

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, SEPTEMBER 14, 2026

A regular meeting of the City Council of Gering, Nebraska was held in open session on September 14, 2026 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl, and City Attorney Jim Ellison. Absent was Councilmember Gillen. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice, on July 3, 2026. Notice was also posted on the City's website on September 1, 2026. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

CALL TO ORDER

Mayor Ewing called the meeting to order at 6:00 p.m. and stated that a quorum of the Council was present and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse Council Member absence (None).

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

Mayor Ewing stated: As required by State Law, public bodies shall make available copies of the current Open Meetings Act in the meeting room. Printed versions of the Open Meetings Act are available on the counter by the press corps. 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 the Council determines that the matter requires emergency action.

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 August 19, 2026 Budget Work Session
2. Approve minutes of the August 24, 2026 regular City Council meeting
3. Approve minutes of the September 2, 2026 special City Council meeting
4. Approve Claims
5. Approve June, 2026 Financial Report

Claims 8-26-26 – 9-15-26

308 PLUMBING SOLUTIONS \$275.00, A & A PORTA POTTIES \$450.00, ACE HARDWARE \$422.42, ACTION COMMUNICATIONS, INC. \$184.73, ACUSHNET COMPANY \$1,754.37, ADIDAS AMERICA, INC \$20.70, ALLO COMMUNICATIONS \$3,802.42, AL'S TOWING, INC \$525.00, ALTEC INDUSTRIES, INC. \$2,291.73, AMAZON CAPITAL SERVICES \$1,818.97, AMERITAS LIFE INSURANCE CORP. \$596.46, ANDERSON & SHAW CONSTRUCTION \$115,340.99, AT&T MOBILITY \$483.50, BENZEL PEST CONTROL \$586.77, BLACK HILLS ENERGY \$481.46, BLUFFS FACILITY SOLUTIONS \$1,174.10, BORDER STATES INDUSTRIES, INC \$35,818.72, BRANDED BILLS \$1,848.00, C & C MANUFACTURING LLC \$382.75, CALLAWAY GOLF COMPANY \$1,760.92, CAMPSPOT \$637.50, CENTURY BUSINESS PRODUCTS, INC \$142.65, CITY OF GERING \$25,791.98, CLOUDPERMIT \$2,867.00, CNA SURETY DIRECT BILL \$915.00, COLUMN SOFTWARE, PBC \$99.81, CONTRACTORS MATERIALS, INC. \$492.00, CROELL, INC \$8,970.63, DAVIS EQUIPMENT CORPORATION TURFWERKS \$539.64, DEARBORN LIFE INSURANCE COMPAN \$113.52, DEMCO, INC \$352.35, DUTTON-LAINSON COMPANY \$1,375.22, EAKES INC \$607.11, ELLISON, KOVARIK & TURMAN LAW \$5,743.00, EUROFINS ENVIRONMENTAL TESTING NORTH CENTRAL, LLC \$1,686.00, FASTENAL COMPANY \$530.92, FAT BOYS TIRE & AUTO \$801.75, FEDEX \$230.18, FIRST NATIONAL BANK OF OMAHA \$9,020.00, FIRST NATIONAL BANK OMAHA - POLICE \$550.00, FLOYD'S TRUCK CENTER, INC. \$201,226.54, FRANCISCOS BUMPER TO BUMPER IN \$170.00, FRANK PARTS COMPANY \$1,087.31, FRASER STRYKER PC LLO \$1,519.00, FRONTIER BASEMENT SOLUTIONS, LLC \$2,400.00, FYR-TEK, INC. \$1,241.40, GALLS, AN ARAMARK COMPANY \$152.98, GOLF GENIUS \$3,775.00, GORSUCH & SONS \$108.59, GRACE INDUSTRIES, LLC \$77,608.08, GRAINGER \$136.63, GREAT AMERICA FINANCIAL SERVICE \$104.83, GROUND UP CONSTRUCTION & CLEAN \$6,552.13, HDR ENGINEERING, INC. \$8,786.56, HIGH PLAINS AUTO CLUB \$3,500.00, HORIZON TO HORIZON, INC \$500.00, HUSKER AUTO GROUP, LLC \$49,707.77, IDEAL LAUNDRY AND CLEANERS, INC. \$845.87, INDEPENDENT PLUMBING & HEATING \$75.42, INFINITY CONSTRUCTION INC. \$8,910.00, INGRAM LIBRARY SERVICES \$1,146.93, INLAND TRUCK PARTS CO. \$1,637.12, INTERNAL REVENUE SERVICE \$59,185.53, INTRALINKS, INC. \$10,746.77, IRBY TOOL & SAFETY \$516.00, J RODZ \$125.00, JC GOLF ACCESSORIES \$257.64, JEO CONSULTING GROUP \$8,025.00, JESSICA BOSWELL \$100.00, JOHN HANCOCK USA \$20,909.70, JOHN HANCOCK USA FIRE \$1,075.74, JOHN HANCOCK USA POLICE \$10,855.80, JOHNSON CASHWAY CO. \$196.61, JOHNSON SERVICES \$10,801.75, KENT EWING \$106.00, LEAGUE ASSOC./RISK MANAGEMENT \$5,151.08, LEGACY COOPERATIVE \$11,319.61, LISA BETZ-MARQUEZ \$250.00, LOGOZ LLC \$151.00, M.C. SCHAFF & ASSOCIATES, INC. \$1,237.75, MACQUEEN EQUIPMENT, LLC \$300.00, MANUEL BARRAZA \$6,000.00, MENARDS \$236.58, MIDWEST CONNECT \$4,037.69, MOBIUS COMMUNICATIONS COMPANY \$30.00, MONUMENT SHADOWS GOLF COURSE \$759.00, MUNICIPAL ENERGY AGENCY OF NE \$520,296.87, MUNICIPAL SUPPLY, INC. OF NE. \$512.04, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPT OF ENVIRONMENT AND EN \$7,600.00, NEBRASKA

TRAVEL ASSOCIATION \$800.00, NIPPON SAN SO MATHESON TRI-GAS INC \$113.00, NKC TIRE \$553.04, NMC INCORPORATED \$412.25, NORTHWEST PIPE FITTINGS, INC \$74.88, ONE CALL CONCEPTS, INC \$105.38, OREGON TRAIL ASSOCIATION \$3,684.26, OREGON TRAIL COMMUNITY FOUNDATION/OLD WEST BALLOON FEST \$10,000.00, O'REILLY AUTOMOTIVE STORE \$631.61, PANHANDLE ENVIRONMENTAL SERVICE INC. \$2,607.00, PANHANDLE GEOTECHNICAL & \$1,692.00, PANHANDLE POWER SYSTEMS LLC \$812.50, PAT HEATH \$106.00, PAUL REED CONSTRUCTION & SUPP \$850.00, PETE'S QUICK LUBE \$232.27, PING INC \$284.77, PIPE WORKS PLUMBING LLC \$9,428.48, POMP'S TIRE SERVICE INC. \$151.98, POWER PLAN OIB \$304.52, PRECISION AIR \$958.98, PT HOSE AND BEARING \$148.92, QUADIENT POSTAGE FUNDING \$1,684.59, R&C WELDING & FABRICATION \$418.93, RANDY RAINES \$1,350.00, RAPID FIRE PROTECTION \$317.33, RIVERSIDE DISCOVERY CENTER \$5,000.00, RIVERSTONE BANK \$629.74, RYAN'S WELDING LLC \$275.00, SANDBERG IMPLEMENT, INC. \$2,125.08, SAPP BROS \$4,668.05, SARGENT DRILLING CO. \$37,665.11, SB/GERING LIONS CLUB \$5,520.00, SCB. COUNTY SHERIFF OFFICE \$30.04, SCOTTSBLUFF/GERING STATE GOLF C/O OTCF \$4,000.00, SCOTTSBLUFF-GERING UNITED WAY \$216.34, SE MUNICIPAL SOLAR (NE), LLC \$3,904.59, SIMON CONTRACTORS \$1,491.87, SOUTHWESTERN EQUIPMENT COMPANY \$439.93, TAYLOR MADE GOLF COMPANY \$372.00, TEAM CHEVROLET \$600.00, TERESA TOSH \$21,916.53, THE HEIRLOOM MARKET \$2,500.00, THE TORO COMPANY \$315.00, TIFOSI OPTICS INC \$337.94, TINA WORTHMAN \$435.36, TITAN MACHINERY INC. \$266.80, TORRINGTON SOD FARMS \$75.00, TOUR EDGE MFG INC \$206.00, USA BLUE BOOK \$497.34, UTILITY BILL REFUNDS \$189.30, VALLEY AUTO LOCATORS LLC \$506.23, VERIZON CONNECT \$25.90, W J R INC. \$22,754.00, WESTERN COOPERATIVE COMPANY \$14,685.42, TOTALS \$1,453,546.78

Motion by Councilmember Cecil to approve the Consent Agenda. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

BIDS/PROPOSALS:

1. Consider approving purchase of a 2022 Western Star 49X Day Cab Semi-Tractor - Environmental Services Department

Director of Environmental Services, Steve Mount, explained that staff advertised for bids for a used day cab semi-tractor. The purpose for this tractor is to pull a walking floor trailer to transfer solid waste to a different landfill once the City's existing landfill reaches capacity. One bid was received from Floyd's Truck Center in Scottsbluff for a 2022 Western Star 49X day cab semi-tractor (with fifth wheel plate and wet kit) in the amount of \$129,900 plus \$295 in doc fees, for a total of \$130,195. He will be paying for this out of next year's budget.

Councilmember Shields asked if it was gas or diesel. Mr. Mount replied, diesel. Councilmember O'Neal asked if he knew why there was only one bid. Mr. Mount replied that Floyd's was the only one that qualified under the specifications. Staff were looking for a five-year old truck with less than 150,000 miles on it; this one has 118,000 miles.

Motion by Councilmember Wiedeman to award the purchase of a 2022 Western Star 49X Day Cab Semi-Tractor to Floyd's Truck Center for the Environmental Services Department in the amount of \$130,195. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

CURRENT BUSINESS:

1. Sandhills Energy Update regarding the Gering Solar Facility - Raphael Martinez, Director of Business Relations for Sandhills Energy

Raphael Martinez addressed Council and reported that he serves as Director of Business Relations for Sandhills Energy. He thanked the Mayor and Council for the opportunity to speak regarding an incident that affected the Gering Solar Project earlier this summer.

On the evening of June 20, 2026, a severe thunderstorm moved through Scotts Bluff County. The following morning, at 8:12 a.m. on June 21, the site tripped offline, with Phases A and B lost from the utility feed. When their personnel arrived on site, they observed unusual dust and debris inside the switchgear. They immediately began working in coordination with the Gering Electrical Utility team to isolate the site pending further investigation.

Their investigation was completed on the morning of June 22, 2026, and revealed a major internal switchgear failure. Specifically, they identified lightning damage to a component known as PT5 inside the switchgear. Out of an abundance of caution, the site was fully isolated from the utility and placed into a full outage effective that same day, June 22.

From there, multiple teams supported cleaning, testing, and restoration efforts. PT5 was replaced, and they completed full testing on the switchgear, including the remaining potential transformers, current transformers, insulators, and cables. That testing confirmed PT5 was the only component that failed, a direct result of the lightning strike, and all grounding components were tested and verified in good condition.

With permission from the Gering Electrical Utility, the site was re-energized on August 18, 2026, following standard startup procedures. After a twenty-four hour soak period and a pre-operation inspection, the site began producing power again on August 19, 2026. In total, the outage lasted fifty-nine days, from June 22 through August 18. That timeline reflects the standard procurement and safety-inspection protocols required to source the replacement part and fully verify the switchgear before returning the site to service.

To summarize the root cause: This was a direct lightning strike that caused a localized failure of PT5. No other components, and no part of the grounding system, were affected.

Before closing, he thanked Domingo Palomo, the Gering Electrical Utility Superintendent, and his entire team. Their close coordination and support throughout the isolation, investigation, and restoration process were essential to getting this site safely back online, and they are grateful for that partnership.

He thanked Council for their time and offered to answer any questions.

Councilmember Morrison asked why it was offline for so long. Mr. Martinez explained for proper inspection and to procure the replacement part. As soon as they received it, they were able to replace it, test it, and get everything back online. He added it was standard protocol. Councilmember Wiedeman stated there was a hail storm at the end of June and asked if they had any damage from that storm. Mr. Martinez replied, not to his knowledge, no.

2. Consider approving an Addendum to Lease Agreement by and between the City of Gering and B & S Rask Grill, LLC for the Monument Grill located at the Monument Shadows Golf Course Clubhouse

Councilmember Wiedeman explained that the Recreation Committee met on June 17, 2026 with Brody and Stephanie Rask, owners of the Monument Grill at the Monument Shadows Golf Course Clubhouse. Minutes from the meeting were included in the packet. The existing lease agreement between the Rasks and the City will expire at the end of October, 2026. The Rasks requested to add an extension to the lease through January 3, 2028. The Recreation Committee, City Staff, and the Rasks also discussed delineating payment for various expenses such as the alarm system, equipment, equipment maintenance, utilities, and more. An addendum, prepared by City legal counsel, provides for an extension of the term, expectations regarding equipment, maintenance, prohibition of certain events, and more. It also includes a Right of First Refusal (#3) for a new lease for the clubhouse restaurant premises. The addendum has been reviewed by staff and the Rasks. Stephanie Rask, present in the audience, noted that they are happy with it.

Motion by Councilmember Wiedeman to approve and authorize the Mayor to sign an Addendum to Lease Agreement by and between the City of Gering and B & S Rask Grill, LLC for the Monument Grill located at the Monument Shadows Golf Course Clubhouse. Second by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

PUBLIC HEARINGS:

1. Public Hearing to consider amending the City of Gering Zoning Ordinance to add supplemental regulations for adult entertainment establishment and to add adult entertainment establishments to the land use table

Mayor Ewing opened a public hearing to consider amending the City of Gering Zoning Ordinance to add supplemental regulations for adult entertainment establishment and to add adult entertainment establishments to the land use table at 6:13 p.m.

City Engineer, Annie Folck, explained that upon review of the City's zoning regulations, it has come to the attention of staff that the current regulations do not contain sufficient guidance regarding adult entertainment establishments. Staff has worked with legal counsel to put together some supplementary regulations to properly regulate this type of use. The changes being made are in an effort to be proactive; there are currently no such establishments proposed at this time.

The proposed changes would define several different types of adult entertainment establishments. It would allow these facilities only in the MH Heavy Industrial District, and only with a Conditional Use Permit that must be granted by the City Council (which will receive a recommendation from Planning Commission). The regulations also include several operational/performance standards, including the following:

- Closed between 12:00 midnight and 6:00 a.m.
- Full nudity and specified sexual activities are prohibited on the premises.
- Semi-nudity is allowed only for employees who remain at least 6 feet from patrons and on a stage at least 18 inches high in a room of at least 600 sq. ft.
- No touching between semi-nude employees and patrons.
- No alcohol permitted on the premises (and liquor licensees must comply with related city code provisions, including § 111.05).
- No persons under 18 years of age allowed on the premises.
- Detailed rules for viewing rooms/booths (single occupancy, unobstructed operator view, no porous materials, no openings between rooms, required signage, etc.).
- Operator must ensure compliance; at least one employee must be present at each operator's station when patrons are present.
- Operator must provide their own security. (added by the Planning Commission)

The City cannot legally prohibit this use. The intention of this ordinance is not to prohibit it, but to regulate these establishments in order to promote the health, safety, and general welfare of the citizens of the City. This will also ensure that these establishments are only allowed in locations and zones that are appropriate. She showed on an overhead map where current City zoning would allow this use, if the ordinance is approved.

She added that Planning Commission recommended approval of the ordinance at their meeting on August 18, 2026.

Mayor Ewing asked if anyone in the Council Chambers wished to speak regarding this public hearing. Dale Hauck, 2355 Country Club Rd., Gering, asked if there was an age restriction for patrons. Engineer Folck explained that no one under 18 years of age would be allowed on the premises.

With no further comments, the administrative record was closed and the public hearing closed at 6:20 p.m.

1a. Consider approving Ordinance No. 2190 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 5 "SUPPLEMENTAL REGULATIONS" OF THE CITY OF GERING ZONING ORDINANCE, TO INCLUDE SECTION 5.12 "ADULT ENTERTAINMENT ESTABLISHMENTS"; TO AMEND ARTICLE 3 "ZONING DISTRICTS" OF THE CITY OF GERING ZONING ORDINANCE, TO INCLUDE "ADULT ENTERTAINMENT ESTABLISHMENTS" WITHIN THE LAND USE TABLE OF SECTION 3.11; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Wiedeman made a motion to introduce Ordinance No. 2190 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 5 "SUPPLEMENTAL REGULATIONS" OF THE CITY OF GERING ZONING ORDINANCE, TO INCLUDE SECTION 5.12 "ADULT ENTERTAINMENT ESTABLISHMENTS"; TO AMEND ARTICLE 3 "ZONING DISTRICTS" OF THE CITY OF GERING ZONING ORDINANCE, TO INCLUDE "ADULT ENTERTAINMENT ESTABLISHMENTS" WITHIN THE LAND USE TABLE OF SECTION 3.11; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember O'Neal. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

Councilmember Morrison moved that the ordinance be designated as Ordinance No. 2190 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, and that the ordinance be passed as read, which motion was seconded by Councilmember Jackson. There was no discussion. The Clerk called the roll. "AYES": Shields, Kinsey, Cecil, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

REPORTS:

1. Liaison Report - Gering Public Library, Councilmember Cecil

Councilmember Cecil stated that he has been attending the Gering Public Library Board meetings, which are held on the third Tuesday of every month at 4 p.m. Following the recent Library Board annual report to Council, he highlighted a few things that have been happening more recently and some of the priorities they're working on moving forward.

- The library has had another busy summer of programming, including this year's Summer Reading Program. This year's theme was Unearth a Story, focusing on prehistory, archaeology, & paleontology. This year's program saw 309 youth and 194 adult participants.
- This summer also saw the addition of the Willa Cather sculpture just outside the library. The library was selected as its home due to Cather's connection to literature, and its arrival also provided an opportunity for additional programming around Nebraska history and literature as part of the America 250 celebration.
- Regarding feedback from the community, he has received a number of compliments about the library – particularly about the programming being offered, the staff, and the library space itself. He thinks that's worth recognizing as the annual report shows how many people are using the library, but those numbers don't necessarily capture how people feel about the services they're receiving.
- Looking ahead, one of our biggest priorities is the library's reaccreditation. That process is currently underway and involves reviewing several areas of library operations and planning for the future. Community feedback is a significant aspect of the process and will help them to better understand how to address community needs, and guides the Library Board and staff as they establish goals and priorities for the next several years. It's particularly timely with the Library Foundation continuing its work toward the expansion project, as a lot of the work happening through reaccreditation will also be beneficial as they think about the library's long-term needs and future growth.
- Between reaccreditation, continued programming and community partnerships, and the Foundation's work toward expansion, there's a lot to look forward to at the library over the next few years.

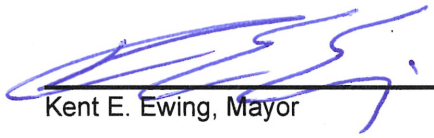
CLOSED SESSION: (Council reserves the right to enter into closed session if deemed necessary.) None.

OPEN COMMENT: Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only. None

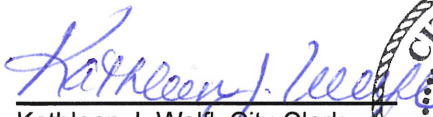
ADJOURN:

Motion by Councilmember O'Neal to adjourn. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Cecil, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: Gillen. Motion carried.

Meeting adjourned at 6:26 p.m.


Kent E. Ewing, Mayor

ATTEST:


Kathleen J. Welf, City Clerk

