

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, July 28, 2014

A regular meeting of the City Council of Gering, Nebraska was held in open session on July 28, 2014 at 7:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Mayo and Councilmembers Smith, Christensen, Gibbs, 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 Mayo 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 Councilmember absence**

Councilmember Christensen moved to approve the absence of Councilmember Shields from the July 14, 2014 Regular City Council meeting. Seconded by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Allred, Shields, Morrison, 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.

CORRESPONDENCE AND CITIZENS WITH BUSINESS NOT SCHEDULED ON THE AGENDA. None

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 July 14, 2014 Regular City Council Meeting
2. Approve Claims
3. Financials
4. PRT Committee
5. SDL Application – American Legion, August 16, 2014
6. SDL Application – American Legion, August 31, 2014

Claims:

7-10-14 to 7-23-14

ALAMAR UNIFORMS \$340.52 PATCHES, TROUSER UNIFORMS (4), ALTEC INDUSTRIES \$232.70 ADAPTER, ANTIGUA GROUP INC. \$233.61 WOMEN'S CLOTHING, B & C STEEL \$40.54 SCREWS, BENZEL PEST CONTROL \$102.90 PEST CONTROL, BLUFF'S SANITARY SUPPLY \$1,519.36 JULY CLEANING, BRIDGESTONE GOLF INC. \$279.88 GOLF HATS, BROADWAY OFFICE CENTRE \$246.47 INK CARTRIDGES/SUPPLIES, BRUNNER RUTH \$98.50 CANCELLED POOL PASS, BUDGET TIRE & SRV. \$260.00 TIRES PICKUP, C & M AIR COOLED ENGINE \$807.57 RPR'S., CADDIES \$909.50 FOOD DETER GOLF TOURNAMENT, CALLAWAY GOLF CO. \$252.50 GOLF CLUBS, CHARTER COMMUNICATIONS \$220.78 TV/INTERNET CHRGS., CITY PAYROLL TRUST \$3,809.96 FSA MEDIAL 125, COMPANION CORP. \$899.00 ALEXANDRIA SUBSCRIPTION, CONNECTING POINT \$819.00 TONER, CONTRACTORS MATERIALS \$1,477.21 TOOL BOXES FOR PICKUP, CRESCENT ELECTRIC \$348.03 CONNECTOR, CULLIGAN WATER CONDITIONING \$65.50 SALT, CUSTER PUBLIC POWER DIST. \$681.78 CROSS ARM ASSEMBLY, CYTEK MEDIA SYSTEMS \$45,975.76 POLYCOM SYSTEM, DALE'S TIRE/RETREADING \$570.45 TIRE FOR TRUCK, DANKO EMERGENCY EQUIPMENT \$22.52 UNDER PYMT. FROM PRIOR INVOICE, DOOLEY OIL INC. \$3,765.71 FUEL, DOOR CLOSER SRV. \$227.50 LOCKS, DUTTON – LAINSON CO. \$459.66 PINS, ECOLAB \$71.42 RODENT CONTROL, ED ROEHR SAFETY PRODUCTS \$1,490.72 AIR CARTRIDGE, ENERGY LABORATORIES INC. \$456.00 WATER LAB, ENGELHAUPT RON \$1.00 DEED OF EASEMENT, ENTENMANN – ROVIN CO. \$263.50 BADGES, ENVIRO SRV. INC. \$1,003.00 WW LAB, FASTENAL CO. \$1,828.33 LOCATING PAINT, FIRST STATE BANK \$355.82 IBEW UNION DUES, FLOYD'S SALES/SRV. \$3,583.04 WORK ON G8, FREMONT MOTOR SCOTTSBLUFF \$259.84 NEW HEADLIGHT BULBS, FRESH FOODS \$15.96 FOR VOLUNTEERS, GALE \$201.67 BOOKS, GERING AUTO BODY \$434.50 NEW 3 YARD BEDLINER, GERING CITIZEN \$595.47 CONDENSED MINUTES, GERING COURIER \$80.00 ADVERTISING, GERING GARDEN CENTER \$1,000.00 TINDOR, KENTUCKY COFFEE, GERING WRESTLING CLUB \$926.25 DETER GOLF TOURNAMENT, FUND RAISER, HARDING & SHULTZ P.C. \$26.50 GENERAL LABOR MATTERS, HAWKINS INC. \$3,316.80 POOL CHEMICALS, HD SUPPLY WATERWORKS LTD \$659.50 METER SETTER PURCHASE, HEILBRUN \$623.90 LIGHTS ON TRUCK, HOKE WELDING & RRP. INC. \$75.00 RPR'S., ICMA ELECTRONIC RETIREMENT \$540.30 ICMA CITY ADMIN., IDEAL LINEN SUPPLY INC. \$614.50

MAINTENANCE SUPP., INDEPENDENT PLUMBING & HEATING \$24.00 RPR'S., INGRAM LIBRARY SRV. \$946.41 BOOKS/PERIODICALS, INTERNAL REVENUE SRV. \$48,796.43 FED/FICA TAX, INTRALINKS TECHNICAL SOLUTIONS \$750.00 COMPUTER SUPPORT, IRBY TOOL & SAFETY \$2,991.49 CUT OUTS, JENSEN DALE \$120.00 LEFT RV PARK EARLY, JIRDON \$4,259.72 FERTILIZER, JOHN HANCOCK USA \$13,972.57 JH RETIRE 6%, JOHNSON CASHWAY CO. \$1,466.52 RPR'S., KARENS CLEANING \$425.00 JANITORIAL SRV'S., KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KOIS BROTHERS EQUIPMENT CO. \$2,000.43 POLY LID, KRIZ - DAVIS CO. \$1,387.39 LIGHTS, L L JOHNSON DISTRIBUTING \$438.09 TIRE RPR., LEAGUE ASSOC./RISK MANAGEMENT \$216.90 ADDED NEW PATROL VEHICLE, LEAGUE OF NE. MUNICIPALITY \$395.00 MUNICIPAL ACCT./FINANCE CONF., LEGACY OF THE PLAINS \$230,000.00 PURCHASE OF NPV MUSEUM, LOGOZ LLC \$505.00 SHIRTS, MAILFINANCE \$840.00 LEASE PYMT., MATHESON TRI - GAS INC. \$56.70 SHOP OXYGEN, MAXX SUNGLASSES \$188.00 SUNGLASSES, MEAT SHOPPE \$20,260.18 MEALS, MENARDS \$46.83 SHOP, MG TRUST CO. LLC \$5,573.36 MG T - POLICE, MIDWEST CONNECT \$33.95 POSTAGE MACHINE LABELS, MITY - LITE INC. \$1,375.89 TABLES, MONEY WISE OFFICE SUPPLY \$1,641.57 DESKS, MUNICIPAL ENERGY AGENCY \$2,317.08 MONTHLY RITA INSTALLMENT, NDEQ - FISCAL SRV'S. \$9,785.15 STATE SURCHARGE, NE CHILD SUPPORT PYMT. \$796.72 CHILD SUPPORT 1, NE PUBLIC POWER DIST. \$186.50 UTILITIES, NE SOC. OF ASSOC. EXEC. \$1,250.00 ADVERTISING, NEBRASKA LAW ENFORCEMENT \$218.00 K - 9 LODGING, NEBRASKA LIBRARY ASSOCIATION \$260.00 NLA CONFERENCE, NEBRASKA TRANSPORT CO \$200.99 FREIGHT FOR PUMP PURCHASE, NEBRASKALAND TIRE \$576.09 TIRES, NORTHWEST PIPE FITTINGS \$231.32 QUILT SHOP RPR'S., ONE CALL CONCEPTS INC. \$105.80 LOCATE FEES, PANHANDLE COOP ASSOCIATION \$5.18 FUSE FOR TRUCK, PANHANDLE RC & D \$300.00 MEMBERSHIP DUES, PHYSIO - CONTROL INC \$468.00 MAINTENANCE, PIPE WORKS PLUMBING LLC \$8,457.42 MCKINLEY HOUSE, PRINT EXPRESS \$948.20 LETTERHEADS, RED BARN SHOP LLC \$70.00 RPR'S., RESOURCE MANAGEMENT CO \$789.25 DISPOSAL, ROBINSON ELECTRIC \$65.00 WORK BALER, ROOSEVELT PUBLIC POWER DISTRICT \$28.61 UTILITIES, SANITAS TECHNOLOGIES \$195.00 SOFTWARE LICENSE RENEWAL, SCB CO REGISTER OF DEEDS \$116.00 REVISED DEED, SCB CO DISTRICT COURT \$75.00 ALIMONY, SCB CO WEED CONTROL \$342.50 SPRAY MILESTONE, SCOTTS BLUFF COUNTY COURT \$193.30 GARNISHMENT 2, SCOTTSBLUFF TOWING SRV. \$35.00 TOW FOR PATROL VEHICLE, SCOTTSBLUFF - GERUNG UNITED WAY \$10.00 UNITED WAY CTRB., SECRETARY OF STATE \$30.00 PERALES NOTARY RENEWAL, SIMON CONTRACTORS \$803.00 CONCRETE PAD FOR NEW BUILDING, SOURCE GAS \$2,437.10 UTILITIES, STAR HERALD \$490.00 ADVERTISING, STOTZ EQUIPMENT \$684.84 RPR'S., SUGAR VALLEY FEDERAL CREDIT \$1,218.08 CREDIT UNION, SUNSET LAW ENFORCEMENT \$1,161.60 FIREARMS AMMUNITION, SYSCO DENVER INC. \$2,580.45 DINNER PLATES, TAYLOR MADE GOLF CO \$19.68 GOLF CLUBS, TEACHER'S CORNER \$9.87 SUPPLIES FOR SRP, THE ROCK PILE \$455.64 ROCK, THOMPSON DICK \$328.50 NO LONGER NEEDS CART STORAGE, TITLEIST \$670.05 GOLF BALLS, TOMMY'S JOHNNY'S INC \$135.00 PORTABLE TOILET, US AUTO FORCE \$17.28 TIRE RPR'S., VALLEY BANK - POLICE \$300.00 PO UNION DUES, VALLEY BANK & TRUST CO. \$4,667.02 HSA CTRB 125, VALLEY BANK & TRUST - GERUNG \$22,030.13 GERUNG/SCB SINKING FUND, VAN DIEST SUPPLY CO \$2,539.20 FERTILIZER, VERIZON WIRELESS \$314.64 IPAD FEES, WESTCO \$17,571.41 FUEL, WESTERN PLAINS BUSINESS \$218.31 COPIER MAINTENANCE, WESTERN PRAIRIE TITLE \$449.75 CLOSING COSTS FOR NPV MUSEUM, WINCHELL CLEANING SRV. \$720.00 CLEANING, YOUNG MENS CHRISTIAN \$5.00 YOUNG MEN'S CHR.

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

PUBLIC HEARINGS: None

BIDS: None

CURRENT BUSINESS:

1. Interview candidate for vacancy in Ward IV
- Phillip Holliday

2. Consider appointment for vacancy in Ward IV

Mayor Mayo stated that he'd like to move items two and one in reverse order and then entertained a motion for the appointment of Phillip Holliday for the vacancy in Ward IV.

Motion by Councilmember Gibbs, second by Councilmember Shields to appoint Phillip Holliday for the vacancy in Ward IV.

Discussion: Administrator Danielzuk stated that the Mayor and Council are guided by Resolution No. 6-07-3. The best way to view a resolution is as a formal declaration of the governing body concerning a certain subject which it either cannot or does not wish to control by ordinance. The Courts hold that a public body is required to comply with its own rules. Any resolution which the governing body may use to establish rules for itself should be considered to have the force of law on the governing body. If the governing body does not wish to follow the resolution any longer it should be rescinded. Your Resolution 6-07-3 says the Mayor and City Council shall conduct an interview of interested persons. Interview questions will be approved prior to the interview process. He suggested to Council that they conduct the interview.

Mayor Mayo asked Mr. Holliday about his interest and desire to fill the position in Ward IV. Mr. Holliday replied there are several reasons that he's interested in serving. He has grown up here and watched

many things happen in Gering; the Civic Center, amphitheater, etc. He's looking forward to being a part of that aggressive nature of the City. He wants to see sustainability for generations to come. He added that he hopes to spark interest for others to serve.

Councilmember Morrison asked Mr. Holliday to explain his involvement in volunteer organizations and other organizations. Mr. Holliday stated that the first one he got involved with was Leadership Scottsbluff; he has served on their board as well and has assisted numerous non-profits. Among others, he serves on the Board of Twin Cities Development; they help create new business and have assisted with downtown development.

Councilmember Christensen asked how Mr. Holliday feels about working with Scottsbluff and other government agencies. He feels it's imperative to work with Scottsbluff and the surrounding communities as well as Scotts Bluff County. Without us working together it will slowly chip away; it's important we work together.

Councilmember Cowan asked what Mr. Holliday feels are the critical issues for the City of Gering. Mr. Holliday replied infrastructure, some roads need vast improvements and some water lines are becoming non-functional. The Landfill is a critical issue right now. Transportation is an issue and there is minimal transportation in Gering to get people here and get them around when they get here.

Councilmember Morrison asked if Mr. Holliday knew the largest source of income for the City? Mr. Holliday replied that he believes it's utilities.

There was no further discussion. The mayor called the vote. "AYES": Smith, Christensen, Gibbs, Allred, Shields, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The Mayor then proceeded to swear in Mr. Holliday. Mayor Mayo welcomed him to the Council.

3. Oregon Trail Days Update – Bill Schlaepfer

Mr. Schlaepfer said O.T. Days went well starting with the kick-off concert on July 5. Everything else went extremely well. Crowds were better than last year. There was traffic congestion at Five Rocks at the entrance and exit due to so many people attending events there; but that's to be expected. He said without the City's help there is no way they could pull this off; the staff really help and make it an event that everyone wants to attend. He thanked the City for helping the O.T. Days Committee make it a great event. His only request is to get some permanent fencing up at Five Rocks. He spends a lot of time and money putting it up. Councilmember Morrison thanked the O.T. Days Committee as well; they work hard and long. Councilmember Christensen thanked the City staff, on behalf of the City Council, for year after year helping to make this successful. Mayor Mayo said staff is up early and out late making sure the roads are open and closed and everything is taken care of and that everyone is conducting themselves well.

4. Council Participation

Councilmember Christensen said there are a few things we should address under absenteeism. He said to Council that he thinks it's time we take a new look at ourselves and say do I really need to miss this meeting; we have experienced it quite frequently. We need to ask ourselves, as an example, that I may be a member of the O.T. Days Committee and I used that as an excuse, whether I work at the carnival or art show. He said he knows we've had at least two requests from the Mayor and our Clerk asking for assistance at our BBQ on Thursday night. And if I have an excuse not to help that's fine, but he thinks it's kind of wrong to make a presentation at the BBQ and not even ask if the Council Members serving the public needed more help. He thinks we need to take a really good look at absenteeism; is it really necessary that we don't participate in these events? He knows it's hard for us sometimes because we're out of town and we have other things to do but we need to ask ourselves do I really need to miss a Council meeting or a committee meeting.

5. Consider approval of Ordinance 1981 – An ordinance providing for the conveyance of property from the City of Gering, A Municipal Corporation; Providing for the terms of said conveyance and for publication and an effective date hereof – 1415 5th Street

Councilmember Allred made a motion to introduce Ordinance No. 1981 entitled: AN ORDINANCE PROVIDING FOR THE CONVEYANCE OF PROPERTY FROM THE CITY OF GERING, A MUNICIPAL CORPORATION; PROVIDING FOR THE TERMS OF SAID CONVEYANCE AND FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Shields. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 1981 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 Cowan.

City Attorney, Jim Ellison, stated that Council cannot do that; it has to be read three times separately, it's a remonstrance which requires three separate readings.

The Clerk continued: Where upon Ordinance No. 1981 was read for a first reading by title only, motion by Councilmember Smith, second by Councilmember Christensen. The question is shall Ordinance No. 1981 be accepted as the first reading on July 28, 2014. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

6. Consider approval of Keno applications

- Multicultural Youth Conference
- Legacy of the Plains Museum
- City of Gering
- Gering Girls Softball

Darrell Bentley, Keno Committee Chairman, asked Council if there were any questions. He said the Multi-Cultural conference is a pretty neat deal for youth each year; Keno pays for the speaker at the conference. It helps young people decide where they're going with their lives and what they're going to do; it's well-spent money. Mr. Bentley said with the GGS, we originally offered to pay for part of redoing the girls softball diamonds field 4 and 5. They now have backstops, dugouts, infield mounds and just what they need for the school. It cost more money than they anticipated so the Keno Committee helped them finish it; it's money well spent for our community. The Mayor commended the Recreation committee for also helping get that done and making it come around.

REPORTS OF STAFF, BOARDS AND COMMISSIONS AND STANDING COMMITTEES:

1. Department/Staff Reports (informational only)

- **Railroad Crossings, Electrical Superintendent Ron Doggett**

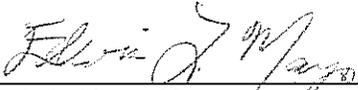
Report on trains: Administrator Danielzuk reported that we've had an opportunity to work with the Railroad and putting in a new and improved horn system. It worked well for less than a month and we had to go back and fix it. Hopefully with this fix we'll have the bugs out of the system for a long time now. It took us about five or six years to get the new and improved horn system in place and we're thankful that we have it and eventually it'll work the way it's supposed to. Councilmember Gibbs commended staff and the departments for their persistence on this. It took way longer than it ever should have.

- 2. Committee Reports & Council Member Comments**
- 3. Administrator's Report**
- 4. Mayor's Report**

ADJOURN

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

Meeting adjourned at 7:30 p.m.



Edwin L. Mayo, Mayor

ATTEST: 

Kathleen J. Welfl, City Clerk

