

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
MAY 9, 2022**

A regular meeting of the City Council of Gering, Nebraska was held in open session on May 9, 2022 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, Cowan. 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 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 Gillen to excuse the absence of Councilmember Backus from the April 25, 2022 regular City Council meeting. Second by Councilmember Smith. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.**

**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 April 25, 2022 regular City Council meeting
2. Approve Claims

**Claims 4-26-22 to 5-9-22**

21ST CENTURY EQUIPMENT \$22.24; AC ELECTRIC MOTOR SERVICE \$685.59; ACE HARDWARE \$104.30; ACUSHNET COMPANY \$1,101.68; AMAZON CAPITAL SERVICES \$54.27; AMERICAN LEGION POST #36 \$4,730.00; B & S RASK GRILL \$4,121.28; BENZEL PEST CONTROL \$150.00; BH MEDIA GROUP HOLDING, INC. \$84.96; BLACK HILLS ENERGY \$1,877.11; BLACKBURN MANUFACTURING CO. \$288.68; BLUFFS FACILITY SOLUTIONS \$260.88; BORDER STATES INDUSTRIES, INC \$8,312.19; CALLAWAY GOLF COMPANY \$119.76; CENGAGE LEARNING/GAGE \$22.39; CITY PAYROLL TRUST \$2,542.77; CONNECTING POINT \$46.39; CONTRACTORS MATERIALS, INC. \$164.30; DANKO EMERGENCY EQUIPMENT CO \$1,849.44; DAS STATE ACCOUNTING-CENTRAL \$82.01; DEARBORN LIFE INSURANCE COMPAN \$144.48; DITCH WITCH OF WEST TEXAS, INC \$455.68; DOCU-SHRED LLC \$26.00; DUTTON-LAINSON COMPANY \$2,980.02; EAKES INC \$212.81; ECOLAB \$120.84; EXPRESS TOLL \$22.25; FASTENAL COMPANY \$204.02; FAT BOYS TIRE & AUTO \$1,352.90; FIRST STATE BANK \$509.84; FRANK PARTS COMPANY \$439.60; FRASER STRYKER PC LLO \$246.00; FRESH FOODS INC. \$7.43; FYR-TEK, INC. \$1,132.16; GREATAMERICA FINANCIAL SERVICE \$100.00; GROUND UP CONSTRUCTION & CLEAN \$678.50; HACH COMPANY \$304.46; HARRINGTON INDUSTRIAL PLASTICS \$611.72; HENNING BROTHERS \$166.00; HIGH PLAINS BUDWEISER \$720.00; IDEAL LAUNDRY AND CLEANERS, IN \$309.09; INDOFF INCORPORATED \$374.75; INGRAM LIBRARY SERVICES \$1,742.93; INTERNAL REVENUE SERVICE \$41,450.67; INTRALINKS, INC. \$4,003.76; IPMA-HR \$565.00; JACK'S UNIFORMS & EQUIPMENT \$704.19; JANA L. BODE \$4,760.00; JOHN HANCOCK USA \$13,745.35; JOHN HANCOCK USA FIRE \$597.33; JOHN HANCOCK USA POLICE \$6,688.96; LORI MUHR \$75.00; MATHESON TRI-GAS INC \$101.63; MEAT SHOPPE \$34,812.34; MENARDS \$179.46; MIKE DAVIES \$300.00; MOBIUS COMMUNICATIONS COMPANY \$30.00; MUNICIPAL SUPPLY, INC. OF NE. \$1,434.97; NE CHILD SUPPORT PAYMENT CENTE \$462.93; NEB DEPT OF ENVIRONMENT AND EN \$150.00; NEBRASKA GOLF ASSOCIATION \$3,460.00; NEBRASKA SECRETARY OF STATE \$30.00; NKC TIRE \$81.00; NMC EXCHANGE LLC \$54.28; NORTHWEST PIPE FITTINGS, INC \$397.38; OCLC, INC. \$163.87; ONE CALL CONCEPTS, INC \$94.48; PANHANDLE COOP ASSOCIATION \$8,055.33; PANHANDLE ENVIRONMENTAL SERVIC \$1,682.00; PATTLEN ENTERPRISES, INC \$379.75; PAYROLL 5/6/22 \$132,491.73; PING INC \$102.49; PLATTE RIVER GLASS \$244.00; PLATTE VALLEY VAC & SEW \$182.35; POWERPLAN OIB \$849.05; PRECISION AIR \$850.00; PV BUSINESS SOLUTIONS \$298.50; SAFELITE FULFILLMENT, INC. \$432.74; SANDBERG IMPLEMENT, INC. \$273.28; SARAH WYNN \$425.00; SARGENT DRILLING CO. \$5,363.50; SCB. COUNTY SHERIFF OFFICE \$29.36; SCB/GERING UNITED CHAMBER OF \$215.00; SCOTTS BLUFF CO. CONSOLIDATED \$170.00; SCOTTSBLUFF-GERING UNITED WAY \$141.75; SHAWNA WINCHELL \$820.00; SIMON CONTRACTORS \$3,040.38; SOLUTIONS EAP \$244.55; STAPLES CREDIT PLAN \$374.96; SUGAR VALLEY FEDERAL CREDIT \$528.37; TAYLOR MADE GOLF COMPANY \$999.90; TRIHYDRO CORPORATION \$23,730.00; TROY & LISA WEBORG \$2,974.32; TYLER TECHNOLOGIES \$12,772.50; VALLEY AUTO LOCATORS LLC \$487.74; VERIZON WIRELESS SERVICES, LLC \$1,136.03; WALMART COMMUNITY/SYNCB \$21.64; WESCO RECEIVABLES CORP. \$33,445.38; WESTERN COOPERATIVE COMPANY \$12,425.66; WESTERN STATES BANK \$24,678.16; WESTERN STATES BANK - POLICE \$516.00; WESTERN UNITED ELECTRIC \$58,879.70; WYOMING BEARING & SUPPLY \$219.04

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

**CURRENT BUSINESS:**

**1. Request for Personnel Committee meeting, agenda item: Discussion of Pay Resolution**

**Motion by Councilmember Morrison to approve a request for a Personnel Committee meeting with agenda item: Discussion of Pay Resolution. Second by Councilmember O’Neal. There was no discussion. Mayor Kaufman called the vote. “AYES”: Smith, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.**

**2. Approve Resolution 5-22-1 regarding City of Gering Firefighters’ Pension Plan Trustee**

**ADOPTING RESOLUTION 5-22-1**

The undersigned representative of the City of Gering, Nebraska (the Employer) hereby certifies that the following resolutions were duly adopted by the Governing Body of the City of Gering on May\_\_\_\_\_, 2022 and that such resolutions have not been modified or rescinded as of the date hereof:

**RESOLVED**, that effective May\_\_\_\_\_, 2022, the individual(s) listed below will be appointed Trustee of the City of Gering, Nebraska Firefighters’ Pension Plan (the “Plan”):

These individual(s) are authorized to represent and to act for and on the behalf of the City’s matters falling within the scope of the functions and duties as outlined under the Plan.

**RESOLVED**, that Ann Palm, Human Resource Director, is hereby authorized to execute, on behalf of the Employer, all documents necessary to effect the changes authorized herein. Any previous Trustee of the City of Gering, Nebraska Firefighters’ Pension Plan, is hereby revoked.

PASSED AND APPROVED THIS \_\_\_\_\_ day of May, 2022

\_\_\_\_\_  
Mark A. Kaufman  
ATTEST:

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

**Motion by Councilmember Cowan to approve Resolution 5-22-1 regarding the City of Gering Firefighters’ Pension Plan Trustee. Second by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. “AYES”: Smith, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.**

**BIDS:**

**1. Envirosight Pro-18 Rovver X Camera System bid – Wastewater Department**

**Motion by Councilmember Bohl to approve staff’s recommendation and accept a bid from Macqueen Equipment through Sourcewell for an Envirosight Pro-18 Camera System in the amount of \$99,208.25. Second by Councilmember Smith.**

**Discussion:** Public Works Director, Mike Davies, stated that staff are replacing a camera from 2005 because of recording issues with the old one. There are numerous issues with the lighting and track mechanism. A new camera was budgeted in the FY22 budget, however, prices have gone up since last year and prices will be going up again this month. This bid came from Sourcewell. Staff looked at other options but they did not meet the needed specifications. The difference between what was budgeted and the actual cost will come out of the Stormwater line item. This equipment is not only used for Wastewater but also used for stormwater throughout the City. We’re looking at six weeks for delivery. Prices keep going up, so it was important to get this approved as soon as possible.

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

**2. Approve Amended Equipment and Materials Bid for Ballpark Substation**

City Engineer, Annie Folck, stated as Council will remember, this bid was awarded at the last Council meeting. Staff went back and notified the engineer the City is working with the very next day and he contacted the vendor and they came back to him and said that they were not able to hold those prices

until that point. They came back with a new price that they're saying is good through tomorrow, May 10. Staff had some major concerns about this because at that point, those bid numbers were public. Staff checked with legal to find out if we could even do that, if it was even an option. Legal said it is an option; they recommended rebidding it unless staff felt it was in the City's best interest to go ahead and go with this new price. Unfortunately, after checking on some things, and considering the current environment and supply chain issues, staff are pretty certain that if we wait to award this or if it's rebid, we're going to have a longer timeline of getting these items and a higher price. Prices are not going to go down if we rebid this. Staff feel that this option, while it's not ideal, is the City's best option for moving forward with this project.

Councilmember Morrison asked City Attorney, Jim Ellison, when the City goes out for these bids, and the bidder sends us prices, is there nothing in a legal contract that we can do that says "that's the price" (so this doesn't happen again) or is that not possible? Mr. Ellison replied that one way to handle it would be in the RFPs, or the bidding process, we could try to specify that if they make a bid, it's got to be held for a certain amount of time; there would be a way to do that. City Engineer Folck stated that staff typically do that, the problem with the environment right now is people won't bid it. They won't bid it if we ask them to hold a price for an extended amount of time. She stated that the City did not prepare contract documents on this bid because it's through ESC Engineering.

Councilmember Bohl asked if the unforeseen issues are more on the supplier's side. Ms. Folck replied that the unforeseen issues were on the engineer's side. Staff had hoped to have this on the first meeting in April after the bid opening. They had some personal issues and were unable to evaluate the bids to make sure everything met spec before that meeting. City staff had to push it to the second meeting in April, which is what ended up making it past the period where the vendor would hold the prices.

Administrator Heath stated that in the environment we're in, he thinks we're going to continue seeing this. Staff do their best to have bid openings as close to the Council meeting as possible so a decision can be made. Vendors can't hold prices like they used to with supply-chain issues and inflation going up so much.

Councilmember O'Neal stated that her only problem with this is that they were able to see the rest of the bids, and they still came in lower, but significantly higher than their first bid – so they could still have the bid but make more money.

**Motion by Councilmember Smith to approve staff's recommendation and accept an amended bid from Border States Electric for equipment and materials for the ballpark substation in the amount of \$253,725.38, which is a difference of \$6,571.55 from the bid that was approved on April 25, 2022. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.**

**PUBLIC HEARINGS:** None

**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": Smith, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.**

Meeting adjourned at 6:13 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk



  
Mark A. Kaufman, Mayor