

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

A regular meeting of the City Council of Gering, Nebraska was held in open session on March 14, 2022 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Councilmembers Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. Also present were City Administrator Pat Heath, Administrative Secretary Carol Martin and City Attorney Jim Ellison. Absent were Mayor Kaufman and Councilmembers Smith and Bohl. 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**

Council President Gillen 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.

**Motion by Councilmember O'Neal to approve the absence of Mayor Kaufman from the February 28, 2022 regular City Council meeting. Second by Councilmember Wiedeman. There was no discussion. Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Councilmembers Smith and Bohl. Motion carried.**

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

Council President Gillen 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 Council President. 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 February 28, 2022 regular City Council meeting
2. Approve Claims
3. Approve January, 2022 Financial Report

**Claims 3-1-22 to 3-14-22**

21ST CENTURY EQUIPMENT \$825.93; A & A PORTA POTTIES \$135.00; ACCENT WIRE PRODUCTS \$2,826.43; ACE HARDWARE \$1,531.76; ACUSHNET COMPANY \$3,501.29; ALLEN, RONALD K \$95.00; AL'S TOWING, INC \$125.00; AMAZON CAPITAL SERVICES \$1,112.10; ANDERSON & SHAW CONSTRUCTION \$4,170.00; AULICK INDUSTRIES \$39.30; B & H INVESTMENTS, INC \$79.50; BENZEL PEST CONTROL \$150.00; BEST BOOKS, INC. \$20.95; BH MEDIA GROUP HOLDING, INC. \$46.21; BLACKSTONE AUDIO, INC \$38.94; BLUFFS FACILITY SOLUTIONS \$689.79; BORDER STATES INDUSTRIES, INC \$3,760.01; CALLAWAY GOLF COMPANY \$2,246.06; CITY OF SCOTTSBLUFF \$50,190.40; CITY PAYROLL TRUST \$2,538.77; CONNECTING POINT \$63.48; CONTRACTORS MATERIALS, INC. \$215.00; CORE & MAIN LP \$5,992.12; COZAD SIGNS, LLC \$2,200.00; DAS STATE ACCOUNTING-CENTRAL \$106.66; DHHS DIVISION OF PUBLIC HEALTH \$40.00; DOCU-SHRED LLC \$52.00; DOLAN CONSULTING GROUP \$245.00; DUSTIN KINNAN \$208.00; DUTTON-LAINSON COMPANY \$585.41; EAKES INC \$203.29; ECOLAB \$200.78; ENERGY LABORATORIES INC. \$174.00; FASTENAL COMPANY \$170.17; FEDEX \$248.83; FIRST STATE BANK \$485.04; FLOYD'S TRUCK CENTER, INC. \$443.88; FRANK PARTS COMPANY \$1,057.20; FRASER STRYKER PC LLO \$451.00; FREMONT MOTOR SCOTTSBLUFF, LLC \$86.78; GALLS, AN ARAMARK COMPANY \$268.78; GERING U-SAVE PHARMACY \$269.01; GERING VALLEY PLUMBING & HTG. \$1,310.00; GROUND UP CONSTRUCTION & CLEAN \$678.50; HACH COMPANY \$624.24; HENNING BROTHERS \$83.00; IDEAL LAUNDRY AND CLEANERS, IN \$223.03; INDOFF INCORPORATED \$868.43; INGRAM LIBRARY SERVICES \$1,033.21; INTERNAL REVENUE SERVICE \$39,791.05; INTRALINKS, INC. \$17,757.92; IRBY TOOL & SAFETY \$813.20; J & A TRAFFIC PRODUCTS \$1,485.00; JOHN HANCOCK USA \$13,130.99; JOHN HANCOCK USA FIRE \$655.83; JOHN HANCOCK USA POLICE \$6,193.66; KAREN SUE BRUNTZ \$425.00; KEVIN LEHR \$60.00; LEAGUE ASSOC./RISK MANAGEMENT \$495.20; LIMMER EDUCATION \$179.80; LOGOZ LLC \$936.00; MARRIOTT CORNHUSKER HOTEL \$220.00; MASEK DISTRIBUTING INC \$261.92; MATHESON TRI-GAS INC \$77.10; MEAT SHOPPE \$7,741.78; MENARDS \$456.46; MICHAEL TODD & COMPANY, INC. \$4,664.12; MIDTOWN ANIMAL HOSPITAL, P.C. \$19.50; MOBIUS COMMUNICATIONS COMPANY \$30.00; MUNICIPAL ENERGY AGENCY OF NE \$322,703.40; MUNICIPAL SUPPLY, INC. OF NE. \$9,682.85; MURDOCH'S RANCH & HOME \$236.46; NE CHILD SUPPORT PAYMENT CENTE \$462.93; NE. FIRE CHIEFS ASSOCIATION \$501.00; NMC EXCHANGE LLC \$886.62; NORTH PLATTE NRD \$320.00; NPZA \$20.00; OCLC, INC. \$163.87; ONE CALL CONCEPTS, INC \$52.06; PANHANDLE COOP ASSOCIATION \$8,847.82; PANHANDLE ENVIRONMENTAL SERVIC \$1,496.00; PATTLEN ENTERPRISES, INC \$1,298.05; PAUL W ESSMAN \$19,000.00; PAYROLL 3/11/22 \$124,056.00; POWERPLAN OIB \$1,185.13; R & C WELDING & FABRICATION \$507.50; REAL SIMPLE \$24.00; ROSE EQUIPMENT INC. \$3,006.60; SANDBERG IMPLEMENT, INC. \$388.58; SCB COUNTY REGISTER OF DEEDS \$80.00; SCB. COUNTY SHERIFF OFFICE \$300.22; SCOTTS BLUFF CO BUILDING & ZON \$85.00; SCOTTS BLUFF COUNTY COURT \$71.00; SCOTTSBLUFF-GERING UNITED WAY \$141.75; SHAWNA WINCHELL \$560.00; SIMMONS OLSEN LAW FIRM, P.C. \$1,250.00; SIMON CONTRACTORS \$212.16; SPECTRUM \$912.36; STAPLES CREDIT PLAN \$49.25; STEVE MOUNT \$126.80; SUGAR

VALLEY FEDERAL CREDIT \$528.37; THE TORO COMPANY \$155.00; THOMPSON GLASS, INC. \$23.40; TONY KAUFMAN \$22.50; UNANIMOUS, INC. \$30.00; UNITED STATES POSTAL SERVICE \$265.00; USA BLUE BOOK \$34.51; VALLEY AUTO LOCATORS LLC \$834.43; VERIZON WIRELESS SERVICES, LLC \$1,251.22; VESSCO INC \$1,067.00; W & R INC. \$172.19; WESCO RECEIVABLES CORP. \$16,756.20; WESTERN COOPERATIVE COMPANY \$12,134.89; WESTERN PATHOLOGY CONSULTANTS \$287.00; WESTERN STATES BANK \$26,927.48; WESTERN STATES BANK - POLICE \$516.00; WYOMING BEARING & SUPPLY \$24.00;

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

#### **CURRENT BUSINESS:**

**1. Council to receive the 2021 Annual Audit Report from Dana F. Cole & Co.**

Kevin Sylvester, CPA with Dana F. Cole & Co., presented a review of the 2021 Annual Audit Report after which he stated that in their opinion, the City of Gering complied in all material respects. They did not have any findings. Findings from the previous fiscal year audit were corrected in this fiscal year. A complete copy of the 2021 Annual Audit Report may be obtained at the Office of the City Clerk.

**Motion by Councilmember Morrison to accept the 2021 Annual Audit Report from Dana F. Cole & Co. Second by Councilmember Cowan. There was no discussion. Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith and Bohl. Motion carried.**

**2. Motion to make a nonbinding commitment to proceed with the Sandhills Energy, LLC Solar Project, subject to attorney review of the PPA and Lease Agreements, and formal Council approval**

**Motion by Councilmember Wiedeman to make a nonbinding commitment to proceed with the Sandhills Energy, LLC Solar Project, subject to attorney review of the PPA and Lease Agreements, and formal Council approval. Second by Councilmember O'Neal. There was no discussion. Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith and Bohl. Motion carried.**

**3. Approve and authorize the Mayor to sign a Contract between the City of Gering and Gering Bargaining Unit - Fraternal Order of Police Union**

**Motion by Councilmember Cowan to approve and authorize the Mayor to sign a Contract between the City of Gering and the Fraternal Order of Police Union. Second by Councilmember Morrison. There was no discussion. Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith and Bohl. Motion carried.**

**4. Approve Request for Personnel Committee meeting – Agenda item: Consider modification to Personnel Policy 1.6 Hiring of Relatives, and Policy 2.1 Bereavement Leave**

**Motion by Councilmember Morrison to approve a request for a Personnel Committee meeting with agenda item: Consider modification to Personnel Policy 1.6 Hiring Relatives, and Policy 2.1 Bereavement Leave. Second by Councilmember Wiedeman. There was no discussion. Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith and Bohl. Motion carried.**

**BIDS:**

**1. Ballpark Substation Steel Structure Bid – Electric Department**

**Motion by Councilmember Morrison to approve ESC Engineering and staff's recommendation to accept a bid from Klute, Inc. in the amount of \$74,198.57 for the ballpark substation steel structure. Second by Councilmember Wiedeman.**

**Discussion:** Councilmember O'Neal referenced notes in red at the bottom of page 4 and asked if the City needed to get bids for what was referenced; she did not understand what the "flat plate welded together" was. Administrator Heath replied, there is a plate they have to put in; instead of bending it, they can put a plate in and weld it on. There is nothing else that has to go in lieu of that; the engineer approved that.

**Council President Gillen called the vote. "AYES": Gillen, Backus, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Councilmembers Smith and Bohl. Motion carried.**

**2. Emergency Purchase of Diesel and Gasoline Fuel Bids**

**Motion by Councilmember O'Neal to approve the emergency purchase of fuel; 38,400 gallons of diesel from Westco at \$3.765 per gallon and 22,000 gallons of gasoline from Panhandle Coop at \$3.507 per gallon. Second by Councilmember Cowan.**

**Discussion:** Administrator Heath clarified why this was an emergency purchase. With the volatility in the fuel markets, increasing prices, and the expectation that prices will continue to rise, this will get us through the end of the fiscal year. This lock-in price does include the state tax. The City is locked into these prices; staff felt this was the best option at this time as fuel prices will continue to rise.

Councilmember Wiedeman asked if there was a conflict of interest since she is employed at Panhandle Coop. City Attorney Jim Ellison indicated there is no legal conflict of interest.

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


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

**ADJOURN:**

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

Meeting adjourned at 6:36 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk



  
Mark A. Kaufman, Mayor