

City of Scottsbluff, Nebraska

Monday, August 17, 2015

Regular Meeting

Item Consent1

Approve the minutes of the August 3, 2015 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, August 3, 2015 at 6:00 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on July 31, 2015, in the Star Herald, a newspaper published and of general circulation in the city. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public. that anyone with a disability desiring reasonable accommodations to attend the council meeting should contact the city clerk's office, and that an agenda of the meeting kept continuously current was available for public inspection at the office of the city clerk in city hall; provided, the city council could modify the agenda at the meeting if it determined that an emergency so required. a similar notice, together with a copy of the agenda, also had been delivered to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television stations KSTF and KDUH, and the Star Herald. The notice was also available on the city's website on July 31, 2015. An agenda kept continuously current was available for public inspection at the office of the city clerk at all times from publication of the notice to the time of the meeting.

Mayor Randy Meininger presided and City Clerk Dickinson recorded the proceedings. The Pledge of Allegiance was recited. Mayor Meininger welcomed everyone in attendance and encouraged all citizens to participate in the council meeting asking those wishing to speak to come to the microphone and state their name and address for the record. Mayor Meininger informed those in attendance that a copy of the Nebraska open meetings act is posted in the back of the room on the west wall for the public's review. The following Council Members were present: Jordan Colwell, Randy Meininger, Raymond Gonzales, Scott Shaver and Liz Hilyard. absent: None.

Mayor Meininger asked if there were any changes to the agenda. There were none. Mayor Meininger asked if any citizens with business not scheduled on the agenda wished to include an item providing the City Council determines the item requires emergency action. There were none. Moved by Council Member Gonzales, seconded by Council Member Colwell that,

1. "The minutes of the July 20, 2015 Regular Meeting be approved,"
2. "The absence of Council Member Hilyard from the July 20, 2015 Regular Meeting be approved," YEAS", Gonzales, Colwell, Meininger, and Hilyard. "NAYS" Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Mayor Meininger "that the following claims be and hereby are approved and should be paid as provided by law out of the respective funds designated in the list of claims dated August 3, 2015, as on file with the City Clerk and submitted to the City Council," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

CLAIMS

ADVERTISING SPECIALTIES LLC,UNIFORM PREP.,15; AHLERS BAKING INC,DEPT SUPPL,51.67; ALAMAR CORP,CIP-PO SUPPLIES,1362.7; AMAZON.COM HEADQUARTERS,MISC.,412.17; ANDREW HAYWARD,CON SRV, 800; ANITA'S GREENSCAPING INC,CONTRACTUAL SVC,4566.16; ANTHONY J MURPHY,LINCOLN TRAINING COST - MURPHY,239.35; AUTOZONE STORES, INC,VEH MAINT,38.22; BLUFFS SANITARY SUPPLY INC.,JAN SUP,552.81; BRADY, JONATHAN,CON SRV,198; BRUCE ROLLS, DEP SUP,99.99; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL,73.7; CARR-TRUMBULL LUMBER CO, INC.,SUPP,8.05; CASH WA DISTRIBUTING,CON SUP, 1457.45; CELLCO PARTNERSHIP, CELL PHONES, 504.95; CEMENTER'S INC,DEPT SUP, 216.68; CITIBANK N.A.,DEPT SUPPLIES, 278.4; CLARK PRINTING LLC,DEP SUP,290.08;

CONTRACTORS MATERIALS INC.,DEP SUP, 1231.32; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,222.16; CYNTHIA GREEN,DEPT SUPPL, 227.01; D & H ELECTRONICS INC.,GRD MTC,43.45; DALE'S TIRE & RETREADING, INC., VEHICLE MTNC,782.69; ECKERBERG, PHILLIP,SCHOOLS & CONF,72; ENERGY LABORATORIES, INC,CONTRACTUAL SVC,4145; ENVIRONMENTAL ANALYSIS SOUTH, INC,CONTRACTUAL SVC,105.8; ESQUIO RIOS JR,CON SRV,468; FEDERAL EXPRESS CORPORATION, POSTAGE,175.6; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC, 892.87; FREMONT MOTOR SCOTTSBLUFF, LLC,VEHICLE PARTS, 31.89; GAM & BSM INC.,VEH MTC,1445; GENERAL ELECTRIC CAPITAL CORPORATION, SUPPLIES, 319.05; GENERAL TRAFFIC CONTROLS, INC,TRAFFIC SIGNAL EQUIP FOR 27TH & 2ND AVE, 6124.47; GI HOSPITALITY,SCHOOLS & CONF,299.85; GILBERT CARRIZALES,CON SRV,414; H D SUPPLY WATERWORKS LTD, METERS, 2373.75; HAWKINS, INC.,CHEMICALS,5280.55; HEILBRUN'S INC.,VEH MTC,638.78; HELLING, MERLIN,MISC,475; HODGES, JOSHUA H,CON SRV,200; HULLINGER GLASS & LOCKS INC.,BLD MTC,174.75; ICMA RETIREMENT TRUST-457,DEF COMP,1325.14; IDEAL LAUNDRY AND CLEANERS, INC.,SUPP,223.77; INDEPENDENT PLUMBING AND HEATING, INC,GRD MTC,84.88; INGRAM LIBRARY SERVICES INC,BKS,242.73; INTERNAL REVENUE SERVICE,7-3 WITHHOLDINGS,65678.53; INTRALINKS, INC,EQUIP MAIN,300; INVENTIVE WIRELESS OF NE, LLC,DEP SUP,109.9; JAMES H. NEUWIRTH,CON SRV,10000; JOHN DEERE FINANCIAL,DEP SUP,96.94; JOHN DEERE FINANCIAL,GRD MTC,79.8; JOHN DEERE FINANCIAL,EQP MTC,45.74; JONATHAN BAKER,SWM LES,60; JONATHAN P VAN GALDER, CON SRV,36; KAWASAKI KORNER,EQP MTC,158.28; KING WILLIAM,FIREARMS RANGE, 25.2; KIRK BERNHARDT,CON SRV,108; KRIZ-DAVIS COMPANY,PVC, CPLGS,SEALANT FOR 27TH & 2ND TRAFFIC SIGNAL,838.67; LINCOLN JOURNAL STAR,SBSCRIP,673.2; M.C. SCHAFF & ASSOCIATES, INC,ENG. SERVICES FOR SEAL COATING,53606; MAILFINANCE INC,RNT MACH,493.76; MENARDS, INC,ST. REPAIR SUPP - RIVER ROCK,469.4; MIDWEST MOTOR SUPPLY CO INC,SUPP - MINI BULBS, FUSES, ETC.,335.77; MIRACLE RECREATION EQUIPMENT,GRD MTC,1013.27; NE DEPT OF REVENUE,EMPLOYEE WITHHOLDINGS, 19537.73; NEBRASKA MACHINERY CO,EQUIP MAINT,1381; NEBRASKA PUBLIC POWER DISTRICT,ELECTRICE,28223.6; NEBRASKALAND TIRE, INC,VEHICLE REPAIRS,14.5; NEOPOST, POSTAGE, 300; NORTHERN SAFETY COMPANY, INC.,DEPT SUP,127.52; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP,554.48; OREGON TRAIL PLUMBING, HEATING & COOLING INC,BLD MTC,117; PANHANDLE CONCRETE PRODUCTS, INC,DEPT SUP,81; PANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL SVC,294; PANHANDLE HUMANE SOCIETY,CONTRACT,4964.31; PATRICK & KRISTIN MAAG,SPC EVT,800; PAUL REED CONSTRUCTION & SUPPLY, INC,GND MTC,533.78; PEPSI COLA OF WESTERN NEBRASKA, LLC,CON SUP,363.9; PLATTE VALLEY BANK,HSA,12485.91; POSTMASTER,POSTAGE,300.97; REAMS SPRINKLER SUPPLY CO.,GRD MTC,3400.77; REGIONAL CARE INC,HEALTH INS. PREMIUM,63784.67; REGIONAL WEST MEDICAL CENTER,EMS SUPPLIES,13.51; REGISTER OF DEEDS,DEPT SUP,16; RICHARD JOHNSON,CON SRV,907.81; RICHARD P CASTILLO,CON SRV,378; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC,1877.29; RR DONNELLEY,DEPT SUPPL,199.69; S M E C,EMPLOYEE DEDUCTIONS,238; SANDBERG IMPLEMENT, INC,EQP MTC,362.75; SHERIFF'S OFFICE,DEPT SUP,28.9; SIMON CONTRACTORS,CONCRETE,2358.63; SNELL SERVICES INC.,BLDG MAIN,200; SOURCE GAS, MONTHLY ENERGY FUEL,1781.83; SPENCER MCMURTRY,DEP SUP,193.42; STATE HEALTH LAB,SAMPLES, 2353.25; STATE OF NE.,CONTRACTUAL, 525;

STATE OF NEBR, MONTHLY LONG DISTANCE, 290.92; STEVE DECKER,GRD MTC, 809; STEVE W. HODGES,CON SRV,216; SUBWAY, CIVIL SERV. SUPPLIES, 28.25; SWANK MOTION PICTURES INC,SPC EVT,351; THE CHICAGO LUMBER COMPANY OF OMAHA INC,DEPT SUPPLIES,5.85; THE PEAVEY CORP,INVEST SUPPL,137.1; THOMPSON GLASS,SUPPLIES,2.04; TLC, INC.,GRN MTC,265.99; TOPKOTE INC,FINAL PAYMENT FOR CHIP SEAL PROJECT,587539.04; TOTAL FUNDS BY HASLER,PSTGE,500; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,383.99; TRAFFIC PARTS, INC,PUSHBUTTON SW. FOR TRAFFIC SIGNALS,76; TYLER TECHNOLOGIES, INC,FEES,348; UNITED STATES WELDING, INC,WELDING SUPP - ROD,74.1; UPSTART ENTERPRISES, LLC,DEPT SUPPL,176.86; US BANK,FEES ON '15 LEASE/RENTAL BOND ISSUANCE,650; US BANK,DEP SUP,62.79; VAN DIEST SUPPLY COMPANY,MOSQUITO SPRAY,3407.5; WELLS FARGO BANK, N.A.,RETIREMENT,29268.12; WESTERN COOPERATIVE COMPANY,DEP SUP,46; WESTERN COOPERATIVE COMPANY,GRD MTC,323.43; WESTERN PLAINS BUSINESS FORMS INC, DEPT SUPPLIES,118; WIN INVESTMENTS INC,CONFERENCE,189.9; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,145.24; YELLMAN, ABBIGAIL,REIMB,84.48; ZM LUMBER INC,GRD MTC,58.49; REFUNDS: JEANETTE LARA 49.46; DIANE CAMPIONE 36.33; FTC EXPRESS 2.88; TERRY JESSEN 3.08.

City Manager Kuckkahn explained the Requisition Certificate for reimbursement of expenses for the 2015 Lease Rental Bond. This will finalize the purchase of the properties for the downtown plaza project. Moved by Council Member Colwell, seconded by Council Member Gonzales, "to authorize the Mayor and the Leasing Corporation President to sign the requisition certificate for payment of legal fees and reimbursement of downtown building purchases on the 2015 Lease Rental Bond," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

Finance Director Griffiths presented the June 2015 Financial Report to Council. The report continues to show growth in the sales tax revenue.

Marlin Duncan from the Valley Bowl Fun Center approached the Council regarding the expansion of his outdoor area. He has extended the fence by 24 feet to add a miniature golf course, which requires a modification to his existing liquor license. The expansion is within the guidelines of the Nebraska State Patrol, and he has not had any liquor license violations. Police Chief Spencer submitted a Memo to the Council regarding this expansion, and had no problems with the request. Moved by Council Member Shaver, seconded by Council Member Gonzales, "to made a positive recommendation to the Nebraska Liquor License Commission regarding the addition to the Valley Bowl Liquor License," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

Hunter Maglitto from Elks Lodge 1367 approached the Council regarding his appointment as manager of the Elks Liquor License. He explained that he has worked at the Elks since December, and historically, the Elks has not had any issues serving minors. He explained that during large parties and receptions, all attendees are carded and will have wristbands showing if they are over 21 or not. City Attorney Olsen questioned Mr. Maglitto regarding the inventory and if staff have received the proper training. Mr. Maglitto responded that he controls the inventory, and all employees will receive the required alcohol server training. Police Chief Spencer previously conducted an interview with Mr. Maglitto and did not have any concerns about recommending him as manager of the liquor license. Moved by Mayor Meininger, seconded by Council Member Shaver, "to make a positive recommendation

to the Nebraska Liquor License Commission regarding the appointment of Hunter Maglitto as the Elks Liquor License Manager,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

City Manager Kuckkahn explained the noise permit request from Robert Mobley for his business located at 813 East Overland. He is requesting a noise permit for every Thursday night from 5:00 p.m. to 10:00 p.m. This permit would be subject to the Police Department responses if there are a number of calls and complaints as a result of the noise permit. Council agreed that the time period should be limited to 30 days. Moved by Mayor Meininger, seconded by Council Member Hilyard, “to approve the Application for a Noise Permit from Robert E. Mobley at 813 East Overland (Midwest Slingers) for Thursday evenings, from 5:00 p.m. to 10:00 p.m. for a 30 day period,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Assistant City Manager Johnson presented the proposal from Twin Cities Development to prepare the Certified Community Recertification Application for the City of Scottsbluff. They will use actual hours at a billable rate of \$75 per hour to determine the final cost, which is estimated at \$2,500 for the minimum, not to exceed \$5,000. Moved by Mayor Meininger, seconded by Council Member Shaver, “to approve compensation to Twin Cities Development for preparation of the Economic Development Certified Community (EDCC) recertification application to the Nebraska Department of Economic Development at the proposed rate of \$75 per hour, not to exceed \$5000.00,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Mr. Kuckkahn presented the amendment to the contract for the AFR Holdings project at Premiere Estates. He explained that the applicant is proposing a 3” asphalt road with 2’ shoulders. One of the reasons we have a code in place for developments in our extraterritorial is in anticipation of annexation with roads that the city can accept. The 3” asphalt with 6” compacted subgrade will be comparable to the city’s 2” pavement and 4” base coarse requirements. This surface is endorsed by a reputable engineer, however, this proposal does not meet city code. Mayor Meininger commented that this would provide enough room to allow emergency vehicles access to the properties.

Mr. Adam Reed, Developer, explained that the engineer endorsed the 3” asphalt with 6” compacted subgrade which will be comparable to the city’s code requirement of 2” pavement and 4” base coarse. Council Member Colwell asked if the asphalt had to be replaced, who would be responsible. Mr. Reed informed the Council that the Homeowners Association would be responsible for the road, which is noted in the Developers Agreement. Council Member Shaver commented that if the property is annexed, the developer would be the one responsible for bringing the streets to city code. Moved by Council Member Hilyard, seconded by Council Member Gonzales, “to approve the Amendment to the Contract for Public Improvements for AFR Holdings for the Premiere Estates project,” “YEAS”, Gonzales, Meininger, Shaver, and Hilyard. “NAYS” Colwell. Absent: None.

City Manager Kuckkahn reviewed information from the budget work session regarding the 2015/2016 FY Budget. There are no significant changes at this time. The proposed 1.2% COLA will remain the same for all general employees; the negotiations with the Police and Fire Unions continue and should be resolved soon; we will continue to focus on any changes to the minimum wage, based on the federal law. Staff is still looking at the potential of a hotel/ motel and food and beverage tax, and would like Council’s endorsement to enact this tax in the future to relieve the compression of increases to the

budget. Some of the increases for the 15/16 FY budget include health insurance 5%; workers compensation, 4%; property insurance 14% and liability insurance 10%.

The utility rate increase anticipated is \$2.65/month, which is the same amount discussed at the budget work session. The ten-year projection reflects the removal of the \$350,000 annual support to the Riverside Discovery Center in 2021. The ending cash balance for FY 2016 is 3,222,153.00. The 10 year projection shows a negative balance for 2026, which is common, each year we will make adjustments to maintain a healthy cash balance. We will need to look at other revenue sources to compensate the increase in expenses. Currently the City is in excellent financial condition.

Mayor Meininger asked if we had any policies in place to be prepared for any businesses qualifying for super advantage tax programs. Mr. Kuckkahn responded that we will monitor this situation and try to get an estimate as best as we can, to put funds aside in the event we need to reimburse those taxes. Mr. Johnson added that the projection for a 1% hotel/motel and food and drink tax is \$350,000.00. With direction from Council, staff will work on this for FY16/17. Moved by Mayor Meininger, seconded by Council Member Hilyard, "to direct staff to move forward with the FY 15/16 budget using the existing projections and look for options to provide additional revenue," "YEAS", Gonzales, Colwell, Meininger, and Hilyard. "NAYS" Shaver. Absent: None.

Dave Schaff with M.C. Schaff and Associates gave the Council an update on the Platte Alliance Water Supply (PAWS) Project. The Bureau of Reclamation awarded a grant to begin the appraisal investigation and determine if the Regional Water Treatment project should proceed with a feasibility study. The appraisal process started in 2010. This regional study includes 12 communities in Western Nebraska and 11 communities in Eastern Wyoming to identify existing water issues. The purpose of the study is to see what direction we should go regarding a regional water system. Since most drinking water comes from wells, there are many contaminants that need to be tested on a regular basis. Over time, the contaminant levels rise, which is a major concern.

A regional water system would utilize an economy of scale, provide higher quality source water at a lower treatment cost and reduce the impact to the users. The assumption for this type of system is that it will provide wholesale water to municipalities, water districts and residents in the project area. If nothing is done, each community will continue using their own treatment plant. The cost and maintenance is extremely expensive for each community to continue with their own treatment plant.

Mr. Schaff requested an updated letter of support so they can proceed with the feasibility study. They will continue to research ways to finance the project, so they can actively begin the project during FY16-17. Mr. Jeff Fuller added that with so many variables, including permitting, it is feasible that a project of this size could take 5 – 6 years.

Mr. Kuckkahn added that the City is currently looking at building it's own treatment plant, however, he feels confident in this regional approach. Our concern may be eased by moving ahead with a regional system. Mayor Meininger recommended forwarding this information to the West Nebraska Economic Development group for consideration by all area communities, as water is a key economic development issue.

Moved by Council Member Shaver, seconded by Council Member Hilyard, “to update the letter of support for the Platte Alliance Water Supply (PAWS) Project and authorize the Mayor to sign the letter,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Assistant City Manager Johnson gave the council a progress report of the Western Nebraska Economic Development (WNED) Inter-Local group. Officers have been elected and by-laws have been approved. The Amended Interlocal Agreement was approved to provide for multiple individuals to serve as alternates on the committee. It also allows for LB840 funds to assist with the administration of the group. Rawnda Pierce, Twin Cities Development, presented the first major projects to the group, the ECenter and Business Retention, Expansion Specialist. Each community will take these back to their respective boards and council. Thomas P. Miller will be in town August 19 – 21 to work on potential site selections in Morrill and other communities. The next meeting is August 20, 2015. Council Member Hilyard added that Mr. Ediger had researched the use of KENO funds for those projects in communities without LB840 funding. KENO funds can be used for Economic Development projects as long as they are for community betterment.

Mr. Kuckkahn explained the details of forming a Community Redevelopment Authority. He explained that the Council can create a new group of volunteers by Ordinance, who could work with Tax Increment Funding ability and would have levy capability. However, and levy decisions needs to be approved by the City Council also. We would have to examine this possibility and see how they would fit into the redevelopment projects. Moved by Mayor Meininger, seconded by Council Member Shaver, to bring back additional information to Council regarding the details of forming a Community Redevelopment Authority,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Mr. Kuckkahn presented an add-on to the Hazard Mitigation Plan grant for Council’s consideration. He explained that this plan makes the city eligible for grant assistance to prevent and respond to disasters. He said there are 380 structures within the floodplain in Gering, Terrytown and Scottsbluff, so the potential for savings is very significant. This plan would focus on properties in the floodplain, making suggestions for risk reduction for properties. The flood insurance premiums for homeowners in these areas is extremely expensive. This grant would provide information for homeowners to reduce their risk and expense. The project cost is \$32,000 with 75% of the cost being paid by FEMA; 25% by the City.

Council Member Shaver commented that these funds would essentially be helping each homeowner with research of their homes to prevent flood damage. Mr. Kuckkahn answered that this isn’t just assisting the current property, it’s actually assisting with the future households and protecting the value of the neighborhood. Council Member Hilyard asked if Terrytown and Gering are going to partner with the match for this grant. The study will be divided between the communities, so Scottsbluff will only pay for properties within our jurisdiction.

Moved by Council Member Gonzales, seconded by Mayor Meininger, “to approve the submittal of a grant application for the Scottsbluff Flood Risk Assessment and Mitigation Plan, an optional add-on to the Hazard Mitigation Plan and authorize the Mayor to submit the commitment letters,” “YEAS”, Gonzales, Colwell, Meininger, and Hilyard. “NAYS” Shaver. Absent: None.

Regarding the Annexation Ordinance, City Manager Kuckkahn explained that this is a small property that was not annexed at the last request for annexation in this area and will complete the annexation process for the Five Oaks development. Council introduced the Ordinance which was read by title on second reading: **AN ORDINANCE ANNEXING A PARCEL OF LAND CONSISTING OF 2,629.39 SQ. FT. (0.06 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED BELOW, AND ALLOWING FOR PUBLICATION IN PAMPHLET FORM.**

Council reviewed the resolution to provide insurance coverage through LARM. Moved by Mayor Meininger, seconded by Council Member Shaver, "to approve Resolution 15-08-01, extending the date for written notice of termination in participation in the League Association of Risk Management (LARM) to 180 days and consider the contribution credits for a 3 year multi-year commitment," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

League Association of Risk Management
2015-2016 Renewal Resolution

RESOLUTION NO. 15-08-01

WHEREAS, The City of Scottsbluff is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Scottsbluff, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. (180 day and 3 year commitment; 5% discount)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. (180 day and 2 year commitment; 4% discount)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2016. (180 day notice only; 2% discount)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. (90 day notice and 3 year commitment only; 2% discount)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2017. (2 year commitment only; 1%)

O Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2016. (90 day Notice only)

Adopted this 3rd day of August, 2015.

Signature: _____

Title: Mayor

ATTEST: _____

Title: City Clerk

Moved by Council Member Shaver, seconded by Council Member Hilyard, “to adjourn the meeting at 7:23 p.m.” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Mayor

ATTEST:

City Clerk