

THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, JUNE 13, 2022

A regular meeting of the City Council of Gering, Nebraska was held in open session on June 13, 2022 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Backus and O'Neal. 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 May 23, 2022 regular City Council meeting
2. Approve Claims
3. File for record Agreement for Financial Plan, Cost of Services and Rate Design Study for Water and Wastewater Rates
4. File for record Application for National Pollutant Discharge and Elimination System (NPDES) Permit for the Gering Wastewater Treatment Plant

Claims 5-24-22 to 6-13-22

ABC BROKERAGE \$14,557.72; ACCENT WIRE PRODUCTS \$2,722.08; ACE HARDWARE \$1,181.15; ACTION COMMUNICATIONS, INC. \$518.42; ACUSHNET COMPANY \$1,631.74; ADIDAS AMERICA, INC \$382.50; ALLO COMMUNICATIONS \$3,402.25; ALTEC INDUSTRIES, INC. \$1,911.88; ALYSSA CHITWOOD \$20.00; AMAZON CAPITAL SERVICES \$1,052.60; AMERICAN LEGION POST #36 \$3,000.00; AT&T MOBILITY \$2,315.85; B & C STEEL \$2,153.42; B & H INVESTMENTS, INC \$129.00; B & S RASK GRILL \$720.00; BENZEL PEST CONTROL \$150.00; BIG MACK HEATING & COOLING \$1,000.00; BLACK HILLS ENERGY \$825.22; BLUFFS FACILITY SOLUTIONS \$469.14; BORDER STATES INDUSTRIES, INC \$6,285.99; BRENNEN MARTINEZ \$46.00; CALLAWAY GOLF COMPANY \$1,834.31; CHRISTIAN LONGORIA \$32.87; CHRISTINE CLAUSE \$485.00; CITY OF GERING \$1,884.05; CITY PAYROLL TRUST \$2,533.39; CONNECTING POINT \$3,152.54; CONTRACTORS MATERIALS, INC. \$164.50; CORINA SALDIVAR \$75.00; COZAD SIGNS, LLC \$120.00; CROWLEY FLECK PLLP \$127.50; DAS STATE ACCOUNTING-CENTRAL \$6.12; DAVID BROWN \$46.00; DEARBORN LIFE INSURANCE COMPAN \$137.60; DIAMOND VOGEL PAINT CENTER \$4,429.35; DOOLEY OIL \$68.03; DREAMSHARE PRODUCTIONS LLC \$2,746.66; DYKES OIL INC. \$75.77; EAKES INC \$120.84; ECOLAB \$302.77; EDGERTON EDUCATION FOUNDATION \$983.76; ENERGY LABORATORIES INC. \$632.00; ESC ENGINEERING \$19,934.22; EXPRESS TOLL \$4.60; FASTENAL COMPANY \$746.41; FIRST STATE BANK \$536.85; FLOYD'S TRUCK CENTER, INC. \$796.41; FRANCISCOS BUMPER TO BUMPER IN \$220.00; FRANK PARTS COMPANY \$1,325.97; FRASER STRYKER PC LLO \$287.00; FREMONT MOTOR SCOTTSBLUFF, LLC \$1,275.21; FRESH FOODS INC. \$8.16; FYR-TEK, INC. \$4,076.89; GERING HIGH SCHOOL \$500.00; GERING VOLUNTEER FIRE DEPT. \$1,494.37; GRAINGER \$41.25; GREATAMERICA FINANCIAL SERVICE \$100.00; GREY HOUSE PUBLISHING \$216.50; GRIME SCENE UNIT \$500.00; GROUND UP CONSTRUCTION & CLEAN \$848.43; GWORKS \$1,550.00; HARRINGTON INDUSTRIAL PLASTICS \$1,068.20; HEARTLAND BANK \$144,178.75; HENNING BROTHERS \$83.00; HYDRO OPTIMIZATION & AUTOMATIO \$1,334.00; IDEAL LAUNDRY AND CLEANERS, IN \$614.92; INDEPENDENT PLUMBING & HEATING \$277.00; INDOFF INCORPORATED \$739.24; INGRAM LIBRARY SERVICES \$583.59; INTERNAL REVENUE SERVICE \$47,537.72; INTRALINKS, INC. \$14,073.55; IPMA-HR \$385.00; IRBY TOOL & SAFETY \$432.29; JANA L. BODE \$420.00; JOHN HANCOCK USA \$13,349.04; JOHN HANCOCK USA FIRE \$597.33; JOHN HANCOCK USA POLICE \$7,975.90; JOHNSON CASHWAY CO. \$71.72; K L WOOD & CO., LLC \$22,486.68; KEIANA MACKENZIE \$75.00; KENNETH LEROY DODGE \$70.00; LAKEVIEW BOOKS \$230.89; LEE ENTERPRISES ADVERTISING \$2,236.05; LORI MARTINEZ \$75.00; MACQUEEN EQUIPMENT, LLC \$434.36; MASEK DISTRIBUTING INC \$780.00; MATHESON TRI-GAS INC \$288.39; MEAT SHOPPE \$13,272.90; MELODY BIBB \$75.00; MENARDS \$1,091.69; MICHAEL TODD & COMPANY, INC. \$772.10; MICHAELA ARELLANO \$40.00; MOBIUS COMMUNICATIONS COMPANY \$30.00; MUNICIPAL ENERGY AGENCY OF NE \$266,633.16; MUNICIPAL SUPPLY, INC. OF NE. \$818.93; NE CHILD SUPPORT PAYMENT CENTE \$462.93; NE DEPT. ENVIRONMENTAL QUALITY \$230.00; NE PUBLIC HEALTH ENVIRO LAB \$36.00; NE SAFETY/FIRE EQUIPMENT, INC \$855.00; NE STATE VOLUNTEER FIREFIGHTER \$820.00; NE. FIRE CHIEFS ASSOCIATION \$125.00; NEBR. DEPT. OF ECONOMIC DEV. \$30,205.00; NEBRASKA GOLF ASSOCIATION

\$818.50; NEBRASKA LIBRARY COMMISSION \$(176.70); NEBRASKA RURAL RADIO ASSOC. \$583.18; NEI-TURNER MEDIA GROUP, INC \$1,200.00; NMC EXCHANGE LLC \$649.80; NORTHWEST PIPE FITTINGS, INC \$457.56; OCLC, INC. \$163.91; ONE CALL CONCEPTS, INC \$120.16; PANHANDLE COOP ASSOCIATION \$175.00; PANHANDLE DIESEL SERVICES \$2,331.26; PANHANDLE EMS EDUCATION, LLC \$20.00; PANHANDLE ENVIRONMENTAL SERVIC \$2,498.00; PATTLEN ENTERPRISES, INC \$618.18; PAYROLL 6/3/22 \$158,256.18; PIPE WORKS PLUMBING LLC \$510.91; PLANET BOUNCE LLC \$250.00; POMP'S TIRE SERVICE, INC \$42.00; POWERPLAN OIB \$14,608.42; PRO OVERHEAD DOOR \$4,801.55; PRT \$459.00; PVB VISA \$7,626.52; QUADIENT LEASING USA, INC \$832.42; RED BARN SHOP, LLC \$223.75; REGION 22 EMERGENCY MANAG \$3,058.24; RICK GARVIN \$75.00; ROBERT GLEIM \$46.00; ROBERT THOMASON \$587.00; SAMANTHA HERNANDEZ \$75.00; SANDBERG IMPLEMENT, INC. \$740.47; SARAH WYNN \$425.00; SCB CO. GIS/MAPPING DEPT. \$4,486.66; SCHANK ROOFING SERVICE \$586.00; SCOTTSBLUFF KIWANIS CLUB \$201.00; SCOTTSBLUFF-GERING UNITED WAY \$141.75; SHAWNA WINCHELL \$820.00; SIMON CONTRACTORS \$2,865.74; SIRCHIE ACQUISITION CO., LLC \$47.95; SOLUTIONS EAP \$244.55; SOUTHWESTERN EQUIPMENT COMPANY \$10,348.10; SPECTRUM \$788.34; STAPLES CREDIT PLAN \$400.07; STATE GOLF HOST COMMITTEE/OTCF \$2,000.00; SUGAR VALLEY FEDERAL CREDIT \$528.37; TAYLOR MADE GOLF COMPANY \$3,196.89; TEAM CHEVROLET \$750.00; THE CREATIVE COMPANY \$342.10; THE TORO COMPANY \$155.00; TITAN MACHINERY INC. \$249.00; TONYA ELSEN \$300.00; TORRINGTON SOD FARMS \$225.00; TRANSUNION RISK AND ALTERNATIV \$150.00; TRAVELodge \$945.00; TRIHYDRO CORPORATION \$1,159.00; TWIN CITY AUTO, INC \$47.00; TYLER TECHNOLOGIES \$59,502.45; UNANIMOUS, INC. \$150.00; VALLEY AUTO LOCATORS LLC \$1,151.02; VERIZON WIRELESS SERVICES, LLC \$1,152.02; WESCO RECEIVABLES CORP. \$2,250.83; WESTERN COOPERATIVE COMPANY \$34,184.41; WESTERN STATES BANK \$29,133.38; WESTERN STATES BANK - POLICE \$516.00; WESTERN UNITED ELECTRIC \$28,610.76; WINCRAFT, INCOPORATED \$205.00; WINSUPPLY SCOTTSBLUFF NE CO. \$13.91; WYOMING BEARING & SUPPLY \$380.15

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

CURRENT BUSINESS:

1. Approve and authorize the Mayor to sign Economic Development Assistance Agreement and Security Agreement pertaining to Schluter Eats, Inc.

Economic Development Application Review Committee Chairman, Larry Gibbs, addressed Council and stated: The Economic Development Application Review Committee met on May 11 and June 1 to consider applications submitted by Schluter Eats, Inc., Infinite Medical Spa, LLC, and Crossroads Cooperative. The Committee is recommending the following to the City Council:

Regarding Schluter Eats, Inc., the Committee recommends approving a \$35,000 grant for job creation. Positions must be maintained for five years. Securities include personal guarantees and a UCC filing on equipment.

Regarding Infinite Medical Spa, the Committee recommends approving a \$70,000 loan with a five-year amortization and a \$30,000 grant for job creation. Jobs created must be maintained for five years. Securities include personal guarantees and a UCC filing on equipment.

Regarding Crossroads Cooperative Association, the Committee recommends a \$50,000 grant for job creation. In addition, a \$450,000 grant for public works improvements contingent upon Crossroads completing a rail spur/line by July 1, 2024. Security will be in the form a Deed of Trust. This recommendation for Crossroads Cooperative is *not* in addition to the previous recommendation submitted in February of 2020 for the same request. The terms and conditions set forth in the 2020 Economic Development Assistance Agreement for that request have expired. LB840 Funds were earmarked for this grant and are still available.

Motion by Councilmember Gillen to approve and approve and authorize the Mayor to sign an Economic Development Assistance Agreement and Security Agreement pertaining to Schluter Eats, Inc. Second by Councilmember Morrison. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

2. Approve and authorize the Mayor to sign Economic Development Assistance Agreement and Security Agreement pertaining to Infinite Medical Spa, LLC

Motion by Councilmember Morrison to approve and authorize the Mayor to sign an Economic Development Assistance Agreement and Security Agreement pertaining to Infinite Medical Spa, LLC. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

3. Approve Resolution 6-22-1 regarding Ambulance Services

RESOLUTION 6-22-1

Be it resolved by the Mayor and City Council of the City of Gering, Nebraska that:

1. The City of Gering, City of Scottsbluff and the County of Scotts Bluff, Nebraska entered into an agreement for the funding of ambulance services under the interlocal Cooperation Act.
2. Public safety, convenience, and welfare will be enhanced by the continuation of the agreement for an additional period of four years.
3. The City of Gering does hereby notify the County Clerk of Scotts Bluff County, Nebraska, of its intention to continue the obligation of funding ambulance services for an additional four-year period ending June 30, 2026, subject to the same terms and provisions that existed in the Agreement for the Funding of Ambulance Services within the Service Area Under the Interlocal Cooperation Act of July 1, 2002.
4. The amount the City of Gering will contribute annually is \$3794.76, payable to Scotts Bluff County.
5. This resolution shall become effective immediately upon its adoption.

Passed and approved this 13th day of June, 2022.

Mark A Kaufman, Mayor

Kathleen J. Welfl, City Clerk

Motion by Councilmember Gillen to approve Resolution 6-22-1 regarding Ambulance Services in accordance with the Scotts Bluff County Agreement for Ambulance Services and the Interlocal Cooperation Act of 2002. Second by Councilmember Bohl.

Discussion: Councilmember Wiedeman noted that Mr. Meininger provided information to the Council members prior to the meeting regarding total calls, stand-by calls and other data.

Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

4. Approve Resolution 6-22-2 regarding Avoided Cost Rate related to the NMPP Interconnect Policy

RESOLUTION 6-22-2

Avoided Costs related to Interconnection Policy with the Municipal Energy Agency of Nebraska (MEAN)

WHEREAS, the Gering City Council approved a Policy and Guidelines for Interconnection for Parallel Installation and Operation of small (25 kW or less) and large (greater than 25 kW) Customer-owned Renewable Electric Generating Facilities on November 9, 2020, and

WHEREAS, the purpose of the policy and guidelines was to establish standards for the Utility to interconnect and operate in parallel with customer-owned renewable electric generators, and

WHEREAS, Avoided Costs are the increment costs of the Utility's Electric Wholesale Supplier (EWS) energy or capacity or both which, but for the purchase from the Customer's Generating Facility, the Utility would generate itself or purchase from another source, and

WHEREAS, the Avoided Costs Rate (Less than or equal to 100 kW) Generator nameplate rating of 25 kW or less effective April 1, 2019 was \$0.03825 per kWh and the Generator nameplate rating greater than 25 kW effective January 1, 2020 was \$0.02924, and

WHEREAS, the Avoided Cost Rates have changed.

THEREFORE, BE IT RESOLVED BY THE GERING CITY COUNCIL THAT:

The City of Gering adopts a new Appendix to the Interconnection Policy as outlined below.

Appendix		
Avoided Cost Rate		
(Less than or equal to 100 kW)		
Avoided Cost Rate:	Generator nameplate rating of 25 kW or less:	\$0.04070 per kWh
	Effective date: June 1, 2022	
	Generator nameplate rating greater than 25 kW:	\$0.04209
	Effective date: June 1, 2022	

(Rate is subject to change)

Passed and approved this _____ day of _____, 2022.

Mark A. Kaufman, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember Morrison to approve Resolution 6-22-2 regarding the Avoided Cost Rate related to the NMPP Interconnect Policy. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

5. Approve Resolution 6-22-3 regarding Pay Plan for Officers and employees of the City of Gering
Mayor Kaufman stated that he has been informed by staff that this agenda item needs to be tabled at this time. Following Union negotiations, it will be brought back for approval.

Motion by Councilmember Gillen to table Resolution 6-22-3 regarding a Pay Plan for Officers and employees of the City of Gering. Second by Councilmember Wiedeman.

Discussion: Administrator Heath stated there is an issue with one of the union contracts; staff would like to resolve that before this resolution is passed.

Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

6. Approve amendment to Personnel Policy 1.6 – Hiring of Relatives

1.6 HIRING OF RELATIVES

The City of Gering is committed to hiring and retaining highly qualified persons. At the same time, we recognize that, despite their qualifications, hiring and retaining close relatives of present personnel might raise questions regarding the objectivity, or appearance of objectivity, of work assignments, performance appraisals, and employee treatment.

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the City may be hired only if they will not be working directly for or supervising a relative. City employees cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred (providing there is an opening in another department). If that decision is not made within 30 calendar days, management will decide. In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

CURRENT: For the purposes of this policy, relatives are defined to include spouses, parents, children, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

PROPOSED: For the purposes of the policy, relatives are defined as follows: husband, wife, father, father-in-law, mother, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, brother-in-law, sister, sister-in-law, step relatives, cousins and those in a dating relationship or member of the same household. Note: This policy only applies to regular, full-time employees; not part time seasonal hires.

Motion by Councilmember Morrison to approve amended Personnel Policy 1.6, regarding hiring of relatives, as presented. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

7. Approve amendment to Personnel Policy 2.1 – Bereavement Leave

2.1 BEREAVEMENT LEAVE

Up to five (5) days of leave will be provided to employees who wish to take time off due to the death of an immediate family member.

CURRENT: The City defines "immediate" family as the employee's spouse, parent, child, sibling, grandparent, or grandchild; the same relations of the employee's spouse; or a person living in the same household as the employee.

PROPOSED: For the purposes of the policy, relatives are defined as follows: husband, wife, father, father-in-law, mother, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, brother-in-law, sister, sister-in-law, step relatives, cousins and those in a dating relationship or member of the same household.

Pay during leave is calculated on the base pay rate at the time of absence and will not include any special forms of compensation.

Motion by Councilmember Bohl to approve amendment to Personnel Policy 2.1, regarding Bereavement Leave, as presented. Second by Councilmember Wiedeman.

Discussion: Councilmember Gillen asked if this falls in line with what other municipalities are offering for bereavement leave regarding relatives. HR Director, Ann Palm, replied that it is fairly common language. She doesn't know if, in fact, it is equivalent to all municipalities. Councilmember Gillen stated a lot of relatives were added to what is considered as part of the bereavement. Administrator Heath stated that it matches the previous policy on hiring of relatives. Staff felt we should have the same policy for both so there's no confusion on the employee/staff side.

Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

8. Approve new Personnel Policy 2.20 regarding Election Board Participation

2.20 ELECTION BOARD PARTICIPATION (NEW)

Employees will be granted time off to assist at County polling locations for Primary and General Elections. A copy of the Election Worker appointment letter must be submitted to the employee's supervisor who will then submit the copy to Human Resources for copy to the employee's personnel file.

Employees must make their intent to work an election known to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence.

Pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Pay the employee receives for Election duty will be given to the City.

Motion by Councilmember Morrison to approve new Personnel Policy 2.20, regarding Election Board Participation, as presented. Second by Councilmember Smith. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman,

Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

PUBLIC HEARINGS:

1. Public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant ("CDBG") pertaining to Prime Metal Products, Inc.

The City of Gering, Scotts Bluff County, Nebraska ("Gering") is proposing to provide a \$1,000,000 CDBG loan for direct assistance to fund the purchase of new equipment for Prime Metal Products, Inc., an existing company located at 220757 Highway 92 East in Gering, Nebraska ("the Company" or "Business").

Mayor Kaufman opened a public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant ("CDBG") pertaining to Prime Metal Products, Inc. at 6:13 p.m. PADD Executive Director, Bryan Venable, addressed the Council and stated the following:

The project involves a \$2,000,000 expansion at Prime Metal Products' Gering facility, \$2,000,000 of which will be used to purchase new equipment and for operating capital. The City is applying for a Community Development Block Grant (CDBG) of one million ten thousand dollars (\$1,010,000) with ten thousand dollars (\$10,000) of that for grant administration. The one million dollars in CDBG funding will be used by the company for the purchase of equipment and operating capital for their expansion into residential duct work. This will be matched by an additional million dollars in equipment purchases and operating capital funded by a \$500,000 loan from a local financial institution and \$500,000 in LB840 funds from the City of Scottsbluff. The City will conditionally grant the \$1,000,000 to Panhandle Regional Development, Inc., a non-profit development organization ("NDO"). The NDO will then utilize such conditionally granted CDBG funds to make a performance-based loan of \$1,000,000 to the business for the purchase of equipment associated with the expansion of the business in Gering, Nebraska. Two hundred fifty thousand dollars (\$250,000) of the one million dollar (\$1,000,000) performance-based loan will be forgiven after the Business satisfies a CDBG national objective. The project will include an additional \$1,800,000 in non-CDBG activities including loading dock improvements and other equipment purchase funded with non-CDBG funds.

The following information was included in the public hearing notice: *The Company is a yellow label commercial sheet metal manufacturing business that specializes in the production of spiral pipe, square duct, and their associated fittings, as well as roof curbs and adaptors for new and replacement rooftops. The expansion will add residential ductwork to their product line. No chemical byproducts will be emitted in the manufacturing process. This funding will permit the Company to create 40 new full-time equivalent positions, with at least 51% of them to be held by or made available to Low to Moderate Income ("LMI") persons. No displacement of businesses or individuals is expected to occur as result of this project.*

Mayor Kaufman stated that the City appreciates the job PADD does in administering those funds.

Mayor Kaufman asked if anyone wished to speak in favor of the application. Herb Gibson, President of Prime Metal Products, 1818 Broadway, Scottsbluff, NE, addressed Council. He stated that they are at 50 employees currently; this project will add another 40, approximately. Councilmember Morrison asked if these are manufacturing/fabrication jobs; Mr. Gibson replied, yes. The pay range is \$15-\$19 per hour with benefits.

Councilmember Wiedeman asked if he plans to bring employees in or try to hire within the community. Mr. Gibson replied, with this group of employees they'll hire within the community.

Councilmember Morrison asked if they do anything at WNCC that would help young people get ready for a job like Mr. Gibson has at his manufacturing firm. Mr. Gibson replied, WNCC has a welding program from which Prime Metal Products has hired a few people. They don't have bending machines that Mr. Gibson currently has; he has a different line or a different process than they would have. These new jobs

will be a little less technical. In his experience over the last 30 years, they are typically filled by more female applicants because of the dexterity of fingers. It will be an interesting mix because right now they're probably 95% male.

Councilmember Bohl asked, regarding equipment purchases that Mr. Gibson will make, is it for manufacturing a specific style of equipment? Mr. Gibson replied yes, it is for a specific duct line light machine. Councilmember Bohl asked how his lead time has been on equipment and supply. Mr. Gibson replied they are not allowed to purchase anything prior to State approval; until the State gives them a letter to fund, they can't move forward on anything. Some of the equipment is 30 to 45 days. The manufacturers will move forward without a purchase order to accommodate their upcoming need. The larger pieces are still six to seven months out. He's looking at December or January for a finished product.

Mayor Kaufman asked if anyone else in the Council Chambers wished to speak in favor of the application. Seeing none, he asked twice if anyone wished to speak in opposition of the application. With no further comments, the administrative record was closed and the public hearing closed at 6:20 p.m.

1a. Consider approval of Resolution 6-22-4 – A Resolution authorizing the Chief Elected Official to sign an application for CDBG funds related to Prime Metal Products, Inc.

RESOLUTION 6-22-4

**RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL
TO SIGN AN APPLICATION FOR CDBG FUNDS**

Whereas, the City of Gering, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City of Gering, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$1,010,000 in CDBG funds for Expansion of Prime Metal Products Inc; purchasing of new equipment to be placed at the business location at 220797 East Highway 92, Gering, Nebraska. \$10,000 of the total grant is for the City's costs of administration of the grant. The City of Gering will conditionally grant \$1,000,000 in CDBG funds to the NDO, and the NDO will then utilize such conditionally granted CDBG funds to make a performance-based loan of \$1,000,000 to the Business for working capital and the purchase of equipment associated with the expansion of the Business at its Gering, Nebraska facility (the "Project"). A quarter or \$250,000 of the \$1,000,000 performance-based loan will be forgiven after the Business satisfies a CDBG national objective and completes all of the lending requirements. CDBG funding will require the Business to satisfy various job requirements

NOW, THEREFORE, BE IT RESOLVED BY

The City Council of Gering, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between City of Gering and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Chief Elected Official Signature

Chief Elected Official Printed Name, Title

Date

Motion by Councilmember Morrison to approve Resolution 6-22-4 – A Resolution authorizing the Chief Elected Official to sign an application for CDBG funds related to Prime Metal Products, Inc. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

BIDS:

1. Current Production Model Ejector Scraper – Sanitation Department

Environmental Services Director, Steve Mount, addressed the Council and stated that the City advertised for proposals for a Current Production Model 4WD Scraper Tractor and Ejector Scraper in late May and early June. These will be replacing the current 1995 JD762B Paddle Scraper that has 14,190 hours. A public bid opening was held on June 7, 2022 and two bids were received for both the Scraper Tractor and Ejector Bowl.

SCRAPER TRACTOR:

Murphy Tractor- \$461,975 for a 2022 JD 9R 490 4WD Scraper Tractor w/490 HP
Titan Machinery - \$437,000 for a 2022 Case IH Steiger 620 4WD Scraper Tractor w/ 620HP.

Staff recommends awarding the bid to Titan Machinery for a 2022 Case IH Steiger 620 4WD Scraper Tractor for the amount of \$437,000.

EJECTOR SCRAPER:

Murphy Tractor - \$125,900 for a 2022 JD 1612E Ejector Scraper 16 yd Capacity.
Titan Machinery - \$69,000 for a 2022 Ashland 140TS2 Ejector scraper 14 yd Capacity.

Staff recommends awarding the bid to Murphy Tractor for a 2022 JD 1612E Ejector Scraper in the amount of \$125,900. The Titan Machinery Ejector Scraper did not meet specs and was under the specified weight.

Councilmember Wiedeman asked if these two things have to work together; it is okay that they are two different brands? Mr. Mount replied, yes; they can modify the hitch to fit each other.

Councilmember Gillen asked if the amount that's over what was budgeted is coming out of next year's budget. Mr. Mount replied that he's going to use \$40,000 that was budgeted for a three-quarter ton pickup (that he can't bid this year because there are none available), and he has extra money he saved on a truck bid, an HVAC bid for the baler building and the dozer which came up to another \$13,000; he's short about \$9800. He has enough in his account to cover that.

Mayor Kaufman asked if these were preferred pieces or just what was available on the market to get. Mr. Mount replied, basically what was available but the tractor has plenty enough horsepower for the future if we need to add a second bowl, it'll be able to pull it. The scraper itself is heavy enough to withstand anything they do with it.

Councilmember Bowl asked what the lead time is. Mr. Mount replied that the scraper tractor is within 60 to 90 days (not guaranteed), but they're hoping to have it done by October. The bowl itself is sometime in 2023. Councilmember Bohl confirmed that they would hold the prices; Steve replied, yes.

Administrator Heath inquired about the weights that were spec'd for the bowl. Mr. Mount replied that the weights on the bowl spec was 20,500 pounds. The Titan came in at 14,400 pounds and he believes the John Deere was 21,600 pounds. Councilmember Bohl asked if the old scraper was going to be traded in. Steve replied, no; staff will probably end up selling it to Big Iron or something like that.

Motion by Councilmember Gillen to approve staff's recommendation and accept a bid from Murphy Tractor for a Current Production Model Ejector Scraper in the amount of \$125,900.00. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

2. Current Production Model Four-Wheel Drive Scraper Tractor – Sanitation Department


Motion by Councilmember Gillen to approve staff's recommendation and accept a bid from Titan Machinery for a 2022 Case IH Steiger 620 SCR Tractor in the amount of \$437,000.00. Second by Councilmember Morrison. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Bohl, Wiedeman, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Backus, O'Neal. Motion carried.

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

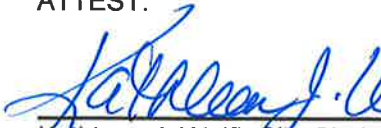
ADJOURN:

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

Meeting adjourned at 6:28 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welfl, City Clerk

