

## **THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL, OCTOBER 22, 2018**

A regular meeting of the City Council of Gering, Nebraska was held in open session on October 22, 2018 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Wiedeman, O'Neal and Cowan. Also present were City Administrator Lane Danielzuk, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Holliday and Morrison. 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. The Mayor stated that there was a quorum of the Council and City business could be conducted.

1. Recital of the Pledge of Allegiance and Prayer
2. Roll Call
3. Excuse councilmember absence

**Councilmember O'Neal made a motion to excuse the absence of Councilmembers Smith, Gillen and Morrison from the October 8, 2018 regular City Council meeting. Second by Councilmember Wiedeman. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. 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 Council determines that the matter requires emergency action.

### **CONSENT AGENDA:**

1. Approve minutes of the October 8, 2018 regular Council meeting
2. Approve Claims and Financials

### **Claims:**

**9-29-18 to 10-12-18**

ACCELERATED RECEIVABLES SOLUTIONS \$173.70 GARNISHMENT 2, BAKER & ASSOC \$6,845.00 T STREET SEWER LINE RPR/6<sup>TH</sup> STREET MAIN REPLACEMENT, BRUNTZ BRENDA \$506.11 NPZA FALL CONF, CITY PAYROLL TRUST \$3,003.87 FSA MEDICAL 125/VOL LIFE INS<50, CLARKE CHRISTIE \$128.00 TRAVEL EXP FOR NLA CONF, CONSOLIDATED MANAGEMENT \$168.50 NLETC MEALS, COUNCIL OF DEVELOPMENT FI \$400.00 18-19 MEMBERSHIP DANIELZUK, CREDIT BUREAU SRV \$213.01 GARNISHMENT, CREDIT MANAGEMENT SRV \$129.06 GARNISHMENT 2, DAHLGRIN CASEY \$115.00 MEALS FOR SALT LAKE CITY TRNG, DIANE DOWNER \$128.00 TRAVEL EXP FOR NLA CONF, DVS STORAGE LLC \$3,836.50 TIF PASS THROUGH PYMT, ENCYCLOPAEDIA BRITANNICA \$420.00 ONLINE ENCYCLOPEDIA SUBS, FIRST STATE BANK \$378.06 IBEW UNION DUES, FRANK PARTS CO \$11.71 VEHICLE RPR, FREMONT MOTOR SCOTTSBLUFF \$34,303.32 F250 FORD PICKUP PURCHASE, GREATAMERICA LEASING CORP \$100.00 COPIER LEASE, GS MEDIA & EVENTS \$4,245.60 GOOD SAM ADV 2019, HAVENGAR CONCRETE LLC \$4,352.25 STREET BY GERING FUNERAL HOME, ICMA ELECTRONIC RETIREMENT \$677.99 ICMA CITY ADMIN, INTERNAL REVENUE SRV \$41,771.00 FED/FICA TAX, ITRON INC \$3,369.07 METER READER SUPPORT, JESSEN TERRY \$5,706.40 TIF PASS THROUGH PYMT, JOHN HANCOCK USA \$14,192.95 JH RETIRE 1-10%, KENT EWING \$13,605.03 TIF PASS THROUGH PYMT, LEAGUE OF NE MUNICIPALITY \$22,897.00 MEMBERSHIP DUES 2018 - 2019, MASSIE KRISTEN \$94.00 K-9 CAMP MEALS, MATHESON TRI-GAS INC \$88.64 WATER SRV LINE RPR, MATRIX TRUST CO \$7,003.39 MG T - POLICE, MEAT SHOPPE \$4,044.12 MANAGEMENT CONTRACT, MERRICK & CO \$1,635.00 DIFFUSER PRELIMINARY DESIGN, MONEY WISE OFFICE SUPPLY \$36.85 OFFICE SUPP, MOUNT STEVE \$115.00 MEALS FOR SALT LAKE CITY TRNG, MUNICIPAL SUPPLY INC OF \$81.17 SRV LINE RPR, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REVENUE \$80,796.73 SEPT 2018 SALES & USE TAX, NE PLANNING & ZONING ASSOC \$40.00 NPZA 2018 FALL CONF BRUNTZ, NEBRASKA SEC OF STATE \$30.00 NOTARY HOLTHUS, PANHANDLE AREA DEVELOPMENT \$6,588.28 PADD DUES 2018 - 2019, PANHANDLE RC & D \$300.00 RC & D SPONSORING MEMBERSHIP, PAYROLL CHECKS \$127,475.46 PAYROLL CHECKS ON 10-12-18, PRESTON SHERRY \$128.00 TRAVEL EXP FOR NLA CONF, ROGERS JASON \$207.00 MEAL PER DIEM AT NLETC, SCANLAN ADAM \$517.00 MEAL PER DIEM AT NLETC, SCB CO WEED CONTROL \$1,855.00 WWTP WEED CONTROL, SCOTTS BLUFF CO CONSOLID \$46,575.00 COMMUNICATIONS AGREEMENT 18-19, SCOTTSBLUFF GERING UNITED \$93.00 UNITED WAY CRTB, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SWANA \$268.00 ANNUAL MEMBERSHIP, TEAM CHEVROLET \$418.21 WING VEHICLE LEASE/IGNITION SWITCH FOR 41, VINTAGE TITLE & ESCROW \$250.00 PHASE I ASSESSMENT RPRT TITLE, WESTERN STATES BANK \$5,450.78 HSA CTRB 125, WESTERN STATES BANK - POL \$360.00 PO UNION DUES, WORLD TRADE PRESS \$450.00 1 YR SUBS

Motion by Councilmember Gillen to approve the consent agenda. Second by Councilmember Wiedeman. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.

**BIDS:** None

**PUBLIC HEARINGS:**

1. Continuation of Public Hearing Agenda item 2b from the October 8, 2018 regular City Council meeting:

2b. Approve Ordinance 2067- AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO RECLASSIFY AND CHANGE ZONING FOR HERITAGE ESTATES FROM AGG (AGRICULTURAL) TO RMH (MULTI-FAMILY RESIDENTIAL HIGH DENSITY); AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Gillen made a motion to introduce Ordinance No. 2067 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO RECLASSIFY AND CHANGE ZONING FOR HERITAGE ESTATES FROM AGG (AGRICULTURAL) TO RMH (MULTI-FAMILY RESIDENTIAL HIGH DENSITY); AMENDING, REPEALING, AND ADDING ORDINANCES OR PARTS OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Backus. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2067 and the title thereof approved, and that the Statutory Rule requiring Ordinances to be fully and distinctly read on three different days be dispensed with, which motion was seconded by Councilmember O'Neal. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council, was, by the Mayor declared to have carried. Whereupon Ordinance No. 2067 was read by title only, Councilmember Cowan moved that the Ordinance be passed as read, which motion was seconded by Councilmember Smith. "The question is shall Ordinance No. 2067 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.

The passage and adoption of the Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed.

**CURRENT BUSINESS:**

1. Approve Keno Committee Recommendations:

- Warrior Run, \$6000.00
- American Legion Gering Post 36, \$600.00
- Gering City Community Evergreen House, \$14,000.00
- Gering Merchants, \$6000.00

Darrell Bentley, Keno Committee Chairman, presented a thank you gift to the Council from the Monument Marathon. He also suggested that the City consider putting a trophy or display case in the foyer of the City Building to display plaques and awards that various Keno Fund recipients have given to the City as tokens of appreciation.

Councilmember Wiedeman asked for an overview of the Keno requests. Mr. Bentley stated that the Committee likes backing the Warrior Run because in years past, of the funds raised, 65% had to go to the corporate office. The local group started doing the event on their own so that all of the funds could

benefit recipients. They've given over \$150,000 to veterans and their families in need over the years. They also assist them with applying for jobs and how to manage their money. This is in addition to helping with utility bills and other expenses. They use the Keno funds for signage for the Warrior Run and to hire a company to computer-time the event.

The American Legion will be conducting a program for all 6<sup>th</sup> grade students in Gering about the American flag and how the flag should be folded and what the 13 folds mean. They will also be giving each student a small American flag.

Mr. Bentley commended the volunteers of the Ever Green House for working so hard over the last three years to bring the Ever Green House back to a viable, enjoyable community greenhouse. The Community Ever Green House will use the funds for a special project consisting of a 200' x 5' concrete walkway that spans the south side of the building.

The Gering Merchants will use the funds for Santa's Village and the parade. What they don't use they turn back Mr. Bentley said. He added that we are fortunate to have this group doing what they do for Gering.

**Councilmember Wiedeman made a motion to approve the Keno Fund Requests as follows: Warrior Run for \$6000, American Legion for \$600, Community Evergreen House for \$14,000 and the Gering Merchants for \$6000. Second by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

**2. Approve moving the first regular City Council meeting of November to November 13<sup>th</sup> as the City Offices will be closed November 12<sup>th</sup> in observance of Veteran's Day**

**Motion by Councilmember Smith to approve moving the first regular City Council meeting of November to November 13<sup>th</sup> as the City Offices will be closed November 12<sup>th</sup> in observance of Veteran's Day. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

**REPORTS:** (Information only) None.

**OPEN COMMENT SECTION:** None.

Mayor Kaufman stated that discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only.

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

**ADJOURN:**

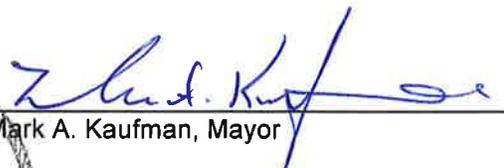
**Motion by Councilmember Gillen to adjourn. Second by Councilmember Cowan. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Wiedeman, O'Neal, Cowan. "NAYS": None. Abstaining: None. Absent: Holliday, Morrison. Motion Carried.**

Meeting adjourned at 6:15 p.m.

ATTEST:

  
Kathleen J. Welfl, City Clerk



  
Mark A. Kaufman, Mayor