

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
APRIL 9, 2018**

A regular meeting of the City Council of Gering, Nebraska was held in open session on April 9, 2018 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 Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was City Administrator Lane Danielzuk. 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. The Mayor 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 councilmember absence

Motion by Councilmember Cowan to approve the absence of Councilmember Holliday from the March 26, 2018 regular Council meeting. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, 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 26, 2018 regular Council meeting
2. Approve Claims
3. File for record 2017 NDEQ Air Emissions Inventory Report

Claims:

3-17-18 to 3-30-18

24/7 FITNESS \$200.00 WELLNESS, 7 ELEVEN \$31.61 DEPUTY GUMMS FUNERAL, ACCELERATED RECEIVABLES \$311.39 GARNISHMENT, ACCUSTAR SURVEYING \$1,075.00 SURVEY - U ST SUB, ACTION COMM INC \$2,179.22 PORTABLE RADIO RPR'S/ANTENNA FOR G-10/PROGRAMMING FOR PORTABLE RADIOS, ACUSHNET CO \$8,966.72 GOLF CLUB WEDGES/642 GOLF BALLS/GOLF CLUB DEMOS/GOLF BAGS/GOLF HATS, AHLER'S BAKING INC \$20.99 STAKE HOLDERS MTG, ALLEN JEFFREY \$95.00 TREE REBATE, ALLO COMM \$1,401.49 TELEPHONE/INTERNET CHRGS, AMS CONSTRUCTION PARTS \$11,365.00 PARTS FOR 344J JOHN DEERE, ANDERSON & SHAW \$89,335.15 NEW ST DEPT BUILDING, ARMADA MEDIA CORP \$500.00 RADIO ADVERTISING, ATLAS LAWN EQUIPMENT CO \$260.85 RPR'S MOWER, AZZ GALVANIZING SRV \$312.19 GALVANIZING WATER TRUCK PARTS, B & C STEEL \$216.62 METAL/WWTP RPR'S, BACK UP BRACE \$78.90 BACK BRACE, BAKER & ASSOC INC \$615.00 CYLINDER TESTING BALL FIELD, BATTERIES IN A FLASH \$25.05 SECURITY SYSTEM BATTERIES, BKD RENTALS LLC \$4,308.40 APR 2018 SUBSIDY PRAIRIE PINES, BLUFFS SANITARY SUPPLY \$212.81 TRASH LINERS/RR SUPPLIES/CLEANING SUPPLIES, BORDER STATES INDUSTRIES \$15,684.82 SPLICES/WIRE/CONNECTORS/FUSES FOR U ST SUB/SWITCHES/U GUARD, BUD'S RADIATOR INC \$387.00 RADIATOR FOR G-6, C & M GOLF & GROUNDS \$716.34 HOSE ASSEMBLY/TRACTION TUBE, CALLAWAY GOLF CO \$946.20 GOLF CLUB GRIPS/ 252 GOLF BALLS/GOLF HAT/GLOVES/GOLF CLUB WEDGE/SHIPPING FEES, CARLS JR \$6.79 DEPUTY GUMMS FUNERAL, CENTRAL STATES GROUP \$1,710.10 PUMP REPLACEMENT FOR LOCKWOOD, CENTURYLINK \$2,992.17 MONTHLY TELEPHONE ALLOCATION/NEW PHONE FOR UTILITY OFFICE, CHARTER COMM \$591.70 TV/INTERNET CHRGS, CITY INSURANCE FUND \$163,403.72 HEALTH PREM 125, CITY OF GERING \$11,732.17 WELLNESS GOLF/REGIONAL GOVERNMENTS MTS, CITY OF GERING - GENERAL AC \$130,000.00 ACH PAYROLL TRANSFER, CITY PAYROLL TRUST \$2,967.39 FSA MEDICAL 125, CONNECTING POINT \$17.77 JAN - FEB COPIES OVER COUNT AMT, COOKS ILLUSTRATED \$39.95 1 YR SUBS, COOPER POWER SYSTEMS LLC \$57,584.19 RECLOSERS, COVERTTRACK GROUP INC \$88.00 YEARLY MAINTENANCE ELECTRONICS, CREDIT BUREAU SRV \$206.21 GARNISHMENT, CREDIT MANAGEMENT SRV \$122.13 GARNISHMENT 2, CRESCENT ELECTRIC SUPPLY \$41.71 CONDUIT, CROELL INC \$588.50 RPR'S WATER LEAK/2.75 YDS CONCRETE, D & H ELECTRONICS SUPPLY \$91.59 BATTERIES/CABLES/CORD, DALES'S TIRE AND RETREADING \$285.39 TIRE RPR ON G-6, DANKO EMERGENCY EQUIPMENT \$172.21 AIR SHIFT VALVE FOR 31,

DIRECTPARTS \$92.13 CUSHMAN RPR'S, DOMINOS PIZZA \$92.47 POLICE TESTING LUNCH, DOOLEY OIL INC \$244.69 SHOP SUPPLIES/HOWES TREATMENT, DUTTON - LAINSON CO \$67.42 FUES/LAG SCREWS, ECOLAB \$378.62 PEST CONTROL/RODENT CONTROL/RODENT CONTROL FOR WWTP, ENVIRO SRV INC \$1,110.00 WATER LAB/WWW LAB, ESC ENGINEERING \$12,958.35 U ST SUB, EVENBRITE \$375.00 HOMICIDE AMERICA TRNG ROGERS, FAIRFIELD INN \$1,154.45 NPZA CONF LODGING FOR FOLCK/BRUNTZ/RECHSTEINER/DANIELZUK, FASTENAL CO \$168.70 GLOVES/BATTERIES/SAFETY EQUIPMENT/SHOP PARTS, FAT BOYS TIRE & AUTO \$123.00 FLAT RPR'S, FEDEX \$158.29 SHIPMENTS OF CIVIL SVR EXAMS, FIRE SUPPLY DEPOT \$319.00 FIRST AID KITS, FIRST STATE BANK \$323.74 IBEW UNION DUES, FLOYD'S SALES & SRV \$1,559.05 BATTERIES FOR OLD STREET WATER TRUCK/PARTS G-5/WORK G-10/BATTERY G-7/SVC ON TRANSMISSION ON G-11/AIR FILTER G-11/PARTS G-10/CLAMP/WHEEL WELL EXT/AIR FILTER G-11, FRANK PARTS CO \$1,015.71 RPR KIT/FILTER/TAPE/SHOP SUPPLIES/EQUIPMENT RPR PARTS PICKUP OIL/FILTERS FOR ALJON, FRASER STRYKER PC LLO \$365.00 LABOR ATTORNEY FEES, FREMONT MOTOR SCOTTSBLUFF \$104.00 MIRROR FORD 1 TON, FRESH FOODS \$40.32 MOVE LAGE EQUIPMENT FOR TRNG/CLEANING CREW, GALE \$54.38 2 LARGE PRINT BOOKS, GERING COURIER \$97.50 ADVERTISING, GRICE INDUSTRIES INC \$728.00 PARTS FOR SRV LINE RPR, HARBOR FREIGHT TOOLS (\$16.93) TAX REFUND, HARDLINE EQUIPMENT \$6,120.00 CANS FOR MORRILL, HEALTH \$29.95 1 YR SUBS, HGTV MAGAZINE \$34.97 1 YR SUBS HGTV, HOBBY LOBBY \$76.01 SUPPLIES FOR LEAP & 3 ST, HOKE TRANSPORT \$5,458.80 FREIGHT BALL FIELD MIX, HOME DEPOT \$199.40 STORAGE TOTES FOR EVIDENCE, HONEY WAGON EXPRESS \$180.00 CLEAN GREASE TRAPS, HOTELS.COM \$111.13 SERGIO SURVEYING CLASS LODGING, ICMA ELECTRONIC RETIREMENT \$556.85 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$447.19 EXCHANGED MATS/CLEAN RUGS/OVERALLS/EXCHANGE 2 MATS & DUST MOPS/TOWELS/TOILET PAPER, INDELCO PLASTICS CORP \$336.08 CHLORINE TANK REPLACEMENT, INDOFF INC \$334.19 LAMINATING POUCHES/MESSAGE BOOK/COPY PAPER/HIGHLIGHTERS/OFFICE SUPPLIES, INGRAM LIBRARY SRV \$601.99 42 BOOKS, INTER CODE COUNCIL INC \$358.95 ROD'S EXAM FEE PLAN REVIEW/CODE UPDATE BOOKS, INTERNAL REVENUE SRV \$38,998.08 FED/FICA TAX, INTRALINKS TECH SOLUTIONS \$2,184.50 SONIC WALL CITY HALL/COMPUTER SUPPORT, J-14 TEEN MAGAZINE \$14.97 1 YR SUBS (6 ISSUES), JOHN HANCOCK USA \$13,422.89 JH RETIRE 6%, JOHNSON CASHWAY CO \$855.77 PLATE/CHLORINE GENERATOR MAINT/BATTERY/FURNACE FILTER/DOOR FOR NEW BUILDING/RPR'S/ROPE/HAT CHANNEL/SURVEYING SUPPLIES/NYLON ROPE, JOHNSON HARDWARE CO \$979.69 DOOR FOR NEW BUILDING, KAREN'S CLEANING \$425.00 MAR JANITORIAL SRV, KEMBEL SAND & GRAVEL CO \$428.50 25 TONS SAND, KNEB \$474.00 RADIO ADVERTISING, KOVARIK ELLISON MATHIS \$9,240.00 MAXINE & FRANK CARPENTER/INDUSTRIAL PARK LEGAL/LEGAL REVIEW COMPREHENSIVE PLAN, LEAGUE OF NE MUNICIPALITY \$180.00 WATER OPERATOR WORKSHOP FOR JENKINS/PETERSON/CLOSSON/MCKEE, LEGAL BRIEFINGS FOR BUILD \$99.49 SUBS BUILDING PERMITS, LINCOLN AARON \$710.21 HELPED W/CITY ENG INTERVIEWS, LOGOZ LLC \$382.00 UNIFORMS, MARQUEZ DELIA \$75.00 RV ROOM RENTAL DEPOSIT, MATHESON TRI-GAS INC \$28.10 CUTTING TIPS, MEAT SHOPPE \$17,384.73 MANAGEMENT CONTRACT, MENARDS \$457.64 STRAP IRON/RPRS AT CENTRAL PLANT/DOOR HANDLE WEINHOLD HOUSE/SHOP SUPPLIES/WATER TRUCK PARTS/ACCOUNTABILITY TAGS/SHOP SUPPLIES/PIPE & CATCH BASIN, MERCHANT JT&S \$550.00 MERCHANT BOOKS, MG TRUST CO LLC \$5,953.24 MG T-POLICE, MIDWEST CONNECT \$270.00 INK CARTRIDGE POSTAGE MACHINE, MIDWEST MEETINGS/GUIDE \$1,000.00 SPRING ADVERTISING, MINIEDGE INC \$99.00 MUNICIPAL CLERKS CLASS MARTIN, MIZUNO USA INC \$2,179.05 GOLF CLUBS DEMO SETS/GOLF CLUB IRON, MONEY WISE OFFICE SUPPLY \$400.16 FIRST AID/INK/AVERY LABELS 5160/HP934 XL CARTRIDGE FOR GOLF/FLASH DRIVES/INK, MUNICIPAL ENERGY AGENCY O \$342,485.34 POWER BILL/MEAN DUES, NATIONAL INS SRV \$1,034.64 VISION INSURANCE, NATIONAL REGISTRY OF EMT \$80.00 EMT TESTING, NDOR - LODGING \$242.69 FEB 2018 LODGING TAX, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$19,301.08 STATE TAXES, NE SAFETY/FIRE EQUIPMENT \$857.88 ANNUAL INSPECTION/RPR'S FOR WATER LINE BREAK, NEBRASKA MACHINERY CO \$92.84 FILTERS FOR ALJON, NEBRASKA SALT & GRAIN CO \$7,591.88 ICE SLICER 52 TONS, NORTHERN TOOL \$258.30 SNOW PLOW PARTS, NORTHWEST PARKWAY LLC \$5.15 TOLL ROAD FEES OFFICER FUNERAL, NORTHWEST PIPE FITTINGS \$443.99 PVC PIPE/CENTRAL/PIPE FITTINGS, OCLC INC \$149.26 MAR ILL & CAT SUBSCRIPTIONS, OFFICE WORLD \$242.34 CITY COUNCIL MINI BOOKPAPER, ONE CALL CONCEPTS INC \$52.71 LOCATE FEES, ONELE DAVE \$1,070.00 INSTALL FLOORING, OREGON TRAIL COMMUNITY FO \$2,500.00 GERING CVB SPONSORSHIP 2018, OREGON TRAIL PLMG/HEATING \$953.00 WWTP RPR'S/COMPRESSOR, PANHANDLE CONCRETE PRODUCT \$823.00 MANHOLES/LIDS, PANHANDLE COOP ASSOC \$13,219.69 GAS/DIESEL, PAYPAL \$78.07 EQUIPMENT RPR, PAYROLL CHECKS \$114,222.30 PAYROLL CHECKS ON 3-30-2018, PHO LAN \$28.80 DEPUTY GUMMS FUNERAL, PONY EXPRESS STATION \$540.00 CAR WASH TOKENS, POPULAR MECHANICS \$29.97 1 YR SUBS POPULAR MECHANICS, POSTMASTER \$64.92 CERT 2 DAY MAIL, POWER SCREENING LLC \$1,121.52 PARTS FOR SHREDDER, POWERPLAN OIB \$789.57 WORK ON 180G/BULB, PRAIRIE ARTS YOGA STUDIO \$56.00 PRAIRIE ART YOGA, PRIME-STRIPE INC \$859.18 BALL FIELD PAINT, PRINT BROKER \$2,492.67 UTILITY BILL CARDS/5300 AP CHECKS, PT HOSE & BEARING \$61.32 HYD HOSE BOBCAT 3/4" COUPLER/ELBOW/RPR ON GRINDER, PUMPS & CONTROLS \$2,058.36 FLUORIDE TANK @ CENTRAL PLANT, RADISSON \$119.90 HR WORKSHOP COOLEY, RAMIREZ MICHELLE \$75.00 RV ROOM RENTAL DEPOSIT, RECORDED BOOKS LLC \$31.49 1 AUDIO BOOK, REGIONAL WEST MEDICAL CENTER \$53.10 BANDAGES, ROBINSON ELECTRIC \$1,509.40 EXHAUST FAN/RPR'S FOR CHLORINE PUMPS/WWTP BLOWER RPR, RODRIGUEZ SERGIO \$286.46 SURVEYING CLASS, ROGERS JASON \$123.00 MEAL PER DIEM TRAIL LAMESA TX, RON'S TOWING \$300.00 TOW SRV FEE, RUNZA RESTAURANT \$7.68 LEADERSHIP SCOTTSBLUFF, RUSCH'S CONSTRUCTION \$58,991.40 NEW BALL FIELD CONCESSION/RR, RYAN'S WELDING \$150.00 TRAILER RPR/WORK ON G-5, SANDY'S BURRITOS \$20.93 MAYOR TO MAYOR MTG, SCB CO REGISTER OF DEEDS \$30.00 EMERY/BAILEY/HOFF DEED, SCOTT JIM \$31.00 REIMBURSE FOR CDL LICENSE, SCOTTSBLUFF TENT & AWNING \$25.00 WORK COVERALLS, SCOTTSBLUFF GERING UNITED \$93.00 UNITED WAY CTRB, SCS ENGINEERS \$2,035.15 WORK NEW LANDFILL, SIMMONS OLSEN LAW FIRM \$1,500.00 CITY PROSECUTOR FEES, SIMON CONTRACTORS \$4,026.50 CEMENT FOR LIGHTS/WATER SRV LINE RPR/SAND/RPR WATER LEAK, SINCLAIR MINI MART \$54.38 UNLEADED GAS, SLAFTER OIL CO \$171.15 OIL FOR SHREDDER, SPORTS ILLUSTRATED \$39.95 1 YR SUBS SI KIDS, STAPLES CREDIT PLAN \$145.60 AT & T PHONES, STAR HERALD \$2,020.73 OREGON TRAIL PARK NETTING & FLAG POLE NOTICE/ADMIN POLICY NOTICE, ADMIN MTG/NOTICE TALK OF THE TOWN/CONDENSED MINUTES/ADVERTISING FOR CIVIC CENTER/ADVERTISING WEBSITE BANNER/CIVIL SRV NOTICE FOR MTG, STATE OF NE/DAS COMMUNICATION \$222.42 LONG DISTANCE PHONE CHRG, STERKEL ROD \$216.00 TRAINING CODE CLASSES, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION,

TACTICAL GEAR \$27.53 UNIFORMS, TAYLOR MADE GOLF CO \$157.34 GOLF BAG, TEAM CHEVROLET \$375.00 WING VEHICLE LEASE, THE ROCK PILE \$2,257.52 CONCRETE FINE 32.99 TONS/18 TONS CONCRETE/77.37 TONS CRUSHED CONCRETE/29.15 CRUSHED CONCRETE, UNANIMOUS \$100.00 WEBSITE SUPPORT FEB 2018, UNITY MANUFACTURING CO \$56.87 POLICE UNIT LIGHT BULBS, UNL OFFICE OF SPONSORED \$2,917.95 UNL BROWNFIELDS VISIONING B & T, VERIZON WIRELESS \$1,650.44 IPAD CHR/ANNIE'S IPAD/CELL/LAPTOP FEES/VERIZON BILL, VISTA PRINT \$65.23 JAPANESE DELEGATIONS VISIT, VOICE NEWS \$15.00 NEWS RELEASE, WALMART \$19.70 SUPPLIES FOR EVENING ST, WAREHOUSE FITNESS CENTER \$270.00 WELLNESS, WESTCO \$7,664.12 GAS/PROPANE/DIESEL/PROPANE HOSE, WESTERN PATHOLOGY CONSULTANTS \$84.60 DRUG TEST, WESTERN PLAINS BUSINESS \$103.01 COPIER MAINTENANCE, WESTERN STATES BANK \$10,195.46 HSA CTRB 125, WESTERN STATES BANK – POL \$320.00 PO UNION DUES, WESTERN UNITED ELECTRIC \$11,010.86 TRANSFORMERS, WINCHELL CLEANING SRV \$750.00 CLEAN HALLS/OFFICE/BATHROOMS, WORKING PERSONS STORE \$287.98 FR PANTS, WYOMING BEARING & SUPPLY \$208.28 PRESSURE GAUGE/MAST PLUG FOR G-8, YMCA \$327.00 WELLNESS

Motion by Councilmember Holliday to approve the Consent Agenda. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

PUBLIC HEARINGS:

1. Public Hearing to consider an application for an Ag Estate Dwelling Site (AEDS) in the AGG zone (General Agricultural District) for Buckboard Riding Academy at property located west of 14th Street and south of Floral Street, Gering, NE

Mayor Kaufman opened the public hearing to consider an application for an Ag Estate Dwelling Site (AEDS) in the AGG zone (General Agricultural District) for Buckboard Riding Academy at property located west of 14th Street and south of Floral Street in Gering at 6:03 p.m. Annie Folck, City Planner, addressed the Council with the Administrative Record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	AGG
Subject:	Recommendation & Report – AEDS	Property Size:	250' X 260'
Location:	250' X 260' located on the west side of 14 th Street and south of Floral Street. Situated in unplatted lands PT SW Section 11 Township 21 N, Range 55 W of the 6 th Principal Meridian, Scotts Bluff County, NE.	#Lots/Parcels:	1
Owner:	Kenneth and Gladyce Helzer	City Council Public Hearing:	3/26/19

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application for an Ag Estate Dwelling Site in the AGG zone (General Agricultural District). The property is 200'x 200' located west of 14th Street and south of Floral Street (see map). The property is situated in unplatted lands, PT SW 11-21-55, Scotts Bluff County. The property is outside of Gering City limits, but within the City's extraterritorial zoning jurisdiction. The property to the north is zoned RL, Residential Low Density, the property to the northeast is zoned RRE, Rural Residential Estate, with the remainder of the surrounding property zoned AGG (see attached map).

The Buckboard Therapeutic Riding Academy is a 501c3 organization that provides therapeutic horseback activities to special needs individuals. The proposed facility is to be an indoor riding arena so that they will be able to work with special needs children year-round and increase the number of individuals they serve. The facility could be classified as either a community facility as it is a nonprofit serving the community or as a riding academy.

The property is currently zoned AGG. The applicant has received a Conditional Use Permit to allow for the use of a community facility in an AGG zone. They have also received a variance to allow them to split off fewer than 25 acres in an AGG zone. The balance of the property from which the parcel is to be split off will be reserved as agricultural land. This ensure that no more than one AEDS is split off from the property.

Staff recommends approval of the AEDS as the applicant has received all necessary approvals with the Conditional Use Permit and the variance which were granted.

Mr. Chairman and Commission Members, this completes my entry regarding this recommendation and report to consider this application for an AEDS for the Buckboard Riding Academy located west of 14th Street and south of Floral Street. I would ask this Commission to recommend approval or denial of the AEDS to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the AEDS for the Buckboard Riding Academy to be located west of 14th Street and south of Floral Street (see attached survey), with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the AEDS for the Buckboard Riding Academy to be located west of 14th Street and south of Floral Street (see attached survey), for the following reasons:

Table

Table making a recommendation on the AEDS for the Buckboard Riding Academy to be located west of 14th Street and south of Floral Street (see attached survey), for the following reasons:

Mayor Kaufman asked if anyone wished to speak in favor of the application. Seeing none, he asked if anyone wished to speak in opposition of the application. Seeing none the Administrative Record was closed and the public hearing closed at 6:05 p.m.

Motion by Councilmember O'Neal to enter the administrative record for this public hearing 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, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

1a. Approve or deny an application for an Ag Estate Dwelling Site (AEDS) in the AGG zone (General Agricultural District) for Buckboard Riding Academy at property that is 200'x 200' located west of 14th Street and south of Floral Street, Gering NE

Motion by Councilmember Wiedeman to approve an application for an Ag Estate Dwelling Site (AEDS) in the AGG zone (General Agricultural District) for Buckboard Riding Academy at property that is 200'x 200' located west of 14th Street and south of Floral Street, in the City of Gering, Scotts Bluff County, Nebraska. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

BIDS:

1. 6th Street Water System Improvements bid

Pat Heath, Public Works Director, stated that two bids were received. Staff recommends awarding the bid to KL Wood, the low bidder, for \$223,984.70. Councilmember Wiedeman asked why it's so much lower than the budgeted amount. Mr. Heath replied that he thinks it's because there is less work right now and contractors are hungry for work. Mr. Heath also stated that the City has worked with this contractor before; they did the 2016 water main improvement projects and did acceptable work.

Motion by Councilmember Morrison to approve the recommendation of Baker & Associates and award the 6th Street Water System Improvement bid to KL Wood Construction in the amount of \$223,984.70. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. T Street Sanitary Sewer Replacement bid

Mr. Heath stated that two bids were received. The low bid was schedule B – Eric Reichert for \$109,062.50. He added that this is a line we had trouble with a couple years ago and paid a claim on it because it backed up into a couple homes. It was a line that was forgotten about prior to him coming to the City of Gering in 1991. According to residents it sounds like they had a backup then too and claims were paid also. He said he has \$50,000 from another project at the hotel that he can use for this which gets them up to \$100,000; they should be able to come up with the other \$9,000 by not doing a couple line items in the sewer budget. He said it's staff's recommendation that we accept the bid even though it is over budget. Mr. Heath explained why they went with Schedule B instead of Schedule A and what the difference is between the two. The old line will be abandoned in place. Mr. Heath stated that Eric Reichert does have experience with sanitary sewer; staff checked on similar previous projects they've done.

Motion by Councilmember Smith to approve staff's recommendation and award the T Street Sanitary Sewer Replacement bid to Eric Reichert in the amount of \$109,062.50. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CURRENT BUSINESS:

1. Approve appointment of Amy Doll to the Keno Committee

Motion by Councilmember Morrison to approve the appointment of Amy Doll to the Keno Committee. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Approve appointment of Michelle Maschmeier to the Planning Commission

Motion by Councilmember Gillen to approve the appointment of Michelle Maschmeier to the Planning Commission. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

3. Approve Gering Civic Plaza Rental Agreement

Councilmember Backus proposed an amendment to the agreement on item #10 – "renters shall" should be changed to "renters must".

Motion by Councilmember Gillen to approve the Gering Civic Plaza Rental Agreement with the noted amendment. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

4. Approve and authorize the City Administrator to sign Agency Agreement for Farm Management for property described as: Government Lots 1 and 2 in the Northeast Quarter of Section One, Township Twenty-one North, Range Fifty-five West of the 6th P.M., Scotts Bluff County, Nebraska

Motion by Councilmember Wiedeman to approve and authorize the City Administrator to sign Agency Agreement for Farm Management for property described as: Government Lots 1 and 2 in the Northeast Quarter of Section One, Township Twenty-one North, Range Fifty-five West of the 6th P.M., Scotts Bluff County, Nebraska. Second by Councilmember Morrison.

Discussion: Councilmember Backus stated that he doesn't feel he knows enough about this. He'd like to see it come through the Administrative Committee; maybe next time we do some ag agreements. He

asked how our other ag properties are managed. Mayor Kaufman replied that currently the other three farms that we have are managed by a property manager with US Bank out of Lincoln. US Bank used to have a local farm management office with a local resident as the property manager; he has since retired. There are a few regionally but the closest is in Sidney; there are no other local farm management agencies. The advantages of contracting with an agency like Platte Valley is that City staff don't have the knowledge to know how to make all the day to day business calls of managing a farm so they look to the expertise of a farm management service to provide that. It's a lot more complicated than just taking a high cash rent bid on a farmer; their backgrounds, practices, histories, solvency and other things are carefully looked at. In the future it would be great if we had more time to put out for the farm management services, unfortunately we're right in the heat of farming and decisions need to be made. To be cognizant of local farmers and their abilities we felt we should get somebody on board to manage it. It came up quick because originally the land owner had someone to farm it and staff was notified just a few weeks ago that they weren't; staff made adjustments and this is the plan that came into place. This is only for the land south of U Street; the other property to the south is still under a farm management contract with US Bank. We'll have an opportunity to revisit that later in the year; they were under an auto renew agreement previously. Councilmember Wiedeman added that if you're going to change farm management you generally have to do that by the end of the year. Councilmember Cowan asked why it couldn't be put into CRP. Mayor Kaufman stated that we'd have to explore that – CRP is crop reduction so we wouldn't farm it. Typically CRP is with dry land farming not irrigated; this is irrigated. He said there may be other programs we could look at doing. The farm manager's job is to maximize our return on the investment.

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

5. Approve Ordinance No. 2060 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 11, NON-CONFORMING USES, § 11.5 OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Gillen made a motion to introduce Ordinance No. 2060 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 11, NON-CONFORMING USES, § 11.5 OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Backus. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Councilmember Holliday moved that the Ordinance be designated as Ordinance No. 2060 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 Wiedeman. There was no discussion. The Clerk called the role. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, 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. 2060 was read by title only, Councilmember O'Neal moved that the Ordinance be passed as read, which motion was seconded by Councilmember Morrison. "The question is shall Ordinance No. 2060 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, 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.

6. Approve Ordinance No. 2061 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND CHAPTER 96 AS PART OF THE GERING CODE OF ORDINANCES, GENERAL PROVISIONS: ANIMALS, SUBSECTION 96.05; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Councilmember Gillen made a motion to introduce Ordinance No. 2061 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND CHAPTER 96 AS PART OF THE GERING CODE OF ORDINANCES, GENERAL PROVISIONS: ANIMALS, SUBSECTION 96.05; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Backus. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Councilmember Holliday moved that the Ordinance be designated as Ordinance No. 2061 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 Wiedeman. There was no discussion. The Clerk called the role. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

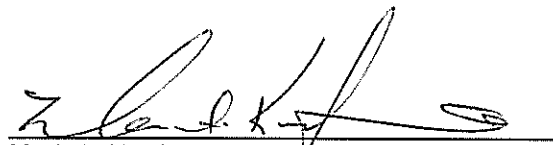
The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried. Whereupon Ordinance No. 2061 was read by title only, Councilmember O'Neal moved that the Ordinance be passed as read, which motion was seconded by Councilmember Morrison. "The question is shall Ordinance No. 2061 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, 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.


ADJOURN:

Motion by Councilmember Gillen to adjourn. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 6:28 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk

