

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
October 26, 2015**

A regular meeting of the City Council of Gering, Nebraska was held in open session on October 26, 2015 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. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmembers Allred and Cowan. 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 (None)

**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 October 12, 2015 Regular City Council Meeting
2. Approve Claims
3. Approve Financials

**10-9-15 to 10-19-15**

ALLO COMMUNICATIONS \$1,240.63 TELEPHONE/INTERNET CHRG, AUTUMN PIERCE \$75.00 RV ROOM DEPOSIT REFUND, BLACKSTONE AUDIO INC \$450.00 9 AUDIOBOOKS, BLUFFS SANITARY SUPPLY \$83.24 RR SUPPLIES, BROADWAY OFFICE CENTRE \$2,318.49 75 CASES OF PAPER, CHARTER COMMUNICATIONS \$990.86 TV/INTERNET CHRG, CREDIT MGMT SRV 2 \$309.80 GARNISHMENT 2, DANKO EMERGENCY EQUIPMENT \$52.13 18 HELMET DECALS, DEARBORN LIFE INS CO \$120.40 FIREFIGHTER LIFE INSURANCE, DON SCHMIDT CARPET INC \$3,389.86 CARPET INSTALLATION AT 1440 6<sup>TH</sup> ST HOME, DOOLEY OIL INC \$537.20 32 GALLONS OF OIL, ENERGY LABORATORIES INC \$514.00 1 WATER LAB, FASTENAL CO \$189.31 9 PR OF GLOVES, 6 BATTERIES, FIRST STATE BANK \$364.00 IBEW UNION DUES, FIRST STATE BANK \$14,482.26 LOAN 393123 PYMT, FRASER STRYKER PC LLO \$904.50 LEGAL SRV, GERING VALLEY PLUMBING \$484.80 RPR'S. GERING VOLUNTEER FIRE DEPT \$275.95 CREDIT CARD CHRG REIMBURSEMENT, GREASE N GO \$107.53 OIL CHANGE 08 CHEVY & OIL CHANGE/MAINT FOR ACADIA, HEILBRUN \$42.92 SHOP SUPPLIES, COUPLERS, 80 BOLTS. HOLIDAY INN \$269.85 LODGING: BRENDA, ROD, LANE - NPZA CONF, ICMA ELECTRONIC RETIREMENT \$516.42 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$216.83 MAT CLEANING, CLEANING SUPPLIES, MAINT SUPPLIES, INGRAM LIBRARY SRV \$303.51 18 BOOKS, INTERNAL REVENUE SRV \$43,836.27 FED/FICA TAX, ITRON INC \$2,601.09 HARDWARE/SOFTWARE MAINT, JIRDON \$4,001.50 4000 LBS OF HERBICIDE, JOHN HANCOCK USA \$13,850.02 JH RETIRE 6%, JOHNSON CASHWAY CO \$524.05 1 GALLON OF PASTEL BASE PAINT, 1 PAINTBRUSH, 2 BATTERIES, 1 DRILL BIT, 1 TRASH CAN, 2 SPONGES, 1 BATTERY, 2 ROLLS OF TAPE, 1 EXTENSION CORD, SUPPLIES, 4 METRIC BOLTS, RPR'S, 1 TOILET SEAT FOR PARK BATHROOM, 4 UNITS OF CONCRETE MIX, 1 PADLOCK, COUNTRY CLUB RD PROJECT MATERIALS, MATERIALS FOR TRAINING BUILDING, 2 FURNACE FILTERS, KATHLEEN A LAUGHLIN \$165.00 GARNISHMENT 2, KEEP SCOTTSBLUFF - GERING \$5,000.00 FY 15-16 FUNDING REQUEST, LEAGUE ASSOC/RISK MANAGEMENT \$223.28 TRAILER INSURANCE, LEAGUE OF NE MUNICIPALITY \$18,734.00 15/16 CITY & UTILITIES SECTION MEMBERSHIP DUES, MEAT SHOPPE \$8,465.26 MANAGEMENT CONTRACT/CATERING COSTS, MG TRUST CO LLC \$5,657.54 MG T - POLICE, MIDWEST FARM SRV CO \$2,089.00 1 BOOSTER PUMP, MONEY WISE OFFICE SUPPLY \$118.97 2 CARTRIDGES, 1 AIR FRESHNER REFILL, NE CHILD SUPPORT PYMT \$827.56 CHILD SUPPORT 1, NE DEPT OF REVENUE COMPL \$226.75 GARNISHMENT 2, NEBRASKA STATEWIDE ARBORE \$220.00 15/16 SITE DUES, ONE CALL CONCEPTS INC \$114.50 LOCATE FEES, OREGON TRAIL PLBG & HEAT \$757.00 RPR'S, PANHANDLE AREA DEVELOPMENT \$8,588.28 15/16 MEMBERSHIP DUES, ROBINSON ELECTRIC \$1,877.82 EL DAMAGE RPR - TWIN CITY ROOFING, SANDBERG IMPLEMENT INC \$110.59 RPR'S. SUGAR VALLEY FEDERAL CREDIT \$1,268.08 CREDIT UNION, THE ROCK PILE \$4,399.86 93.88 TONS OF YARD ROCK, 4200 FT BLUEGRASS, 7 PALLETS, TORRINGTON SOD FARMS \$1,309.00 4200 FT BLUEGRASS, 7 PALLETS, TWIN CITY ROOFING/SHEET \$294.26 EL DAMAGE RPR'S, VALLEY BANK - POLICE \$260.00 PO UNION DUES, VALLEY BANK & TRUST CO \$16,685.93 LANDFILL SINKING FUND, VIRGINIA MUES \$287.50 FY 14/15 GOOD SAM MEMBERSHIP DUES, WELLS FARGO FINANCIAL LEA \$112.11 COPYSTAR COPIER LEASE PYMT, WINCHELL CLEANING SRV \$830.00 CLEANING SRV, PAYROLL CHECK \$119,252.60 PAYROLL CHECKS ON 10-16-15

**Motion by Councilmember Christensen to approve the Consent Agenda, second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES":**

**Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Allred and Cowan. Motion carried.**

**PUBLIC HEARINGS:** (None)

**CURRENT BUSINESS:**

**1. Consider approving and authorizing the Mayor to sign a letter of support – Great Lakes Airlines**

Mayor Kaufman stated that we were asked for a letter of support on behalf of some potential flight changes at our regional airport so we asked Darwin Skelton to come tonight to allow Council to ask questions regarding that letter of support. Councilmember Gibbs asked Mr. Skelton if they're asking for Council's recommendation to get the Feds to change their regulations regarding the size of the crew needed for the size of the airplane. Darwin Skelton, 320690 Highland Road Minatare, Western Nebraska Regional Airport Director, addressed the Council and replied "essentially yes, that's what they're asking for". He stated that right now in order to fly with less than the 1500 hours with the ATP, they have to do nine passengers. That is why they've taken 10 seats out of those 1900 planes so they could fly nine passengers and fly with less-houred time pilots. So what they're asking for now from the Feds is to basically give them a break on that and allow them to fly 19 passengers with the less-houred pilots.

Councilmember Christensen asked if they'd be flying a smaller plane. Mr. Skelton said no, right now they're getting the 1900 as well as the Brazilia which is a 30 passenger, but when the 1900 comes in they only have nine seats on them because of the regulation. Councilmember Gibbs said so they're losing potential revenue for ten more passengers. Mr. Skelton replied correct. Councilmember Gibbs asked if it would improve the boarding. Mr. Skelton said that's a tough question; everybody knows that Great Lakes has had problems. He said they're still under contract with them until October, 2016. They're trying to do everything they can to try to help them. They're reliability has been pretty decent on the flights they're flying and they're pre-cancelling those that don't fly. Some have lost confidence in them and some passengers drive to Denver. In September Scottsbluff boarded only 30 less than Chadron. Mr. Skelton said not that many years ago they were the third busiest airport in Nebraska; where we are today is disheartening. They want to do whatever they can to try to help the situation and regain passenger confidence.

Mr. Skelton said all they're trying to do is go back to where they were prior to December of 2014 when they implemented this new 1500 hour rule; that's what the letter of support is for. The pilots that were flying back then never had the 1500 hours and that was the way it worked. They would fly until they got their number of hours in and they would move up to other airlines. The process worked fairly well in keeping plenty of pilots around and keeping them flying. When they threw that 1500 hour rule in, it threw everything into a quandary.

Councilmember Morrison asked about safety issues. Mayor Kaufman said years ago they never had that rule and safety issues weren't a problem. If you look at it they've just shifted funding from rural communities like ours to larger, more national airports. This forced the issue and created a shortage of pilots. He said he doesn't see it as a safety issue as much as trying to play ball with the guys in Washington on the rules to get money back into rural America again. Mr. Skelton said Mayor Kaufman is right. He added that he does not see this as a safety issue.

Darrell Bentley, 1620 Park Terrace in Gering, added that personally the too low-hour pilots, he doesn't see where there's a problem, he would encourage the Council signing this and get this going. To answer the question on why there's a difference between Scottsbluff and Alliance is that a round trip from Alliance to Denver is \$185 and one-way on Great Lakes from Scottsbluff to Denver is \$235. People are driving from here to Alliance and flying out. He thinks a contract has two sides, not just what we have to do but what they have to fulfill. For the last 15 years we've had one excuse

after another. He thinks our community needs to get behind the Airport Authority to work on the fact that we need a different company or whip these people into shape so they start running an airline like it should be run.

**Motion by Councilmember Gibbs to approve authorizing the Mayor to sign a letter supporting the change in the size of aircraft for the pilots, second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Allred and Cowan. Motion carried.**

**2. Consider approving Keno Fund Requests:**

- **Warrior Run, \$7500.00**
- **Gering Merchants, \$6000.00**
- **Carpenter Center, \$2000.00**
- **Gering Dance Team (POMS), \$6000.00**

Darrell Bentley, Keno Committee Chairman, asked if there were any questions. He clarified that the Gering Dance Team funding is not for travel. He has received a lot of questions and would like that clarified. It's for uniforms and equipment and those things stay with the school when the season is done. They'll turn in receipts for that before it's reimbursed. Regarding the Carpenter's Center they reduced the amount they asked for; they want to help but didn't feel Keno should fund the whole thing. Councilmember Christensen asked about the Warrior Run; they're receiving more than they asked for. Mr. Bentley replied that it only goes to their Run up to \$7500, it does not go in their budget. Anyone that can use their assistance who are veterans from World War I up to now can get assistance. They pay for everything from housing to medicine, right on down the line. This is the local wounded warriors and the money they raise stays in the community. He said he was proud of the things they do for the community.

**Motion by Councilmember Morrison to approve the Keno request recommendations as presented, second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Christensen, Gibbs, Holliday, O'Neal, Morrison. "NAYS": None. Abstaining: None. Absent: Allred and Cowan. Motion carried.**

**3. Report/update on WNED – Western Nebraska Economic Development, Councilmember Gibbs**

Councilmember Gibbs reported the following:

The Western Nebraska Economic Development Group has had seven meetings to date. We have now met in Gering, Bayard and Morrill and will meet in Bridgeport in November.

Those who have attended at least some of the meetings include representatives of Gering, Scottsbluff, Scottsbluff County, Terrytown, Mitchell, Morrill, Bayard, Bridgeport, Lyman, Kimball, Sidney and Gordon and possibly a few others that I have overlooked.

Mayor Michelle Coolidge of Bayard serves as Chairman, I serve as Vice Chair and Liz Hilyard of Scottsbluff serves Secretary.

The group has extended invitations to a number of other panhandle entities including counties, cities and economic development groups to participate in the group.

The group has determined that one of its first projects should be an updated regional housing study. We will soon be reviewing proposals from a few that were received. When it is determined which group should be contracted to do the study the group will be seeking funding from the participating communities for the study. The amount of this request has not yet been determined. Two other items the group has placed short-term priority on is to assist communities that are not yet qualified as "Certified Leadership Communities from DED where possible. We also feel that we can render assistance to those cities that do not yet have an LB840 program to help them

develop their plan and take it to their respective voters. This could provide two additional funding mechanisms to those villages and cities that may not yet have them.

There will be a half day workshop at the Prairie Winds Community Center in Bridgeport on November 19<sup>th</sup> from 1 to 5 PM regarding the Certified Leadership Community program referenced previously in this report. The meeting is open to any interested parties and we urge any village or city officials wishing more information to attend. The WNED monthly meeting will follow at 6PM at the same location.

**4. Approve and authorize the Mayor to sign Termination of Lease Agreement with Community Action Partnership of Western Nebraska, Inc. (Greenhouse)**

**Motion by Councilmember Morrison, second by Councilmember Smith to approve and authorize the Mayor to sign Termination of Lease Agreement with Community Action Partnership of Western Nebraska, Inc. regarding the greenhouse.**

**Discussion:** Councilmember Gibbs asked what is going to happen with the greenhouse. Administrator Danielzuk explained that we've been working with the NRD to set up another relationship that's similar to what their mission was when the original lease agreement was signed. During the last budget session we started to formulate that policy and that relationship. We had to take the legal recourse that we did in order to satisfy the NRD's interest in the partnership and also CAPWN's. The Executive CAPWN Board had to approve the termination agreement with the City for the Evergreen house. They determined they did not have the funds or the staff to maintain the greenhouse. Constructively they were in violation of the agreement. We told them about the NRD and the potential relationship that we had going forward and they agreed to the termination of the lease which surrenders their useful interest to the City and also relieves them of any liability. They were able to get that agreement and that part of the program out from under their legal issues. The City Attorney's office was able to get the termination agreement put together and now it's before the Council tonight. Councilmember Christensen asked if people with personal property were able to get their items without too much problem. Mr. Danielzuk replied yes, they will have six months to do that. Councilmember Gibbs said he hopes the Fig tree can be maintained; Mr. Danielzuk said the Fig tree is a big issue. Mayor Kaufman said it has been a great asset and we're thankful the NRD is willing to partner on a joint venture.

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

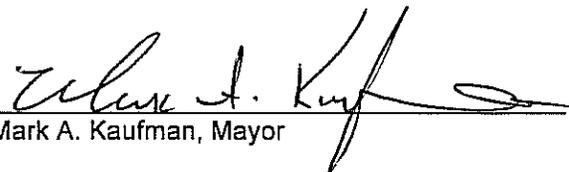
**REPORTS:** (None)

**OPEN COMMENT SECTION:** (None)

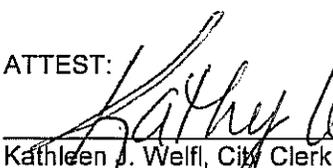
**ADJOURN**

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

Meeting adjourned at 6:28 p.m.

  
Mark A. Kaufman, Mayor

ATTEST:

  
Kathleen J. Welfl, City Clerk

