

**THE OFFICIAL PROCEEDINGS OF THE REGULAR MEETING OF THE GERING CITY COUNCIL,  
SEPTEMBER 9, 2019**

A regular meeting of the City Council of Gering, Nebraska was held in open session on September 9 2019 at 6:00 p.m. at Gering City Hall, 1025 P Street, Gering, NE. Present were Mayor Kaufman and Councilmembers Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Lane Danielzuk, City Attorney Matt Turman and City Clerk Kathy Welfl. 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 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.

**Motion by Councilmember Gillen to excuse the absence of Councilmembers Smith and Holliday from the August 26, 2019 regular meeting. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and 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 Council determines that the matter requires emergency action.

**CONSENT AGENDA:**

1. Approve minutes of the August 26, 2019 regular City Council meeting
2. Approve Claims

**Claims:**

**8-17-19 to 8-30-19**

24/7 FITNESS \$425.00 WELLNESS, 360 RAIL SRV LLC \$82.00 INDUSTRIAL PARK SPUR DESIGN, A & A PORTA POTTIES \$75.00 PORTA POTTY FOR PRACTICE FIELD, ACTION COMM INC \$257.83 CHARGER RPR, ACUSHNET CO \$805.94 72 GOLF BALLS, AMAZON \$24.95 1 YR SUBS, AMAZON CAPITAL SRV'S \$346.96 21 CHILDRENS DVD'S, ANDERSON & SHAW \$164,753.33 PAY APP #5 GERING PLAZA PHASE 2, ARBY'S #6131 \$145.93 FOOD DURING MISSING PERSON, AWWA \$450.00 EMPLOYMENT POSTING, BABBITONLINE (\$8.31) TAX REFUND, BENZEL PEST CONTROL \$85.49 PEST CONTROL 200531 WEST U ST, BEVERIDGE WELL DRILLING \$1,600.00 BORING, BKD RENTALS \$2,154.20 SEPT 19 PRAIRIE PINES SUBSIDY, BLACK CLOVER ENTERPRISES \$393.79 GOLF HATS, BLUE TO GOLD LAW ENFORCEMENT \$279.00 TRAINING MASSIE, BLUFFS SANITARY SUPPLY \$506.78 CLEANING SUPP/TOILET PAPER/MURIATIC GALLON, BOMGAARS \$16.15 SCREED PARTS, BORDER STATES INDUSTRIES \$14,556.70 COVERS/CLAMP METER/BUSHING/NIPPLES/COUPLINGS/SPLICE BOXES, CASEY'S GENERAL STORE #27 \$50.70 FUEL - ANNIE TO NEFMSA, CITY INSURANCE FUND \$168,600.36 HEALTH PREM 125, CITY OF SCOTTSBLUFF \$3,046.85 APRIL - JUNE 2019 EMERGENCY MGMT, CITY PAYROLL TRUST \$2,608.80 VOL LIFE INS<50/FSA MEDICAL 125, CLIA LABORATORY PROGRAM \$180.00 CLIA LICENSE FOR EMS DUTIES, CLICGEAR USA \$1,034.00 GOLF PUSH CARTS, CNA SURETY \$40.00 NOTARY BOND - TAMMY, DAKOTA FLUID POWER INC \$1,307.84 PARTS FOR COMPACTOR, DARK DAVE \$325.22 REFUND LEFT RV PARK EARLY, DISCOVER BANK \$166.29 GARNISHMENT 2, DOLLAR GENERAL STORE #077 \$9.75 FOIL/PLASTIC WRAP/CONTAINER, DOMINO'S PIZZA \$92.84 CHANCE ENGELBERT SEARCH, DONDELINGER TROY \$253.74 DBL PYMT ONLINE, DOOLEY OIL INC \$921.62 OIL/DEF FOR TRUCK/OIL FOR EQUIPMENT, DUTTON - LAINSON CO \$675.70 CABLE CLEANER, E H WACH'S CO \$7,556.33 NEW VALVE TURNER, ECOLAB \$64.57 PEST CONTROL @ CITY HALL, ELITE TOTAL FITNESS \$102.00 ELITE FITNESS, ENERGY LABORATORIES INC \$464.00 WATER LAB, ENVIRO SRV INC \$1,394.00 WATER LAB/MW LAB, FAMILY DOLLAR \$26.00 JANITORIAL SUPP AT STATION, FASTENAL CO \$689.37 HOLE SAW/LOCATE PAINT/PARTS FOR CONTAINERS, FEDEX \$318.85 WATER LAB, FILL-N-CHILL \$35.36 TRANSPORT GAS, FIRST STATE BANK \$335.37 IBEW UNION DUES, FLOYD'S SALES & SRV \$3,492.68 RPR'S ON G-8 TANK, FRANK PARTS CO \$141.55 AC REFRIGERATION/SUPPLIES FOR MECHANIC SHOP/SUPPLIES TO RPR TIRE/OIL FOR VEHICLE MAINT/SHOP SUPP/ PARTS FOR MOWER, FRESH FOODS \$101.41 OT DAYS REFRESHMENTS, GENERAL TRAFFIC CONTROLS \$1,555.00 SIGNALS, GERING VALLEY PLUMBING \$1,932.00 PARTS/SRV CALL DISHWASHER, GREASE-N-GO \$45.45 CAR MAINT, GREENKEEPER CO INC \$4,580.00 FERTILIZER, GREG

NORMAN \$86.08 GOLF SKORT, HACH CO \$526.07 FOUNTAIN SUPP, HARBOR FREIGHT (\$10.98) TAX REFUND, HEARTLAND TRUST CO \$250.00 GLC BOND AGENT FEES, HOME DEPOT \$11.16 PVC CAPS, HORIZON WEST INC \$90.00 TRACTOR CAB FILTER, HUERTA ALEXIS \$75.00 RV ROOM DEPOSIT REFUND, ICMA ELECTRONIC RETIREMENT \$642.24 ICMA CITY ADMIN, IDEAL LINEN SUPPLY INC \$893.11 EXCHANGED MATS/CLEAN RUGS/MOP/TOWELS/ RUG SRV/TOILET PAPER/9 RUGS, INDEPENDENT PLUMBING \$424.25 SPRINKLER PARTS, INDOFF INC \$179.83 LEGAL PADS/ENVELOPES/HP933XL/CARTRIDGES, INGRAM LIBRARY SRV \$681.67 25 BOOKS, INTERNAL REVENUE SRV \$43,234.93 FED/FICA TAX, INTRALINKS TECH SOLUTIONS \$1,407.50 COMPUTER SUPPORT, IRBY TOOL & SAFETY \$4,111.06 CABINETS/STAND OFF/HOT CLAMP, JIRDON \$576.40 SOIL SURFACTANT, JOHN HANCOCK USA \$13,657.09 JH RETIRE 6%, JOHN HANCOCK USA POLICE \$5,867.82 MG T-POLICE, JOHNSON CASHWAY CO \$628.60 SCREWS & DRIVER BIT/TOOL/TOOL FOR WWTP/HOSE/BATTERIES FOR SPRINKLER TIMER/RPR ADMIN WOMEN'S RR SINK/TARPS/BATTERIES, KNEB \$576.00 RADIO ADVERTISING, KOVARIK ELLISON MATHIS \$5,197.50 EMPLOYMENT CONTRACTS/ GRANT & LOAN DISCOVERY CENTER/GERING MEMORIAL CENTER, KRAFT BOB \$50.00 TREE REMOVAL, LL JOHNSON DIST \$273.71 SPRINKLER SUPP, LD PRODUCTS \$53.41 RIBBON FOR UTILITY PRINTER, LIED LODGE & CONF \$410.25 HOTEL ANNIE NEFSMA, LOAF-N-JUG \$19.90 OT DAYS ICE, LOGOZ LLC \$20.00 NAME PLATES, MASEK GOLF CAR CO \$552.00 GOLF CAR RENTAL, MATHESON TRI-GAS INC \$194.43 PARTS/SAFETY GLASSES/OPERATING SUPP, MATRIX TRUST CO \$527.82 MG T-FIRE, MB KEM ENTERPRISE \$1,237.13 DOOR RPR, MCMASTER-CARR SUPP COMP \$18.35 SET SCREWS BACKFLOW PREVENTERS, MEAT SHOPPE \$32,557.12 CATERING COSTS, MENARDS \$599.86 BATTERIES FOR SCBA'S/THERMOSTAT MENS RR STADIUM/ BACKFLOW PREVENTOR/FORM BOARD, MIDTOWN ANIMAL HOSPITAL \$49.50 K-9 VET, MIZUNO USA INC \$107.72 DRIVER SHIFT, MONEY WISE OFFICE SUPPLY \$219.73 INK CARTRIDGE/HEADPHONES/TN336BK CARTRIDGES CVB/LABELS, MSC DIRECT \$469.22 HOSE FOR MAD VAC, MUNICIPAL ENERGY AGENCY \$311,367.41 POWER BILL, MUNICIPAL SUPPLY INC OF \$279.93 WATER MAIN & SRV LINE RPR, MUTUAL OF OMAHA \$238.75 RETIREMENT PLAN FEES, NATIONAL INS SRV \$1,108.04 VISION INS, NE CHILD SUPPORT PYMT \$794.64 CHILD SUPPORT 1, NE DEPT OF REV (PR) \$22,265.58 STATE TAXES, NEBRASKA DEPT OF AGRI \$155.73 WEIGHTS & MEASURES REG, NE TOURISM COMM \$2,000.00 NE TRAVEL CONF SPONSOR, NORTHWEST PIPE FITTING \$152.00 FERNCO/NEW TOILET CLUBHOUSE, OCLC INC \$160.66 AUG CAT & ILL SUBS, ONE CALL CONCEPTS INC \$107.18 LOCATE FEES, OREGON TRIL PLBG & HEATING \$118.00 FREON FOR AC SRV CALL, OUTDOOR CUSTOM SPORTS \$4,279.64 GOLF SHIRTS/JACKETS/CLOTHING, PANHANDLE COOP ASSOC \$641.51 SWEEPER TIRE RPR/NEW TIRE, PANHANDLE HUMANE SOCIETY \$3,168.50 AUG 2019 FIN SUPPORT, PAUL L REED CONSTRUCTION \$625.12 PARKING SURFACE/12 TONS CONCRETE FINES, PAYROLL CHECKS \$134,654.33 PAYROLL CHECKS ON 8-30-19, PERPETUAL LEARNING \$390.00 TRAINING SCHROEDER, PETERS BILL \$80.00 TREE PLANTING REBATE, PFALZER EDWIN \$6.33 OVERPAID FINAL, PFISTERER NORTH AMERICA \$136.29 CONNECTORS, PONY EXPRESS STATION \$7.89 WATER FOR OT DAYS, POST MASTER \$1,020.00 AUG 2019 MAILING PERMITS, POWER SCREENING LLC \$5,284.74 TOOTH FOR SHREDDER, POWERPLAN OIB \$12,651.76 RPR'S ON ALJON/RPR'S ON 344J LEADER/HUAL DOZER/RPR BATTERY/Hauling fee for grinder, PRINT BROKER \$387.00 NATIONALS GLOW CAR FLAGS, QUALITY INN & SUITES \$138.24 TRAINING LODGING, RECORDED BOOKS LLC \$105.28 3 AUDIO BOOKS, RECOVERY SYSTEMS CO \$1,198.03 DOOR GUIDES FOR BALER, REIN BREANNA \$75.00 RV ROOM DEPOSIT REFUND, RON'S TOWING \$900.00 TOW DOZER FROM WWTP POND, SALAZAR EDWARD \$350.00 SOUND SYSTEM & DJ, SANDBERG IMPLEMENT INC \$2,068.48 TRIMMER OIL/BOB CAT RPR, SANDHILL OIL \$35.27 TRANSPORT GAS, SAPP BROS \$34.12 FUEL-ANNIE NEFSMA, SCOTTSBLUFF POLICE DEPT \$380.00 ANNUAL FIREARMS RANGE FEE, SCOTTSBLUFF-GERING UNITED \$70.75 UNITED WAY CTRB, SENIOR CITIZENS CENTER \$525.00 AUG 2019 FINANCIAL SUPPORT, SHELL \$26.50 GAS TRAINING, SILVER STATE CONSULTING \$170.00 TRAINING SCANLAN, SIMMONS OLSEN LAW FIRM \$1,500.00 CITY PROSECUTOR FEES, SIMON CONTRACTORS \$252,481.99 SIDEWALK BY STREET AT STADIUM/MILL & OVERLAY 13<sup>TH</sup> ST-SAGE ST-9<sup>TH</sup> ST, SNAP-ON \$369.65 TOOLS FOR MECHANIC SHOP, SONNY'S TOWING \$110.00 TOW SRV, SQUARESPACE INC \$20.00 DOMAIN NAME COMP PLAN WEBSITE, STAMAN MARK \$499.92 PHONE DAMAGED AT WORK, STAPLES CREDIT PLAN \$347.54 LEGION NEWSLETTERS, STAR HERALD \$1,479.24 WIFI BID NOTICE/ PC & CC PH NOTICE/CIVIL SRV MTG NOTICE/HEAVY EQUIPMENT JOB NOTICE/ ADVERTISING, STATE OF NEBR \$261.60 OVERPAID FINAL TORRES 10080016, SUBWAY \$385.10 FOOD DURING MISSING PERSON OPS, SUGAR VALLEY FEDERAL CREDIT \$678.37 CREDIT UNION, SULLIVAN UNIFORMS \$92.93 3 SHIRTS, SWANA \$400.00 EMPLOYMENT POSTING, TACO JOHN'S \$8.23 JUV RUNAWAY MEAL, TARGET \$8.99 CLOCK FOR CONF ROOM, TEAM CHEVROLET \$1,528.17 MAINT ON ACADIA/WING VEHICLE LEASE, TERRY CARPENTER INC \$650.00 AUG 2019 WATER WELL LAND RENT, THE TORO CO \$155.00 MONTHLY FEE FOR IRRIGATION, TJALKENS SUE \$75.00 RV ROOM DEPOSIT REFUND, TODD TERRY \$150.00 REFUND DEP FOR FAMILY EVENT, TOYNE INC \$1,532.00 REMAINING BAL ON NEW UNIT 30, TUNDRA RESTAURANT SUPPLY \$3,250.00 SANDWICH PREP TABLE, US AUTO FORCE \$36.02 REAR TIRES FOR KUBOTA, US WEEKLY \$84.95 1 YR SUBS, VERIZON CONNECT \$40.00 GPS SWEEPER/MOSQUITO SPRAYER, VERIZON \$474.53 ON CALL CELL/LAP TOP FEES, WADEMAN DILLON \$100.00 TREE REBATE, WALMART \$80.62 SUPPLIES FOR SRO OFFICE, WAREHOUSE FITNESS CENTER \$398.00 WELLNESS, WESCO DIST INC \$1,005.80 SWITCHES, WESTCO \$10,939.89 DIESEL/PARTS TO RPR SPRAYER/ FUEL FOR FORKLIFT, WESTERN PATHOLOGY CONSULTANTS \$240.75 DRUG TESTING CDL, WESTERN STATES BANK \$6,685.62 HSA CTRB 125, WESTERN STATES BANK - POL \$550.00 PO UNION DUES, WINCHELL CLEANING SRV \$1,120.00 CLEAN HALLS/BATHS/OFFICES, WINSUPPLY SCOTTSBLUFF NE \$5.18 AMP SPRINKLER, WOMEN'S DAY \$24.97 1 YR SUBS, WYOMING BEARING & SUPPLY \$61.95 PARTS FOR G-10 ON MAST, YMCA \$470.00 WELLNESS

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

**BIDS: None**

## **PUBLIC HEARINGS:**

### **1. Public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2019/2020 proposed budget and tax levy**

Mayor Kaufman opened a public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2019/2020 proposed budget and tax levy at 6:04 p.m.

Finance Director, Renae Jimenez, stated that we've gone over this several times; it was a very tough year but the Department Heads came together and worked on getting this balanced. Our General Fund cash was positive instead of negative. Our levy is slightly lower from the previous year; it is now at .292731. She stated she is available for any questions Council might have.

Councilmember Backus said his first year (as a Councilmember) he had no idea what was going on with the budget. His second year he kind of figured out what he didn't know, which was a lot. He's finally comfortable this third year; he's coming to staff with Ben's list of grievances. The first one - 101-10-4490, Interest Income - it shows it increasing from \$6,000 to \$25,000; what interest is that pertaining to? HR Director, Tammy Cooley, replied that that is interest that we received from Platte Valley Bank. Prior to being with Platte Valley we were not receiving that interest on our bank balances. Since we moved now we are; that's the big increase.

Councilmember Backus stated regarding RV Park income that shows up for \$199,500, this is one he would really like to see fixed; he doesn't understand why we don't leave that. Whenever we talk about funds we talk about transferring too much, we can only transfer so much. Why would we leave that in the RV Park, because we are taking that money out of the RV Park, and then if you go to RV Park (110) we transfer money back into the RV Park. Also, why don't we have an employee there since the RV Park is actually bringing in revenue? Maybe we should move an employee into the RV Park and use up the money within the RV Park itself before we transfer it out. He asked if that makes sense.

The next one is for Chief Holthus. Councilmember Backus noticed that "Police Operating Supplies" go from 40K to 10K. He asked the Chief what he's going to be cutting; the reason he brings it up is because of the Safest City designation, he would like to see us keep that crown. Police Chief Holthus replied that there is going to be a variety of things we've cut and that's going to be city-wide. This fund was primarily where we would purchase our give-aways for SROs and other activities, so a lot of those things are not going to happen. We are going to have to be as frugal as we can on everything. Councilmember Backus stated he's knows they're pretty frugal as it is so he has concerns that we are limiting their operating expenses even more.

Next is 103 - Sales Tax Estimates. Councilmember Backus said our sales tax has trended up every year but for some reason this next year we think it's going to trend down. He understands a lot about the doom and gloom about retail but Gering has never had a retail store. We now have one of the biggest retail stores in the world called Amazon. So if you want to shop locally in Gering you buy from Amazon because we see those sales taxes. Does staff think our sales tax is going to be trending down for some reason? He apologized for springing this on everyone, he did this research this weekend. HR Director Cooley stated that looking at the numbers from previous years, if you look at the budget for 18-19 it was \$775 and the proposed for this year is actually an increase of about \$25,000. She realizes in that actual estimated column is says 825, but even with that increase from 775 to 8, that is an increase of 3%; she added but she also sees what his question is.

Councilmember Backus stated regarding Fund 104 – the \$150,000 in local revolving loans, LB840, if you go to fund 104-15-6954 we have proposed \$150,000 for revolving loans in LB840. City Administrator Danielzuk said that is probably a set aside for future projects that we will be contemplating as part of the LB840 program.

Councilmember Backus asked about 109, the occupation tax for 2019, did we not collect any on that? That refers to last year's budget but he is just curious because he was wondering what the trim might be.

HR Director Cooley said that would be the new occupational tax that was passed for the lodging tax. Councilmember Backus asked if any of that had been collected this year. HR Director Cooley replied that we just started.

Councilmember Backus asked regarding 201 - Golf Residential Sales in the Electric Fund, are the "residential" at the golf course charged a different residential rate for electric or is that just set aside for those houses? HR Director Cooley replied that is the revenue that is brought in off of those houses for their electric. Councilmember Backus stated that may be something we need to look at going forward. Should they be more responsible for golf course funding? Something to think about.

Fund 202 – Councilmember Backus clarified if for "Water" we have a negative cash balance. HR Director Cooley replied "correct". He asked if there are any bond covenants that would be affected by that. Finance Director Jimenez replied not that she's aware of, no.

Councilmember Backus said and lastly, fund 204 is \$450,000 into the new landfill. He doesn't know if that's a good use of those funds at this time. He said he also noticed that we have health insurance out of the Pool and the RV Park. Parks Director, Amy Seiler, stated that's part of her... HR Director Cooley said that's allocated out of several different funds. Councilmember Backus thanked everyone.

Mayor Kaufman stated those are good observations; some of these items we talked about in committee. When we're talking about revenues, and we've always had a conservative stance, it is impossible to project down to the penny what the Gering residents are going to spend or how they're going to spend their money. We need to be prudent as a City - while there are observations in trend, there are local macro & micro economic impacts that may or may not, over time, hold true. With the historical norms we take a conservative projection.

Mayor Kaufman stated that regarding transfers, he doesn't disagree with some of the fund movements (that Councilmember Backus mentioned). With new leadership in our finance team he doesn't think we'll see as many transfers as we go forward.

Mayor Kaufman added that when we go through the budget process staff is tasked to give Council all their wants and needs. This year that was a big number, above and beyond what we could deliver, to the tune of about 2.7 million. It's good for the public to see what the leadership within our team needs or wants and then blend that with methodic decisions to cut so it's a balanced budget. Hats off again to staff this year for making everything work. We definitely want to make sure that certain departments, that provide essential services, are taken care of and our community is getting the services and the care that it needs. He thinks our people make sure that happens. Councilmember Backus's observations are good, he's glad he brought some of those to light; it adds to more discussion for the public. Until we get to tonight, sometimes the public perception is that we're just sitting up here like a bump on a log and not making any decisions. The reality is that we've been pouring over these numbers for months and now we're down to the final decision. He appreciates everybody who has participated in the process and all the committee meetings. This is arguably one of the biggest decisions Council makes annually, so it's not taken lightly.

Councilmember Backus asked if we are about at our limit of transfers out of the Electric Fund. Tammy replied real close. He asked if we keep that money in the RV park and use that money to pay somebody before it's transferred, would that not free up transfers out of the electric fund? Mayor Kaufman replied potentially. We need to finalize the budget for this year, but he thinks as we have the leadership going forward, they'll have time this next year to really reflect and maybe discuss monetary policy as we go forward. The transfer allocation is a little tool that staff has to use funds that are more flush with cash than other funds. There are some services, and that's the tough one that he thinks people don't understand - the different buckets that we have. Not every enterprise that we have makes money. There is a design feature in there; we could make it balance but our users would probably not appreciate the service charges associated with that. He thinks those are good thoughts as we go through with preparation for next year's budget; we'll have more time to reflect and dig into some of those. He added that those are good suggestions.

Mike Brunner addressed Council, 1785 21st Street. He stated that he does not like assumptions. He appreciates the discussion; normally things fly through the agenda and there's no discussion. He knows that a lot of things take place behind the scenes in different committees, but it gives the public the perception that you're just rubber-stamping and sliding things through. He said tonight the Council is going to address the pay grade which he understands has already been included in this budget. A lot of the City's highest paid staff will receive between a 10% and 20% increase. He knows the City has to be competitive with other cities our size, but in a year that we have a large deficit to deal with he thinks it's in bad practice to bump all those pay grades all in one year, and yet tie our hands in other aspects.

Councilmember O'Neal replied that that item will be tabled. Even though it looks like those are different grades that they're moving to, they're just going to move across in a grade. It doesn't necessarily mean that the salaries will increase, but they'll be moved into a different grade to give them an opportunity to move. Mr. Brunner replied that the grade scale shows an increase. Councilmember O'Neal replied that the step they're on will remain the same. There might be some small increments but they won't actually be jumping salaries; they're just moving them. Councilmember Wiedeman further explained the steps and how it works - it will keep them kind of in the same range that they are in now; the step may decrease. Mr. Brunner replied that that makes more sense. Councilmember O'Neal said this gives them an opportunity to grow in their grade because they were bumping up against the top of their grade. The potential for growth in salary comes the longer they're here Councilmember Wiedeman added; instead of just topping out and not anywhere to go. Councilmember Backus said that some of them did get a raise but those are ones that are well under. Mayor Kaufman said we are a good employer and we have had a lot of longevity over time. This is something that had not been dealt with for quite some time. We had numerous employees that were outside of any step and/or grade. This was a diligent, four-month process to really dive into each job category and research and realign that. That's not an activity that goes on every year; we are working through some of these past projects and getting everything restructured. He said those are great questions and good observations.

With no further comments Mayor Kaufman closed the administrative record and the public hearing closed at 6:25 p.m.

**Motion by Councilmember O'Neal to enter the administrative record for this public hearing into the public record. Second by Councilmember Gillen. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**1a. Approval to increase 2018-2019 Restricted Funds Authority by an Additional 1%**

**Motion by Councilmember Gillen to increase the 2018-2019 Restricted Funds Authority by an Additional 1%. Seconded by Councilmember Holliday.**

**Discussion:** Finance Director Jimenez explained that we are allowed to grow 2.5% unless our evaluation grows more than that. We are also allowed to grow an additional 1%. Restricted Funds are multiple things like our sales tax, highway allocation, etc. We're only allowed to grow it by a certain amount each year. This additional 1% allows us to grow a little bit more than 2.5% so that if we need additional property tax we can do so but only by what our Restricted Funds Authority is. \$643,000 is our Restricted Funds Authority that's unused. We could increase our property tax, most likely, to allow that growth if we needed to. Mayor Kaufman stated, for the record, that property tax is not increasing.

**Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**1b. Approve Ordinance 2080 – An Ordinance to Adopt the Budget Statement to be termed the Annual Appropriation Bill; Appropriate Sums for necessary expenses and liabilities; to provide an effective date**

Councilmember Smith made a motion to introduce Ordinance No. 2080 - AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE AN EFFECTIVE DATE. Seconded by Councilmember Gillen. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

Councilmember Backus moved that the Ordinance be designated as Ordinance No. 2080 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 Holliday. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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. 2080 was read by title only, Councilmember Wiedeman moved that the Ordinance be passed as read, which motion was seconded by Councilmember O'Neal. "The question is shall Ordinance No. 2080 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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.

**1c. Adopt Resolution 9-19-1 regarding property tax request and final levy**

RESOLUTION 9-19-1

- WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and
- WHEREAS, a public hearing was held as required by law to hear and consider comments concerning the property tax request; and
- WHEREAS, it is in the best interests of the City of Gering that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GERING, NEBRASKA, THAT:

1. The property tax request for the fiscal year 2019-2020 be set at \$1,429,108.00 for the General Fund.
2. That the final levy of the municipality for the fiscal year 2019-2020 is set at .292731 for the General Fund per one hundred dollars of actual valuation.
3. The City Clerk is to certify and forward a copy of this resolution to the County Clerk prior to October 20, 2019.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF SEPTEMBER 2019.

\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

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Kathleen J. Welfl, City Clerk

Motion by Councilmember Gillen to adopt Resolution 9-19-1 regarding property tax request and final levy. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": Backus. Abstaining: None. Absent: None. Motion Carried.

**2. Public Hearing to consider an Ordinance to Vacate Lots 2 and 3, Schwindt Subdivision situated in the Southwest Quarter of the Southeast Quarter of Section 12, Township 21 W, Range 55 North of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, NE, otherwise known as 220714 CR R Gering, NE**

Mayor Kaufman opened a public hearing to consider an ordinance to Vacate Lots 2 and 3, Schwindt Subdivision situated in the Southwest Quarter of the Southeast Quarter of Section 12, Township 21 W, Range 55 North of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, NE, otherwise known as 220714 CR R Gering, NE at 6:32 p.m.

City Engineer, Annie Folck, presented the Administrative Record.

**CITY OF GERING  
PLANNING COMMISSION RECOMMENDATION AND REPORT**

<b>To:</b>	Planning Commission	<b>Date:</b>	8/20/19
<b>From:</b>	Planning & Community Development	<b>Zoning:</b>	AGG
<b>Subject:</b>	Recommendation & Report – Ordinance to Vacate	<b>Property Size:</b>	2.74 Acres
<b>Location:</b>	Lots 2 and 3, Schwindts Subdivision	<b>#Lots/Parcels:</b>	1
<b>Owner:</b>	Dick and Sharon Rahmig	<b>City Council Public Hearing:</b>	9/9/19

**Public Notice:** This Public Hearing was noticed meeting City Zoning and Subdivision Regulations.

**Public Hearing**

Mr. Mayor and Council Members,

This is a recommendation and report to consider an application to vacate Lots 2 and 3, Schwindts Subdivision, which is located in the City's extraterritorial zoning jurisdiction. The property is currently in the Agricultural zone. By vacating the subdivision of the lots, the parcel will revert to being part of the larger farm. This is being done at the owner's request and is to be done by ordinance. Staff recommends approval of the Ordinance to Vacate.

Mr. Mayor and Council Members, this completes my entry regarding this recommendation and report to consider this application to vacate Lots 2 and 3, Schwindts Subdivision. I would ask this Commission to recommend approval or denial of the Ordinance to Vacate to the City Council.

**Recommendation**

***Approve***

Make a POSITIVE RECOMMENDATION for City Council to approve the Ordinance to Vacate Lots 2 and 3, Schwindts Subdivision, with the following conditions:

***Deny***

Make a NEGATIVE RECOMMENDATION to City Council for the Ordinance to Vacate Lots 2 and 3, Schwindts Subdivision, for the following reasons:

***Table***

Table making a recommendation on the Ordinance to Vacate Lots 2 and 3, Schwindts Subdivision, for the following reasons:

With no further comments Mayor Kaufman closed the administrative record and the public hearing closed at 6:35 p.m.

**Motion by Councilmember O'Neal to enter the administrative record for this public hearing into the public record. Second by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**2a. Approve Ordinance No. 2081 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA VACATING LOT TWO (2) AND LOT THREE (3) OF SCHWINDT'S SUBDIVISION, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼SE¼) OF SECTION TWELVE (12), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FIFTY-FIVE (55) WEST OF THE 6<sup>TH</sup> P.M., SCOTTS BLUFF COUNTY, NEBRASKA, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**Councilmember Wiedeman made a motion to introduce Ordinance No. 2081 - AN ORDINANCE OF THE CITY OF GERING, NEBRASKA VACATING LOT TWO (2) AND LOT THREE (3) OF SCHWINDT'S SUBDIVISION, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW¼SE¼) OF SECTION TWELVE (12), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FIFTY-FIVE (55) WEST OF THE 6<sup>TH</sup> P.M., SCOTTS BLUFF COUNTY, NEBRASKA, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF. Seconded by Councilmember O'Neal. There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**Councilmember Morrison moved that the Ordinance be designated as Ordinance No. 2081 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 Cowan. There was no discussion. The Clerk called the roll. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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. 2081 was read by title only, Councilmember Smith moved that the Ordinance be passed as read, which motion was seconded by Councilmember Gillen. "The question is shall Ordinance No. 2081 be passed?" There was no discussion. The Mayor called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. 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 Scale/Grade Changes in Pay & Compensation Plan**

**Motion by Councilmember Wiedeman to table the Scale/Grade Changes in Pay and Compensation Plan agenda item until the September 23, 2019 regular Council meeting. Seconded by Councilmember Morrison.**

**Discussion:** HR Director, Tammy Cooley, explained that this item needs to come to Council in the form of a resolution due to the fact that it's a policy decision.

Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.

**2. Approve Resolution 9-19-2 regarding Pay and Compensation Step Scale**

**Resolution 9-19-2**

WHEREAS, City of Gering has established a salary range schedule for pay plan for City of Gering Employees;

WHEREAS, a 1.3% Cost of Living Adjustment and merit based step play plan has been included in the 2019-2020 budget for all non-union permanent City of Gering employees.

BE IT RESOLVED that the following Salary Range Schedule/Step Scale be adopted for pay period starting September 23, 2019:

**2019-2020 WAGE/GRADE SCALE, 1/3% COLA**

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9
Grade 1	\$9.39	\$9.57	\$9.82	\$10.06	\$10.32	\$10.56	\$10.81	\$11.10	\$11.32
Grade 2	\$9.79	\$10.05	\$10.32	\$10.56	\$10.82	\$11.12	\$11.35	\$11.63	\$12.03
Grade 3	\$10.30	\$10.69	\$11.10	\$11.50	\$11.84	\$12.26	\$12.62	\$13.03	\$13.43
Grade 4	\$10.79	\$11.23	\$11.64	\$12.07	\$12.48	\$12.90	\$13.33	\$13.74	\$14.16
Grade 5	\$11.31	\$11.73	\$12.18	\$12.60	\$13.05	\$13.47	\$13.93	\$14.34	\$14.79
Grade 6	\$11.96	\$12.40	\$12.86	\$13.31	\$13.77	\$14.21	\$14.67	\$15.12	\$15.59
Grade 7	\$12.54	\$13.01	\$13.47	\$13.96	\$14.42	\$14.89	\$15.35	\$15.83	\$16.31
Grade 8	\$13.16	\$13.66	\$14.16	\$14.65	\$15.13	\$15.63	\$16.11	\$16.58	\$17.10
Grade 9	\$13.81	\$14.31	\$14.84	\$15.35	\$15.88	\$16.40	\$16.93	\$17.43	\$17.97
Grade 10	\$14.48	\$15.02	\$15.59	\$16.11	\$16.64	\$17.20	\$17.74	\$18.27	\$18.81
Grade 11	\$15.28	\$15.84	\$16.39	\$16.95	\$17.48	\$18.07	\$18.60	\$19.17	\$19.71
Grade 12	\$16.02	\$16.57	\$17.18	\$17.74	\$18.32	\$18.88	\$19.47	\$20.05	\$20.61
Grade 13	\$16.79	\$17.39	\$18.00	\$18.60	\$19.22	\$19.82	\$20.44	\$21.04	\$21.66
Grade 14	\$17.61	\$18.22	\$18.86	\$19.49	\$20.15	\$20.77	\$21.40	\$22.04	\$22.67
Grade 15	\$18.57	\$19.18	\$19.83	\$20.50	\$21.14	\$21.79	\$22.47	\$23.09	\$23.75
Grade 16	\$19.39	\$20.05	\$20.76	\$21.44	\$22.10	\$22.82	\$23.48	\$24.17	\$24.85
Grade 17	\$20.34	\$21.07	\$21.79	\$22.52	\$23.23	\$23.95	\$24.67	\$25.39	\$26.13
Grade 18	\$21.31	\$22.05	\$22.82	\$23.54	\$24.29	\$25.04	\$25.77	\$26.53	\$27.30
Grade 19	\$22.30	\$23.09	\$23.90	\$24.72	\$25.51	\$26.32	\$27.13	\$27.92	\$28.79
Grade 20	\$23.41	\$24.26	\$25.09	\$25.94	\$26.78	\$27.63	\$28.47	\$29.32	\$30.17
Grade 21	\$24.52	\$25.40	\$26.31	\$27.20	\$28.08	\$28.96	\$29.84	\$30.74	\$31.62
Grade 22	\$25.65	\$26.58	\$27.50	\$28.45	\$29.39	\$30.30	\$31.26	\$32.18	\$33.11
Grade 23	\$26.92	\$27.90	\$28.88	\$29.85	\$30.82	\$31.82	\$32.80	\$33.75	\$34.72
Grade 24	\$28.19	\$29.21	\$30.24	\$31.29	\$32.32	\$33.36	\$34.40	\$35.42	\$36.46
Grade 25	\$29.63	\$30.71	\$31.81	\$32.88	\$33.96	\$35.06	\$36.13	\$37.20	\$38.28
Grade 26	\$31.07	\$32.21	\$33.36	\$34.51	\$35.63	\$36.81	\$37.93	\$39.06	\$40.21
Grade 27	\$32.49	\$33.66	\$34.79	\$35.94	\$37.07	\$38.22	\$39.39	\$40.52	\$41.65
Grade 28	\$34.02	\$35.28	\$36.59	\$37.94	\$39.34	\$40.80	\$42.31	\$43.88	\$45.50

Minimum Wage Schedule:

Step A	\$9.31
Step B	\$9.46
Step C	\$9.62
Step D	\$9.77
Step E	\$9.92

Passed and approved this 9<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen J. Welfl, City Clerk

**Motion by Councilmember Wiedeman to approve Resolution 9-19-2 regarding Pay and Compensation Step Scale. Second by Councilmember O'Neal.**

**Discussion:** HR Director Cooley explained that the COLA increase was 1.3% and incorporated into the Pay and Compensation Plan Step Scale.

**Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**3. Approve Resolution 9-19-3 regarding adoption of TIF (Tax Increment Financing) Guidelines**

**RESOLUTION NO. 9-19-3**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:**

1. The Mayor and City Council of the City of Gering, Nebraska have reviewed the Tax Increment Financing Guidelines for the City of Gering (the "Guidelines") attached to this Resolution as Exhibit A.
2. The Guidelines are consistent with the sound needs of the City ("City") and comprise an integral part of a workable program of the City for utilizing appropriate private and public resources to carry out the provisions, purposes, and declarations of the Nebraska Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the "Act"), including without limitation to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, and to provide for the redevelopment of blighted and substandard areas.
3. The Guidelines are adopted and approved.
4. The form Cost-Benefit Analysis attached as Appendix B to the Guidelines is approved as the model form for use by local redevelopment projects. Any cost-benefit analysis of a redevelopment project conducted by the Community Development Agency shall be made available for public inspection at the office of the City Clerk.
5. The City Administration and their designees are authorized to take any and all actions on behalf of the City to carry out the activities and implement the processes set forth in the Guidelines to the fullest extent allowed by the Act. This Resolution and Guidelines should not be construed to limit the City's authority under the Act.
6. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on \_\_\_\_\_

\_\_\_\_\_  
Mark A. Kaufman, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

**Motion by Councilmember Gillen to approve Resolution 9-19-3 regarding adoption of TIF (Tax Increment Financing) Guidelines. Seconded by Councilmember Wiedeman. There was no discussion. Mayor Kaufman called the vote. "AYES": Smith, Gillen, Backus, Holliday, Wiedeman, O'Neal, Morrison and Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion Carried.**

**CLOSED SESSION:** (Council reserves the right to enter into closed session if deemed necessary.)

**ADJOURN:**

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

Meeting adjourned at 6:47 p.m.

  
Mark A. Kaufman, Mayor

ATTEST:

  
Kathleen J. Welfl, City Clerk

