

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
February 9, 2015**

A regular meeting of the City Council of Gering, Nebraska was held in open session on February 9, 2015 at 7:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Christensen, Gibbs, Holliday, Allred, Shields 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 7:00 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 Council Member absences (None)**

Motion by Councilmember Allred to excuse the absence of Councilmember Shields from the January 26, 2015 Regular City Council meeting. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

(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.

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 January 26, 2015 Regular City Council Meeting**
- 2. Approve Claims**

Claims:

1-23-15 to 2-4-15

24/7 TRAVEL STORE #3 \$46.00 FUEL TO PICK UP CITY VEHICLE, ALTERNATE FORCE \$150.60 DRUG TESTS, AMAZON \$394.95 BOOKS - REPLACEMENTS, ATSSA \$246.25 TRAFFIC CONTROL BOOKS MUTCD, BENZEL PEST CONTROL \$53.00 PEST CONTROL, BETTY'S TRUCK STOP \$55.67 FUEL FOR CITY VEHICLE PICK UP, BIG BATS \$23.00 GAS FOR INTERVIEW IN CHADRON, BLACKSTONE AUDIO INC. \$494.00 AUDIOBOOKS, BLU RESTAURANT \$42.10 FOOD FOR CITY VEHICLE PICKUP, BLUFFS SANITARY SUPPLY \$354.07 CLEANING SUPPLIES, BOUND TO STAY BOUND BOOKS \$232.11 BOOKS, BROADWAY OFFICE CENTRE \$534.29 MANILA FOLDERS, ENVELOPES ETC., BROWNS SHOE FIT CO. \$188.32 SAFETY CLOTHING, BUDGE -IT DRAIN SRV. \$300.00 CLEANED DRAIN LINE AT REST., BUMPER TO BUMPER TOWING \$100.00 SATURN TOW, C & M AIR COOLED ENGINE \$618.00 MOWER RPR'S., CARD SRV. \$7,895.39 CREDIT CARD PYMT. - DECEMBER, CARR - TRUMBULL LUMBER CO. \$1,326.30 SUPP., GENEX I - 80 \$71.00 FUEL FOR CITY VEHICLE PICKUP, CENTURYLINK \$2,339.09 MONTHLY TELEPHONE BILL, CITY INSURANCE FUND \$145,531.02 HEALTH PREM 125, CITY OF GERING \$27.50 MAYOR TO MAYOR MTG., CITY OF SCOTTSBLUFF \$1,954.80 EMERGENCY MANAGEMENT OCT. - DEC., CITY OF PAYROLL TRUST \$6,506.42 FSA MEDICAL 125, COLORADO CHAPTER OF THE \$475.00 REG. FEE FOR CO. CHAP. OF ICC, CONSOLIDATED MANAGEMENT \$139.50 MEALS 718/706, CONTRACTORS MATERIALS \$319.00 DRILL, COUNTRY CUPBOARD \$30.00 FUEL FOR CITY VEHICLE PICK UP, CPI \$712.50 EMPLOYEE RETIREMENT PLAN, CRESCENT ELECTRIC SUPPLY \$559.26 TAPE, D & H ELECTRONIC SUPPLY \$58.80 SUPP., D & S CONVENIENCE \$62.00 FUEL FOR CITY VEHICLE PICK UP, DALES TIRE & RETREADING \$305.39 PART TO FIX G10, DATA TECHNOLOGIES \$308.57 TAX FORMS, DEX \$131.98 ADVERTISING, DOOLEY OIL INC. \$6,919.78 FUEL, DUTTON - LAINSON CO. \$2,021.24 CONNECTORS, E REPLACEMENT PARTS \$10.45 CHAINSAW RPR., ECOLAB \$165.08 PEST CONTROL, EDWARD DON & CO. \$403.17 FRYER PARTS FOR CLUB HOUSE, ENERGY EXPRESS \$68.00 FUEL FOR CITY VEHICLE PICK UP, ENERGY LAB. INC. \$454.00 WATER LAB, ENTENMANN - ROVIN CO. \$492.50 BADGES, ENVIRO SRV. INC. \$526.00 WW LAB, ESRI \$32.00 MANAGING PARCEL DATA ONL CLASS, FASTENAL CO. \$494.91 GLOVES, BATTERY, GLASSES, FIREHOUSE TREASURERS INC. \$185.00 SERVICE AWARD, FIRST STATE BANK \$350.37 IBEW UNION DUES, FLOYD'S SALES & SRV. \$727.48 TRANSMISSION SRV. FOR G6, FORT DEARBORN LIFE INS. CO. \$116.96 FIREFIGHTER LIFE INS. FEB., FRESH FOODS \$168.44 MEAT & CHZ TRAYS FOR MEETINGS, FURNITURE TECH \$265.00 TABLE FOR KATHY WELFL'S OFFICE, GALE \$152.19 BOOKS, GCSAA \$675.00 CONFERENCE, GERING CITIZEN \$148.06 CONDENSED MINUTES, GERING MERCHANTS

\$510.75 KENO FUNDS, MAKE GERING SHINE, GERING VALLEY PLUMBING \$1,484.80 RPR HEATING & AIR, GERING VOLUNTEER FIRE DEPT. \$153.63 TRNGG. CONF. MEAL & FUEL EXPENSE, GLEIM ROBERT \$92.00 #2 MEAL ALLOWANCE FOR NLETC, GRAPHIC SCREENPRINTING \$716.00 UNIFORMS FOR NEW OFFICERS, GREATAMERICA LEASING CORP. \$276.74 COPIER LEASE, GREG'S AUTO BODY & PAINT \$3,463.56 FORD 2013 PICKUP PARTS & RPR'S., HAMPTON INN \$599.70 CONFERENCE STAY JAMES FARRO, HARDING & SHULTZ P C L \$11,706.42 SPECIAL LABOR MATTERS, HARRINGTON INDUSTRIAL PLA \$1,725.00 WWTP RPR'S., HEILBRUN \$1,738.24 HYDRAULIC FILTER BALER PARTGS, HOLTZ INDUSTRIES \$933.90 TARP FOR G6 & G9, HOME DEPOT \$24.97 LAMP FOR WELFL OFFICE, I70 66 \$44.00 FUEL FOR CITY VEHICLE PICKUP, ICMA ELECTRONIC RETIREMENT, \$546.42 ICMA CITY ADMIN., IDEAL LINEN SUPPLY INC. \$353.67 MAINTENANCE SUPP. \$688.68 BOOKS/PERIODICALS, INTERNAL REVENUE SRV. \$38,171.73 FED/FICA TAX, INTERSTATE BATTERIE/RAPID \$453.06 BATTERIES BATTERIES #40, INTRALINKS TECHNICAL SOLUTIONS \$1,948.60 YEARLY SPAM SRV., JOHN HANCOCK USA \$12,884.90 JH RETIRE 6%, JOHNSON CASHWAY \$60.35 BROOM, JUAN MARQUEZ \$4,000.00 HANG, TAPE, TEXTURE, FINISH, KARENS CLEANING \$425.00 JANITORIAL SUPP., KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KAUFMAN TONY \$559.07 MIDWINTER CONF 2015 TRAVEL EXP., KNEB \$363.50 RADIO ADVERTISING, KOVARIK, ELLISON, MATHIS \$13,557.97 SPECIAL PERSONNEL MATTER, KRIZ - DAVIS CO. \$1,661.19 TRANSFORMER PLATES, LL JOHNSON DISTRIBUTING \$5,407.21 SUPP., LEAGUE ASSOC/RISK MANAGEMENT \$934.68 AUTO DAMAGE & LIABILITY COVERAGE, LEAGUE OF NE MUNICIPALITIES \$348.00 MINWINTER CONF. 2015 KAUFMAN, LOVE'S TRAVEL STOPS STORE \$96.65 FUEL TO PICK UP CITY VEHICLE, LYNN PEAVEY CO. \$159.80 EVIDENCE SUPP., MARRIOTT CORNHUSKER \$299.48 LODGING - CITY VEHICLE PICKUP, MEAT SHOPPE \$22,588.07 CATERING COSTS, MENARDS \$74.88 WELL RPR. WATER PRESS REG., MG TRUST CO LLC \$5,629.00 MG T - POLICE, MIKE MCKEE \$37.42 WORKBOOT REIMBURSEMENT, MIZUNO USA INC. \$730.80 GOLF CLUBS, MONEY WISE OFFICE SUPPLY \$310.10 CORRECTION TAPE & FOLDERS, MOR ELECTRIC HEATING \$158.15 HEAT ELEMENTS, MUNICIPAL ENERGY AGENCY \$438,144.81 POWER BILL FOR DEC., MURDOCH'S RANCH & HOME \$859.37 SAFETY CLOTHING, NATIONAL INSURANCE SRV. \$1,031.12 VISION INSURANCE, NDOR - LOTTERY \$9,130.60 LOTTERY TAXES OCT. - DEC. 2014, NE BOARD OF ENGINEERS \$80.00 CIVIL ENGINEER LICENSE RENEWAL, NE CHILD SUPPORT PYMT. \$738.53 CHILD SUPPORT 1, NE DEPARTMENT REV (PR) \$11,339.47 STATE TAXES, NE PUBLIC POWER DISTRICT \$1,765.41 UTILITIES - PHEASANT DRIVE, NEBRASKA MACHINERY CO. \$49.01 FUEL, NEOFUNDS BY NEOPOST \$1,625.76 POSTAGE, NORTHWEST PIPE FITTINGS \$78.20 WELL RPR., NWRA \$105.00 MEMBERSHIP DUES, O J WATSON EQUIPMENT \$215.39 SNOW PLOW RPR., OCLC INC. \$133.25 CAT & ILL SUBSCRIPTION, PAYROLL CHECKS \$105,716.11 PAYROLL CHECKS ON 1-23-15, POSTMASTER \$10.50 POSTAGE - BLOOD TEST, POWERPLAN OIB \$1,300.96 OIL FOR EQUIPMENT, QUEST INC. \$19.53 CHAIN ADJUSTER, RADIO SHACK CO. \$22.99 WWTP SUPP., RAMADA INN \$173.70 LODGING CITY VEHICLE PICKUP, RDJ SPECIALTIES INC. \$258.34 PENCILS FOR KIDS SRO OFFICER, RECORDED BOOKS LLC \$141.26 AUDIOBOOKS, ROCKY MOUNTAIN CHAPTER GO \$165.00 CLASS A SUPERINTENDENT, ROLLING STONE \$29.95 26 ISSUE SUBSCRIPTION, SAFELITE AUTOGLASS \$150.00 MISC. FLAT GLASS, SANDERS LORI \$75.00 RV ROOM DEPOSIT REFUND, SCB COUNTY REGISTER OF DEEDS \$32.00 FINAL PLAT BLOCK 1, SCB CO DISTRIC COURT \$75.00 ALIMONY, SCB COUNTY SHERIFF OFFICE \$53.26 MONTHLY BILLING FEES, SCOTTS BLUFF CO. CONSOLID \$595.00 EMERGENCY & 911 CALLS, SCOTTSBLUFF VISION CLINIC \$221.00 EYE EXAM FOR TRAINING CENTER, SCOTTSBLUFF GERUNG UNITED \$10.00 UNITED WAY CTRB., SCS ENGINEERS \$23,523.46 WORK ON EXISTING LANDFILL, SHELL \$46.78 FUEL FOR CITY VEHICLE PICK UP, SHERYL'S LOG CABIN \$59.54 MEALS FOR SNOW REMOVAL, SLAFTER OIL CO. \$355.25 OIL, SNELL SRV. INC. \$6,580.00 NEW HEAT SYSTEM IN CHAMBERS, STAPLES CREDIT PLAN \$75.62 INK, STONECO INC. \$139.23 SHELL CRACKERS, SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, SUNSHINE COUNTRY EMBROIDERY \$291.60 FIRE DEPT. COATS, TA #187 BURNS \$28.33 FOOD FOR CITY VEHICLE PICK UP, TGI FRIDAY'S \$35.74 MEAL FOR CITY VEHICLE PICK UP, TNEMEC CO INC.\$202.50 WELL RPR., UNITED AIRLINES \$378.20 TRIP TO PICK UP CITY VEHICLE, US AUTO FORCE \$44.39 TIRE, VALLEY BANK - POLICE \$320.00 PO UNION DUES, VALLEY BANK & TRUST CO. \$9,841.30 HSA CTRB 125, VAN PELT FENCING \$5,000.00 KENO FUNDS - SOFTBALL DIAMOND, WALMART \$138.62 FELT, PAPER CLIPS, MAGNETS, WESTCO \$4,418.99 DIESEL, WINCHELL CLEANING SRV. \$745.00 MAINTENANCE & CLEANING, WOLD LORRIE \$150.00 RFND. OF CHNG IN ZONING APP FEE, YMCA \$448.58 WELLNESS, YOUNG MENS CHRISTIAN \$5.00 YOUNG MEN'S CHR.

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

PUBLIC HEARINGS: None

BIDS:

1. Water Chemical Treatment bid of four wells

Pat said we received bids to chemically treat four of our mid-town wells. He said this is something we periodically have to do due to the minerals in the water; the last time these wells were cleaned was in 2004. We had one done in 2012. It's staff's recommendation we award the bid to Lane Water Resources for \$38,873.13.

Councilmember Holliday said that's quite a bit lower than what we estimated; are we comfortable with the bid being that low? Mr. Heath said the prices were based on the 2012 cost plus a small addition. Our budget was our best guess based on the 2012 numbers. He said both companies have done excellent

jobs in the past on this. Councilmember Christensen asked how often we do this. Mr. Heath replied every 7-10 years. Every year we put some funds aside in a sinking fund to help cover these costs. If we don't do it eventually the wells will pump sand.

Motion by Councilmember Gibbs to award the low bid of \$38,873.13 to Lane Water Resources. Second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. P Street Water Main Replacement bid (5th to 10th Street)

Pat Heath, Public Works Director, said we accepted bids for water main replacement on P Street from 5th to 10th; this would be for replacing an eight inch water main from the west side of 5th Street to the west side of 10th at P. This water main we'll be replacing was installed in 1917; it's part of our infrastructure replacement project. This main is kind of at the top of our priority list because of issues we've had. Staff recommends approving the low bid from Henning's Construction for \$308,269.00. He added that we budgeted \$308,000 for this project.

Motion by Councilmember Smith, second by Councilmember Morrison to award the bid to Henning's Construction for \$308,269.00 for the P Street Water Main replacement. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Mower bids

- Park Mower

Parks and Recreation Director Ron Ernst said we bid two mowers; one for the parks and one for the golf course. Staff recommends the John Deere mower from 21st Century Equipment for \$48,360.11. For the second one we recommend the Toro from LL Johnson for \$62,890.00. The Jacobson one bid against it does not meet our specs; it's not built as tough as the Toro. We have experience with Toros and we don't on the Jacobson. Councilmember Allred asked what the difference was. Mr. Ernst said the difference is about \$9000. Councilmember Christensen asked if we purchased a new mower last year; Mr. Ernst said we did for the Parks, not the golf course. The mowers for the golf course are different. Councilmember Christensen asked if they replace other mowers, Mr. Ernst replied yes; life expectancy is 10 years. Councilmember Morrison asked if we have someone to repair the mowers or do they have to go back to where they came from. Mr. Ernst said the Toro dealer is good about sending someone out to fix them. Councilmember Allred said Tom and his crew probably do the maintenance themselves.

Motion by Councilmember Gibbs to approve the Park Mower bid of \$48,360.11 from 21st Century. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

- Golf Mower

Motion by Councilmember Allred to approve the Golf Mower bid of \$62,890.00 from LL Johnson. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Lane Auction House Demolition bid

Paul Snarr, City Engineer, addressed the Council and stated that we received a Brownfields grant; a Phase I study was performed on the building and there's a lot of asbestos within the building. However, the building is in dire need of being demolished because of its unsound condition; it's structurally unsound. There is a possibility that we could get a demo grant but it would only cover \$200,000 and removing the asbestos alone would cost that amount. He said he got ahold of DHHS, Department of Health and Human Services, Doug Gillespie, and wrote him a letter of his opinion on the condition of the

building. There are holes in the floor, it won't take many more snow loads and there's concern of injuring workers inside who could possibly get hurt. DHHS granted the City a waiver to take the building down provided we have a certified asbestos inspector on site and we would have to line all the trucks with poly mil liner. He said in checking costs and time frame to do lining to the trucks he sent a second letter to him and they granted us another waiver not to line provided we wash the trucks out in a washout area at the landfill. Due to the urgency and the waivers received from the state, it will save quite a bit of money. We had the Street Department put a bid together to remove with our crews; he thinks they're a little low but we're around \$80,000.

Mr. Snarr said with that and the worry of insurance and the proximity of the home nearby, we contacted four contractors and were given bids. However, looking at the bids the low bidder had a lot of contingencies and they didn't include the hauling of the asbestos material and most of that building is asbestos; the tar roof, the stucco, the pipe wrapping, the tile, the mastic for the tile. Due to the urgency of this project and the waivers received from DHHS, Mr. Snarr said he would like to ask this Council to approve staff to be able to contact each bidder individually and firm up the price not to exceed \$92,000. We'll be using our City crews as well to team with the contractor. We'll use our City crews to keep water on the building and keep everything wet to keep the asbestos from becoming friable. If that's approved he'd like to go ahead with a notice to proceed/notice to award as soon as possible. This is quite a money savings in not having to have an asbestos abatement team in removing the asbestos; it would be very costly.

Councilmember Smith asked if the \$92,000 is for both the City and the contractor. Mr. Snarr replied yes, when we first got bids from contractors, we had bids ranging from \$53,000-\$86,000; one of the bids at 86 included the fill and compacting. The lower ones had contingencies with them and the City would come in and use their own dirt to fill and compact. He said it's a team effort between the City and the Contractors.

Councilmember Morrison asked where the asbestos will be hauled to. Mr. Snarr said it will be hauled to the landfill and it would have to be buried immediately. He said we'd create a wash area right there in the landfill. Councilmember Smith asked if the trucks will be tarped; Mr. Snarr said yes the trucks will be tarped and the loads will be really wet. He said again the building won't take many more snow or wind loads; there's a large hole in the roof and it could potentially collapse or something could blow off and hurt someone, so there is urgency to take this down.

Councilmember Holliday asked if Paul thinks it's a bigger safety hazard to the public as it sits now. Mr. Snarr said yes he thinks so; if someone got inside, there are holes in the floor. Councilmember Holliday said he's sure the large concern is going to be the asbestos and what is being done with it; it flying in the air to the local and surrounding people. What they want to stress is that it is more dangerous to the public currently than possible exposure. Mr. Snarr said if it collapsed there would be a lot of dust. He said this is the best route to take, not to mention that if we held back and nothing happened to the building and we waited and had an asbestos team come in, he thinks the prices would probably exceed \$350,000 for the asbestos abatement and demolition of the building.

Mayor Kaufman said this plan has been approved by the NDEQ. Mr. Snarr said the NESHAP documents have been sent to NDEQ and we're just waiting for their approval. He would like to see the work start the week of the 16th if this Council will approve staff working with the bidders and narrowing down a firm price. Councilmember Morrison asked who the contractors are. Paul stated Paul Reed, Russell's Excavation, RTS Sheering and Gary Meyer – GEM LTD. Councilmember Gibbs asked if we need a motion to approve staff recommendation.

Kirk Arnold, a citizen of Gering, addressed the Council. He asked Mr. Ellison if the City has immunity from liability regarding asbestos. Mr. Ellison replied no. Mr. Arnold asked the Council if they realize what they're doing. He stated that he's in the insurance business. When you remove asbestos you have to be certified. That still doesn't protect you; that qualifies you. He gave an example of a contractor who was remodeling a court house. There was asbestos; they had asbestos abatement and they came in and removed it. The contractor came in and re-drilled some holes and they constantly tested the area. He

said it takes a very low amount and it could be fatal. He said the problem with asbestos is it could take years to manifest itself. When you have employees, they're going to have to wear clothing. He said anytime he has had a contractor client of his remove asbestos that's certified and has the liability insurance for that, it's encompassed, it doesn't move, it can't move. He said he would caution the City on taking on this responsibility especially if you have no immunity. He said asbestos takes forever. He's concerned that we would sell out the health of the community or the workers to save some money. He asked if they are certified. Mr. Snarr said we will have a certified asbestos inspector; that was one of the conditions in the waiver. Panhandle GeoTech has a certified asbestos inspector that was recommended to be on site. Mr. Arnold said he was talking about the staff, have they been trained? Mr. Snarr replied a lot of the contractors have been that we'll be working with.

Mr. Arnold said the thing about doing it yourself is you're absorbing all the liability; totally. The nice thing about transferring the liability to a contractor, regardless what it costs, your insurance company is on the hook because asbestos may not manifest itself for a couple of years. Anyone living in the neighborhood can come back and say they have a respiratory problem; they think it's Asbestosis. You'll have to defend that. He said this is a very touchy situation. That's why in the insurance business there's no coverage for a City for Asbestos and there's no coverage for most contractors unless they're certified and it takes a special coverage to do it because they try to cover all the gaps. He said the other thing about asbestos is you own it forever; when you put it in that landfill it's yours. Councilmember Gibbs said our landfill is certified for asbestos disposal. Mr. Arnold said most of the time when he has had contractors remove it they bag it; they encapsulate the thing and they bury it. He said it's his opinion, and maybe he's wrong, but you're going to put it in trucks that are watered down and hope nothing comes out? He asked if it's going to be bagged. Mr. Snarr replied it's not going to be bagged, but... Mr. Arnold said you're still going to lose asbestos. He said you can do whatever you want, he's just telling Council from a professional point of view being in business 30 years, it's very difficult and if you have no immunity from it, you're on it forever.

Councilmember Christensen asked if Mr. Arnold has any recommendations on how we do this. Mr. Arnold said yes, spend the money, get a contractor have him issue you as the additional insured. Councilmember Allred asked City Attorney Ellison where our current insurance stands on if the building were to collapse before we have \$250,000 to \$350,000 to take it down and if the building collapses and creates a dust cloud and infects kids at the library and people at the Post Office and neighbors, are we any better off? Mr. Ellison replied because the City is on notice that there's a problem there, that's a potential problem for the City as well. So if you let it sit too long without abating it in some way then there's potential liability for the City there. You're between a rock and a hard place. Mr. Arnold said you're waiting for an incident; asbestos is not an incident; it's there. He's just saying if there's money in the budget and this had to be a thought when you decided to buy it, or you should have thought about it, you should have maybe went to the owner and said we'll tear it down but you're going to pay part of the asbestos removal; that didn't happen.

Councilmember Gibbs asked is it not correct that asbestos is a problem for long-term exposure not one short-term? Mr. Arnold replied no, it manifests itself in the long-term but it can be immediately taken in the lungs, fill up the capillaries of the lungs and not manifest itself for a long period of time. That's why when you have a worker that's exposed to asbestos you don't know when it's going to happen. Councilmember Gibbs said he's a skeptic and the reason he's a skeptic is because he grew up in a house that had asbestos insulation on all the pipes, so did every other house in the neighborhood at that time and they did not have a huge lung cancer outbreak of any of the people he knew who grew up in that area. He said he knows this has happened all over the place. Mr. Arnold said that's why there are laws, court cases and liability. He said absolutely, he grew up in the same place. He said it's okay until it's disturbed, when it's disturbed and flies in the air; that's when you have to be careful. That's why everyone wears a suit; that's why if you're going to remove the asbestos from here they come in and put up Visqueen all the way around, seal it, get it out, package it and take it out. He said he would seriously entertain new bids on the abatement because it transfers the risk. But if you're ready to take the risk over saving some money, that's up to you. And this current Council, you're really pledging the City for the future. He said he finds it hard to believe we're going to take potential health hazards and replace with money.

Brent Holliday asked Mr. Snarr when he worked with DHHS, did he explain to them what the intention was as far as removal and they took those things into consideration when they gave the waiver, so was it fully described to them this is how we'll do it and they're okay with it? Mr. Snarr said we had to send our Phase I report which shows the study regarding radon and numerous things in this building including the asbestos. They read through the report and they said someone is going to have to keep it wet, you have to have a certified asbestos inspector and/or a certified contractor. Mr. Snarr said we do have a certified inspector that will be on site the whole time we're working. The landfill hours will be extended for the week or so that it takes to knock this down. Our crews will keep water going on this thing constantly - that was a provision in the waiver so as not to have dust; try to keep it from being friable. We will honor the waiver as written per DHHS.

Councilmember Shields said she kind of agrees with Mr. Arnold; she'd feel better having a certified crew do it. She asked where the crew was from that did the McKinley Building. Mr. Snarr said that was one we got a bid from; RTS Sheering. He said he would check with each one to see if all of their workers are certified in asbestos. She asked if the crew that did the McKinley School bagged the asbestos. Mr. Snarr said the asbestos was abated through a team that wore the suits. She asked so it wouldn't be the exact people here doing this then. Mr. Snarr replied no. He said when he was over there filming the inside of the building he stepped on some cardboard and about fell through the floor; there was no floor underneath. There was evidence that looked like someone started a fire in the building, we have trouble keeping kids out. Crews are going over, putting up boards to keep kids out. The liability is there; people are getting in.

Councilmember Smith said he appreciates Mr. Arnold's comments. He said he knows we'll do everything possible to take care of everything. He thinks the City's liability will increase the longer that's there; he really thinks we should get it down and out of there as fast as we can as long as we follow all the recommendations. Mr. Snarr said DHHS and NDEQ have the reports.

Councilmember Morrison said what would happen if somebody went in there and that went up in flames and that asbestos burned and it went out into the whole City, then we'd really have a problem. Councilmember Gibbs said maybe the liability wouldn't be the same but the fact is people would get just as sick potentially and that should be our main concern. Mr. Snarr said we will take every precaution necessary.

The Mayor said as counsel mentioned, we're in a rock and a hard spot, the building needs to come down; there's a risk both ways. The Council needs to make a decision if we're going to go this route or instruct staff to go a different route. Councilmember Allred asked if we've received any preliminary bids on what it would cost; he doesn't think it would hurt us to take another week or two if possible to get the real bids transferring the risk and liability to an abating company, and see what the two differences are. Mr. Snarr said it will take a little longer than that. We'll have to give them the report and they'll have to come in and go through and do the inspections. Councilmember Allred asked if any of the contractors we're currently discussing bids with, are any of those capable of giving an entire demolition bid with the City not so involved? Mr. Snarr said he thinks they would; he can talk to them about that.

Councilmember Gibbs asked Mr. Snarr didn't he have some rough estimates already? Mr. Snarr said he had a rough estimate of close to the 92; the main thing the City crews are going to do is keep the water on it. That's as close as we're going to get; we'll have a fire hose and just keep water on it. The contractor is going to be demolishing the building and loading and tarping it and taking it to the landfill. And then our crew out there will wash the bed of the truck and the tires. Councilmember Shields said since you've already been working with that one company that did McKinley School can you ask them if they'd have that whole team available? Mr. Snarr replied he'd like to ask all of them; that was his recommendation. She said especially the guys that had the suits on and did everything. Mr. Snarr said that would be totally different; that was the full abatement team; we'd have to get someone special to come in.

Mayor Kaufman said as he read it in the packet this isn't an issue of cost savings to the City, this is an issue of the structure is unsound and has been for quite some time and after further inspection it's difficult to get in even for an abatement team because of the safety and structure of the building. NDEQ doesn't just issue special permits to take a building down that's asbestos-filled. They have special procedures for the staff and City to go through to take down buildings in special cases like this. Mr. Snarr said correct; that's the way the letters were written and that was the response from DHHS. They're the ones that have the control on the waivers and then we have to send the documentation and ten days notice to NDEQ that the building is coming down and that has been sent.

City Attorney Ellison said as he recalled weren't there some time restrictions that NDEQ was requiring? In other words if you had to go out and get extensive bidding is NDEQ going to wait for that or not? Mr. Snarr said there are no deadlines but the building is unsound. It's not going to take many more snow loads and the roof with the hole, the wind can pick that up.

A.J. Moore, a citizen of Gering, stated the reason you were granted waivers is because it is unhealthy; it is detrimental to your health. You're going to have unlined trucks; you're not even going to take the basic precautions to stop it from blowing out. Wet or not you're going to drive down the road 30 mph whether you go by one school, two schools or M Street, you're going to be by a bunch of houses. He said he's all for saving money but at what expense, especially when it's so known and 20 years later they end up with asbestos. We may never be liable as a City but you never want that drug through your City. Mayor Kaufman said again, this isn't a cost issue; this just happens to be the cheapest way to go, but it really has nothing to do with the cost. Councilmember Morrison said she thinks it's more urgency, isn't it? Mayor Kaufman replied that was his take from the presentation.

Councilmember Gibbs said having observed NDEQ for many years if they thought this was very unsafe they would never ever grant a waiver regardless of how urgent the problem is. He said there is virtually nothing the City does these days that doesn't extend liability. Councilmember Allred asked what the additional cost would be to line the trucks and how much safer would it be. Mr. Snarr said that's something we can check on, however you line the truck and put concrete in you're going to get rips. Mayor Kaufman said he thinks that's also why NDEQ requires the asbestos certified inspector to be on site to oversee the demolition. Mr. Snarr said yes, that was a major concern of theirs to have someone on site. He said the inspector has been through the building.

Councilmember Shields said she knows this is more of a matter of urgency but isn't there an abatement team or somebody we could contact that would be available and get a bid from sometime this week? Mr. Snarr said we'd probably end up advertising. Councilmember Smith said we've heard several times the building is not sound enough, safe enough for an abatement team. Mr. Snarr said that was part of our concern in the letter is we really didn't want people in there; we're having problems keeping people out. Councilmember Shields said she just wants the company that comes and encapsulates all of the asbestos as opposed to it going into the back of a truck even though it's wetted down. Councilmember Gibbs said if we delay, next month we could have three feet of snow on the ground in which case that building is probably going to collapse and you will have more asbestos all over the community than you will ever have by doing this.

Councilmember Gibbs moved to approve the staff recommendation for the demolition of the building, second by Councilmember Smith. Mayor Kaufman stated there has been a motion by Councilmember Gibbs and a second by Councilmember Smith to accept the bid of \$92,000 and staff to work with the contractor to work that out.

Discussion: Councilmember Allred said this is with zero contingencies, right? As proposed in the packet, no additional? Mayor Kaufman replied correct.

The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Morrison and Cowan. "NAYS": Allred, Shields. Abstaining: None. Absent: None. Motion carried.

CURRENT BUSINESS:

1. Consider approval of LB840 recommendation for demolition and removal of Lane Auction Building – corner of 11th and P Street

Brent Holliday, Chairman of the LB840 Committee, addressed Council. He said the committee was asked to meet in regards to granting money to the City for the removal of the Lane Property. He said they had the same questions Council did. Once again the committee is here as a committee for recommendation to the City Council based upon funding the project should it move forward. In addition to the safety concerns that they had and those questions being answered and putting faith and trust in the DEQ knowing what they're doing and the inspector, they also after those concerns were talked about and addressed, wanted that property to be in a condition that when that building is gone that it be suitable to make it a marketable lot. It's big enough that you could probably subdivide. So after discussion, we had a quorum at the meeting, a motion was made and approved.

Mr. Holliday said he would ask the City Council to entertain a motion to approve the LB840 Committee recommendation for the removal, demolition and testing for compaction at the Lane Property site not to exceed \$92,000. As a side note the recommendation was also made in the LB840's amended original main motion that any proceeds from the sale should come back to the LB840 fund.

Motion by Councilmember Morrison, second by Councilmember Christensen to approve the LB840 Committee recommendation for funding the demotion and removal of the Lane Auction House up to \$92,000 with the proceeds of the lot sales returning to the LB840 Fund up to \$92,000. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Morrison and Cowan. "NAYS": Shields. Abstaining: None. Absent: None. Motion carried.

2. Consideration of potential vacancy in Ward II

Mayor Kaufman stated we'll address this item at the time it comes to Council

3. Consider approval of modified Request for Future Agenda Item

Mayor Kaufman said there was a little confusion at the last meeting when we approached the Council and the community with this agenda item. The current form that we have has been in existence for somewhere between 15 and 20 years. It's nothing new to the process of getting something on the agenda. There's a similar form that staff, Council and the Mayor have to fill out on their side to get an agenda item actually put on the agenda. What we saw with those forms is an opportunity to make more efficient use of everyone's time. Before no one could actually take a look at that and help the community or whoever was filling out the form so it would automatically go to Council and ping back to staff or where ever it would go. What we're proposing to change would simply allow staff to address the issue as it was submitted and basically give that community member an opportunity to make a decision. If we can help them we will; or if it is their wish they can always take it to Council if that's what they choose. In many instances people just want it resolved, whatever issue they're bringing forward to the Council. It wasn't a replacement of an open comment period; it was merely a way for us to be more efficient with staff and the community and Council's time to efficiently handle those. There has been added language on the form to make that more clear which legal added; it makes pretty good sense.

Mr. Kirk Arnold said he's a citizen and he thinks he has a dog in the fight here. He asked when this came up; did it come up in a committee meeting, this dynamic? Mayor Kaufman said right. Mr. Arnold asked if anyone knew it was going to happen. He said this appears to be the transparency issue. This was discussed in a committee, who was the chair? Mayor Kaufman replied Councilmember Smith. Mr. Arnold asked Councilmember Smith what spurred this. Councilmember Smith replied that it was brought by staff and the Mayor he believes. Mr. Arnold said so staff and the Mayor went to the committee and said maybe we need to modify the way we do things. He asked if the public knew about this. Councilmember Gibbs said the meetings are open to the public and it was published; the agenda was published. Mr. Arnold said it's his impression that you cannot make decisions in the committee meeting. Mayor Kaufman replied "right". Mr. Arnold asked who decides to go forward with this, the Chair? Councilmember Smith said to bring it to Council normally we take a majority of the committee. If a majority of the Committee

doesn't want it to come to Council it usually stops. Mr. Arnold said what would keep it from coming to Council. Councilmember Smith replied that normally there are four Council Members at a committee meeting; if two or three of them don't want it to go further then it would die. Mr. Arnold said that is a violation.

Mayor Kaufman stated we're having a communication problem right here. He said to Mr. Arnold, your question is how does it go through committee; are you asking how this form came through committee or how an agenda item comes through committee? Mr. Arnold said this form. He said he wants to talk about dogs, so it goes to the committee and the committee does what? Mayor Kaufman said this form doesn't have anything to do with dogs; this form has to do with just agenda items in general. Mr. Arnold said no, I want to talk about dogs on the agenda. Mayor Kaufman said you would fill out the form and then staff would have a chance to look at the form. If staff or someone within the City could resolve your issue they would give you an option - can we help you now or we can send it to Council if that's what your wish is. Mayor Kaufman said this form has been here for almost 20 years but it's not inhibiting anything from coming to Council. What it is adding is an opportunity for staff to resolve the issue before it even goes to Council. In many instances staff can resolve it anyway. It's really not a Council decision that it would get mandated or fixed. He said if somebody would want to get it resolved and they still wanted to bring it to Council just so they had an opportunity to present their case and make Council aware of what was going on, that's absolutely their prerogative. We're not denying anyone access to Council but the prior form did not allow staff to react or have a resolve if that was really what the end result was intended. Mr. Arnold said he just heard from Dan that there's four Council Members on a committee and if they don't think it's worth it, it doesn't go any further. Mayor Kaufman said that would be if it went to committee but this is the Citizen's Agenda item so it wouldn't go to committee prior to. He said if you fill out a form to get an agenda item and you want it on the agenda, yes you can get it on the agenda. Mr. Arnold asked can or will? Mayor Kaufman said can. Mr. Arnold said there's a difference. Mayor Kaufman said if you want it, it would happen.

Mr. Arnold said he's looking at the minutes from the last meeting and he assumes they're correct; you approved them. He read aloud "Councilmember Smith said we're trying to structure this a little better so we have some control as to what comes to the Council meetings." Mr. Arnold said he didn't like that. As a citizen, and you as an elected official, he has sat in their chair before, every tax payer is an authority. He doesn't care if it's about chickens, dogs, streets; they're an authority. They should be heard potentially by the whole Council. And now we found out this was brought up to your committee; how many Council were present at that meeting? Councilmember Smith replied Phil, Larry and Justin; so there were four.

Councilmember Holliday said we're creating a circus here that was not intended to be created; you're taking words and twisting them and we're dodging what the true meaning of this form is. By no means are we ever trying with this form to not allow you to stand up and communicate directly with the Council. He said he doesn't think that's anyone's intentions. Quite frankly that's the worst thing they could possibly do. What this form is strictly doing is allowing you the opportunity to come before Council if you so desire or have your issue resolved right away; whichever you want. We're basically trying to make it better for the citizens and try to take care of issues in a timelier fashion. We don't want to cut their communication with us; that's the last thing we want to do. We are really intending to make this better for the citizens. Mr. Arnold said so another level of participation makes it better here.

Councilmember Gibbs said he thinks there's some confusion here; there are two issues. This form is to get something on the Council agenda. He thinks the confusion was created when we removed the public comment period from the agenda for every meeting. And people are assuming that is to take the place of that and therefore precluding them from addressing the Council. He thinks we can solve the problem by returning the public comment period to the agenda and adopting this form for items to be put on the agenda. If someone isn't on the agenda and they want to address the Council we can't address it at that meeting but we can at least listen to their input. This would allow it to be discussed and action taken on it if it's something that needs to come to the Council. Mr. Arnold said but only at that meeting.

Mayor Kaufman said this form wasn't created, it was already created. Mr. Arnold said what he's saying is the decision you just made, it's only at that meeting. Your packet would give disclosure of what the issue

was? Councilmember Allred said no, the attempt is to try to resolve it sooner if possible if it can potentially be handled by staff before a Council meeting. In the open comment period you say your peace, sit down and nothing happens, whereas you fill out the form and possibly something could happen sooner. Council can't discuss it in the open comment period at this meeting. Mr. Arnold said he understands you can't make a decision on that. Councilmember Allred said we can't even discuss it with you; if it's not on the agenda, we cannot discuss your issue.

Mr. Arnold read again from the January 26, 2015 minutes "Councilmember Allred said he would like to invite any citizen to please join any of us up here in the amount of meetings we attend on a monthly basis. In two more years put your name on a ballot and join us. You don't know how many times we're in these meetings with items that are really something that City staff could have handled a week prior; we're taking care of petty stuff sometimes." Mr. Arnold said "so what"; it's not petty to the citizens. It's important or they wouldn't be here. He said he understands but getting on the agenda may not be as easy as it was before. He said he can't imagine Council is so busy; he didn't know when you got voted in there were any qualifications.

Councilmember Allred asked Mr. Arnold if his concern is that he's not going to get something on the agenda. Mr. Arnold replied no, his concern is the transparency of the Council. Why do we have to have another layer? He understands if someone calls and says they have a problem with the sidewalk and staff checks into it; it usually gets resolved because there's a City ordinance you all have to comply with. Most people accept that. But what he doesn't want the citizens to be fearful of is that when you have the open mic, and we know you can't decide on it and most people are patient, he would like to know what issues are so taxing that you have to go through this paperwork into this committee meeting that he knows is published. He asked where do you publish the agenda for the committee meeting? Councilmember Smith said it would be in the legal paper; the Gering Citizen. City Clerk Welfl said the agenda is sent to the media, the notice of the meeting is published, but the publication states that the agenda is available for viewing at any time. Mr. Arnold said he understands that, he has been on your side too. He said what he's saying is that a lot of things are spontaneous and if it isn't broken, why are we fixing it? He didn't know that Council is so taxed for time. He said he has been around here for several years and "you guys do a really good job". He added you address the issues and if somebody has something that needs a little more time, you tell them that and they usually walk away; they just want you to be aware of it. He asked that it not be taken advantage of as a Council or Committee. He said three or four Council Members are aware of it, nobody else is; the other people weren't there. He asked if the discussion was disclosed. Councilmember Gibbs said the rest of the Council gets the information for the meeting from what the Committee has recommended. The Committee recommends, the committee does not make decisions, the Council does. Mr. Arnold said he understands that; he knows how it works.

Councilmember Gibbs said Mr. Arnold is still confusing two issues. He said to Mr. Arnold you're confusing a form to put something on the Council agenda with the public comment period which used to be on our agenda every meeting. He said you're basically saying that you cannot address Council. If we don't have the public comment period, yes you cannot address the Council on an issue that's not on the agenda. But this would be an item that requires Council action so therefore it has to be on the agenda so the person has the responsibility and the ability to fill out the form and get it put on the next agenda so the Council can make a decision on it. Mayor Kaufman added, which we've had for almost 20 years. Mr. Arnold said but it hasn't been utilized. Councilmember Allred and Mayor Kaufman both stated yes it has. Mr. Arnold said then why are we even talking about it? If it was working why did it come up at committee, why are you even messing with it? Mayor Kaufman said because we're making a change to the form and it's a form used by the public. We need to get Council approval because it changes the policy and procedures and that's what we set. Before staff could never address the issue that was submitted for the agenda item; it always had to go to Council so we're adding, and that's where we're getting the confusion. And it's ironic we're using the word transparency to describe this, when really we're just trying improve internal efficiency. What we're adding is the ability for staff to make a decision and say we can help you with this. It's still their choice if they want it to go to Council and be on the agenda. That's an option but now it's not a breach of procedure or protocol with this change in the form for staff to just help them. Mr. Arnold asked if the Mayor could cite any examples. Councilmember Smith said we had a person come to Council four or five months ago about cats; so the dog example is a good one. The Council is here to do

the business of the City. Council only handles policy; we don't handle operations; that's a staff thing. So if you have a dog or cat issue that should go to staff, then if staff thinks we need to change our law or change something, then that's a Council issue. Mayor Kaufman said Councilmember Smith is correct, but if a citizen still wanted to put an item on the agenda, that's their right and they can do that. But they've always had to do that for the last 20 years.

Councilmember Holliday stated that he is confused on how Council trying to streamline citizen concerns is flipped around and meant they are too busy. Mr. Arnold said he read it from the minutes; Councilmember Allred stated that Mr. Arnold twisted his words. Councilmember Holliday said this is not about us being too busy; this is actually trying to improve. Mayor Kaufman asked to get back to the facts of the discussion and asked if Mr. Arnold had anything further to add. Mr. Arnold said he thinks the Council does a great job and he doesn't think they need to add another layer. Mayor Kaufman said he appreciated that.

Michael Gillen, a citizen of Gering, stated that he applauds Council for actually streamlining it so if he does have a concern and staff can help him that he can get it taken care of right away without having to take it to a Council meeting for them to then instruct the staff to take care of his issue. He applauded Council for trying to cut out the middle man but also allow him to address the Council is he chooses to.

Councilmember Christensen said he would like to see us encourage the citizens to bring their concerns to the City Council, not discourage them. And he hopes the form process doesn't discourage the people from doing that. Councilmember Gibbs said again this is where the confusion is; we have two issues. One is the public comment period which was removed and this is putting an item on the agenda for the next Council meeting or for staff to deal with. He thinks we can solve both problems if we return the comment period to the agenda and implement the form with its modifications so staff can address some of these issues if they don't need to come to Council.

Motion by Councilmember Smith, second by Councilmember Morrison to approve the modified Request for Future Agenda Item. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Citizen Agenda item – Public Comment Period, A.J. Moore

Mr. Moore thinks it was untimely removing the "Business without being on the agenda" item and having this form. He thinks the form is a great idea, he would never come and wait at a Council meeting to speak to say that the trash man has been running over his garden or whatever, but at the same time if somebody wants to come down here he thinks they need to have that right. With a public comment period he expects limitations on time as well as time slots, but if Council would just add that he thinks they'd save themselves a lot of trouble.

Councilmember Gibbs said he thinks we do need to return the public comment period. The First Amendment of the U.S. Constitution guarantees the people the right to petition government for grievances and by removing that comment period he thinks we've, to some extent, eliminated that right. He'd like to see us return the public comment period.

5. Citizen Agenda Item – Request for letter of support for LB168, Ben Backus

Mr. Backus asked the Council to table his item.

Motion by Councilmember Gibbs, second by Councilmember Holliday to table the Request for letter of support for LB168. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

6. Library Annual Report

Devin Charles, the newly elected President of the Board of Directors for the Gering Public Library, addressed the Council. He thanked the Library staff, Friends of the Library, the members of the Board,

and City Staff and Council for another great year of support. He said the Gering Public Library is extremely successful, but it is not without its challenges.

Summer Reading Program

- 146 adults
- 47 teens (7th thru High School)
- 362 children (Preschool thru 6th grade)
- 32 toddlers-
- 22 programs scheduled during the seven weeks
- 25 teen volunteers
- Partnered with Lied Scottsbluff Public Library in bringing a magic show for the final event

S.M.I.L.E. (See Me in the Library Event)

- 4 schools, second graders
- Christie visits the classroom in February and the students visit us once a month during March and April
- Started in 1990, will be our 25th year

Story Time

Toddler (under 3) - First time for our library to offer it the whole season, Sept through May. Beth started this program, and has learned that she would ask for registrations in advance, and conduct this program for six weeks in the winter and again in the spring.

- September thru May
- Every Wednesday morning
- Preschool (3-K)
- September thru May
- Every Thursday morning

Lego Club - New program started in October 2013

- Meet the 2nd and 4th Tuesday of the month
- Average 12 to 20 participants

Kids Crafts – New program started in August 2014

- Meet the 1st and 3rd Tuesday of the month
- Average 8 to 12 participants –

Book Discussion

- Held monthly
- 10 to 12 participants

Chautauqua

- Participated on the steering committee – Barb Schlothauer and Mike Minzey were the co-chairs
- Held book and film discussions with Lied Scottsbluff Public Library
- Humanities Nebraska program

Tumble Books

- Children books that can be viewed online
- Books viewed in FY 13/14 was 2,276

Homebound

- Volunteer delivers every two weeks
- Currently have 8 patrons that are homebound

Computers

- 18 public access computers
 - 11,792 logons
 - 9 desktops, 8 laptops, and an ADA workstation
 - ADA workstation has software that will
 - Enlarge the print on a website or document
 - Scan a document and read it to you
- Microsoft Office 2010 available on public access computers
- Windows 7
- Wireless Internet
- Offered some basic computer classes and instructions on eReaders

- Early Literacy station available to youth

Nebraska OverDrive – e-library

- 167 libraries across Nebraska participate
- Audio and eBooks available for downloading
 - 15,878 eBooks (5,042 added)
 - 7,870 audio books (1,992 added)
- 3,137 checkouts during FY 13/14 for our library

Collection

- 29,996 books (1,761 added)
 - 1,038 audiobooks (63 added)
 - 1,120 videos (192 added)
 - 77 magazine and newspaper subscriptions (8 added)
- Items are weeded every year to make room, as space is at a premium in our facility

Circulation

- 64,988 annual circulation

Community Room

- Used 157 times – This room was used over once every three days of the year.
 - Used for tutoring, mentoring, studying, meetings, training, and library programs
 - We are very diligent to ensure Nonprofit groups and organizations that do not meet on a regular basis are properly utilizing our space.

Looking to our Future

- We have 45K in funds set aside from the city to utilize, likely for a feasibility study to determine how to best serve our community. Study will likely be conducted this Spring.
- Members of our Library Staff, Library Board, as well as members of City Council and Staff toured a new Anythink Library (Wright Farms, Thornton, CO) last year. It was an opportunity to see an example of best practices for new library design and function, in a library which serves a similar population as Gering. There were many instances on the tour that all of us were impressed with the information we discovered.

Mr. Charles thanked the Council again for the opportunity to present their report

CLOSED SESSION:

(Council reserves the right to enter into closed session if deemed necessary.)

REPORTS:

1. Administrator's Report

- **Local governments mostly win all - Tower Supreme Court Case**

Administrator Danielzuk cited an article by Carolyn Coleman that stated the Telecommunications Act requires that a state or local government determination to deny cell tower construction permit be "in writing and supported by substantial evidence contained in a written record."

- **What Obama's 2016 Budget means for states and localities**

President Obama has a proposal that would cease spending caps on discretionary spending that affect nearly every function of government. However, the spending plan includes reductions or limits to programs like community development block grants.

- **What the CBO's latest predictions mean for states and localities**

The office of the Congressional Budget anticipates the economy to grow slower than in the past; a little more than two percent per year. Liz Farmer reported that State budgets have reflected the weakness; with inflation this FY's total general fund spending of \$748 billion is two percent lower than the pre-recession peak.

- **Western's FY 2016 budget request at FY 2015 level**

For the fourth consecutive year, Western's budget request stayed fixed to support the agency's over 1.1 billion dollar program. Western is a federal agency and also a public utility. They expect to return \$175 million to the U.S. Treasury this FY.

- **LB150 – Legislative update**

This bill clarifies that grants and loans made under this program are intended to be given specifically to qualifying businesses to engage in the approved activities that qualify as an economic development program under this act. The bill was advanced to Select File.

CLOSED SESSION:

(Council reserves the right to enter into closed session if deemed necessary.)

ADJOURN

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

Meeting adjourned at 8:36 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk

