

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,
October 28, 2024**

A regular meeting of the City Council of Gering, Nebraska was held in open session on October 28, 2024 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Ewing and Councilmembers Gillen, Backus, Wiedeman, Morrison, Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Shields, Bohl and O'Neal. 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 Ewing 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 (None)

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

Mayor Ewing 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:

(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 October 14, 2024 Regular City Council meeting
2. Approve Claims

Claims 10/15/24 – 10/28/24

21ST CENTURY EQUIPMENT \$237.30, 24/7 FITNESS \$226.00, 911 CUSTOM \$337.72, ACE HARDWARE \$408.75, ACUSHNET COMPANY \$993.68, AMAZON CAPITAL SERVICES \$3,663.56, AMERITAS LIFE INSURANCE COPR. \$608.40, AMY SEILER \$526.67, AT&T MOBILITY \$1,770.94, ATLAS CONSULTING GROUP, LLC \$82.00, AXON ENTERPRISE, INC \$37,476.98, BENJAMIN CRAIG \$60.00, BENZEL PEST CONTROL \$156.76, BLACK HILLS ENERGY \$1,020.27, BLUFFS FACILITY SOLUTIONS \$515.54, BOB ROSE \$300.00, BORDER STATES INDUSTRIES, INC \$364.46, BUDGE-IT DRAIN SERVICE \$820.00, CALLAWAY GOLF COMPANY \$1,596.73, CELLI'S CYCLE CENTER \$157.96, CENGAGE LEARNING/GAGE \$209.38, CITY OF GERING \$726.97, CITY OF SCOTTSBLUFF \$4,000.00, COBRA PUMA GOLF, INC. \$113.62, COLUMN SOFTWARE, PBC \$624.65, CONNECTING POINT \$1,126.00, CONTRACTORS MATERIALS, INC. \$430.00, CROELL, INC \$6,454.50, DANKO EMERGENCY EQUIPMENT CO \$34.85, DAS STATE ACCOUNTING-CENTRAL \$1.19, DEARBORN LIFE INSURANCE COMPAN \$120.40, DEBORAH HAJEK \$190.00, DOOLEY OIL \$41.38, DUTTON-LAINSON COMPANY \$1,968.87, EAKES INC \$145.14, ECOLAB \$518.27, ELECTRIC PUMP, INC. \$1,105.13, ELITE TOTAL FITNESS \$196.00, ENVIRONMENTAL COMPLIANCE SOLUTIONS, LLC \$1,495.00, ESI \$1,431.90, FARONICS \$711.00, FASTENAL COMPANY \$268.72, FAT BOYS TIRE & AUTO \$1,804.50, FEDEX \$23.25, FIRST NATIONAL BANK OF OMAHA \$8,591.63, FIRST NATIONAL BANK OMAHA - POLICE \$584.00, FLOYD'S TRUCK CENTER, INC. \$431.45, FORT COLLINS WHOLESALE NURSERY \$9,254.45, FRANK PARTS COMPANY \$938.12, FURST-MC NESS COMPANY \$1,318.75, GERING PUBLIC SCHOOLS \$2,441.64, GRICE INDUSTRIES \$1,615.00, HARBOR FREIGHT TOOLS \$64.19, HAWKINS, INC. \$8,350.00, HEARTLAND EXPRESSWAY \$25.00, HOME DEPOT CREDIT SERVICES \$35.57, HOMETOWN LEASING \$150.57, IDEAL LAUNDRY AND CLEANERS, INC. \$1,289.45, IMPERIAL PUMP SOLUTIONS \$1,683.24, INDEPENDENT PLUMBING & HEATING \$171.63, INDOFF INCORPORATED \$290.10, INFINITY CONSTRUCTION INC. \$24,314.00, INGRAM LIBRARY SERVICES \$1,454.61, INLAND TRUCK PARTS CO. \$111.96, INTERNAL REVENUE SERVICE \$56,191.86, INTERSTATE BATTERY \$154.95, INTRALINKS, INC. \$1,138.00, JASON ROGERS \$270.00, JEO CONSULTING GROUP \$2,700.00, JOHN HANCOCK USA \$18,212.41, JOHN HANCOCK USA FIRE \$873.56, JOHN HANCOCK USA POLICE \$9,140.35, LEAGUE ASSOC./RISK MANAGEMENT \$842,857.98, LEAGUE OF NE. MUNICIPALITIES \$990.00, LEGACY COOPERATIVE \$220.00, LERNER PUBLISHING GROUP \$512.27, MATHESON TRI-GAS INC \$481.18, MAX POWELL \$184.00, MENARDS \$436.09, MICHAEL TODD & COMPANY, INC. \$70.50, MOTOR FUELS DIVISION \$2,410.00, MUNICIPAL SUPPLY, INC. OF NE. \$4,203.69, NATE WYATT \$300.00, NEBRASKA CHILD SUPPORT PAYMENT CENTE \$714.93, NEBRASKA DEPARTMENT OF LABOR \$3,833.20, NEBRASKA DEPARTMENT OF REV (PR) \$17,052.44, NEBRASKA DEPT OF REVENUE \$916.70, NEBRASKA DEPT. OF REVENUE \$74,774.54, NEBRASKA PUBLIC HEALTH ENVIRO LAB \$315.00, NEBRASKA PUBLIC POWER DISTRICT \$3,833.33, NEBRASKA RURAL WATER ASSOC. \$1,950.00, NEBRASKA STATEWIDE ARBORETUM \$250.00, NKC TIRE \$1,449.20, PANHANDLE ENVIRONMENTAL SERVICE, INC. \$161.00, PANHANDLE HUMANE SOCIETY \$3,168.50, PATTLEN ENTERPRISES, INC \$450.58, PEACEFUL PRAIRIE NURSERY, INC. \$6,999.17, PETE'S QUICK LUBE \$104.76, PING INC \$148.74, PLATTE VALLEY BANK \$34,308.00, POWERPLAN OIB \$952.82, PT HOSE AND BEARING \$421.58, PVB VISA \$15,351.50, QRISHANA PENA \$75.00, QUADIENT LEASING USA \$75.22, QUADIENT POSTAGE FUNDING \$839.00, REGION 22 EMERGENCY MANAG \$2,897.95, REGIONAL CARE INC. \$56,603.18, RIVERSTONE BANK \$644.43, RYAN'S WELDING LLC \$10,495.00, SANDBERG IMPLEMENT, INC. \$676.56, SAPP BROS \$2,212.00, SCB COUNTY REGISTER OF DEEDS \$30.00, SCB. COUNTY AMBULANCE SERVICE \$316.23, SCOTT M. BOSSE \$3,650.00, SCOTTS BLUFF COUNTY \$78,639.32, SCOTTS BLUFF COUNTY COURT \$34.00, SCOTTS BLUFF/GERING SPORTS COUNCIL \$2,300.00, SCOTTSBLUFF-GERING UNITED WAY \$213.25, SE MUNICIPAL SOLAR

(NE), LLC \$21,865.77, SENIOR CITIZENS CENTER \$1,000.00, SIMMONS OLSEN LAW FIRM, P.C. \$1,500.00, SIMON CONTRACTORS \$642.70, SIMONSEN CONSTRUCTION INC. \$2,700.00, STEVE MOUNT \$69.00, SUN MOUNTAIN SPORTS \$462.00, TAYLOR MADE GOLF COMPANY \$321.52, TERESA TOSH \$33,394.47, TERRY CARPENTER, INC. \$650.00, THE YOGA COLLECTIVE \$97.50, TWIN CITY DEVELOPMENT ASSOC \$12,500.00, TYNDALE \$222.47, UTILITY BILL REFUNDS \$190.52, VALLEY AUTO LOCATORS LLC \$3,558.75, W & R INC. \$272.80, WESCO RECEIVABLES CORP. \$23,303.85, WESTERN COOPERATIVE COMPANY \$6,416.69, WESTERN NEBRASKA PIONEERS BASEBALL CLUB \$3,361.18, WESTERN PATHOLOGY CONSULTANTS \$450.00, WNCC FOUNDATION- \$6,000.00, YMCA OF SCOTTSBLUFF \$930.00, TOTAL \$1,526,292.99

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

BIDS/PROPOSALS:

1. Approve purchase of Compact Excavator – Transportation Department

Transportation Superintendent, Casey Dahlgrin, stated that the Transportation Department budgeted for a compact excavator in the FY25 Budget. Using Sourcwell, three local companies provided quotes. Titan Machinery (Case), Murphy Tractor and Equipment (John Deere), and Sandberg Implement (Bobcat). Bobcat came in low with just the regular arm on the machine. They also have one with an extendable arm; they are the only one that has the extendable arm; the other dealers don't offer that. The regular boom is 13'1" and the extendable will do 14'8". Staff recommend the extendable boom in the amount \$105,690.76. \$140,000 was budgeted.

Councilmember Backus asked if the bid spec asked for an extendable arm. Superintendent Dahlgrin replied that it was bid through Sourcwell. He explained that what staff does is ask for what equipment they have, a certain horsepower, a certain reach. Bobcat bid the regular long arm, they were still low with the long arm without the extendable. Staff believe the 14'8" is the better option for less than \$5000. Councilmember Backus stated that he wants staff to have what they need to work safely and efficiently, but after the stink Council had from staff about the gas situation, he thinks it should get kicked back and ask for that 14'8". Superintendent Dahlgrin noted that they can't do it, Bobcat's the only one. Councilmember Backus said he knows, but then the City would have the same source for it as opposed to the City not taking the low bid. If the City is going to apply a standard, it should be applied to everything. He's not against getting the equipment, he just wants it done the way it was decided that the City is going to do its bids.

Administrator Heath commented that staff were looking for an alternate bid, that's why the other bid was received. Councilmember Backus replied that it's still not taking the low bid. If the City is going to apply the standard, don't pick and choose. He thinks it should be kicked back and sole source or whatever, and maybe move up to a midi. Superintendent Dahlgrin replied that staff doesn't want any more weight with this excavator. If they go with any bigger version of an excavator, they have to haul it with a semi. Councilmember Backus added that he has spent a lot of time in an excavator, so he knows how much that reach would help, he'd like to see staff get it but wants to do it right. Administrator Heath clarified that what Councilmember Backus is saying is that staff can never bid an alternate. They've gotten a bid with an alternate specification, and it meets the alternate specification. Councilmember Backus asked if it asked for an extended reach with the bid specification. Superintendent Dahlgrin replied staff didn't have a bid spec, staff went through Sourcwell. All that was asked for was a minimum horsepower and a minimum reach. Staff wanted 55 horsepower and a minimum of 13'1" reach. Councilmember Gillen clarified that there was no max reach, just a minimum, and they provided two options. Superintendent Dahlgrin replied yes; all of them made specs. He asked Council to look at page 53 and 54 of the packet. Bobcat, with the long arm, came in the cheapest over everybody. And then they bid the alternate extendable arm. Administrator Heath added that whenever staff write specifications, it's all on the minimum, it's not the maximum.

Councilmember Morrison asked what the longer arm will allow them to do that the other one won't. Superintendent Dahlgrin explained that if they're digging out a watermain and it's collapsing off, that extra 17 inches can be reached while sitting on stable ground. Or there could be guys digging and they'd have to hand dig that much more. It doesn't sound like much, but in the middle of the night when guys are digging in mud, it really makes a difference.

Councilmember Backus asked if the spec could have mentioned that 14'8" through Sourcewell. Superintendent Dahlgrin replied no, staff provide the minimum specifications. Minimum digging depth and minimum reach, Administrator Heath added. The other companies could have provided two bids as well for the extendable reach, but they don't have that option available.

Councilmember Gillen commented that he doesn't necessarily disagree with Councilmember Backus's position on the City's specs because of the way the Council has decided to proceed with reviewing specifications on various bids the City has had recently. He feels like this one has met that requirement, and he's fine with proceeding with this, but they've set a precedence as a Council about being very particular on bids and holding themselves to those standards. That's the direction Council has decided to go, and encourages staff to make sure they're being very clear on specifications for City bids. Administrator Heath noted that staff have (been clear), and on equipment bids staff have always specified the minimum, not the maximum.

Councilmember Backus added that staff have to think about the position they're putting Council in, too. The public may see the higher bid and not be aware of the safety that comes with the extra reach (which staff are absolutely right about) and to think about that when doing specs so staff doesn't put Council in that situation; also, so Council has some back and forth. Superintendent Dahlgrin replied that he's been doing this quite a few years and he really thinks this is a legitimate spec. Staff haven't cut corners; they've done everything right.

Motion by Councilmember Morrison to approve the purchase of a 2024 Bobcat E60 Compact Excavator for the Transportation Department in the amount of \$105,690.76 from Sandberg Implement through Sourcewell. Second by Councilmember Wiedeman. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Wiedeman, Morrison Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Bohl, O'Neal. Motion Carried.

2. Award bid for Generator and Site Improvements for City Administration Building

City Engineer, Annie Folck, stated that the City received a Hazard Mitigation Grant to install a generator for City Hall. The purpose of this is to allow City Hall to serve as an emergency operation center in the event of an extended power outage. Staff put together bid specs and plans; it was advertised in accordance with state statutes. Three bids were received. The low bid was from Robinson Electric for \$319,438; it was below the engineer's estimate and within the amount that was budgeted. Of that, \$238,620 will be paid for out of the grant. The remainder of the funds were allocated to various departments during the budget process. Staff recommends awarding the bid to Robinson Electric. The City has worked with them many times; they are a very qualified contractor. The generator will sit behind City Hall in the alleyway, behind Engineer Folck's office. It will take up roughly two parking spots. It will power the City Administrative building and the Police Department; it will not power the section of the building that is the School's. It will have a three-day fuel tank.

Motion by Councilmember Wiedeman to award the generator bid to Robinson Electric in the amount of \$319,438 with the FEMA grant covering \$238,620 of the purchase. Second by Councilmember Morrison. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Wiedeman, Morrison Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Bohl, O'Neal. Motion Carried.

CURRENT BUSINESS:

1. Overview of Electrical Study – RVW Inc.

Jim Herchenbauch with RVW, Inc. was present by Zoom and reviewed the Gering System Planning Study and Extra Details of the Gering Lines Review with the Mayor and Council. Councilmember Morrison asked, if there is development south of Gering (in the future), does this allow for more growth and more power that would be needed to take care of that. Mr. Herchenbauch replied, yes.

The study is on file at the City Clerk's office.

2. Consider moving the first regular City Council meeting of November to November 12 due to the Veterans Day holiday on November 11

Motion by Councilmember Morrison to move the first regular City Council meeting of November to November 12 due to the Veterans Day holiday on November 11. Second by Councilmember Cowan. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Wiedeman, Morrison Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Bohl, O'Neal. Motion Carried.

3. Request for Personnel Committee meeting – Agenda item: Consider temporary position for succession planning, Golf Course

Motion by Councilmember Wiedeman to approve a request for a Personnel Committee meeting with an agenda item to consider a temporary position for succession planning at the Golf Course. Second by Councilmember Bohl. There was no discussion. Mayor Ewing called for the vote. "AYES": Gillen, Backus, Wiedeman, Morrison Cowan. "NAYS": None. Abstaining: None. Absent: Shields, Bohl, O'Neal. Motion Carried.

REPORTS:

1. Liaison Report, Tri-City Active Living – Councilmember Wiedeman

Councilmember Wiedeman reported the following:

- Tri-City Active Living met in mid-October.
- In September, Tri-City did a walk audit at Lincoln Elementary in Gering. The Lincoln Elementary Principal and Tri-City Active Living would like to discuss possibly changing some of the streets to one-way. They were informed that that would have to go to a Public Safety meeting first before anything could be done (and go through those channels).
- Terrytown has updated their signage along their portion of the Monument Valley Pathway.
- In October, as a committee, they met with the Scottsbluff Park Board and the consultant that's doing their Comp Plan.
- Both Scottsbluff and Gering are working on their Safe Streets for All Grant agreements.
- The Committee discussed that there are a lot of people walking and biking on Five Rocks Road and the shoulders are extremely narrow.

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

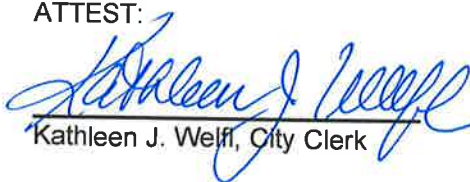
OPEN COMMENT: Discussion or action by Council regarding unscheduled business will not take place. This section is for citizen comment only. None.

ADJOURN:

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

Meeting adjourned at 6:44 p.m.

ATTEST:


Kathleen J. Welfl, City Clerk




Kent E. Ewing, Mayor