

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, NOVEMBER 10, 2025.

A regular meeting of the City Council of Gering, Nebraska was held in open session on November 10, 2025 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Shields, Gillen, Frye, 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 Council Member absence

Motion by Councilmember Wiedeman to approve the absence of Councilmember O'Neal from the October 27, 2025 regular City Council meeting. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, 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 October 27, 2025 Regular City Council meeting
2. Approve Claims

CLAIMS 10/28/25 – 11/10/25

24/7 FITNESS \$233.00, 911 CUSTOM \$204.90, A & A PORTA POTTIES \$1,350.00, ACE HARDWARE \$221.71, ACUSHNET COMPANY \$1,258.17, AFLAC \$1,391.56, ALLO COMMUNICATIONS \$3,436.04, ALTEC INDUSTRIES, INC. \$4,070.21, AMAZON CAPITAL SERVICES \$2,987.58, AMERITAS LIFE INSURANCE CORP. \$592.48, ANITA'S GREENSCAPING INC \$28,968.09, AT&T MOBILITY \$379.59, BENZEL PEST CONTROL \$100.05, BLUFFS FACILITY SOLUTIONS \$950.98, BORDER STATES INDUSTRIES, INC \$40,392.88, CALLAWAY GOLF COMPANY \$140.41, CAMPSHOT \$466.52, CENTURY BUSINESS PRODUCTS, INC \$137.37, CITY OF GERING \$108.00, COLUMN SOFTWARE, PBC \$379.05, CONNECTING POINT \$690.00, CONTINUUM EAP \$3,750.00, CONTRACTORS MATERIALS, INC. \$352.50, CRESCENT ELECTRIC SUPPLY CO. \$8.27, CROELL, INC \$3,821.50, DEARBORN LIFE INSURANCE COMPAN \$106.64, DENNIS SUPPLY COMPANY \$109.72, DOOLEY OIL \$3,631.78, DUSTIN KINNAN \$500.00, DUTTON-LAINSON COMPANY \$522.99, EAKES INC \$101.27, ECOLAB \$85.31, ELITE TOTAL FITNESS \$131.00, ELLICOTT DREDGE TECHNOLOGIES \$19,900.00, ERIC CONN \$75.00, FASTENAL COMPANY \$1,568.46, FAT BOYS TIRE & AUTO \$113.30, FEDEX \$35.34, FERGUSON SIGNS \$7,450.00, FIRST NATIONAL BANK OF OMAHA \$8,589.93, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$1,423.80, FRANK PARTS COMPANY \$1,217.04, FRASER STRYKER PC LLO \$3,995.00, GERING PUBLIC SCHOOLS \$1,391.66, GERING U-SAVE PHARMACY \$152.58, GERING VALLEY PLUMBING & HTG., INC. \$5,611.00, GFSI LLC \$1,653.27, GOLDSTAR PRODUCTS INC \$1,198.45, GORSUCH & SONS \$597.30, GREY HOUSE PUBLISHING \$390.50, GROUND UP CONSTRUCTION & CLEAN \$804.00, HENNING BROTHERS \$83.00, IDEAL LAUNDRY AND CLEANERS, INC. \$681.51, INFINITY CONSTRUCTION INC. \$3,440.00, INGRAM LIBRARY SERVICES \$435.84, INTERNAL REVENUE SERVICE \$58,064.64, INTRALINKS, INC. \$119.00, IRBY TOOL & SAFETY \$11,556.25, JAMES ADAMS \$1,566.49, JEO CONSULTING GROUP \$24,140.62, JIRDON AGRI CHEMICALS, INC \$984.32, JOE LACY \$213.99, JOHN HANCOCK USA \$18,783.92, JOHN HANCOCK USA FIRE \$1,075.74, JOHN HANCOCK USA POLICE \$11,737.14, JUAN MARQUEZ \$1,200.00, KAPCO \$200.84, LEAGUE ASSOC./RISK MANAGEMENT \$5,000.00, LEGACY COOPERATIVE \$3,639.18, LITTLE IT HOUSE \$932.30, LOCALITY MEDIA INC \$5,617.50, LOGOZ LLC \$2,058.00, M.C. SCHAFF & ASSOCIATES, INC. \$200.00, MARK CHRISMAN TRUCKING \$84,398.40, MASEK DISTRIBUTING INC \$12.35, MATHESON

TRI-GAS INC \$342.98, MCCROMETER INC \$25,526.18, MENARDS \$4,520.49, MIDWEST CONNECT \$3,436.67, MIZUNO USA, INC. \$1,078.28, MOBIUS COMMUNICATIONS COMPANY \$30.00, MUNICIPAL SUPPLY, INC. OF NE. \$849.47, MUTUAL OF OMAHA \$5,150.39, NAJM BALERIA \$29,568.45, NATIONAL FIRE PROTECTION ASSN \$225.00, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF REV (PR) \$26,566.85, NEBRASKA DEPT OF REVENUE \$8,189.00, NEBRASKA FIRE CHIEF ASSOCIATION \$25.00, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$872.90, NEBRASKA PUBLIC POWER DISTRICT \$4,531.68, NEBRASKA SECRETARY OF STATE \$25.00, NEBRASKA STATEWIDE ARBORETUM \$150.00, ONE CALL CONCEPTS, INC \$118.58, OREGON TRAIL DAYS ASSOC. \$4,099.90, O'REILLY AUTOMOTIVE STORE \$39.82, PAGE MY CELL LLC \$600.00, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$150.00, PANHANDLE FRONTIER FINDS \$1,500.00, PATTLEN ENTERPRISES, INC \$2,009.16, PEACEFUL PRAIRIE NURSERY, INC \$118.97, PIPE WORKS PLUMBING LLC \$1,200.00, PLAYAWAY PRODUCTS LLC \$34.99, POLAR EXPRESS HVACR \$95.00, PRINT BROKER \$547.36, PT HOSE AND BEARING \$2,729.08, R & C WELDING & FABRICATION \$265.00, REGIONAL CARE INC. \$106.47, RIVERSIDE DISCOVERY CENTER \$5,000.00, RIVERSTONE BANK \$629.67, RPM FITNESS \$70.00, SANDBERG IMPLEMENT, INC. \$126.94, SCOTTS BLUFF COUNTY ATTORNEY \$650.00, SCOTTSBLUFF LANDSCAPING \$2,529.75, SCOTTSBLUFF-GERING UNITED WAY \$273.02, SE MUNICIPAL SOLAR (NE), LLC \$6,599.74, SHERWIN WILLIAMS \$645.64, SIMON CONTRACTORS \$20,810.54, SOUTHWESTERN EQUIPMENT COMPANY \$5,782.19, TAYLOR MADE GOLF COMPANY \$434.71, TEAM CHEVROLET \$600.00, TERESA TOSH \$5,625.00, THE PEAVY CORP. \$535.02, THE TORO COMPANY \$315.00, TORRINGTON SOD FARMS \$165.00, TRANSWEST \$422.42, TYNDALE \$2,157.22, UTILITY BILL REFUNDS \$4,294.47, VALLEY AUTO LOCATORS LLC \$3,098.61, VERIZON WIRELESS SERVICES, LLC \$330.78, WESTERN COOPERATIVE COMPANY \$4,040.06, WESTERN PATHOLOGY CONSULTANTS \$450.00, XENIA LONGORIA \$150.00, YMCA OF SCOTTSBLUFF \$826.00, TOTAL \$586,450.61

Motion by Councilmember Gillen to approve the Consent Agenda noting a correction in the minutes regarding the passage of Ordinances 2172 and 2173; the corrected minutes were emailed to Council earlier today. Second by Councilmember Kinsey. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

CURRENT BUSINESS:

1. Consider approval of Keno Fund Requests:

- Gering Multi-Purpose Center
- Warrior Run
- Veterans and Military Families Emergency Relief Organization
- Gering Visitors Bureau/City of Gering
- Monument Shadows Golf Course/City of Gering

Keno Committee Chairman, Darrell Bentley, was present. He noted that there were a couple of larger requests and the Committee had quite a bit of discussion on them. Regarding the request for furniture at Monument Shadows Golf Course, one of the committee members pointed out that her daughters golf and they go to a lot of courses and the patio furniture at the City's course is worse than all of them. That put it over the hump to recommend funding.

Motion by Councilmember Morrison to approve the Keno Fund requests: \$12,968 for the Gering Multi-Purpose Center, \$3,300 for the Warrior Run, \$6000 for Veterans and Miliary Families Emergency Relief, \$9,940 for the Gering Visitors Bureau/City of Gering and \$28,990.72 for Monument Shadows Golf Course/City of Gering. Second by Councilmember Frye. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. Approve and authorize the Mayor to sign a Contract between the City of Gering, Nebraska and the Gering Bargaining Unit

Motion by Councilmember O'Neal to approve and authorize the Mayor to sign a Contract between the City of Gering, Nebraska and the Gering Bargaining Unit. Second by Councilmember Kinsey. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

ORDINANCES:

1. Consider third reading and passage of Ordinance No. 2171 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA AMENDING SECTION 2.2.1.D OF THE CITY OF GERING ZONING ORDINANCE REGARDING PROTEST REQUIREMENTS OF ZONE CHANGES OF THE CITY OF GERING, NEBRASKA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Morrison made a motion to move the third reading of Ordinance No. 2171 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA AMENDING SECTION 2.2.1.D OF THE CITY OF GERING ZONING ORDINANCE REGARDING PROTEST REQUIREMENTS OF ZONE CHANGES OF THE CITY OF GERING, NEBRASKA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Jackson. Mayor Ewing called for the vote. "AYES": Gillen, Frye, Kinsey, Wiedeman, Morrison, Jackson. "NAYS": Shields, O'Neal. Abstaining: None. Absent: None. Motion carried.

Councilmember Gillen moved that the Ordinance be designated as Ordinance No. 2171 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember Frye. Mayor Ewing called for the vote. "AYES": Gillen, Frye, Kinsey, Wiedeman, Morrison, Jackson. "NAYS": Shields, O'Neal. Abstaining: None. Absent: None. Motion carried.

2. Consider approval of Ordinance No. 2174 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, TO AMEND CHAPTER 54, SECTION 54.25 OF THE CITY OF GERING CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF

Administrator Heath stated that over the years, the City has covered the cost (all costs) for new electrical service when it's extended into new subdivisions. The City was able to recoup those costs pretty quickly. However, with the cost of materials going up and transformers going up three or four times, the City can't afford to absorb those costs; it actually falls on the rate payers of the community. Staff wants to get in line with what other cities and power districts do, they charge at least 50% of those costs. The transformer averages out to be about half the cost. Staff thought if the developer would pay for the transformer, the City would cover the remainder of the cost for the development. That's what's being proposed in this ordinance, that the developer will pick up the tab for the transformer for that subdivision or development and the City will pay to put in the conduit, wires and other electrical equipment. Councilmember Shields asked if this is what is normally done in other communities. Administrator Heath replied yes, most other communities charge anywhere from 50% to the full amount.

Councilmember Morrison made a motion to introduce Ordinance No. 2174 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, TO AMEND CHAPTER 54, SECTION 54.25 OF THE CITY OF GERING CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Jackson. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Councilmember Shields moved that the Ordinance be designated as Ordinance No. 2171 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 Gillen. The Clerk called the roll. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal, Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

RESOLUTIONS:

1. Consider approval of Resolution 11-25-1 regarding adoption of the Third Amendment and Restatement of the City of Gering, Nebraska Firefighters' Pension Plan

RESOLUTION NO. 11-25-1

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:

1. Adoption of Amendment and Restatement of the City of Gering, Nebraska Firefighters' Pension Plan: NOW, BE IT RESOLVED, that the City shall amend and it hereby does adopt, effective as of the date set forth below, the Third Amendment to the City of Gering, Nebraska Firefighters' Pension Plan (the "Plan") in the form of the Third Amendment attached hereto and by this reference fully incorporated herein. The purpose of said Amendment is to adopt certain changes enacted under the Cities of the First Class Firefighters Retirement Act pursuant to 2025 Nebraska Legislative Bill 179.
2. Authorizations: NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and other appropriate elected officials and officers of the City of Gering shall be, and they hereby are, authorized to do all things necessary to carry out and accomplish the foregoing Resolution, including the execution of any document or amendment which may be necessary or appropriate to amend and administer the Plan, including such actions as may be necessary or appropriate to achieve and maintain qualification of the Plan under Section 401(a) of the Internal Revenue Code of 1986, as amended, as such sections apply to government plans.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

MAYOR

ATTEST:

CITY CLERK

Motion by Councilmember O'Neal to approve Resolution 11-25-1 regarding adoption of the Third Amendment and Restatement of the City of Gering, Nebraska Firefighters' Pension Plan. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

2. Consider approval of Resolution 11-25-2 regarding Council and Mayoral Vacancies

RESOLUTION NO. 11-25-2

Now therefore be it resolved that the following guidelines are hereby established with regard to filling City Council and Mayoral vacancies.

If a vacancy occurs on the Council resulting from causes other than expiration of the term, the vacancy shall be filled by appointment by the Mayor with the consent of the City Council for the remainder of the term as follows:

1. Notice of the vacancy shall be in writing and presented to the City Council at a regular or special meeting and shall appear as a part of the minutes of such meeting.
2. Public notice of the vacancy shall be published in a legal newspaper of general circulation and by posting in three public places in the City the office vacated and the length of the unexpired term.
3. Interested persons shall be residents of the ward of the vacated seat and shall also be registered voters. Interested persons shall submit a letter explaining their interest in the position to the Mayor. The Mayor and City Council Members shall conduct interviews of interested persons. Interview questions will be approved prior to the interview process and provided to prospective candidates.
4. Within four weeks after the meeting at which such notice of vacancy was presented, the issue of filling such vacancy shall be placed on the agenda at the next regular meeting at which time the Mayor shall submit the name of a qualified registered voter to fill the vacancy for the balance of the unexpired term. No person shall be appointed to fill a vacancy unless he or she has the qualifications required to be elected to such office at the time of the appointment unless otherwise specifically provided.
5. The City Council shall vote upon such nominee, and if a majority votes in favor of such nominee, the vacancy shall be declared filled. The Mayor shall cast the vote for or against the nominee in the case of a tie vote of the Council. The Mayor may also cast a vote to create a majority in the event that there are only four Council votes in favor of the nominee.

In the event there is a vacancy in the office of the Mayor from causes other than expiration of the term, the vacancy shall be filled as follows:

1. The Council President shall serve as Mayor for the unexpired term.

2. In case of any temporary absence or disability on the part of the Mayor, the Council President shall exercise the powers and duties of the office of the Mayor until such disability is removed, or in case of temporary absence until the Mayor returns, and shall perform such other duties as may be required by law.

Passed and approved this 10th day of November, 2025.

Kent E. Ewing, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember Morrison to approve Resolution 11-25-2 regarding Council and Mayoral Vacancies. Second by Councilmember Gillen. There was no discussion. Mayor Ewing called for the vote. "AYES": Shields, Gillen, Frye, Kinsey, Wiedeman, O'Neal Morrison, Jackson. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

BIDS/PROPOSALS: None.

PUBLIC HEARINGS: 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.

Prior to comments, Administrator Heath noted for the audience members who were present in regard to the ordinance pertaining to recreation vehicles, Council cannot discuss it because it's not on the agenda, but it has been decided to schedule another Public Safety Committee meeting on that matter sometime next week.

Dale Hauck, 2355 Country Club Road, Gering, stated that he's on the Planning Commission; regarding the protest requirements for zone changes, he asked if citizens want to protest something, what do citizens have to do?

Mitch Wagers, 1800 19th Street, Gering, asked for clarification if he was able to discuss anything. Administrator Heath replied that he can discuss anything, but Council cannot respond. Mr. Wagers asked about the issue with the ordinance being passed. Clerk Welfl replied that technically, the October 27th meeting was a first reading of the "RV" ordinance. The language in the ordinance reading at that meeting was incorrect, so it did not pass. However, it can be brought back on November 24th to waive the second reading and pass the ordinance, but the Public Safety Committee meeting that will be scheduled next week could change that. Mr. Wagers explained that his concerns about the proposed Ordinance 2173 is that he would personally like to see the City's efforts go towards things for which the City already has ordinances in place; more or less serious concerns. There are already ordinances about stop signs and other violations in place. He would rather see "our time and effort be spent to do a better job, and I don't mean that offensively, but a better job controlling that situation about people not stopping at stop signs." He went on to say that (not stopping at stop signs) can lead to very serious injuries and all sorts of things; he doesn't equate an RV being on someone's private property as a dangerous thing compared to stop signs. He took some time the last couple of days at 10th Street and S Street. He was there for about 10 minutes and 19 cars came through that intersection – six of them stopped where there's a stop sign, that's 31.6%. Regarding 14th and U Street, 40% out of five stopped (he was there for about 10 minutes this morning) which is close to the Gering School. He was at 17th and U Street, out of 38 people, 15 stopped which is 39.5%. The City already has ordinances about those things that can be very serious, especially if there's an injury wreck. He'd rather see efforts put more towards that than something he finds to be plainly repugnant which is surveilling somebody's property based on a complaint that took place that somebody *might* be living in an RV on private property.

Krystal Eich, 1315 P Street, Gering stated she'd like to speak on this Council's propensity lately to dispense with the statutory rule for the three readings. She thinks Council is doing a disservice to constituents and eliminating

the opportunity for constituents to come forward with concerns and maybe to collaborate on good resolutions to some problems. Instead of having things blow up on the back end, "let's discuss it upfront." Take tonight, this Ordinance No. 2174, she understands Council is looking at a cost savings; that Council is looking at costs to the City versus cost of development. There is a real problem with a housing shortage here, there isn't enough new development. She's a real estate agent, she struggles to find clients properties to purchase, "we have a real housing shortage." She thinks that dispensing of the three readings of this ordinance eliminated Council's opportunity to speak with real estate developers, real estate licensees, and the public in general on how this affects the long run. She gets it, she's a tax payer, she wants Council to spend as little of her money as possible, but she thinks dispensing of the three-reading rule... for a budget yes - come to a budget hearing, "we've heard everything, you don't need to read it three times." But an ordinance that affects the general public, she thinks Council is doing a disservice by voting to waive the three readings and to open up that conversation and give constituents an opportunity to speak on matters.

Steve Eich, 1315 P Street, Gering, noted that Krystal is his wife. He stated the City isn't giving the public enough information. Yes, people can come in and ask for it, but a year ago they used to get an email before every Council meeting and had the agenda so they knew if there was something on there that they needed to come and talk about. That has been done away with for some reason. Also, regarding the Public Safety Committee meeting - none of those minutes are posted on the website. None of the committee meetings are posted on the website. Those should be posted. If the public had more information, they wouldn't feel like the City is hiding something from them. This 2173 was ran through before anybody even knew the City was doing it. And the only reason it's going backwards now is because it was brought up and made public and people are coming out over it. That is his concern. He'll added that he would wait to discuss the actual ordinance and see if he can maybe help make some recommendations.

Todd Rasnic, 1720 Nelson Ave., Gering, stated he wanted to speak on behalf of general home owners in the City of Gering. They moved into the house they're in now four years ago. He can probably name six different ordinances that are being broken on a daily basis in his neighborhood and for whatever reason, the City decided to just make another ordinance to go on top of all the other ordinances that the City isn't enforcing. He's with Mr. Wagers, he would just as soon see the City start enforcing the ordinances it already has. Regarding the ordinance the City created for someone who owns a motor home, he has family that live far away and when they come, they may stay for two or three weeks. When his sister comes, he's sure she'll stay that long. He doesn't have the extra room in his house to put her up in a bedroom, so she'll sleep in the camper. And she'll sleep in the camper whether there's an ordinance or not, it doesn't make any difference; that's where she's going to be. The point he and his wife talked about is that they really didn't have to show up at this meeting and say anything because the truth is, nothing the Council is passing gets enforced anyway. "So, before you start passing new ordinances, I think it would be probably a little bit wiser if you guys start looking at the ordinances you already have on the books that would take care of the situations that you have right now." That exact situation, where that RV was sitting, he thinks there were about four different ordinances that could have been enforced there rather than creating a new one for just one complaint. That doesn't make a lot of sense to him. He looks at our country and the fact that the government keeps taking more and more of personal property rights and all of these things and he thinks it's overreach. He gets that Council is legally able to do it, there's no question about it. "You can take our right away on our property if you want to because of some, I get it. But the question is, is it the right thing to do?" There are a lot of things that are legal, but the question becomes, is it the right thing to do? He thinks it's just another way for people to lose their individual personal property rights. "We pay taxes like no other state pretty much. We pay state taxes, we pay City taxes, we pay County taxes. We pay all these taxes and to me, I bought a piece of property and it belongs to me, so I should be able to do what I want on my property as long as I'm not doing something that's illegal." He thinks one of the examples is sewage, "you call the porta-potty place, they come and dump that for you; it's not that big of a deal, it takes 20 minutes. Rather than creating a whole new ordinance to take a way a little bit more of our rights." He added that he's very frustrated about it because he has complained several times since he has lived at his property about different ordinances that have been broken and nothing has been done - calls to the City and County, nothing is getting done. "And when you send it to the County Attorney, guess what happens? Nothing." Rather

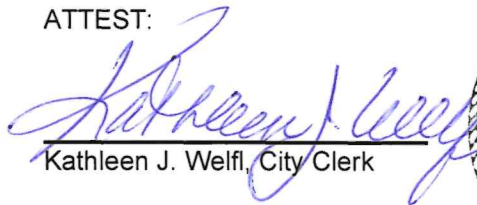
than do new ordinances, he thinks it would be better to find a different way to handle that situation and just leave personal property rights alone.

ADJOURN:


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

Meeting adjourned at 6:30 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk




Kent E. Ewing, Mayor