

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
APRIL 8, 2019**

A regular meeting of the City Council of Gering, Nebraska was held in open session on April 8, 2019 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

CALL TO ORDER

Mayor Kaufman called the meeting to order at 6:00 p.m. and stated 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 Gillen to approve the absence of Councilmembers Smith and Cowan from the March 25, 2019 regular City Council meeting. Seconded by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

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

Mayor Kaufman stated: As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Mayor. As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and Council determines that the matter requires emergency action.

CONSENT AGENDA:

1. Approve minutes of the March 25, 2019 regular City Council meeting
2. Approve Claims
3. Approve and file for record Twin Cities Development Quarterly report – October, November, December of 2018

Claims:

3-16-19 to 3-2919

ACCELERATED RECEIVABLES \$367.79 BAD DEBT RECOVERY, ACTION COMM \$65.00 WORK ON RADIO, 21ST CENTURY EQUIPMENT \$196.00 RPR TO JOHN DEERE MOWER, 24/7 FITNESS \$425.00 WELLNESS, A & A PORTAPOTTIES \$135.00 RNTL PORTABLE TOILET DOG PARK, ACUSHNET CO \$4,235.04 504 GOLF BALLS, ADVANCE AUTO PARTS \$10.11 CAR DUSTER ACADIA, ADVANCED CUTTING SYSTEMS \$1,104.71 TRANSFER TAPE & BLADES, AHLER'S BAKING INC \$7.48 DONUTS FOR LB840 MTG, AIR & SPACE \$29.00 1 YR SUBS, ALLO COMM \$1,883.32 TELEPHONE/INTERNET CHR, AMAZON \$56.40 SUPPLY CLOSET ORGANIZATION, ASP ENTERPRISES \$7,563.00 FOR CANYON AT LANDFILL, AULICK \$308.31 2ND FILL TUBE FOR FIRE TRUCK, AYERS ASSOC INC \$16,208.10 COMP PLAN REVIEW, B & C STEEL \$200.60 NEW BLADE FOR KUBOTA PLOW/FLAT BAR/TRAILER RPR/PARTS LANDFILL, BENZEL PEST CONTROL \$142.20 PEST CONTROL 1035 M ST/200531 WEST U, BIBLIONIX LLC \$1,800.00 APOLLO ANNUAL SUBS, BKD RENTALS LLC \$2,154.20 APR 2019 SUBSIDY PRAIRIE PINES, BLUFFS SANITARY SUPPLY \$288.29 LINERS/TISSUE/PAPER TOWELS/RV PARK RPR'S BATTERY/RESTROOM SUPP, BORDER STATES INDUSTRIES \$3,416.80 REPLACE OLD LIGHTS/KNIVES/FISH TAPE SVC LINE RPR/CHAINSAW/EXIT SIGNS/ BG DIE INSERT/STREET LIGHTS, BUDGE-IT DRAIN SRV \$845.00 MAINT ON SEWERLINE @ SENIOR CNTR, CALLAWAY GOLF CO \$2,154.78 312 GOLF BALLS, CASEY'S GENERAL STORE #27 \$37.00 GAS FOR ACADIA BRIDGE INSP, CHARTER COMM \$628.66 TV/INTERNET CHRG ROBIDOUX, CITY INS FUND \$176,982.92 HEALTH PREM 125, CITY OF GERING \$15,058.25 WELLNESS GOLF, CITY PAYROLL TRUST \$2,872.05 FSA MEDICAL 125/VOL LIFE INS, COMFORT INN KEARNEY \$99.95 NRWA CONF HEATH, CONNECTING POINT \$309.62 COPY CHR/MAR COPIER SRV CONTRACT, CREDIT BUREAU SRV'S INC \$217.49 GARNISHMENT, CRIMINAL ADDICTION INC \$300.00 PTRL INTERDICTION TRNG MASSIE, DAVIES MIKE \$150.00 PURCHASE WORK BOOTS, DEAN'S ACCELERATED SRV \$526.68 RPR FORKLIFT, DETROIT INDUSTRIAL TOOL \$573.55 QUICK SAW BLADES, DISCOVER BANK \$2.74 GARNISHMENT 2, DOLLAR GENERAL STORE #077 \$57.20 TOTES FOR EVIDENCE, DOOLEY OIL INC \$322.57 GREASE FOR EQUIPMENT, DOWNHOME SOLUTIONS \$47.25 CLOUD SUB FOR LOAN SOFTWARE, DUTTON LAINSON CO \$209.51 PHOTO EYES, EAKES INC \$369.10 BADGES, ECOLAB \$234.30 PEST CONTROL @ CITY HALL/ RODENT CONTROL @ WWTP/PEST CONTROL 225 D ST, ELITE TOTAL FITNESS \$102.00 ELITE FITNESS, ENERGY LABORATORIES INC \$456.00 WATER LAB, ENVIRO SRV INC \$2,055.00 WW LABS/WATER LABS, FAIRFIELD INN \$1,138.20 NPZA CONF BRUNTZ/RECHSTEINER/FOLCK/BRIDGE CERT RENEWAL

LILLEY, FASTENAL CO \$226.97 PARTS RPR TRACTOR LOADER/RPR PARTS HOWARD PLOW/FASTENAL MACHINE SUPP/PARTS FOR SHOP, FAT BOYS TIRE & AUTO \$1,992.86 TIRES FOR 2015 FORD EXPLORER/FLAT RPR/TIRES CASEY'S FLAT BED, FBI NATIONAL ACADEMY ASSOC \$120.00 FBI NNA DUES HOLTHUS, FIRST NATIONAL BANK \$502,207.06 RENEW ELECTRICAL INVESTMENT, FIRST STATE BANK \$367.23 IBEW UNION DUES, FLOYD'S SALES & SRV \$1,632.08 TRUCK RPR/VALVE FOR #217/RPR'S ON G-10, FRANK PARTS CO \$884.39 OIL FILTER FOR VEHICLE MAINT/RPR KUBOTA MOWERS 2690 & 3080/PARTS FOR FORKLIFT/TRAILER PRR/AIR COMPRESSOR RPR/SUPP FOR EQUIPMENT MAINT, FRASER STRYKER PC LLO \$787.50 PERSONNEL MATTERS, FRESH FOODS \$353.58 FOOD FOR STAFF SNOW HAUL/GROCERIES FOR CREW SNOW STORM, GERING COURIER \$30.00 ADVERTISING CRAFT FAIR, GERING VOL FIRE DEPT \$211.34 TRAVEL EXP LEADERSHIP CLASS, GREASE N GO \$539.05 ACADIA OIL CHANGE/OIL CHANGE ON UNIT 62/OIL CHANGE LANDFILL UNITS, GROUND UP CONSTRUCTION \$590.00 FEB 2019 JANITORIAL SRV, GUNS & AMMO \$18.00 1 YR SUBS, HAKERT DEAN \$75.00 RV ROOM RENTAL DEPOSIT, HEALTH \$32.05 1 YR SUBS, HEARTLAND TRUST CO \$250.00 GLC BOND AGENT FEES, HORTON GRAND HOTEL \$788.92 HOTEL GOLF CONF WALSH, ICMA ELECTRONIC RETIREMENT \$642.24 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$234.27 EXCHANGED MATS/CLEANING SRV'S/RUGS/DOOR MATS/CLEAN TABLE DRAPE, IMSA \$655.00 IMSA TRAINING PALOMO, INDOFF INC \$1,045.50 PRINTER CART BACK UP/BLACK BOARD/WHITE BOARD/SUPP/SIGN STICKERS/WHITE BOARD MARKERS/OFFICE SUPPLIES, INGRAM LIBRARY SRV \$703.07 24 BOOKS, INTER CODE COUNCIL INC \$275.00 ROD'S INSPECTOR CERT RENEWAL, INTERNAL REV SRV \$49,230.57 FED/FICA TAX, INTRALINKS TECH SOLUTIONS \$3,355.64 PROJECTOR FOR OREGON TRAIL ROOM, JOHN HANCOCK USA \$14,513.62 JH RETIRE 6%, JOHNSON CASHWAY CO \$542.89 SPRAY PAINT/GF-1 DRINKING FOUNTAIN OUTLET/EYEWASH STATION NEW SHOP/HANDLE CLIP/WOOD FOR SHELVEING AT SHOP/PUMP RPR/LIGHT BULB NORTH SIDE/CHAIN/HOOKS FOR TANKS, KARENS CLEANING \$425.00 MAR JANITORIAL SRV'S, KIRKS KORNER \$40.00 GAS ACADIA BRIDGE INSP COURSE, KNEB \$584.00 RADIO ADVERTISING, KNISLEY CHELSEA \$75.00 RV ROOM RENTAL DEPOSIT, LL JOHNSON DIST \$356.18 PARTS TO RPR SANDPRO, LEAGUE ASSOC RISK MANMGMT \$156.67 INSURANCE JACBSN EXLIPSE MOWER, LOGOZ LLC \$306.00 SHIRTS FOR STAFF, MARQUEZ DELIA \$75.00 RV ROOM RENTAL DEPOSIT, MATHESON TRI GAS INC \$204.35 WELDING SUPPLIES, MATRIX TRUST CO \$8,704.64 MG T - POLICE, MEAT SHOPPE \$7,772.15 MANAGEMENT CONTRACT, MENARDS \$322.73 FLASHLIGHTS FOR SHOP VEHICLES, MESA HOTLINE SCHOOL \$300.00 HOTLINE SCHOOL STURGEON, MIKE MCKEE \$21.40 LEAK BOOTS, MILWAUKEE PUMP CO INC \$1,000.00 PART FOR SEWER JET PUMP RPR, MONEY WISE OFFICE SUPPLY \$347.66 TAPE DISPENSER/PRINTER CARTRIDGES BRENDAN/OFFICE SUPPLIES/PAPER FOR OFFICES/LABELS, MSC DIRECT (\$13.96) TAX REFUND, MUNICIPAL ENERGY AGENCY OFFICE \$345,450.79 PURCHASE POWER, MUNICIPAL SUPPLY INC OF \$347.47 WATER MAIN RPR CLAMP, MURDOCH'S RANCH & HOME \$128.39 CLOTHING, NATIONAL GEOGRAPHIC \$26.38 1 YR SUBS, NATIONAL INS SRV \$1,164.04 VISION INS, NATIONAL RECREATION/PARK \$36.00 CEUS FOR CONT EDUCATION BUHR, NDOR LODGING \$206.07 FEB 2019 LODGING TAX, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$22,542.30 STATE TAX, NE PUBLIC POWER DIST \$1,611.14 UTILITIES PHEASANT DR/240066 HWY 92, NE HEALTH & HUMAN SRV'S \$40.00 SWIMMING POOL PERMIT, NEBRASKA MACHINERY CO \$951.40 AIR FILTERS/RPR'S ON 914G, NEBRASKA SALT & GRAIN CO \$8,326.11 ICE SLICER 2 TRUCK LOADS, NETWORKFLEET INC \$40.00 GPS SRV'S, NORTHWEST PIPE FITTINGS \$23.13 RPR'S AT CENTRAL PLANT, OCLC INC \$154.85 MAR CAT & ILL SUBS, ONE CALL CONCEPTS INC \$29.18 LOCATE FEES, PANHANDLE COOP ASSOC \$122.00 TIRE RPR/ TIRE RPR ON BACKHOE, PAUL L REED CONSTRUCTION \$407.92 FILL SAND AND CONCRETE SEWER LN, PAYPAL \$1,034.00 TRAFFIC CONTROLLER, PAYROLL CHECKS \$135,596.15 PAYROLL CHECKS ON 3-29-19, POSTMASTER \$50.00 CERT MAIL PERMIT FEE #2 & #12, POWERPLAN OIB \$1,537.70 AIR FILTERS/FILTERS FOR 762B SCRAPER, PRESTON SHERRY \$66.35 TRAVEL EXP FOR SRP WORKSHOP, RAY ALLEN MANUFACTURING CO \$110.98 K-9 SUPPLIES, RECHSTEINER JEREMY \$111.35 2019 NPZA CONF, RECORDED BOOKS LLC \$94.49 3 AUDIO BOOKS, REGANIS AUTO CNTR \$68.80 1 NEW COOLING UNIT MAINT, REHRIG PACIFIC CO \$774.65 LID FOR CARTS, ROBERT THOMASON \$192.18 PGA SPRING MEETING, RODRIGUEZ JOSE \$184.00 TOW SRV, RUPP MELISSA \$146.53 OVERPAID FINAL 9163003, RYAN'S WELDING LLC \$1,785.00 TRAILER RPR/2 WIND FENCES, SAFETYLINE CONSULTANTS \$2,000.00 MAR 19 MONTHLY SAFETY TRAINING, SANDBERG IMPLEMENT INC \$3,527.27 RPR KUBOTA MOWER 3080/HELMETS & CHAPS/WATER PUMP LANDFILL/WATER PUMP LANDFILL, SCB CO REGISTER OF DEEDS \$32.00 RECORDING FEE ANNEXATION/ REGISTER DEEDS GONZALES, SCHULTE SHERYL \$75.00 RV ROOM RENTAL DEPOSIT, SCOTTS BLUFF CO COURT \$34.00 CO COURT FEES, SCOTTSBLUFF-GERING UNITED \$70.75 UNITED WAY CTRB, SHERWIN WILLIAMS \$160.00 PAINT, SIMMONS OLSEN LAW FIRM \$3,000.00 CITY PROSECUTOR FEES, SIRCHIE FINGER PRINT LAB \$117.00 EVIDENCE SUPP, SONNY'S TOWING \$100.00 TOW SRV, SOUTHWESTERN EQUIP CO \$118.92 SWITCH FOR G-10, SPORTS ILLUSTRATED \$26.70 1 YR SUBS, STAPLES CREDIT PLAN \$229.47 OFFICE SUPP FOR TRAINING, STAR HERALD \$1,697.04 PERSONNEL COMM MTG NOTICE/PLAZA BID ADVERTISEMENT/ONE & SIX YR NOTICE/SANITARY SEWER BID/GOLF CAR BID/ADVERTISING/GLC MTG NOTICE/CONDENSED MINUTES/SANITARY SEWER BID/ADMIN COMM MTG/ MONTHLY MTG NOTICE/GIRLS DAY OUT, STATE ELECTRICAL DIVISION \$63.00 JOURNEYMAN TEST KALEB, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SUPERIOR SIGNALS INC \$460.68 STROBES FOR TRUCK, TEAM CHEVROLET \$623.48 CASEY'S PICKUP RPR, THE FLIGHT DECK \$36.93 LANDFILL MTG, THE PIONEER WOMAN \$15.00 1 YR SUBS, THE TORO CO \$155.00 MONTHLY SUPPORT TORO SYSTEM, UNANIMOUS \$615.00 FEB 2019 WEBSITE RETHEME, UNIVERSITY OF NEBRASKA LI \$80.00 PESTICIDE LICENSE RECERT VANCE, UNO MARKETPLACE \$273.00 2019 CLERK ACADEMY REG WELFL, VERIZON WIRELESS \$1,377.92 WIRELESS SRV FOR MDT'S/IPAD DATA FEES/ON CALL CELL & LAPTOP FEES/M2M ACCOUNT, VOICE NEWS \$15.00 LANDFILL NEWS, WALMART \$10.01 SUPPLIES FOR PRESCHOOL ST, WAREHOUSE FITNESS CENTER \$446.00 WELLNESS, WESTCO \$15,065.15 DIESEL FUEL, WESTERN NE COMM COLLEGE \$80.00 UNIFORMS FOR EMT STUDENTS, WESTERN PATHOLOGY CONSULTANTS \$119.20 DOT DRUG TESTS, WESTERN STATES BANK \$26,480.26 GERING/SCB SINKING FUND/HSA CTRB 125, WESTERN STATES BANK - POL \$360.00 PO UNION DUES, WINCHELL CLEANING SRV \$250.00 CLEAN HALLS/BATHS/OFFICES, WYOMING BEARING & SUPPLY \$1,373.53 BOLTS/PARTS FOR GAS PUMP/AIR HOSE FITTINGS FOR SHOP/RPR ON G-1/FITTING FOR SHREDDER/HYD BLOCK VALVE/AIRLINE, YMCA \$470.00 WELLNESS

Motion by Councilmember Morrison to approve the Consent Agenda. Seconded by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES":

Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

PUBLIC HEARINGS: None

BIDS:

1. Approve recommendation to reject all bids for 6th and H Street Water Main Replacement

Motion by Councilmember Gillen to approve a recommendation by staff to reject all bids for 6th and H Street Water Main Replacement. Seconded by Councilmember Wiedeman.

Discussion: Pat Heath, Public Works Director, stated as with some of the other bids we've had this year, we only had one bidder. It appears that a lot of the contractors are pretty tied up for the summer and in some cases for longer projects. Our estimate for this project was \$201,000; that estimate was based on the 6th Street water main project we did on the north side of M Street. This bid involved less lineal feet but came in at \$359,000. Mr. Heath said staff's plan is to possibly re-bid this in the fall for a late fall project or we could bid it for next summer. He wants to make sure the money will carry over in the budget first.

The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CURRENT BUSINESS:

1. Twin Cities Development Update on Economic Development Activities - First Quarter 2019

Keith Ellis, Director of Community and Economic Development with TCD, addressed Council with a first quarter update. Mr. Ellis covered numerous areas of interest including Lead Generation, Marketing and Social Media Marketing, Membership/Community Engagement, Business Retention and Expansion and more.

Motion by Councilmember Morrison to enter the Twin Cities Development First Quarter 2019 Update/Report into the public record. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Request for Recreation Committee Meeting – Agenda items: 1.) Future plans for Gering municipal swimming pool and Oregon Trail Park amenities, 2.) Snowmobiles

Motion by Councilmember Cowan to approve a request for a Recreation Committee Meeting – Agenda items: 1.) Future plans for Gering municipal swimming pool and Oregon Trail Park amenities, 2.) Snowmobiles. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

3. Request for Administrative Committee meeting – Agenda item: Mixed Martial Arts ban

Motion by Councilmember Gillen to approve a request for an Administrative Committee meeting – Agenda item: Mixed Martial Arts ban. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

4. Request for Personnel Committee Agenda item – Pay grade for Environmental Services Director

Motion by Councilmember O'Neal to approve a request for a Personnel Committee meeting Agenda item – Pay grade for Environmental Services Director. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES":

Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

5. Consider Commercial Purchase Agreement for Lots 4A and 5A, a replat of Lots 4, 5, 6, 7, Block 20, Gardner's Addition to the City of Gering, Scotts Bluff County, Nebraska

Mayor Kaufman entertained a motion regarding agenda item #5.

Councilmember Smith made a motion pursuant to Nebraska Revised Statute 84-1410 that the Gering City Council enter into closed session for the purpose of: Discussion of strategy, negotiation, protection of the public interest and guidance from City legal counsel regarding a Commercial Purchase Agreement for City owned property described as Lots 4A and 5A, A replat of Lots 4, 5, 6, 7, Block 20, Gardner's Addition to the City of Gering, Scotts Bluff County, Nebraska, commonly known as 1605 11th Street.

Mayor Kaufman stated that Councilmember Smith made a motion that the Gering City Council enter into closed session pursuant to Nebraska Revised Statute 84-1410, also known as Nebraska's Public Meetings Law, for the purpose of: Discussion of strategy, negotiation, protection of the public interest and guidance from City legal counsel regarding a Commercial Purchase Agreement for City owned property described as Lots 4A and 5A, A replat of Lots 4, 5, 6, 7, Block 20, Gardner's Addition to the City of Gering, Scotts Bluff County, Nebraska, commonly known as 1605 11th Street. The motion was seconded by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Mayor Kaufman stated that the Council will enter into closed session at 6:30 p.m. He then invited Administrator Danielzuk, City Attorney Jim Ellison as well as Realtor Kim Bowman into the closed session and the potential buyer, Wade Brashear, if necessary.

Motion by Councilmember O'Neal to come out of closed session at 7:15 p.m. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Motion by Councilmember Wiedeman to turn negotiations over to City Attorney, Jim Ellison and Realtor, Kim Bowman to negotiate with the potential buyer. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

OPEN COMMENT SECTION: None.

Mayor Kaufman stated that discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

CLOSED SESSION: (Council reserves the right to enter into closed session if deemed necessary)


ADJOURN:

Motion by Councilmember Gillen to adjourn. Seconded by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman,

O'

Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 7:18 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk

