

## THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, DECEMBER 11, 2017

A regular meeting of the City Council of Gering, Nebraska was held in open session on December 11, 2017 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Gillen, Backus, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Smith and Holliday. 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 November 27, 2017 Regular City Council meeting
2. Approve Claims

### Claims:

11-18-17 to 12-1-17

24/7 FITNESS \$130.00 WELLNESS, 911 CUSTOM \$547.86 BATTERIES, ACTION COMMUNICATIONS \$8.73 SHOP, ACUSHNET CO \$418.40 GOLF GLOVES & BALLS, ADIDAS \$41.64 GOLF SHORTS, ADVANCE AUTO PARTS \$385.99 PARTS FOR PICKUP, AHLER'S BAKING INC \$17.98 SOD DAY, AMAZON \$439.32 18 DVDS, ANDERSON & SHAW \$63,096.90 DWTWN PLAZA DVLPMNT, ANTIGUA GROUP INC \$84.25 GOLF JACKETS, ARAPAHOE PUMPING SALES \$4,943.00 PUMP CONTROL, ARMADA MEDIA CORP \$500.00 RADIO ADVERTISING, ASCE STORE \$120.00 CODE BOOK, ASHWOOD DICK \$154.52 RMBRSMNT 4 MO CART STG - MOVING, ATLANTIC \$29.95 1 YR SUBS, AXON ENTERPRISE INC \$185.48 HOLSTER/BATTERY PACK/TARGET, B & C STEEL \$475.09 MATERIALS FOR LOCKER SYSTEM/SHOP, BAKER & ASSOCIATES INC \$560.00 BALL FLD STRUCTURAL REVIEW, BEN'S CONSTRUCTION \$6,703.00 2<sup>ND</sup> ½ INTERSECTION 13<sup>TH</sup> & 5<sup>TH</sup>, BEST WESTERN \$359.26 708 TRAINING LODGING, BETSY ROSS FLAG GIRLS INC \$238.00 NEW FLAGS, BLACK HILLS ENERGY \$386.53 GAS GERING FIRE HALL, BLUFFS SANITARY SUPPLY \$225.73 CLEANING SUPPLIES, BOLIN DICK \$232.19 RMBRSMNT FOR GOLD MS & CART STG, BOSSELMAN TRAVEL CENTER \$29.07 GAS 718 UNIT, BROWN SHOE FIT CO \$49.95 LACES FOR BOOTS, BUMPER TO BUMPER TOWING \$150.00 PD TOW, CALLAWAY GOLF CO \$164.80 GOLF CLUB PUTTER, CARRERA MARCUS \$75.00 RV ROOM DEPOSIT REFUND, CASEY'S GENERAL STORE #27 \$207.73 GAS SHAWNS PATROL CAR, CENEX I-80 \$42.00 FUEL FOR TRIP TO KEARNEY, CITY INSURANCE FUND \$170,371.13 HEALTH PREM 125, CITY OF GERING \$482.73 MINI LEAGUE CONFERENCE, CITY OF GERING - GENERAL AC \$130,000.00 ACH PAYROLL TRANSFER, CITY PAYROLL TRUST \$5,843.16 FSA MEDICAL 125, CONSOLIDATED MANAGEMENT C \$145.11 BROWN MEAL NLET, CONTRACTOR RESOURCE \$91.15 CODE BOOK, COOK'S COUNTRY \$29.95 1 YR SUBS, COUNTRYARD BY MARRIOTT \$390.60 NE TOURISM LODGING 2017, CRESCENT ELECTRIC SUPPLY \$42.19 LIGHT BULBS, DALE'S TIRE & RETREADING \$689.08 TIRES FOR DODGE/RPR ON G10, DENNIS SUPPLY CO \$52.92 FILTER, DHHS DIVISION/PUBLIC HEALTH \$237.00 WATER LAB, DHHS ONLINE LICENSING \$230.00 RENEW WTR OPERATORS LIC GRD 1, DOOLEY OIL INC \$681.46 OIL FOR BALER & ALJON, DUTTON LAINSON CO \$70.62 FUSES, EMBASSY SUITES \$477.00 CDBG RECERTIFICATION MEJIA, ENVIRO SRV INC \$409.00 WW LAB/WATER LAB, ESC ENGINEERING \$13,082.00 U ST SUB, EXPEDIA \$363.94 GPGFOA CONF, FAMILY DOLLAR \$3.00 BAIT FOR CAT TRAPS, FANTASY 66 \$28.56 NE TOURISM CONF 2017, FASTENAL CO \$1,464.12 MISC EXPENSES, FEDEX \$359.52 MISC SHIPPING COST, FIRST STATE BANK \$321.08 IBEW UNION DUES, FLYING J TRAVEL PLAZA \$98.47 FUEL FOR TRIP TO KEARNEY, FRANK PARTS CO \$434.23 PARTS FOR AIR HOUSE/SHOP/PARTS/10 IN EXT FOR SHIP/FILTER ALJONG/GREASE FITTINGS, GALE \$55.18 2 LGR PRINT BOOKS, GALLS, AN ARAMARK CO \$31.70 UNIFORM SHIRTS, GARY'S CLEANING & RESTORA \$300.00 CLEAN CHAIRS, GERING PUBLIC SCHOOLS \$31.50 OVERPAID BILL, GERING VALLEY PLUMBING \$59.00 SRV FOR HVAC, GERING - FORT LARAMIE IRRIGATION \$3,078.13 044A, 202,048B, 032155, 342255, 066, 102155 TAXES, GLAMOR \$23.53 1 YR SUBS, GREASE N GO \$73.35 718 OIL CHANGE, GREGORY'S LOCK SHOP LLC \$80.00 FIX DOOR LOCK, HACH CO \$1,040.72 LAB SUPPLIES, HARDENED ARMS \$198.94 QUAD UPPER RAIL FIREARM, HIGH NOON INDUSTRIES LLC \$69.32 DECON WIPES, HOBBY LOBBY \$19.13 SUPPLIES FOR PRESCHOOL ST, HOLIDAY INN EXPRESS \$272.78 DATA TECH USER MTG, HONEY - WAGON EXPRESS \$140.00 CLEAN GREASE TRAPS, HORNUNG'S GOLF PRODUCTS \$61.34 GOLF UMBRELLA, HUTCHENSON ENGINEERING \$1,442.80 CHLORINE PUMP RPR, ICMA ELECTRONIC RETIREMENT \$556.85 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$129.18 TOILET PAPER/CLEAN RUGS/TABLE SKIRTS, INDOFF INC \$282.37 OFFICE SUPPLIES/CARD STOCK/CALENDAR/PAPER, INGRAM LIBRARY SRV \$944.94 38 BOOKS, INTER CODE COUNCIL INC \$199.00 MECHANICAL CERT RETEST, INTERNAL REV SRV \$44,643.87 FED/FICA TAX, JACK'S UNIFORMS & EQUIPMENT \$514.07 VEHICLE BARS/MOUNTING

EQUIP, JOHN HANCOCK USA \$13,864.15 JH RETIRE 6%, JOHNSON CASHWAY CO \$155.51 MATERIALS FOR LOCKERS, K4 TRUCKING LLC \$1,900.00 TRUCKING FOR MILLING 7<sup>TH</sup> & D ST, KNEB \$529.50 RADIO ADVERTISING, KOVARIK ELLISON MATHIS \$3,026.50 LARM CONFLICT/CODE ENFRMNT/LANDFILL CONTRACT SCB, KRIZ DAVIS CO \$6,256.66 FLAG LIGHT/FREIGHT FOR PRODUCT/GANG SWITCHES/CONNECTORS/ WIRE, LANDERS JULIE & CRAIG \$100.88 OVERPAID GOLF MEMBERSHIP, LITTLE AMERICA HOTEL \$174.53 ASCE ENGINEERING CONF, LOCAL BEER, PATIO & KIT \$12.54 NE TOURISM CONF 2017, LOGOZ LLC \$39.00 MEMORIAL PLATES, MARRIOTT CORNHUSKER (\$614.06) REFUND COOLEY & MEJIA LEAGUE CONF LODGING, MAVERIK \$22.62 708 GAS UNIT TASER RECERTIFICATION, MEAT SHOPPE \$13,662.90 CATERING COSTS, MENARDS \$335.66 SHOP SUPPLIES/DOG PARK WATER/IND PUMP RPLCMNT, MG TRUST CO LLC \$7,268.06 MG T – POLICE, MICHAEL TODD & CO \$965.05 SAW BLADE WALK BEHIND SAW, MONEY WISE OFFICE SUPP \$233.41 TONER FOR SCALE PRINTER, MORRILL HARDWARE \$79.88 RENT PIPE PULLER FOR DOG PARK, MORTON SALT \$4,148.59 SALT CHEMICAL PLNT CHLRNE GNRTR, NATIONAL INSURANCE SRV \$1,046.58 VISION INSURANCE, NATIONAL RECREATION/PARK \$30.00 CEU'S, NE CHILD SUPPORT PYMT \$794.84 CHILD SUPP 1, NE DEPT OF REV (PR) \$12,281.53 STATE TAX, NE PUBLIC POWER DISTRICT \$1,468.67 UTILITIES PHEASANT DR, NEBRASKA ENVIRONMENTAL PR \$517.73 SWEEPER PARTS, NEBRASKA LIFE MAGAZINE \$24.00 1 YR SUBS, NEBRASKA MUNICIPAL POWER \$297,868.02 MEAN, NEBRASKA WATER ENVIRONMENT \$180.00 ATTEND WATER/WW CONF KEARNEY, NEOFUNDS BY NEOPOST \$800.00 POSTAGE, NORTHWEST PIPE FITTINGS \$193.40 CIVIC PL & 11<sup>TH</sup> ST PARKING LOT, NOVELTY LIGHTS \$501.94 CHRISTMAS BULBS, PANHANDLE COOP ASSOCIATION \$23.79 FUEL FOR NLA CONF KEARNEY, PAPER DIRECT INC \$209.74 PAPER FOR GOLF BROCHURES, PAUL L REED CONSTRUCTION \$81.44 CONCRETE FINES 10.18 TONS, PAYPAL \$209.90 EEOC 2018, PAYROLL CHECKS \$119,588.77 PAYROLL CHECKS ON 11-24-17, PONY EXPRESS STATION \$60.88 GAS 718 UNIT, POSTMASTER \$2,000.00 MAILING PERMITS, POWERPLAN OIB \$4,288.21 PART 763B/PART 763 B, PREZI.COM \$84.00 1YR SUBS TO PREZI, PRICELINE \$184.15 GPGFOA CONFERENCE, PRINT EXPRESS \$1,068.25 #10 ENVELOPES, PT HOSE & BEARING \$654.00 FITTINGS FOR TAMPER/PARTS, RECORDED BOOKS LLC \$197.99 1 AUDIO BOOK, REIN GREG \$75.00 RV ROOM RENTAL DEPOSIT, ROBLES RON \$38.02 OVER PAID GOLD MEMBERSHIP, RYAN'S WELDING LLC \$262.50 WELDING G10, RYDER FLEET PRODUCTS \$50.73 SHOP SUPPLIES, SANDY'S BURRITOS \$29.95 MAYOR TO MAYOR MTG, SAPP BROS \$20.55 2017 NE TOURISM CONF FUEL, SCB CO VEHICLE REGISTRAT \$25.63 VEHICLE REGISTRATION, SCB COUNTY REGISTER OF DEEDS \$70.00 NEUWIRTH DEED, SCB COUNTY SHERIFF OFFICE \$34.86 COUNTY COURT COST, SCHARF DANIEL PHD PC \$500.00 PYSCH EVAL, SCHOOL LIBRARY JOURNAL \$136.99 1YR SUBS TO PROF JOURNAL, SCI DISTRIBUTION LLC \$274.00 FUEL PROGRAM, SCOTTSBLUFF TOWING SRV \$75.00 PD TOW, SCOTTSBLUFF – GERING UNITED \$116.75 UNITED WAY CTRB, SELL GARY \$43.50 REFUND ON PLUMBING PERMIT, SHELL \$99.85 NE 2017 TOURISM CONF FUEL, SHERWIN WILLIAMS \$881.00 PAINT FOR CONTAINER, SIMON CONTRACTORS \$1,823.00 7YDS CONCRETE, SOLOMON CORP \$32,092.30 TRANSFORMERS, SOLUTIONS EAP \$244.55 COUNSELING SRV, STADRI EMBLEMS \$182.50 UNIFORM PATCHES, STAPLES CREDIT PLAN \$170.18 GOLF SHOE RETURN, STAR HERALD \$1,964.17 CC CONDENSED MINUTES, STATE OF NE DEPT OF HHS \$1,435.83 STATE PD MONEY TO CLOSED BILLS, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SUPPLYHOUSE.COM \$355.90 FLOW SWITCH FOR HEAT PUMP, TEAM CHEVROLET \$375.00 WING VEHICLE LEASE, TERRACON \$2,634.60 BRWNSFLD TASK 9 AMENDMENT, TORRINGTON SOD FARMS \$48.00 SOD FOR POOL, TORRINGTON TELEGRAM \$229.32 CRAFT FAIR ADVERTISING, TWIN CITY DEVELOPMENT \$17,747.51 JULY – SEPT 2017 QTRLY DUES, WALMART \$219.89 TONER/BATTERIES/HALLOWEEN CANDY, WAREHOUSE FITNESS CENTER \$60.00 WELLNESS, WEIMER MIKE \$140.57 RMBRSMNT FOR GOLF MEMBERSHIP, WESCO DISTRIBUTION INC \$1,170.58 FR CLOTHING, WESTERN STATES BANK \$5,307.37 HSA CTRB 125, WESTERN STATES BANK – POL \$320.00 PO UNION DUES, WINCHELL CLEANING SRV \$360.00 CLEAN HALLS/BATHROOMS OFFICE, YMCA OF SCOTTSBLUFF \$459.32 WELLNESS

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

#### **BIDS:**

##### **1. Phase III OT Park Baseball Field Concession Building Bid**

Mayor Kaufman noted that information was provided in the Council packets about this bid and entertained questions. He also noted that the SFA Project Team met last week to discuss including the alternate bid with the HVAC; the consensus of the committee was to add the HVAC for heating/cooling in the building.

**Motion by Councilmember Morrison to approve staff's recommendation and award the Oregon Trail Park Baseball Field Phase III Concessions & Site Work bid to Rusch's Construction in the amount of \$690,603.37. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried.**

**PUBLIC HEARINGS:** (None)

#### **CURRENT BUSINESS:**

##### **1. LB840 Citizens Advisory Update – Chairman Galen Larson**

LB840 Citizens Advisory Committee Chairman, Galen Larson, reported that the Economic Development Citizens Advisory Committee is appointed by the Mayor and is comprised of seven members from diverse backgrounds including business, finance, accounting and more. Since the inception of the LB840 Economic Development Program in Gering in 2004, 36 local businesses have successfully applied for and received grants and/or loans. Over 200, mostly full-time, positions have been created. Numerous new businesses have opened their doors partly due to

LB840 funding and several other businesses have received LB840 funds for business retention and were able to keep their business in Gering because of the assistance they received.

City staff monitors LB840 grants and loans for compliance. There is currently one business that is not in compliance on both job creation and a loan. The Committee, staff or City Attorney have attempted to address the issue either directly or indirectly with the business owner. The LB840 Citizens Advisory Committee met on November 29, 2017 and made a motion to have the City Attorney pursue formal legal action in court. All other LB840 funding recipients, who are currently reporting bi-annually to the City, are in compliance.

The majority of businesses that have applied for LB840 loans have repaid their loans or are currently repaying them and are complying with the economic development agreement requirements which also include providing a balance sheet and income/expense summary annually.

Mayor Kaufman thanked Mr. Larson for his service to this committee.

**Motion by Councilmember Gillen to enter the LB840 Citizens Advisory update into the public record. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried.**

**2. Approve and authorize the Mayor to sign a Contract of Sale & Development Agreement pertaining to Lots Ten (10) and Eleven (11), Block Fifteen (15), Original Town of Gering, Scotts Bluff County, Nebraska, commonly known as 910 and 920 K Street**

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign a Contract of Sale & Development Agreement pertaining to Lots Ten (10) and Eleven (11), Block Fifteen (15), Original Town of Gering, Scotts Bluff County, Nebraska, commonly known as 910 and 920 K Street. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried.**

**3. Request for a Public Safety Standing Committee Meeting – Agenda item: Review and discuss amending ordinance(s) regarding chickens**

**Motion by Councilmember Morrison to approve a request for a Public Safety Standing Committee Meeting – Agenda item: Review and discuss amending ordinance(s) regarding chickens. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried**

**4. Approve Ordinance #2053 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, AMENDING TITLE VII, TRAFFIC CODE; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE**

Mayor Kaufman stated that the Public Works Committee met on December 4, 2017 to discuss adding to the routes on the Emergency Snow Ordinance and to add the Transportation Superintendent as another City official that can call a Snow Emergency if the need arises. With no questions from Council he entertained a motion to introduce Ordinance 2053.

**Councilmember Wiedeman made a motion to introduce Ordinance No. 2053 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA, AMENDING TITLE VII, TRAFFIC CODE; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. Seconded by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried.**

**Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2053 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 role. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. 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. 2053 was read by title only, Councilmember Gillen moved that the Ordinance be passed as read, which motion was seconded by Councilmember Backus. "The question is shall Ordinance No. 2053 be passed?" There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. 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.

**5. Approve Ordinance #2054 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA (THE "CITY") APPROVING THE ISSUANCE, SALE AND DELIVERY BY THE CITY OF GERING LEASING CORPORATION (THE "CORPORATION") OF ITS LEASE RENTAL REVENUE REFUNDING BONDS, SERIES 2017, IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS (\$4,000,000), FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN ATHLETIC FIELDS; APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LEASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A BOND PURCHASE AGREEMENT, A SITE LEASE AND SUCH OTHER RELATED DOCUMENTS AS MAY BE NECESSARY; APPROVING THE EXECUTION AND/OR DELIVERY OF A TRUST INDENTURE AND AN OFFICIAL STATEMENT BY THE CORPORATION; AGREEING TO ACCEPT TITLE TO THE PROJECT FOLLOWING THE TERM OF THE LEASE AGREEMENT; ESTABLISHING AN EFFECTIVE DATE; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER THEREOF; DESIGNATING THE BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS; AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS; ADOPTING CERTAIN POST-ISSUANCE COMPLIANCE AND DISCLOSURE PROCEDURES WITH RESPECT TO THE BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO**

Brad Slaughter with Ameritas addressed Council and distributed a handout regarding the bond. He stated a few weeks back when interest rates were discussed - one was current rates and one was conservative interest rates. The handout is a snapshot of where we currently stand. He put together two separate financing or amortization schedules. He said the left side reflects funding 3.39 million dollars for projects and on the right side Council will see what funding 3.7 million dollars would be. The area in bold and highlighted shows the breakdown of the all-inclusive costs as far as the effective interest rate for the financing for a 20-year amortization, along with the average payment information. The corresponding average levy information and cost per \$100,000 of valuation - that was just for information purposes; it doesn't have any affect necessarily on this issue. He said right now this payment schedule bases off of 3.68%. That's a little higher than the market would dictate at this current point in time, however we would basically move forward with the funding on this when it's most advantageous for the City as far as when the City needs the funding for construction along with when there is the most amount of market participation. Usually around the holidays there's a few less people in the bond trading market.

Administrator Danielzuk asked Brad, in his experience, what has he found to be coming out of the Christmas holiday season; when do we start to take a serious look at putting this in place? Mr. Slaughter replied there are a lot of factors coming with the transition from 2017 to 2018, factors that are different from many other years. Usually there's quite a bit of slow-down towards the later part of the year, there's not usually a lot of volume in the municipal market place. However, that is drastically different going into this December to January because of the new tax plan that was passed. It takes out the availability of tax-exempt financing for a lot of 501(c)(3) organizations so a lot of charitable hospitals and folks like that that operate currently on a tax-exempt status, a lot of them will be bringing municipal tax-exempt bond issues within the next few weeks. It will create more volume than we've seen in a couple years. Going into January he thinks the amount of bond trading will be substantially lower. We could take action anytime the Council wanted but one factor is we want to make sure we fund the project at the point in time that the City needs it for construction costs so the City isn't incurring any interest expense when you don't need to. And we want to make sure it's advantageous to do so from a timing standpoint in the market place; then we have the largest audience to market to because that will benefit the City from a competitive interest rate standpoint. The end of this year is a little different than what we would usually see due to tax code changes coming into effect. An inaudible question came from the audience. Mr. Slaughter indicated the interest rate could be lower, yes. The action the

Council is taking tonight is simply a parameters ordinance, indicating that the Council feels comfortable enough to move forward with the financing but the terms haven't been finalized as far as the dollar amount, etc.

With no further questions, Mayor Kaufman thanked Mr. Slaughter and entertained a motion to introduce ordinance 2054.

**Councilmember Wiedeman made a motion to introduce Ordinance No. 2054 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GERING, NEBRASKA (THE "CITY") APPROVING THE ISSUANCE, SALE AND DELIVERY BY THE CITY OF GERING LEASING CORPORATION (THE "CORPORATION") OF ITS LEASE RENTAL REVENUE FUNDING BONDS, SERIES 2017, IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS (\$4,000,000), FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN ATHLETIC FIELDS; APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A LEASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A BOND PURCHASE AGREEMENT, A SITE LEASE AND SUCH OTHER RELATED DOCUMENTS AS MAY BE NECESSARY; APPROVING THE EXECUTION AND/OR DELIVERY OF A TRUST INDENTURE AND AN OFFICIAL STATEMENT BY THE CORPORATION; AGREEING TO ACCEPT TITLE TO THE PROJECT FOLLOWING THE TERM OF THE LEASE AGREEMENT; ESTABLISHING AN EFFECTIVE DATE; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER THEREOF; DESIGNATING THE BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS; AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS; ADOPTING CERTAIN POST-ISSUANCE COMPLIANCE AND DISCLOSURE PROCEDURES WITH RESPECT TO THE BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO. Seconded by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Gillen, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": Backus. Abstaining: None. Absent: Smith, Holliday. Motion Carried.**

**Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2054 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 role. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. 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. 2054 was read by title only, Councilmember Gillen moved that the Ordinance be passed as read, which motion was seconded by Councilmember Backus. "The question is shall Ordinance No. 2054 be passed?" There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. 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.

#### **6. Approve Appointments to Boards and Commissions**

- o Planning Commission
  - Dale Hauck
- o Board of Health
  - Dr. Jerry Upp
- o Board of Adjustment
  - Dave Schleve
  - Kevin Mooney
- o Park, Cemetery & Tree Board
  - Tim Maxcy
  - Amy Seiler
  - Phillip Schmidt

**Motion by Councilmember Morrison to approve appointments to Boards and Commissions as presented in the packet: Planning Commission – Dale Hauck, Board of Health – Dr.**

**Jerry Upp, Board of Adjustment – Dave Schleve and Kevin Mooney, Parks Board – Tim Maxcy, Amy Seifer and Phillip Schmidt . Second by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Holliday. Motion Carried**

**CLOSED SESSION:**

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

**OPEN COMMENT SECTION:**

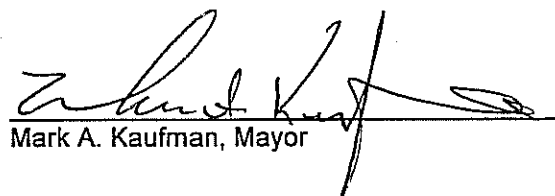
Mayor Kaufman stated that discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

Carol Knaub, 1945 Elm Street, Gering addressed the Council. Ms. Knaub stated that she has been taking care of the (Ever) Green House; this is her third summer. She has been finding funding and volunteer help. She thinks with all the activities going on on that side of Gering, it just needs cleaned up. She shared photographs with the Council. She said this year they had a lot of help from different people. They received Keno funds which allowed them to buy tools and provided the funds for the high school to build a shed. Fence posts that were painted by the high school art department will be going up and the elementary school built a scarecrow for the garden area. She also received \$5000 from the Chow Grant which allowed them to add 22 raised beds. They have enough irrigation for the whole garden area on a drip system which helps save money. She said Ron Ernst, Parks Director, has been very nice in letting her bend his ear and do all this stuff at the greenhouse. She knows that no one is sure what will happen to the greenhouse at this point but she felt if someone didn't try to take a stand and try to bring it back we'd probably lose it. They still have the famous fig tree; it's still alive and producing quite a bit of fruit. They also donated 820 pounds of produce this year to the CAPWN food bank. They're looking at re-applying for the Chow Grant one more time and continue to work on the garden area. She said there are issues with the building; the windows are rotting out. The big exhaust fan on top of the building is not working and they have no irrigation for the south side of the greenhouse. Those things will come up on next year's agenda as far as trying to pull things together. They've had a lot of people coming through; most people aren't aware that there are apple, cherry, peach, choke cherry, plum trees and more. She feels this is a very nice asset to the community. The 4-H Garden Club has been down there helping, they've had participation from the high school and Junior High as well. They're also looking at adding an additional pathway near the armory side that will have three benches and Bluetooth music for visitors to listen to. She added that bringing kids closer to plants and to their food and eating healthy is a good activity. Mayor Kaufman thanked Ms. Knaub for the update.

**ADJOURN:**

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

Meeting adjourned at 6:29 p.m.

  
Mark A. Kaufman, Mayor

**ATTEST:**

  
Kathleen J. Welfl, City Clerk

