

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
AUGUST 8, 2016**

A regular meeting of the City Council of Gering, Nebraska was held in open session on August 8, 2016 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and Acting City Attorney Matt Turman. Absent was Councilmember Cowan 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

The Mayor called the meeting to order at 6:00 p.m. The Mayor noted that there was a quorum of the Council and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence

Motion by Councilmember Morrison to excuse the absence of Councilmember Allred from the July 25, 2016 Regular City Council meeting. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. 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. 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 July 18, 2016 Special meeting and the July 25, 2016 Regular City Council meeting
2. Approve Claims
3. Approve TCD Quarterly Report

Claims:

7-16-16 to 7-29-16

ACTION COMM INC \$661.70 (2) SIREN CHARGERS, AHLERS BAKING INC \$8.99 LB840 MTG, ALTEC INDUSTRIES INC \$268.07 VEHICLE SPOT FLASHLIGHT, AMAZON \$472.20 QUICK STRUT ASSEMBLY - CHARGER, AMERICAN WATER WORKS ASSOC \$75.00 (1 YR) MEMBERSHIP DUES - SNARR, ATLAS LAWN EQUIPMENT CO \$83.49 (6) BUSHINGS, (1) BELT TIGHTENER, AUTO ZONE 1657 \$44.93 COMPRESSION TESTER, BENZEL PEST CONTROL \$132.90 JULY PEST CONTROL - LANDFILL, BEST WESTERN \$356.00 LODGING FIREARMS TRNG - JACKSON, BLACKBURN MANUFACT CO \$100.14 (1,000) FLAGS, BLUFFS SANITARY SUPPLY \$118.56 REST ROOM SUPPLIES, BROADWAY OFFICE CENTRE \$787.40 (7) STAMPS & INK FOR STAMPS, CNA SURETY \$40.00 (1) NOTARY PUBLIC BOND - PRESTON, CALLAWAY GOLF CO \$187.32 (24) GOLF BALLS, CASEY'S GENERAL STORE #27 \$35.38 GAS TO NLETC TRNG - SCHROEDER, CHARTER COMM \$99.98 AUG TV/INTERNET CHRG CLBHS, CITY INSURANCE FUND \$146,875.81 HEALTH PREM 125, CITY OF GERING \$31.37 EXPEDITION LEAGUE MTNG MEAL, CITY OF GERING - GENERAL AC \$65,000.00 ACH PAYROLL TRANSFER, CITY OF SCOTTSBLUFF \$31.18 VLV TURNING TRLR - 1/2 INSURANCE, CITY PAYROLL TRUST \$6,196.16 FSA MEDICAL 125, CONNECTING POINT \$39.50 RPR ON PRINTERS HP4100, CONTRACTORS MATERIALS \$149.00 ADA PANELS, COSMOPOLITAN \$34.97 (1 YR) SUBSCRIPTION, CRESCENT ELECTRIC SUPPLY \$245.76 CONDUIT & PVC FITTINGS, D & H ELECTRONIC SUPPLY \$17.07 BATTERIES - GENDER CHANGER, DANKO EMERGENCY EQUIP \$85.61 (2) RESCUE GUIDE BOOKS, DIAMOND VOGEL PAINT CENT \$199.56 FIRE HYDRANT PAINT, DOLLAR GENERAL STORE #077 \$115.55 FIRST AID SUPPLIES - POOL, DOOR CLOSER SRV \$539.80 RPR WORK TO FRONT DOOR, DOUBLETREE HOTELS \$130.82 LDGNG TRANS TO SUP TRNG - VANCE, DUTTON LAINSON CO \$379.32 (4) TERMINATORS, (7) SPLICES, ECOLAB \$158.45 JULY RODENT CONTROL, ELECTRIC PUMP \$918.09 POND 3-B PUMP RPR, ESC ENGINEERS \$10,265.75 ENGINEERING FOR D STREET SUB, ENERGY LABORATORIES INC \$456.00 WATER LAB, ENVIRO SRV INC \$1,072.00 WW LAB, FASTENAL CO \$50.44 (4) BOLTS DRINKING FOUNTAIN, FAT BOYS TIRE & AUTO \$610.72 (4) NEW TIRES PATROL VEHICLE, FEDEX \$126.17 WATER SAMPLE FREIGHT, FIRST STATE BANK \$351.90 IBEW UNION DUES, FLOYDS SALES & SRV \$2,317.47 RPR WRK PRESSURE VLV/SWITCH G8, FLYING J TRAVEL PLAZA \$31.15 FUEL NP RIVER STAKE MTG - HEATH, GALE \$26.99 (1) LRG PRINT BOOK, GENERAL TRAFFIC CONTROLS \$208.23 (2) FLSHRS - CROSSWALK D & 5 ROCKS, GERING MERCHANTS \$3,397.50 KENO FUNDS 2016 ARTS FESTIVAL, GERING VALLEY PLUMBING \$2,204.28 RPR EVAPORATION COIL - COOLER, GREASE N GO \$65.81 OIL CHANGE, HD SUPPLY WATERWORKS LTD \$529.31 METER PIT

PURCHASE, HAWKINS INC \$1,855.20 (320) GAL CHLORINE, HEILBRUN \$4,557.21 (1) GAS WASHER, (1) MLTIPRPS STRP, HORIZON WEST INC \$117.79 (1) SET OF MOWER BLADES, HOTEL RESERVATIONS (\$219.85) REFUND GFOA HOTEL, HYATT REGENCY HOTEL \$3,027.60 LODGING ADA CONF - COOLEY, IDEAL LINEN SUPPLY INC \$398.49 (1) MOP, (8) MATS, (3) TBL SKIRTS EXCHANGED, INGRAM LIBRARY SRV \$278.81 (14) BOOKS, INTERNAL REVENUE SRV \$50,141.08 FED/FICA TAX, INTERSTATE BATTERIE/RAPID \$74.95 BATTERY FOR EQUIPMENT, JACKSON JAMES \$264.00 MEALS ALERRT INSTRUCTOR TRNG, JOHNSON CASHWAY CO \$535.79 CONCRETE MIX/2X12'S/SCREWS, KNEB \$358.50 JUNE WEBSITE ADVERTISING, KOIS BROTHERS EQUIPMENT \$3,023.50 (100) LIDS, CONTAINERS, KOVARIK ELLISON MATHIS \$7,869.75 JUNE - RICH'S WRECKING & AUTO, KRIZ - DAVIS CO \$1,185.70 WIRE, MWC ENTERPRISES INC \$8,100.00 (60) BOTTOMS FOR DUMPSTERS, MASEK GOLF CAR CO \$1,068.00 (4) GOLF CART LEASE OT DAYS, MEAT SHOPPE \$12,387.13 CATERING COSTS, MUNICIPAL ENERGY AGENCY O \$383,828.89 JUNE POWER BILL, NDEQ - FISCAL SRV \$19,850.00 DISPOSAL FEE - 2ND QTR SW, NSAE \$375.00 ADVERTISING IN NSAE DIRECTORY, NE CHILD SUPPORT PYMT \$627.56 CHILD SUPPORT 1, NE DOL/BOILER INSPECTION \$63.00 ANNUAL BOILER CERTIFICATE, NDOR - LODGING \$13,421.54 MAY/JUNE LODGING TAXES, NE DOR GAMING DIVISION \$7,920.12 QTRYLY LOTTERY TAXES, NEBRASKA MACHINERY CO \$2,341.26 SOS OIL FOR ALL TRUCKS, NE SAFETY/FIRE EQUIPMENT \$334.00 FIRE ALARM INSP-CENTR STORES, NEBRASKA TRANSPORT CO \$735.72 RPR 3-B PUMP FREIGHT COSTS, NEBRASKALAND TIRE \$736.58 (4) NEW TIRE REPLACEMENTS, NIKE USA INC \$109.20 (3) BUCKET HATS, NORFOLK LODGE & SUITES \$179.98 LODGING NCMA CONF - DANIELZUK, NORTHWEST PIPE FITTINGS \$1,402.29 1,000' 2 PIPE, OREGON TRAIL PLBG/HEATING \$110.00 FILTER CHANGE, ORIENTAL TRADING CO \$66.99 NATIONAL NIGHT OUT BOOTH SUP, PIZZA HUT \$49.73 LUNCH FOR POLICE TESTING, POSTMASTER \$45.90 POSTAGE CDBG - DTR, POWERPLAN OIB \$6,988.32 WHEEL WRK ON 750J, PUMP & PANTRY \$91.29 GAS FIREARMS TRNG - JACKSON, RDJ SPECIALTIES INC \$1,457.40 3,000 BADGE STICKERS, RANDY RAINES \$1,275.00 DIRECTING OF CITY BAND, RECORDED BOOKS LLC \$129.59 (4) AUDIO BOOKS, REGANIS AUTO CENTER \$302.43 STARTER FOR DODGE CHARGER, RE - NU UPHOLSTERY \$214.00 SEAT RPR FOR PICKUP, ROBINSON ELECTRIC \$860.85 ELECTRICAL RPR'S RV ROOM, SCS ENGINEERS \$3,099.61 ENGINEERING WRK AT LANDFILL, SANDBERG IMPLEMENT INC \$55.17 (2) FILTERS, SARCHET ENTERPRISES \$200.00 JUNE BRWNSFLD GRANT CONSULTING, SCB COUNTY REGISTER OF D \$40.00 WEST LAWN CEM CERT - FURREY, SCOTTSBLUFF - GERING UNITED \$71.54 UNITED WAY CTRB, SCOTTSBLUFF TOWING SRV \$265.00 TOW FEE - 96' NISSAN SENTRA, SIMMONS OLSEN LAW FIRM P \$1,500.00 JUNE CITY PROSECUTOR BILL, SIMON CONTRACTORS \$874.25 CONCRETE 3YDS, SOLUTIONS EAP \$244.55 COUNSELING SRV, SOURCE GAS \$162.71 JULY UTILITIES 225 E D ST, SRIXON \$85.57 (2) WEDGES - GOLF COURSE, SUBWAY SANDWICHES/SALAD \$39.76 SFA MTG BALLFIELDS, SUREFIRE LLC \$124.78 BATTERIES 6BXS 123A, TAYLOR MADE GOLF CO \$136.26 (4) MENS SHIRTS, TEACHERS CORNER \$36.98 (2) PKGS OF PLASTIC FOOD ITEMS, TEAM CHEVROLET \$421.20 AUG LEASE PYMT WING VEHICLE, VAN DIEST SUPPLY CO \$3,357.50 (50) GAL MOSQUITO SPRAY, WALMART COMM \$467.89 SUPPLIES FOR TWO PROGRAMS, WESTCO \$5,852.17 (1,500) GALS GAS, WESTERN PLAINS BUSINESS \$119.72 JUNE COPIER MAINTENANCE, WESTERN TRAVEL TERMINAL \$58.66 GAS ADA CONFERENCE - COOLEY, WINCHELL CLEANING SRV \$500.00 JULY CLEANING HALLS/BATHS, YMCA OF SCOTTSBLUFF \$646.36 WELLNESS, MENARDS \$1,104.83 OFFICE A/C UNIT, PANHANDLE RC & D \$300.00 YEARLY MEMBERSHIP DUES, JUSTIN BRUNZ \$264.00 MEALS ALERRT INSTRUCTOR TRNG, KARENS CLEANING \$425.00 JUNE CLEANING SRV'S, VANCE JEFFREY \$50.00 WATER OT DAYS 2016 AMPHEATER, CABELA'S RETAIL INC \$59.99 EARMUFFS - JACKSON, GERING CITIZEN \$45.17 JOB TITLES/SALARIES NOTICE, DOCU - SHRED LLC \$22.00 SHREDDING SRV, INTRALINKS TECHNICAL SOLU \$5,380.55 (1) NEW COMPUTER REPLACEMENT, FREMONT MOTOR SCOTTSBLUFF \$69.95 ALIGNMENT ON 2013 TAURUS, OREGON TRAIL DAYS ART SHOW \$574.00 OT DAYS ART SHOW 2016 AWARDS, ACCUSTAR SURVEYING \$960.00 SURVEY NEW PROP - FIRE STATION, CENTURYLINK \$2,614.64 JULY TELEPHONE CHRGS, NE DEPT OF REV (PR) \$14,914.61 STATE TAXES, JOHN HANCOCK USA \$14,675.11 JH RETIRE 6%, MG TRUST CO LLC \$6,802.04 MG T-POLICE, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN, NE PUBLIC POWER DISTRICT \$5,501.50 JUNE UTILITIES PHEASANT DR, OCLC INC \$138.65 JULY ILL & CAT SUBS, ANTIGUA GROUP INC \$54.91 (3) WOMENS GOLF SHIRTS, SCOTTSBLUFF BODY/PAINT \$1,355.40 PAINT ON SCHULTE PATROL CAR, VISTA PRINT BUS CARDS - SW/CP/RG/JM & MS, MATHESON TRI - GAS INC \$63.83 (6) PR SAFETY GLASSES, SUGAR VALLEY FEDERAL CRED \$1,078.37 CREDIT UNION, GREATAMERICA LEASING CORP \$100.00 CANON COPIER LEASE PYMT, MONEY WISE OFFICE SUPPLY \$184.93 (2) PK BTRY'S, (3) PK DVD'S, MURDOCHS RANCH & HOME \$578.50 (75) T POST, (400') OF ROPE, VALLEY BANK & TRUST - GERING \$400.00 BOND AGENT FEES, DOOLEY OIL INC \$362.21 (5) CS OIL FOR ALJON 250HR, BRANDT APPRAISAL CO INC \$6,450.00 APPRAISAL FEE 1275 SAGE ST, KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, TIME SAVER \$27.00 GAS TRANSPORT ENLOW, DHHS/PUBLIC HEAL \$342.00 WATER LAB, LOGOZ LLC \$190.00 (5) POLOS W/EMBROIDERY, GCSAA \$375.00 GCSAA DUES - WALSH, TEST AMERICA \$2,349.50 WATER TEST LANDFILL, STEEL GRILL \$108.00 DNR MTG LOCOMOTIVE, FRESH FOODS \$39.90 BOTTLED WATER, ALLDATA LLC \$26.95 TAHOE MAINTENANCE, US WEEKLY \$84.95 YRLY MAG SUBSCRIPTIONS, BETSY ROSS FLAG GIRLS INC \$196.00 (2) FLAGS, SANDYS BURRITOS \$58.07 PRE CONCERT MTG OT DAYS, COWAN TROY \$180.00 WATER OT DAYS 2016 AMPHEATER, JIRDON \$4,276.24 BUFFALO GRASS (150 LBS), BIG MACK \$668.00 WORK ON A/C BALER, DIETRICH DISTRIBUTING CO \$252.80 BEVERAGES FOR OT DAYS, NAB AARON \$50.00 WATER OT DAYS 2016 AMPHEATER, MODENA THOMAS W \$80.00 WATER OT DAYS 2016 AMPHEATER, C & M GOLF & GROUNDS \$215.76 (2) JOINTS SLOTTED NUT JAC MOWER, CENTER POINT LARGE PRINT \$45.54 (2) LRG PRINT BOOKS, WM RECYCLE AMERICA \$2,503.78 SINGLE STREAM RECYCLING FEES, CORNER STORE \$38.08 GAS FOR ADA CONF - DAHLGRIN, YOUNG MENS CHRISTIAN \$10.00 YOUNG MENS CHR, NATIONAL INSURANCE SRV \$1,075.92 VISION INS, CONSOLIDATED MANAGEMENT C \$346.49 MEALS MCBRIDE & SCHRODER NLETC, THE MIXING BOWL \$48.88 SALES TAX MTG LUNCHEON, STATE OF NE DEPT OF HHS \$569.80 OVRPD FINAL PEREZ 29-0312-22, ARMADA MEDIA CORP \$600.00 JUNE RADIO ADVERTISING, PT HOSE & BEARING \$79.97 TRASH PUMP RPR, 21ST CENTURY EQUIPMENT \$91.79 (3) MOWER BLADES, TACO BELL \$7.47 MEAL TRANSPORT EPC TO NP/GLEIM, ACUSHNET CO \$1,785.50 (8) GOLF CLUB IRONS, HOBBY LOBBY \$16.96 SUPPLIES FOR TEEN PROGRAM, FRASER STRYKER PC LLO \$828.00 LEGAL FEES - DRUG POLICY REVIEW, IWORQ \$15,888.00 SOFTWARE PERMITS/INSPECTIONS, GOJOTTO.COM \$88.77 ARMREST FOR GLEIM'S PATROL CAR, EXPRESS COLLECTIONS INC \$195.74 GARNISHMENT 2, BKD RENTALS LLC \$2,154.20 AUG RENT SUBSIDY, 24/7 FITNESS \$95.00 WELLNESS 24/7, STEVE FERTIG MASONRY \$950.00 RPR BLOCK & MORTAR JOINTS, MONUMENT GRILL \$27.03 BUS MTG SBCITY MANAGER, BLACK CLOVER ENTERPRISES \$479.00 (35) GOLF HATS, MISSION BELT CO \$148.42 (13) BELTS, SCB CO GIS/MAPPING DEPT \$110.50 SEPTIC TANK INSPECTION, WESTERN STATES BANK \$5,868.32 HSA CTRB 125,

WESTERN STATES BANK – POL \$300.00 PO UNION DUES, PENGUIN RANDOM HOUSE LLC \$45.00 (1) AUDIO BOOK, A & A PORTA POTTIES \$135.00 PORTA POT RENTAL, LOGIN/IACP NET \$525.00 ANNUAL IACP NET SRV ACCESS, THE CLAY ALLEY \$36.00 TEEN ACTIVITY SUMMER READING, HARRISON HYDRA – GEN \$298.86 OIL FILTER FOR 99 & 31, INFINITE GRAPHICS \$106.24 (8) MAGNETIC SUBSTRATES OT DAYS, LEHR ANDREW \$70.00 WATER OT DAYS 2016 AMPHEATER, GANNON CHARLIE \$70.00 WATER OT DAYS 2016 AMPHEATER, WHITE JULIE \$70.00 WATER OT DAYS 2016 AMPHEATER, COLLINS COMM CO \$182.54 ANTENNA JUMPER, KL WOOD & CO LLC \$57,964.10 MAIN RPLCMNT – 9TH, 7TH & R ST, P & W GOLF SUPPLY LLC \$335.58 RANGE BALL TOKENS & PART, KENOSHA \$105.77 HLDRS, TMNG CHAIN LOCKS, CAM, COFFINS CORNER 2 \$33.00 GAS TEACHING @ BASIC – JACKSON, WEB TIRE SALES \$79.82 TIRE FOR BUNKER RAKE, ERPLACEMENTPARTS.COM \$51.28 GASKET & PLATE FOR AIR COMP., CDW DIRECT LLC \$97.73 BATTERY – IRRIGATION COMPUTER, PARVIN CAROL \$150.00 TREE REMOVAL REBATE, WATERMAN STAN \$72.00 TREE REBATE, SCHWARTZKOPF LEE \$175.00 RENU UPHOLSTERY RENTAL INCOME, MACK KENDRA \$112.50 CANCELLED RV ROOM, CROSS GERALD \$30.00 LEFT RV PARK EARLY, MIKE KAUFMAN FARMS \$30.00 OVRPMNT ON ACCT R739 ROLLOFF, ROTH RONDA \$650.00 ERROR ON PYMT, DENBOW JENNIFER \$390.00 REFUND DEPOSIT CANCELLED EVENT, LIES CYLEE \$440.00 REFUND DEPOSIT EVENT CANCELLED, PAYROLL CHECKS \$138,342.28 PAYROLL CHECKS ON 7-22-2016

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

PUBLIC HEARINGS:

1. Public Hearing to consider an application for a Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff, Nebraska. The property is addressed as 1235 and 1255 11th Street and located in Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian.

Mayor Kaufman opened the public hearing to consider an application for a Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff, Nebraska. The property is addressed as 1235 and 1255 11th Street and located in Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian at 6:04 p.m. Rod Sterkel presented the Administrative Record.

Mr. Mayor and City Council Members,

This is a Public Hearing to consider an application for a Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff, Nebraska. The property is addressed as 1235 and 1255 11th Street and located in Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian.

The property is zoned BCB (Central Business District) and owned by Leroy and Carol Schwartzkopf and consists of approximately 6,600 square feet with 2 commercial buildings on one lot. The owners are platting in order to have each building on a separate lot and pursue the sale of one of the properties.

Scott Bosse³ of Accustar Surveying submitted the Preliminary and Final Plats to the City on July 19, 2016 and City Staff completed the Application for the Preliminary and Final Subdivision Plat July 21, 2016 meeting City Zoning and Subdivision Regulations.

Administrative Record:

Mr. Mayor and City Council Members, you have been provided with the administrative record in your packets and I would ask for this Commission's approval that I not read through the record unless you would like this read and that it be made a part of the official proceedings of this Public Hearing.

- Application for the Preliminary and Final Subdivision Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town submitted by City Staff, July 21, 2016
- Proposed Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town submitted by Scott Bosse³ of Accustar Surveying, July 19, 2016
- Final Plat of Lots 1B and 2B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff County, Nebraska Recorded under Instrument No. 2012-3486
- Final Plat of Lots 1A and 2A, Block 12, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff County, Nebraska Recorded under Instrument No. 2004-02796
- Plat of Gering Original Town, Cheyenne County, Nebraska – on file and Recorded with the Scotts Bluff County Register of Deeds

- Proof of Ownership was obtained through the Deed of Records, Scotts Bluff County Nebraska
- City of Gering Subdivision and Zoning Regulations dated March 1984.
- Planning Commission through Public Hearing August 8, 2016 motioned and approved to move forward to City Council for Public Hearing
- City of Gering 1995 Comprehensive Plan (Amendment No. 1 dated November 2001).
- Publication Notice and written notice was completed and sent per the requirements of the current City Zoning and Subdivision Regulations Section 21.2 and are incorporated by reference in this Administrative Record.
- City Engineer/Director of Engineering & Community Planning Administrative Record as shown herein.

This Preliminary and Final Plat meet the City Zoning and Subdivision Regulation requirements of Article 21: Plat Review and Submittal Requirements and Preliminary and Final Plat Procedures for Approval.

Mr. Mayor and City Council Members, I have completed my entry regarding this Public Hearing to consider the Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town and request your recommendation to approve, deny, or continue as stated in your packets as provided:

Recommendation

Approve

Make a POSITIVE RECOMMENDATION to consider the Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to consider the Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town for the following reason(s):

Continue

Make a motion to CONTINUE the Public Hearing to consider the Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town for the following reason(s):

No one spoke in favor or opposition of this application. The Mayor closed the public hearing and the administrative record at 6:08 p.m.

Motion by Councilmember Gibbs to enter the administrative record for this application into the public record. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

1a. Approve or deny an application for a Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff, Nebraska. The property is addressed as 1235 and 1255 11th Street and located in Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian.

Motion by Councilmember Gibbs to approve an application for a Preliminary and Final Plat of Lots 1C and 1D, Block 12, a Replat of Lot 1B, Block 12, Original Town, a Replat of Lots 1A and 2A, Block 12, Original Town, a Replat of Lots 1, 2, and 3, Block 12, Original Town to the City of Gering, Scotts Bluff, Nebraska. The property is addressed as 1235 and 1255 11th Street and located in Section 2, Township 21 North, Range 55 West of the 6th Principal Meridian. Second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

CURRENT BUSINESS:

1. Consider approval of Manager application for Legion Post 36
In the absence of the applicant no action was taken on this item.

2. Appointment of Kirk Arnold to the Planning Commission

Motion by Councilmember Allred to approve the appointment of Kirk Arnold to the Planning Commission. Second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

3. Appointment of Ben Dishman to the LB840 Application Review Committee

Motion by Councilmember Morrison to approve the appointment of Ben Dishman to the LB840 Application Review Committee. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

4. Approve LARM Resolution 8-16-1 for annual renewal

League Association of Risk Management 2016-2017 Renewal Resolution

RESOLUTION NO. 8-16-1

WHEREAS, The City of Gering is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The _____, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2019. **(180 day and 3 year commitment; 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. **(180 day and 2 year commitment; 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. **(180 day notice only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2019. **(90 day notice and 3 year commitment only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. **(2 year commitment only; 1%)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. **(90 day Notice only)**

Adopted this 8th day of August, 2016.

Signature: _____

Title: _____

ATTEST: _____

Title: _____

**Motion by Councilmember Gibbs to approve LARM Resolution 8-16-1 for annual renewal.
Second by Councilmember Allred.**

Discussion: Councilmember Holliday asked if someone approached the City about this and was there any interest in looking at that. Administrator Danielzuk stated yes, we had a new insurance business to our Community. Plummer Insurance asked the City whether or not we would go out for an RFQ on the provision of these particular services. Mr. Danielzuk visited with the individual Council Members with respect to that after we had put together an RFQ for those services. Based on LARM's policy related to the fact that it would be three years before we'd be able to do that and other considerations, the consensus was not to go out for RFQ/RFP.

Councilmember Christensen asked if we get anything in return for \$487,000. Mayor Kaufman asked... besides coverage? Clerk Welfl stated that we do get risk management services, LARM also provides online safety classes which we have taken advantage of and their staff provides an excellent resource for us. They are at our finger tips all the time for assistance and to answer questions. Councilmember Christensen asked about the increase over last year. Clerk Welfl replied that there is roughly a 3.5% increase, which is the lowest increase in three years and the City's Workers Comp premium actually went down.

The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

5. Approve Ordinance 2031 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, AMENDING THE MUNICIPAL CODE TO PROVIDE FOR A COMMUNITY REDEVELOPMENT AUTHORITY.

Mayor Kaufman noted that Bond Counsel made one small amendment to the version of this ordinance that was in the packet. They simply added at the top of the first page: *"WHEREAS, the Mayor and City Council of the City of Gering find and determine that it is expedient to create a community redevelopment authority pursuant to Section 18-2101, et seq., Reissue Revised Statutes of Nebraska, as amended;"* Acting City Attorney, Matt Turman, advised staff this afternoon to make the revision as well.

Councilmember Morrison made a motion to introduce Ordinance No. 2031 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, AMENDING THE MUNICIPAL CODE TO PROVIDE FOR A COMMUNITY REDEVELOPMENT AUTHORITY. Seconded by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

Councilmember Christensen moved that the Ordinance be designated as Ordinance No. 2031 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 Gibbs. There was no discussion. The Clerk called the roll. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. 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. 2031 was read by title only.

Councilmember Holliday moved that the Ordinance be passed as read, which motion was seconded by Councilmember Allred. The question is shall Ordinance No. 2031 be passed? There was no discussion. The Clerk called the roll. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. 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. Remove from table Resolution and Contract No. 14-RMR-2553, between the City of Gering, Nebraska and United States Department of Energy, Western Area Power Administration - Rocky Mountain Region for FIRM ELECTRIC SERVICE

Motion by Councilmember Gibbs to remove from table Resolution and Contract No. 14-RMR-2553, between the City of Gering, Nebraska and United States Department of Energy, Western Area Power Administration - Rocky Mountain Region for Firm Electric Service. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

7. Consider approving and authorizing the Mayor to sign WAPA (Western Area Power Administration) Contract No. 14-RMR-2553

Councilmember Morrison asked why this was tabled. Administrator Danielzuk stated it was something, over all of the years, that hadn't been looked at from a legal perspective. The original contract was executed in 1987; there have been numerous adjustments to the contract since then. We decided to go back and take a look at the agreements. The City Attorney's office reviewed it thoroughly and the history of the contracts. We have a recommendation that WAPA is still one of the best electric whole sale providers and contractual services in the nation and we should sign off on the document and go forward with it.

Acting City Attorney, Matt Turman, added that the main reason it was tabled was because the amendments WAPA proposed were significant in length and needed reviewing; in addition they are asking for a 30-year extension to the contract. The City Attorney's office felt it was important to go through it in detail.

Motion by Councilmember Morrison to approve and authorize the Mayor to sign Contract No. 14-RMR-2553, between the City of Gering, Nebraska and United States Department of Energy, Western Area Power Administration - Rocky Mountain Region for Firm Electric Service. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

8. Approve Resolution 8-16-2 with respect to Contract No. 14-RMR-2553

RESOLUTION 8-16-2

BE IT RESOLVED by the City Council of the CITY OF GERING, NEBRASKA, that Mark A. Kaufman is hereby authorized to execute for and on behalf of the CITY OF GERING, NEBRASKA, the attached Contract No. 14-RMR-2553 with the Western Area Power Administration, which was duly presented to the City Council and which Contract is hereby approved.

(State of Nebraska)) ss
(County of Scotts Bluff)

I, Kathleen J. Welfl, the duly appointed and qualified City Clerk of the CITY OF GERING, NEBRASKA, do hereby certify that the foregoing is a true, accurate, and complete copy of a resolution duly passed and adopted at a regular meeting of the City Council of the CITY OF GERING, NEBRASKA, held on August 8, 2016.

Dated: _____ By: _____
Title: _____

(SEAL)

Motion by Councilmember Gibbs to approve Resolution 8-16-2 with respect to Contract No. 14-RMR-2553. Second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

9. Oregon Trail Park report/update - Councilmember and Recreation Committee Chairman, Justin Allred

Councilmember Allred updated Council on improvements being made to Oregon Trail Park and the potential for a collegiate wood bat league in Gering in the not so distant future. Brief history: Following an extensive study, conducted in part by Sports Facilities Advisory and our local Project Team, it was determined that renovating our existing ball fields at Oregon Trail Park would significantly enhance local and regional use and enjoyment of the fields. A sports tourism approach was carefully considered and it was determined to be a perfect avenue for Gering to pursue. Sports tourism would impact our local economy with an increase in hotel, restaurant, fuel and retail sales. It would also help bill Gering as a top-rated location for tournaments if more high quality fields were developed and amenities were added including a press box, restrooms, concessions and more. Councilmember Smith has been working with staff to begin work on the master plan which, among other things, includes a second legion-size baseball field adjacent to the existing legion field. Staff have been working to clear the site and bids were recently opened for water and sewer lines in that area.

During this process the City received word in June from Sean Overeynder, with Twin Cities Development, that a collegiate wood bat league is interested in making Gering a destination for summer league games. On June 27 Steve Wagner, with the Expedition League, explained in a meeting with several city officials and staff that there are 40 of this type of league throughout the country. He explained that these types of leagues help ensure the players potential for professional baseball. The average ticket price is \$5 to \$6. The league emulates minor league baseball and prepares college players for pro ball. It's a 64-game season from early June through mid-August with 32 games to be played here. There's a manageable distance between league-affiliated cities. They're emulating minor league baseball by using the wood bats, not aluminum. Expedition League officials have met with several other communities in Nebraska, Wyoming, South Dakota, Colorado and Kansas. The league provides standardized contracts, best practices and league-wide sponsorship agreements. They're currently talking to ownership groups. The Key drivers that drew them to Gering are: good demographics, strong business climate, entrepreneurial and business-minded individuals and outstanding ballparks. Mr. Wagner said the players will be positive role models and will be involved in the community. The League creates a positive selling point as a fun destination for residents and tourists.

As far as planning for the future the League has basic needs for the field and stadium, some of which include: a seating capacity of at least 1200 with party decking, larger bathrooms, an announcer's box, concession area and adequate lighting. Other amenities such as locker rooms, stadium seating and extended bench seating can be added later. Parking is very important and is being addressed by staff.

10. Consider moving the second Council meeting for the month of August to August 29, 2016

Mayor Kaufman stated that he and Council President Smith will both be unavailable for the second regular Council meeting of the month which would have been August 22. He proposed that Council meet on the fifth Monday instead which is August 29.

Motion by Councilmember Christensen to move the second Council meeting for the month of August to August 29, 2016. Second by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Cowan. Motion Carried.

CLOSED SESSION:

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

REPORTS:

1. Liaison Report: Update on Oregon Trail Days – Councilmember O'Neal

Councilmember O'Neal reported that the Oregon Trail Days Board of Directors meets every fourth Thursday of the month. The chair is Jodi Ruzicka. The Board divides up all the responsibilities among their board members. The attendance was down in all areas except the food fair this year. It was felt this was attributed to the heat, in addition they moved Oregon Trials Days up a week. There were 494 participants in the Kiddie Parade, 340 participants in the bicycle hill climb, 684 admissions for the Chili Cook-off with more cooks this year and mud volleyball was quite successful. There were 81 cars at the car show and 131 people attended the wine tasting event. There were 28 vendors at the food fair and the quilt show was also successful. The Safe Ride program gave 109 rides and Gering PD reported no DUIs

during the event. Attendance at the carnival was down; the owner announced that next year they will debut the tallest portable ride in the country. The Brett Michaels concert was also very successful. Jodi Ruzicka also wanted to note to the Council that the City staff went above and beyond in helping with the event again. The event wouldn't be possible without the City of Gering.

OPEN COMMENT SECTION: None

Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

ADJOURN

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

Meeting adjourned at 6:36 p.m.

ATTEST:

Kathleen J. Welfl
Kathleen J. Welfl, City Clerk



Mark A. Kaufman
Mark A. Kaufman, Mayor