

THE OFFICIAL PROCEEDINGS OF THE SPECIAL MEETING OF THE GERING CITY COUNCIL, SEPTEMBER 28, 2022

A special meeting of the City Council of Gering, Nebraska was held on September 28, 2022 at 5:00 p.m. at Gering City Hall Council Chambers, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Gillen, Bohl, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Pat Heath, Acting Finance Director Liz Loutzenhiser, Deputy Finance Director Cheri Hutchison, City Clerk Kathy Welfl and City Attorney Jim Ellison. Absent were Councilmembers Smith and Backus. 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 5:00 p.m. A quorum of the Council was present and City business could be conducted.

1. Pledge of Allegiance and Prayer
2. Roll Call

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.

CURRENT BUSINESS:

1. Approve Resolution 9-22-4 regarding Westlawn Cemetery Rates

Parks and Recreation Director, Amy Seiler, stated that there has not been a rate change at the City's cemetery for at least 10 years. With the increased expense of operating the cemetery, it's time for a rate increase. Service fees, such as disinterment, have also increased because of the amount of labor involved to do that. The resident/non-resident fee has been removed; there's just one flat fee. All of this was researched by the Parks, Cemetery and Tree Board. They are in favor of this resolution and they believe it's time for a rate increase.

Resolution 9-22-4

WHEREAS, The Gering City Council, Gering, Nebraska shall establish cost of services at Westlawn Cemetery.

WHEREAS, The Cost of Services at Westlawn Cemetery shall be as follows:

Cost of Services at Westlawn Cemetery	
<u>Grave Space</u>	
Adult	\$600.00
Infant	\$400.00
<u>Opening and closing of graves</u>	
Adult	\$650.00
Infant	\$250.00
<u>Cremation Burial</u>	
Adult	\$400.00
Infant	\$400.00
<u>Disinterment</u>	
Adult	\$1200.00
Infant	\$1000.00
<u>Cremation disinterment</u>	\$400.00
Additional Charges for Saturday Openings and closings (AM only)	\$500.00
Recording Deed	\$50.00

NOW THEREFORE BE IT RESOLVED that effective immediately, the City of Gering shall charge the aforementioned fees at Westlawn Cemetery.

Adopted this ____ of _____, 2022

Mark A. Kaufman, Mayor

ATTEST:

Kathleen J. Welfl, City Clerk

Motion by Councilmember O'Neal to approve Resolution 9-22-4 regarding Westlawn Cemetery Rates. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

2. Approve Resolution 9-22-5 regarding the Fiscal Year 2022/2023 Property Tax Request

RESOLUTION NO. 9-22-5

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Gering passes by a majority vote a resolution or ordinance setting the tax request: and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Gering, resolves that:

1. The 2022-2023 property tax request for non-bond purposes be set at \$1,907,581.95.
2. The 2022-2023 property tax request for bond purposes be set at \$0.00
3. The total assessed value of property differs from last year's total assessed value by 7.9%.
4. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.317618 per \$100 of assessed value.
5. The City of Gering proposes to adopt a property tax request that will cause its tax rate to be \$.342697 per \$100 of assessed value.
6. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Gering will exceed last year's by 12.0%.
7. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2022.

PASSED AND APPROVED this ____ day of _____, 2022.

Mayor

ATTEST:

City Clerk (seal)

Motion by Councilmember Gillen to Approve Resolution 9-22-5 regarding the Fiscal Year 2022/2023 Property Tax Request. Second by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

3. Approve Resolution 9-22-6 regarding Enterprise Fund Transfer

RESOLUTION NO. 9-22-6

WHEREAS, the City of Gering transfers Enterprise Fees to the General Fund to assist in balancing the budget; and

WHEREAS, Enterprise Fees are derived from the Electric, Water, Wastewater and Sanitation Funds; and

WHEREAS, the transfer has been maintained at approximately 12% of budgeted Enterprise Fund Revenues over the last few years; and

WHEREAS, the transfer budgeted at \$1,960,000 for the 2022-2023 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Gering, Nebraska, that staff is authorized to transfer Enterprise Fees of approximately 12% of Enterprise Fund Revenues to the General for the fiscal year 2022-2023 in the amount of \$1,960,000.

PASSED AND APPROVED this ____ day of _____, 2022.

Mayor

ATTEST:

City Clerk (seal)

Motion by Councilmember Morrison to approve Resolution 9-22-6 regarding Enterprise Fund Transfer. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

4. Waive the second reading and move the third reading and adoption of Ordinance No. 2111 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE

Councilmember Gillen made a motion to waive the second reading and move the third reading of Ordinance No. 2111 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE. Seconded by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2111 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember O'Neal. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. 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.

5. Third Reading and adoption of Ordinance No. 2112 - AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2022-2023 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS

Councilmember Gillen made a motion to move the third reading of Ordinance No. 2112 – AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2022-2023 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS. Seconded by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2112 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember O'Neal. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. 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.

6. Third reading and adoption of Ordinance No. 2113 - AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF

Councilmember Morrison made a motion to move the third reading of Ordinance No. 2113 – AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Cowan. There was no discussion. Mayor Kaufman called the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Gillen moved that the Ordinance be designated as Ordinance No. 2113 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Smith, Backus. 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.

7. Third reading and adoption of Ordinance No. 2114 - AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF

Councilmember Gillen made a motion to move the third reading of Ordinance No. 2114 – AN ORDINANCE TO AMEND THE WATER RATES FOR CITY AND OUT OF CITY LIMITS RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL USERS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2114 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember O’Neal. There was no discussion. Mayor Kaufman called the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Smith, Backus. 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.

8. Third reading and adoption of Ordinance 2115 - AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF

Councilmember Wiedeman made a motion to move the third reading of Ordinance No. 2115 – AN ORDINANCE TO AUTHORIZE AMENDING FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SEWER SERVICE CHARGES, AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF. Seconded by Councilmember O’Neal. There was no discussion. Mayor Kaufman called the vote. “AYES”: Gillen, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2115 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember Cowan. There was no discussion. Mayor Kaufman called the

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

9. Third reading and adoption of Ordinance No. 2116 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ESTABLISH FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL STORMWATER SURCHARGE, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

Councilmember Gillen made a motion to move the third reading of Ordinance No. 2116 – AN ORDINANCE OF THE CITY OF GERING, NEBRASKA TO ESTABLISH FEES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL STORMWATER SURCHARGE, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember Bohl. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. Motion Carried.

Councilmember Wiedeman moved that the Ordinance be designated as Ordinance No. 2116 and the title thereof approved, and that the ordinance be passed as read, which motion was seconded by Councilmember O'Neal. There was no discussion. Mayor Kaufman called the vote. "AYES": Gillen, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: Smith, Backus. 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.

CLOSED SESSION: None.

(Council reserves the right to enter into closed session if deemed necessary.)


ADJOURN:

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

Meeting adjourned at 5:13 p.m.


Mark A. Kaufman, Mayor

ATTEST:


Kathleen J. Welf, City Clerk

