl moved that the Ordinance be designated as Ordinance No. 2138 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, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**RESOLUTIONS:**

**1. Approve Resolution 9-23-1 regarding the Fiscal Year 2023/2024 Property Tax Request**

Motion by Councilmember Gillen to approve Resolution 9-23-1 regarding the Fiscal Year 2023/2024 Property Tax Request. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": Backus. Abstaining: None. Absent: O'Neal. Motion carried.

**2. Approve Resolution 9-23-2 regarding Enterprise Fund Transfer**

Motion by Councilmember Morrison to approve Resolution 9-23-2 regarding Enterprise Fund Transfer. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: O'Neal. Motion carried.

**3. Approve Resolution 9-23-3 regarding Pay Plan for Officers and Employees of the City of Gering**

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

**PUBLIC HEARINGS:** None

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

**REPORTS:** (Information only)

**1. Report regarding the September 20, 2023 Joint Public Hearing – Administrator Heath**

**Administrator Heath reported that:**

- The City participated in the property tax Joint Public Hearing on September 20<sup>th</sup> at WNCC.
- The hearing lasted approximately 2-1/2 hours.
- 150 people signed in to attend the event and there were four who chose not to sign in.
- The City of Gering, WNCC, Morrill Public Schools, City of Minatare and Gering Public Schools gave brief presentations on their property tax request.
- 24 people from the audience spoke during the public comment period.
- The meeting was cordial, speakers were polite and most expressed their concerns or hardships with the increase in their property valuations and taxes.
- Several speakers felt the delivery of the notification cards was too short, only a day or two notice, and some (including City staff) did not receive their cards by the time of the hearing.
- The County Clerk stated the cards were mailed on September 8<sup>th</sup>.
- He believes having guidelines for the public comment period and a facilitator contributed to an informative meeting for everyone in attendance.

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

The meeting adjourned at 6:34 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk



  
Kent E. Ewing, Mayor