

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
SEPTEMBER 26, 2016**

A regular meeting of the City Council of Gering, Nebraska was held in open session on September 26, 2016 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Smith. 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 O'Neal to excuse the absence of Councilmembers Allred and Holliday from the September 12, 2016 Regular City Council meeting. Second by Councilmember Christensen. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. 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 September 12, 2016 Regular City Council meeting
2. Approve Claims and financials
3. Amend City of Gering Fire & Rescue Volunteers' Service Award Program
4. Notice to Public of Settlement (Trudy Schindler)

**Claims:**

9-3-16 to 9-16-16

3M \$28,640.00 KIMBALL AVE PROJECT MRKRS/TAPE, ACCUSTAR SURVEYING \$2,000.00 MAPPING FOR GERING LANDFILL, ACUSHNET CO \$1,262.23 GOLF GLOVES, ALAMAR UNIFORMS \$590.88 MASSIE UNIFORM/ACCESS, AMERICAN WATER WORKS ASSOC \$182.00 MEMBERSHIP RENEWAL, ANTIGUA GROUP INC \$61.61 MENS SHIRTS, AULICKS TLC \$3,416.67 TREES, BENZEL PEST CONTROL \$53.00 PEST CONTROL, BLUFFS SANITARY SUPPLY \$1,389.09 ACID/SKIMMER, BRANDT APPRAISAL CO INC \$8,250.00 CRN/U ST APPRAISAL, BROADWAY OFFICE CENTRE \$248.86 (5) CALENDARS, C & M GOLF & GROUNDS \$390.47 MUFFLER JAC MOWER, CHARTER COMM \$627.97 TV/INTERNET CHR 600 ROBIDOUX, CITY OF GERING \$25.15 WNED MTG, CNA SURETY \$100.00 HOLLIDAY BOND RENEWAL, COLONIAL SURETY CO \$1,560.94 RENEW ERISA BOND/RETIREMENT PLN, CONCRETE CATTLE CO \$109,998.00 PROJECT 17<sup>TH</sup> STREET, CONTRACTORS MATERIALS \$65.69 PARTS FOR THE SHOP, COOLEY TAMMY \$382.44 LNM CONF KEARNEY, CREDIT MANAGEMENT SRV \$216.33 GARNISHMENT 2, CRESCENT ELECTRIC SUPPLY \$231.74 CONDUIT 3", CULLIGAN WATER CONDITIONING \$82.00 SALT, CUMMINS CENTRAL POWER \$2,312.58 CENTRAL PLANT GENERATOR MAINT, D & H ELECTRONIC SUPPLY \$29.40 SUPPLIES, DALES TIRE & RETREADING \$1,696.25 NEW TIRES G10, DANKO EMERGENCY EQUIPMENT \$1,024.20 PUMP TEST/MAINT #30 & #31, DHHS DIVISION/PUBLIC HEALTH \$123.00 LAB FEES, DOCU - SHRED LLC \$737.73 TIF PASS THROUGH PYMT, DON CHRISTENSEN \$112.00 LEAGUE CONF KEARNEY TRVL EXP, DOOLEY OIL INC \$2,809.60 FUEL, DOOR CLOSURE SRV \$170.00 RPR (2) DOOR HANDLES, ENVIRO SRV INC \$842.00 WW LAB, EXPRESS COLLECTIONS INC \$195.74 GARNISHMENT 2, F D C \$397.10 ADVERTISING, FAMILY BUILT HOMES \$329.50 RPR FROM DMGS DISHWSHR, FASTENAL CO \$264.51 GLOVES/BATTERIES, FIREGUARD \$285.05 SMALL SCBA MASK, FIRST STATE BANK \$325.55 IBEW UNION DUES, FLOYD'S SALES & SRV \$3,194.31 WORK ON G9, FORT DEARBORN LIFE INS CO \$99.76 FIREFIGHTERS LIFE INS, GALE \$32.38 (2) LRG PRINT BOOKS, GEORGE HOLTHUS \$82.00 MEAL ALLOWANCE FOR TRAINING, GERING CITIZEN \$74.90 JOB NOTICE ACCT CLERK, GERING CONVENTION & VISIT \$4,500.00 UPGRADE/IMPRVMNT TO WEBSITE, GERING PUBLIC SCHOOLS \$5,325.00 LIQUOR/TOBACCO LICENSE SHARE, GERING VALLEY PLUMBING \$216.50 FREEZER RPR, GREATAMERICA LEASING CORP \$126.00 COPIER LEASE, GROUND UP CONSTRUCTION \$510.00 CLEANING FOR AUGUST, HARDER ALLISON \$75.00 RV ROOM DEPOSIT REFUND, HAWKINS INC \$2,943.00 FLUORIDE, HORIZON WEST INC \$159.66 MOWER BLADE, ICMA ELECTRONIC RETIREMENT \$516.42 ICMA CITY ADMIN, INDEPENDENT PLUMBING \$23.12 TAPE/VALVE, INFINITY CONSTRUCTION INC \$175,073.88 MARK DR PROJECT, INGRAM LIBRARY SRV \$333.46 (18)

BOOKS, INTERNAL REVENUE SRV \$47,140.48 FED/FICA TAX, IRBY TOOL & SAFETY \$2,479.73 (15) CUTOUTS, IWORO \$200.00 TRAINING PERMITS/INSPECTION, JC GOLF ACCESS \$1,931.68 KEY TAGS FOR GOLF CART KEYS, JIRDON \$9,840.29 LIQUID ICE SLICER 5,000 GAL, JOHN HANCOCK USA \$13,578.00 JH RETIRE 6%, JOHNSON CASHWAY CO \$103.87 WAX RING/BOLT SET, KL WOOD & CO LLC \$102,355.50 WATER MAIN REPLACEMENT, K4 TRUCKING LLC \$3,825.00 HAUL DIRT, KEMBEL SAND & GRAVEL CO \$702.90 (37) TNS SAND, KNAUB CAROL \$899.70 RMBRSMNT FOR EVERGREEN PRCHES, KOVARIK ELLISON MATHIS \$2,888.75 RETAINAGE CITY ATTORNEY, KRIZ DAVIS CO \$752.13 STAND OFF 3-PH, LL JOHNSON DISTRIBUTING \$235.62 (2) DIAPRAGM TORO VALVE, LANE DANIELZUK \$134.00 LNM CONF KEARNEY, LEAGUE OF NE MUNICIPALITY \$521.00 LEAGUE CONF KEARNEY CHRISTENSEN, MAILFINANCE \$864.95 POSTAGE MACHINE LEASE PYMT, MAIN STREET APPLIANCE \$1,140.00 (2) FREEZERS, MATHESON TRI - GAS INC \$372.88 GLOVES, MCMASTER - CARR SUPPLY CO \$800.16 SEWER JET RPR, MEAT SHOPPE \$11,544.79 MANAGEMENT CONTRACT, MENARDS \$88.59 RV ANTIFREEZE, MERRICK & CO \$315.00 ENGINEERING, MG TRUST CO LLC \$6,934.01 MG T - POLICE, MIZUNO USA INC \$500.00 CLUB FITTING CART, MONEY WISE OFFICE SUPPLY \$195.99 BATTERIES, MONUMENT GRILL \$400.00 RMBRSMNT MEALS COLLECTED, MUNICIPAL SUPPLY INC OF \$3,194.50 HYDRANT RPR, NASRO \$40.00 NASRO NASRO \$40.00 NASRO ANNUAL MEMBERSHIP, NDEQ - FISCAL SRV \$7,600.00 ANNUAL OPERATING FEE, NDOR - LODGING \$25.00 WASTE REDUCTION/RECYCLING FEE, NE CHILD SUPPORT PYMT \$627.56 CHILD SUPPORT 1, NE DEPT OF REVENUE \$87,002.75 AUG SALES & USE TAX, NE PUBLIC POWER DISTRICT \$301.46 UTILITIES 240066 HWY 92, NE SAFETY/FIRE EQUIPMENT \$90.00 FIRE EXTINGUISHER, NEBRASKA GOLF ASSOCIATION \$936.14 HANDICAP FEES/SCORECARDS, NEBRASKA TITLE CO \$250.00 HESSLER TITLE SEARCH, OLD WEST BALLOON FEST \$5,000.00 OWBF KENO FUNDS, ONE CALL CONCEPTS INC \$182.49 LOCATE FEES, OREGON TRAIL PLUMBING/HEATING \$150.00 REPLCE FILTERS COUNCIL CHMBR, PANHANDLE GEOTECHNICAL \$1,031.00 PROJECT 17<sup>TH</sup> STREET, PANHANDLE HUMANE SOCIETY \$3,134.00 MONTHLY PYMT, PAYROLL CHECKS \$126,378.84 PAYROLL CHECKS ON 9-16-16, PEGLER SYSCO FOOD SRV \$861.84 SILVERWARE, PETERSON CALEB \$260.00 CANCELLED WEDDING REFUND, PETTY CASH \$28.79 POLICE PETTY CASH REIMBURSEMENT, PING \$54.26 CLUB RPR, POSTMASTER \$600.00 MAILING PERMITS, POWERPLAN OIB \$4,132.12 WORK 762B NEW PUMP, RED BARN SHOP LLC \$422.50 POLE RPR, RESPOND FIRST AID SYSTEMS \$140.45 FIRST AID SUPPLIES, RIOS JENNIFER \$75.00 RV ROOM DEPOSIT REFUND, SANDBERG IMPLEMENT INC \$4,597.73 TRIMMERS, (2) TILLERS, (1) BLOWER, SCB COUNTY AMBULANCE SRV \$316.23 AMBULANCE CONTRACT, SENIOR CITIZENS CENTER \$525.00 FINANCIAL SUPPORT, SHERWIN WILLIAMS \$216.68 GLUE LINE POINTER, SIMON CONTRACTORS \$795.35 ASPHALT 5.35 TONS, SOURCE GAS \$33.18 UTILITIES 1035 M ST, STAR HERALD \$191.70 ORDINANCE NOTICE, SUGAR VALLEY FEDERAL CREDIT \$1,078.37 CREDIT UNION, SUHR BRENDA \$75.00 RV ROOM DEPOSIT REFUND, SUN SOURCE \$125.61 VEHICLE RPR, TAYLOR MADE GOLF CO \$105.45 SHOES, TERRY CARPENTER INC \$650.00 WATER WELL LAND RENT, THE ROCK PILE \$295.10 CONCRETE FINES CCLB 22.66 TONS, TWIN CITY DEVELOPMENT \$880.00 BROWNSFIELD GRANT CONSULTING, US AUTO FORCE \$82.78 TIRE 20X10, VERIZON WIRELESS \$549.56 IPAD FEES, WELLS FARGO FINANCIAL \$100.90 COPIER LEASE PYMT, WESCO DISTRIBUTION INC \$1,070.00 (8) CT'S, WESTCO \$5,290.21 DIESEL, WESTERN NE COMM COLLEGE \$25.00 TABE TEST FOR MASSIE, WESTERN PLAINS BUSINESS \$143.83 COPIER MAINTENANCE, WESTERN STATES BANK \$25,657.05 GERING/SCB SINKING FUND, WESTERN STATES BANK - POL \$320.00 PO UNION DUES, WINCHELL CLEANING SRV \$685.00 CLEANING HALLS/BATHROOMS/OFFICE, WM RECYCLE AMERICA \$1,235.91 RECYCLING

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

#### **BIDS:**

##### **1. Excavator Bid – Landfill**

Darrell Vance, Environmental Services Director, stated that bids were opened last Wednesday. We had three bids. Staff recommends accepting the bid from Murphy Tractor for \$164,655 for the excavator they bid; it's coming out of our shared account for the landfill with Scottsbluff.

**Motion by Councilmember Morrison to award the bid to Murphy Tractor and Equipment Company for a 2014 John Deere 180LC Excavator in the amount of \$164,655.00. Second by Councilmember Gibbs. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

#### **PUBLIC HEARINGS:**

**1. Continuation of a Public Hearing to consider an application for a change in zoning from AGG (General Agricultural District) to RRE (Rural Residential Estate District) on un-platted land located on the Northwest Corner of Five Rocks Road and U Street as part of the SE1/4 of the SE1/4 of Section 34, T22N, R55W of the 6<sup>th</sup> PM. This property is proposed to be platted as Block 1, Herdt Subdivision and contains approximately 10 acres in the City of Gering, Scotts Bluff County, Nebraska. (This public hearing was continued at the July 25, 2016 City Council meeting to a date and time certain which was to be the first Council meeting after the closing of the property).**

Mayor Kaufman stated at the July 25, 2016 Council meeting, Council voted to continue a public hearing to consider an application for a change in zoning on unplatted land located on the Northwest Corner of Five Rocks Road and U Street to a date and time certain. Since that time the City has purchased this land from the Herdts. He then closed the Administrative Record and the public hearing closed at 6:05 p.m.

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

**2. Remove from table a Public Hearing for a Preliminary Plat of Block 1 Herdt Subdivision containing approximately 10 acres of un-platted land located on the Northwest Corner of Five Rocks Road and U Street as part of the SE1/4 of the SE1/4 of Section 34, T22N, R55W of the 6<sup>th</sup> PM in the City of Gering, Scotts Bluff County, Nebraska. *(This public hearing was tabled at the July 25, 2016 City Council meeting to a date and time certain which was to be the first Council meeting after the closing of the property).***

Mayor Kaufman stated that also at the July 25<sup>th</sup> Council meeting, Council voted to table a public hearing for a Preliminary Plat of Block 1 Herdt Subdivision containing approximately 10 acres of un-platted land to a date and time certain. With the sale of this property from the Herdts to the City, there is no longer a need for this public hearing. He then entertained a motion to remove this item from the agenda.

**Motion by Councilmember Morrison to remove the Public Hearing for a Preliminary Plat of Block 1 Herdt Subdivision from the agenda. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**CURRENT BUSINESS:**

**1. Request for Recreation Standing Committee Meeting – Agenda items: 1) Consider Changing the name of Northfield Park & North Field Arboretum to Northfield Park & Charlie Fenster Arboretum, 2) Discussion of adding a dog park in Gering, 3) ADA Recommendations at O.T. Park**

**Motion by Councilmember Morrison to approve a request for a Recreation Standing Committee Meeting – Agenda items: 1) Consider Changing the name of Northfield Park & North Field Arboretum to Northfield Park & Charlie Fenster Arboretum, 2) Discussion of adding a dog park in Gering, 3) ADA Recommendations at O.T. Park. Second by Councilmember Allred. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**2. APPROVE ORDINANCE NO. 2034 - AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.**

**3. APPROVE ORDINANCE NO. 2035 - AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**4. APPROVE ORDINANCE NO. 2036 - AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.**

**5. APPROVE ORDINANCE NO. 2037 - AN ORDINANCE TO ADJUST EXISTING ELECTRICAL RATES; REPEALING ORDINANCE NO. 2012; PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

Mayor Kaufman stated he would like to combine Current Business items 2, 3, 4 and 5 and entertained a motion to introduce Ordinances 2034, 2035 and 2036 and 2037."

**Councilmember Gibbs made a motion to introduce Ordinance Numbers 2034, 2035 and 2036 and 2037 – 2034 being AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. 2035 being AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. 2036 being AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. AND 2037 being AN ORDINANCE TO ADJUST EXISTING ELECTRICAL RATES; REPEALING ORDINANCE NO. 2012; PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**Councilmember Allred moved that the Ordinances be designated as Ordinance Numbers 2034, 2035, 2036 and 2037 and the titles 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 O'Neal. There was no discussion. The Clerk called the roll. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. 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 Numbers 2034, 2035, 2036 and 2037 were read by title only.

**Councilmember Morrison moved that the Ordinances be passed as read, which motion was seconded by Councilmember Cowan. "The question is shall Ordinance Numbers 2034, 2035, 2036 and 2037 be passed?" The Mayor called the vote. "AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

The passage and adoption of the Ordinances having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed.

**6. APPROVE ORDINANCE NO. 2038 - AN ORDINANCE MAKING IT AN INFRACTION TO ALLOW SNOW, ICE, MUD OR OTHER SUBSTANCE TO REMAIN UPON SIDEWALKS OR CROSSWALKS WITHIN THE CORPORATE LIMITS OF THE CITY OF GERING, NEBRASKA; PROVIDING FOR THE REMOVAL OF THE SAME, AND FOR NOTICE TO THE OWNER OR OCCUPANT OF THE LOT; PROVIDING THAT THE COST OF REMOVAL OF SAID SUBSTANCES WHERE DONE BY THE CITY SHALL BE CHARGEABLE AGAINST THE OWNER OF THE PROPERTY ABUTTING SAID SIDEWALKS OR CROSSWALKS; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES IN CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

Mayor Kaufman gave a brief history behind this ordinance amendment: Councilmember Gibbs called a Public Works meeting several months ago to discuss changing the amount of time property owners have to clear their walks particularly after a snow storm. Staff discovered that the ordinance was originally approved in 1929. At that time property owners were expected to clear their sidewalks within five hours after the cessation of a storm or if it happened in the night walks needed to be cleared by 8:30 a.m. Councilmember Gibbs and the Public Works Committee felt this was too constricting so their consensus was to recommend to the full Council amending this ordinance to allow 12 hours after the cessation of a storm to clear sidewalks. With that we have the proposed amended ordinance before us this evening to consider approving.

Councilmember Gibbs made a motion to introduce Ordinance No. 2038 - **AN ORDINANCE MAKING IT AN INFRACTION TO ALLOW SNOW, ICE, MUD OR OTHER SUBSTANCE TO REMAIN UPON SIDEWALKS OR CROSSWALKS WITHIN THE CORPORATE LIMITS OF THE CITY OF GERING, NEBRASKA; PROVIDING FOR THE REMOVAL OF THE SAME, AND FOR NOTICE TO THE OWNER OR OCCUPANT OF THE LOT; PROVIDING THAT THE COST OF REMOVAL OF SAID SUBSTANCES WHERE DONE BY THE CITY SHALL BE CHARGEABLE AGAINST THE OWNER OF THE PROPERTY ABUTTING SAID SIDEWALKS OR CROSSWALKS; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES IN CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.** Seconded by Councilmember Holliday.

**Discussion:** Councilmember Morrison stated if there's a 12 hour limit now and a fine she thinks we need to have it in the Talk of Town or on the utility bills to let the public know. Clerk Welfl stated that it will be in the next newsletter. Councilmember Gibbs stated this actually liberalizes it; the current ordinance assessed fines as well but in a much more restricted timeframe.

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

Councilmember Allred moved that the Ordinance be designated as Ordinance No. 2038 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 O'Neal. There was no discussion. The Clerk called the roll. **"AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. 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. 2038 was read by title only.

Councilmember Morrison moved that the Ordinance be passed as read, which motion was seconded by Councilmember Cowan. **"The question is shall Ordinance No. 2038 be passed?"** The Mayor called the vote. **"AYES": Christensen, Gibbs, Holliday, Allred, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: Smith. 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: (Information only)**

##### **1. League of Municipalities Fall Conference Update – Councilmember Christensen**

Councilmember Christensen stated that he would hold off on his report until another Council meeting. He recognized Mayor Kaufman as one of the newest members of the League Board of Directors.

#### **OPEN COMMENT SECTION:**

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

Robin Kinney, 1720 Cedar Street in Gering, stated that she understands the utility rates were passed and approved. She said the rate increase from last year hit them pretty hard this year. She went back and looked at their rates for electricity and their kilowatt hour usages and their bill was \$200 higher than it was for the same period the year before. It wasn't because they had a spike in their usage. She noted there are a number of households on fixed incomes that struggle with absorbing that added cost. She said her

family can absorb the cost but it cut into their expendable income quite a bit that month and they expect it will for the next month or two. That's money they can't spend with local businesses because they're paying for utilities. She encouraged Council to look next year at other options, at maybe cutting expenditures before passing along another rate increase. She encouraged Council to talk to their constituents, look at the budget and be good stewards of their (citizens) money.

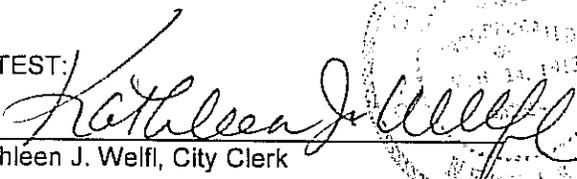
Mayor Kaufman stated he received a call from the Foundation at WNCC commending Casey and his crew and other City Staff. The City worked extra hard to make sure the Marathon went off without a hitch in spite of heavy rainfall the evening before. He appreciates the job City staff do on a regular basis.

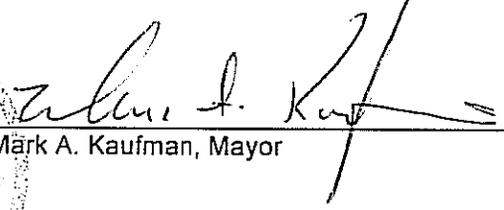
**ADJOURN**

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

Meeting adjourned at 6:20 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk

  
Mark A. Kaufman, Mayor

