

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
October 27, 2014**

A regular meeting of the City Council of Gering, Nebraska was held in open session on October 27, 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, 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 Council Member absences

Motion by Councilmember Shields to excuse the absence of Councilmember Morrison from the October 13, 2014 Regular Council meeting. 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.

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. Mayor Mayo introduced Boy Scout Troop 3 and Scout Leader Loren Mensch.

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 October 13, 2014 Regular City Council Meeting
2. Approve Claims
3. Financials
4. Fire Department Roster Approval
5. Second and Third Quarter reports - TCD

Claims:

10-10-14 to 10-23-14

ACTION COMMUNICATIONS INC. \$153.19 RADIO INSTALL, ADVANCED SRV. INC. \$522.88 WAGES FOR KROEKER, ALAMAR UNIFORMS \$279.99 BELT DROP LEVEL HOLSTER, ALLO COMMUNICATIONS \$1,086.30 TELEPHONE/INTERNET CHR.G., AMERICAN WATER WORKS ASSOC. \$174.00 MEMBERSHIP, B & C STEEL \$586.81 IRON, BLUFFS SANITARY SUPPLY \$775.00 OCTOBER CLEANING, BROADWAY OFFICE CENTRE \$417.81 COPY COUNT CHR.G., BUDGET TIRE & SRV. \$15.00 FLAT TIRE RPR. FOR #717, CARR - TRUMBULL LUMBER CO. \$557.76 MCKINLEY HOME, CENTURY LUMBER CENTER \$52.50 MCKINLEY HOME, CHARTER COMMUNICATIONS \$211.02 TV/INTERNET CHR.G., CITY OF GERING - GENERAL AC \$65,000.00 TRANSFER ACH PAYROLL, CITY PAYROLL TRUST \$150.00 FSA MEDICAL 125, CONNECTING POINT \$507.00 TONER, CONTRACTORS MATERIALS \$421.90 BRICK RED ADA PANELS, COUNCIL OF DEVELOPMENT FI \$400.00 OCTOBER PORTION ANNUAL MEM. DUES, CPI \$1,912.50 EMPLOYEE RETIREMENT PLAN, CRESCENT ELECTRIC SUPPLY \$15.36 CORD END, CULLIGAN WATER CONDITIONING \$26.20 SALT, DALES TIRE & RETREADING \$190.94 FIX TIRE 344J, DEINES IRRIGATION \$179.00 PVC ELBOW, DKH ENTERPRISES \$56,000.00 LB840 LOAN, DOCU - SHRED LLC \$23.00 CONTAINER 64 GALLON, EDM PUBLISHERS INC. \$98.78 BUILDING INSPECTOR MAG. SUB., ENVIRONMENTAL COMPLIANCE \$950.00 PCB AUDIT, ESRI \$4,950.00 ARCGRIS DESKTOP UPGRADE, FARIA GEGETTA \$37.50 GOOD SAM ENROLLMENTS, FASTENAL CO. \$17.56 SUPP., FIRST STATE BANK \$361.75 IBEW UNION DUES, FIRST STATE BANK - SCOTTS \$13,221.15 PRINCIPAL 393123, FLOYD'S SALES & SRV. \$52.62 PARTS, FORT DEARBORN LIFE INC. \$113.52 FIREFIGHTER LIFE INS., GALE \$48.57 BOOKS, GERING CITIZEN \$23.56 OCTOBER MTGS. NOTICE, GERING GARDEN CENTER \$2,300.00 TREES, GERING - FORT LARAMIE IRRIG. \$80.55 PVC PIPE 12, GREASE- N GO \$37.64 OIL, ICMA

ELECTRONIC RETIREMENT \$516.42 ICMA CITY ADMIN., IDEAL LINEN SUPPLY INC. \$7.86 MATS, INGRAM LIBRARY SRV. \$302.28 BOOKS/PERIODICALS, INTERNAL REVENUE SRV. \$45,703.70 FED/FICA TAX, INTRALINKS TECHNICAL SOLUTIONS \$3,331.73 COMPUTER SUPPORT, JIRDON \$21,633.05 FERTILIZER, JOHN E. REID & ASSOCIATES \$770.00 TJADEN 4 DAY INTRVW. & INTER., JOHN HANCOCK USA \$12,955.82 JH RETIRE 6%, JOHNSON CASHWAY CO. \$739.66 FRM. 2X6 BOARDS & SUPP., KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KRIZ - DAVIS CO. \$183.11 CONNECTORS, LEAGUE OF NE. MUNICIPALITY \$17,881.00 OCT. PORTION OF MEM. DUES, LIBRARY JOURNAL \$157.99 SUBSCRIPTION, MEAT SHOPPE \$7,024.07 MANAGEMENT CONTRACT, MG TRUST CO. LLC \$5,995.91 MG T - POLICE, MONEY WISE OFFICE SUPPLY \$245.98 PRINTER CARTRIDGE, MUES VIRGINIA \$162.50 GOOD SAM ENROLLMENTS, NDEQ - FISCAL SRV. \$9,081.21 SOLID WASTE DISPOSAL FEE, NE CHILD SUPPORT PYMT. \$727.48 CHILD SUPPORT 1, NE SAFETY/FIRE EQUIPMENT \$1,057.00 CHECK UP - TESTING, NEBRASKA LIBRARY COMMISSION \$2,572.55 OCTOBER PORTION OF LANG. PROG. FEE, NORTHWEST PIPE FITTINGS \$27.15 RPR'S., NWEA \$360.00 CLOSSON FALL CONFERENCE, PANHANDLE COOP ASSOCIATION \$4,760.65 FUEL, PANHANDLE HUMANE SOCIETY \$3,170.34 OCTOBER ANIMAL CONTROL FEE, PETTY CASH \$28.94 PETTY CASH FOR LIB. & PD, ROOSEVELT PUBLIC POWER DISTRICT \$28.60 UTILITIES, SANDBERG IMPLEMENT INC. \$14,976.98 UTILITY VEHICLE, SCB. COUNTY AMBULANCE SRV. \$316.23 OCTOBER AMBULANCE CONTRACT PMNT., SCOTTS BLUFF COUNTY COURT \$17.00 COUNTY COURT COSTS, SECRETARY OF STATE \$30.00 NOTARY RENEWAL - HOLTHUS, SENIOR CITIZENS CENTER \$525.00 OCTOBER FINANCIAL SUPPORT, SOLOMON CORP. \$2,803.40 TRANSFORMER, STAR HERALD \$1,349.17 TALK OF THE TOWN NEWSLETTER, SUGAR VALLEY FEDERAL CREDIT \$1,218.08 CREDIT UNION, TEACHER'S CORNER \$26.82 PROGRAMMING (ST) SUPP., TERRY CARPENTER INC. \$650.00 OCTOBER WATER WELL LAND RENT, THOMPSON GLASS INC. \$500.88 INSULATED UNITS, TOMMY'S JOHNNY'S INC. \$135.00 PORTABLE TOILET, VALLEY BANK - POLICE \$340.00 PO. UNION DUES, VALLEY BANK & TRUST CO. \$19,436.33 SINKING FUND, VERIZON WIRELESS \$521.64 IPAD FEES, WELLS FARGO FINANCIAL LEA. \$124.57 COPIER LEASE AGREEMENT, WESCO DISTRIBUTION INC. \$1,300.05 CT'S, WESTCO \$10,637.04 DIESEL, WESTERN PLAINS BUSINESS \$98.27 COPIER MAINTENANCE, WINCHELL CLEANING SRV. \$720.00 SEPTEMBER CLEANING

Motion by Councilmember Christensen to approve the Consent Agenda, 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.

PUBLIC HEARINGS: None

BIDS:

1. Wastewater Treatment Plant Cover replacement

Public Works Director Pat Heath said we accepted bids for an insulated cover for our accelerated aeration basin at the Wastewater treatment plant. The covers installed in 2004 had a life expectancy of ten years; we have them on three basins. He said we believe we can get another three years out of the others two and just replace the cover on pond 3B for now. We received one bid from Lemna Technologies for \$146,300. Staff and McLaughlin Water Engineer's recommendation is to accept this bid. Councilmember Morrison asked if there was anybody else who does this and how many bids did we send out. Mr. Heath said we sent out two; for some reason EFI did not bid. They were sent the information but they didn't submit a bid or respond to our calls. Councilmember Christensen asked if Mr. Heath was okay with this bid and this company. Mr. Heath said it's about \$10,000 higher but we're okay with this cover; it's more of a rubber type cover and it's insulated. We have to maintain the temperature in the basin so that's important. He said he believes this cover will last longer than the other ones; it might last 15 years. Mayor Mayo asked about UV light and hail. Mr. Heath said it is UV treated and they said it will hold up better to hail than the other covers. Councilmember Smith said we budgeted \$300,000, was that for all three? Mr. Heath said yes, the budget was a quick estimate. Mr. Heath said if there is hail damage they will repair it; it's a specialized repair.

Motion by Councilmember Morrison, second by Councilmember Gibbs to accept the report and approve the bid of \$146,300 from LEMNA Technologies for a new insulated cover for the Wastewater Treatment Plant. 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.

CURRENT BUSINESS:

1. Consider approving Keno Requests:

- Gering Merchants Association
- City of Gering

Darrell Bentley, Keno Committee Chairman, said they had two applications this time and accepted both of them. He offered to answer questions. He recommended funding both items. One is for the new City of Gering website and one is for the Gering Merchants for Santa Claus and the parade for Christmas.

Motion by Councilmember Christensen, second by Councilmember Smith to approve both Keno requests; one for the City of Gering Website and one for the Gering Merchants.

Discussion: Councilmember Holliday said we asked for more bids for the website; did that happen? City Clerk Welfl replied that Councilmember Gibbs stated at the last meeting that because it's under \$30,000 an RFP and bids aren't required, however three quotes are. She stated that she has received one additional quote and is still waiting on the other.

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

2. Update on CDBG Downtown Revitalization Grant – Rawnda Pierce, TCD Director

TCD Director, Rawnda Pierce, said we received notification that the grant has been approved; this is to start the second phase of the Downtown Revitalization Project. The delay was due to staff turnover at the State level and the new staff person being bogged down at the DED. He came to visit Gering last week and feels good about the grant and the idea of how an area can be transformed into a public meeting place. The next step is to discuss what kind of features we may look at including. They felt our first application was too fragmented. Ms. Pierce revised it and certain amounts will be allocated for certain aspects. The idea is to connect the alley way to the public plaza behind the bank. They want to see drawings and specs before they approve the final funds. They need to see there is adequate water, sewer and electric. We just have to get it to that point for approval. The State DED will ensure we have two complete construction cycles to ensure we can utilize the grant funds. It has to connect to the Main Street, etc. There will be a public hearing on the next agenda for a release of funds. It could be a public workshop or however Council wants to do it. Ms. Pierce said the letter was back dated to allow for eligible costs.

3. Update on Brownsfield Grant – upcoming Public Hearings

Rawnda said Mike Sarchet is heading up this program. We need to get on the properties to do the testing. We only have so much money so we have to consider carefully which ones we choose. The tests will go to eligible companies to do the testing. There is another grant due December 19 for cleanup funds. We can submit up to three but she doesn't think we can do that many. We're looking at several locations; the Lane Auction House, Westco and Packerland on 7th Street. She and Mike visited and the Lane auction house is full of asbestos. The EPA may say it's better to demolish it than to pick it apart. The Westco and the other one we won't see the building change; only the asbestos on the inside will be taken out where as the Lane auction house will be demolished. We will plan to hold a public hearing to get gather public input in November.

4. Update from Communications Center Advisory Board Representative, Ben Backus

Ben Backus reported the following:

Old Business From last report: Call-taking portion of the Zetron base station is in place and functioning but CenturyLink continues to have issues implementing the system to the point that Chance Florke has contacted the Public Service Commission. There have been so many problems that there may be additional costs as we may need to leave the old lines in place for a while (1-2 months) until we are sure the new system functions flawlessly. Suzie Wick added police and fire layers to pictometry and would ask those departments to review their boundaries.

New Business: Chance Florke would like to purchase an additional console for the fire and safety for a backup to the Comm Center and place a data link between the two buildings. He is going to research costs and bring them to the board.

Mr. Backus brought before the board the possibility of reaching out to smaller communities to see if they would like to utilize our console and CAD system. Implementing Chance's idea would be a good proof of concept.

5. Consider approving and authorizing the Mayor to sign a letter of support to the United States Department of Transportation regarding Aerodynamics, Inc.

Mayor Mayo said Aerodynamics was the highest price bid; they asked why would you give the bid to a company that is already in default on their current contract. Aerodynamics said they would be interested in doing charters to athletic events as well. They seemed to have the most information and this is the company the Airport Authority recommends. We'll miss the deadline if we don't sign the letter today. Mayor Mayo said he thinks there's a good chance the other airports will accept this company as well. They will have people based here to handle flights all the time and there will always be a plane here. Kevin Mooney added their rates were largely under \$100, they were fairly reasonable.

Motion by Councilmember Gibbs, second by Councilmember Christensen to approve and authorize the Mayor to sign a letter of support to the United States Department of Transportation regarding Aerodynamics, Inc. 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. Consider approving and authorizing the Mayor to sign Purchase Agreement for 525 O Street
TCD Director, Rawnda Pierce said we have a purchase agreement for 525 O Street. We did go through quite a process; we had an open house, we put a flyer out to all the realtors to give them an opportunity to list them. She asked that the Council approve all the documents pertaining to this in the future so we don't have to come back after the remonstrance for approval or to authorize the Mayor to sign.

Motion by Councilmember Morrison, second by Councilmember Smith to approve and authorize the Mayor to sign Purchase Agreement for 525 O Street and all other required documents. 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.

7. Consider approving and authorizing the Mayor to sign Purchase Agreement for Lot 3A, Block 1, A Replat of Thorton's Second Addition to the City of Gering

Rawnda Pierce stated that TCD is purchasing the one remaining lot.

Motion by Councilmember Allred, second by Councilmember Shields to approve and authorize the Mayor to sign Purchase Agreement for Lot 3A, Block 1, A Replat of Thorton's Second Addition to the City of Gering. 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.

8. Consider approval of Ordinance 1988 – 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 – 525 O Street

Councilmember Gibbs made a motion to introduce Ordinance No. 1988: 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 – 525 O Street. Seconded by Council member Allred. 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.

Councilmember Shields moved that the Ordinance be designated as Ordinance No. 1988 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 Morrison. The roll was called: "AYES": Smith, Christensen, Gibbs,

Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried.

Whereupon Ordinance No. 1988 was read by title only, Councilmember Cowan moved that the Ordinance be passed as read, which motion was seconded by Councilmember Smith. "The question is shall Ordinance No. 1988 be passed?" The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

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

9. Consider approval of Ordinance 1989 – 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 – Lot 3A, Block 1, A replat of Thorton's Second Addition to the City of Gering.

Councilmember Allred made a motion to introduce Ordinance No. 1989: 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 – Lot 3A, Block 1, A replat of Thorton's Second Addition to the City of Gering. Seconded by Council member Shields. 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.

Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 1989 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. The roll was called: "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried.

Whereupon Ordinance No. 1989 was read by title only, Councilmember Smith moved that the Ordinance be passed as read, which motion was seconded by Councilmember Christensen. "The question is shall Ordinance No. 1989 be passed?" The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

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

CLOSED SESSION:

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

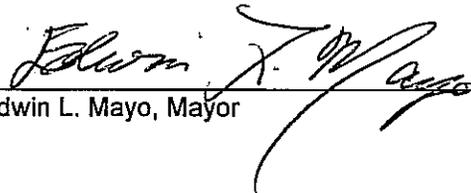
REPORTS OF STAFF, BOARDS AND COMMISSIONS AND STANDING COMMITTEES:

1. Department/Staff Reports (informational only)
2. Committee Reports & Council Member Comments
 - Update from Council President about the Fall 2014 League of Municipalities Conference
3. Administrator's Report
4. Mayor's Report
 - Report of information gathered at the Nebraska League of Municipalities Fall Conference
5. Gering Merchants Update

ADJOURN

Motion by Councilmember Christensen to adjourn, second by Councilmember Holliday. 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.

Meeting adjourned at 7:57 p.m.


Edwin L. Mayo, Mayor

ATTEST:


Kathleen J. Welfi, City Clerk

