

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
MARCH 22, 2021**

A regular meeting of the City Council of Gering, Nebraska was held in open session on March 22, 2021 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison and Cowan. Councilmember Morrison was present via video/teleconference per an Executive Order issued by Governor Ricketts. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the attendance of the public except as otherwise indicated.

CALL TO ORDER

Mayor Kaufman called the meeting to order at 6:00 p.m. and stated that there was a quorum of the Council present and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Oath of Office for newly appointed Ward IV Councilmember, Cody Bohl

The Clerk administered the Oath of Office to newly appointed Councilmember, Cody Bohl.

3. Roll Call
4. 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:

(Items under the Consent Agenda are proposed for adoption by one action for all items unless any member of Council requests that an item be considered separately.)

1. Approve minutes of the March 8, 2021 regular City Council meeting
2. Approve Claims
3. File for record Quitclaim Deed from City of Gering to Reed & Wilson Investments, L.L.C.
4. File for record Release of Assessment Lien pertaining to 730 10th Street, Gering, NE

Claims 3-9-21 to 3-18-21

ACTION COMMUNICATIONS, INC. \$23.82; AMAZON CAPITAL SERVICES, INC \$71.50; B & C STEEL \$180.17; B & H INVESTMENTS, INC \$55.00; BAKER & ASSOCIATES, INC. \$1,323.00; BENZEL CONSTRUCTION \$56.71; BENZEL PEST CONTROL \$160.50; BH MEDIA GROUP HOLDING, INC. \$821.72; BLACKSTONE AUDIO, INC \$34.94; BLUFFS FACILITY SOLUTIONS \$251.10; BORDER STATES INDUSTRIES, INC \$597.94; CALLAWAY GOLF COMPANY \$2,252.84; CITY PAYROLL TRUST \$2,342.60; CONNECTING POINT \$2,377.00; CORE & MAIN LP \$4,378.14; CROWLEY FLECK PLLP \$2,004.50; DHHS DIVISION OF PUBLIC HEALTH \$40.00; DYKES OIL INC. \$47.68; ECOLAB \$154.36; ELLISON, KOVARIK & TURMAN LAW \$8,648.75; ENVIRONMENTAL ANALYSIS SOUTH, \$475.00; FASTENAL COMPANY \$139.89; FEDEX \$292.65; FIRST STATE BANK \$339.96; FLOYD'S TRUCK CENTER, INC. \$163.32; FRANCISCOS BUMPER TO BUMPER IN \$170.00; FRANK PARTS COMPANY \$244.66; FRASER STRYKER PC LLO \$12,228.50; FYR-TEK, INC. \$553.92; GALE \$258.56; GALL'S INC. \$360.00; GERING VALLEY PLUMBING & HTG. \$598.80; GUNS & AMMO \$18.00; HARBOR FREIGHT TOOLS \$43.97; HAWKINS, INC. \$4,145.60; HEARTLAND BANK \$250.00; HIGHLAND PRODUCTS GROUP, LLC \$1,210.00; IDEAL LAUNDRY AND CLEANERS, IN \$227.98; INDEPENDENT PLUMBING & HEATING \$5.02; INDOFF INCORPORATED \$1.86; INFINITY CONSTRUCTION INC. \$4,673.00; INGRAM LIBRARY SERVICES \$1,235.60; INTERNAL REVENUE SERVICE \$42,222.33; INTERSTATE BATTERIE/RAPID CITY \$(272.95); INTRALINKS, INC. \$928.41; IRBY TOOL & SAFETY \$1,359.97; J. G. ELLIOTT INSURANCE CENTER \$1,750.00; JOHN HANCOCK USA \$13,983.29; JOHN HANCOCK USA FIRE \$613.17; JOHN HANCOCK USA POLICE \$6,015.70; JUSTIN KL BERNHARDT \$100.00; KANSAS GOLF & TURF INC \$956.01; KAPCO \$218.35; KAREN SUE BRUNTZ \$425.00; KEVIN LEHR \$250.00; LEAGUE OF NE. MUNICIPALITIES \$165.00; LOGOZ LLC \$611.00; MB KEM ENTERPRISE \$179.00; MEAT SHOPPE \$9,135.16; MENARDS \$456.04; MICAH SCHROEDER \$46.00; MID-AMERICA GOLF & LANDSCAPE I \$8,239.73; MIZUNO USA, INC. \$436.55; MONEY WISE OFFICE SUPPLY \$233.71; MUNICIPAL ENERGY AGENCY OF NE \$342,397.16; MUNICIPAL SUPPLY, INC. OF NE. \$4,016.50; MURPHY TRACTOR & EQUIPMENT CO. \$5,936.70; NE CHILD SUPPORT PAYMENT CENTE \$462.93; NE DEPT. ENVIRONMENTAL QUALITY \$150.00; NEBRASKA PUBLIC POWER DIS \$1,651.53; NEBRASKA RURAL RADIO ASSOC. \$583.18; NKC TIRE \$340.13; PANHANDLE COOP ASSOCIATION \$172.00; PANHANDLE ENVIRONMENTAL SERVIC \$670.00; PAYROLL 3/12/21 \$124,670.31; PIPE WORKS PLUMBING LLC \$279.39; PONY EXPRESS STATION \$340.00; POSTMASTER \$245.00; ROGER BEITEL \$500.00; RR DONNELLEY RECEIVABLES, INC. \$149.86; SANDRY FIRE SUPPLY \$10.00; SC BLANTON ENTERPRISES, LLC \$650.00; SCOTTS BLUFF COUNTY COURT \$119.00; SCOTTSBLUFF-GERING UNITED WAY \$128.75; SHAWNA WINCHELL \$390.00; SIMMONS OLSEN LAW FIRM, P.C. \$2,105.00; SIMON CONTRACTORS \$1,194.35; SMITHSONIAN \$34.00; SPEAK WRITE \$1,540.48; SUGAR VALLEY FEDERAL CREDIT \$528.37; TAYLOR MADE GOLF COMPANY \$392.16; THE ROCK PILE \$566.89; THERESA E MADDEN \$927.60; TRANSUNION RISK AND ALTERNATIV \$75.00; VERIZON CONNECT \$38.38; VERIZON WIRELESS SERVICES, LLC \$249.68;

W & R INC. \$535.91; WESTERN COOPERATIVE COMPANY \$15,046.24; WESTERN STATES BANK \$12,240.10; WESTERN STATES BANK - POLICE \$550.00; WYOMING BEARING & SUPPLY \$197.58

Mayor Kaufman noted that Councilmember Bohl may have a perceived conflict of interest. Councilmember Bohl then declared a perceived conflict of interest regarding his employment at Floyd's Truck Center. Although he is currently an employee of Floyd's, he does not have an ownership interest in Floyd's, and he does not have a direct pecuniary interest in the City's business with Floyd's. It is our City Attorney's opinion that he does not have a legal conflict. The City Attorney recommends that the Council vote to acknowledge the perceived conflict, but declare that it is not a legal conflict that would prevent Councilmember Bohl from voting on this or future similar items.

Motion by Councilmember O'Neal to acknowledge Councilmember Bohl's perceived conflict, but to declare that it is not a legal conflict that would prevent him from voting on this or future similar items. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

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

PUBLIC HEARINGS: None.

BIDS:

1. Award bid for 2021 Concrete Street Improvements - Twin Cities Drive

City Engineer, Annie Folck, stated that the City received one bid from Infinity Construction. The original project bid was for Twin Cities Drive, for a total cost of \$73,709.00, which was well below the engineer's estimate of \$107,590.

Motion by Councilmember Gillen to award the Concrete Street Improvements bid to Infinity Construction in the amount of \$73,709.00. Second by Councilmember Wiedeman. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Award bid for 2021 Asphalt Street Improvements - HMA overlay on Holly Drive and 'A' Street

Annie Folck stated that the City received one bid from Simon Contractors in the amount of \$170,520. This was consistent with the engineer's estimate within 3%. It was also well below the amount budgeted for the projects, which was \$242,342.90.

Motion by Councilmember Gillen to award the Asphalt Street Improvement bid to Simon Contractors in the amount of \$170,520.00. Second by Councilmember Wiedeman. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

CURRENT BUSINESS:

1. Approve appointment of Councilmember Bohl to Council Standing Committees:

- Member of the Public Safety Committee
- Member of the Public Works Committee
- Vice-Chair of the Recreation Committee
- Alternate to the Administrative Committee

Motion by Councilmember O'Neal to approve the appointment of Councilmember Bohl to Council Standing Committees including: Member of the Public Safety Committee, Member of the Public Works Committee, Vice-Chair of the Recreation Committee and Alternate to the Administrative Committee. Second by Councilmember Gillen. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

2. Approve appointment of Councilmember Bohl as Council Liaison to the Airport Authority

Motion by Councilmember Gillen to approve the appointment of Councilmember Bohl as Council Liaison to the Airport Authority. Second by Councilmember Morrison. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

REPORTS:

1. PADD Liaison Report – Administrator Heath

Administrator Heath presented a Liaison report on Panhandle Area Development District:

Landlord Assistance Program

- PADD administered a Landlord Assistance Program Grant that assisted landlords that serve low to moderate income residents that have been affected by COVID-19.
- There were seven landlords in Gering that applied and were given assistance from this program.

Brownfields Grant

- PADD is administrating the assessment grants for Phase 1 & 2 on the WESTCO/Kelley Bean Properties.
- This fall, the City, PADD and Panhandle Public Health are partnering on a grant application for the cleanup of the WESTCO/Kelley Bean Properties.

Panhandle Planning Workshop

- PADD assisted the City of Gering and City of Alliance with the Panhandle Planning Workshop.
- This annual workshop is training for Planning Commission members and staff from Panhandle communities on planning and zoning issues.
- In a typical year, approximately 35-40 persons attend this workshop.

Newsletter

- For information on PADD's activities Panhandle-wide, the PADD 2020 newsletter was emailed to Council.

OPEN COMMENT SECTION: None.

Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

ADJOURN:

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

Meeting adjourned at 6:17 p.m.



Kathleen J. Welfl, City Clerk

Mark A. Kaufman, Mayor