

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, MAY 27, 2025.

A regular meeting of the City Council of Gering, Nebraska was held in open session on May 27, 2025 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl, and City Attorney Jim Ellison. 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 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 councilmember absence

Motion by Councilmember Gillen to excuse the absence of Councilmember Shields from the May 12, 2025 regular City Council meeting. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

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

Mayor Ewing 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 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 May 12, 2025 regular City Council meeting and the May 20, 2025 special City Council meeting
2. Approve Claims

Claims 5/13/25 – 5/27/25

21ST CENTURY EQUIPMENT \$270.46, 308 PLUMBING SOLUTIONS \$667.50, AC ELECTRIC MOTOR SERVICE \$3,200.37, ACE HARDWARE \$1,844.40, ACUSHNET COMPANY \$276.02, ADVANCED SERVICES, INC. \$2,310.01, ALTEC INDUSTRIES, INC. \$1,799.10, AMANDA LEMAY \$20.00, AMAZON CAPITAL SERVICES \$1,463.53, ANDERSON & SHAW CONSTRUCTION \$486.00, AT&T MOBILITY \$1,678.57, B & C STEEL \$1,331.11, B & S RASK GRILL \$440.00, BLACK HILLS ENERGY \$1,573.76, BLUFFS FACILITY SOLUTIONS \$191.70, BORDER STATES INDUSTRIES, INC \$3,522.09, CALLAWAY GOLF COMPANY \$3,437.53, CATTLE BANK & TRUST \$9,152.26, CITY OF GERING \$2,718.69, CLARK PRINTING LLC \$230.40, COLUMN SOFTWARE, PBC \$317.17, CONNECTING POINT \$894.59, CONTRACTORS MATERIALS, INC. \$1,050.30, CORE & MAIN LP \$804.53, COZAD SIGNS, LLC \$315.00, CRESCENT ELECTRIC SUPPLY CO. \$162.36, CROELL, INC \$551.75, CROSSROADS COOPERATIVE \$33,974.16, CS PRECISION MANUFACTURING \$25,829.33, DOCU-SHRED LLC \$1,142.37, DOOLEY OIL \$157.44, DUTTON-LAINSON COMPANY \$21,920.06, EAKES INC \$80.39, ECOLAB \$409.44, EJS SUPPLY, LLC \$25,834.00, ELLISON, KOVARIK & TURMAN LAW \$10,000.00, ESI \$2,047.88, ESO SOLUTIONS, INC \$1,145.40, FEDEX \$12.94, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$8,770.62, FOREUP \$6,863.76, FRANK PARTS COMPANY \$2,257.89, FRASER STRYKER PC LLO \$642.00, FRONTIER OVERHEAD DOOR \$1,017.25, GALLS, AN ARAMARK COMPANY \$53.48, GOLF & SPORT SOLUTIONS \$7,368.00, GOLF AND SPORT SOLUTIONS, LLC \$960.00, GRAINGER \$842.10, GROUND UP CONSTRUCTION & CLEAN \$6,378.50, HACH COMPANY \$3,675.10, HAWKINS, INC. \$4,575.87, HEALTHBREAK, INC. \$625.00, HEARTLAND BANK \$70,582.50, HOMETOWN LEASING \$157.23, IDEAL LAUNDRY AND CLEANERS, INC. \$366.21, INGRAM LIBRARY SERVICES \$28.84, INTERNAL REVENUE SERVICE \$62,109.45, INTERSTATE BATTERY \$507.80, INTRALINKS, INC. \$29,980.75, IRBY TOOL & SAFETY \$5,900.68, J RODZ \$85.00, JAMES & REBECCA MCALLISTER \$55,533.32, JEO CONSULTING GROUP \$13,080.00, JIRDON AGRI CHEMICALS, INC \$450.00, JOHN HANCOCK USA \$17,400.00, JOHN HANCOCK USA FIRE \$873.56, JOHN HANCOCK USA POLICE \$9,854.89, JOHNSON CASHWAY CO. \$66.71, JOHNSON HARDWARE CO. \$1,326.80, KAY PARK & RECREATION \$28,114.00, KRISTEN MASSIE \$343.00, KYLIE BETZOLD \$20.00, LEAGUE OF NE. MUNICIPALITIES \$225.00, LEGACY COOPERATIVE \$1,111.62, LONDON FLATS, LLC \$500.00, MATHESON TRI-GAS INC \$108.00, MATTY B'S HVAC \$1,210.73, MB KEM ENTERPRISE \$1,509.38, MCCROMETER INC \$14,399.96, MENARDS \$953.39, METTA TECHNOLOGIES, INC \$6,700.00, MUNICIPAL ENERGY AGENCY OF NE \$308,253.15, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$784.16, NEBRASKA DEPT OF REVENUE \$1,148.37, NEBRASKA DEPT. OF REVENUE \$64,169.04, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$178.00, NEBRASKA PUBLIC POWER DISTRICT \$2,684.06, NMVCA \$295.00, NORTHWEST PIPE FITTINGS, INC \$4,424.01, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$2,127.00, PANHANDLE GEOTECHNICAL & \$1,222.25, PANHANDLE HUMANE SOCIETY \$3,168.50, PATRIOT3 \$24,758.00, PATTLEN ENTERPRISES, INC

\$2,473.70, PAUL REED \$6,675.44, PAUL REED CONSTRUCTION & SUPP \$409.00, PETE'S QUICK LUBE \$57.22, PIPE WORKS PLUMBING LLC \$1,000.00, PLATTE VALLEY BANK \$3,249.10, POWERPLAN OIB \$5,180.35, PRAISE WINDOWS \$600.00, PT HOSE AND BEARING \$1,102.99, PVB VISA \$13,759.37, READER'S DIGEST ASSOCIATION \$32.25, REGIONAL CARE INC. \$69,729.24, REGIONAL WEST HEALTH SERVICES \$20.00, RIVERSTONE BANK \$572.62, RON'S TOWING & RECOVERY, LLC \$200.00, ROOMDAD PRODUCTIONS \$425.00, RVW INC \$153.00, SANDBERG IMPLEMENT, INC. \$29.33, SCB COUNTY REGISTER OF DEEDS \$50.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTT M. BOSSE \$3,425.00, SCOTTS BLUFF COUNTY COURT \$17.00, SCS ENGINEERS \$5,090.38, SEILER INSTRUMENT & MFG \$1,500.00, SENIOR CITIZENS CENTER \$1,000.00, SIMMONS OLSEN LAW FIRM, P.C. \$2,180.00, SIMON CONTRACTORS \$13,258.66, SOUTHWESTERN EQUIPMENT COMPANY \$1,337.40, SUN MOUNTAIN SPORTS \$396.00, SUNBELT SOLOMON \$30,637.50, TAYLOR MADE GOLF COMPANY \$1,467.30, TERESA TOSH \$8,860.08, TERRY CARPENTER, INC. \$650.00, TITAN MACHINERY INC. \$1,436.23, TORRINGTON SOD FARMS \$494.50, TROY & LISA WEBORG \$98,392.78, TYNDALE \$300.95, UNANIMOUS, INC. \$245.00, UTILITY BILL REFUNDS \$467.93, VALLEY AUTO LOCATORS LLC \$68.11, W J R INC. \$8,684.74, WESCO RECEIVABLES CORP. \$867.20, WESTERN COOPERATIVE COMPANY \$7,887.78, WESTERN PATHOLOGY CONSULTANTS \$558.00, TOTAL CLAIMS \$1,239,843.92

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

BIDS/PROPOSALS:

1. Approve and authorize the Mayor to sign RVW Inc. Proposal for Engineering Services for the design of the 21st Street Substation

Motion by Councilmember Morrison to approve and authorize the Mayor to sign the RVW Inc. Proposal for Engineering Services for the design of the 21st Street Substation. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

CURRENT BUSINESS:

1. Approve and authorize the Mayor to sign Agreement by and between the City of Gering and the Oregon Trail Association

Councilmember Shields declared a conflict of interest for the first three Current Business agenda items as she serves on the Oregon Trail Days Board.

Motion by Councilmember Kinsey to accept Councilmember Shields' conflict of interest regarding the first three Current Business agenda items due to her involvement with Oregon Trail Days Association. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Motion by Councilmember Gillen to approve and authorize the Mayor to sign an Agreement by and between the City of Gering and the Oregon Trail Association. Second by Councilmember Kinsey. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: Shields. Absent: None. Motion carried.

2. Approve SDL (Special Designated License) application submitted by the Oregon Trail Association for the OTA Mud Volleyball Tournament and Beer Garden at/near Five Rocks Amphitheater on July 12, 2025

Motion by Councilmember Gillen to approve an SDL (Special Designated License) application submitted by the Oregon Trail Association for the OTA Mud Volleyball Tournament and Beer Garden at/near Five Rocks Amphitheater on July 12, 2025 with the following conditions:

- **All servers must successfully complete the Responsible Server Training available on the Nebraska Liquor Control website. Certificates of completion shall be provided to the City prior to the event.**

- OTA volunteers must check IDs at the point of entrance and provide wristbands for all attendees that consume alcohol.
- Ingress and egress shall be supervised by volunteers to ensure that coolers are inspected so alcohol isn't brought in or taken out - OR coolers can be banned altogether.

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

3. Approve SDL (Special Designated License) application submitted by the Oregon Trail Association for the OTA Chili Cook-off and Beer Garden at/near Five Rocks Amphitheater on July 12, 2025

Motion by Councilmember Gillen to approve an SDL (Special Designated License) application submitted by the Oregon Trail Association for the OTA Chili Cook-off and Beer Garden at/near Five Rocks Amphitheater on July 12, 2025 with the following conditions:

- All servers must successfully complete the Responsible Server Training available on the Nebraska Liquor Control website. Certificates of completion shall be provided to the City prior to the event.
- OTA volunteers must check IDs at the point of entrance and provide wristbands for all attendees that consume alcohol.
- Ingress and egress shall be supervised by volunteers to ensure that coolers are inspected so alcohol isn't brought in or taken out - OR coolers can be banned altogether.

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

4. Consider Special Event Permit Application with a request to discharge fireworks at the Member-Guest Golf Tournament at Monument Shadows Golf Course on June 27 or June 28, 2025 submitted by Monument Shadows Golf Member-Guest Tournament Committee

Councilmember Morrison asked why there are different dates. Kevin Mooney, with the Member-Guest Tournament Committee, explained that they put two dates on the application because as a committee, they've lost several members and weren't sure if they'd have the tournament. They have enough people now to run the tournament. The 27th is when they plan to have the fireworks show. If it rains on the 27th, it would be nice to be able to have it on the 28th. If Council would approve it for both nights, in case they need it, that would be great. Administrator Heath added that this comes to City Council because Ordinance No. 2047 requires the discharge of commercial grade fireworks on City property be approved by the City Council. The proposed dates for this fireworks show does fall within the designated dates for discharging fireworks within Gering, per ordinance. The Fire Department will be present at this event. Staff recommends, if Council approves the special event permit at Monument Shadows Golf Course, that the following condition apply:

- The applicant and Chief Flowers will communicate leading up to the event and on the day of the event to determine if conditions are favorable for a fireworks show on City property. Chief Flowers or authorized staff will make the final determination.

Motion by Councilmember O'Neal to approve a Special Event Permit Application with a request to discharge fireworks at the Member-Guest Golf Tournament at Monument Shadows Golf Course on June 27 or June 28, 2025 submitted by Monument Shadows Golf Member-Guest Tournament Committee with the following condition:

- The applicant and Chief Flowers will communicate leading up to the event and on the day of the event to determine if conditions are favorable for a fireworks show on City property. Chief Flowers or authorized staff will make the final determination.

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

5. Consider Special Event Permit Application with a request to discharge fireworks at Five Rocks Amphitheater for the Allred Brothers Fireworks Show on July 3, 2025 submitted by Justin Allred

Administrator Heath noted that this event also falls within the designated timeframe and the same condition would apply.

Motion by Councilmember Morrison to approve a Special Event Permit Application with a request to discharge fireworks at Five Rocks Amphitheater for the Allred Brothers Fireworks Show on July 3, 2025 submitted by Justin Allred with the following condition:

- The applicant and Chief Flowers will communicate leading up to the event and on the day of the event to determine if conditions are favorable for a fireworks show on City property. Chief Flowers or authorized staff will make the final determination.

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

6. Consider Special Event Permit Application with a request to discharge fireworks at the softball fields/youth fields (near the Oregon Trail Park Stadium) for a post-game fireworks show on July 8, 2025 submitted by Western Nebraska Pioneers

Administrator Heath stated fireworks will be discharged northeast of Oregon Trail Park Stadium in the center right field area beyond the fence. The designated date for this fireworks show does fall outside the designated timeframe to discharge fireworks in the City of Gering. Due to this being held on a training night, Fire Department personnel will not be on scene for the show. Staff recommend, if Council approves the Special Event Permit, that:

- Applicant and Chief Flowers will communicate leading up to the event and on the day of the event to determine if conditions are favorable for a fireworks show on City property. Chief Flowers or authorized staff will make the final determination.
- Because the proposed show falls outside the designated timeframe for discharging fireworks in the City of Gering, the applicant shall make a concerted effort to let residents (that live in the surrounding area) know that a fireworks show will take place near the stadium the night of July 8. Applicant will work with the City on a plan to notify residents.
- Applicant will take all necessary precautions to ensure a safe event: Fire Department personnel will not be on scene as that date is a regular training night for the Fire Department personnel.

Councilmember Morrison asked if the Pioneers will carry the liability on this. Administrator Heath replied that Justin Allred will carry the liability as the City's Agreement with the Pioneers is within the fenced area of the stadium. The discharge area is outside of that; therefore Mr. Allred's liability insurance will cover that. Councilmember Gillen asked if there was something else that needs to be done since the Gering Fire Department cannot be present. Mr. Allred addressed Council and stated that they have fire retardant agents and plenty of volunteers. He and Chief Flowers will stay in contact with each other. If weather is going to impede the show, he won't go outside the scope of what would be safe. Unless the pine trees on the backside of the stadium are really dry, which that whole area is irrigated grass, there should be little to no opportunity to cause a spark or fire. He clarified that on all three of these shows (in discussion at this meeting), these are consumer-grade fireworks; there are no commercial-grade fireworks. There is no over-the-top amounts of gun powder. The state of Nebraska has deemed these safe to

shoot off. The fireworks would be shot off northeast of the stadium, near the T-Ball fields. Councilmember Jackson asked Chief Flowers his recommendation. Chief Flowers stated he would always advocate for less type of combustion within the City; that's his job. Fireworks are combustion; supporting them is supporting combustion. He can't really say they support that. In terms of Mr. Allred performing this, he doesn't see an issue. He just wants Council to know the Fire Department is not going to be there because it's their typical training night. In the past, it has been the standard practice for the Fire Department to be there; unfortunately, on this specific date they won't be. Mayor Ewing noted they'd only be two or three blocks away. Discussion followed regarding trees near the stadium.

Councilmember Gillen asked, when this was approved last year, was it outside the normal discharge period? Clerk Welfl replied, it was the year before. Mr. Heeman, present in the audience, added that it was within the time period for discharging fireworks last time.

Mr. Allred added that he and his family whole-heartedly support the Western Nebraska Pioneers. He remembers when he was on Council and Council approved and advocated for them to come to town – a traveling business that would otherwise not come here. This is just one more activity to create entertainment and things for people to do and reasons for people to come to our community. He thinks they've done an excellent job managing the Pioneers and creating some revenue to stream through our city.

Councilmember Gillen noted that during the fireworks season, he tends to get a spike in phone calls regarding the discharge of fireworks. He suggested that in the future, if Council approves this tonight, to try to get within that window of when people are expecting fireworks already, within the scope of time. This will be four days after when people think they finally have some respite from fireworks. Councilmember Wiedeman added, pets as well. Councilmember Gillen would like to see it happen in that normal discharge timeframe. Administrator Heath clarified with Mr. Heeman that this fireworks show is in conjunction with the All-Star game. Mr. Heeman provided further explanation about the event and games. The fireworks show after the All-Star game is the caper for the whole weekend. He knew Justin would be very busy during the July 3-5 weekend. He added that almost everybody coming for the two-game event are from out of town; it will bring in a lot of people. It was designed to be a tourism event. Administrator Heath noted that that's why the second condition was added, because it does fall outside the normal discharge timeframe. By notifying the residents in that area, staff are hoping it will help. Discussion followed that it could also be added to the next City newsletter, the website and the City's Facebook page; the media might assist as well.

Motion by Councilmember Gillen to approve a Special Event Permit Application with a request to discharge fireworks at the softball fields/youth fields (near the Oregon Trail Park Stadium) for a post-game fireworks show on July 8, 2025 submitted by Western Nebraska Pioneers with the following conditions:

- **Applicant and Chief Flowers will communicate leading up to the event and on the day of the event to determine if conditions are favorable for a fireworks show on City property. Chief Flowers or authorized staff will make the final determination.**
- **Because the proposed show falls outside the designated timeframe for discharging fireworks in the City of Gering, the applicant shall make a concerted effort to let residents (that live in the surrounding area) know that a fireworks show will take place near the stadium the night of July 8. Applicant will work with the City on a plan to notify residents.**
- **Applicant will take all necessary precautions to ensure a safe event: Fire Department personnel will not be on scene as that date is a regular training night for the Fire Department personnel.**

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

REPORTS: (Information only)

1. Liaison Report – Tri-City Active Living, Councilmember Wiedeman

Councilmember Wiedeman reported that:

- The Tri-City Active Living Advisory Committee meets quarterly; they last met on April 15.
- Topics of discussion included:
 - o Lincoln Elementary wants to do a traffic study update which will be included with the Safe Streets for All - all Gering schools will be included in that study.
 - o Safe Streets for All has been renamed and rebranded to the Safe Passage Initiative. Their next meeting is next week with that group. In their kick-off meeting, they reviewed priorities, concerns and public engagement. Scottsbluff will also be doing a similar study. The demonstration grant that had been awarded is currently at a standstill since federal funding has been eliminated at this time.
 - o It was mentioned in their group that the City has a City Newsletter that comes out every two or three months; information can be shared with staff to get that in there.
 - o They are still working on directional signage.
 - o Janelle Visser will be working with the Parks and Pools soon with sunscreen safety and tobacco/vaping free signage.
 - o They have a Facebook group which is Tri-City Active Living Advisory Committee.

ORDINANCES: None.

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.

Bill Peters, 1850 Bonanza, Gering, provided brochures and posters promoting Oregon Trail Days.

ADJOURN:

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

Meeting adjourned at 6:32 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk




Kent E. Ewing, Mayor