

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

A regular meeting of the City Council of Gering, Nebraska was held in open session on November 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

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 Morrison to approve the absence of Councilmember Bohl from the October 24, 2022 regular City Council meeting. 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.

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 October 24, 2022 regular City Council meeting
2. Approve Claims

CLAIMS 10/25/22 – 11/14/22

A & A PORTA POTTIES \$300.00, AC ELECTRIC MOTOR SERVICE \$434.41, ACE HARDWARE \$1,113.53, ACE INDUSTRIAL SUPPLY, INC \$302.90, ACUSHNET COMPANY \$840.87, ALLO COMMUNICATIONS \$2,397.42, ALTEC INDUSTRIES, INC. \$12,665.52, AMAZON CAPITAL SERVICES \$456.76, AMERITAS LIFE INSURANCE COPR. \$601.92, ANDERSON & SHAW CONSTRUCTION \$8,000.00, AXON ENTERPRISE, INC \$13,748.05, B & H INVESTMENTS, INC \$377.50, BEEHIVE INDUSTRIES LLC \$17,568.00, BENEFIT PLANS, INC \$236.00, BENZEL PEST CONTROL \$150.00, BIG MACK HEATING & COOLING \$343.32, BLACK HILLS ENERGY \$621.41, BLUFFS FACILITY SOLUTIONS \$584.93, BORDER STATES INDUSTRIES, INC \$21,322.58, BOX BUTTE COUNTY COURT \$325.52, BRETT WALTER \$200.00, CALLAWAY GOLF COMPANY \$231.96, CITY OF GERING \$774.80, CLARK PRINTING LLC \$1,967.20, CLEVELAND GOLF/SRIXON \$342.00, COMFORT INN-KEARNEY \$98.00, CONNECTING POINT \$64.81, CONSOLIDATED MANAGEMENT COMPAN \$33.15, CONTRACTORS MATERIALS, INC. \$135.00, CORE & MAIN LP \$895.97, CRESCENT ELECTRIC SUPPLY CO. \$37.21, CROELL, INC \$2,953.50, CROSSCOUNTRY COURIER INC \$173.98, DANKO EMERGENCY EQUIPMENT CO \$10,711.91, DAS STATE ACCOUNTING-CENTRAL \$59.67, DEARBORN LIFE INSURANCE COMPAN \$261.44, DEINES IRRIGATION \$140.00, DOCU-SHRED LLC \$60.00, DUSTIN FANKHAUSER \$33.00, DUTTON-LAINSON COMPANY \$1,240.83, DYKES OIL INC. \$40.35, EAKES INC \$465.03, EAST WEST BOOKS \$112.95, ECOLAB \$79.94, ELLISON, KOVARIK & TURMAN LAW \$5,648.75, ENERGY LABORATORIES INC. \$636.90, ENTRUST SOLUTIONS GROUP \$120,780.00, ENVIRON.COMPLIANCE SOLUTIONS, \$1,285.00, ENVIRONMENTAL ANALYSIS SOUTH, \$1,028.00, ESO SOLUTIONS, INC \$1,145.00, FASTENAL COMPANY \$850.11, FAT BOYS TIRE & AUTO \$768.95, FEDEX \$39.54, FIRST NATIONAL BANK OMAHA - POLICE \$550.00, FLOYD'S TRUCK CENTER, INC. \$5,779.58, FRANCISCOS BUMPER TO BUMPER IN \$220.00, FRANK PARTS COMPANY \$1,800.52, FRASER STRYKER PC LLO \$2,727.00, FREMONT MOTOR SCOTTSBLUFF, LLC \$9.00, FRESH FOODS INC. \$15.35, FYR-TEK, INC. \$780.57, GALLS, AN ARAMARK COMPANY \$964.15, GERING U-SAVE PHARMACY \$31.42, GROUND UP CONSTRUCTION & CLEAN \$678.50, GWORKS \$6,057.00, HARBOR FREIGHT TOOLS \$65.47, HODGES & IRVINE \$335.00, IDEAL LAUNDRY AND CLEANERS, IN \$312.60, INDEPENDENT PLUMBING & HEATING \$19.50, INDOFF INCORPORATED \$460.94, INGRAM LIBRARY SERVICES \$529.92, INLAND TRUCK PARTS CO. \$11.18, INTERNAL REVENUE SERVICE \$42,554.66, INTERNATIONAL INST OF MUNICIPAL \$360.00, INTERSTATE BATTERIE/RAPID CITY \$289.90, INTRALINKS, INC. \$11,644.50, IRBY TOOL & SAFETY \$360.53, J RODZ \$75.00, J.D.'S ACE BODY SHOP \$350.00, JAMES JACKSON \$448.74, JASON ROGERS \$213.00, JM STUCCO \$1,000.00, JOHN HANCOCK USA \$13,625.99, JOHN HANCOCK USA FIRE \$657.23, JOHN HANCOCK USA POLICE \$7,207.34, JOHNSON CASHWAY CO. \$14.99, JULIE & PATRICK HAMMACK \$2,230.00, JUNIOR LIBRARY GUILD \$54.00, KAPCO \$103.70, LEE ENTERPRISES \$2,103.96, LOGOZ LLC \$56.00, LOOKOUT BOOKS \$200.50, LOST RIVER SAND & GRAVEL, INC \$1,780.11, MASEK DISTRIBUTING INC \$657.50, MATHESON TRI-GAS INC

\$144.16, MAXWELL PRODUCTS INC. \$28,469.80, MEAT SHOPPE \$20,552.14, MELISSA LEWIS \$20.00, MENARDS \$424.07, MOBIUS COMMUNICATIONS COMPANY \$30.00, MUNICIPAL ENERGY AGENCY OF NE \$268,890.43, MURDOCH'S RANCH & HOME \$69.98, MURPHY TRACTOR & EQUIPMENT CO. \$125,900.00, MUTUAL OF OMAHA \$4,110.84, NATIONAL FIRE PROTECTION ASSN \$175.00, NATIONAL GEOGRAPHIC SOCIETY \$39.00, NE CHILD SUPPORT PAYMENT CENTE \$640.18, NE SAFETY/FIRE EQUIPMENT, INC \$895.00, NEBRASKA FOREST SERVICE \$525.00, NEBRASKA MUNICIPAL POWER POOL \$6,710.00, NEBRASKA RURAL WATER ASSOC. \$150.00, NEBRASKA STATEWIDE ARBORETUM \$350.00, NKC TIRE \$165.99, NORTHWEST PIPE FITTINGS, INC \$17.00, NORTHWESTERN UNIVERSITY \$4,200.00, NSPIRE TODAY! \$275.00, OCLC, INC. \$171.34, OLD REPUBLIC SURETY GROUP \$355.00, ONE CALL CONCEPTS, INC \$101.62, PAGE MY CELL LLC \$600.00, PANHANDLE CONCRETE PROD. INC. \$131.00, PANHANDLE COOP ASSOCIATION \$15,547.81, PANHANDLE ENVIRONMENTAL SERVIC \$2,387.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PANHANDLE REGIONAL DEVELOPMENT \$50.00, PATRICK HAMMACK \$430.00, PING INC \$1,480.46, PLATTE VALLEY BANK \$22,890.00, POWERPLAN OIB \$1,211.88, PT HOSE AND BEARING \$106.01, RANDY RAINES \$1,350.00, RED BARN SHOP, LLC \$622.99, REGION 22 EMERGENCY MANAG \$3,243.69, REGIONAL CARE INC. \$137,089.78, RIVERSTONE BANK \$596.37, SANDBERG IMPLEMENT, INC. \$789.02, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTTS BLUFF COUNTY COURT \$121.00, SCOTTS BLUFF COUNTY TREASURER \$376,165.77, SCOTTSBLUFF-GERING UNITED WAY \$141.75, SENIOR CITIZENS CENTER \$1,200.00, SHAWNA WINCHELL \$1,080.00, SIMMONS OLSEN LAW FIRM, P.C. \$2,970.00, SIMON CONTRACTORS \$2,550.26, SMART APPLE MEDIA \$305.47, SOLUTIONS EAP \$244.55, SOUTHWESTERN EQUIPMENT COMPANY \$7,333.85, SPEAK WRITE \$545.22, STAPLES CREDIT PLAN \$104.97, STEVE SHAW \$32.00, SUGAR VALLEY FEDERAL CREDIT \$528.37, TAYLOR MADE GOLF COMPANY \$386.36, TEAM CHEVROLET \$375.00, TERRY CARPENTER, INC. \$650.00, TINA LUZ \$100.00, TRANSUNION RISK AND ALTERNATIV \$75.00, TREATMENT TECHNOLOGY \$445.34, TRIHYDRO CORPORATION \$474.50, TWIN CITY AUTO, INC \$342.07, TYLER TECHNOLOGIES \$390.00, TYNDALE \$34.40, UNANIMOUS, INC. \$115.00, VALLEY AUTO LOCATORS LLC \$374.21, VERIZON WIRELESS SERVICES, LLC \$1,246.58, WALTER FIELD REPAIR \$6,740.82, WESTERN COOPERATIVE COMPANY \$14,425.03, WESTERN STATES BANK \$8,012.47, TOTAL \$1,425,923.22

Motion by Councilmember Wiedeman to approve the Consent Agenda. 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.

BIDS/PROPOSALS:

1. 2023 Wheel Loader Bid – Transportation Department

Transportation Superintendent Dahlgren stated that staff took bids off the State Bid and Sourcewell. Bids were received from Titan Machinery which is Case, Murphy Tractor which is John Deere and Nebraska Machinery which is CAT. Murphy Tractor came in with the low bid of \$245,250 less trade-in of \$59,000 for a total of \$186,250. It will be the next size bigger loader than what his department currently has. \$300,000 was budgeted; they are happy with the bid and recommend awarding it to Murphy Tractor.

Motion by Councilmember Gillen to approve a 2023 Wheel Loader Bid for the Transportation Department through Sourcewell in the amount of \$186,250 after trade-in. 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. Municipal Swimming Pool Paint Restoration Bid – Parks and Recreation Department

Parks and Recreation Director Seiler stated that staff worked with Miller & Associates out of Kearney to put together a request for bids. Two bids were received. One bid was for \$84,381.25 from Mongan Painting and the other bid was for \$71,767.00 from Miller Painting & Decorating. Staff are recommending that the City accepts the lower bid from Miller Painting & Decorating. Councilmember Morrison asked if the City has ever worked with either of these companies before. Ms. Seiler replied that she has never worked with them. Miller & Associates indicated that both companies are reputable and either would be qualified to do the job. Councilmember Morrison noted that the guarantee was only for two years. Ms. Seiler replied that there has been a significant crack in the pool for quite some time; she doesn't have the historical knowledge or records right off-hand. Street Superintendent Dahlgren stated that relating to concrete, that's actually a pretty good guarantee. It would maybe be one year on a street. Dealing with concrete, there wouldn't be a longer warranty. Ms. Seiler stated that the major cost in this is the painting, prepping and the repair in the pool as well as the sandblasting. The Engineer's estimate was \$85,000; the bid came in under the Engineer's estimate. \$175,000 was originally budgeted in that particular sinking fund but that includes fixing issues in the bath house, some electrical issues and any emergency repairs that might come up. Councilmember Bohl asked if there is any idea of what kind of lifespan this will buy. Ms. Seiler replied that they feel the condition of our pool is actually very good. They feel with a painting and renovation of the pool

it will probably last another 10 to 15 years, if not 20 years - if staff care for the pool properly and do all the maintenance as recommended.

Motion by Councilmember O’Neal to approve the Municipal Swimming Pool Paint Restoration Bid for the Parks and Recreation Department in the amount of \$71,767.00 through Miller Painting and Decorating, Inc. and approve and authorize the Mayor to sign an agreement between the City of Gering and Miller Painting and Decorating, Inc. for said services. 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.

3. Proposal for Engineering Services for the Municipal Solid Waste Permit Renewal for the Gering Landfill – Sanitation Department

City Engineer Folck stated the City’s existing landfill operates under a Solid Waste Permit through the Department of Environment and Energy. This permit has to be renewed every five years. It expires in August of 2023. We don’t wait until then to get this done because if there’s a public hearing requested or some of those things, we have to have everything in to the Department much earlier than that. Right now staff is working to line up a consultant to make sure they’re able to have all of this done in the correct timeframe. Staff is proposing that the City work with SCS Engineers; they are the engineers that did the last permit renewal. They have a lot of the historical information on the landfill. The last permit renewal they did was for \$45,000 in 2017. They are proposing they add in an inflation factor and are going to charge \$49,400 for this renewal. Staff is recommending the Council approve the proposal from SCS Engineering.

Motion by Councilmember Gillen to approve and authorize the Mayor to sign Master Services Agreement by and between Stearns, Conrad and Schmidt, Consulting Engineers Inc. dba SCS Engineers and the City of Gering as well as a Work Order pursuant to the Master Services Agreement between SCS Engineers and the City of Gering, Nebraska for Professional Services in the amount of \$49,400. 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.

CURRENT BUSINESS:

1. Approve Resolution 11-22-1 regarding Gering Civic Center Rates

Resolution 11-22-1

WHEREAS, The Gering City Council, Gering, Nebraska shall establish cost of services at the Gering Civic Center.

WHEREAS, The Cost of Services at the Gering Civic Center shall be as follows:

NON-PUBLIC ROOM RENTAL RATES

(Per function per day)

<u>Room</u>	<u>Fee</u>
Grand Ballroom	\$970.00
Oregon Trail	\$280.00
Wildcat	\$150.00
Dome Rock	\$150.00
Chimney Rock	\$150.00
Pony Express	\$ 80.00
Pioneer	\$ 80.00
Platte River	\$ 80.00
Robidoux Board Room	\$ 55.00

(Food and beverage charges will apply towards room rental for non-public events only).

PUBLIC ROOM RENTAL RATES

(\$550.00 minimum per function per day)

<u>Room</u>	<u>Public Exhibit Rental Rates</u>
Grandball Room	\$1450.00
Oregon Trail	\$550.00 (Maximum 12 hours) \$ 50.00 each additional hour \$225.00 each additional room

MINIMUM FOOD SERVICE CHARGES

Minimum food service on nights & Saturdays	\$300.00
Minimum food service on Sundays	\$500.00

Functions not scheduled during normal business hours of 8:00 a.m. – 5:00 p.m. Monday through Friday or on weekends are subject to a facility charge of \$150.00.

AUDIO VISUAL

Flip chart & markers	\$15.00
LCD Projector	\$10.00 per projector
Satellite conference (includes rental of LCD monitor)	\$50.00
Bose sound system without staff support	\$75.00
Bose Sound System with staff support	\$75.00 + \$25.00 per hour

ACCESSORIES

Dance floor	\$150.00 (minimum charge)
8' table with cloth and skirting	\$ 12.00
Card table with cloth	\$ 6.00
Staging (4'x8'x24" sections)	\$ 5.00 per 4' x 8' section
Punch fountain	\$ 25.00

OFFICE SERVICES

Fax service	\$1.00 per page
Copies	\$.25 per page

NOW THEREFORE BE IT RESOLVED that effective January 1, 2023, the City of Gering shall charge the aforementioned fees at the Gering Civic Center.

Adopted this ____ of _____, 2022

Mark A. Kaufman, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember Morrison to approve Resolution 11-22-1 regarding amended Gering Civic Center Rates. 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.

2. Approve and authorize the Mayor to sign Contract between the City of Gering and the Gering Bargaining Unit

Motion by Councilmember Gillen to approve and authorize the Mayor to sign a contract between the City of Gering and the Gering Bargaining Unit. 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.

3. Approve and authorize the Mayor to sign Agreement between the City of Gering and Local Union No. 1597 International Brotherhood of Electrical Workers

Motion by Councilmember Morrison to approve and authorize the Mayor to sign a contract between the City of Gering and the Local Union No. 1597 International Brotherhood of Electrical Workers. 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.


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

Meeting adjourned at 6:14 p.m.



Mark A. Kaufman, Mayor

ATTEST:



Kathleen J. Wells, City Clerk

