

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
November 24, 2014**

A regular meeting of the City Council of Gering, Nebraska was held in open session on November 24, 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, Holliday, Shields, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Allred. 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 7:03 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)**

**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.**

**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 November 10, 2014 Regular City Council Meeting
2. Approve Claims
3. Approve Financials
4. Site Access Agreement form – Permission to Enter Property (City of Gering Brownsfield Program)

**Claims:**

11-7-14 to 11-20-14

ADAMS ELECTRIC SRV. \$297.00 INSTALL FURNACE CIRCUIT, ADVANCED SRV. INC. \$653.60 WAGES FOR TEMP. SEC. KROEKER, ALAMAR UNIFORMS \$320.87 SAFETY VEST W. BADGE, X GUARD, BARCO MUNICIPAL PRODUCTS \$132.78 SUPP., BENZEL PEST CONTROL \$132.90 PEST CONTROL, BIG MACK \$1,438.50 INSTALL FURNACE/A.C. SYSTEM, BLUFFS SANITARY SUPPLY \$252.41 RR SUPP., BOOKS GALORE INC. \$2,017.09 BOOKS, BORGMAN BROOKE \$75.00 RV ROOM DEPOSIT REFUND, BROADWAY OFFICE CENTRE \$6,946.03 OFFICE SUPP., BROWN/NELSON ELECTRIC \$66.50 GRINDER RPR., BUDGET TIRE & SRV. \$480.04 NEW TIRES FOR PATROL CAR, BULLINGTON CHRISTINA \$401.03 CHARGED TWICE FOR DUMPSTER, C & M AIR COOLED ENGINE \$101.74 MOWER RPR., CARR – TRUMBULL LUMBER CO. \$165.00 WINDOW 1460 6<sup>TH</sup> STREET, CENTURY LINK \$2,341.18 TELEPHONE ALLOCATION – OCTOBER, CHARTER COMM. \$211.02 TV/INTERNET CHR.G., CITY OF GERING \$18,200.00 UTILITIES – FARM & RANCH MUSEUM, CITY OF GERING – GENERAL AC \$65,000.00 TRANSFER ACH PAYROLL, CITY PAYROLL TRUST \$3,714.83 FSA MEDICAL 125, CONTRACTORS MATERIALS \$176.25 ADA PANEL, CRESCENT ELECTRIC SUPP. \$1,242.48 CONDUIT FITTINGS, CULLIGAN WATER CONDITIONING \$13.10 SALT, CUMMINS CENTRAL POWER \$2,124.86 CENTRAL PLANT GENERATOR MAINT., D & H ELECTRONIC SUPP. \$13.59 CORDS FOR MICS, DALES TIRE & RETREADING \$3,323.40 TIRE 344J, DAVIES MIKE \$100.00 WORK BOOT, DEINES IRRIGATION \$51.82 PVC GLUE, DHHS DIVISION/PUBLIC HEALTH \$294.00 WATER LAB, DIAMOND VOGEL PAINT CENTER \$49.89 HYDRANT RPR., DUTTON – LAINSON CO. \$1,807.17 LUGS, POLE HARDWARE, ECOLAB \$236.50 PEST CONTROL, EDWARD TJADEN \$170.00 MEAL ALLOWANCE FOR REID INTER., ENERGY LABORATORIES INC. \$267.00 WATER LAB, ENGELHAUPT CHERYL \$75.00 RV ROOM DEPOSIT REFUND, ENGINEERED SYSTEMS INC. \$1,111.52 WELL REPAIR, ENVIRO SRV. INC. \$1,356.00 WW LAB, FASTENAL CO. \$375.62 GLOVES/BATTERY, FEDEX \$171.90 WATER LAB, FILLBRO CONSTRUCTION \$3,836.63 SIDEWALK & DRIVEWAY 1440 6<sup>TH</sup> STREET, FIRST STATE BANK \$361.75 IBEW UNION DUES, FLOYD'S SALES & SRV. \$1,031.21 WORK ON G4, FORT DEARBORN LIFE INS. CO. \$120.40 FIREFIGHTER LIFE INS. – NOVEMBER, FREMONT MOTOR SCOTTSBLUFF \$136.51 RPR'S., GALE \$32.38 BOOKS, GARY'S CLEANING & RESTORATION \$3,383.84 RPR. WALLS & CEILING – LEAKS, GERING CITIZEN \$435.56 CONDENSED MINUTES PUBLICATION, GERING VALLEY PLUMBING & HEATING \$820.00 RPR. TOILET, GONZALES RACHEL \$75.00 RV ROOM DEPOSIT REFUND, GREY HOUSE PUBLISHING \$216.00 BOOK REFERENCE, HEILBRUN \$881.31 BATTERIES, HENSLEY BATTERY & ELEC. \$113.48 BATTERY, HORNUNG'S GOLF PRODUCTS \$120.11 TRAVEL BAG/HITTING NET, IAFC MEMBERSHIP \$209.00 MEMBERSHIP DUES FY 14 – 15, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN., IDEAL LINEN SUPPLY INC. \$282.20 MOPS & RAGS, INGRAM LIBRARY SRV. \$282.56 BOOKS/PERIODICALS, INTERNAL REVENUE SRV. \$37,599.81 FED/FICA TAX, IRBY TOOL & SAFETY \$1,536.99 BOX PAD, JENKINS TED \$100.00 WORK BOOT

REIMBURSEMENT, JOHN HANCOCK USA \$12,223.03 JH RETIRE 6%, JOHNSON CASHWAY CO. \$178.67 WIRE FOR STAKING TREES, KATHLEEN A. LAUGHLIN \$165.00 GARNISHMENT 2, KOIS BROTHERS EQUIPMENT CO. \$656.63 WORK CART, KRIZ - DAVIS CO. \$13,279.85 STREET LIGHT, MATHESON TRI - GAS INC. \$58.75 MAIN RPR., MB KEM ENTERPRISE \$474.00 WORK DOOR, MEAT SHOPPE \$16,161.66 CATERING COSTS, MENARDS \$70.03. RPR'S., MEREDITH BOOKS \$36.28 BOOK, MERRICK & CO. \$2,775.40 WWTP RPR'S., MG TRUST CO LLC \$5,697.20 MG T - POLICE, MICRO MARKETING LLC \$24.29 DVD, MIDWEST CONNECT \$265.00 INK CARTRIDGES 6/7 SERIES, MIKE'S SCREENPRINTING \$100.00 TREE PLAQUES, MILLER PATRICIA \$75.00 RV ROOM DEPOSIT REFUND, MIZUNO USA INC. \$2,234.93 MEN'S OUTERWEAR, MONEY WISE OFFICE SUPPLY \$416.43 CPT. ROGERS 16G FLASH DRIVES, MOTOR FUELS DIVISION \$1,917.00 FUEL TAX, MUNICIPAL SUPPLY INC. \$1,515.12 MAIN RPR., NATIONAL FIRE PROTECTION \$165.00 MEMBERSHIP DUES 11/14 - 11/15, NE CHILD SUPPORT PYMT. \$727.48 CHILD SUPPORT 1, NE PUBLIC POWER DISTRICT \$3,288.20 UTILITIES, NE MUNICIPAL FIRE CHIEFS \$50.00 NOVEMBER 14 - OCTOBER 15 MEMBERSHIP DUES, NE SAFETY/FIRE EQUIPMENT \$87.00 SRV. CALL FOR CAMERA SYSTEM, NEBRASKA ENVIRONMENTAL PR \$336.06 VALVE, NEBRASKA LAW ENFORCEMENT \$20.00 TUBE TEST FOR GLEI & MEDEIROS, NEBRASKA MACHINERY CO. \$2,563.91 PUMP RENTAL, NORTHWEST PIPE FITTINGS \$209.73 MAIN RPR., OLD REPUBLIC SURETY \$100.00 MORRISON BOND RENEWAL, OREGON TRAIL PLUMBING & HEATING \$355.00 CLUB HOUSE MAINT., PANHANDLE COOP ASSOCIATION \$2,500.66 FUEL, PANHANDLE LIBRARY SYSTEM \$45.75 DISC. CLEANING, PING \$13.72 GOLF CLUBS, PLATTE VALLEY BANK \$902,021.34 CD MATURED WITH NPAIT/REINVEST, POSTMASTER \$1,200.00 MAILING PERMITS, POWERPLAN OIB \$227.23 WORK 750 J., PRINT EXPRESS \$304.72 ENVELOPES, PROTEX CENTRAL INC. \$299.25 CLUBHOUSE RPR., ROBINSON ELECTRIC \$4,701.41 CENTRAL PLANT RPR'S., RON'S SHARP SHOP \$119.35 OLATH SWEEPER, RUSSELL'S EXCAVATION & CO. \$66,052.50 BALER PROJECT, SANDBERG IMPLEMENT INC. \$56.00 MIXED FUEL CANS, SCB. CO DISTRICT COURT \$75.00 ALIMONY, SCB. COUNTY AMBULANCE SRV. \$316.23 NOVEMBER AMBULANCE CONTRACT PYMT., SCHLEVE MELINDA \$75.00 RV ROOM DEPOSIT REFUND, SCHOOL LIBRARY JOURNAL \$136.99 SUBSCRIPTION, SCHUMACHER CATHY \$75.00 RV ROOM DEPOSIT REFUND, SCOTT KATIE \$75.00 RV ROOM DEPOSIT REFUND, SCOTTS BLUFF COUNTY COURT \$156.24 GARNISHMENT 2, SCOTTSBLUFF - GERING UNITED WAY \$10.00 UNITED WAY CTRB., SIMON CONTRACTORS \$5,631.00 CONCRETE AT TRAINING SITE, SLAFTER OIL CO. \$145.30 OIL, SNARR PAUL \$1,700.00 DUES FOR SRV'S., SOLOMON CORP. \$1,044.67 BATTERY, SOURCE GAS \$25.73 UTILITIES 1255 11<sup>TH</sup> STREET, SPORTS FACILITES ADVIS. \$2,698.17 ELEFF AND MORTON TRAVEL, STAPLES CREDIT PLAN \$89.99 PRINTER & FAX MACHINE, STATE OF NE/DAS COMMUNICATION \$219.28 LONG DISTANCE PHONE CHARGES, SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, TAKUSKI APPRAISALS \$750.00 APPRAISAL 1335 9<sup>TH</sup> STREET - HOTEL, TEACHER'S CORNER \$7.18 SUPPLIES FOR DISPLAYS, TERRY CARPENTER \$650.00 WATER WELL LAND RENT - NOVEMBER, TEST AMERICA \$2,403.00 WATER SAMPLING, TNE MEC CO. INC. \$2,857.40 PAINT/BUILDING IMPROVEMENTS, TOMMY'S JOHNNY'S INC. \$135.00 PORTABLE TOILET, URDIALES JOHN \$31.00 CDL, VALLEY BANK - POLICE \$340.00 PO UNION DUES, VALLEY BANK & TRUST CO. \$3,809.02 HSA CTRB 125, VERIZON-WIRELESS \$120.03 AIR CARDS FOR PORTABLE CAMERAS, WELLS FARGO FINANCIAL LEASE \$124.57 COPIER LEASE, WESCO DISTRIBUTION INC. \$431.33 CT'S, WESTERN NE. COMMUNITY COL. \$1,500.00 REIMBURSEMENT FOR MINI GRANT, WESTERN PATHOLOGY CONSULTANTS \$228.80 DRUG SCREENING WINCHELL CLEANING SRV. \$610.00 CLEANING, YOUNG MENS CHRISTIAN \$5.00 YOUNG MEN'S CHR.

**Motion by Councilmember Christensen to pull Consent Agenda item #4. Second by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

Councilmember Christensen asked to hear specifics about this item and which sites were chosen. Mike Sarchet with TCD stated that the form will be the universal form for all the sites for the Brownfields program. This document is required by EPA and NDEQ so both parties understand what will be done and it also protects the owners. It does not expose the property owner to any liabilities; it's just to find any contamination that may be in the property. They haven't approached any businesses; there are seven that expressed an interest. He said our hope is we'll have seven to nine properties. They'll put out for bid for phase I and have those back after the first of the year. He said we're hopeful this will be a successful project. Mr. Sarchet got recommendations from NDEQ and worked with city staff to create this form. They picked the form they thought would work best for both sides. It was also reviewed by the City Attorney.

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

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

## **PUBLIC HEARINGS:**

**1. Preliminary Plat for Block 1, Reed Farms Subdivision in Scotts Bluff County, the subdivision is generally located in the Southeast quarter of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska**

Mayor Mayo opened the Public Hearing at 7:10 p.m. Pat Heath presented the Administrative Record.

Mr. Heath stated this is the public hearing for a Preliminary Plat for Block 1, Reed Farms Subdivision in Scotts Bluff County. The subdivision is generally located in the Southeast quarter of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska.

The Preliminary Plat lies within the MH Zone (Heavy Industrial and Manufacturing District) and consists of approximately 5.73 acres and lies on the North side of U Street. The new address will be 220416 Reed Farms Road, Road will be named on the final plat and will remain a private road.

**Administrative Record: Mr. Heath stated to the Council that they have been provided with the administrative record and asked that it be made a part of the official proceedings.**

- Public Hearing Notice published October 30, 2014 and November 6, 2014.
- Publication Notice and written notice was completed and sent to the following; Gering Public School Board, North Platte Natural Resources District, Western Nebraska Community College, Educational Service Unit 13 and Scottsbluff County per the requirements of the current City's Zoning and Subdivision Regulations Section 21.2 and are incorporated by reference in this Administrative Record.
- Application for the preliminary and final plat submitted by Paul Reed Farms LLC., Paul Reed dated September 30, 2014.
- Preliminary Plat submitted by the owner's representative Scott Bosse' with Accustar Surveying dated September 17, 2014.
- Proof of ownership was received by the City on in the form of a Letter and email, dated October 23, 2014 from the owners Attorney John Seizer.
- City of Gering Current 1995 Comprehensive Plan (Per Amendment No. 1 dated November 2001)
- Public Works Director Record as shown herein

This Preliminary Plat meets the City Zoning and Subdivision Regulations requirements of Section 21: Preliminary Plat Procedures for Approval.

Mr. Heath stated to the Mayor and Council that he has completed his entry regarding the Public Hearing for the Preliminary Plat of Block 1, Reed Farms Subdivision and asked that they please keep this hearing open until all entries are put into this record.

No one spoke in favor or opposition of the application. Councilmember Gibbs asked if this went to the Planning Commission. Mr. Heath replied yes and they voted to bring it forward to the Council. He said there wasn't a lot of discussion about it; there was one no vote. The Administrative Record and the Public Hearing were closed at 7:14 p.m.

**Motion to enter into Public Record the Administrative Record for the Preliminary Plat for Block 1, Reed Farms Subdivision in Scotts Bluff County, the subdivision is generally located in the Southeast quarter of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska by Councilmember Holliday, seconded by Shields.**

**Discussion:** Councilmember Gibbs said the map shows a different number of acres. Mr. Heath said they'll correct that on the final plat; it included the drive.

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

**1a. Consider Approving or denying Preliminary Plat for Block 1, Reed Farms Subdivision in Scotts Bluff County, the subdivision is generally located in the Southeast quarter of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska**

**Motion by Councilmember Smith to approve the preliminary plat for Block 1, Reed Farms Subdivision in Scotts Bluff County, the subdivision is generally located in the Southeast quarter of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska, seconded by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

#### **CURRENT BUSINESS:**

##### **1. SRO Update – Gering Police Department and the Gering Public Schools**

Chief Holthus said when they started the SRO project, everyone felt that it was important for the decision makers to know how it's progressing; they did the same with the School Board. Investigator and SRO Henry Moreno, said he wanted to let the Council know that the reason for their interest is the impact one can have on youth. From a law enforcement perspective it interests him after working with adults for years and not having much impact. When this opportunity came up he felt strongly about giving back to his community and the youth of his community. He's had positive relationships with youth and staff. Having the students look at a law enforcement individual as someone they can talk to about things going on at home has been good. Watching students and encouraging them in sports and academics is rewarding. He has dealt with some of those students in their households in the past and to see they're on track for graduation means a lot. He stated that most of his time is spent at the high school. He spends time with one student in detention making sure he's on track; the student knows it's important to Henry that he graduates. There's a bulldog recognition award that can be awarded to certain students by teachers and others and giving a student a reward is really great. The students are realizing that Henry is approachable and they're talking to him. He had his first call at the Freshman Academy today. He visits the Elementary schools as well.

Assistant Principal Wyrick stated that they looked at specific goals. One was to develop relationships at the schools and do presentations. He said Henry also works with Mr. Seiler helping kids develop social skills. He said Mr. Moreno also attends football, basketball and other activities and dances, etc.; it's very helpful to have him at those activities and events. Henry helps with accidents in the parking lot and safety and protection of students as well. Overall it has been a very successful program and the best part is his relationship with students. He thanked the Council for being supportive of this program.

##### **2. Approve and authorize the Mayor to sign Standard form 270, Request for Advance or reimbursement pertaining to USDA loan for Legacy of the Plains**

**Motion by Councilmember Gibbs to approve and authorize the Mayor to sign Form 270. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

**3. Consider purchase of a 3.98 acre parcel being sold by Nebraska Public Power District**

**Motion by Councilmember Gibbs, second by Councilmember Christensen to approve the purchase of the 3.98 acre parcel. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

**4. Approve and authorize the Mayor to sign Letter of Understanding/Land Transfer Agreement between the United States of America and the City of Gering**

Councilmember Holliday asked if we currently have part of our trail system on this area. Ken Mabery, Monument Superintendent, said NPPD tore down the communications tower so they were willing to part with the property and they approached the Monument about acquiring it. The Parks Service hopes to enter this partnership with the City to donate a portion of the acres to the Monument and that the City will agree with everything in the letter. The Parks Service will in turn pay for all the titling, etc. Councilmember Christensen asked about the future use of the building. Mr. Mabery replied that it's up to the partnership to decide what is done with that. He said the pathway and everything east will stay with the City. Mr. Holliday stated that the letter says we must maintain our area as a green space; he asked what are our options to make this land attractive. Mr. Mabery said it could be any kind of green space; it could be improved to lawn quality or a parking lot for access to green space. Pat Heath said the idea is that we don't sell the property in the future. He said we can develop for public use but we can't develop it for anything else or sell it.

**Motion to approve and authorize the Mayor to sign letter of Understanding/Land Transfer Agreement between the United States of America and the City of Gering by Councilmember Morrison, seconded by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

**5. Approve and authorize the Mayor to sign Resolution 11-14-1 relating to the City's participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and related matters and consider approving and authorizing the Mayor to sign U.S. Securities and Exchange Commission Division of Enforcement and approve the City's participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and related matters**

Finance Director, John Mejia, said it's a new requirement the FCC is issuing. They're looking at Cities who've done a tax exempt bond. What they're looking at is if we've filed our annual City audit; the audit wasn't done in 2009 and 2012. It's basically self-reporting. We believe it's in our best interests to do this. It's the Council's choice whether they want to self-report or not but we do need Council's approval. Mayor Mayo said they're giving us an opportunity as it will likely become mandatory. Councilmember Gibbs asked if this was something our Bonding Agent should have been doing for us. Mr. Mejia replied that is correct. Councilmember Gibbs asked then why are we paying \$2500.00 and not them? Mr. Mejia said this way there's an independent review of it. Administrator Danielzuk said the FCC's enforcement division made the announcement on March 10 of 2014 that it's a new initiative that starts in 2014 and they're reaching back five years. Councilmember Gibbs asked if it's legal to do that when it wasn't done correctly in the first place. City Attorney Ellison said from what he understands there was always something on the books that allowed the FCC to enforce requirements of the body. They've always required the private sector to do this but not the public sector. Now the FCC is reaching back and requiring the public sector to do the same thing; before it was just the private sector. They're requiring municipalities to comply as well as the bonding companies. Councilmember Morrison asked who the \$2500 gets paid to. Mayor Mayo replied the FCC. Councilmember Gibbs said he thinks it should come out of the bonding agent; they're the ones who are supposed to make sure we comply with regulations for the issuance of the bonds. That's what we pay them for; we're not bond experts, they are. Mr. Mejia said he thinks we can have that discussion with them but the deadline is December 1 so we don't have much time. Councilmember Gibbs asked if we can sign the agreement without budgeting the \$2500. Mr. Mejia said

he thinks we can do that but they are expecting payment at the same time. Mr. Ellison said someone has to do the work and somebody's got to make sure the FCC requirements are taken care of and that is part of this. Mr. Ellison said he recommends Council approve it at this point in time and maybe that can be a discussion with the bonding agent in the future to have that paid back or work on something out so that we can hopefully avoid this kind of problem in the future. Councilmember Gibbs asked how long have we been aware of this issue. Mr. Mejia replied about three weeks and we've been working on getting set up for this up. Administrator Danielzuk said this is far reaching and referred to the MEAN Board; it probably catches everybody that has issued bonds in the last five years. Administrator Danielzuk said he recommends we have the Mayor Mayo sign off on the initiative and how we pay for it could be debated in the future.

**Motion by Councilmember Smith to approve and authorize the Mayor to sign Resolution 11-14-1 relating to the City's participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and related matters and consider approving and authorizing the Mayor to sign U.S. Securities and Exchange Commission Division of Enforcement and approve the City's participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and related matters, seconded by Councilmember Gibbs.**

**Discussion:** Councilmember Gibbs wants to see about getting this money back from our bonding agent.

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

**6. Consider approving and authorizing the Mayor to sign Economic Development Assistance Agreement, Security Agreement and Guaranty – Brad and Linda Staman d/b/a the Daily Grind Coffee House**

Brad and Linda Staman reported that their plans are to open up the Daily Grind at 1520 10th Street; the small building next door to the China House to the north. They've signed a three year lease. Councilmember Gibbs said if he reads the grant explanation they'll hiring two full time employees which include him and his wife; he asked if Mr. Staman works there full time. Mr. Staman said employee wise they'll have two other full-time employees plus two other employees. He said this will be to create two full-time jobs. Rawnda Pierce, Director of TCD, said the LB840 committee met and this is the first time Brad and Linda have applied. The committee recommended approving the grant for \$10,000. Councilmember Holliday asked about an ROI, Mr. Staman replied yes. He said there won't be a drive-thru, but they're working on a way to have curb side service. In the 10 years they've been in business they've developed some very loyal customers. Mayor Mayo said foot traffic is a good idea for that area. Mr. Staman said the Downtown Revitalization Plan reported there are 2000 employees in the downtown area; they can tap into that. They think their numbers in the future will increase. Councilmember Gibbs asked if they've factored the minimum wage increase in the future. Mr. Staman replied yes.

**Motion by Councilmember Shields to approve and authorize the Mayor to sign Economic Development Assistance Agreement, Security Agreement and Guaranty – Brad and Linda Staman d/b/a the Daily Grind Coffee House, seconded by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion carried.**

**7. Consider holding one Council meeting in December on December 8, 2014**

**Motion by Councilmember Morrison, second by Councilmember Smith to have one meeting in December.**

**Discussion:** Councilmember Holliday asked if we need to have a second meeting because we've held up certain things by not having a City Engineer. He wants to make sure we don't delay anymore projects. Councilmember Gibbs said the new Mayor can call a meeting at any time.

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

**CLOSED SESSION:**

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

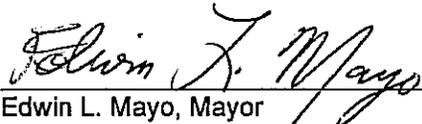
**REPORTS OF STAFF, BOARDS AND COMMISSIONS AND STANDING COMMITTEES:**

1. **Department/Staff Reports (informational only)**
  - **Update from Environmental Services on Recycling grant – Darrell Vance, Environmental Services Director**  
Darrell Vance, Environmental Services Director, reported that we did get our grant for the Bobcat; it has come in. The building is almost completed. Between the departments they did all the floor work and got all that done.
2. **Committee Reports & Council Member Comments**
3. **Administrator's Report**
4. **Mayor's Report**

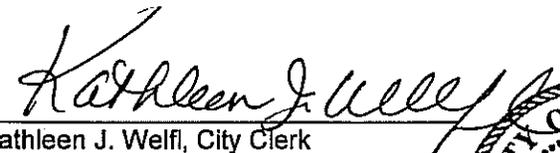
**ADJOURN**

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

Meeting adjourned at 7:55 p.m.

  
Edwin L. Mayo, Mayor

ATTEST:

  
Kathleen J. Welfl, City Clerk

