

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
August 10, 2015**

A regular meeting of the City Council of Gering, Nebraska was held in open session on August 10, 2015 at 6:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Kaufman, and Councilmembers Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison, and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Notice of the meeting was given in advance by publication in the Gering Citizen, 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 Kaufman called the meeting to order at 6:00 p.m. The Mayor noted that there was a quorum of the Council 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 Kaufman 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 Council determines that the matter requires emergency action.

CONSENT AGENDA:

1. Approve minutes of the July 27, 2015 Regular City Council Meeting
2. Approve Claims

7-21-15 to 8-3-15

ACTION COMMUNICATIONS INC \$371.50 PAGER RPR, AHLER'S BAKING INC \$49.64 MEALS: ALLIANCE COLLEGE STUDENT TRAINING, ALLO COMMUNICATIONS \$1,240.01 TELEPHONE/INTERNET CHRG, AMAZON \$406.35 13 BOOKS, 1 CLASS 5 TRAILER HITCH, SUPPLIES FOR SUMMER READING PROGRAM, RPR, 1 BATTERY CORROSION PROTECTOR, ANTIGUA GROUP INC \$60.06 6 PR OF SHORTS & 4 SHIRTS, ARMADA MEDIA CORP \$500.00 RADIO ADVERTISING, AUTO ZONE 1657 \$19.82 1 SEAT COVER, BENZEL PEST CONTROL \$79.90 PEST CONTROL, BETTER CONTAINERS MFG CO \$156.85 2 GOLF BAGS, BLUFFS SANITARY SUPPLY \$3,737.32 JUNE & JULY CLEANING SRV, POOL CHEMICALS, 1 SPINEBOARD BODY STRAP, 4 BAGS FILTER POWDER, REAGENT, 1 CASE OF TRASH BAGS, 6 CASES ACID-MURATIC, AIR FRESHNER, TOILET BOWL CLIPS, RR SUPPLIES, BOMGAARS \$37.94 2 SHOP TOWELS & 1 RAIN GAUGE, BORGMAN COLIN \$80.00 OREGON TRAIL DAYS WATERING SRV, BRIDE'S \$18.19 12 ISSUE MAG. SUBSCRIPTION, BROADWAY OFFICE CENTRE \$340.12 SUPPLIES FOR SUMMER READING PROGRAM, 2 TONER CARTRIDGES, 1 PHONE SHOULDER REST, PAPER, HIGHLIGHTERS, PENS, LABEL TAPE, BATHROOM CLEANER, BROWN ROBIN \$130.00 DEPOSIT REFUND FOR CANCELLED EVENT, C & M AIR COOLED ENGINE \$19.14 RPR, CALLAWAY GOLF CO \$945.41 3 GOLF CLUBS, CASEY'S GENERAL STORE \$19.56 FUEL: TJADEN TRAINING TRAVEL, CENTER POINT LARGE PRINT \$44.34 2 LARGE PRINT BOOKS, CENTURYLINK \$2,636.99 MONTHLY TELEPHONE ALLOCATION, CITY INSURANCE FUND \$151,545.33 HEALTH PREM 125, CITY OF GERING \$365.76 WELLNESS GOLF, CITY PAYROLL TRUST \$5,441.82 FSA MEDICAL 125, CLEVELAND GOLF \$111.06 1 GOLF CLUB, COMFORT INN \$301.58 LODGING NAB: S200 CLASS, COSMOPOLITAN \$34.97 12 ISSUE MAG. SUBSCRIPTION, COSTCO \$151.30 SHOP SUPPLIES, COWAN TROY \$60.00 OREGON TRAIL DAYS WATERING SRV, CREATIVE SIGNS DIVISION \$105.00 MATERIAL FOR PARADE CARS, CREDIT MGMT SRV \$264.12 GARNISHMENT 2, CREDIT MGMT SRV 2 \$305.83 GARNISHMENT 2, CREDIT MGMT SRV 3 \$278.60 GARNISHMENT 2, CRESCENT ELECTRIC SUPPLY \$315.54 3 SPORTS LAMPS, 2 GE SOCKETS, RPR, ELECTRIC COATING, D & H ELECTRONIC SUPPLY \$22.09 1 BATTERY, 10 PK OF TERM PINS, 1 THERMAL CKT BREAKER, DAKOTA SUPPLY GROUP \$1,133.70 72 RADIO READERS, DALES TIRE & RETREADING \$4,527.44 8 NEW TIRES FOR G10, 8 NEW TIRES FOR G8, 2 SKID STEER TIRES FOR G1, DEMCO \$41.13 SUPPLIES, DEWALT/PORTER CABLE/DELTA \$28.34 BLADE CLAMP FOR JIGSAW, DHHS DIVISION/PUBLIC HEALTH \$370.00 WATER LAB, DIA \$108.00 5 DAY PRKNG FEE: MEJIA - GFOA, DIETRICH DISTRIBUTING CO \$335.80 BVRGS FOR OFFICERS: OT DAYS, DIRECTPARTS \$132.46 RPR, DOOLEY OIL INC \$25.35 PART FOR G8, DUTTON-LAINSON CO \$1,262.60 4 METERS, ECOLAB \$156.29 RODENT CONTROL, ELLIOTT EQUIPMENT CO \$393.16 3 INTERLOCK SWITCHES, ENERGY LABORATORIES INC \$456.00 WATER LAB, ENVIRO SRV INC \$931.00 WW LAB, ESC ENGINEERING \$426.00 BLIND ALLEY PHS 1 ENGIN. WORK, FAMILY DOLLAR \$31.50 HAND SOAP & TOILET PAPER, FARWEST LINE SPECIALTIES \$840.00 28 SAFETY SHIRTS, FASTENAL CO \$1,425.09 LOCATING PAINT, HARDWARE, 4 ROLLS OF CAUTION TAPE, 96 CONTAINERS OF RUSTOL, RPR, MATERIALS FOR TRAINING BLDG, FATDOGS \$58.43 FUEL: LANE - LARM BOARD MTG TRVL, FED EX \$109.84 SHIPPING FEES FOR 2 WATER LABS, FIRST STATE BANK \$362.81 IBEW UNION DUES, FLOYDS SALES & SRV \$438.62 RPR TO G6 & G10, PIPE, GASKET, FORT DEARBORN LIFE INS CO \$113.52 FIREFIGHTER LIFE INSURANCE, FRESH FOODS \$51.22 10 BOTTLES OF WATER, GALE \$267.65 10 LARGE PRINT BOOKS, GERING CITIZEN \$891.56 ADVERTISING, GERING COURIER \$69.00 ADVERTISING, GERING MERCHANTS \$606.69 KENO FUNDS:

SVR FINISH LINE LUNCH, GERING VALLEY PLUMBING \$1,088.91 RPR TO AIR SYSTEM, GET N SPLIT #72 \$20.16 FUEL; TJADEN TRAINING TRAVEL, GREGORY'S LOCK SHOP LLC \$296.76 1 DOOR, 3 CABINET LOCKS FOR HR OFFICE, GT DISTRIBUTORS INC \$2,592.48 RAIL MOUNTED TACTICAL LIGHTS, HARRINGTON INDUSTRIAL \$165.01 WELL RPR, HARRIS MONICA \$75.00 RV ROOM DEPOSIT REFUND, HAWKINS \$2,909.20 CHEMICALS, HEILBRUN \$1,555.22 12 BATTERIES FOR MSGE BOARDS, SPRING PAINT MACHINE, GREASE, 1 AIR FILTER, 2 DR HAND TOOL, 2 HOSE FITTINGS, SCREWDRIWER, HOBBY LOBBY \$31.29 SUPPLIES FOR SUMMER READING PROGRAM, HOLIDAY INN \$193.36 LODGING: DOGGETT - LINCOLN MEETING, HOME DEPOT \$363.25 60 EMT CONDUITS, BRASS HEX BUSHING, 3 FITTINGS, RPR, HORNUNG'S GOLF PRODUCTS \$73.25 3 CLUB BRUSHES, 3 HEAD COVERS, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$345.20 MAINT SUPPLIES, MAT CLEANING, SOAP, TRASH LINERS, BRUNZ HONOR GUARD UNIFORM CLEANING, 50 SHOP TOWELS, 3 MOS, INDEPENDENT PLUMBING \$315.51 SPRINKLER CONTROLLER FOR HAMPTON & GENTRY PARK, SPRINKLER/IRRIGATION RPR, INGRAM LIBRARY SRV \$509.54 33 BOOKS, INLAND TRUCK PARTS CO \$30.46 1 SIGHT GAUGE, INTER ASSOC OF CHIEFS/P \$525.00 ANNUAL DUES, INTER CODE COUNCIL INC \$48.00 PLAN REVIEW MANUAL - STERKEL, INTERNAL REVENUE SRV \$47,348.23 FED/FICA TAX, INTERSTATE BATTERIE/RAPID \$219.90 1 AT CORE, INTRALINKS TECHNICAL SOLUTION \$2,280.75 COMPUTER SUPPORT, IOWA PUMP WORKS \$1,982.63 WWTP BOOSTER STATION RPR, IWORQ \$18,512.00 WATER SYSTEM & PAVEMENT MNGMNT PROGRAM, JIRDON \$1,808.75 CHEMICALS & HERBICIDE, JOHN HANCOCK USA \$13,829.25 JH RETIRE 6%, JOHN MEJIA \$755.14 CDBG RECERTIFICATION TRAINING TRVL EXP, JOHNSON CASHWAY \$29.72 SUPPLIES, KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KING DAN \$75.00 RV ROOM DEPOSIT REFUND, KOVARIK, ELLISON, MATHIS \$8,409.85 LEGAL FEES, KRIZ - DAVIS CO \$5,882.31 3 SWITCHES, 126 LOCKS, ELECTRIC RPR, 2 CLAMPS, KWIK STOP #10 \$44.63 FUEL: TJADEN TRAINING TRAVEL, LL JOHNSON DISTRIBUTING \$1,366.12 SPRINKLER VALVES/FITTINGS, RPR, 1 WETTING AGENT APPLICATOR GUN, LARSON STEVE \$50.00 OREGON TRAIL DAYS WATERING SRV, LOVE'S TRAVEL STOPS STORE \$77.50 FUEL: DOGGETT MEETING TRAVEL, MASEK GOLF CAR CO \$955.00 4 GOLF CAR RENTALS FOR OREGON TRAIL DAYS, MATHESON TRI-GAS INC \$987.88 25 PR OF GLOVES, WELDING PARTS, ACETYLENE, 6 ADAPTERS, SHOP SUPPLIES, MCDONALD'S \$5.57 MEAL EXP: LANE - LARM BOARD MTG, MCSPADDEN RICHARD \$80.00 RETURN OF QUITCLAIM DEED, MEAT SHOPPE \$15,891.80 CATERING COSTS, MENARDS \$204.33 2 BROOMS, 2 DUST MOPS, COOLER PUMP FOR CLUBHOUSE KITCHEN, EL RPS @ LEGION PARK GARDEN SHELTER, MERRICK & CO \$225.00 ENGINEERING SRV, MG TRUST CO LLC \$5,882.20 MG T - POLICE, MOBIUS COMM CO \$323.14 WWTP RPR, MODENA THOMAS \$140.00 OREGON TRAIL DAYS WATERING SRV, MONEY WISE OFFICE SUPPLY \$1,173.80 INK, POST IT FLAGS, TAPE, 2 BINDERS, LABELS, REPORT COVERS, 10 KEY FOR NANCY, BUSINESS CARDS, HIGHLIGHTERS ETC, MUNICIPAL ENERGY AGENCY \$727,194.95 POWER BILL - APRIL & JUNE, 5 VENDING MISERS, MONTHLY RITA INSTALLMENT, MUNICIPAL SUPPLY INC OF \$282.51 MAIN RPR, NAB AARON \$50.00 OREGON TRAIL DAYS WATERING SRV, NATIONAL INSURANCE SRV \$1,039.08 VISION INSURANCE, NE CHILD SUPPORT PYMT \$738.53 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$13,075.46 STATE TAXES, NE PUBLIC POWER DISTRICT \$3,520.02 UTILITIES - PHEASANT DR, NE SAFETY/FIRE EQUIPMENT \$378.55 FIRE SPRINKLER PARTS, NEBRASKA DEPT OF REVENUE \$8,001.73 LOTTERY TAXES APRIL - JUNE, NEBRASKA POWER REVIEW BOARD \$1,183.43 2014 ASSESSMENT, NEBRASKA RURAL WATER ASSOC \$275.00 HEATH, CLOSSON, MCKEE MEMBERSHIP, NEBRASKALAND TIRE \$842.42 4 NEW TIRES, NEOFUNDS BY NEOPOST \$1,600.00 POSTAGE, NORTHWEST PIPE FITTINGS \$224.19 2 ROUND VALVE BOXES, 6 SEWER CAPS, PLMBG PARTS FOR TRAINING BLDG, RPR, OCLC INC \$133.25 ILL & CAT SUBSCRIPTION, PANHANDLE COOP ASSOC \$58.71 PROPANE, PANHANDLE GEOTECHNICAL \$238.75 MAIN REPLACEMENT, PANHANDLE HUMANE SOCIETY \$3,170.34 ANIMAL CONTROL & FEES, PARAGON \$273.48 19 JR CLUBS, PAYPAL \$84.75 7 BENT VALVES, PAYROLL \$135,044.74 PAYROLL CHECKS ON 7-24-15, PERFORMANCE SALES \$563.31 GOLF CART RPR, PITTMAN JACOB \$60.00 OREGON TRAIL DAYS WATERING SRV, POSTMASTER \$1,243.54 MAILING PERMITS - JULY, POWERPLAN OIB \$3,119.22 RPR TO DOZER, 1 SEAL, 1 HYDRAULIC HOSE, PARTS FOR 344J, PRINT EXPRESS \$736.55 1000 TIME SHEETS, 250 INSPECTION MEMOS, PROGRESSIVE BUSINESS PUB \$118.56 24 ISSUES SUPERVISORS LEGAL, PROTEX CENTRAL INC \$83.00 SECURITY INSPECTION, PT HOSE & BEARING \$34.59 3 BEARINGS, RANDY RAINES \$1,000.00 DIRECTING CITY BAND, RAY ALLEN MANUFACTURING \$61.21 K-9 SUPPLIES, RDJ SPECIALTIES INC \$456.34 406 COLORING BOOKS TO HAND OUT, REGANIS AUTO CENTER \$35.63 HOUSING RPR, REGIONAL CARE INC \$50.00 WEBINAR - COOLEY & DANIELZUK, RESTOCKIT.COM \$102.20 10 LB INTEPLAST ICE BAG WTIES, ROBINSON ELECTRIC \$70.00 RPR TO BALER DOOR SWITCH, RR DONNELLEY \$105.09 2 CARTONS OF CITATION BOOKS, RUSSELL'S EXCAVATION & CO \$7,808.00 CONCRETE FOR DOORS & SIDEWALK, SANDBERG IMPLEMENT INC \$12.76 RPR, SAPP BROS \$30.32 FUEL: TJADEN TRAINING TRAVEL, SCB CO VEHICLE REGISTRATION \$1,953.61 VEHICLE REG FOR NEW WATER TRUCK & 2014 DODGE CHARGER, SCB COUNTY REGISTER OF DEED \$80.00 8 CERTIFICATE OF OWNERSHIP, SCB CO DISTRICT COURT \$75.00 ALIMONY, SCB COUNTY AMBULANCE SRV \$316.23 AMBULANCE CONTRACT, SCOTTS BLUFF COUNTRY CLUB \$720.00 RANGE BALLS, SCOTTS BLUFF COUNTY COURT \$68.00 COUNTY COURT FEES, SCOTTSBLUFF TENT & AWNING \$135.00 RPR TRASH END GATE TARPS, SCOTTSBLUFF GERUNG UNITED \$10.00 UNITED WAY CTRB, SENIOR CITIZENS CENTER \$525.00 FINANCIAL SUPPORT, SHELL \$83.00 FUEL: RON D - DUMPSTER PURCHASE TRAVEL, SHERYL'S LOG CABIN \$148.52 MEALS: ALLIANCE COLLEGE STUDENT TRAINING, SHRM NEBRASKA STATE COUNC \$349.00 SHRM NE STATE CONF REG COOLEY, SIMON CONTRACTORS \$1,316.50 MAIN RPR & CONCRETE, SIMONSEN CONSTRUCTION INC \$3,292.50 RPR MOVABLE WALLS, SMITH NEAL \$175.00 DEPOSIT REFUND, SNELL SRV \$449.35 CHECKED A/C UNITS, SOLUTIONS EAP \$244.55 COUNSELING SRV, SOURCE GAS \$669.89 UTILITIES, SPORTS FACILITIES ADVIS \$12,500.00 REC & LEISURE PLAN PYMT #3, STAPLES CREDIT PLAN \$40.65 1 INK CARTRIDGE, 1 POWER STRIP, STEVES CLEANING & RESTORATION \$34.00 CHAIR CLEANING, SUBWAY SANDWICHES & SALAD \$47.56 MEALS FOR SFA MEETING, SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, SUNSET LAW ENFORCEMENT \$1,600.20 AMMUNITION FOR FIREARMS, SUPERIOR TRANSPORT \$44.00 TAXI SRV: MEJIA - GFOA CONF, TARGET \$62.14 SUPPLIES FOR SUMMER READING PROGRAM, TERRY CARPENTER INC \$650.00 WATER WELL LAND RENT, TEST AMERICA \$2,403.00 WATER SAMPLING, THE ROCK PILE \$2,056.09 ROCK, TITLEIST \$667.95 42 PR OF GLOVES, 1 GOLF CLUB, TOMMY'S JOHNNY'S INC \$135.00 1 PORTABLE TOILET @ GOLF COURSE, TORRINGTON SOD FARMS \$370.00 MAIN RPR, TOTAL LANDSCAPE CONCEPTS \$125.99 1 OAK BURR, TWIN CITY DEVELOPMENT \$1,957.08 BROWNSFIELD ASSESSMENT WORK, UNITED AIRLINES \$50.00 BAG CHECK: MEJIA GFOA CONF TRAVEL, US AUTO FORCE \$66.76 2 GOLF CAR TIRES, US WEEKLY \$79.95 52 ISSUE MAG SUBSCRIPTION, VALLEY BANK - POLICE \$280.00 PO UNION DUES, VALLEY BANK & TRUST CO \$4,947.98 HSA CTRB 125, VAN DIEST SUPPLY CO \$2,116.00 FERTILIZER, VAN PELT FENCING

\$27,992.40 FENCE @ FIVE ROCKS AMPITHEATER, VANCE JEFFREY \$110.00 OREGON TRAIL DAYS WATERING SRV, VERIZON WIRELESS \$120.03 AIR CARDS FOR 3 PORT CAMERAS, WALMART \$285.66 SUPPLIES FOR SUMMER READING PROGRAM, WESTCO \$8,103.51 GAS & DIESEL, WESTERN LIBRARY SYSTEM \$30.00 2 EMPLOYEES ANNUAL MEETING, WESTERN PATHOLOGY CONSULTANTS \$59.60 DRUG SCREENING, WINCHELL CLEANING SRV \$500.00 CLEANING SRV, YMCA \$618.84 WELLNESS, YOUNG MENS CHRISTIAN \$10.00 YOUNG MEN'S CHR

Motion by Councilmember Holliday to approve the Consent Agenda, second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

PUBLIC HEARINGS:

1. public hearing to consider an application to change zoning requested by Matthew Nation, property owner of a home and acreage at 230450 Crow Road currently zoned Heavy Industrial and Manufacturing District (MH) on the South portion of the property and General Agricultural District (AGG) on the North portion of the property to Agricultural Estate Dwelling Site (AEDS) in order for the owner to meet building and zoning compliance and obtain title insurance.

Mayor Kaufman opened the public hearing at 6:03 p.m. Rod Sterkel, Building Inspector, presented the Administrative Record.

Mr. Sterkel stated: Mr. Mayor and City Council Members, this is the public hearing to consider an application to change zoning requested by Matthew Nation, property owner of a home and acreage at 230450 Crow Road currently zoned Heavy Industrial and Manufacturing District (MH) on the South portion of the property and General Agricultural District (AGG) on the North portion of the property to Agricultural Estate Dwelling Site (AEDS) in order for the owner to meet building and zoning compliance and obtain title insurance.

A ROS was completed by Accustar Surveying and recorded with the State containing 14.42 acres more or less and is located in the SE ¼ of the NW1/4 and the NE ¼ of the SW ¼ of Section 6, Township 21 North, Range 54 West of the 6th Principal Meridian. The surrounding boundary consists of AGG to the North and East - AGG and MH to the West – and MH to the South. This would not be considered a spot zone due to the change as AEDS and the size of the parcel.

Administrative Record:

Mr. Mayor and City Council Members, you have been provided with the administrative record in your packets and I would ask for this Commission's approval that I not read through the record unless you would like this read and that it be made a part of the official proceedings of this Public Hearing.

- Application for a Change in zoning by the property owner Matthew Nation, June 12, 2015.
- A building permit was issued by the City (Sam Klassert) on 4/30/2010 per being zoned AGG and MH.
- City of Gering Current Subdivision and Zoning Regulations dated March 1984.
- City of Gering 1995 Comprehensive Plan (Amendment No. 1 dated November 2001).
- Publication Notice and written notice regarding this zoning change was completed and sent to all owners of land within 300 feet per the requirements of the City's Zoning and Subdivision Regulations Section 15.2 and are incorporated by reference in this Administrative Record. Signs were also posted on site for the proposed change in zoning per zoning regulations.
- Public Hearing Notice published 7/2/15, 7/9/15, and 7/30/15.
- City Engineer/Director of Engineering & Community Planning Administrative Record as shown herein.

Mr. Mayor and City Council Members, I have completed my entry regarding this Public Hearing to consider this application for a change in zoning requested by Matthew Nation, from AGG and MH to

AEDS in order to comply with building and zoning regulations and to have the ability to obtain title insurance and ask that you please keep this hearing open until all entries are put into this record.

Mayor Kaufman asked if any Councilmember wished to have the Administrative Record read aloud. Seeing none, he asked if anyone wished to speak in favor or opposition of this application.

Matthew Nation, 230450 Crow Road, addressed the Council and stated that he is requesting the zoning change so he can finish out his title. He said he applied for a building permit in 2010 and there was an error somewhere in the City office where it wasn't filed right for where it should be zoned at. He's asking if it can be re-zoned so he can get his title for the bank. Mayor Kaufman thanked him for his time.

No one spoke in opposition. Paul Snarr, City Engineer and Planner stated that the City did issue a building permit in 2010 with improper zoning; and added that we're just trying to clear this up now. Mayor Kaufman closed the Administrative Record and the Public Hearing was closed at 6:08 p.m.

Motion by Councilmember Morrison to enter the Administrative Record into the public record, second by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

1a. Approve or deny application to change zoning requested by Matthew Nation, property owner of a home and acreage at 230450 Crow Road currently zoned Heavy Industrial and Manufacturing District (MH) on the South portion of the property and General Agricultural District (AGG) on the North portion of the property to Agricultural Estate Dwelling Site (AEDS) in order for the owner to meet building and zoning compliance and obtain title insurance.

Motion by Councilmember Gibbs to approve the application to change zoning requested by Matthew Nation, property owner of a home and acreage at 230450 Crow Road currently zoned Heavy Industrial and Manufacturing District (MH) on the South portion of the property and General Agricultural District (AGG) on the North portion of the property to Agricultural Estate Dwelling Site (AEDS) in order for the owner to meet building and zoning compliance and obtain title insurance, second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

1b. Approve Ordinance 2004 - AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING FOR A TRACT OF LAND IN PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN CONTAINING 14.42 ACRES MORE OR LESS AS SHOWN ON THE RECORD OF SURVEY AS RECORDED WITH THE NEBRASKA STATE SURVEYORS OFFICE DECEMBER 11, 2009 UNDER INSTRUMENT NO. 944328, SCOTTS BLUFF COUNTY, NEBRASKA, FROM AGRICULTURAL (AGG) AND HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT (MH) TO AGRICULTURAL ESTATE DWELLING SITE (AEDS) AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Councilmember Morrison made a motion to introduce Ordinance No. 2004 - AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND CHANGE ZONING FOR A TRACT OF LAND IN PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 54 WEST OF THE 6TH PRINCIPAL MERIDIAN CONTAINING 14.42 ACRES MORE OR LESS AS SHOWN ON THE RECORD OF SURVEY AS RECORDED WITH THE NEBRASKA STATE SURVEYORS OFFICE DECEMBER 11, 2009 UNDER INSTRUMENT NO. 944328, SCOTTS BLUFF COUNTY, NEBRASKA, FROM AGRICULTURAL (AGG) AND HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT (MH) TO AGRICULTURAL ESTATE DWELLING SITE (AEDS) AND PROVIDING FOR AN

EFFECTIVE DATE HEREOF, seconded by Council member Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Smith moved that the Ordinance be designated as Ordinance No. 2004 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, which motion was seconded by Councilmember Christensen. There was no discussion. The Clerk called the roll. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried. Whereupon Ordinance No. 2004 was read by title only, Councilmember Gibbs moved that the Ordinance be passed as read, which motion was seconded by Councilmember Holliday. "The question is shall Ordinance No. 2004 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The passage and adoption of the Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed.

BIDS: None

CURRENT BUSINESS:

1. Approve Resolution 8-15-1, LARM renewal

RESOLUTION NO. 8-15-1

League Association of Risk Management 2015-2016 Renewal Resolution

WHEREAS, The City of Gering is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Gering, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. **(180 day and 3 year commitment; 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. **(180 day and 2 year commitment; 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2016. **(180 day notice only; 2% discount)**

- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. (90 day notice and 3 year commitment only; 2% discount)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. (2 year commitment only; 1%)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2016. (90 day Notice only)

Adopted this _____ day of _____, 2015.

Signature: _____ Title: _____
 ATTEST: _____ Title: _____

Councilmember Christensen inquired about a dollar amount for the renewal. Clerk Welfl replied that there are actually three levels of costs so if the Council approves the three year commitment we receive a 5% discount. She stated that she can give a pretty good idea of what the cost will be. Prior to the discount it will be \$462,255.89; with the 5% discount we're going to be able to reduce that by \$23,112.75. LARM had projected a 10% increase, but it's actually going to be closer to 2.3% which is lower than it has been in quite a while. She stated that this number will change a little bit with the post process LARM is conducting this year which won't take place until October; that's when we'll actually get our hard numbers.

Motion by Councilmember Morrison to approve the 2015 LARM Resolution 8-15-1, second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. Request for combined Recreation and Administrative Committee meeting – Agenda Item: Golf Course Restaurant

Motion by Councilmember Christensen to approve the request for a combined Recreation and Administrative Committee meeting – Agenda Item: Golf Course Restaurant, second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

- 3. Consider offers for 1440 6th Street**
- 4. Consider an offer for 1455 5th Street**

Mayor Kaufman stated that he'd like to combine items 3 and 4 and would entertain a motion from Council with respect to these two items.

Councilmember Allred moved pursuant to Nebraska Revised Statute 84-1410, also known as Nebraska's Public Meetings Law, that the Gering City Council enter into closed session for the purpose of: Strategy/negotiation session regarding: real estate negotiations, protection of the public interest, and discussion of strategy , negotiation, and guidance from City legal counsel concerning 1460 6th and 1455 5th Street, property currently owned by the City of Gering.

Mayor Kaufman stated that he has a motion by Councilmember Allred that the Gering City Council enter into closed session pursuant to Nebraska Revised Statute 84-1410, also known as Nebraska's Public Meetings Law, for the purpose of: Strategy/negotiation session regarding: real estate negotiations, protection of the public interest, and discussion of strategy , negotiation, and guidance from City legal counsel concerning 1460 6th and 1455 5th Street, property currently owned by the City of Gering. Seconded by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES":

Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Mayor Kaufman stated that Council will enter into closed session at 6:16 p.m. He invited Administrator Danielzuk, City Attorney Ellison, TCD Director Rawnda Pierce and left it open to possibly invite the potential buyers of these two homes should the need arise to invite them in.

Motion by Councilmember Gibbs to come out of closed session at 6:50 p.m., second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Motion by Councilmember Gibbs to accept the offer from Jane Messer for \$159,200, the asking price, for 1440 6th Street contingent that financing be secured within 72 hours, second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Motion by Councilmember Smith to accept the offer and agreement dated August 2 between the City of Gering and Justin Reisig for \$126,000 for 1455 5th Street, second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

REPORTS: None

OPEN COMMENT SECTION:

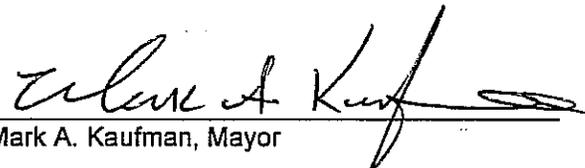
Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

Sheryl Reisig, 124 E. 37th Street, Scottsbluff, thanked the Council for looking at and accepting her son's offer for 1455 5th Street; she added that they are very appreciative.

ADJOURN

Motion to adjourn by Councilmember Holliday, second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Meeting adjourned at 6:53 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk

