

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
APRIL 23, 2018**

A regular meeting of the City Council of Gering, Nebraska was held in open session on April 23, 2018 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, 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 Kaufman called the meeting to order at 6:00 p.m. The Mayor stated that there was a quorum of the Council and City business could be conducted.

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

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

Mayor Kaufman stated: As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the Mayor. As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and Council determines that the matter requires emergency action.

CONSENT AGENDA:

1. Approve minutes of the April 9, 2018 Regular City Council meeting
2. Approve Claims and Financials

Claims:

3-31-18 to 4-13-18

21ST CENTURY EQUIPMENT \$209.77 FILTERS FOR 6415 JOHN DEERE, ACUSHNET CO \$1,862.20 8 GOLF CLUBS, ADIDAS \$1,706.75 24 PR GOLF SHOES, ALL STATES AG PARTS \$175.00 PARTS 6415 JD, ALLO COMM \$1,401.52 TELEPHONE/INTERNET CHRG, ALTEC INDUSTRIES INC \$2,710.28 TRUCK RPR FOR ELECTRIC DEPT, ANDERSON & SHAW \$920.00 REPLACE COUNTER CLUB HOUSE, ARBOR ROCK LLC \$2,329.25 INFIELD MIX, AWARDS PLUS \$100.00 UNIFORM SHIRT ORDER @ NLETC, B & L HOLDING & INVEST \$150.00 TIRE LANDFILL, BAKER & ASSOC INC \$30,553.90 PLAZA DESIGN PHASE I/6TH ST WATER MAIN REPLACEMENT/T ST SEWER MAIN REPLACMENT, BLACK HILLS ENERGY \$980.27 UTILITES 1035 M ST/GAS SRV 900 OVERLAND TRL/UTILITIES 1255 11TH ST/GAS BILL 225 E D ST, BLUFFS SANITARY SUPPLY \$225.61 RR SUPPLIES, BORDER STATES INDUSTRIES \$14,570.97 SILICONE LUBE/PVC CONDUIT & FITTINGS/FLEX CONN/STREET LIGHTS, C & M GOLF & GROUNDS \$91.74 POWER STEERING BRACKET, CALLAWAY GOLF CO \$6,379.25 SHIPPINGS/30 GOLF BALLS/26 GOLF CLUBS/7 GOLF BAGS, CEN CON LLC \$7,580.00 LINE BORES/SRV LINE REPLACEMENT, CENTRAL IRRIGATION DISTRICT \$2,760.00 2018 WATER CHRGS HOEHN LAND, CENTURYLINK \$2,686.97 MONTHLY TELEPHONE ALLOCATION, CHARTER COMM \$691.68 TV/INTERNET CHRG ROBIDOUX/TV & INTERNET CLUB HOUSE, CITY OF SCOTTSBLUFF \$154.00 STORMWATER/PUBLIC EDUCATION, CITY PAYROLL TRUST \$6,168.38 FSA MEDICAL 125/DISABILITY INSURANCE, CNA SURETY \$375.00 MEJIA BOND 70310492, CONTRACTORS MATERIALS \$872.63 TOOLS, CREATIVE SIGNS DIVISION/C \$200.00 LETTERING FOR 62, CREDIT BUREAU SRV I \$206.21 GARNISHMENT, CREDIT MANAGEMENT SRV \$122.13 GARNISHMENT 2, CRESCENT ELECTRIC SUPPLY \$4.28 LIGHT SWITCH, CROELL INC \$841.50 CONCRETE 8.25 YDS, DALES TIRE & RETREADING \$115.75 ROTATE G-11/EQUIPMENT RPR, DANA F COLE & CO \$20,700.00 ACCT/AUDT SRVS FOR YR END 2017, DEX \$51.00 DEX YP JAN/FEB/MARCH, DHHS DIVISION/PUBLIC HEALTH \$37.00 WATER LAB, DLT SOLUTIONS INC \$1,131.90 SOFTWARE LICENSE RENEWAL \$1,131.90 SOFTWARE LICENSE RENEWAL, DOOLEY OIL INC \$110.00 DEF FOR TRUCK, DOOR CLOSER SRV \$48.00 4 CORES REPINNED, DUTTON - LAINSON CO \$5,127.98 3 TRANSFORMERS, ENVIRO SRV INC \$1,134.00 WATER LAB/WW LAB, FASTENAL CO \$263.86 SELF TAP SCREWS/FREIGHT FOR TAMPER/TOOLS/SAFETY EQUIPMENT, FEIL NANCY \$75.00 RV ROOM DEP REFUND, FIRST STATE BANK \$384.75 IBEW UNION DUES, FLOYD'S SALES & SRV \$1,875.08 FILTER FOR G-10/WORK G-10/WORK G-9/BRAKE G-5/OIL FILTER G-9, FORT DEARBORN LIFE INC CO \$113.52 FIREFIGHTER LIFE INS, FRANK PARTS CO \$567.22 SHOP SUPPLIES/PARTS FOR TRUMMEL SCREEN/AIR NOZZLE/FILTER/U BOLT/LINK PIN/VEHICLE MAINT PARTS/OIL SEAL/AXLE SHAFT KIT, FRESH FOODS \$17.04 CLEAN UP CREW JAIL, FYR TEK \$234.00 FIRE FIGHTING FOAM, GALE \$164.73 6 LRG PRINT BOOKS, GENERAL TRAFFIC CONTROLS \$89,260.00 TRAFFIC CONTROL, GERING VALLEY PLUMBING \$369.60 RPR FREEZER, GFOA \$380.00 GFOA CONF MEJIA, GREATAMERICA LEASING CORP \$100.00 COPIER LEASE, GROUND UP CONSTRUCTION \$510.00 MARCH JANITORIAL, GT DISTRIBUTORS INC \$5,529.00 FIRE ARMS, HALE MULTI MEDIA \$200.00 WEBSITE HOSTING, HOKE TRANSPORT \$2,774.40 INFIELD MIX FREIGHT, ICMA ELECTRONIC RETIREMENT \$558.85 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$169.46 EXCHANGED RUGS/DOOR MAT CONTRACT/MOP, INDELCO PLASTICS CORP \$3,070.92 CHLORINE TANK RPR, INDEPENDENT PLUMBING \$107.13 RPR TO JANITOR CLOSET WATER/RPR DAMPER GREEN HOUSE, INDOFF INC \$358.64 FILE FOLDERS/REFILL/INK CARTRIDGES/RUBBER BANDS, INFINITY CONSTRUCTION INC \$9,600.00 WATER LINE RPR, INGRAM LIBRARY SRV \$457.60 20 BOOKS, INLAND TRUCK PARTS CO \$444.16 STEERING WHEEL RPR, INTERNAL REVENUE SRV \$45,218.49 FED/FICA TAX, INTERNATIONAL INST OF MUN \$100.00 COOLEY ANNUAL MEMBERSHIP, INTRALINKS TECH SOLU \$2,269.56 WIRELESS INTERNET/NEW DESKTOP COMPUTER, JIRDON \$227.37 PENDULUM, JOHN HANCOCK USA

\$15,755.86 JH RETIRE 6%, JOHNSON CASHWAY CO \$5,174.01 DOWNTOWN FAÇADE GRANT/RPR AT T-1 WELL/RPR'S @ CLUB HOUSE/LEVER FOR WOMENS ADMIN REST ROOM, JUNIOR LIBRARY GUILD \$1,105.30 CHILDRENS BOOKS, KOVARIK ELLISON MATHIS \$2,888.75 RETAINAGE - CITY ATTORNEY, LL JOHNSON DIST \$1,200.30 ADD A ZONE/SPRINKLER RPR'S, LEAGUE ASSOC/RISK MANAGEMENT \$670.35 INSURANCE NEW BUILDING, LOGOZ LLC \$36.00 TREE PLATES, MARIETTA CONSTRUCTION \$11,172.00 GREEN HOUSE RPR'S, MATHESON TRI - GAS INC \$415.04 GLOVES, MEAT SHOPPE \$13,562.87 CATERING COSTS, MENARDS \$955.56 INSULATION, MERCHANT JT&S \$1,100.00 SCHOOL BOOKS FOR BEEHLER & JORGENSEN, MG TRUST CO LLC \$5,969.04 MG T - POLICE, MONEY WISE OFFICE SUPPLY \$223.93 OFFICE SUPPLIES, MONUMENT SHADOWS GOLF \$50.00 MENS FASHION POLO FOR MEJIA, MUNICIPAL SUPPLY INC \$563.56 SRV LINE RPR, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE PUBLIC POWER DISTRICT \$1,678.89 UTILITES PHEASANT DR/UTILITY 240066 HWY 92, NEBRASKA LAW ENFORCEMENT \$230.00 SCHROEDER GAGE TRAINING, NEBRASKA LIBRARY ASSOC \$305.00 NLA DUES - 4 EMPLOYEES/1 TRUSTEE, NEBRASKA TRANSPORT CO \$683.49 WELL #5 MOTOR FREIGHT TO SHOP, NEOFUNDS BY NEOPOST \$800.00 POSTAGE, NORTH PLATTE NRD \$110.00 60 POTTED TREES, NORTHWEST PIPE FITTINGS \$604.40 GALVANIZED PIPE PARTS/CHLORINE TANK REPLACEMENT/CURB BOX RPR/SHOP, NSAE \$520.00 SPONSOR MARCH NSAE MTG/DUES, OJEDA KRISTINA \$75.00 RV ROOM DEP REFUND, OREGON TRAIL PLUMBING & HEATING \$300.00 FILTER CHANGE ADMIN/LIB/PD, PAUL REED CONSTRUCTION \$1,106.14 RIVER ROCK NEW BALL FIELD/32.52 TONS CRUSHED CONCRETE, PAYROLL CHECKS \$128,240.67 PAYROLL CHECKS ON 4-13-18, PENWORTHY \$756.48 45 CHILDREN BOOKS, PHYSIO - CONTROL INC \$626.76 12 LEAD MOBILE CONNECTIVITY, POSTMASTER \$1,000.00 MAILING PERMITS, POWERPLAN OIB \$894.96 PARTS/PARTS 344 J/FILTER FOR SCRAPER, PRINT BROKER \$2,101.00 CVB PENS FOR CONVENTION BAGS/STICKY NOTES FOR CONV PROMO, PSI - DIGITAL IMAGING SOLU \$111.50 PAPER 42 FOR PLOTTER, RECORDED BOOKS LLC \$285.25 8 AUDIO BOOKS, RED BARN SHOP LLC \$117.50 IGNITION PART, REGIONAL WEST MEDICAL CENTER \$17.00 CPR TRAINING, RON'S SHARP SHOP \$115.23 NEW CARB, RUBOTTOM DEL \$159.75 OVER PAID FINAL 11-0750-06, RUSCH'S CONSTRUCTION \$105,590.16 RR & CONCESSION NEW BALL FIELD, SANDBERG IMPLEMENT INC \$412.53 OIL RASK/HEDGE TRIMMER, SCB CO AMBULANCE SRV \$316.23 AMBULANCE CONTRACT, SCB CO SHERIFF OFFICE \$29.26 SUMMONS FEES, SCOTTSBLUFF GERING UNITED \$93.00 UNITED WAY CTRB, SENIOR CITIZENS CENTER \$525.00 FINANCIAL SUPPORT, SHERWIN WILLIAMS \$6.09 PAINT FOR CANS, SIMON CONTRACTORS \$1,134.30 COLD MIX, SMART APPLE MEDIA \$635.25 31 CHILDRENS BOOKS, SNARR PAUL \$3,000.00 ENGINEER CONSULTING BALLFIELD/BOND FORM/ENGINEERING FEES/WORK ON LANDFILL/BROWNFIELDS INV TRACKING, SOLUTIONS EAP \$244.55 COUNSELING SRV, STAPLES CREDIT PLAN \$97.98 2 INK CARTRIDGES, STAR HERALD \$1,927.56 TALK OF THE TOWN/CONDENSED MINUTES/PC & CC MTG NOTICES/PERSONNEL MTG NOTICE/INSERTION OF NEWS LETTER, STATE FIRE MARSHAL TRAINING \$250.00 FIREFIGHTER I TESTING FEES, STATE OF NE/DAS COMMUNICATION \$135.37 LONG DISTANCE PHONE CHGS, STRAND ASHLEY \$75.00 RV ROOM RENTAL DEPOSIT, SUGAR VALLEY FEDERAL CRDT \$678.37 CREDIT UNION, SYSCO DENVER INC \$103.59 WATER GLASS HOLDERS, TERRY CARPENTER INC \$650.00 APRIL WATER WELL LAND RENT, THE COPIER NINJA LLC \$518.19 COPY COUNT CHRG, THOMPSON GLASS INC \$855.00 FIXED HANDICAPPED DOOR @ ADMIN, US AUTO FORCE \$390.54 3 TIRES, VERIZON WIRELESS \$846.68 ON CALL CELL/LAPTOP FEES/IPAD CHRG/VERIZON BILL/IPAD GOLF PRO, WALMART \$49.96 VACUUM, WESTCO \$5,648.83 1175 GALLONS GAS/1300 GALLONS DIESEL, WESTERN STATES BANK \$8,095.46 HSA CTRB 125, WESTERN STATES BANK - POL \$320.00 PO UNION DUES, WESTERN UNITED ELECTRIC \$6,981.75 CONDUIT, WINCHELL CLEANING SRV \$390.00 CLEAN HALLS/BATHS/OFFICES, WM RECYCLE AMERICA \$4,862.90 RECYCLING, WYOMING BEARING & SUPPLY \$915.77 NOZZLES WATER TRUCK/SHOP SUPPLIES/PART FOR PIT IN WORK BAY

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

BIDS:

1. Forklift purchase - Electric Department

Doug Parker, Electric Superintendent, stated that he had not budgeted for a forklift, however the lift they use inside the warehouse is very old. Roughly four years ago \$5000 worth of batteries were put into it; it will probably require that again to be useable. Also, it can only be used inside on a concreted area. He's proposing to purchase a ride-on fork lift that can actually go outside and will still fit inside. The bid he's recommending the City go with is \$750 higher, however it's the smallest forklift they can get.

Motion by Councilmember Morrison to approve staff's recommendation to purchase a forklift from Murphy Tractor in the amount of \$22,750.00. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

PUBLIC HEARINGS:

1. Public hearing to consider an application submitted by Holliday Services, Inc. for a Preliminary Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay)

Mayor Kaufman opened the public hearing to consider an application submitted by Holliday Services, Inc. for a Preliminary Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay) at 6:05 pm. Annie Folck presented the Administrative Record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	AGG
Subject:	Recommendation & Report – Preliminary Plat Mathers Addition	Property Size:	14.52 Acres
Location:	SW ¼ of the NE ¼ and the SE ¼ of the NW ¼ of S 35 T 22 N R 55 W, south of Country Club Road east of Gary Street	#Lots/Parcels:	1
Owner:	Holliday Services Inc.	City Council Public Hearing:	4/9/18

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application for a Preliminary Plat in the MH zone (BHC overlay). The property is approximately 14.52 acres, located south of Country Club Road and east of Gary Street (see map). This is to be a Class II Subdivision.

The preliminary plat shows Lot 1 Block 3 to be divided off from Block 2, Mathers Addition. This will provide a separate lot for the building that is currently being constructed by Holliday Services, Inc. The remainder of the property is shown as one lot as the property owner does not yet have definite plans for the lot layout. Both lots are already served by utilities and have access on Country Club Road. Holliday Park Drive is also to be dedicated as ROW and will be constructed to meet City standards. Until the remainder of the property develops, there will be a temporary turn-around easement provided at the end of Holliday Park Drive. Staff has reviewed the Preliminary Plat and is recommending approval.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Preliminary Plat for Mathers Addition. I would ask this Commission to recommend approval or denial of the Preliminary Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Preliminary Plat for Lot 1, Block 3 Mathers Addition with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Preliminary Plat for Lot 1, Block 3 Mathers Addition, for the following reasons:

Table

Table making a recommendation on the Preliminary Plat for Lot 1, Block 3 Mathers Addition, for the following reasons:

Mrs. Folck stated that they're having an issue with the utilities down the middle of the easement and the electrical; they're having a hard time coming up with a lay-out. She said the applicant is not really sure what they want to do with the remainder of the property yet so at this point, with the preliminary plat, they've decided to leave it with what they know they're going to do with it right now which is the lot that they're splitting off and then leave the rest of the property as is. If they do it this way both parcels have access off of Country Club Road currently. They also both have access to sewer, water and electrical. The applicant is proposing "Holliday Park Drive" (as the street) as it's platted in there – the reason for this is that their primary goal is to change their address; they can't be addressed off of a private drive, it has to be public right-of-way. They want to avoid the confusion with the addressing with NTC being right next to them and both buildings being on Country Club Road. She stated that street may not go in right away which staff is okay with - we already have access to both of the lots. The development agreement is just to make sure that when we are ready to put that in we don't want any confusion about who is responsible for those costs; that's what that's all about.

Mayor Kaufman asked if anyone in Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition. With no further comments the Administrative Record and the Public Hearing closed at 6:08 p.m.

Councilmember Holliday stated that he needed to declare a conflict of interest.

Motion by Councilmember Morrison to recognize Councilmember Holliday's conflict of interest regarding agenda items #1a, #2a and #2b under public hearings due to the fact that these agenda items pertain to business property with which Councilmember Holliday is associated and/or shares ownership. Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

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

1a. Approve or deny a Preliminary Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay)

Motion by Councilmember Wiedeman to approve an application submitted by Holliday Services, Inc. for a Preliminary Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay). Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: Holliday. Absent: None. Motion Carried.

2. Public hearing to consider an application submitted by Holliday Services, Inc. for a Final Plat. for a property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay)

Mayor Kaufman opened the public hearing to consider an application submitted by Holliday Services, Inc. for a Final Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay) at 6:10 pm. Annie Folck presented the Administrative Record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	AGG
Subject:	Recommendation & Report – Final Plat Mathers Addition	Property Size:	14.52 Acres
Location:	SW ¼ of the NE ¼ and the SE ¼ of the NW ¼ of S 35 T 22 N R 55 W, south of Country Club Road east of Gary Street	#Lots/Parcels:	1
Owner:	Holliday Services Inc.	City Council Public Hearing:	4/9/18

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application for a Final Plat in the MH zone (BHC overlay). The property is approximately 14.52 acres, located south of Country Club Road and east of Gary Street (see map). This is to be a Class II Subdivision.

The preliminary plat shows Lot 1 Block 3 to be divided off from Block 2, Mathers Addition. This will provide a separate lot for the building that is currently being constructed by Holliday Services, Inc. The remainder of the property is shown as one lot as the property owner does not yet have definite plans for the lot layout. Both lots are already served by utilities and have access on Country Club Road. Holliday Park Drive is also to be dedicated as ROW

and will be constructed to meet City standards. Until the remainder of the property develops, there will be a temporary turn-around easement provided at the end of Holliday Park Drive. Staff has reviewed the Final Plat and is recommending approval.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Preliminary Plat for Mathers Addition. I would ask this Commission to recommend approval or denial of the Final Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat for Lot 1, Block 3 Mathers Addition with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Final Plat for Lot 1, Block 3 Mathers Addition, for the following reasons:

Table

Table making a recommendation on the Final Plat for Lot 1, Block 3 Mathers Addition, for the following reasons:

Mayor Kaufman asked if anyone in Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition. With no further comments the Administrative Record and the Public Hearing closed at 6:11 p.m.

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

2a. Consider approving and authorizing the Mayor to sign a Development Agreement between Holiday Services, Inc. and the City of Gering

Motion by Councilmember O'Neal to approve and authorize the Mayor to sign a Development Agreement between Holiday Services, Inc. and the City of Gering. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: Holliday. Absent: None. Motion Carried.

2b. Approve or deny a Final Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay)

Motion by Councilmember Wiedeman to approve an application submitted by Holiday Services, Inc. for a Final Plat for property of approximately 14.52 acres, situated in the MH zoning district (BHC overlay). Second by Councilmember Smith. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: Holliday. Absent: None. Motion Carried.

3. Public hearing to consider an application submitted by MQ Subdivision for a Preliminary Plat in the RM zone (Medium Density Residential) for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision

Mayor Kaufman opened the public hearing at 6:13 pm. Annie Folck presented the Administrative Record.

**CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT**

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Preliminary Plat MQ Subdivision	Property Size:	3.61 Acres
Location:	North of K Street, between 12 th and 13 th St	#Lots/Parcels:	2
Owner:	MQ Investments	City Council Public	4/23/18

		Hearing:	
--	--	-----------------	--

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application for a Preliminary Plat in the RM zone (Medium Density Residential). The property is approximately 3.61 acres, located north of K Street, between 12th and 13th Streets. This is to be a Class II Subdivision.

The preliminary plat shows the alley moving farther south from its current location. A 20' utility easement is provided over the existing water main. Block 1 is already developed, with Dome Rock Manor located on this block. Block 2 is currently undeveloped and will eventually be developed into townhomes. The owner has applied for a PTD Planned Townhouse Development Zone to be appended to the current RM zoning. This will allow the property to be developed into townhomes, which would be single family units erected in a row as a single building. Currently, Block 2 has access to water and sanitary sewer on the south side of the street. This block will eventually be subdivided into lots and sublots to provide for the development of the townhomes. The preliminary plat provides for an alley down the center of the block to provide access for a sanitary sewer that will need to be constructed to serve the lots if/when they are subdivided and to allow for rear access to the properties. Both blocks have adequate street access. Staff is recommending approval of the preliminary plat.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Preliminary Plat for MQ Subdivision. I would ask this Commission to recommend approval or denial of the Preliminary Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Preliminary Plat for Block 1 and 2, MQ Subdivision, with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Preliminary Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Table

Table making a recommendation on the Preliminary Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Mayor Kaufman asked if anyone in Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition. With no further comments the Administrative Record and the Public Hearing closed at 6:15 p.m.

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

3a. Approve or deny a Preliminary Plat for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision - MQ Subdivision

Motion by Councilmember Morrison to approve an application submitted by MQ Subdivision for a Preliminary Plat in the RM zone (Medium Density Residential) for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

4. Public hearing to consider an application submitted by MQ Subdivision for a Final Plat in the RM zone (Medium Density Residential) for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision

Mayor Kaufman opened the public hearing at 6:17 pm. Annie Folck presented the Administrative Record.

CITY OF GERING
PLANNING COMMISSION RECOMMENDATION AND REPORT

To:	Planning Commission	Date:	3/20/18
From:	Planning & Community Development	Zoning:	RM
Subject:	Recommendation & Report – Final Plat MQ Subdivision	Property Size:	3.61 Acres
Location:	North of K Street, between 12 th and 13 th St	#Lots/Parcels:	2
Owner:	MQ Investments	City Council Public Hearing:	4/23/18

Public Notice: This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

Public Hearing

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application for a Final Plat in the RM zone (Medium Density Residential). The property is approximately 3.61 acres, located north of K Street, between 12th and 13th Streets. This is to be a Class II Subdivision.

The final plat conforms with the preliminary plat with all lots served by water, sewer, and with access to a City street. A 20' utility easement is provided over the existing water main, and two alleys are provided to create future access for utilities if and when the property is further subdivided. Block 1 is already developed, with Dome Rock Manor located on this block. Block 2 is currently undeveloped and will eventually be developed into townhomes. The owner has applied for a PTD Planned Townhouse Development Zone to be appended to the current RM zoning. This will allow the property to be developed into townhomes, which would be single family units erected in a row as a single building. Staff is recommending approval of the final plat.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application for Final Plat for MQ Subdivision. I would ask this Commission to recommend approval or denial of the Final Plat to the City Council.

Recommendation

Approve

Make a POSITIVE RECOMMENDATION for City Council to approve the Final Plat for Block 1 and 2, MQ Subdivision, with the following conditions:

Deny

Make a NEGATIVE RECOMMENDATION to City Council for the Final Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Table

Table making a recommendation on the Final Plat for Block 1 and 2, MQ Subdivision, for the following reasons:

Mayor Kaufman asked if anyone in Council Chambers wished to speak in favor of this application. Seeing none, he asked if anyone wished to speak in opposition. With no further comments the Administrative Record and the Public Hearing closed at 6:18 p.m.

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

4a. Approve or deny a Final Plat for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision - MQ Subdivision

Motion by Councilmember O'Neal to approve an application submitted by MQ Subdivision for a Final Plat in the RM zone (Medium Density Residential) for property that is approximately 3.61 acres located north of K Street, between 12th and 13th Streets to be a Class II Subdivision. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CURRENT BUSINESS:

1. Request for Future Agenda item submitted by Tim Newman, Region 22 Emergency Management – Introduction and overview of Emergency Management office

This agenda item was not addressed. Mr. Newman opted to make his presentation at the May 14th Council meeting.

2. Approve Keno Requests as recommended by the Keno Committee:

- Gering Civic Center - \$1500
- Old West Balloon Fest - \$8000
- High Plains Auto Club - \$3500
- Monument Marathon - \$3000
- Allred Brothers Fireworks Show - \$4000
- Sugar Valley Rally - \$3500
- Buckboard Therapeutic Riding Academy - \$20,000
- Splash Foundation - \$8500
- Gering Merchants - \$5000
- Indian Center, Inc./Circle of the Bluffs Pow Wow - \$3000
- American Legion Gering Post 36 - \$1400

Keno Committee Chairman, Darrell Bentley, addressed the Council and noted that the amount that might be approved by the Council for the recommended requests is more than the \$48,000 taken in for the quarter in Keno revenues; the requests were for \$118,500. The Keno Committee tries to stay within the quarterly revenue amount. He stated they do have a reserve built up but if we keep leaning into it, we won't have one for very long. Keno started in 1994; one of the guidelines they've gotten away from is that whatever the request is, it should be something that happens in Gering. They've been getting requests from both sides of the river and up and down the river. Prior to their next meeting the committee will get together, review their requests, make suggestions and look at what they need to do a little differently. They hate to tell anybody no, most of the people that come to them for money are volunteers and they're working to make something better. However, there is a limit to how much money the committee is going to be able to pull out and pass out. Some applicants have returned numerous times; at some point they have to say wait a minute. The Keno Committee is going to have to take a long hard look at what they're doing and for whom they're doing it. Mr. Bentley stated that we get 10.2% of what comes in on Keno; an additional 2% is sent to the Nebraska Gaming Commission. The biggest intake they've ever had was \$226,000 with roughly \$159,000 being the lowest. The revenue this year will be roughly \$178,000; we can't have \$118,500 going out every quarter and make this work. They want to help as many people as they can but they have to be cautious where they put it and learn to say "no, thank you". He stated that he welcomes Council input for that meeting.

Mr. Bentley stated that Gering itself has received over \$552,000 from the Keno Fund to date. That does not include the \$100,000 for the ball field. Those are funds that did not have to be taken out of the City budget. In addition the school system has received \$100,000. He added that he's concerned about the games of chance showing up in the area; they take revenue away from Keno funds. Lucky Keno has talked to them about it and they said it's not regulated in the state, so there is no way the City can get dollars from that activity.

Councilmember Smith asked Mr. Bentley if historically this quarter is their largest quarter. Mr. Bentley replied as a rule, however he has heard that they already have \$60,000 worth of requests coming in for the next quarter. He added for any Council Members who may not know, Keno funds cannot fund a budget (operating), but a project. He added that he would like, if possible, to keep the amounts out of the media until after the meeting.

Councilmember Holliday asked if the requests could be voted on one by one, rather than lumping them. Mayor Kaufman said if there are individual ones they need to pull out for discussion they can do that. Mr. Bentley stated that there are a few requests they cut back and even one to which they said no. Mayor Kaufman stated that Mr. Bentley and the committee are great stewards of the Keno funds; their recommendations are always very close to spot on - Council appreciates their hard work.

Councilmember Holliday stated, regarding the Monument Marathon request for the sponsorship, generally that has always been sponsored by a local business. He understands money is very tight for most businesses but in his mind that is not something the City would do for a sponsorship; that one grabbed his attention the most. Mr. Bentley stated that last year was the first time they (Monument Marathon) came to the Keno Committee. They were short on three sponsorships. This particular sponsorship, for the mid-way part of the run, they recommended funding it last year because they thought the Keno Committee would get the most bang for their buck (promotion via banners) - that's why they've recommended funding it two years in a row. They feel the marathon is also justified to be funded because of all the people it brings to the area.

Councilmember Smith stated that he agrees that the Keno Committee is a good steward of the money and moved for approval of what the Keno Committee recommends.

Motion by Councilmember Smith to approve the Keno Committee requests as follows: Gering Civic Center - \$1500, Old West Balloon Fest - \$8000, High Plains Auto Club - \$3500, Monument Marathon \$3000, Allred Brothers Fireworks Show - \$4000, Sugar Valley Rally - \$3500, Buckboard Therapeutic Riding Academy - \$20,000, Splash Foundation - \$8500, Gering Merchants - \$5000, Indian Center, Inc./Circle of the Bluffs Pow Wow - \$3000 and the American Legion Gering Post 36 - \$1400. Second by Councilmember Morrison. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": Holliday. Abstaining: None. Absent: None. Motion Carried.

3. Approve the appointment of Terry Rajewich to the Planning Commission

Motion by Councilmember Gillen to approve the appointment of Terry Rajewich to the Planning Commission. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

4. Approve the appointment of Terry Rechsteiner to the Board of Adjustment

Mayor Kaufman noted a correction to the agenda; this should be *Jeremy* Rechsteiner, not Terry.

Motion by Councilmember O'Neal to approve the appointment of Jeremy Rechstiener to the Board of Adjustment as a liaison from the Planning Commission. Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

5. Approve the appointment of Brendan Lilley as the new City Engineer for the City of Gering

Mr. Lilley addressed the Council and stated that he is happy to be back in Gering and eager to begin his duties. Mayor Kaufman welcomed him.

Motion by Councilmember Gillen to approve the appointment of Brendan Lilley as the new City Engineer for the City of Gering. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

6. Request for Public Safety Committee meeting with agenda item: Review ordinance(s) pertaining to solid waste and solid waste in City-owned dumpsters

Motion by Councilmember Gillen to approve a request for Public Safety Committee meeting with agenda item: Review ordinance(s) pertaining to solid waste and solid waste in City-owned dumpsters. Second by Councilmember Holliday. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

7. Approve and authorize the Mayor to sign a contract between the City of Gering and the Nebraska Commission on Law Enforcement and Criminal Justice regarding e-citation following careful review of the contract

Chief Holthus stated that the County is going to a different records management system for dispatch and reporting purposes. They had requested a grant through the State of Nebraska. The total project cost is \$68,590 and the State Crime Commission has awarded the City \$20,000 toward that project cost. Staff are asking for authorization, after all the pieces come together, to enter into an agreement to accept that money. The Police Department will pay for that out of their sinking fund budget. Councilmember Gillen stated that he's all for public safety, however he's also in favor of the budget process. He knows that there is a deadline for the grant; he has concerns about using sinking funds and the concerns he had last year about not contributing to our sinking funds for a year so we could balance the budget. By taking this out of the sinking funds that was for future patrol cars, by not switching, we may not have the ability to upgrade the patrol cars on the schedule they are on currently. Chief Holthus replied that those are all correct statements. Councilmember Gillen asked if the Police Department is okay with delaying that process; is this a want or a need? Chief Holthus replied it is a County-wide approach to things, this is where everyone is going. There will still be the ability to be dispatched by radio so that won't go away.

Councilmember Backus, who serves on the Communications Center Advisory Board, stated that this is not a case of Chief Holthus not being able to budget. They had sent these grants in and expected only smaller towns were going to get the grants but the State came back and said everybody gets a grant. Councilmember Backus stated they put a timeline on it however so we have to come up with funding before the timeline. He said, speaking of Keno, this looks like a good project for that. The E-Citation gets the officers off the street or curb quicker and subsequently makes them safer; it automates the whole process and makes it a better experience. It sounds like a good community betterment project to him. This system will mesh nicely with the new system going in; he feels it's a need going forward. It's something we want to get up-to-date.

Councilmember O'Neal asked the Chief to discuss the replacement schedule. Chief Holthus stated that it's very important to be able to replace cars when we need them. The replacement schedule is based on so many years and miles but sometimes when you have an officer that doesn't drive a vehicle as hard, even though the miles are there, you can potentially get additional time out of it. If the cars don't need replaced then we wouldn't replace them. Mayor Kaufman added that this expense can be split over two budget seasons.

Motion by Councilmember Gillen to approve and authorize the Mayor to sign a contract between the City of Gering and the Nebraska Commission on Law Enforcement and Criminal Justice regarding e-citation following careful review of the contract. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

8. Approve Ordinance 2062 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND CHAPTER/TITLE III AS PART OF THE GERING CODE OF ORDINANCES, SECTION 32, SUBSECTION 32.02; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Mayor Kaufman entertained a motion to introduce Ordinance number 2062 with a notation that since the packet came out, the City Attorney made a minor adjustment to the verbiage in the title of both ordinance 2062 and 2063. The change is simply that after it states 'AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES' - "*IN CONFLICT WITH THIS ORDINANCE*" was removed.

Councilmember Gillen made a motion to introduce Ordinance No. 2062 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND CHAPTER/TITLE III AS PART OF THE GERING CODE OF ORDINANCES, SECTION 32, SUBSECTION 32.02; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE; AND PROVIDING

FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Backus. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Councilmember Holliday moved that the Ordinance be designated as Ordinance No. 2062 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 Wiedeman. There was no discussion. The Clerk called the role. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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. 2062 was read by title only, Councilmember O'Neal moved that the Ordinance be passed as read, which motion was seconded by Councilmember Morrison. "The question is shall Ordinance No. 2062 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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.

9. APPROVE ORDINANCE 2063 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 10, SUPPLEMENTARY DISTRICT REGULATIONS, SIGNS, SIGN REGULATIONS, § 10.1505 OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Councilmember Gillen made a motion to introduce Ordinance No. 2063 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 10, SUPPLEMENTARY DISTRICT REGULATIONS, SIGNS, SIGN REGULATIONS, § 10.1505 OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Backus. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Councilmember Holliday moved that the Ordinance be designated as Ordinance No. 2063 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 Wiedeman. There was no discussion. The Clerk called the role. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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. 2063 was read by title only, Councilmember O'Neal moved that the Ordinance be passed as read, which motion was seconded by Councilmember Morrison. "The question is shall Ordinance No. 2063 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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.

REPORTS: (Information only)

1. Liaison Report regarding the WNED - Councilmember Gillen

Councilmember Gillen stated that he joined the WNED Board in January. The Board is currently reorganizing. The goal of the WNED is for regional economies to work together to bring, retain and

promote business within our own market. The Board interviews businesses to find out what their needs are, will they be hiring in the future, will they be expanding, etc. This has been done in Bayard and Mitchell; Gering wants to pursue that as well. It gives the board a good idea where the business market is right now. He thinks this is a good opportunity for Gering to know where our businesses stand and what their employee needs are as well as their ability to expand in the future.

OPEN COMMENT SECTION: None

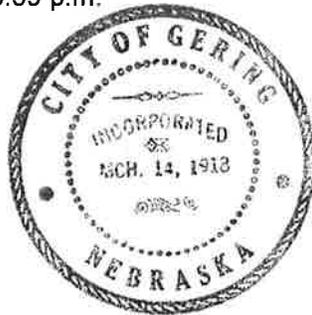
Mayor Kaufman stated that discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

CLOSED SESSION: (Council reserves the right to enter into closed session if deemed necessary.)

ADJOURN:

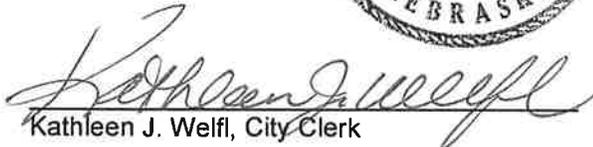
Motion by Councilmember Gillen to adjourn. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 6:59 p.m.




Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk