

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
JULY 10, 2017**

A regular meeting of the City Council of Gering, Nebraska was held in open session on July 10, 2017 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Wiedeman, O'Neal, and Cowan. Also present were City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Holliday and Morrison and Administrator 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 excuse the absence of Councilmember Holliday from the June 26, 2017 regular meeting. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday and Morrison. 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 June 26, 2017 Regular City Council meeting
2. Approve Claims
3. Approve TCD Quarterly Reports: January - March and April - June, 2017

**Claims:**

**6-17-17 to 6-30-17**

1801 CALIFORNIA GARAGE \$98.00 GFOA CONF - J MEJIA PARKING, 24/7 FITNESS \$130.00 WELLNESS, 7 ELEVEN \$26.00 P HEATH - P3 CONF SAN DIEGO, ACCELERATED RECEIVABLES \$207.18 GARNISHMENT 2, ACCUSTAR SURVEYING \$1,050.00 SURVEY FOR RETENTION POND, ACUSHNET CO \$255.89 GOLF CLUB PUTTER, ADVANCED SRV INC \$1,960.80 TEMP LABOR - K MADISON, AL'S TOWING INC \$85.00 TOW SRV, AMAZON \$971.40 VEHICLE LIFT RPR FOR SHOP/CREDIT FOR 16 BOOKS NOT REC'D/43 BOOKS/FUEL PUMP/TIRE/BOOKS FOR DETECTIVE TESTING/8 DVD'S/PRIZES FOR SRP/FRAUDULENT CHRGS BEING DISPUTED, AMERI-CO CARRIERS INC \$45.00 BENTONITE, AMERICAN SOCIETY OF CIV ENG \$2,689.00 CONT ED FOR REQ'D PHD'S/CEU'S - P SNARR, ATLAS LAWN EQUIPMENT CO \$46.40 6 BUSHINGS, B & H PHOTO \$1,073.09 CAMERAS & EQUIPMENT, BEN'S CONSTRUCTION \$1,570.00 REPLACE CURB & GUTTER, BENZEL PEST CONTROL \$217.90 PEST CONTROL, BKD RENTALS LLC \$2,154.20 JULY RENT SUBSIDY PRAIRIE PINES, BLACK HILLS ENERGY \$206.70 NATURAL GAS - 1035 M ST/900 OVERLAND TRAIL/1255 11<sup>TH</sup> ST/225 E D ST, BLUFFS SANITARY SUPPLY \$805.15 PAPER TOWELS/POOL CHEMICALS/CLEANING SUPPLIES/RR SUPPLIES, BOK FINANCIAL \$250.00 CONT DSCLSR AGRMT ANNUAL FEE, BROADWAY OFFICE CENTRE \$185.31 CREDIT FOR PAPER NOT DELIVERED/BINDER/HANDHELD FINGER COUNTER/HIGH LIGHTERS/CLEANING SUPPLIES/CARD STOCK/FILE FOLDERS, BROWN SHOE FIT CO \$175.00 BOOTS - B LEAVITT, BROWN DAVID \$19.97 REIMB - UNIFORM PANTS, CALLAWAY GOLF CO \$1,238.44 GOLF CLUB CHIPPER/GOLF CLUBS, CASEY'S GENERAL STORE #27 \$29.01 FUEL - T COOLEY LABOR CONF, CENEX I-80 \$29.00 FUEL - T COOLEY LABOR CONF, CENTER FOR EDUCATION & EM \$159.00 PUBLIC EMP LAW REPORT SUBSCR, CENTER POINT LARGE PRINT \$45.54 2 LARGE PRINT BOOKS, CENTURYLINK \$2,631.59 MONTHLY TELEPHONE ALLOCATION, CHARTER COMM \$99.98 TV/INTERNET CHRGS - CLUBHOUSE, CITY INSURANCE FUND \$142,085.26 HEALTH PREM 125, CITY OF GERING \$1,124.50 WELLNESS GOLF, CITY OF GERING - GENERAL AC \$65,000.00 ACH PAYROLL TRANSFER, CITY PAYROLL TRUST \$6,085.04 FSA MEDICAL 125, CONSOLIDATED MANAGEMENT \$169.00 MEALS NLETC - STICKELS, CONTRACTORS MATERIALS \$29.50 WOOD STAKES, CORNHUSKER C STORES \$19.32 FUEL - STICKELS NLETC, COURTYARD BY MARRIOTT \$519.00 COOLEY - HOTEL LABOR CONF/HOLTHUS - HOTEL LABOR CONF, CRESCENT ELECTRIC SUPPLY \$220.85 LEADS/TOOLS/LIGHT BULBS, CULLIGAN WATER CONDITIONING \$6.00 DRINKING WATER FOR WWTP, D & H ELECTRONIC SUPPLY \$34.46 VGA CORD, DANIELZUK NIKKI \$75.00 REISSUE RV ROOM DEPOSIT REFUND, DANKO EMERGENCY EQUIP \$20.00 PATCH FOR HELMET, DHHS DIVISION/PUBLIC HEALTH \$38.00 WATER LAB, DISCOVER \$1,489.73 GFOA HOTEL CHRGS - J MEJIA, DOLLAR GENERAL STORE #077 \$8.50

SUPPLIES FOR ST & LEAP, DUTTON - LAINSON CO \$1,102.32 WASHER/HEAT TAPE/WARNING STICKERS, ELECTRONIC CONTRACTING CO \$359.24 PART - COUNCIL CHAMBERS STATIC, EMBASSY SUITES (-\$37.82) REFUND SALES TAX, ENERGY LABORATORIES INC \$456.00 WATER LAB, ENVIRO SRV INC \$546.00 WATER/WW LAB, EPOCH EYEWEAR \$97.10 SUNGLASSES, ESC ENGINEERING \$15,836.47 D STREET SUBSTATION/U STREET SUBSTATION, FAMILY DOLLAR \$7.25 CAT FOOD/BAGS, FASTENAL CO \$843.74 CABLE TIES/TOOLS/BATTERIES/CENTRAL PLANT RPR/GLOVES/SUP, FEDEX \$293.07 SHIPPING - WATER LAB/SEWER CAMERA FOR RPR, FIRST STATE BANK \$338.23 IBEW UNION DUES, FLOYDS SALES & SRV \$880.54 WORK - G10/PARTS G10/BATTERY CORE, FORT DEARBORN LIFE INS CO \$116.96 FIREFIGHTER LIFE INS, FRANK PARTS CO \$551.52 BATTERY/3 OIL FILTERS/CORE CHARGE - SPEED TRAILER/BATTERY/CORE CHARGE/CORE DEPOSIT CREDIT/1 WIPER MOTOR/1 REAR WIPER/1 MICRO EDGE BLADE - 2013 JEEP, FROSTBEARD STUDIO \$29.30 PRIZES FOR SRP, GALE \$242.16 9 LARGE PRINT BOOKS, GALL'S INC \$111.98 UNIFORM PANTS, GEORGE HOLTHUS \$243.00 LABOR CONF TRAVEL EXPENSE/REIMB FOR COMPLIANCE CHECKS, GERING COURIER \$51.50 ADVERTISING/ADMIN - ANNUAL SUBSCRIPTION, GERING VALLEY PLUMBING \$10,508.00 RPR EXHAUST FAN/5 TON HEAT PUMP/HEAT PUMP RPR/RPR/RPR COOLER, GFOA \$360.00 GFOA CONF - J MEJIA, GOLDEN WRENCH TOOL SALES \$100.00 LARGE WRENCH, GOOD HOUSEKEEPING \$34.97 1 YR SUBSCRIPTION, GREATAMERICA LEASING CORP \$100.00 COPIER LEASE, GREEN VALLEY RANCH \$182.40 HOTEL - SNARR CNT ED REQ PHD/CEU, GRUBBS BRIDGETTE \$75.00 REISSUE RV ROOM DEPOSIT REFUND, HANDLEY SCOTT \$930.05 REFUND MEMBERSHIP, HD SUPPLY WATERWORKS LTD \$7,252.38 SRV LINE RPR/PUMP RPR AT CENTRAL PLANT/SEWER LINE RPR/WATER METER PURCHASE, HENNING'S CONSTRUCTION \$53,400.60 O ST WATER MAIN REPLACEMENT, HERTZBERG - NEW METHOD INC \$808.67 55 CHILDREN BOOKS, HIGH PLAINS AUTO CLUB \$3,500.00 KENO - FRIDAY NIGHT BBQ, HOA SOLUTIONS INC \$7,110.87 SCADA RPR, HOBBY LOBBY \$45.41 CRAFT SUPPLIES FOR ST & LEAP, HOLIDAY INN EXPRESS \$142.00 JACKSON - HOTEL FOR TRAINING, HOLIDAY INN KEARNEY \$429.75 J MEJIA - LODGING LNM CONF/T COOLEY - LODGING LNM CONF, HOME DEPOT \$311.80 PAINT FOR BLEACHERS, HULLINGER GLASS & LOCKS \$89.25 REPLACE KEYS/CLEAN LOCKS, ICMA ELECTRONIC RETIREMENT \$552.14 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$590.73 EXCHANGE RUGS/MOP/AIR FRESHENER/CLEAN TABLE SKIRTS/PAPER TOWELS/TOILET PAPER/LINERS/REFUND OVERCHARGE, INGRAM LIBRARY SRV \$420.45 27 BOOKS, INTERNAL REVENUE SRV \$50,210.58 FED/FICA TAX, INTERSTATE BATTERIE/RAPID \$306.85 BATTERIES FOR 99/REFUND BATTERY CORES/VEHICLE BATTERY, INTRALINKS TECHNICAL SOLU \$192.44 COMPUTER FAN RPR, JIRDON \$5,574.60 PENDULUM/GRASS SEED/FERTILIZER/MOUSE BAIT, JOHN HANCOCK USA \$14,083.88 JH RETIRE 1-10%, JOHN MEJIA \$462.49 NEDA CONF - FINAL TRAVEL EXP/GFOA CONF - FINAL TRAVEL EXP, JOHNSON CASHWAY CO \$357.91 SCREWS - TRAINING CATER/2 KEYS ACCOUNTING/BOLTS/MANHOLE RPR/PARTS/24" WOOD STAKES/SCREWS/PUTTY KNIFE/SCRAPPER/BITS/FORM BOARDS/FLOURESCENT LIGHT BULBS.QUICKRETE, JOSEPH R HEWGLEY & ASSOC \$18,631.87 LIBRARY STUDY ARCHITECTS, KNAUB CAROL \$118.59 GREENHOUSE EXPENSE, KOIS BROTHERS EQUIPMENT \$2,473.65 LIDS FOR CANS, KOVARIK, ELLISON, MATHIS \$21,879.75 INDUSTRIAL PARK/INDUSTRIAL PARK - SIMON/INDUSTRIAL PARK - HENKEL LAND/LB840 FAMILY BUILT HOMES/LB840 HOTEL/BRODY GEIS - ZONING CHANGE/LAWYER FEES/AMERISTAR - LEGAL FEES/GLENN STIRRAT ESTATE/LB840 DOMINOS/LB840 GOONIES SPORTS BAR, KRIZ DAVIS CO \$622.67 LUGS/TOOLS/LIGHT/MASTIC TAPE, LL JOHNSON DIST \$757.60 SPRINKLER RPR/GRINDING STONE, LEGACY OF THE PLAINS \$500.00 REFUND FIVE ROCKS DEPOSIT, LIED LODGE & CONFERENCE \$227.54 GFOA CONF - J MEJIA LODGING, LINDSEY KELLER PHOTO \$111.55 PRINT CVB BUDDY AWARD, LOAF N JUG \$61.35 GAS - STICKELS NLETC, LOVES TRAVEL STOPS STORE \$26.00 FUEL - T COOLEY LABOR CONF, MALY MARKETING \$410.00 MEETING MARKET AD DESIGN/CVB WEBSITE HOSTING, MARRIOTT \$1,112.52 P HEATH - P3 CONF SAN DIEGO, MASEK GOLF CAR CO \$142.00 GOLF CART RENTAL, MATHESON TRI - GAS INC \$78.25 WATER SRV LINE RPR, MB KEM ENTERPRISE \$1,807.00 OVERHEAD DOOR RPR'S/DOOR RPR'S/WORK - BUILDING, MCDONALD'S \$33.55 VOLUNTEER MEALS, MCMASTER - CARR SUPPLY CO \$153.21 CHLORINE GENERATOR RPR'S, MEAT SHOPPE \$19,500.57 CATERING COSTS/MANAGEMENT CONTRACT, MENARDS \$311.22 SAFETY GLASSES/GLOVES/BOLTS/BOARDS/TRUCK TOOLS/RPR'S, MEREDITH BOOKS \$36.28 1 BOOK, MG TRUST CO LLC \$6,298.65 MG T-POLICE, MICHAEL TODD & CO \$4,259.62 TRAFFIC CONES, MONEY WISE OFFICE SUPPLY \$342.20 TONER CARTRIDGES - ACCOUNTING/HANGING FILE FOLDERS/INK CARTRIDGES/LEGAL PAPER/SORTER/BINDER, MONUMENT GRILL \$325.00 REIMB MEALS COLLECTED W/ENTRY, MORK CURTIS \$200.00 PERFORMANCE FEE - SUMMER READING, MURPHY TRACTOR & EQUIP \$892.50 CORRECT PREV INV TO INCL TAX, NATIONAL INS SRV \$1,058.52 VISION INS, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$13,313.56 STATE TAXES, NE DOL/BOILER INSPECTION \$69.00 NE01674 BOILER - 905 13<sup>TH</sup> (POOL), NE PUBLIC POWER DIST \$2,352.72 UTILITIES - PHEASANT DR, NE SAFETY/FIRE EQUIPMENT \$180.00 SRV CNCL CHAMBERS STATIC, NEBRASKA MACHINERY CO \$31.97 PARTS - ALJON, NEOFUNDS BY NEOPOST \$800.00 POSTAGE, NIKE USA INC \$85.00 GOLF HATS/GOLF HATS - CREDIT ON PRICE, NORTHWEST PIPE FITTINGS \$41.39 GASKET/PVE GLUE/RPR'S - CENTRAL PLANT, OCLC INC \$144.21 JUNE CAT & ILL SUBSCRIPTIONS, OMAHA WORLD HERALD \$571.48 1 YR SUBSCRIPTION, PANHANDLE CLERK'S ASSOC \$40.00 DUES - CAROL MARTIN & KATHY WELFL, PANHANDLE COOP ASSOC \$23.90 DISTILLED WATER/5.8 GAL PROPANE, PARACLETE PRESS INC \$37.78 3 BOOKS, PAUL L REED CONST \$129,526.74 RETENTION POND STRM SEWER LINE, PAYPAL \$152.00 1 BOOK/4 TRIVIA ACTIVATION CODES, PAYROLL CHECKS \$142,205.95 PAYROLL CHECKS ON 6-23-17, PIZZA HUT \$52.00 4 PIZZAS SRP SIGN UP DAY, POSTMASTER \$30.06 CERTIFIED MAIL - IMPOUND LETTERS, POWERPLAN OIB \$10.22 HOSE, PRAISE WINDOWS \$600.00 CLEAN WINDOWS, PUMP & PANTRY \$78.73 GAS - STICKELS NLETC, QUALITY INN & SUITES \$127.60 P HEATH - P3 CONF SAN DIEGO, R & C WELDING & FABRICATION \$357.45 RPR'S - SPRAYER/WELDING, REAL SIMPLE \$32.95 1 YR SUBSCRIPTION, RECORDED BOOK LLC \$29.69 1 AUDIOBOOK, RESPOND FIRST AID SYSTEMS \$132.82 FIRST AID SUPPLIES, RIVERSIDE DISCOVERY CENTER \$6,250.00 QUARTERLY PYMT, RON'S TOWING \$150.00 TOW FEES, RYAN'S WELDING \$512.50 WELDING/SHOP WORK, SARCHET ENTERPRISES \$225.00 APR/MAY BRNSFLD GRANT CONSULT, SCB COUNTY WEED CONTROL \$300.00 SPRAYING, SCOTTS BLUFF AREA VISITORS \$2,000.00 KENO - CELTIC GATHERING ENTRTNTMT, SCOTTS BLUFF COUNTY COURT \$34.00 COURT FEES, SCOTTS BLUFF COUNTY TREAS \$211.78 TERM COBBLESTONE #24/FUND 8692, SCOTTSBLUFF - GERING UNITED \$116.75 UNITED WAY CTRB, SENIOR CITIZENS CENTER \$642.00 KENO - RESEAL WINDOWS, SHERWIN WILLIAMS \$120.78 PAINT, SIGMA ALDRICH (-\$10.23) SALES TAX CREDIT, SIMON CONTRACTORS \$2,563.76 MANHOLE RPR/16 YDS CEMENT, SNARR PAUL \$574.01 STORM WATER MEETING TRAVEL EXP, SNELL SRV INC \$262.50 RPR'S, SOLUTIONS EAP \$244.55 JUNE COUNSELING SRV, STAPLES CREDIT PLAN \$34.99 USB DRIVES, STAR HERALD \$1,276.85 CC QUORUM NOTICE/BID NOTICE/LYMAN DR

CONCRETE BID/WATER QUALITY REPORT/CONDENSED MINUTES/BUDGET NOTICE/LB840 MTG NOTICE, STATE OF NE DEPT OF HHS \$227.12 OVERPAID FINAL – PENA, STAY ONLINE CORP \$458.72 SUSPENSION GRIPS, SUGAR VALLEY FEDERAL CRED \$678.37 CREDIT UNION, SUNSET \$24.00 1 YR SUBSCRIPTION, SWIMOUTLET \$497.57 GUARD TUBES/SWIMSUITS/WHISTLES, TEAM CHEVROLET \$375.00 WING VEHICLE LEASE, THE ROCK PILE \$59.84 7.48 TONS CONCRETE FINES, TWIN CITIES DEVELOP \$2,596.25 BRWNFLD GRNT CONSULT PD BY TCD, UNITED AIRLINES \$464.40 KARLA – TOUR ALLNC PRTRNSHP CONF, UNITED CHAMBER OF COMMER \$160.00 TELEPHONE SKILLS – A UHRICH, E ALLEN, T COLTON, N RASNIC, UNIVERSITY OF SOUTHERN CA \$150.00 MEMBERSHIP, US AIRPORT PARKING \$64.80 P HEATH – P3 CONF SAN DIEGO, US AUTO FORCE \$24.19 TIRE, USA BLUE BOOK \$203.11 TOOL, VAN PELT FENCING \$26,250.00 FENCE, WALMART \$200.55 OIL CHANGE/OIL/ADDITIVE/POOL SUPPLIES, WAREHOUSE FITNESS CENTER \$90.00 WELLNESS, WELLS FARGO FINANCIAL LEAS \$302.70 COPYSTAR COPIER LEASE – FULL PMT, WESCO DISTRIBU \$727.60 LANYARDS, WESTCO \$3,161.33 NOZZLE FOR SPRAY TRUCK/GUAGE/1321 GAL DIESEL, WESTERN PATHOLOGY CONSULT \$340.90 DRUG TESTING, WESTERN STATES BANK \$141,444.08 SOLID WASTE FAC REV REF 2012 – BOND PYMT, WESTERN STATES BANK – POL \$360.00 PO UNION DUES, WESTERN UNITED ELECTRIC \$5,970.60 SWITCHES, WINCHELL CLEANING SRV \$610.00 CLEAN HALLS/BATHS/OFFICE, WM RECYCLE AMERICA \$2,199.10 RECYCLING, YMCA OF SCOTTSBLUFF \$506.08

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

## **BIDS:**

### **1. 11<sup>th</sup> Street Parking Lot Bid**

Paul Snarr, City Engineer, said we opened bids on July 7, 2017 for the 11th St. parking lot between Jim Ellison's office and the funeral home. We received bids from three bidders and Anderson-Shaw came in lowest at \$104,162.48. Staff would recommend awarding the contract to Anderson-Shaw Construction. He said keep in mind that this is a split between the community Keno Funds and the Funeral Home and the City Street Department will do in-kind work.

**Motion by Councilmember Wiedeman to award the 11<sup>th</sup> Street Parking Lot bid to Anderson-Shaw Construction in the amount of \$104,462.48. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

### **2. Oregon Trail Park Baseball Field Phase II Concrete Dugouts, Wall, and Flatwork Bid**

Mr. Snarr said we opened bids for the Oregon Trail Park baseball field phase II - Dugout Walls and Flat Work on July 7, 2017; we received bids from three contractors. This is a fairly good-sized project, it includes the dugouts, ADA ramps, cantilevered roof system, a lot of flat work, concrete stairs and more. Low bid was Anderson-Shaw Construction in the amount of \$354,411.00. Staff would recommend awarding the bid to Anderson-Shaw Construction.

**Motion by Councilmember Smith to award the Oregon Trail Park Baseball Field Phase II Concrete Dugouts, Wall and Flatwork bid to Anderson-Shaw Construction in the amount of \$354,411.00. Second by Councilmember Cowan.**

**Discussion:** Councilmember Wiedeman asked about restrooms. Mr. Snarr said the next item on this ball field that we'll bid out is stadium seating and bleachers. The next phase after that is the concessions, announcer building and the restrooms. The restrooms will meet the compliance with the number of people and ADA. Councilmember Wiedeman said with the shelter torn down there she knows there is a need for restrooms especially when you have little kids. Mr. Snarr said they calculated the size of the restrooms for 800 total people. The field will contain about 365 stadium seats; with the bleachers roughly 1300 will be able to attend.

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

### **3. Full-sized Ver-Mac Message Boards Bid**

Steve Mount, Street Department, said this is a bid for two more message boards for all of our extra activities. We got a bid for \$36,100 and \$32,000 was budgeted. He said they have an extra thousand dollars from a trade for the bobcat that will be put towards it and they will take the extra we need out of our sinking fund for capital equipment. Mr. Mount said this was off the Minnesota State bid.

**Motion by Councilmember Wiedeman to approve the full-sized Ver-Mac Message Boards bid of \$36,100 with shipping through the Minnesota State Bid. Second by Councilmember Smith.**

**Discussion:** Councilmember O'Neal said there was something where they were going to get back to us on the shipping because it looked like they charged the City almost double for the shipping. Mr. Mount stated they did come back and change that.

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

**PUBLIC HEARINGS:** None

### **CURRENT BUSINESS:**

#### **1. Update regarding the Solar Eclipse event(s) - Gering CVB Director, Karla Niedan-Streeks**

Gering CVB Director, Karla Niedan-Streeks addressed the Council with an update and power point presentation on the Solar Eclipse events:

- **43 days from today, we'll experience the greatest phenomenon of our lifetime.**
- **Local Circumstances of the Eclipse**
  - o August 21, 2017 – Monday
  - o Duration of Totality (total darkness): 1 minute, 28 seconds
  - o Partial Phase Start: 10:25:50 AM (MDT); at 1:00 on the Sun's Disk
  - o Totality Starts: 11:48:19 (MDT) in Gering-Scottsbluff
  - o Gradual darkness 90 minutes before and 90 minutes after totality
  - o First total solar eclipse in the Continental U.S. in 38 years
- **Update to Council: Here are the numbers:**
  - o 25-Member Eclipse Planning Committee working for the last 12 months
  - o 40,000 Eclipse Glasses ready
  - o 8,000 Bottles of Water
  - o 600 Pounds of Ice
  - o 1,200 Commemorative & Volunteer Shirts
  - o 100%+ hotel-camping occupancy Thursday to Monday
  - o Gering KENO & Scotts Bluff County KENO grants of \$9,000
  - o Planning for 8,000 to 10,000 visitor viewers in Gering-Scottsbluff area
  - o Expecting up to 35,000 viewers at Carhenge in Alliance
- **Designated Eclipse Viewing Locations:**
  - o 4,000 Five Rocks – 1,500 Legacy of the Plains – 3,000 Landers Field
- **Who is coming to view?**
  - o Delegations from 19 Countries
    - UK - Denmark - Netherlands
    - Tokyo - France - Australia
    - Brazil - Switzerland - Canada
    - Germany
    - NASA Experiments
    - Scientists, astronomers & eclipse enthusiasts
    - Our Friends & Relatives
    - National & International Media
    - Front Range day-trip viewers

- **Saturday and Sunday events:**
  - o Programs and events at Scotts Bluff National Monument & Legacy of the Plains
  - o 18 th Street Eclipse Weekend Farmers Market with extended Hours – Saturday – 8am to 1pm
  - o Best of the West "Eclipse" Beer & Wine Festival - Saturday – 4:00 pm to 8:00 pm
  - o Laser Show to the Music of Pink Floyd at Midwest Theater – Saturday evening at 8:00 pm
  - o Western Nebraska Vintage Motorcycle Show & Rat Riot Car Show – 9 to 5 – Saturday & Sunday
  - o Moon Over the Monument "Welcome Event" at Five Rocks Amphitheater – 3:00 pm to 6:00 pm – Sunday
- **Monday – Total Solar Eclipse – Viewing Sites Open at 8:00 A.M.**
- **Promoting the event:**
  - o Commemorative & Volunteer Shirts
  - o Door Hanger Info Cards
  - o Public Health Safety Postcards
  - o Booth at County Fair
  - o "BIG" announcement later this week collaboration with US Postal Service
  - o Community Communications Plan

Mrs. Niedan-Streeks added that the Keno Committee donated \$9000 to help with the events. She entertained questions from the Council.

**2. Request for Administrative Standing Committee meeting - Agenda item: 1) Evaluate and submit recommendation to Council on purchase offer submitted by Croell Inc.**

Councilmember Backus asked if he could add some comments to help ease this thing into committee hopefully, the Mayor replied yes. Councilmember Backus said first he'd like to address some of the things that were said at the last meeting and through the press release. The first being in how the City is able to sell property. State statute 16-202 states "...the power to sell, convey any real estate owned by a city of the first class, including park land except for real estate used in the operation of public utilities, and except for real estate used for state armory sites for the uses of the state of Nebraska, as provided in section 16-201..." Councilmember Backus added and here's the important part - "shall be exercised by ordinance directing the conveyance of such real estate in the manner and terms hereof. Notice of such sale and the terms hereof shall be published for three consecutive weeks in a legal newspaper in general circulation in such City." He said now you may say that sounds like the City can sell to whoever they would choose depending on the ordinance they write. The check and balance on that is within 30 days of the passage the public can submit a petition blocking the sale of that property.

Councilmember Backus said the second thing he would like to address is the mineral rights. The Supreme Court, their most recent decision on mineral rights, is that it does not include sand and gravel. The company Bedrock Inc. was sued because they were using sand and gravel and the Supreme Court decided it is definitely not included. Mineral Rights was more defined in this case because if you think about it oil and gas are not a mineral, they are an inorganic substance. He said part of that definition, in that case, of a mineral was "a mineral is a naturally occurring inorganic substance having a definite chemical composition and physical structure". He said sand or gravel is an inorganic substance, with indefinite chemical composition and indefinite physical structure. It does not meet the term of a mineral in terms of mineral rights.

**Motion by Councilmember Smith to approve a request for Administrative Standing Committee meeting - Agenda item: 1) Evaluate and submit recommendation to Council on purchase offer submitted by Croell Inc. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

**3. Request for Standing Committee Meetings for the FY 17-18 Budget Process**

**Motion by Councilmember Gillen to approve a request for Standing Committee Meetings for the FY 17-18 Budget Process. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

**4. Approve and authorize the Mayor to sign a Petition for Annexation by Owner regarding property generally located at: Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., in Scotts Bluff County, Nebraska**

Councilmember Backus said he has a concern that he would hope we could look up. State statute 16-117 provides powers for cities of the first class in annexation. In that statute it says "...such grant of power shall not be construed as conferring power upon the mayor and city council to extend the limits of a city of the first class over any agricultural lands which are rural in character". City attorney, Jim Ellison, said that's true except it can be done as long as it's contiguous to the city limits. Because the land in question is contiguous and adjacent to the city limits, Nebraska law does allow for annexation of that particular property when it's adjacent and contiguous, which it is.

**Motion by Councilmember Smith to approve and authorize the Mayor to sign a Petition for Annexation by Owner regarding property generally located at: Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., in Scotts Bluff County, Nebraska. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Wiedeman, O'Neal, Cowan. "NAYS": Backus. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

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

**REPORTS:**

**ADJOURN:**

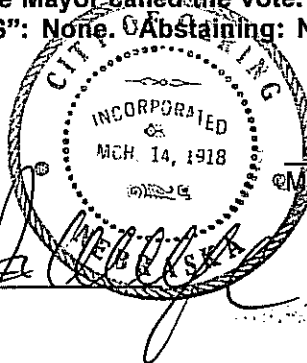
After the Mayor entertained a motion to adjourn a member of the audience asked if there would be time for a member of the audience to speak. Mayor Kaufman replied that we do that at the second meeting of the month; we have an open comment section for the public. Inaudible comments came from the audience regarding the public hearing agenda item. Clerk Welfi explained that the Public Hearing section is on the agenda because we have different categories on the agenda, but if there is nothing underneath it that means that at that particular meeting there is nothing scheduled for that category. More inaudible comments came from the audience to which the Mayor replied that we may be able to address any issues with staff. He said if it's not physically on the agenda we cannot address it.

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

Meeting adjourned at 6:36 p.m.

ATTEST:

Kathleen J. Welfi, City Clerk



Mark A. Kaufman, Mayor