

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
DECEMBER 10, 2018**

A regular meeting of the City Council of Gering, Nebraska was held in open session on December 10, 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

**Councilmember O'Neal made a motion to excuse the absence of Councilmember Holliday from the November 26, 2018 regular City Council meeting. Second by Councilmember Gillen. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

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

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

**CONSENT AGENDA:**

1. Approve minutes of the November 26, 2018 regular Council meeting
2. Approve Claims
3. Approve Certificate of Vote for election held on November 6, 2018
4. File for record Additional Passive Vent Well Installation Cost Estimate

**Claims:**

**11-17-18 to 11-30-18**

24/7 FITNESS \$215.00 WELLNESS, AC ELECTRIC MOTOR SRV \$1,464.58 WWTP MOTOR RPR, ACCELERATED RECEIVABLES SOLUTION \$350.75 COLLECTIONS, ACTION COMM INC \$307.67 PAGER BATTERIES/INSTALL RADIO IN NEW PICKUP/ VEHICLE RADIO RPR, AHLER'S BAKING INC \$10.48 STATE OF THE VALLEY MTG DONUTS, ALTEC INDUSTRIES INC \$5,249.83 TRUCK RPR'S, AMAZON \$237.82 13 CHILDRENS DVD'S, ATLANTIC \$29.95 1 YR SUBS, AWWA \$62.00 AWWA STANDARD FOR TANK CLEAN, BAVCO VALVE CO \$476.85 BACKFLOW PREVENTER FOR ST SHOP, BEST WESTERN (\$0.01) CREDIT REFUND, BIZCO \$130.20 BASE FOR COMPUTER STAND PICKUP, BKD RENTALS LLC \$2,154.20 DEC 2018 PRAIRIE PINES SUBSIDY, BLACK HILLS ENERGY \$559.96 GAS 900 OVERLAND TRAIL/GAS BILL 225 EAST D ST/ GAS BILL 1035 M ST/1255 11<sup>TH</sup> ST UTILITIES, BLAZE PUBLICATIONS INC \$225.00 AD IN NE FIRE NEWSPAPER, BLUFFS SANITARY SUPPLY \$377.50 CLEANING CLOTH & SOFT SCRUB/TOILET PAPER/BATHROOM SUPP, BOMGAARS \$16.97 K-9 SUPP, BORDER STATES INDUSTRIES \$11,379.65 ELECTRIC PARTS/WIRE CLAMPS/ GRIPS/TOOL BAG/CT'S, BOSSELMAN TRAVEL CENTER \$28.72 NLA CONF FUEL, BOUND TREE MEDICAL \$241.74 EMS EQUIPMENT, BROADWATER COUNTRY STORE \$40.08 GAS NLETC, CASEY'S GENERAL STORE \$399.17 NLETC GAS/FUEL CVB NE TOURISM CONF/K-9 TRAINING GAS, CENCON LLC \$3,200.00 U B LINE BORE, CENEX I-80 \$46.00 K-9 TRAINING GAS, CENEX I-80 \$38.13 NLETC GAS, CITY INSURANCE FUND \$168,689.69 HEALTH PREM 125, CITY OF LINCOLN \$33.75 PARKING NLA CONF, CITY PAYROLL TRUST \$2,783.19 FSA MEDICAL 125, COFFINS CORNER \$35.40 NLETC GAS, CONNECTING POINT \$204.77 COPY CHRGS, CONSOLIDATED MANAGEMENT \$321.38 NLETC MEALS, COOK'S COUNTRY \$29.95 1 YR SUBS, CORNHUSKER SQUARE GARAGE \$45.00 PARKING FEE GPGFOA CONF MEJIA, CREDIT BUREAU SRV \$213.01 GARNISHMENT, DALE'S TIRE & RETREADING \$1,816.81 TIRE G-5, DANKO EMERGENCY EQUIPMENT \$221.26 FIRE FIGHTING HELMET, DETROIT INDUSTRIAL TOOL \$479.68 SAW BLADES, DHHS DIVISION/PUBLIC HEALTH \$237.00 WATER LAB, DISCOVER BANK \$2.74 GARNISHMENT 2, DOMINO'S PIZZA \$110.04 PIZZA FOR CREW - BRANCH CLEAN UP, DON SCHMIDT CARPET INC \$168.75 TILE NEW SHOP, DOOLEY OIL INC \$233.54 SHOP SUPPLIES, ECOLAB \$169.373 PEST CONTROL 225 D ST/WWTP RODENT CONTROL, ELECTRO - TEST & MAINTENANCE \$4,255.00 SUB TRANS OIL TEST, EMBASSY SUITES \$476.18 GP GFOA CONF MEJIA, ENCORE COMM PRODUCTS \$2,068.35 BULLARD COVERS, ENERGY LAB INC \$456.00 WATER LAB, ENVIRO SRV INC \$1,555.00 WATER LAB/WW LAB, ENVIRONMENTAL ANALYSIS SO \$1,387.60 WWTP POLLUTION SCAN, EXSELLENT PLUMBING LLC \$2,560.00 PLUMBING LABOR - NEW SHOP, FASTENAL CO \$368.20 TIRE RPR/NEW STEER

TIRE SMALL DUMP TRK, FAT BOYS TIRE & AUTO \$894.26 NEW STEER TIRE SMALL DUMP TRK, FIRST NATIONAL BANK OF OM \$54.60 CHRG FOR RECORDS SUBPOENA, FIRST STATE BANK \$362.60 IBEW UNION DUES, FISHER BOBBY \$81.00 LEFT RV PARK EARLY, FLOYD'S SALES & SRV \$441.25 HOSES TRUCK/PARTS G-11, FLYING J TRAVEL PLAZA \$60.01 20 GAL UNLEADED GAS ADA CONF, FORT DEARBORN LIFE INS CO \$137.60 FIREFIGHTER LIFE INS, FRANK PARTS CO \$902.20 OIL FILTER/CABLE/ CLAMPS/P U PARTS/OIL CHANGE SHOP SUPP/SCREW CAP/TOOL, FRESH FOODS \$113.12 MEAT & CHEESE TRAY MTG W/AUDITOR/TRUNK OR TREAT SUPP, FYR - TEK \$340.55 WATER FILL TUBE, GALE \$163.14 4 LRG PRINT BOOKS, GARY'S CLEANING & RESTORATION \$3,398.64 CLEANING CARPETS, GATOR \$329.29 COVER-SERGIO'S PICKUP BED, GENERAL TRAFFIC CONTROLS \$298.00 FLASHERS, GERING DISC GOLF CLUB \$350.00 KENO FUNDS FOR FLYERS, GERING VOLUNTEER FIRE DEPT \$11,397.00 LOSAP FF RETIREMENT, GOJOTTO.COM \$259.84 LIGHT BARS, GRAND ISLAND MOTEL DEVELOPMENT \$421.90 TRAFFIC LIGHT CERT - STERKEL, GREAT PLAINS GOVERNMENT \$150.00 GP GFOA FALL CONF MEJIA, GROUND UP CONSTRUCTION \$510.00 OCT 18 JANITORIAL SRV'S, HEARTLAND TRUST CO \$903,353.75 CMBND UTILITIES BOND SERIES 2016/GLC BOND SERIES 2016/GLC BOND SERIES 2018, HOBBY LOBBY \$42.63 SUPP FOR STORY TIME, HOLIDAY INN (\$318.54) TAX REFUND, HONEY - WAGON EXPRESS \$180.00 CLEAN GREASE TRAPS, HORIZON WEST INC \$914.01 CENTRAL STORE GENERATOR RPR'S, ICMA ELECTRONIC RETIREMENT \$677.99 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$227.22 EXCHANGED MATS/ RUGS/2 MATS EXCHANGED/DOOR MATS/1 MOP/9 RUGS, INDOFF INC \$3,849.31 PAPER ALLOCATION/FIRST AID KITS/OFFICE SUPP, INGRAM LIBRARY SRV'S \$791.87 49 BOOKS, INSPIRATION PRESS INC \$35.00 2 CHILDREN'S BOOKS, INTERNAL REVENUE SRV \$40,941.44 FED/FICA TAX, INTERSTATE BATTERIE/RAPID \$116.95 BATTERY, INTRALINKS TECHNICAL SOLUTIONS \$4,070.00 COMPUTER SUPPORT, J HARLEN CO INC \$1,133.60 FR SWEAT SHIRTS, JENKINS TED \$16.05 PURCHASED HAIR DRYER TO THAW OUT POLY WATER SRV LINE, JOHN HANCOCK USA \$13,761.39 JH RETIRE 6%, JOHNSON CASHWAY CO \$265.69 MATERIALS FOR CAD UNITS/SHOP SUPP/CLAMP FOR AIR HOSE/RPR'S FOR UPSTAIRS RESTROOMS/ CAR VAC PARS/MISC SUPP/CONCRETE MIX, KOVARIK ELLISON MATHIS \$9,014.93 LUKJEN METAL PRODUCTS/NOAH'S BURRITOS LB840/GERING MEMORIAL CHAPEL/ PRT LEGAL FEES/SKIPPERS CUPBOARD LB840/DAILY GRIND II LB840/INDUSTRIAL PARK SIMONS CO/GOONIES SPORTS BAR LB840/INDUSTRIAL PARK, K'S #3 \$41.53 13 GAL OF UNLEADED ADA CONF, KWIK STOP \$152.18 DUI/MARIJUANA TRAINING/ K-9 TRAINING GAS, LIBERTY ART WORKS \$670.00 LENGTH OF SRV AWARDS, LIED LODGE & CONF CENTER \$456.69 LODGING CVB NE TOURISM, LOAF N JUG \$39.71 NLA CONF FUEL, LOGOZ LLC \$1,527.00 SAFETY CLOTHING VEST & SHIRTS, MAIL & SHIPPING PROS \$73.60 SHIPPING RETURN PRODUCT, MARRIOTT CORNHUSKER \$1,177.00 NLA CONF PRESTON/DOWNER/CLARKE, MARRIOTT HOTELS & RESORTS \$663.94 ADA CONF MOUNT, MASSIE KRISTEN \$64.00 TRNG IN LEXINGTON NE, MATHESON TRI-GAS INC \$166.00 SHOP SUPPLIES, MATRIX TRUST CO \$7,280.69 MG T - POLICE, MAVERIK \$79.77 FUEL FOR ROD - TRAFFIC CONTROL/12.9 GAL UNLEADED GAS ADA CONF, MEAT SHOPPE \$16,032.66 CATERING COSTS, MENARDS \$280.40 SHOP SUPPLIES/TOWELS/CEILING BRACKETS FOR NEW SHOP, MICHAEL TODD & CO \$115.43 SAFETY VESTS, MIDTOWN ANIMAL HOSPITAL P C \$114.00 K-9 BOARDING, MONEY WISE OFFICE SUPPLY \$294.58 BINDER FOR MSDS/FIRST AID SUPPLIES/OFFICE SUPPLIES, MSC 410526/DOLLAR GENERAL CORP \$36.95 TRUNK OR TREAT SUPPLIES, MUNICIPAL ENERGY AGENCY \$283,933.87 POWER BILL/MEAN DUES, MURDOCH'S RANCH & HOME \$159.99 BOOTS AWISZUS, NATIONAL INSURANCE SRV \$1,020.20 VISION INSURANCE, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$12,738.64 STATE TAX, NE DEPT OF REVENUE \$56,618.83 OCTOBER 2018 SALES & USE TAX, NE PUBLIC POWER DISTRICT \$1,656.41 UTILITIES PHEASANT DR, NE SAFETY/FIRE EQUIPMENT \$125.00 CLUB HOUSE FIRE ALARM INSPECT, NE CORNHUSKER CHA \$125.00 2018 SWANA CONF VANCE, NE LAW ENFORCEMENT \$110.00 BURGMAN SFT TESTING, NEBRASKALAND TIRE \$16.50 FIX TIRE, NEOFUNDS BY NEOPOST \$800.00 POSTAGE FEE, NETWORKFLEET.INC \$40.00 GPS SRV, NORTHWEST PIPE FITTINGS \$177.15 PLUMBING PARTS NEW SHOP, OREGON TRAIL PLUMBING & HEATING \$220.00 CLUBHOUSE MAINT, PAPER DIRECT INC \$110.76 BROCHURES FOR MEMBERSHIP INFO, PAUL L REED CONSTRUCTION \$1,262.88 60 TONS CRUSHED CONCRETE, PAYPAL \$100.00 AWWA FALL CONF, PAYROLL CHECKS \$125,110.58 PAYROLL CHECKS ON 11-23-18, PAYROLL CHECKS \$921.37 PAYROLL CHECKS ON 11-28-18, PENN RADIANT \$985.00 HEATER ELEMENT, PILOT #416 \$99.62 K-9 TRAINING GAS, PING \$128.76 GOLF CLUB HYBRID, POWER SCREENING LLC \$3,959.64 PART SCREWABLE ARMS/HEX BOLTS, PRAIRIE ARTS YOGA STUDIO \$56.00 PRAIRIE ART YOGA, PRINT EXPRESS \$224.48 POWER OUT FORMS, PUBLIC SAFETY \$60.00 FRAMED CERT, PUMP & PANTRY \$86.30 LEADERSHIP TRAINING GAS/GAS NLETC, R & C WELDING & FABRICATION \$210.00 SIGN RPR, RECORDED BOOKS LLC \$175.43 2 AUDIO BOOKS, RICH'S WRECKING & USED CARS \$20.00 PARTS FOR PICKUP, ROBINSON ELECTRIC \$4,252.11 WORK ON SHOP/INSTALL PLUG ON NEW APPLICANCE/WORK ON HEATERS, SAFETYLINE CONSULTANTS \$2,000.00 MONTHLY SAFETY TRNG CONSULTING, SANDBERG IMPLEMENT INC \$89.96 CHAIN & BAR FOR CHAINSAW, SANDRY FIRE SUPPLY \$1,795.36 5 HOSE, SAPP BROS \$33.13 EVO INSTRUCTING, SCB CO VEHICLE REGISTRATION \$2,473.01 LICENSE NEW PICKUP, SCB CO REGISTER OF DEEDS \$30.00 DEED JODER, SCOTTSBLUFF - GERING UNITED \$93.00 UNITED WAY CTRB, SHELL \$80.40 CVB NE TOUR CONFERENCE, SIDES CONCRETE CONSTRUCTION \$3,739.50 SERVICE LINE RPR, SIMMONS OLSEN LAW FIRM \$1,500.00 CITY PROSECUTIONS, SIMON CONTRACTORS \$10,020.26 SRV LINE RPR/120.92 TONS ASPHALT 7<sup>TH</sup> ST, SLAFTER OIL CO \$87.90 HYDRAULIC OIL, STAPLES CREDIT PLAN \$196.76 EASELS FOR OPEN HOUSES/NEW PRINTER, STATE OF NEBRASKA \$80.22 OVERPAID FINAL LUNA23-063-077, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SURVEY SUPPLY INC \$338.78 TRIPOD FOR TOTAL STATION, TAYLOR MADE GOLF CO \$370.25 GOLF CLUB DRIVER, TEAM CHEVROLET \$375.00 WING VEHICLE LEASE, THE TORO CO \$155.00 COMPUTER SUPPORT IRRIGATION, THOMPSON GLASS INC \$1,230.00 REPAIRED FRONT DOOR @ CITY HALL, TORRINGTON TELEGRAM \$390.00 CRAFT FAIR ADVERTISING, TRIHYDRO CORP \$14,745.17 NEW LANDFILL, TWIN CITY DEVELOPMENT \$12,500.00 JULY - SEPT QRTL DUES, UNITED CHAMBER OF COMMERCE \$300.00 STATE OF THE VALLEY, VAN PELT FENCING \$5,431.50 MOVED FENCE AT CENTRAL STORES, WALKER JEN \$140.00 NEW MENU, WALMART \$194.81 TRUNK OR TREAT SUPPLIES/2 PKG CANDY/ USB/2 BOX TISSUE/ALICE TRNG MATERIALS & EQUIPMENT/SUPPLIES FOR STORY TIME, WAREHOUSE FITNESS CENTER \$270.00 WELLNESS WAREHSE, WESTCO \$324.60 FUEL, WESTERN PATHOLOGY CONSULTANTS \$75.00 POLICY ASSURANCE UPDATE DOT, WESTERN STATES BANK \$6,146.44 HSA CTRB 125, WESTERN STATES BANK - POL \$360.00 PO UNION DUES, WESTERN TRAVEL TERMINAL \$27.85 FUEL TRAFFIC LIGHT CERT ROD, WINCHELL CLEANING SRV \$970.00 CLEAN HALLS/BATHS/OFFICES, WM RECYCLE AMERICA \$5,664.75 RECYCLING, WYOMING BEARING & SUPPLY \$276.11 TOOLS/PLUMBING PARTS/MISC SUPPLIES, YANDA'S MUSIC & PRO AUDIO \$110.00 RPR WIRELESS SYSTEM CHAMBERS, YMCA \$358.00 WELLNESS

**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.**

**CURRENT BUSINESS:**

**1. LB840 Citizens Advisory Committee Report to Council – Galen Larson, Committee Chairman**

Galen Larson, LB840 Citizen's Advisory Committee Chairman, presented the following update to the Council:

On December 4, 2018 the City of Gering LB840 Citizens Advisory Committee met to receive an update from City staff and legal counsel regarding the status of LB840 grants and loans. While the majority of current loans and grants and in compliance with requirements set forth in the economic development assistance agreements, there are currently three businesses that are not in compliance. To the extent possible, legal counsel has addressed these matters directly with the business owners. In one instance the City is pursuing a judgment against Noah's Burritos to recover LB840 funds. In the other two instances the matter is being handled through written and verbal communications. In the latter two instances, there is only the potential for non-compliance at this time. The Citizens Advisory Committee may meet again in the months to come to help ensure these compliance matters have been fully addressed.

Mayor Kaufman noted that he and the Council appreciate our community volunteer committees and the work they do. Council appreciates the oversight and expertise Mr. Larson's group brings.

**Motion by Councilmember Morrison to enter the LB840 Citizens Advisory Committee report into the public record. Second by Councilmember O'Neal. 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.**

**2. Approve and authorize the Mayor to sign an Agency Agreement for Farm Management with Platte Valley Bank Farm Management for City of Gering farm properties**

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign an Agency Agreement for Farm Management with Platte Valley Bank Farm Management for City of Gering farm properties. 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.**

**3. Approve and authorize the Mayor to sign a letter to US Bank Farm Ranch & Timber Management terminating Farm Management Contract dated June 6, 2017 between US Bank and the City of Gering**

**Motion by Councilmember Morrison to approve and authorize the Mayor to sign a letter to US Bank Farm Ranch & Timber Management terminating Farm Management Contract dated June 6, 2017 between US Bank and the City of Gering. 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.**

**4. Request for Administrative Committee meeting – Agenda item: 1) Creation of a Finance Committee 2) Contract for Legal Counsel Services**

**Motion by Councilmember O'Neal to approve a request for Administrative Committee meeting – Agenda item: 1) Creation of a Finance Committee 2) Contract for Legal Counsel Services. 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.**

**5. Approve and authorize the Mayor to sign CCCFF letter of Intent**

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign CCCFF (Civic and Community Center Financing Fund) letter of Intent. 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. Consider approving Ordinance 2072 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 4: ESTABLISHMENT AND DESIGNATION OF DISTRICTS, § 4.6: ANNEXATION RULE OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**Councilmember Wiedeman made a motion to introduce Ordinance No. 2072 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO AMEND ARTICLE 4: ESTABLISHMENT AND DESIGNATION OF DISTRICTS, § 4.6: ANNEXATION RULE OF THE GERING ZONING AND SUBDIVISION REGULATIONS; AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember O'Neal. 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 Morrison moved that the Ordinance be designated as Ordinance No. 2072 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 Cowan. There was no discussion. The Clerk called the roll. "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. 2072 was read by title only, Councilmember Smith moved that the Ordinance be passed as read, which motion was seconded by Councilmember Gillen. "The question is shall Ordinance No. 2072 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.

**BIDS:**

**1. Ball fields #1 and #10 Backstop Netting and Supports Bid**

Mayor Kaufman entertained a motion to table this agenda item as he and the Council had questions about the bid and the City Engineer, who could provide answers, was not able to be present at the meeting.

**Motion by Councilmember Cowan to table the Ball fields #1 and #10 Backstop Netting and Supports bid until the first regular meeting in January. Second by Councilmember O'Neal. 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:**

Councilmember Wiedeman declared a conflict of interest for Public Hearing agenda items #1 and #1a due to the fact that the Wiedeman Family Trust is her family corporation and it is selling this property to Vetter Health Services.

**Motion by Councilmember Gillen to acknowledge Councilmember Wiedeman’s conflict of interest pertaining to Public Hearing items 1 and 1a. 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.**

**1. Public hearing to consider annexation of Block 2, Heritage Estates**

Mayor Kaufman opened the public hearing to consider annexation of Block 2, Heritage Estates at 6:13 p.m. Annie Folck, City Planner, presented the Administrative Record:

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

<b>To:</b>	Planning Commission	<b>Date:</b>	11/20/18
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	RMH
<b>Subject:</b>	Recommendation & Report – Annexation Block 2, Heritage Estates	<b>Property Size:</b>	18.78 Acres
<b>Location:</b>	South of M Street, West of Heritage Drive	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	Wiedeman Family Trust	<b>City Council Public Hearing:</b>	12/10/18

**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 the annexation of Block 2, Heritage Estates. The property is approximately 18.78 acres, located south of M Street and west of Heritage Drive. The annexation has been requested by the property owners. The property has access to all City utilities. It is zoned RMH. Legal counsel has advised that Section 4.6 Annexation Rule does not apply to this property because the annexation is being requested by the property owner.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider the annexation of Block 2, Heritage Estates.

**Recommendation**

***Approve***

Make a POSITIVE RECOMMENDATION for City Council to approve the annexation of Block 2, Heritage Estates, with the following conditions:

***Deny***

Make a NEGATIVE RECOMMENDATION to City Council for the annexation of Block 2, Heritage Estates, for the following reasons:

***Table***

Table making a recommendation on the annexation of Block 2, Heritage Estates, for the following reasons:

Mayor Kaufman asked if anyone in the Council Chambers wished to speak in favor or opposition of this application. Seeing none, the Administrative Record was closed and the public hearing closed at 6:15 p.m.

**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, Holliday, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: Wiedeman. Absent: None. Motion Carried.**

**1a. First reading, Annexation Ordinance 2073**

**Councilmember Gillen made a motion to move the first reading of Ordinance No. 2073 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA FINDING THAT CERTAIN LANDS, LOTS, TRACTS, STREETS AND HIGHWAYS SITUATED IN A PORTION OF THE BLOCK 2, HERITAGE ESTATES, SITUATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA AS DESCRIBED HEREIN, AND ARE SUBJECT TO ANNEXATION TO AND INCLUSION WITHIN THE CORPORATE LIMITS OF THE CITY;**

ANNEXING TO AND INCLUDING WITHIN THE CORPORATE LIMITS OF THE CITY SUCH LANDS, LOTS, TRACTS, STREETS, AND HIGHWAYS; PROVIDING THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES AND SUBJECT TO THE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE CITY, AND RECEIVE SUBSTANTIALLY THE BENEFITS OF OTHER INHABITANTS THEREOF; REPEALING CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; AND, PROVIDING FOR RECORDING AND PUBLICATION OF THE ORDINANCE AND FOR ITS EFFECTIVE DATE. Seconded by Councilmember Backus.

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

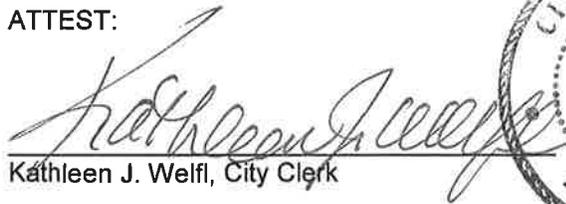
**CLOSED SESSION:** (Council reserves the right to enter into closed session if deemed necessary.) None.

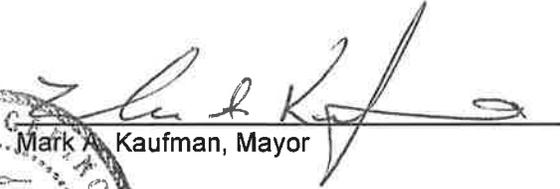
**ADJOURN:**

Motion by Councilmember Morrison to adjourn. 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.

Meeting adjourned Sine Die at 6:17 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk

  
Mark A. Kaufman, Mayor



**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
DECEMBER 10, 2018**

A regular meeting of the City Council of Gering, Nebraska was held in open session on December 10, 2018 at 6:20 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 6:20 p.m. The Mayor stated that there was a quorum of the Council and City business could be conducted.

**CALL TO ORDER.**

- 1. Recital of the Pledge of Allegiance**
- 2. Administer Oath of Office for the Elected Mayor**
  - Tony Kaufman

The City Clerk administered the Oath of Office to Tony Kaufman, the elected Mayor.

- 3. Administer Oath of Office for Elected Council Members**
  - Dan Smith, Ward I
  - Pam O'Neal, Ward II
  - Julie Morrison Ward III
  - Phil Holliday, Ward IV

The City Clerk administered the Oath of Office to Dan Smith, Pam O'Neal, Julie Morrison and Phil Holliday, elected Council Members.

- 4. Roll Call**
- 5. 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:** (None)

**PUBLIC HEARINGS:** (None)

**BIDS:** (None)

**CURRENT BUSINESS:**

**1. Elect a Council President**

Mayor Kaufman entertained nominations for Council President. Councilmember Smith nominated Councilmember Morrison for Council President. With no other nominations Mayor Kaufman entertained a motion to cease nominations.

**Councilmember O'Neal made a motion to cease nominations. Second by Councilmember Cowan. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

The Council voted by ballot. The Clerk recorded the votes. With a unanimous vote in favor, Councilmember Morrison was announced as the Council President by Mayor Kaufman.

## 2. Approve Appointments to Council Standing Committees

- Administrative Committee
- Personnel Committee
- Public Safety Committee
- Public Works Committee
- Recreation Committee

### Administrative, Office, Economic Development

Julie Morrison	Chair
Pam O'Neal	Vice Chair
Phil Holliday	
Dan Smith	
<b>Alternate</b>	<b>Troy Cowan</b>
	<b>Susan Wiedeman</b>

### Personnel

Pam O'Neal	Chair
Julie Morrison	Vice Chair
Ben Backus	
Phil Holliday	
<b>Alternate</b>	<b>Michael Gillen</b>
	<b>Susan Wiedeman</b>

### Public Safety

Dan Smith	Chair
Ben Backus	Vice Chair
Michael Gillen	
Troy Cowan	
<b>Alternate</b>	<b>Julie Morrison</b>
	<b>Pam O'Neal</b>

### Public Works

Phil Holliday	Chair
Susan Wiedeman	Vice Chair
Ben Backus	
Michael Gillen	
<b>Alternate</b>	<b>Troy Cowan</b>
	<b>Dan Smith</b>

### Recreation, Amusement and Cultural

Troy Cowan	Chair
Dan Smith	Vice Chair
Susan Wiedeman	
Pam O'Neal	
<b>Alternate</b>	<b>Ben Backus</b>
	<b>Michael Gillen</b>

**Councilmember Gillen made a motion to approve the appointments to Standing Committees as presented in the packet. Second by Councilmember Morrison. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

## 3. Approve Appointments to Boards, Commissions and Committees

- Board of Adjustment
- Board of Health
- Civil Service Commission
- Economic Development Application Review/CDBG Reuse/Rural Electric Fund Committee
- Economic Development Citizens Advisory Committee
- Gering Safety Committee
- Joint Cable Commission
- Keno Fund Committee
- Library Board
- Park, Cemetery & Tree Board
- Planning Commission
- Plumbing Board
- Police Dept. Retirement Committee

## Boards, Commissions & Committees - December, 2018

### Planning Commission

Kirk Arnold  
Paul Marietta\*\*  
Jana Shimic\*  
Jeff Allen  
Cathy Kaufman  
Jeremy Rechsteiner  
Dale Hauck  
Terry Rajewich  
Mary Bowman  
Craig Erdman (alt)\*\*

### Library Board

Tracy Henderson  
Suzanne Myers  
Catherine Houston\*  
Michelle Moore\*  
Alan Johnson

### LB840 Application Review/CDBG Reuse/ Rural Electric Fund Committee

Brent Holliday  
Dennis Wiedeman  
Dawne Wolfe  
Craig Landers  
Ben Dishman  
Larry Gibbs  
Ladd Harrison

### Board of Adjustment

Dave Schleve  
Kevin Mooney  
Steve Eich\*  
Jeremy Rechsteiner  
Josh Schlaepfer\*\*  
Brian Judy (alt)\*\*

### Board of Health

Mayor Kaufman  
Chief Holthus  
Dan Smith  
Dr. Jerry Upp

### LB840 Citizens Advisory Committee

Galen Larson  
Carla Swanson  
Rhonda Schledewitz  
Monnette Ross  
Darrell Eskam  
Shane Shimic\*  
Tom Goodman

### Plumbing Board

George Herman\*\*  
Jeff Vance\*  
Paulette Schnell\*  
Pat Heath  
Brendan Lilley  
Rod Sterkel

### Keno Committee

Darrell Bentley  
Donna Engleman  
Matt Janecek  
Don Kugler  
Julie Morrison  
Amy Doll\*

### Park, Cemetery & Tree Board

Mike Donovan\*\*  
Tim Maxcy  
Jamey Balthazor\*  
Don Gentry\*\*  
Eric Kautz  
Jim Schild

### Police Dept. Retirement Committee

Det. James Jackson  
Cpt. Jason Rogers  
Officer Travis Enlow  
Officer Jordan McBride  
Pam O'Neal  
Mayor Kaufman\*\*

### Joint Cable Committee

Dan Smith  
Monnette Ross  
Lane Danielzuk

### Civil Service Commission

Ric Johns  
Galen Larson  
Etta Taylor

### Gering Safety Committee (Internal Committee)

Tom Walsh  
Rod Sterkel  
LeKreasha Chitwood  
Nathan Flowers\*  
Mike McKee  
Erin Hinze  
Kathy Welfl  
Brendan Lilley  
Nancy Rasnic  
Clinton Ratliff  
Bryce Leavitt\*  
Greg Suhr  
Diane Downer  
Tammy Cooley

\*new appointment

\*\*serving another term

Mayor Kaufman noted that there is a correction to the Plumbing Board; Brendan Lilley will be in place of Paul Snarr. (corrected in the official record)

Councilmember Smith made a motion to approve the Appointments to Boards, Commissions and Committees as presented in the packet with the correction of Brendan Lilley instead of Paul Snarr on the Plumbing Board. Second by Councilmember Wiedeman. 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 Council/staff Liaisons

##### Council/Staff Liaisons 2018

Airport Authority – Phil Holliday

Gering CVB – Michael Gillen

Gering Library Board – Troy Cowan\*

Gering Merchants – Dan Smith\*

Oregon Trail Days Committee – Pam O'Neal

PADD – Lane Danielzuk, Pat Heath

Panhandle Humane Society – Officer Steve Schneider

Panhandle RC & D – Ben Backus

Regional Governance – Mayor Kaufman & Lane Danielzuk

Scotts Bluff County Communication Center Advisory Board - Ben Backus

TCD – Mayor Kaufman, Lane Danielzuk & Julie Morrison

Valley Visions – Susan Wiedeman

WNED – Michael Gillen

\*new appointment

Councilmember Gillen made a motion to approve the Council/Staff Liaisons as presented in the packet. Second by Councilmember O'Neal. 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 Appointment of Depositors

##### LOCAL DEPOSITORS

US Bank

First National Bank

First State Bank

Western States Bank

Platte Valley Bank

##### OUTSIDE DEPOSITORS

Platte Valley Bank Sweep Account

NE Public Agency

Investment Trust

(NPAIT) Lincoln, NE

Councilmember Morrison made a motion to approve the Appointment of Depositors as presented in the packet. Second by Councilmember Smith. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

#### 6. Approve Appointment of City Administrator

Councilmember Morrison made a motion to approve the appointment of Lane Danielzuk as the City Administrator. Second by Councilmember Smith. 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 Appointment of City Treasurer/Finance Director

Councilmember Morrison made a motion to approve the appointment of John Mejia as the City Treasurer/Finance Director. Second by Councilmember Smith. The Mayor called the vote. "AYES": Smith, Holliday, Morrison. "NAYS": Gillen, Backus, Wiedeman, O'Neal Cowan. Abstaining: None. Absent: None. Motion failed.

Mayor Kaufman thanked Mr. Mejia for his service.

**8. Approve Appointment of City Engineer**

Councilmember Smith made a motion to approve the appointment of Brendan Lilley as the City Engineer. Second by Councilmember Wiedeman. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, Morrison, Cowan. "NAYS": O'Neal. Abstaining: None. Absent: None. Motion Carried.

**9. Approve Appointment of City Clerk**

Councilmember Morrison made a motion to approve the appointment of Kathleen Welfl as the City Clerk. Second by Councilmember O'Neal. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

**10. Approve Appointment of City Legal Counsel**

Councilmember Gillen made a motion to approve the appointment of Ellison, Kovarik and Turman Law Firm, P.C. Second by Councilmember O'Neal. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

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

**ADJOURN:**

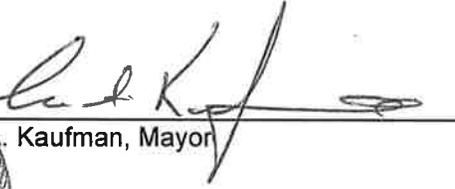
Motion by Councilmember Gillen to adjourn. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Meeting adjourned at 6:32 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk



  
Mark Kaufman, Mayor