

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
January 12, 2015**

A regular meeting of the City Council of Gering, Nebraska was held in open session on January 12, 2015 at 7:00 p.m. at Gering City Hall at 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Christensen, Gibbs, Holliday, Allred Shields, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfi and acting City Attorney Matt Turman. 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 7:00 p.m. The Mayor noted that there was a quorum of the Council and City business could be conducted.

1. Recital of the Pledge of Allegiance and prayer by Pastor Hashley
2. Roll Call
3. Excuse Council Member absences (None)

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.

CONSENT AGENDA:

(Items under the Consent Agenda are proposed for adoption by one action for all items unless any member of Council requests that an item be considered separately.)

1. Approve minutes of the December 8, 2014 Regular City Council Meetings
2. Approve claims and financials
3. File for Record Certification of City Street Superintendent
4. File for Record Nebraska Dept. of Environmental Quality Signatory Authorization Form

Claims:

12-19-14 to 1-8-15

ACCELERATED RECEIVABLES \$84.34 PYMT. FEES, ACTION COMMUNICATIONS INC. \$243.50 RPR. OF PORTABLE RADIO, AHLER'S BAKING INC. \$156.97 CAKE FOR MAYOR'S RECEPTION, ALAMAR UNIFORMS \$567.88 BRUNZ, ENLOW UNIFORMS, ALLO COMMUNICATIONS \$1,292.10 TELEPHONE/INTERNET CHRGS., ALTEC INDUSTRIES INC. \$666.96 SPOT LIGHT, APPLIED CONCEPTS INC. \$1,895.00 EQUIPMENT, ARMADA MEDIA CORP. \$450.00 RADIO ADS, ATLAS LAWN EQUIPMENT CO. \$174.68 BUSHING PTO PIVOT, B & C STEEL \$91.89 METAL, BAILEY BEVERLY \$75.00 RV ROOM DEPOSIT REFUND, BENZEL PEST CONTROL \$132.90 PEST CONTROL, BIG MACK \$7,412.40 FURNANCE, THERMOSTAT, LABOR, BLUFFS SANITARY SUPPLY \$1,682.76 FACILITY CLEANING - DECEMBER, BOOKS GALORE INC. \$58.60 BOOKS, BOUND TO STAY BOUND BOOKS \$100.60 CHILDREN BOOKS, BROADWAY OFFICE CENTRE \$451.78 CHAIR & GEL PEN, BUDGET TIRE & SRV. \$12.00 FIX TIRE ON FORKLIFT, BURFORD SHIRLEY \$650.00 WEDDING CANCELLED, C & M AIR COOLED ENGINE \$119.06 FILTERS, CENTURYLINK \$2,333.22 PHONE BILL ALLOCATION, CHARTER COMMUNICATIONS \$313.89 TV/INTERNET CHRGS., CITY INSURANCE FUND \$147,260.05 HEALTH PREM 125, CITY OF GERING \$14.96 GBC MEAL - DAN SMITH, CITY PAYROLL TRUST \$9,138.52 FSA MEDICAL 125, COLLOPY PERFORANCE & MACH. \$30.00 ROTOR WORK, CONNECTING POINT \$62.00 COPIER CONTRACT, CONTRACTORS MATERIALS \$627.50 SEALANT - EXP JOINT, CRESCENT ELECTRIC SUPPLY \$2,798.81 LIGHTS, CULLIGAN WATER CONDITIONING \$47.05 SALT, CUMMINS CENTRAL POWER \$661.97 GENERATOR RPR., DALE'S TIRE & RETREADING \$694.56 TIRE FOR PICKUP, DANKO EMERGENCY EQUIPMENT \$548.89 FLASH LIGHTS (10), DELOS SANTOS ROSE, \$63.00 TREE REBATE, DEX \$65.50 PHONE BOOK, DHHS DIVISION/PUBLIC HEALTH \$420.00 BLOOD LABS FOR ALCOHOL, DOCU-SHRED LLC \$22.00 EMPTYING OF DUC.SHRED CONTAINER, DOOLEY OIL INC. \$304.80 SHOP SUPPLIES, DOOR CLOSER SRV. \$38.00 WELL RPR., DUTTON - LAINSON CO. \$540.37 CONNECTORS & INSULATORS, ECOLAB \$249.95 RODENT CONTROL, ENERGY LABORATORIES INC. \$456.00 WATER LAB, ENTERPRISE IRRIGATION DIS. \$1,918.55 IRRIGATION TAX, ENVIRO SRV. INC. \$1,897.00 WASTEWATER LAB, ESC ENGINEERING \$11,033.72 ENGINEERING PHASE 1, EXCALIBUR FLORAL & CO. \$350.00 DECORATIONS FOR LOBBY, FASTENAL CO. \$1,724.30 GLOVES, BATTERY, FEDEX \$128.90 WATER LAB, FEIL NANCY \$75.00 RV ROOM DEPOSIT REFUND, FIRST STATE BANK \$350.37 IBEW UNION DUES, FLAGSHIP PUBLISHING INC. \$480.00 NE LIFE MAGAZINE, FLOYD'S SALES & SRV. \$1,472.06 WORK ON G4, FORT DEARBORN LIFE INS. CO. \$116.96 FIREFIGHTER LIFE INSURANCE, FRANK IMPLEMENT CO. \$273.70 FILTERS & HYD OIL, FREMONT MOTOR SCOTTSBLUFF \$707.35 RPR. TO PATROL VEHICLE, GALE \$361.04 BOOKS, GERING CITIZEN \$551.43 CONDENSED MINUTES, GERING CONVENTION & VISITOR \$19,806.25 QUARTERLY PYMT - JAN., GERING COURIER \$157.50 HOLIDAY CRAFT SHOW DISPLAY, GERING HIGH SCHOOL \$30,000.00 KENO FUNDS FOR BAND UNIFORMS, GERING MERCHANTS \$10,929.27 PURCHASE NEW CHRISTMAS LIGHTS, GERING VALLEY PLUMBING \$12,028.60 NEW HEATING & AIR UNIT, GLEIM ROBERT \$198.00 MEALS FOR NLETC TRIPS, GP GFOA \$50.00 MEMBERSHIP RENEWAL - MEJIA, GREY HOUSE PUBLISHING \$368.00 REFERENCE BOOKS,

GRUBBS BRIDGETTE \$75.00 RV ROOM REFUND DEPOSIT, HACH CO. \$466.26 LAB SUPPLIES, HANLON KEVIN \$72.00 LEFT RV PARK EARLY, HARDING & SHULTZ P C L \$6,789.10 GENERAL LABOR MATTERS, HAUSCHILD MIKE \$297.00 LEFT RV PARK EARLY, HD SUPPLY WATERWORKS LTD \$3,721.78 METER PURCHASE, HEARTLAND EXPRESSWAY \$9,214.80 ANNUAL DUES FY 14 - 15, HEILBRUN \$2,171.87 WORK ON PICKUP, HENSLEY BATTERY & ELEC. S. \$464.40 BATTERIES, HONEY - WAGON EXPRESS \$140.00 CLEAN GREASE TRAPS, HUFF HARRY \$130.00 QUIT CLAIM DEED, ICMA ELECTRONIC RETIREMENT \$546.42 ICMA CITY ADMIN., IDEAL LINEN SUPPLY INC. \$472.11 HAND TOWELS FOR BATHROOMS, INGRAM LIBRARY SRV. \$1,485.30 BOOKS/PERIODICALS, INTERNAL REVENUE SRV. \$44,832.53 FED/FICA TAX, INTRALINKS TECHNICAL SOLUTIONS \$3,386.04 COMPUTER SUPPORT, IRBY TOOL & SAFETY \$1,967.94 CUT OUT, JOHN HANCOCK USA \$14,338.93 JH RETIRE 6%, JOHNSON CASHWAY CO. \$1,504.67 PAINT FOR NEW SHOP, JUNIOR LIBRARY GUILD \$549.00 CHILDREN BOOKS, KARENS CLEANING \$425.00 CLEANING SRV'S., KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KLEIN SURVEY SYSTEM INC. \$1,013.20 AUTO LEVEL, KNEB \$330.00 RADIO ADS, KNODE STEVE \$75.00 RV ROOM DEPOSIT REFUND, KOVARIK, ELLISON, MATHIS \$16,912.18 PERSONNEL PROJECT, KRIZ - DAVIS CO. \$2,235.56 WIRE, LAMPMAN DARTLAND \$135.00 LEFT RV PARK EARLY, LEGACY OF THE PLAINS \$360,000.00 USDA LOAN, LEONARD SEAMLESS GUTTER \$2,691.40 ALUMINUM GUTTER - 1440 6TH STREET, LEXIS NEXIS RISK DATA MGM \$388.76 TRAFFIC LAW BOOKS (7), LOGOZ LLC \$426.00 SAFETY JACKETS, MAILFINANCE \$906.95 POSTAGE MACHINE, MATHESON TRI - GAS INC. \$323.90 FILLER METAL, MB KEM ENTERPRISE \$2,443.25 SERVICE CALL, MEAT SHOPPE \$66,064.80 CATERING COSTS, MEDEIROS JOSHUA \$807.32 MILEAGE FOR NLETC TRIPS, MENARDS \$315.39 WINDSHIELD WASH, MG TRUST CO. LLC \$6,130.74 MG - T POLICE, MIDWEST CONNECT \$35.00 SEALER, BRUSH, SPONGE KIT, MODEC MICHAEL \$164.00 MEALS FOR AURORA TRAINING, MONEY WISE OFFICE SUPPLY \$637.60 PRINTER CARTRIDGE, MORENO CARMEN \$830.00 EVENT CANCELLED, MUNICIPAL ENERGY AGENCY O \$407,014.53 POWER BILL, MUNICIPAL SUPPLY INC OF \$7,921.72 MAIN RPR., NATIONAL INSURANCE SRV. \$1,019.18 VISION INSURANCE, NDOR - LODGING \$583.63 NOV. LODGING TAX, NE CHILD SUPPORT PYMT. \$727.48 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$12,207.42 STATE TAX, NE ECONOMIC DEVELOPERS \$300.00 ANNUAL DUES - 2015 DANIELZUK, NE PUBLIC POWER DISTRICT \$1,420.50 UTILITIES, NE SAFETY/FIRE EQUIPMENT \$274.00 TROUBLE SHOOTING/SRV. CALL, NEBRASKA LIBRARY COMMISSION \$221.60 REFERENCE BOOKS (CATALOGING), NEBRASKALAND TIRE \$657.18 TIRES, NEFSMA \$100.00 MEMBERSHIP RENEWAL 2015, NEOFUNDS BY NEOPOST \$858.98 POSTAGE, NORTHWEST PIPE FITTINGS \$617.01 YARD HYDRANT RPR'S RV, OCLC INC. \$133.25 SUBSCRIPTION FOR CATALOGING, ONE CALL CONCEPTS INC. \$80.60 LOCATE FEES, OREGON TRAIL PLUMBING/HEATING \$583.00 RESTAURANT HEATING RPR'S., PALFLEET TRUCK EQUIPMENT \$21.52 PART FOR G9, PANHANDLE AREA DEVELOPMENT \$8,588.28 MEMBERSHIP DUES 14/15, PANHANDLE CONCRETE PROD. \$1,120.00 SEWER LINE RPR., PANHANDLE COOP ASSOCIATION \$8.34 DISTILLED WATER CART BATTERIES, PANHANDLE HUMANE SOCIETY \$3,170.34 ANIMAL CONTROL FEES, PAYROLL CHECKS \$117,490.01 PAYROLL CHECKS ON 12-26-14, PERFECTION DOOR \$72.65 PHOTO EYES OVERHEAD DOOR, PIPE WORKS PLUMBING LLC \$130.00 WELL RPR., POSTMASTER \$1,200.00 MAILING PERMITS, POWERPLAN OIB \$73.96 PLUG, PRINT BROKER \$1,407.02 UTILITY BILLS, PRINT EXPRESS \$355.81 ENVELOPES, PROTEX CENTRAL INC. \$350.00 INSPECTIONS 2015, PT HOSE & BEARING \$236.85 HOSE, QUALITY BOOKS INC. \$436.70 BOOKS, QUALITY INN & SUITES \$284.48 HOTEL STAY - DOGGETT, RANDON HOUSE INC. \$294.00 CHILDREN AUDIO BOOKS, RECORDED BOOKS LLC \$144.00 AUDIOBOOKS, RECOVERY SYSTEMS CO. \$5,798.20 PUMP FOR BALER, RED BARN SHOP LLC \$102.50 SNOW BLOWER PARTS, REGIONAL BOOKS INC. \$261.55 CHILDREN BOOKS, RESPOND FIRST AID SYSTEMS \$64.10 FIRST AID KIT, ROBINSON ELECTRIC \$1,084.41 CENTRAL PLANT RPR., RON DOGGETT \$89.00 FUEL REIMBRSMNT - MEAN CEO FUN., ROOSEVELT PUBLIC POWER DISTRICT \$26.00 UTILITIES, SANDBERG IMPLEMENT INC. \$421.95 HEDGE TRIMMER, SCB CO DISTRICT COURT \$75.00 ALIMONY, SCOTTS BLUFF COUNTY COURT \$34.00 COURT FEES, SCOTTSBLUFF TOWING SRV. \$70.00 CHEVY IMPALA 2005, SCOTTSBLUFF WINNELSON CO. \$249.09 FLOOR DRAIN & FITTINGS, SCOTTSBLUFF - GERING UNITED \$10.00 UNITED WAY CTRB., SCS ENGINEERS \$6,730.20 WORK ON NEW LANDFILL, SEACREST & KALKOWSKI P C \$429.00 COMMUNITY DEV. LAW LEGAL FEES, SECURITY NATIONAL BANK TR \$590.00 MANAGEMENT PLAN PYMT., SENIOR CITIZENS CENTER \$525.00 FINANCIAL SUPPORT, SIMMONS OLSEN LAW FIRM \$1,500.00 CITY PROSECUTOR FEES, SIMON CONTRACTORS \$6,074.69 CEMENT FLOORING FOR BALER, SLAFTER OIL CO. \$39.75 HYD OIL, SLEUTH SOFTWARE \$3,598.24 YEARLY BILL, SOLUTIONS EAP \$244.55 COUNSELING SRV., SOURCE GAS \$1,596.48 UTILITIES - 900 OVERLAND TRAIL, SPORTS FACILITIES ADVIS. \$26,500.00 REC. & LEISURE PYMT #2, STAPLES CREDIT PLAN \$43.17 PRINTER INK FOR SERGIO, STAR HERALD \$599.59 ADVERTISING CRAFT FAIR, STATE FARM \$100.00 BOND - SHIELDS, STATE OF NE/DAS COMMUNICATIONS \$320.88 LONG DISTANCE PHONE CHARGES, SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, SYSCO DENVER INC. \$132.48 MAINTENANCE SUPPLIES, TAYLOR MADE GOLF CO. \$44.80 JOHN'S SHIRT, TEACHER'S CORNER \$17.18 SUPPLIES FOR BULLETIN BOARDS, TEAM CHEVROLET \$22.37 SPARE KEY FOR UNMARKED VEHICLE, TERRY CARPENTER INC. \$650.00 WATER WELL LAND RENT, TODD LINDA \$75.00 RV ROOM DEPOSIT REFUND, TOMMY'S JOHNNY'S INC. \$135.00 PORTABLE TOILET, UNION PACIFIC RAILROAD \$2,227.89 LEASE PYMT PUBLIC ROADWAY, US AUTO FORCE \$173.84 RPR'S., USA TODAY \$292.68 SUBSCRIPTION TO USA TODAY, VALLEY BANK - POLICE \$340.00 PO UNION DUES, VALLEY BANK & TRUST CO. \$17,790.68 NOVEMBER SINKING FUND, VALLEY BANK & TRUST - GERING \$11,160.00 SANI SOLID WASTE 1-72322, VANCE FOREPAUGH \$200.00 RV PARK SIGN LEASE, VERIZON WIRELESS \$1,724.64 IPAD FEES FOR NEW MAYOR, VETERANS & MILITARY \$5,000.00 KENO FUNDS FOR WARRIOR RUN, WAREHOUSE FITNESS CENTER \$38.00 WELLNESS, WESTCO \$16,541.66 GAS, WINCHELL CLEANING SRV. \$1,440.00 CLEANING, WORLD BOOK INC. \$949.00 REFERENCE BOOKS, YMCA \$581.36 WELLNESS, YOUNG MENS CHRISTIAN \$5.00 YOUNG MEN'S CHR.

Motion by Councilmember Gibbs to approve the Consent Agenda with the full set of claims that were emailed out last Friday, January 9, 2015, not the claims that were included in the packet. Second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

PUBLIC HEARINGS:

1. Final Plat of Block 1, Reed Farms Subdivision, A Subdivision of part of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska

Mayor Kaufman opened the Public Hearing at 7:04 p.m.

City Engineer, Paul Snarr, stated that this is the public hearing for a Final Plat of Block 1, Reed Farms Subdivision, A Subdivision of part of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska. The property is zoned (MH) Heavy Industrial and Manufacturing District and consists of 4.76 acres more or less.

Administrative Record:

Mr. Mayor & City Council Members – you have been provided with the administrative record in your packets and I would ask for the 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 this Plat submitted by the property owner(s), Paul Reed Farms, LLC September 30, 2014.
- Preliminary Plat was submitted by the owner's representative (Surveyor) Scott Bosse', LS -603 Owner of Accustar Surveying September 30, 2014 and was approved by the Planning Commission Public Hearing November 18, 2014 and City Council Public Hearing November 24, 2014.
- Final Plat was submitted by the owner's representative (Surveyor) Scott Bosse', LS -603 Owner of Accustar Surveying December 12, 2014.
- Proof of Ownership Letter was submitted by Simmons Olsen Law Firm; PC dated October 23, 2014 and signed by Attorney John L. Seizer.
- Public Hearing Notice was published November 27, 2014 and December 4, 2014.
- Publication Notice and written notice was completed and sent to Gering Public School Board, Scotts Bluff County, WNCC, ESU, and NRD per the requirements of the current City's Zoning and Subdivision Regulations Article 15: Section 15.2 and Article 21: Plat Review and Submittal Requirements and are incorporated by reference in this Administrative Record.
- City of Gering Current Subdivision and Zoning Regulations dated March 1984.
- City of Gering Current 1995 Comprehensive Plan (Per Amendment No. 1 dated November 2001).
- City Engineer/Director of Engineering & Community Planning Administrative Record as shown herein.

This Final Plat meets the City Zoning and Subdivision Regulations requirements of Article 21: Plat Review and Submittal Requirements and Preliminary and Final Plat Procedures for Approval and Section 8.2 Heavy Industrial and Manufacturing District (MH) including lot requirements.

Mr. Mayor and City Council Members, I have completed my entry regarding the Public Hearing for the Final Plat of Block 1, Reed Farms Subdivision, A Subdivision of part of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska and request the Commission's approval for said Plat and ask that you please keep this hearing open until all entries are put into this record.

Mayor Kaufman asked if Council wished to have the Administrative Record read aloud; hearing no request to have it read aloud Mayor Kaufman asked if anyone in the Council Chambers wished to speak in favor of the application. Hearing none the Administrative Record and the Public Hearing were closed at 7:06 p.m.

Motion by Councilmember Morrison to accept the Administrative Record for the Final Plat of Block 1, Reed Farms Subdivision into the public record. Seconded by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

1a. Consider approving or denying Final Plat of Block 1, Reed Farms Subdivision, A Subdivision of part of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska

Motion by Councilmember Smith to approve the Final Plat of Block 1, Reed Farms Subdivision, A Subdivision of part of the Southwest Quarter of Section 36, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska. Seconded by Councilmember Holliday.

Discussion: Councilmember Gibbs asked what they have in mind for plans in that area. Mr. Snarr said B & T metals is looking to relocate there and we have reviewed the plans; they will be putting up a 10-foot screening fence along U Street and most of the way along the east side.

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

CURRENT BUSINESS:

1. Consider approving Manager Application – Mini Mart, Inc. dba Loaf N' Jug #333

Motion by Councilmember Morrison to approve the Manager Application – Mini Mart, Inc. dba Loaf N' Jug #333, seconded by Councilmember Gibbs.

Discussion: Councilmember Holliday asked if this is just a change in Manager. Mayor Kaufman replied correct.

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

2. Consider approving waiver of conflict of interest for law firm representing Tetrad in hotel project negotiations

Administrator Danielzuk stated that a conflict of interest exists if there is a substantial risk that the lawyer's representation of the client would be materially and adversely affected by the lawyer's own interests or by the lawyer's duties to another current client, firm client or third person. We do have and have identified a conflict of interest that exists with the Baird Holm Law firm and in their proposed representation of Tetrad's negotiation or renegotiation of our redevelopment agreement over the hotel project. Baird Holm has fully disclosed what that conflict of interest is. In the past Gary Clatterbuck has represented the City of Gering with respect to three matters; they're all related to pension plans, police/firefighter pension, the pension plan for the general employment and the voluntary emergency response reward benefit. The attorney that will be representing Baird Holm with respect to the renegotiations of the redevelopment agreement for Tetrad is not the same attorney; it is Jon Blumenthal. Staff would recommend that the waiver of conflict of interest with Baird Holm, with respect to their firm negotiating the redevelopment agreement for and with Tetrad and the City of Gering, be waived.

Acting City Attorney Turman added that from our standpoint the conflict that exists is more of a technical conflict than a substantive conflict. They don't see any risks with waiving the conflict of interest. The matters that we're dealing with are a completely different area of the law than what this firm dealt with before for the City. It's not going to affect the City's rights in any way. We do have a long standing relationship with Baird Holm and we'd both like to see that continue; they wish to treat the City fairly regarding the position they're in.

Councilmember Morrison asked regarding different firms aren't there different attorneys who specialize in different aspects of the law so this wouldn't really be a conflict; wouldn't this be different? It's like apples and oranges. Mr. Turman replied that's right. He said our ethical rules as attorneys say if one of our attorneys has a conflict the entire firm does. He said that he agrees with Councilmember Morrison, this is

more of a technical issue. Councilmember Christensen asked if this will interfere with the progress of the hotel project. Mr. Turman replied no; if anything failing to waive the conflict might slow things down.

Motion by Councilmember Gibbs to approve the waiver of conflict of interest for the law firm Baird Holm representing Tetrad in hotel project negotiations, second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

3. Approve and authorize the Mayor to sign Resolution 1-15-1 – A resolution encouraging support for and future implementation of the Thomas P. Miller and Associates Regional Economic Development Plan

RESOLUTION 1-15-1

A RESOLUTION ENCOURAGING SUPPORT FOR AND FUTURE IMPLEMENTATION OF THE THOMAS P. MILLER AND ASSOCIATES REGIONAL ECONOMIC DEVELOPMENT PLAN.

WHEREAS, Thomas P. Miller and Associates (TPMA) has completed work on the regional economic development plan. The plan provides a recommended list of target industries, strategic planning community assessments as well as recommendations for site selection and improvements to the current economic development processes. Throughout the planning process TPMA focused on planning for a regional approach and encompassed input and analyses from Gering, Terrytown, Scottsbluff and the rest of Scotts Bluff County. The importance of a regional approach was considered one of the most important aspects of using this plan to its fullest potential.

WHEREAS, The plan is a product of interviews and conversations with public, private, civic, and institutional stakeholders to identify the important issues, clarify perceptions and suggest opportunities. Citizens provided input through two public meetings. TPMA is confident that the region's partners and stakeholders viewpoints and suggestions guided the foundation of this plan.

WHEREAS, The plan is a dynamic document which opens the door to elevating the region's economic development effort and building on the many assets and advantages already in place and being developed. This plan should be viewed as a guide to "tweak" as the region's stakeholders see fit. It is not a rigid, static step by step approach rather it is intended as a guide to build on, modify. This is a plan where the region can capitalize on the momentum of community interest and successfully begin the process of implementation.

WHEREAS, The immediate need is to have region – wide acceptance of the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GERING, NEBRASKA THAT: The Gering City Council accept, adopt, approve and support to move the plan to implementation understanding that the plan is not the final word but a framework to build on.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF GERING, NEBRASKA, THAT:

In the future the City Council recommends forming a group to guide the process of implementation. A group that represents a range of interests impacting the regions preparedness to encourage new growth expand or improve what we have and champion the plan.

This resolution to be in full force and effect from and after its passage and approval.

ADOPTED AND APPROVED THIS 12th DAY OF JANUARY 2015.

Mark A. Kaufman, Mayor

Kathy Welfi, City Clerk

Motion by Councilmember Holliday to approve Resolution 1-15-1 – A resolution encouraging support for and future implementation of the Thomas P. Miller and Associates Regional Economic Development Plan, second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Approve and authorize the Mayor to sign Authorization to request Grant Funds – CDBG (Downtown Revitalization)

Rawnda Pierce, Twin Cities Development Director, said this is just a technicality because of the elections. The City Clerk and Mayor are the authorized signers to request draw downs so we have to do this to reflect the new Mayor.

Motion by Councilmember Morrison to approve and authorize the Mayor to sign Authorization to Request Grant Funds – CDBG (Downtown Revitalization), second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

5. Approve and authorize the Mayor to sign Authorization to Request Grant Funds – NAHTF (McKinley Project)

Motion by Councilmember Gibbs to approve and authorize the Mayor to sign Authorization to Request Grant Funds – NAHTF (McKinley Project), second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

6. Approve and authorize the Mayor to sign Environmental Review Record for the City of Gering Downtown Revitalization

Rawnda Pierce, TCD Director, explained to the Council that one of the items required to get the release of funds for the Downtown Revitalization Grant is an Environmental Review Record. She said it's an overall review of the whole grant to say these are the things we're looking at. They have to look at noise control, discrimination and other issues. This project will positively impact the whole community so some things won't apply. We have to look at the historical side and make sure we're not impacting that, we have to make sure we're not in a flood plain, and whether there's flammable or hazardous materials. This document has to be reviewed and signed before it's sent into the State for the release of funds. The City Engineer is working on the other piece which is the RFQ/RFP for the public gathering space. Hopefully soon we'll be getting to a point where we can start taking applications.

Motion by Councilmember Smith to approve and authorize the Mayor to sign Environmental Review Record for the City of Gering Downtown Revitalization, second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Allred, Shields, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

CLOSED SESSION:

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

REPORTS OF STAFF, BOARDS AND COMMISSIONS AND STANDING COMMITTEES:

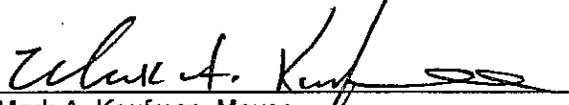
1. Administrator's Report

- **Get Ready for New FLSA Rule**
Administrator Danielzuk stated the Fair Labor Standards Act will impose a new rule; this will affect our exempt status employees which would affect all of our senior staff members and all of our first line supervisors. At this point no one knows what the exact changes will be, some employment law experts are making some educated guesses such as a minimum salary threshold will likely increase, employees may need to engage in exempt duties at least 50% of the time and a narrowed exemption is possible.
- **Threats in the Bond Market**
- **Gallup Poll – Americans Trust local government more than state**
According to the Gallup poll, 72% of Americans have high levels of trust in local government vs. 62% with high levels of trust in state government.
- **NMPP Energy Annual Conference**
The 2015 NMPP Energy Annual Meeting & Conference will be March 11-13 in Gering; many activities will be held at the Civic Center. This is a great opportunity for Council to attend.

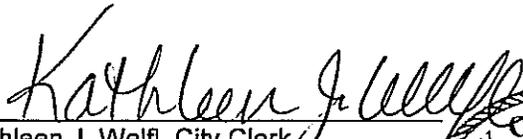
ADJOURN

Motion to adjourn by Councilmember Morrison, second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, Alired, Shields, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Meeting adjourned at 7:25 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfi, City Clerk

