

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
FEBRUARY 29, 2016**

A regular meeting of the City Council of Gering, Nebraska was held in open session on February 29, 2016 at 6:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Allred. Notice of the meeting was given in advance by publication in the Gering Citizen, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

CALL TO ORDER

Mayor Kaufman 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 Cowan to excuse the absence of Councilmember Allred from the February 18, 2016 special City Council meeting. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. 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 February 8, 2016 Regular City Council Meeting and the February 18, 2016 Special City Council meeting
2. Approve Claims and Financials
3. TCD Quarterly report

Claims:

1-30-16 to 2-12-16

ACTION COMMUNICATIONS INC \$1,064.50 CHANGE OUT LIGHTBAR 04 CRWN VIC, ALAMAR UNIFORMS \$141.67 UNIFORM TOPS/PATCHES/TROUSERS, ALLO COMM \$1,285.02 TELEPHONE/INTERNET CHRGS, ASCAP \$336.00 MUSIC & ENTERTAINMENT LICENSE, ATLAS LAWN EQUIPMENT CO \$228.99 BELT RPR'S, BLUFFS SANITARY SUPPLY \$285.89 RR SUPPLIES, BROADWAY OFFICE CENTRE \$251.27 ANNUAL SRV AGRMNT, BROWN/NELSON ELECTRIC \$1,114.42 WWTP RPR'S, TERRY CARPENTER INC \$650.00 WATER WELL LAND RENT, CASH - WA DISTRIBUTING \$999.38 NEW FRYER, CHARTER COMMUNICATIONS \$507.99 TV/INTERNET CHRGS, CITY OF GERING \$159.42 REG GOVERNANCE LUNCHEON, CITY OF GERING - GENERAL AC \$65,000.00 ACH PAYROLL, CITY PAYROLL TRUST \$3,406.69 FSA MEDICAL 125, CONNECTING POINT \$62.00 COPIER SRV CONTRACT, CRESCENT ELECTRIC SUPPLY \$956.15 WIRE, CULLIGAN WATER CONDITIONING \$295.00 SALT, D & H ELECTRONIC SUPPLY \$20.11 TANK RPR'S, DHHS LICENSURE UNIT \$115.00 DAVIS WATER OPERATOR LICENSE, DAHLGRIN CASEY \$82.00 NE ASPHALT CONF MEAL PER DIEM, DALES TIRE/RETREADING \$82.00 G5 2 FLAT TIRE RPR'S, DATA TECHNOLOGIES \$367.58 TAX FORMS, DENNIS SUPPLY CO \$178.80 (12) FURNACE FILTERS, DUTTON-LAINSON CO \$26,410.82 1 POLE/2 ARMS, ENERGY LABORATORIES INC \$456.00 WATER LAB, ENVIRO SRV INC \$924.00 WW LABS, EXCALIBUR FLORAL & CO \$200.00 BRIDAL SHOW ADVERTISING, FASTENAL CO \$184.12 FREIGHT ON RUBBER GLOVES TEST, FIRST STATE BANK \$348.97 IBEW UNION DUES, FLOYD'S SALES & SRV \$2,479.29 99 FREIGHTLINER RPR'S, FURST-MCNESS CO \$88.00 (8) 50# BAGS BENTONITE, GT DISTRIBUTORS INC \$634.10 REAR BACKUP SIGHT, GALE \$32.38 (2) BOOKS, GERING U-SAVE PHARMACY \$71.70 ORAL GLUCOSE & TEST STRIPS, GERING VALLEY PLUMBING \$1,500.40 RPR'S TO HEATING & AIR, GREASE N GO \$64.74 FORD F150 TRUCK SRV, HD SUPPLY WATERWORKS LTD \$510.00 WELL RPR'S, HARRINGTON INDUSTRIAL PLA \$157.23 CENTRAL PLANT RPR'S, HEILBRUN \$1,279.23 PARTS FOR GLEIMS CROWN VIC, ERIN HINZE \$82.00 NE ASPHALT CONF MEAL PER DIEM, HOME DEPOT \$42.75 CLUBHOUSE RPR'S, HONEY-WAGON EXPRESS \$140.00 CLEAN GREASE TRAPS, IDEAL LINEN SUPPLY INC \$546.70 MAINT SUPPLIES, INGRAM LIBRARY SRV \$934.67 BOOKS/PERIODICALS, INTERNAL REVENUE SRV \$40,529.99 FED/FICA TAX, JOHNSON CASHWAY CO \$583.35 PAINT FOR RV SHOWERS, LL JOHNSON DISTRIBUTING \$96.43 RPR'S, KOVARIK, ELLISON, MATHIS \$2,888.75 RETAINAGE - CITY ATTORNEY, KRIZ - DAVIS CO \$26,559.38 (45) STREET LIGHTS, MB KEM ENTERPRISE \$489.65 OVERHEAD DOOR RPR'S, MEAT SHOPPE \$25,603.85 CATERING COSTS, MORBARK INC \$248.09 8 KNIVES, NE CHILD SUPPORT PYMT \$827.56 CHILD SUPPORT 1, NEBRASKA MUNICIAL CLERK \$70.00 15-16 MEMBERSHIP DUES WELFL, NE DEPARTMENT OF REVENUE \$74,275.89

JANUARY SALES & USE TAX, NEBRASKA LAW ENFORCEMENT \$110.00 CERTIFICATION FEE FOR TRAINING, NE SAFETY/FIRE EQUIPMENT \$140.00 ANNUAL FIRE SPRINKLER INSP, NORTHWEST PIPE FITTINGS \$34.53 WORKLIGHT, OREGON TRAIL PLBG/HEATING \$65.00 RPR'S TO BTHRM STOOL, PANHANDLE CONCRETE PROD \$600.00 TRANSFORMER PAD, PANHANDLE HUMANE SOCIETY \$3,134.00 SUPPORT PYMT, POSTMASTER \$874.00 POST OFFICE BOX SRV FEE, POWERPLAN OIB \$1,936.16 RPR'S TO 750, PRO OVERHEAD DOOR \$218.00 RPR DOOR OPENER, QUALITY INN & SUITES \$306.16 MEAN HOTEL CHGS DOGGETT, RECORDED BOOKS LLC \$125.07 (4) AUDIOBOOKS, SCS ENGINEERS \$4,962.26 WELL TESTING, SANDBERG IMPLEMENT INC \$194.04-HYD HOSES FOR BOBCAT SNOWPLOW, MC SCHAFF & ASSOCIATES \$1,270.00 MAIN LOCATING, SCHOLASTIC LIBRARY PUBLIS \$152.10 (6) BOOKS, SCB COUNTY AMBULANCE SRV \$316.23 QTRLY PYMT AMBULANCE CONTRACT, SCOTTS BLUFF COUNTY TREAS \$22,729.78 PT BLK A, NELSON SUB PRCL010327, SCOTTSBLUFF - GERING UNITED \$71.54 UNITED WAY CTRB, SENIOR CITIZEN CENTER \$525.00 FINANCIAL SUPPORT, SIMMONS OLSEN LAW FIRM P \$1,500.00 CITY PROSECUTOR BILL, SIMON CONTRACTORS \$154.00 MAIN RPR'S, SKILLPATH SEMINARS \$598.00 HR & LAW WORKSHOP, SOUTHWESTERN EQUIPMENT CO \$139.56 (3) BREATHER FILLER CAPS, STAR HERALD \$1,474.56 WAWWW CLASSIFIED AD, STATE OF NE/DAS COMMUNICATION \$299.93 LONG DISTANCE PHONE CHGS, TEACHERS CORNER \$14.99 FOAM LETTERS FOR STORYTIME, THOMPSON GLASS INC \$6.42 CLUBHOUSE RPR'S, MICHAEL TODD & CO \$1,756.98 DED END BARRICADES ORG TRL BLV, UNITED CHAMBER OF COMM \$250.00 ANNUAL BANQUET TICKETS, UPSTART \$106.97 (348) PENCILS FOR ADOPT A SCHOOL, VALLEY BANK & TRUST CO \$21,030.20 GERING/SCB SINKING FUND, WELLS FARGO FINANCIAL LEA \$112.11 COPIER LEASE PYMT, WESTCO \$6,592.66 UNLEADED GAS, WESTERN PLAINS BUSINESS \$73.67 COPIER MAINTENANCE, WINCHELL CLEANING SRV \$720.00 CLEANING SRV, YEAR ROUND EQUIPMENT & PA \$310.48 (6) TRIMMER STRING ROLLS, MENARDS \$308.75 SHOP SUPPLIES, KARENS CLEANING \$850.00 CLEANING SRV, GERING CITIZEN \$485.12 ACCT CLERK AD, INTRALINKS TECHNICAL SOLUTIONS \$313.79 SPAM SRVS, JACK'S UNIFORMS & EQUIPMENT \$957.54 CAR LIGHTS, JOHN HANCOCK USA \$14,006.01 JH RETIRE 6%, MG TRUST CO LLC \$6,426.71 MG T-POLICE, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN, COLORADO ASPHALT SRVS \$3,921.16 23.48 TONS EZ ST COLD ASPHALT, NE PUBLIC POWER DISTRICT \$129.53 UTILITIES 240066 HYW 92, SCB CO DISTRICT COURT \$34.00 COUNTY COURT COSTS, FARRO BRETT \$139.09 BOOT REIMBURSEMENT, CREDIT MANAGEMENT SRV \$171.95 GARNISHMENT 2, MATHESON TRI-GAS INC \$193.11 COVER FOR WELDER, SUGAR VALLEY FEDERAL CREDIT \$1,266.08 CREDIT UNION, MONEY WISE OFFICE SUPPLY \$370.52 STORAGE SUPPLIES, CITY OF GERING CASH \$68.18 PETTY CASH DISBURSEMENTS, PALFLEET TRUCK EQUIPMENT \$2,076.02 G9 TARP, DOOLEY OIL INC \$1,074.85 SHOP DEF FLUID 250 GAL, KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, DHHS DIVISION/PUBLIC HEALTH \$18.00 WATER LAB, THE ROCK PILE \$75.00 (3) INSERT FITTINGS, LOGOZ LLC \$25.00 DEDICATION PLAQUE MCFARLAND, SANITAS TECHNOLOGIES \$195.00 SOFTWARE LICENSE RENEWAL, BETSY ROSS FLAG GIRLS INC \$193.58 (2) NEW FLAGS, VALLEY BANK - POLICE \$300.00 PO UNION DUES, ONE CALL CONCEPTS INC \$65.10 LOCATE FEES, BOOKS GALORE INC \$48.94 (2) BOOKS, JL BECKER INC \$6,062.50 HAULING FOR SNOW REMOVAL, JIRDON \$181.12 TURFCIDE 10G 50#, RR DONNELLEY \$59.05 FIREARMS PURCHASE PERMIT APPS, BIG MACK \$290.00 REMOVE (4) A/C UNITS, COCHRANE DICK \$82.00 NE ASPHALT CONF MEAL PER DIEM, WM RECYCLE AMERICA \$1,226.90 RECYCLING FEES, STOLT EQUIPMENT \$967.94 RPR'S, GENERAL PARTS \$86.27 OVERN RPR'S, PT HOSE & BEARING \$45.78 G6 CRIMP FITTING, THE VILLAGE \$75.00 RV ROOM DEPOSIT REFUND, WESTERN LIBRARY SYSTEM \$5.50 (14) DISC CLEANINGS, MIDWEST FARM SRV CO \$2,225.15 INSTALL SUBPUMP, GROUND UP CONSTRUCTION \$510.00 JANITORIAL SRVS, EXPRESS COLLECTIONS INC \$195.74 GARNISHMENT 2, SCB CO MUTUAL AID ASSOC \$300.00 RENTAL FEES, MELLEN & ASSOCIATES INC \$9,533.51 MDTOWN WELLS METER CHANGE OUT, POLICE OFFICERS ASSOC \$128.00 (16) POAN HANDBOOKS, GUZMAN ASHLEY \$75.00 RV ROOM DEPOSIT REFUND, ALVAREZ CHRISTINA \$75.00 RV ROOM DEPOSIT REFUND, BLANCO BRIANA \$75.00 RV ROOM DEPOSIT REFUND, KNISS HEATHER \$75.00 RV ROOM DEPOSIT REFUND, THE TOWER CO INC \$817.99 DUMP STATION RINSE KIT, SPLASH FOUNDATION \$4,500.00 OLYMPIC SWIM CLINIC/BANQUET, PAYROLL CHECKS \$106,694.87 PAYROLL CHECKS ON 2-5-16

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

BIDS:

1. Cobblestone Hotel Site demolition of existing structures, selection of bidder

Paul Snarr, City Engineer, stated that staff recommends awarding the bid to the low bidder in the amount of \$45,707.00. They'll start with the Quilt shop and move to the houses and do the laundromat last.

Councilmember Gibbs asked if any of those houses could be moved. Mr. Snarr said they could be; the homes still have some asbestos but we will remove them the same way we removed the auction house.

Councilmember Christensen asked where the material will go. Mr. Snarr said the friable material has to go to another landfill site. The non-friable is able to go to our site. Councilmember Morrison asked why it's not being hauled to Kimball; do they not take asbestos? Mr. Snarr said the contractor wants to take it to his home town. It's up to the contractor, as long as it's a site that will take it.

Councilmember Holliday asked about the other companies that bid; this bid was quite low. Are we okay with their work? Mr. Snarr said Gary Myer is subcontracting with Precision. We had a pre-bid walk through. Mr. Snarr called Precision to make sure they met our specs.

Councilmember Christensen said he noticed that the laundromat is still up and running. Mr. Snarr said we're trying to work with him so he can stay in there as long as possible. We can't let the contractor start

until they get their surety bonds. We'll be able to give the Laundromat a set date as to when they need to be out.

Motion by Councilmember Morrison to approve the bid for demolition of existing structures at the Hotel Site from Precision Demolition and GEM, LTD in the amount of \$45,707.00. Second by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion Carried.

2. 2016 Water Main Improvements, selection of bidder

Pat Heath, Public Works Director, said staff's recommendation is to award to the low bidder, KL Wood & Company. This will replace the water main from 1917 on Q street between 7th and 9th Street, 7th Street between P & R Streets and R Street from 6th to 7th Street.

Motion by Councilmember Gibbs to approve the 2016 Water Main Improvements bid from KL Wood & Company in the amount of \$254,960.30. Second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion Carried.

CURRENT BUSINESS:

1. Approve appointment of Ladd Harrison to the LB840 Application Review Committee

Mayor Kaufman stated that with the resignation of Jim Cauble there was a vacancy on the LB840 Application Review Committee.

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

2. Approve appointment of Josh Schlaepfer to the Board of Adjustment

Mayor Kaufman stated that Mr. Schlaepfer is serving on the Plumbing Board but the BOA had a vacancy and he is a good fit for it.

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

3. Approve appointment of Amy Seiler to the Park, Tree and Cemetery Board

Mayor Kaufman stated that Ms. Seiler is serving on the Planning Commission; she will resign from that board and would like to serve on the Park Board.

Motion by Councilmember Gibbs to approve the appointment of Amy Seiler to the Park, Cemetery and Tree Board. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion Carried.

4. Approve Ordinance 2001 - AN ORDINANCE TO AMEND VARIOUS SECTIONS OF TITLE XI, "ZONING"; ARTICLE 2; SECTION 2.2; "APPLICATION OF REGULATIONS"; OF THE MUNICIPAL CODE OF GERING REGARDING HOW ZONING AFFECTS EVERY BUILDING AND USE AND AMENDING ARTICLE 3; SECTION 3.3; BY ADDING DEFINITION 110.A ZONING OVERLAY DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

Mayor Kaufman noted that there was a scribner error on the agenda; this should actually be Ordinance 2021, not 2001.

Councilmember Gibbs made a motion to introduce Ordinance No. 2021 - AN ORDINANCE TO AMEND VARIOUS SECTIONS OF TITLE XI, "ZONING"; ARTICLE 2; SECTION 2.2; "APPLICATION OF REGULATIONS"; OF THE MUNICIPAL CODE OF GERING

REGARDING HOW ZONING AFFECTS EVERY BUILDING AND USE AND AMENDING ARTICLE 3; SECTION 3.3; BY ADDING DEFINITION 110.A ZONING OVERLAY DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. Motion Carried.

Councilmember O'Neal moved that the Ordinance be designated as Ordinance No. 2021 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 Clerk called the role. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. 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. 2021 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. 2021 be passed? There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Allred. 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:

1. Council Liaison Report – Gering Merchants, Councilmember Morrison (Information only)

Councilmember Morrison said the Gering Merchants have been very busy. They recently assisted the DOVES program. They are gearing up for Business After Hours, the Arts Festival, Sugar Valley Rally, Tailgate Party and Big 10 raffle and many other events.

OPEN COMMENT SECTION: None

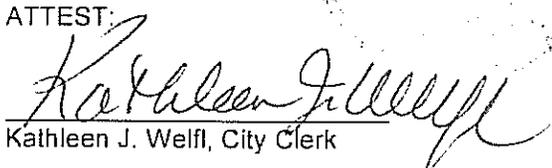
Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

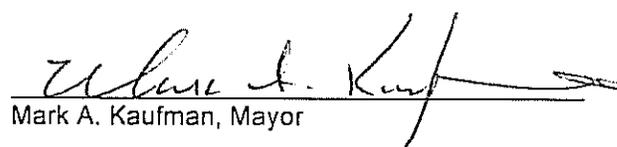
ADJOURN

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

Meeting adjourned at 6:19 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk


Mark A. Kaufman, Mayor