

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., October 8, 2020 in the Council Chambers of the City Auditorium. The Mayor noted the location of the Open Meetings Laws poster in the back of the room.

Present: Paul, Russell, Grant, Bounous, and Evans.

Absent: No one.

Motion by Bounous, seconded by Paul to approve the minutes of the September 10, 2020 meeting. Ayes: Russell, Grant, Bounous, Evans, and Paul.

Motion by Grant, seconded by Evans to approve the September 2020 Treasurer’s Report. Ayes: Grant, Bounous, Evans, Paul, and Russell.

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

Abbreviations for the legal: EX, Expense; FE, Fee; GR, Groceries; MI, Mileage; RE, Reimbursement; RPT, Report; SA, Salaries; SE, Services; SU, Supplies.

PAID BILLS

EFTPS	Ally	EX	\$562.39
EFTPS	Ally	EX	\$523.52
EFTPS	Fleet Services	SU	\$1,148.66
EFTPS	FNBO	FE	\$233.89
EFTPS	NE Dept of Revenue	RE	\$5,143.46
EFTPS	NE Dept of Revenue	FE	\$25.00
EFTPS	Xerox	EX	\$91.34
EFTPS	BOK Financial	EX	\$4,069.38
EFTPS	BOK Financial	EX	\$163,540.00
GF1012	Gworks	EX	\$10,000.00
INS1089	Travelers	EX	\$85.00
49654	Payroll Fund	SA	\$35,418.58
49723	Action Communications	EX	\$24,907.55
49724	Amazon.com	SU	\$1,628.89
49725	DAS State Acct	FE	\$77.00
49726	Cengage	SU	\$33.14
49727	Ingram	SU	\$199.74
49728	Library Petty Cash	RE	\$52.29
49729	NWRPPD	SE	\$5,664.37
49730	OCLC	EX	\$518.75
49731	Xerox	EX	\$91.25
49732	Payroll Fund	SA	\$31,168.95
49733	Kevin Wolkins	RE	\$193.49
49734	City of Gordon	RE	\$40.00

49735	ORB	RE	\$100.00
49736	Pamela Seebeck	RE	\$39.71
49737	Airport Authority	RE	\$2,996.93
49738	Airport Bond Savings	RE	\$2,455.82
49739	City of Gordon	RE	\$145.25
49740	Chadron ACE Hardware	SU	\$190.94
49741	Croell	SU	\$870.45
49742	Taylyn Elmquist	RE	\$15.04
49743	Farm Plan	SU	\$531.23
49744	Farmer's Coop	SU	\$25.50
49745	GVFD	RE	\$700.00
49746	Greenamyre Contractor & Bld	SE	\$6,990.00
49747	G/R Public Schools	RE	\$2,880.00
49748	Hinn's Auto	SU	\$44.72
49749	Hawkins	SU	\$1,340.63
49750	Huck's Lazerwash	EX	\$200.00
49751	Kratovil Electric	SE	\$4,445.00
49752	John Morford	SE	\$1,116.35
49753	Madison National Life	EX	\$60.89
49754	NW Pipe Fittings	SU	\$138.98
49755	Perpetual Care Fund	RE	\$800.00
49756	Blackhills Energy	SE	\$229.58
49757	Dan Sasse	RE	\$193.49
49758	Sheridan County Clerk	FE	\$32.00
49759	Special Assessment Bond Fund	RE	\$4,065.81
49760	True Value	SU	\$292.79
49761	Topkote, Inc	SE	\$31,732.59
49762	USPS	SE	\$170.59
49763	Verizon	SE	\$80.02

Total October Paid Bills

\$348,300.95

UNPAID BILLS

49765	QLT	SE	\$19.55
49766	Dan Bishop	RE	\$50.00
49767	Bierschbach	SU	\$2,509.00
49768	Shelby Colwell	RE	\$50.00
49769	Tony Bishop	RE	\$50.00
49770	City of Chadron	EX	\$45.00
49771	Customized Billing	SE	\$420.00
49772	Croell	SU	\$396.65
49773	Hannah Calkins	RE	\$50.00
49774	Joe Carr	RE	\$50.00
49775	Emergency Medical Products	SU	\$118.82
49776	First National Bank of Omaha	SU	\$857.98
49777	JD Financial	SU	\$135.79
49778	Ford Motor Credit	EX	\$374.09
49779	Great Plains Communications	SE	\$1,685.74
49780	Galls	SU	\$167.72
49781	Grocery Mart	SU	\$17.03
49782	Gordon/Rushville Public Schools	SU	\$117.70

49783	General Fund Money Market	EX	\$12,000.00
49784	Hinn's Auto Supply	SU	\$19.08
49785	Core & Main	SU	\$93.42
49786	Clay Heath	RE	\$50.00
49787	Insurance Fund	EX	\$13,000.00
49788	Gardner, Loutzenhiser & Ryan	SE	\$3,066.63
49789	Metal Products	EX	\$2,316.28
49790	Brandon Mika	RE	\$50.00
49791	Joe McGough	RE	\$50.00
49792	MacQueen	SU	\$62.76
49793	NPPD	SE	\$7,354.93
49794	NE Total Office	SU	\$75.94
49795	NW Pipe Fittings	SU	\$1,864.73
49796	NE Law Enf Training Ctr	SE	\$20.00
49797	NE Dept of Environment & Energy	FE	\$100.00
49798	One Call Concepts	SE	\$113.65
49799	Otte Feeds	SU	\$26.00
49800	Sam Piper	SE	\$50.00
49801	Perpetual Care Fund	RE	\$200.00
49802	Petty Cash	RE	\$123.23
49803	Shane Pascale	RE	\$50.00
49804	Pests Go, LLC	SE	\$130.00
49805	Quill	SU	\$47.99
49806	Sargent Drilling Co	SE	\$21,807.95
49807	NE Public Health Env Lab	SE	\$48.00
49808	Glen Spaugh	RE	\$50.00
49809	Dan Sasse	RE	\$50.00
49810	Sheridan County Clerk	FE	\$16.00
49811	Sheridan County Journal Star	SE	\$656.81
49812	Smith, King, Simmons, & Conn	SE	\$399.55
49813	True Value	SU	\$99.41
49814	Triangle Electric	SE	\$1,100.00
49815	Westco	SU	\$936.25
49816	Water Reserve Fund	EX	\$1,716.00
49817	Water/Sewer Bond Fund	EX	\$17,200.00
49818	Water/Sewer Bond Fund	EX	\$5,500.00
49819	Kevin Wolkins	RE	\$50.00
49820	Keith Wolkins	RE	\$50.00
	Total October Unpaid Bills		\$97,659.68
	Total October Paid Bills		\$348,300.95
	Total October Bills		\$445,960.63

Butch Stanko, owner of 108 East Second Street, requested to be on the agenda regarding this property. Mr. Stanko had requested that the water be shut off at this property in June. In the process of disconnecting the water, it was discovered by Utility Superintendent Shane Pascale that the water service line from the corp stop to the curb stop was a lead line. Mr. Stanko was informed that according to city ordinances, all service lines from the corp stop is the responsibility of the property owner. Mr. Stanko feels that the city should be responsible for replacing the line and not the property owner. Joseph Applegarth was present to give the council information regarding the plumbing connections of the service line. Utility Superintendent Shane Pascale informed council of the events leading up to the

discovery of the lead pipe, and the steps he took to disconnect the pipe. Using existing city records, Mr. Pascale had originally dug up a disconnected curb stop. Mr. Stanko is requesting that the city reimburse him for repairs resulting from this error. Doug Woodbeck, Program Manager for the NE DHHS Water Supply Program, was also present and offered information to the council regarding lead pipe regulations. Federal, State, and local regulations prohibit lead pipes or fittings in any plumbing connected to a municipal water system. City Attorney Dennis King was present to offer the council his opinion regarding the issues brought forth by Mr. Stanko. Mr. King stated that the city should credit Mr. Stanko for the error that was made based on incorrect city records. After lengthy discussion, motion by Grant, seconded by Paul to credit Mr. Stanko for the \$505.00 repair bill that resulted from the incorrect curb stop being dug up. Ayes: Evans, Paul, Russell, Grant, and Bounous.

Mr. King also stated his opinion regarding the replacement of the lead line. He stated to council that the lead line needs to be replaced as it is a health hazard and violates Federal, State, and Local statutes. In order to facilitate this, his opinion is that the city should contract the completion of needed repairs and bill Mr. Stanko for them. If the bill is unpaid, the city will have the recourse of assessing the cost against this property. Mr. Stanko stated to council that he needs water service and is willing to pay for it. He is, however, requesting that a second bid is obtained as he feels the estimate he was given is too high. Motion by Grant, seconded by Bounous to get a second bid to replace the lead service line and use concrete on the portion of the street and sidewalk that will be removed during the line replacement. Once a second bid is obtained, the city will oversee the completion of the needed repairs using the cheaper bid and bill Mr. Stanko. Ayes: Paul, Russell, Grant, Bounous, and Evans.

Jan Grover, Head Teacher with Head Start and Sonja Hooper, Early Head Start Teacher were present to ask council to allow Mayor Russell to sign the Head Start Awareness Month Proclamation. Mrs. Grover has been with the Head Start Program for thirty years and stressed to council the importance of the program. Motion by Bounous, seconded by Paul to allow Mayor Russell to sign the Head Start Awareness Month Proclamation and to thank them for their service to our community. Ayes: Russell, Grant, Bounous, Evans, and Paul.

PROCLAMATION HEAD START AWARENESS MONTH

WHEREAS, Established in 1965, Head Start is a national, federally funded early childhood development program that serves children and families and whose purpose is to help children achieve their full potential; and

WHEREAS, Head Start provides comprehensive health, nutritional, educational, social services, family and community development and meaningful parent involvement; and

WHEREAS, Head Start focuses on children's language development, early literacy, social skills, and giving their parents the skills in becoming their child's first and best teacher; and

WHEREAS, Head Start is committed to the development of each child and provides preventative and early intervention services to children and families regardless of their economic status.

NOW THEREFORE, I, Nancy I Russell, Mayor of the City of Gordon do hereby proclaim the month of October 2020 as "Head Start Awareness Month".

BE IT FURTHER RESOLVED, it is recognized that the needs of children and families in the immediate service area must become a top priority for future decision makers by investing financial resources and talent in the prevention of health and mental health and educational disabilities, child abuse and neglect, and family dysfunction.

BE IT FURTHER RESOLVED, that all parents of preschool age children should be encouraged to participate in literacy activities, such as reading a book with your child, attending a play with your child, and going to the library with your child during the month of October.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Gordon, this 8th day of October, 2020.

/s/ Nancy I Russell

Mayor Nancy Russell

The city has taken all necessary steps to sell the property located on North Spruce Street to Justin Simmons, and no one has filed any opposition to the sale with the city office. Motion by Evans, seconded by Paul to pass Ordinance 1200. Ayes: Grant, Bounous, Evans, Paul, and Russell.

ORDINANCE NO. 1200

AN ORDINANCE PROVIDING FOR CONFIRMATION OF THE SALE OF CERTAIN REAL ESTATE PROPERTY OWNED BY THE CITY.

WHEREAS the City of Gordon, Nebraska is the owner of certain real property more specifically described as:

Part Northwest Corner (NW1/4), Section Thirty (30), Township Thirty-Three (33),
Range Forty-One (41), Sheridan County, Nebraska;

WHEREAS Resolution 2020-18 was previously passed and approved on the 10th day of September, 2020 wherein the City offered the aforescribed property for sale to Justin Simmons for a proposed purchase price of \$1,400.00;

WHEREAS, following the passage of Resolution 2020-18 directing the sale of the property, "Notice of Property Sale," which included the terms and conditions of such sale was posted in three prominent public places within the City for a period of not less than seven (7) days prior to the sale of the above described property.

WHEREAS the property was authorized for sale "as is" without warranty or guarantee and by legal description only.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GORDON, NEBRASKA:

Section 1. The Mayor and Council of the City of Gordon, Nebraska, hereby approve the sale of:

Part Northwest Corner (NW1/4), Section Thirty (30), Township Thirty-Three (33),
Range Forty-One (41), Sheridan County, Nebraska;

to Justin Simmons for the purchase price of \$1,400.00;

Section 2. The Mayor and City Clerk are hereby authorized and empowered to execute and deliver a Warranty Deed as to title, and said property is otherwise transferred "as is" without warranty or guarantee, and by legal description only, to Justin Simmons on behalf of the City of Gordon.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED AND ORDERED PUBLISHED this 8th day of October, 2020.

CITY OF GORDON, NEBRASKA

/s/ Nancy I Russell
NANCY RUSSELL, Mayor

ATTEST:

/s/ Kim Buchan
Kim Buchan, City Clerk

Motion by Paul, seconded by Grant to waive 2nd and 3rd readings of Ordinance 1200. Ayes: Bounous, Evans, Paul, Russell, and Grant.

Motion by Evans, seconded by Grant to accept the 2019-2020 Perpetual Care Report as presented and to thank Alyssa Dehart for her service as Chairman of the Perpetual Care Board. Ayes: Evans, Paul, Russell, Grant, and Bounous.

Motion by Bounous, seconded by Evans to pass Resolution 2020-21. Ayes: Paul, Russell, Grant, Bounous, and Evans.

RESOLUTION NO. 2020-21

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 Gordon “Parade of Lights” on Saturday, December 12, 2020 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 fess, 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

Wellspring Chapel is requesting that they be allowed to close E Fifth Street from N Main Street going east to the alley on October 31 to hold a Trunk or Treat Event. Leah Olson representing Wellspring Chapel, has taken the necessary steps to make the event safe during the COVID-19 Pandemic. She has contacted Panhandle Public Health and is following all guidelines given to them. Motion by Evans, seconded by Grant to approve this request. Ayes: Russell, Grant, Bounous, Evans, and Paul.

City Manager Spaugh presented council with his October Manager's Report. Items contained in the report were:

1. The airport is closed this week for the seal coating of Runways 4/22.
2. The new fuel terminal at the airport has been installed.
3. There is currently a fence on the east property line of the airport that is not in compliance with NDOT Division of Aeronautics regulations. Discussions are ongoing with the property owner as the fence must be removed.
4. City has received one bid for the swimming pool boil and is waiting on a second bid.
5. The restrooms and gym at the city building remain closed to the public except during organized events due to COVID-19.

No action was taken on any item in the Manager's Report.

Valerie Mann, representing the Gordon Economic Development Corporation address council during the Public Comments section. The Gordon Economic Development Corporation currently owns the

land that Moore Ballfield is on. They are interested in donating this to the city, as the corporation no longer wishes to expend their funds on this property. No action was taken on this item, but will be on future agendas.

With no further business, motion by Bounous, seconded by Paul to adjourn at 7:40 pm. Ayes: Grant, Bounous, Evans, Paul and Russell.

/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 October 8, 2020; 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 have been extracted were in written form 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