

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
February 14, 2022**

A regular meeting of the City Council of Gering, Nebraska was held in open session on February 14, 2022 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent was Councilmember Smith. 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. and stated that a quorum of the Council was present and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence (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 the Council determines that the matter requires emergency action.

**CONSENT AGENDA:**

1. Approve minutes of the January 24, 2022 regular City Council meeting
2. Approve Claims

**Claims 1-25-22 to 2-14-22**

A & A PORTA POTTIES \$135.00; AC ELECTRIC MOTOR SERVICE \$2,280.95; ACE HARDWARE \$679.79; ACTION COMMUNICATIONS, INC. \$80.00; ACUSHNET COMPANY \$88.56; AFL, LLC \$38,648.00; ALLEN, RONALD K \$250.00; ALLO COMMUNICATIONS \$4,013.03; AMAZON CAPITAL SERVICES \$1,088.73; ANDERSON & SHAW CONSTRUCTION \$136,188.65; AULICK INDUSTRIES \$39.90; AXON ENTERPRISE, INC \$984.10; B & C STEEL \$3,175.00; B & H INVESTMENTS, INC \$104.00; BENZEL PEST CONTROL \$240.95; BETSY ROSS FLAG GIRLS INC \$299.35; BH MEDIA GROUP HOLDING, INC. \$1,798.60; BLACK HILLS ENERGY \$2,250.24; BLACKSTONE AUDIO, INC \$69.90; BLUFFS FACILITY SOLUTIONS \$1,176.10; BORDER STATES INDUSTRIES, INC \$7,946.57; CALLAWAY GOLF COMPANY \$(210.00); CENGAGE LEARNING/GAGE \$538.06; CITY OF GERING \$3,259.97; CITY PAYROLL TRUST \$2,519.38; CLARK PRINTING LLC \$536.25; COLLABORATIVE SUMMER LIBRARY P \$490.42; CONNECTING POINT \$66.86; CORE & MAIN LP \$1,688.41; COZAD SIGNS, LLC \$90.00; CROWLEY FLECK PLLP \$476.00; CUMMINS CENTRAL POWER \$3,080.30; DALE'S TIRE \$821.06; DANKO EMERGENCY EQUIPMENT CO \$290.80; DAS STATE ACCOUNTING-CENTRAL \$117.32; DEARBORN LIFE INSURANCE COMPAN \$134.16; DEX \$283.51; DOCU-SHRED LLC \$26.00; DOLAN CONSULTING GROUP \$95.00; DON SCHMIDT CARPET, INC. \$15.00; DOOLEY OIL \$626.05; DUTTON-LAINSON COMPANY \$248.78; DYKES OIL INC. \$143.94; EAKES INC \$50,772.08; ECOLAB \$409.86; ELLIOTT FRIESEN \$83.00; ELLISON, KOVARIK & TURMAN LAW \$11,725.75; ESC ENGINEERING \$56,049.00; FASTENAL COMPANY \$1,400.36; FAT BOYS TIRE & AUTO \$1,016.80; FEDEX \$190.90; FIRST STATE BANK \$509.94; FLOYD'S TRUCK CENTER, INC. \$1,639.54; FRANK PARTS COMPANY \$817.51; FRASER STRYKER PC LLO \$118.50; FREMONT MOTOR SCOTTSBLUFF, LLC \$49.85; GERING U-SAVE PHARMACY \$9.20; GERING VALLEY PLUMBING & HTG. \$17,487.39; GREATAMERICA FINANCIAL SERVICE \$135.72; GROUND UP CONSTRUCTION & CLEAN \$848.13; HENNING BROTHERS \$83.00; HENSLEY BATTERY, LLC \$326.55; HOME DEPOT CREDIT SERVICES \$140.82; IDEAL LAUNDRY AND CLEANERS, IN \$862.85; INDOFF INCORPORATED \$279.71; INGRAM LIBRARY SERVICES \$869.19; INTERNAL REVENUE SERVICE \$36,606.06; INTERSTATE BATTERIE/RAPID CITY \$260.90; INTRALINKS, INC. \$11,408.43; IRBY TOOL & SAFETY \$77.84; J & A TRAFFIC PRODUCTS \$215.00; JOHN HANCOCK USA \$13,410.79; JOHN HANCOCK USA FIRE \$597.33; JOHN HANCOCK USA POLICE \$6,048.12; JOHNSON CASHWAY CO. \$30.45; JOHNSON SERVICE COMPANY \$4,540.80; JOSE RODRIGUEZ \$400.00; JUSTIN BRUNZ \$75.00; LEAGUE ASSOC./RISK MANAGEMENT \$(47.00); LEAGUE OF NE. MUNICIPALITIES \$754.00; LOGOZ LLC \$173.00; MATHESON TRI-GAS INC \$46.58; MB KEM ENTERPRISE \$637.93; MEAT SHOPPE \$30,008.24; MENARDS \$123.56; MICHAEL TODD & COMPANY, INC. \$435.40; MOBIUS COMMUNICATIONS COMPANY \$30.00; MORFORD'S DECORATING CENTER \$8,214.00; MUNICIPAL ENERGY AGENCY OF NE \$326,136.68; MURDOCH'S RANCH & HOME \$199.99; MURPHY TRACTOR & EQUIPMENT CO. \$319,024.40; NE CHILD SUPPORT PAYMENT CENTE \$462.93; NEBRASKA RURAL RADIO ASSOC. \$240.00; NEBRASKA SALT AND GRAIN CO. \$4,390.84; NEMNICH AUTOMOTIVE LLC \$4,298.06; NKC TIRE \$94.16; OCLC, INC. \$163.87; ONE CALL CONCEPTS, INC \$40.14; PANHANDLE COOP ASSOCIATION \$2,526.49; PANHANDLE ENVIRONMENTAL SERVIC \$1,496.00; PANHANDLE GEOTECHNICAL & \$3,057.00; PAT HEATH \$86.00; PATTLEN ENTERPRISES, INC \$438.92; PAYROLL 1/28/22 \$122,424.53; PAYROLL 2/11/22 \$118,385.85; PIONEER RESEARCH \$298.00; PLATTE RIVER GLASS \$270.00; POSTMASTER \$398.00; PRAIRIE STORAGE CONTAINERS \$300.00; QUADIENT LEASING USA, INC \$818.49; R & C WELDING & FABRICATION \$350.00; R461 UPRR \$169.44; RAINBOW PRINTING \$456.00; REGION 22 EMERGENCY MANAG \$3,178.35; SANDBERG IMPLEMENT, INC. \$99.12; SANDRY FIRE SUPPLY \$1,770.25; SB/GERING LIONS CLUB \$485.00; SCOTTS BLUFF COUNTY COURT \$104.00; SCOTTSBLUFF-GERING UNITED WAY \$141.75; SELECT TRAVELER \$2,390.00; SETH DEBOER \$83.00; SHANE EADS \$100.03; SHAWNA WINCHELL \$1,210.00; SIMMONS OLSEN LAW FIRM, P.C. \$1,500.00; SOLUTIONS EAP \$244.55; SOUTHWESTERN EQUIPMENT COMPANY \$242.77; SPECTRUM \$742.33; STAPLES CREDIT PLAN \$169.98; SUGAR VALLEY FEDERAL CREDIT \$528.37; TAYLOR MADE GOLF COMPANY \$735.14; TEAM CHEVROLET \$1,506.28; THE ABY MANUFACTURING GROUP \$336.25; TONY KAUFMAN \$86.00; TRANSUNION RISK AND ALTERNATIV \$75.00; TRIHYDRO CORPORATION \$11,869.25; TWIN CITY AUTO, INC \$879.54;

UNANIMOUS, INC. \$90.00; VALLEY AUTO LOCATORS LLC \$48,724.81; VERIZON CONNECT \$38.38; VERIZON WIRELESS SERVICES, LLC \$1,229.19; WESCO RECEIVABLES CORP. \$2,439.60; WESTERN COOPERATIVE COMPANY \$10,698.92; WESTERN STATES BANK \$35,484.41; WESTERN STATES BANK - POLICE \$516.00; WIN-911 SOFTWARE \$660.00; WYOMING BEARING & SUPPLY \$1,598.60; WYOMING FIRST AID & SAFETY \$31.98

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

#### **CURRENT BUSINESS:**

Mayor Kaufman moved Current Business Agenda items 1, 2 and 6 up on the agenda.

#### **1. Introduction of Twin Cities Development Executive Director, Jordan Diedrich**

TCD Director of Development, Michelle Coolidge, introduced TCD's new Executive Director, Jordan Diedrich.

#### **2. Approve and authorize the Mayor to sign Interlocal Agreement Establishing the Western Nebraska Regional Landbank**

TCD Director of Development, Michelle Coolidge, stated that this has been a long-coming process. The regional communities have worked hard to put the language together. At present, they believe there are four communities that have agreed to participate and will be signing this agreement as well. Bayard approved it at their meeting last week and were the first to sign. WNED values the leadership that Mayor Kaufman and Councilmember Gillen have given to help get this constructed and moved forward.

**Motion by Councilmember Gillen to approve and authorize the Mayor to sign Interlocal Agreement Establishing the Western Nebraska Regional Landbank. Second by Councilmember O'Neal. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

#### **6. Approve and authorize the Mayor to sign Interlocal Agreement for Tennis Court Improvement by and between Gering Public Schools and the City of Gering, a municipal corporation**

Parks and Recreation Director, Amy Seiler, stated that the City will be entering into this partnership with the Gering Public Schools to renovate the tennis courts on U Street. The purpose of this agreement is to jointly fund the improvements of the Gering High tennis courts; they are located on school property. We will be utilizing \$100,000 of Keno funds to put towards this project. This is a great, joint effort between the City and the School System. GPS has a really good tennis program and there is an active community tennis group that utilizes those courts quite a bit. It benefits both parties if we only have to build one set of courts that everybody can use.

**Motion by Councilmember Wiedeman to approve and authorize the Mayor to sign Interlocal Agreement for Tennis Court Improvement by and between Gering Public Schools and the City of Gering, a municipal corporation. Second by Councilmember Gillen. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

#### **PUBLIC HEARINGS:**

**1. Public Hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by James and Rebecca McAllister d/b/a Midwest Farm Service for the Midwest Farm Service Office Building Project. The area to be redeveloped under the Redevelopment Plan is described as follows: All of Site Tract Number 1, except the west 7 feet thereof, which was deeded to the State of Nebraska, and except the south 75 feet thereof, in Union Industrial Sites, a subdivision to the City of Gering, Scotts Bluff County, Nebraska (Scotts Bluff County Parcel Nos. 010065210 and 010065229) and adjacent public right of way. This Redevelopment Plan includes a request for tax increment financing**

Mayor Kaufman opened a public hearing for the purpose of reviewing and obtaining comment on a Redevelopment Plan, submitted by James and Rebecca McAllister d/b/a Midwest Farm Service, for the Midwest Farm Service Office Building Project at 6:10 p.m. Annie Folck, City Engineer, presented the administrative record.

**CITY OF GERING**  
**CITY COUNCIL RECOMMENDATION AND REPORT**

<b>To:</b>	City Council	<b>Date:</b>	2/14/22
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	MH
<b>Subject:</b>	Public Hearing to consider Redevelopment Plan for Midwest Farm Service Office Building Redevelopment Project	<b>Property Size:</b>	1.33 Acres
<b>Location:</b>	Tract Number 1, except the west 7 feet and the south 75 feet, in Union Industrial Sites (AKA 252010 <sup>th</sup> Street)	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	James and Rebecca McAllister		

The City has received a TIF application and has had a redevelopment plan drafted for the construction of a new commercial building and offices for Midwest Farm Services. The project is located on North 10<sup>th</sup> Street and includes two lots with existing buildings. The applicant plans on demolishing all of the existing buildings and building a new commercial building with offices on the site. The property is currently valued at \$171,051. After completion of the project, the property is estimated to be valued at \$3,000,000, which means there is \$963,255 of TIF funds available. The property owner has requested \$533,727.54 of TIF eligible expenses.

By statute, the Planning Commission is to determine whether or not the project as proposed conforms to the general plan for development of the City as a whole. This includes ensuring that zoning is appropriate and that the project is in line with the stated goals and policies of the City's Comprehensive Plan.

The project site is zoned ML-Light Industrial, and is therefore appropriate for the proposed use. Additionally, the project is located in an area designated in the Comprehensive Plan as the 10<sup>th</sup> Street Commerce and Industry District. The Plan states that industrial development is suitable throughout the district, but that individual lots should have landscaping to mitigate impacts to adjacent users and provide appropriate buffering along highly travelled roadways.

Staff recommends that the project and the plan largely conform to the City's general plan for development, with one exception, which is landscaping. The project as originally submitted did not include any landscaping. Planning Commission gave a positive recommendation at their meeting on January 18, 2022. Staff recommends a positive recommendation of the project with the condition that landscaping be added into the site plan.

**Recommendation**  
*Approve, Deny, Table.*

City Engineer, Annie Folck, stated that the City has received a TIF application and has had a redevelopment plan drafted for the construction of a new commercial building and offices for Midwest Farm Services. The project is located on North 10<sup>th</sup> Street and includes two lots with existing buildings. The applicant plans on demolishing all of the existing buildings and building a new commercial building with offices on the site. The property is currently valued at \$171,051. After completion of the project, the property is estimated to be valued at \$3,000,000, which means there is \$963,255 of TIF funds available. The property owner has requested \$533,727.54 of TIF eligible expenses.

In determining whether or not to approve the Redevelopment Plan, Council should consider several items. The first is whether or not the Plan conforms to the City's Comprehensive Plan. Staff

recommends that the plan does conform to the Comprehensive Plan as the project has all of the future desired characteristics described for the 10<sup>th</sup> Street Commerce and Industry District. Planning Commission considered this issue and at their January 18th meeting recommended that the project does conform to the Comprehensive Plan, with the condition that the site plan be amended to incorporate landscaping. Landscaping areas have now been incorporated into the site plan (see final draft of the Redevelopment Plan, including the site plan, attached).

The next item is determining if the Plan conforms with Community Development Law in the State of Nebraska. Because the project is located in an area that has been declared to be Blighted and Substandard, staff recommends that the Plan does conform to Community Development Law.

Another item for review is the Cost-Benefit Analysis that was conducted by the CDA immediately prior to this Council meeting. The final item for consideration is the "But-For" test, whereby Council must determine that the Plan would not be economically feasible or would not occur in the blighted and substandard area without the use of TIF.

Councilmember Backus asked if the sidewalk set-back they're using is going to match up to what we think we'll be doing on the 10<sup>th</sup> Street Corridor. Ms. Folck replied that she thinks so. She'd like to do wider sidewalks; the problem is the right-of-way there doesn't go very much beyond the curb line. It's going to be pretty tough to widen the sidewalks along 10<sup>th</sup> Street, unfortunately. Most likely, the standard five-foot sidewalk is what we'll end up with.

Mayor Kaufman asked twice if anyone wished to speak in favor of the Redevelopment Plan? Seeing none, he asked twice if anyone wished to speak in opposition of the Redevelopment Plan. With no further comments, the administrative record was closed and the public hearing closed at 6:17 p.m.

**1a. Review and take action on Resolution 2-22-1 to approve a Redevelopment Plan submitted by James and Rebecca McAllister d/b/a Midwest Farm Service for the Midwest Farm Service Office Building Project**

**Motion by Councilmember Morrison to approve Resolution 2-22-1 to approve a Redevelopment Plan submitted by James and Rebecca McAllister d/b/a Midwest Farm Service for the Midwest Farm Service Office Building Project. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**2. Public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant ("CDBG"). This grant is available to local governments for community/economic development activities. The City of Gering, Scotts Bluff County, Nebraska ("Gering") provided a \$1,000,000 CDBG loan for direct assistance to fund the purchase of new equipment for Prime Metal Products, Inc., a start-up company located at 220757 Highway 92 East in Gering, Nebraska**

Mayor Kaufman opened a public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant ("CDBG") at 6:18 p.m.

Panhandle Area Development Executive Director, Bryan Venable, addressed Council and stated they're getting ready to close out this grant. This was the Economic Development Grant that was awarded to the City of Gering to assist Prime Metal Products with the purchase of equipment for their startup business. The project involved a Community Development Block Grant (CDBG) award of seven hundred ninety-six thousand dollars (\$796,000) with seven thousand dollars (\$7000) of that for grant administration. The City provided two hundred eleven thousand dollars (\$211,000) in existing CDBG Program Income funds which allowed for a total of one million dollars (\$1,000,000) in a performance-based loan for the purchase of equipment. The City conditionally granted the funds to Panhandle Regional Development, Inc., a non-profit development organization ("NDO"). \$500,000 of that is forgivable if they meet the conditions of the grant, which they have done to this point, so the State is ready to close out that grant. The other \$500,000 is being repaid to the NDO, which will then be relent to other businesses in the community for economic development purposes.

Mayor Kaufman asked if anyone in the Chambers wished to comment on the public hearing. With no comments, the administrative record was closed and the public hearing closed at 6:20 p.m.

**BIDS:**

**1. Award Bid for Ballpark Substation Transformer – Electric Department**

City Engineer Folck stated that as Council is aware, the City is in the process of converting our electrical system to 7200 voltage. As part of that, we are building another substation; two have been built so far. As part of that, a transformer needs to be purchased; this is a very large transformer. The City is working with ESC Engineering to design the substation. They are recommending the bid be awarded to Virginia Transformer in the amount of \$754,324. Ms. Folck stated this was not actually the low bid, but when they factored in the other costs and expenses, this was considered to be the best bid for the City. It also had to do with the delivery dates; the bid they're recommending can be delivered in October, the other one was going to be March of 2023. This was not in the FY22 Budget because it won't actually be delivered until after FY23 begins. We will now have a solid number to plug in to next year's budget. This may be more and more how we have to do things when ordering specialty items (due to prolonged delivery dates).

Councilmember Bohl asked if the purchase amount includes the spare parts listed on the bid summary. Ms. Folck replied, it does not. The engineers did not recommend purchasing the spare parts. Electric Superintendent, Doug Parker, added that it's a new transformer; we shouldn't have to replace anything. Staff didn't feel there was any reason to buy extra parts.

**Motion by Councilmember Gillen to accept a bid from Virginia Transformer in the amount of \$754,324, noting that the transformer will be delivered in October of 2022 and will be a FY23 budgetary item. Second by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**CURRENT BUSINESS:**

**3. Gering Public Library Annual Report and Foundation Report**

Tracy Henderson, Library Board President, reported:

Staffing:

- Diane Downer, Director (we will miss her!)
- Tammie Gitschel, Technical Services
- Christie Clark, Youth Services
- Sherry Preston, Public Services
- Myra Dillman, Lexi Talmon, and Hayley Grams: Library Assistants
- Victoria Christophersen, Christi Pendergraft and Jada Whipple: Library Page

Volunteers: Stephen & Megan Kaminski (recorded storytimes during Pandemic)

Finances:

Revenue:

City of Gering	\$534,186
Library State Aid	\$1,286
Lender's Compensation	\$1,215
NLC Youth Grant	\$800
Cares Act Grant	\$1,115
Donations	\$1,140

Expenditures:

Staff, Benefits, Training	\$335,426
Library Materials	\$32,239
Support Services	\$81,147

Materials Held

Total Circulation: 39,791

Books: 30,264

Video and audio materials: 2,761

Software programs and materials in other formats: 62,111

Periodicals/Newspapers: 51  
Items withdrawn: 2,110  
Items added: 1,958

Programming & Services:

Author Showcase--Sherry Preston  
Incline platform lift added  
High Ability Learners (Christie Clarke--quarterly program)  
Storytime: in person and virtual formatting when necessary  
LEAP program  
Lego Club  
SMILE program (2nd grade)  
Summer Reading program (15 partners, 20 programs)  
Book Discussion groups  
Community room  
Tax forms  
Interlibrary Loan  
NewsBank (full text of Omaha World Herald and others)  
New Online Card catalog  
Internet Access  
Computers/printers/scanner, copier/public notary

Ms. Henderson stated that she is excited to see how our library will continue to improve and expand services to our community. She then introduced Library Foundation President, Charles Lieske. Mr. Lieske stated that the Gering Public Library Foundation began the year operating fiscally under the Oregon Trail Community Foundation. They participated in OTCF's WyoBraska Gives and plan to continue their relationship with them even though they have secured their own EIN and 501(c)3 tax-exempt status this year. They have established their own bank account and have assets split between OTCF and their own exclusive holdings.

The Foundation launched its website in 2021, making public access to their mission easier. They also used Facebook as a means of promotion and education, including video presentations.

Throughout the year, the board has been kept informed about the ongoing programming at the library. GPLF Board Members Peggy Fegler and Penny Businga spearheaded 2021's Red Tag week.

In August, the Foundation held a joint meeting with the library board and staff, the Friends of the library, and the foundation to discuss where the missions, visions and needs of the organizations might overlap, enhance and strengthen each other.

As part of this effort, the also toured the library to take a detailed look at the facility; they discussed the use of the building over the past couple of years and the needs that could be met better. The group came up with a list of recommendations for short-term improvements that could be made. They reached consensus that the long-term needs of the library required:

- Expansion of the main floor or expansion of staff if repurposing the square footage in the basement
- Updating and reconfiguring the community room, and
- Additional storage areas and improvement to outdoor spaces to maximize community need

The group realized that it needed to ensure that the current facility was not being neglected because they were working to secure a new one. From that meeting, they put in motion:

- Requests for the City to assess the duct work and breaker box capacity for possible expansion
- Work to resolve drainage issues on the southeast corner of the building that were causing water intrusion and possible foundation damage
  - As a part of that issue, they also requested an assessment from the Parks Department on possible landscaping to allow for an outdoor children's area behind the library

- Set in motion requests to other departments within the City for possible off-site storage (which turned out not to be available)
- The library also committed to begin tracking the number of children in the library on evenings and weekends to help guide space utilization options (one option discussed was the feasibility of moving the children's collection to the basement; however, an assessment of additional staff that would be needed to manage two floors needs to be addressed)
- The library also compiled pre and post-COVID usage statistics of the community room to guide usage options as a result of the meeting
- Discussions about the possibility of a partnership with Gering High School construction class for some of the renovation needs was also discussed.

Mr. Lieske stated that this year brought a lot of discussion and work on ways they could show better stewardship over the building they have, while working for the building they need. The group discussed possible locations for a relocated library. Noting the architectural limitations presented with the last study, and the Council's desire to keep the library downtown, the DHHS Building was one of those options discussed and was looked upon favorably by all groups.

GPLF has been in talks with the West Nebraska Family Research and History Center on possible ways a public-private partnership might work for an expanded library, and they look favorably on that location. They have also toured the DHHS building with County officials and have begun gathering data on the facility. The Foundation originally attempted to schedule a meeting with City Council members in October of 2021 to share thoughts and receive feedback on this idea. The meeting was postponed until November, then to the first quarter of this year, and most recently they were told that the discussion didn't need to take place until the building was vacant. They are disappointed that they have been unable to build the collaborative relationship that they have been seeking over the past few years.

He hopes that the report on their work this year shows that they are listening to Council and are working to see this situation through the lenses of many different options. They feel they have been receptive to the feedback they have received but need to continue to communicate if we hope to align our work rather than be at odds with one another. It is his hope that they won't have to wait to have the discussion about possibilities on the horizon. How often will this kind of square footage become available in Downton Gering without displacing a business? His ask at the end of this year's report is, "Let's talk." And by that, he means talk, not schedule a time where they can hard sell Council on an idea. Let's discuss the good, the bad, and the ugly of the situation. Help them understand what stands in the way...if they don't understand the City's concerns, how can they possibly hope to address them? He thanked the Mayor and Council.

**Motion by Councilmember Cowan to enter the Gering Public Library Annual Report and Foundation Report into the public record. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

#### **4. Approve Resolution 2-22-2 regarding Monument Shadows Golf Course Rates**

##### **Resolution 2-22-2**

**WHEREAS, The Gering City Council, Gering, Nebraska shall establish green fees and fees for punch cards, memberships, cart rental, cart storage and other activities and services at Monument Shadows Golf Course.**

**WHEREAS, The Monument Shadows Golf Course Rates shall be as follows:**

##### **Monument Shadows Golf Course Rates**

	<u>Rate</u>
<b>Green Fees</b>	
9 holes	\$20.00
18 holes	\$30.00
9 holes jr. (11 and under)	\$10.00
18 holes jr. (11 and under)	\$15.00

All-day pass	\$40.00
Back 9 add on	\$10.00
<b>Punch Cards</b>	
9 holes	\$180.00
<b>Punch Cards</b>	
18 holes	<u>Rate</u> \$270.00
<b>Course Membership</b>	
Youth (8 <sup>th</sup> Grade and under)	\$95.00
Student (18 & under/FT College Student 23 & under)	\$190.00
Junior (19-25)	\$400.00
Single	\$600.00
Couple (married)	\$850.00
Family (married + children 18 and under)	\$1025.00
<b>Driving Range Membership</b>	
Youth (8 <sup>th</sup> grade and under)	\$32.50
Student (18 & under/FT college Student 23 & under)	\$65.00
Junior (19-25)	\$130.00
Single	\$194.00
Couple (married)	\$296.00
Family (married + children 18 & under)	\$354.00
(If guest purchases a course membership, driving range membership would reduce by 50%)	
<b>Daily Driving Range</b>	\$3.50
<b>Daily cart fees</b>	
9 holes	\$9.00
18 holes	\$18.00

(Charge per seat, each person will pay the seat fee. If golfers choose not to ride together, they will be charged for both seats. \$18 for 9 and \$36 for 18 holes.)

**Yearly Cart SEAT Rental**

Single \$500.00

**Cart Storage**

(Includes gas and electricity) \$540.00

**Cart Bring On**

Electric \$222.00

Gas (includes fuel) \$312.00

**Daily Trail Fees**

\$10 per rider for 9 or 18 holes

**NOW THEREFORE BE IT RESOLVED** that effective immediately, the City of Gering shall charge the aforementioned fees at the Monument Shadows Golf Course.

Adopted this 14<sup>th</sup> of February, 2022

\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen J. Welfl, City Clerk

**Motion by Councilmember Gillen to approve Resolution 2-22-2 regarding Monument Shadows Golf Course Rates. Second by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**



**5. Approve Amended Resolution 1-22-3 regarding imposing an additional one-half percent (1/2%) sales tax in addition to the Existing City Sales and Use Tax for the purpose of funding public infrastructure projects**

**AMENDED RESOLUTION 1-22-3**

**WHEREAS:**

- a. The City currently imposes a City Sales and Use Tax in the amount of 1.5% pursuant to the Local Option Revenue Act, Sections 77-27,142, et seq. of the Nebraska Statutes (the "Existing City Sales and Use Tax");
- b. The City is in need of additional revenue in order to provide for public infrastructure projects;
- c. §77-27, 142 of the Nebraska Statutes allows the City Council to impose an additional one-half percent (1/2%) sales tax in addition to the Existing City Sales and Use Tax for the purpose of funding public infrastructure projects, following an election at which a majority of the qualified electors of the City approve such additional sales and use tax;
- d. The additional sales and use tax may not be imposed unless the City is a party to an interlocal agreement pursuant to the Interlocal Cooperation Act, Sections 13-801 to and including 13-1827, Reissue Revised Statutes of Nebraska, as amended (the "Interlocal Act"), with a political subdivision within the municipality or the county in which the City is located, which interlocal agreement shall create a separate administrative entity related to public projects; and
- e. The City has entered into an interlocal agreement with the City of Gering Community Redevelopment Authority, a body corporate and politic (the "CRA"), for the purposes of forming the Gering Community Infrastructure Cooperative, a separate administrative entity.

**Be it resolved by the Mayor and City Council of the City of Gering, Nebraska as follows:**

4. At the May 10, 2022, primary election, the following proposition in the form shown below shall be submitted to the qualified electors of the City for their approval or rejection:

Shall the City Council of the City of Gering, Nebraska increases the local sales and use tax rate by an additional one-half of one percent (1/2%) from the current rate of one and one-half percent (1-1/2%) to a total rate of two percent (2%) and impose a sales and use tax at the increased rate only for public infrastructure projects including municipal roads, streets, sidewalks, curbs and gutters; wastewater collection facilities, including water mains and their appurtenances, water distribution facilities, including, but not limited to, mains and their appurtenances, upon the same transactions within the City on which the State of Nebraska is authorized to impose a tax, subject to the terms and conditions set out below?

- Yes (For increasing the Sales and Use Tax)  
 No (Against increasing the Sales and Use Tax)

**Terms and Conditions:** The terms and conditions of the proposition are as follows:

- a. No reductions or elimination of other taxes or fees is contemplated.
- b. Revenues from the increased sales and use tax are to be used for the following public infrastructure projects as are allowed pursuant to §77-27,142 of the Nebraska Statutes: only for public infrastructure projects including municipal roads, streets, sidewalks, curbs and gutters; wastewater collection facilities, including water mains and their appurtenances, water distribution facilities, including, but not limited to, mains and their appurtenances,
- c. The City and the Community Redevelopment Authority of the City of Gering have entered into an interlocal agreement which created a separate administrative entity (the Gering Community Infrastructure Cooperative) for purposes of the interlocal agreement, related to public infrastructure projects. The interlocal agreement contains provisions, including benchmarks, relating to the long-term development of unified governance of public infrastructure projects with respect to the parties.

d. The increased sales and use tax shall terminate no more than ten years after the effective date of the increased sales and use tax or, if bonds are issued and the local option sales and use tax revenue is pledged for payment of such bonds, upon payment of such bonds and any refunding bonds, which ever date is later, except that the portion of the rate greater than one and one-half percent imposed for the purpose of the interlocal agreement referred to above (rounded to the next higher one-quarter percent) shall not terminate.

2. Electors desiring to vote in favor of or against the proposition shall do so in the manner specified in the ballot form as provided by the Scotts Bluff County Clerk

3. The primary election shall be conducted by the Scotts Bluff County Clerk at polling places established by the County Clerk in each of the City's precincts. The polls shall be open from 7 a.m. through 7 p.m. on the day of the general election.

4. The following notice required by law shall be published in the Gering Citizen, a legal newspaper of general election in the City not more than 30 days nor less than 10 days before the date of the election. The notice shall be in substantially the following form:

**City of Gering, Nebraska**

**Notice of Election**

Notice is given that at the primary election on Tuesday, May 10, 2022, at the usual polling place in each precinct of the City of Gering, Nebraska, the ballot will include for the electors of the City for their approval or rejection, the following proposition:

**BALLOT QUESTION**

Shall the City Council of the City of Gering, Nebraska increase the local sales and use tax rate by an additional one-half of one percent (1/2%) from the current rate of one and one-half percent (1-1/2%) to a total rate of two percent (2%) and impose a sales and use tax at the increased rate only for public infrastructure projects including municipal roads, streets, sidewalks, curbs and gutters; wastewater collection facilities, including water mains and their appurtenances, water distribution facilities, including, but not limited to, mains and their appurtenances, upon the same transactions within the City on which the State of Nebraska is authorized to impose a tax, subject to the terms and conditions set out below? If a majority of the votes cast upon such question shall be in favor of such tax, then the City Council shall be empowered as provided by Neb. Rev. Stat. § 77-27,142 and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the City Council shall not impose such a tax.

Yes (For increasing the Sales and Use Tax)

No (Against increasing the Sales and Use Tax)

**Terms and Conditions:** The terms and conditions of the proposition are as follows:

a. No reductions or elimination of other taxes or fees is contemplated.

b. Revenues from the increased sales and use tax are to be used for the following public infrastructure projects as are allowed pursuant to §77-27,142 of the Nebraska Statutes: only for public infrastructure projects including municipal roads, streets, sidewalks, curbs and gutters; wastewater collection facilities, including water mains and their appurtenances, water distribution facilities, including, but not limited to, mains and their appurtenances,

c. The City and the Community Redevelopment Authority of the City of Gering have entered into an interlocal agreement which created a separate administrative entity (the Gering Community Infrastructure Cooperative) for purposes of the interlocal agreement, related to public infrastructure projects. The interlocal agreement contains provisions, including benchmarks, relating to the long-term development of unified governance of public infrastructure projects with respect to the parties.

d. The increased sales and use tax shall terminate no more than ten years after the effective date of the increased sales and use tax or, if bonds are issued and the local option sales and use tax revenue is pledged for payment of such bonds, upon payment of such bonds and any refunding bonds, which ever date is later, except that the portion of the rate greater than one and one-half percent imposed for the purpose of the interlocal agreement referred to above (rounded to the next higher one-quarter percent) shall not terminate.

The polls will be open from 7:00 a.m. through 7:00 p.m. on the Election Day. Absent, disabled, and confined voters' ballots may be obtained from the County Clerk as provided by law. Copies of the proposition may be obtained at the office of the City Clerk at City Hall, 1025 P Street, Gering, Nebraska 69361.

Dated: \_\_\_\_\_, 2022 /s/ Kathleen J. Welfl, City Clerk

5. The City Clerk shall cause a certified copy of the Resolution to be delivered to the Scotts Bluff County Clerk no later than March 1, 2022.

6. This Resolution shall take effect after having been voted upon favorably by at least 70% of the Council Members.

PASSED AND APPROVED THIS \_\_\_\_\_ day of February, 2022.

\_\_\_\_\_  
Mark A. Kaufman

ATTEST:

\_\_\_\_\_  
Kathleen J. Welfl, City Clerk  
(SEAL)

**Motion by Councilmember Morrison to approve Amended Resolution 1-22-3 regarding imposing an additional one-half percent (1/2%) sales tax in addition to the Existing City Sales and Use Tax for the purpose of funding public infrastructure projects. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": Backus. Abstaining: None. Absent: Smith. Motion Carried.**

**7. Approve appointment of Levi Keener to the Gering Planning Commission**

**Motion by Councilmember Gillen to approve the appointment of Levi Keener to the Gering Planning Commission. Second by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

**8. Approve appointment of Elizabeth Loutzenhiser, Acting Finance Director, as Trustee to the Gering Fire Department Service Awards Plan**

**Motion by Councilmember Cowan to approve the appointment of Elizabeth Loutzenhiser, Acting Finance Director, as Trustee to the Gering Fire Department Service Awards Plan. Second by Councilmember Morrison. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith. Motion Carried.**

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

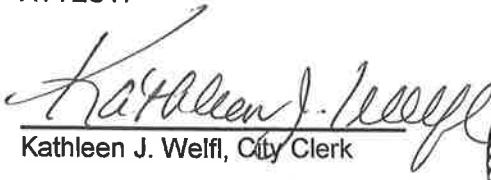
**ADJOURN:**

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

Meeting adjourned at 6:46 p.m.

  
\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

  
\_\_\_\_\_  
Kathleen J. Welf, City Clerk

