

November 8, 2018

Notice of the meeting was given in advance by publication in the Sheridan County Journal Star, the designated method for giving notice as shown by the affidavit of publication on file in the City Clerk's office. Agendas of the meeting were simultaneously given to the Mayor and all members of the Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

A meeting of the City Council of the City of Gordon was called to order at 6:00 p.m. November 8, 2018 in the City Council Chambers of the City Auditorium. The Mayor noted the location of the Open Meetings Laws in the back of the room.

Present: Russell, Grant, Evans, and Paul.

Absent: Bounous.

Motion by Grant, seconded by Paul to approve the minutes of the October 11, 2018 meeting. Ayes: Grant, Evans, Paul, and Russell.

Motion by Evans, seconded by Grant to approve the minutes of the October 22, 2018 special meeting. Ayes: Evans, Russell, and Grant. Paul abstained.

Motion by Evans, seconded by Paul to approve the September 2018 Treasurer's report as presented. Ayes: Paul, Russell, Grant, and Evans.

The October 2018 Treasurer's Report was not available from Gardner, Loutzenhiser and Ryan due to the beginning of the audit process.

Motion by Paul, seconded by Evans to approve the bills. Ayes: Russell, Grant, Evans, and Paul.

Abbreviations for this legal: EX, Expense; FE, Fee; GR, Groceries; MI, Mileage; Re, Reimburse; RPT, Report; SA, Salaries; SE, Services; SU, Supplies.

PAID BILLS

EFTPS	Ally	EX	\$562.39
EFTPS	Ally	EX	\$523.52
EFTPS	Fleet Services	SU	\$1,054.54
EFTPS	FNBO	FE	\$112.08
EFTPS	NE Dept of Revenue	RE	\$3,781.97
KTJ1003	KTJ 283, Inc	RE	\$735.01
INS1034	Strong Insurance	EX	\$4,362.30
INS1035	Strong Insurance	EX	\$545.70
INS1036	Strong Insurance	EX	\$3,536.00
GF1007	GIS	EX	\$10,000.00
GF1008	First National Bank	EX	\$10,050.99
GF1009	First National Bank	EX	\$20,860.48
GF1010	First National Bank	EX	\$10,776.19
47477	Airport Authority	RE	\$470.83
47478	Airport Checking	RE	\$83.63
47479	Airport Bond Savings	RE	\$530.89
47480	Amazon.com	SU	\$992.98
47481	BC/BS	EX	\$12,168.88

47482	Consolidated Management	SE	\$76.19
47483	Country Woman	SU	\$14.98
47484	Fine Gardening	SU	\$29.95
47485	Cengage	SU	\$65.43
47486	Greenheart	SE	\$90.00
47487	Ingram	SU	\$109.41
47488	Library Petty Cash	RE	\$49.62
47489	NWRPPD	SE	\$6,291.97
47490	National Wildlife Federation	SU	\$19.95
47491	Special Assessment Bond Fund	RE	\$956.64
47492	Xerox	EX	\$87.62
47493	Payroll Fund	SA	\$29,847.69
47494	Farm Credit Services	FE	\$500.00
47495	Marvin & Lynn Kreitman	EX	\$6,500.00
47496	City of Gordon	RE	\$240.00
47497	CNH Capital	SE	\$352.21
47498	Consolidated Management	SE	\$169.61
47499	Vern Sager	RE	\$40.00
47500	Layne Christensen Co	SE	\$15,127.84
47501	Madison National Life	EX	\$48.30
47502	Perpetual Care Fund	RE	\$400.00
47503	Black Hills Energy	SE	\$807.63
47504	Sheridan County Clerk	FE	\$16.00
47505	Viaero	SE	\$70.25
47506	USPS	SE	\$172.26
47507	Verizon	SE	\$307.39
47508	Payroll Fund	SA	\$46,244.88

Total November Paid Bills \$189,784.20

UNPAID BILLS

47509	Chris Anderson	RE	\$50.00
47510	American Water Works Assoc	FE	\$309.00
47511	Baker & Associates	SE	\$3,063.67
47512	Beguin Vet Service	RE	\$20.00
47513	Dan Bishop	RE	\$50.00
47514	Jeff Brewer	RE	\$50.00
47515	Shelby Berger	RE	\$50.00
47516	Tony Bishop	RE	\$50.00
47517	BC/BS of NE	RE	\$260.00
47518	Commercial Lighting	SU	\$305.37
47519	City of Chadron	EX	\$45.00
47520	Consolidated Mngmt Co	SE	\$84.93
47521	Customized Billing	SE	\$285.00
47522	BC Tire Service	SE	\$110.00
47523	Emergency Medical Products	SU	\$179.64
47524	First National Bank Omaha	SU	\$165.00
47525	First National Bank Omaha	SU	\$2,962.31
47526	JD Financial	SU	\$450.13
47527	Farmer's Coop	SU	\$29.90

47528	Ford Motor Credit	EX	\$374.09
47529	Frontier Service & Supply	SU	\$351.30
47530	Great Plains Communications	SE	\$1,672.00
47531	Grocery Mart	SU	\$8.50
47532	Guth Laboratories	SU	\$296.23
47533	General Fund Money Market	EX	\$8,000.00
47534	Hinn's Auto Supply	SU	\$849.93
47535	Homestead	SU	\$181.68
47536	Colin Hyatt	RE	\$50.00
47537	Hawkins	SU	\$1,166.94
47538	Clay Heath	RE	\$50.00
47539	Ideal Linen	SE	\$145.81
47540	CoDee Johns	RE	\$50.00
47541	Gardner, Loutzenhiser, & Ryan	SE	\$2,329.95
47542	McLeod's	SU	\$909.80
47543	Municipal Chemical Supply	SU	\$360.00
47544	Michael Todd & Co	SU	\$138.51
47545	TJ Moore	RE	\$138.57
47546	Midwest Engines	SU	\$405.16
47547	NPPD	SE	\$6,556.38
47548	NE Total Office	SU	\$477.82
47549	NW Pipe Fittings	SU	\$872.85
47550	NW Community Action	EX	\$149.32
47551	NE Law Enforcement Tr Ctr	FE	\$150.00
47552	NE Environmental Products	SU	\$2,556.53
47553	One Call Concepts	SE	\$36.36
47554	Otte Feeds	SU	\$26.00
47555	Petty Cash Fund	SU	\$144.94
47556	Police Officers Assoc of NE	FE	\$75.00
47557	Public Safety Center	SU	\$46.73
47558	Shane Pascale	RE	\$50.00
47559	Pests Go	SE	\$160.00
47560	Ben Plemons	RE	\$50.00
47561	Quill	SU	\$70.98
47562	Respond First Aid	SU	\$102.79
47563	NE Public Health Env Lab	SE	\$153.00
47564	Stockmens	SU	\$872.17
47565	Sheridan County Journal Star	SE	\$603.46
47566	Smith King & Simmons	SE	\$848.00
47567	True Value	SU	\$1,323.74
47568	Uline	SU	\$145.14
47569	LNM - Utilities Section	SE	\$45.00
47570	Westco	SU	\$2,460.26
47571	Water Reserve Fund	RE	\$1,716.00
47572	Water/Sewer Bond Fund	EX	\$17,200.00
47573	Water/Sewer Bond Fund	EX	\$5,000.00
47574	Kevin Wolkins	RE	\$50.00
47575	Keith Wolkins	RE	\$50.00
47576	Xerox	EX	\$507.80
47577	Dan Bishop	RE	\$502.94

Total November Unpaid Bills	\$69,001.63
Total November Paid Bills	\$189,784.20
Total November Bills	\$258,785.83

Members of the Gordon Rural Fire Department were present to request that the Gordon City Council purchase the lot north of the Gordon Fire Hall that the Rural Fire Department currently owns. The Rural Fire Department purchased it from the prior owner so that the Rescue Squad and the Fire Department would have continued access across the lot, which is vital to the operations of the department. Mike Paul, Secretary/Treasurer of the Rural Fire Department expressed to council that the rural fire department was willing to sell it to the city for the amount it cost their department to purchase it and were willing to allow the city to make payments over four or five years. Rural Fire Department Member Gary Fuscher stated to council that if the city purchased this lot, the city would then own all of the land around the fire hall, which would be a benefit to the city. After some discussion, motion by Paul, seconded by Evans to have the city attorney draw up a purchase agreement with the discussed conditions to be considered at the December council meeting. Ayes: Grant, Evans, Paul, and Russell.

The City of Gordon advertised for bids for a used Motor Grader and received five bids from Murphy Tractor. Council was given copies of these bids. Interim City Manager Dan Bishop recommended to council that they purchase the 2012 JD 670G. Mr. Bishop feels that this machine fits the bid specs most closely and still has approximately a year of warranty left on the engine. Mike Bateman and Joe Blanke, Murphy Tractor were present to answer any questions council had regarding the equipment bids. Murphy Tractor will complete some minor repairs and make sure the motor grader that is chosen will be in the best condition possible upon delivery. After some discussion, motion by Grant, seconded by Paul to award the bid to Murphy Tractor for the 2012 JD 670G Motor Grader. Ayes: Evans, Paul, Russell, and Grant.

Valerie Mann, Vice-President First National Bank was present to discuss with council the terms of the lease purchase that the First National Bank will offer in regards to the lease purchase of the motor grader. It will be a five year lease with annual payments at 5% interest, with a purchase option at the end of the lease. The first lease payment will be due January 1, 2020.

Motion by Evans, seconded by Grant to pass Resolution 2018-24. Ayes: Paul, Russell, Grant and Evans.

RESOLUTION 2018-24

A RESOLUTION AUTHORIZING THE CITY OF GORDON TO SECURE FINANCING, IN THE FORM OF A LEASE PURCHASE AGREEMENT, NOT TO EXCEED \$97,500 FOR THE PURCHASE OF A MOTOR GRADER.

WHEREAS, the city's current Motor Grader is a 1983 model and has almost 10,000 hours of service use, and

WHEREAS, the costs for necessary repairs on the current motor grader are increasing each year, and

WHEREAS, the City of Gordon advertised for and received bids for the purchase of a used Motor Grader.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF GORDON, the Interim City Manager is authorized to secure financing not to exceed \$97,500.00 for the lease purchase of a used Motor Grader from the company with the awarded bid, and the Mayor is authorized to sign the lease purchase agreement.

Passed and approved this 8th day of November, 2018.

/s/ Nancy I Russell
Mayor

ATTEST:

/s/ Kim Buchan
City Clerk

Motion by Paul, seconded by Grant to allow Mayor Russell to sign a Proclamation declaring November 16, 2018 as Frances Schmidt Day, in honor of her 100th birthday. Ayes: Russell, Grant, Evans, and Paul. Mayor Russell will read the Proclamation at Frances Schmidt's birthday celebration.

Interim City Manger Dan Bishop gave an update to the council on the city's Lagoon project. There have been several delays to the project and the contractor is waiting on parts to complete the project. The project is now split into two separate phases. The lift station by-pass will tentatively be completed in January 2019 with the repairs to the Lagoon being completed in Fall 2019. City Clerk Kim Buchan informed council that because of the delays, the city will be paying \$8,648 of interest expense to Ameritas for the short term bond anticipation notes that were issued in September of 2018, when the project was set to be completed in Fall of 2018. The city has no recourse in recovering this interest expense. In addition, if the project is not substantially completed by September 15, 2019, the city will have to pay off the short term debt to Ameritas and begin the bond issue process again. This will be an added cost of approximately \$7,000. Engineers from Baker and Associates have assured city officials that they are doing everything possible to have the project substantially completed before this date.

Council was given the latest project schedule from GenPro regarding the solar project. The city has completed all necessary site preparation. The solar project is on schedule to be completed by March 2019.

City Clerk Kim Buchan has been researching better options for the City of Gordon's credit card. The card that the city currently has is a business credit card but is attached to an individual's social security number. Historically this individual has been the city manager, but when there is a change in staff it is very difficult to change the card. Council was presented with an application for a municipal credit card which allows you to designate individuals as card carriers. Motion by Grant, seconded by Evans to apply for this Municipal Visa Credit Card. Ayes: Grant, Evans, Paul, and Russell.

Council was given bids that have been received for the replacement of the furnace at the Gordon Library. Fire and Ice, Chadron, NE had presented a bid, but in the time that has elapsed since they presented the bid, the cost for some of the needed equipment has decreased, so this company

requested that the city re-open the bid process to allow them to offer a lower bid. After some discussion, motion by Evans, seconded by Paul to request that the companies submit an updated bid with specific bid specifications provided to them. Ayes: Evans, Paul, Russell, and Grant.

Motion by Grant, seconded by Paul to allow Mayor Russell to sign the NDOT Certification of Street Superintendent. Ayes: Paul, Russell, Grant, and Evans.

Motion by Grant, seconded by Evans to pass Resolution 2018-25. Ayes: Russell, Grant, Evans and Paul.

RESOLUTION 2018-25

APPOINTMENT OF DANIEL A BISHOP AS STREET SUPERINTENDENT FOR THE CITY OF GORDON, NEBRASKA.

WHEREAS, the governing body of the City of Gordon determined the need to appoint a Street Superintendent to have general charge, direction and control of all work on streets, sidewalks, culverts and bridges of the City of Gordon, and

WHEREAS, the City of Gordon, Sheridan County, Nebraska established by ordinance the position of Street Superintendent, codified in Chapter I Civil Administration, Article II, Section 1-211 of the Municipal Code Book, and

WHEREAS, the duties of the Street Superintendent are set forth by City of Gordon Ordinance and Laws pursuant to the State of Nebraska,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Gordon, Nebraska, that Daniel A Bishop be appointed as City of Gordon Street Superintendent for the City of Gordon, Sheridan County, Nebraska.

PASSED AND APPROVED this 8th day of November, 2018.

/s/ Nancy I Russell
Mayor

Attest:

/s/ Kim Buchan
City Clerk

Motion by Evans, seconded by Paul to pass Resolution 2018-26. Ayes: Grant, Evans, Paul, and Russell.

RESOLUTION NO. 2018-26

WHEREAS, the City of Gordon intends to create a parade route from Orin Street and Main Street to 4th Street and Main Street, for the Chamber of Commerce "Parade of Lights" on Saturday, December 8, 2018, from 6:00 pm to 9:00 pm.

WHEREAS, closure of roadways along the parade route is necessary to relieve the through traffic from the area in the City of Gordon, Nebraska on or near the parade route, and to provide a safe event for participation and spectators, and;

WHEREAS, the Main Street (Nebraska Highway 27) roadway from 1st Street to 4th Street is part of the state highway system and is located within the official corporate limits or zoning jurisdiction of the City of Gordon, and;

WHEREAS, the City of Gordon, while making use of the state highway system for a special event, shall have the legal duty to protect the highway property from any damage that may occur arising out of the special event and the state shall not have any such duty during the time the City of Gordon is in control of the property as specified in the notice provided pursuant to LB 589/N.R.S §39-1359, and;

WHEREAS, any existing statutory or common law duty of the state to protect the public from damage, injury, or death shall become the duty of the City of Gordon while making use of the state highway system for a special event and the state shall not have any such statutory or common law duty during the time the City of Gordon is in control of the property as specified in the notice provided pursuant to LB 589/N.R.S §39-1359, and;

WHEREAS, pursuant to LB 589/N.R.S §39-1359, thirty (30) days advance written notice of the special event must be provided to the Nebraska Department of Roads which specifies the date and time City of Gordon will assume control of the identified state highway property, as well as the date and time the City of Gordon will relinquish control of such state highway property to the State of Nebraska. In addition, the City of Gordon shall provide beginning and ending locations for the highway closure including sufficient area for the placement of advance warning and/or detour signing, and include sufficient time for the City of Gordon to prepare and later clean the property prior to returning possession back to the State of Nebraska, and;

WHEREAS, LB 589/N.R.S §39-1359 dictates that if a special event includes any portion of the State of Nebraska Highway System, the City of Gordon shall, if a claim is made against the State of Nebraska, indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

NOW, THEREFORE, BE IT RESOLVED, that said Parade Route and road Closure referred to hereinabove is hereby adopted. That the governing body of the City of Gordon acknowledges and accepts all duties set out in LB 589/N.R.S §39-1359, subsection (2) and accepts that the City of Gordon shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability including reasonable attorney's fees, that may arise as a result of the event and such Parade Route and Road Closure is accepted by the City of Gordon and the Mayor and City Clerk are hereby authorized and directed to execute same on behalf of the municipality.

/s/ Nancy I Russell
NANCY I RUSSELL, MAYOR

ATTEST:

/s/ Kim Buchan
KIM BUCHAN, CITY CLERK

Motion by Evans, seconded by Grant to approve Kerry Butler's membership application to the Gordon Rescue Squad and to thank her for her service to the community. Ayes: Evans, Paul, Russell, and Grant.

Council was given the resumes that have been received for the city manager position. The process to select the next city manager was discussed. No action was taken.

With no further business, motion by Grant, seconded by Paul to adjourn at 6:37 pm. Ayes: Paul, Russell, Grant, and Evans.

/s/ Kim Buchan

City Clerk

/s/ Nancy I Russell

Mayor

I, the undersigned, City Clerk for the City of Gordon, Nebraska hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on November 8, 2018; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting kept continuously current and available for inspection at the office of the City Clerk; that such subjects were contained in said minutes of the Mayor and Council of the City of Gordon from which the foregoing proceedings were written from and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification of the time and place of said meeting and the subjects to be discussed at said meeting.

/s/ Kim Buchan

City Clerk