

# **City of Scottsbluff, Nebraska**

**Tuesday, September 8, 2015**

**Regular Meeting**

## **Item Consent1**

**Approve the minutes of the August 17, 2015 Regular Meeting.**

**Staff Contact: Cindy Dickinson, City Clerk**

Regular Meeting  
August 17, 2015

The Scottsbluff City Council met in a regular meeting on Monday, August 17, 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 August 14, 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 August 14, 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 Hilyard that,

1. "The minutes of the August 3, 2015 Regular Meeting be approved,"
2. "The August 31, 2015 Regular Meeting be cancelled as two regular meetings will have already taken place in the month of August,"
3. September 8, 2015 at 6:05 p.m. be set as the date for a Public Hearing for the FY 2015-2016 Budget,"
4. "A Public Hearing be set for September 8, 2015 at 6:05 p.m. to consider a Zone Change of Lots 6 and 7, Ridge Estates Subdivision from R-1 to Agriculture,"
5. "The claim from Diana Crystal for personal property damage in the amount of \$941.78 be acknowledged and referred to the city's insurance carrier," 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 17, 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

3M COMPANY,INS CLAIM,5361.33; ACTION COMMUNICATIONS INC.,SERVICES,55; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4911.95; ANDREW HAYWARD,CON SRV,42; ANITA'S GREENSCAPING INC,BID PRKNG LOTS,866.67; ASSOCIATED SUPPLY CO, INC,BLD MTC,3370.16; ASSURITY LIFE INSURANCE CO,ASSURITY LIFE,34.36; B & H INVESTMENTS, INC,DEPT SUPPLIES,311; B&C STEEL CORPORATION,GRD MTC,11.34; BLUFFS SANITARY SUPPLY INC.,JANITORIAL SUPPLIES,441.54; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS,105.29; CASH WA DISTRIBUTING,CON SUP,627.78; CELLCO PARTNERSHIP,CELL PHONES,147.97; CEMENTER'S INC,DEPT SUP,94.16; CENTRAL STATES WIRE PRODUCTS INC.,DEPT SUPPLIES,1530; CITIBANK N.A.,SUPP - TRASH BAGS, PHONE, CARTRIDGE,257.65; CITY OF GERING,DISPOSAL FEES,46576.1; COMPASS TOOLS, INC,GIS SCHLS/CNFRNCS,695; COMPUTER CONNECTION INC,RENT-MACH,45.38; CONTRACTORS MATERIALS INC.,SUPP - EXP. JOINT,545.33; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACH,222.16; CRESCENT ELECT. SUPPLY COMP INC,BLD MTC,191.77; CYNTHIA GREEN,DEPT SUP,652.88; D & H ELECTRONICS,GRD MTC,43.45; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,802.07; DIAMONDBACK ENGINEERING & SURVEYING, INC,LB840 - UTILITY EXTENSION PROJECT,21640; DUANE E. WOHLERS,DISPOSAL FEES,2400; DYNA-TECH ELECTRIC INC,BLDG MAINT,72.5; ELECTRONIC RECYCLERS, INC,DISPOSAL FEES,2612.16; ELLIOTT EQUIPMENT COMPANY INC.,VEHICLE MTNC,1627.27; ELXSI,SCHOOL & CONF,899.96; ENERGY LABORATORIES, INC, SAMPLES, 178; ESQUIO RIOS JR,CON SRV,486; FASTENAL COMPANY,DEPT SUP,30.09; FEDERAL EXPRESS CORPORATION,POSTAGE,529.18; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,266.6; GENERAL ELECTRIC CAPITAL CORPORATION,DEP SUP,312.99; GENERAL TRAFFIC CONTROLS, INC,REPAIR CAMERA FOR TRAFFIC SIGNAL,302.79; GFOA, MEMBERSHIP,190; GILBERT CARRIZALES,CON SRV,348; HAWKINS, INC.,CHEMICALS,1848; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,102.91; HEILBRUN'S INC.,CAR LIFT FOR CENTRAL GARAGE,23940.64; HENWIL CORPORATION,CHEMICALS,5289.75; HODGES, JOSHUA H,CON SRV,210; HONEY WAGON EXPRESS,CONT SVC,155; HULLINGER GLASS & LOCKS INC.,BLDG MAIN.,55; HYDRONIC WATER MANAGEMENT,EQUIP MAIN,425; HYDROTEX PARTNERS, LTD,OIL AND POWER KLEEN FOR CENTRAL GARAGE,3805.28; ICMA RETIREMENT TRUST-457,ICMA,1325.14; IDEAL LAUNDRY AND CLEANERS, INC., DEPT SUPPLIES,1716.86; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MTNC, 114.56; INFINITY CONSTRUCTION, INC.,STREET PRJCT,65230.33; INGRAM LIBRARY SERVICES INC,BKS,241.5; INLAND TRUCK PARTS & SERVICE,VEH MTC,303.39; INTERNAL REVENUE SERVICE,WITHHOLDINGS,67095.51; JOHN DEERE FINANCIAL,NYLON ROPE FOR T.S. AT 27TH & 2ND,311.92; JOHN DEERE FINANCIAL,DEPT SUPPLIES,39.99; JOHN DEERE FINANCIAL,EQP MTC,219.61; JONATHAN P VAN GALDER,CON SRV,21; KEMBEL SAND & GRAVEL COMPANY,DEP SUP,109.79; KIRK BERNHARDT,CON SRV,348; KRIZ-DAVIS COMPANY, CPLG, GRIP, ETC. FOR T.S. AT 27TH & 2ND,202.29; LAWSON PRODUCTS, INC, DEP SUP,866.62; LEXISNEXIS RISK DATA MANAGMENT INC,CONSULTING,100; MADISON NATIONAL LIFE,MADISON NATIONAL,1836.61; MARIE'S EMBROIDERY,UNIFORMS,6; MATHESON TRI-GAS INC,DEPT SUP,126.12; MENARDS, INC,DEPT SUPPLIES,342.44;

MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,7541.79; MIDWEST CONNECT, LLC, DEPT SUPPLIES,772; MIDWEST MOTOR SUPPLY CO INC,SUPP - NUTS, WASHERS, SOLVENT, 313.43; MONUMENT PREVENTION COALITION,CONTRACTUAL,939.94; NATHAN JOHNSON,TRAVEL,118; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1863.43; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,32.33; NE DEPT OF REVENUE,TAX WITHHOLDINGS,29619.66; NE LIBRARY COMMISSION,BKS,1506.2; NEBRASKA ARBORISTS ASSOCIATION,SCHOOLS & CONF,75; NEBRASKA MACHINERY CO, EQUIP MAINT,7380; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,49159.95; NEBRASKALAND TIRE, INC,VEH MAINT,14.5; NEOPOST,POSTAGE,1000; NETWORKFLEET, INC,MONTHLY GPS SERVICE,18.95; NEW YORK TIMES,SBSCRPTN,447.2; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GRD MTC,39.16; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS,1134.62; ONE CALL CONCEPTS, INC,ONE CALL,163.15; OREGON TRAIL PLUMBING, HEATING & COOLING INC,DEP SUP,140; PANHANDLE CONCRETE PRODUCTS, INC,DEPT SUP,632; PANHANDLE COOPERATIVE ASSOCIATION, GASOLINE,24780.8; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,266; PANHANDLE GEOTECHNICAL & ENVIRONMENTAL INC,CON SRV,2188; PAUL REED CONSTRUCTION & SUPPLY, INC,GRD MTC,577.62; PEPSI COLA OF WESTERN NEBRASKA, LLC,CON SUP,206.8; PLATTE VALLEY BANK,PVNB HSA,13829.66; POLICE OFFICERS' ASSOCIATION OF NEBRASKA, PUBLICATIONS,275.5; POSTMASTER,POSTAGE,654.22; POWERPLAN,VEH MTC,2.69; POWERS, KATHY,REIMB,95.79; PRAISE WINDOWS INC,BLDG MAIN., 420; REAMS SPRINKLER SUPPLY CO.,GRN MTC,533.49; REGION I OFFICE OF HUMAN DEVELOPMENT,CONTRACTUAL SERVICES,825; REGIONAL CARE INC,HEALTH CLAIMS,12042.14 & 185.76; REGISTER OF DEEDS,LEG FEE,76; RICHARD P CASTILLO,CON SRV,378; RUSHMORE MEDIA COMPANY, INC,CONTRACTUAL SVC,250.5; SMEC, 238; SAFELITE FULFILLMENT, INC,VEH MTC,246.9; SALLY EITREIM, CONTRACTUAL SVC,775; SANDBERG IMPLEMENT, INC,EQP MTC,184.2; SCB COUNTY,CNTRCL SUP,161; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,210; SCOTTS BLUFF COUNTY ROADS DEPT, 21ST AVE./SUGAR FACTORY ROAD OVERLAY - CITY SHARE,137197.96; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,1120; SCOTTSBLUFF LANDSCAPING INC, CON SRV,425; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,624; SCREENVISION,CONTRACTUAL SVC,272; SHERIFF'S OFFICE,SHERIFFS OFFICE,311.06; SHERWIN WILLIAMS,GRD MTC,255.64; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,13408.1; SIMON CONTRACTORS,CONCRETE,1822; SIRSI CORPORATION,CONT. SRVCS,1003.96; SNELL SERVICES INC.,EQP MTC,389.87; STEVE DECKER,GRD MTC,312; STEVE W. HODGES,CON SRV,450; THE CHICAGO LUMBER COMPANY OF OMAHA INC, DEPT SUPPLIES,12.68; THOMAS P MILLER & ASSOCIATES, LLC,CONTRACTUAL SERV, 23008.5; TOTAL LANDSCAPE CONCEPTS,GRD MTC,265.99; TRAFFIC PARTS, INC,PED XING PUSH BUTTONS,85.5; TRANS IOWA EQUIPMENT LLC,PAYMENT ON ROTARY SNOW BLOWER, 2500; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS,268.5; UNITED STATES WELDING, INC,DEPT SUPPLIES,40.02; UPSTART ENTERPRISES, LLC,DEPT SUPPL,177.87; US BANK,TRUSTEES ANNUAL FEE,1750; US BANK,SCH/CON,1465.57; WELLS

FARGO BANK, N.A.,WELLS FARGO,30843.09; WEST DODGE LODGING ASSOCIATES II, LLC,SCHOOLS & CONF,306; WESTERN PATHOLOGY CONSULTANTS, INC,PRE-EMPL. SCREENING, 203; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE, YMCA, 2021.5; REFUNDS: DENCY RIVERA 31.93; ROBERTO AVILA 26.54; HINA ANJUM 5.01; SALVADOR CERVANTES 28.39; JEFF WINTERS 32.79; ISREAL TREVINO 28.87; ALICIA BANANNO 29.48; ALEX HEITHOLD 64.22; DALE LEMLEY 39.42; JUSTIN ADAMS 5.17; ROBERT DARO 4.77; JAMIE HOUSKEN 11.76; RICHARD CLEAGER 4.07; CLARKNATION LLC 7.34 & 2.99; DIANE CAMPIONE 3.76; JODI BENSON .20; RONALD SCHLUTER 5.50.

City Manager Kuckkahn presented the request for payment by warrants for the Reganis 12<sup>th</sup> Avenue project. Moved by Mayor Meininger, seconded by Council Member Shaver, “to approve the request for payment of a claim by warrants for Water Extension District 105, Reganis 12<sup>th</sup> Avenue and approve Resolution No. 15-08-02,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

#### RESOLUTION NO. 15-08-02

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

That the claim of M.C. Schaff & Associates, Inc. in the amount of \$6,458.50, being the second pay estimate for Water District #105, is approved and the City Clerk is authorized to issue a warrant for the payment of such claim.

That the claim of Infinity Construction in the amount of \$52,173.91, being the third pay estimate for Water District #105, is approved and the City Clerk is authorized to issue a warrant for the payment of such claim.

Passed and approved this 17th day of August, 2015.

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Mayor

ATTEST:

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City Clerk

“seal”

Moved by Mayor Meininger, seconded by Council Member Hilyard, “to approve the request for payment of a claim by warrant for Paving District #312, Reganis 12<sup>th</sup> Avenue and approve Resolution No. 15-08-03,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

RESOLUTION NO. 15-08-03

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

That the claim of M.C. Schaff and Associates, Inc. in the amount of \$4,529.75, being the second pay estimate for Paving District #312, is approved and the City Clerk is authorized to issue a warrant for the payment of such claim.

That the claim of Infinity Construction in the amount of \$47,975.00, being the third pay estimate for Paving District #312, is approved and the City Clerk is authorized to issue a warrant for the payment of such claim.

Passed and approved this 17th day of August, 2015.

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Mayor

ATTEST:

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City Clerk

“seal”

Mr. Kuckkahn reported on the July Financial Report, which is currently in good shape. There were no further questions by the Council.

Mr. Bart Shively, from Chili's, 826 West 36<sup>th</sup> St., approached the Council regarding his appointment as Liquor License Manager for the business. He explained that as General Manager, he is responsible for all alcohol orders. They have a training program for all servers and meet weekly to discuss how they will prevent minors from being served alcohol. If an employee sells to a minor, it is not automatic termination, however they do need to receive a “re-teach” of all classes. Chief Spencer interviewed Mr. Shively and had no reason to disqualify him as a Liquor License Manager. Moved by Council Member Gonzales, seconded by Mayor Meininger, “to make a positive recommendation to the Nebraska Liquor License Commission regarding the appointment of Bart Shively as the Chili's Liquor License Manager, 826 West 36<sup>th</sup> St., Scottsbluff, NE,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

City Manager Kuckkahn explained the final plat for lots 7, 8 and 9, Block 6A Panhandle Cooperative Subdivision. This final plat will allow for future development of these lots, and each lot has access on to Avenue B. The final plat meets the zoning district guidelines and the Planning Commission recommended approval of the final plat. Moved by Mayor Meininger, seconded by Council Member Hilyard, “to approve the final plat of Lots 7, 8, & 9, Block 6A, Panhandle Cooperative Subdivision, a replat of Block 6A, Panhandle Cooperative Subdivision, and approve Resolution No. 15-08-04,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

RESOLUTION NO. 15-08-04

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

That the final plat of Lots 7, 8, and 9, Block 6A, Panhandle Cooperative Subdivision a replat of Block 6A, Panhandle Cooperative Subdivision, City of Scottsbluff, Scotts Bluff County, Nebraska, situated in the NW ¼ of Section 26, T22N, R55W of the 6th P.M., City of Scottsbluff, Scotts Bluff County, Nebraska dated August 6, 2015, duly made, acknowledged and certified, is approved. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 17th day of August 2015.

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Mayor

Attest:

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City Clerk

SEAL

Mr. Kuckkahn presented the Ordinance to vacate lots located in the Ridge Estates Subdivision, which is northwest of Scottsbluff. The vacated lots totaling approximately 4 acres will be included into unplatted farm land which is zoned A-Agricultural and will be used for an accessory building. Rex Morse with Aulick Leasing, speaking on behalf of Shane Aulick, property owner, pointed out that the property is located north of Highway 26 and East of County Road 19. Mayor Meininger introduced the Ordinance which was read by title on first reading: AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING LOTS 6 AND 7, THE RIDGE ADDITION, SITUATED IN THE SW¼NE¼ OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M., IN SCOTTS BLUFF COUNTY, NEBRASKA.

Deputy City Attorney Rick Ediger gave Council additional information regarding the establishment of a Community Redevelopment Authority (CRA). He explained that if the Council chooses to move forward in forming a CRA, it is established by adopting an Ordinance. The Council can decide if they would like to appoint 5 or 7 members, which is set by state statute. Council Members cannot serve as the Community Redevelopment Authority. The terms are rotated every three years. The LB840 committee members could serve as the CRA in a separate committee from LB840.

It would be helpful to find out what other communities with a CRA have done. Examples of other communities with a CRA are Ogallala, North Platte, Kearney, Grand Island and Hastings. Alliance is in the process of considering a CRA. The main reason for creating a CRA is provide for a dedicated group to work on housing and dilapidated structures and other redevelopment projects. An advantage of the CRA over the City Council acting as the Community Development Authority (CDA) is in the sale of property. The CRA is not required to go through the 30 day remonstrance period, as would be the case for the Council acting as the CDA, which may discourage or slow down a project.

A key issue for the Council, will be determining the amount of the CRA budget. Their budget is separate from the City Council, however there is oversight by the City and it is subject to the Finance

Director review and audit. The City Council has final say in their budget. The revenue source for this budget can either be from the general fund or property taxes. The CRA has levy authority up to 2.6 cents per \$100 property evaluation. The success of the CRA is based on funding and what they are allowed to do, however, they must have a plan for all redevelopment projects, which first must be approved by the City Council. The advantages of the CRA working on redevelopment projects is speed, flexibility and expertise in the area of development. Their only charge is economic development, whereas the City Council has multiple duties.

Mr. Kuckkahn added that all potential redevelopment projects will be based on the comprehensive plan and identifying when development should happen. There is a considerable potential for substantial funding and ability to make significant improvements. Only the CRA has authority to impose an additional levy up to 2.6 % to pay for community redevelopment projects.

Council Member Shaver asked how we can find people with expertise to serve on the committee, who don't have a conflict. He expressed concern that this is another layer of taxation for citizens.

City Manager Kuckkahn suggested that if the Council chooses to proceed, it would be best to adopt the Ordinance first, then look for members to serve.

Rawnda Pierce, Twin Cities Development Executive Director commented that her organization has been criticized by private developers for doing this same type of redevelopment, and was concerned about the city receiving the same criticism.

If Council is interested in proceeding, staff will supply estimates of tax revenue and begin working on a plan to form a CRA for FY 2016/2017. Council would like to see what other communities have done with a Community Redevelopment Authority and would like to review the Comprehensive Plan.

Regarding the Nebraska Department of Environmental Quality (NDEQ) grant, Assistant City Manager Johnson explained that the City received a \$100,000 grant for the purchase of a loader and mulch screen to improve the city's mulch operation. Council Member Shaver commented that there are less restrictions for the equipment if we purchase the loader without using grant funds. Public Works Supervisor Mark Bohl commented that the City will need to follow the NDEQ guidelines for the equipment. Moved by Council Member Gonzales, seconded by Mayor Meininger, "to approve the agreement with the Nebraska Department of Environmental Quality for the receipt of \$100,000 of grant funds to be used to purchase a wheel loader and mulch screen," "YEAS", Gonzales, Colwell, Meininger, and Hilyard. "NAYS" Shaver. Absent: None.

Mr. Johnson presented the specifications for the loader which will be purchased with the NDEQ grant and explained that the mulch screen is less than \$30,000 so will not be advertised for bids. Moved by Mayor Meininger, seconded by Council Member Hilyard, "to approve the specifications for the purchase of one, new, used or demonstrator front wheel loader and authorize the City Clerk to advertise for bids to be received until 2:00 p.m. September 8, 2015," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

Mr. Kuckkahn clarified information discussed during the FY 15-16 budget workshop regarding the single rate for all sanitation customers. Every resident in the city will pay the same for sanitation costs, (trash, yard waste and single stream recycling) rather than breaking up services and costs which has been done in the past. The advantage for this is that the City will own the containers and will replace them if damaged or suffering from wear. We are combining all of these services into one rate. Council directed staff to continue with preparation of the FY15-16 budget based on this assumption.

The Council previously approved an optional add-on to the Hazard Mitigation Plan Grant. After reviewing this grant application, it appears there are over 400 properties in the flood plain, however, the funding will only cover 25-30 properties. Mr. Johnson recommended repealing this grant application. Moved by Council Member Shaver, seconded by Council member Hilyard, "to repeal the grant



application for the Scottsbluff Flood Risk Assessment and Mitigation Plan, an optional add-on to the Hazard Mitigation Plan,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

City Manager Kuckkahn gave the Council an update on the progress of the Comprehensive Plan. He explained that staff will soon be taking some of the Comprehensive Plan elements to the public for input by the end of September. This process will include a questionnaire process with respondents having the ability to fill out the portions they are most interested in. In addition, property sites are being identified for potential land use. There is a large amount of in-fill property with good potential for growth. We are in the final stages of developing the web site, which should be ready to go soon. Panhandle Area Development District will give a final report on all matters after the Planning Commission has a chance to look over the plan.

Mr. Johnson reported on the close out of the Ave. I project and liquidated damages to Simon Construction. Simon’s sent a letter May 4, 2015 asking for 20 days of credit for the time period that Perkins and Perkins was not on the job and the time it took to find someone to replace them. Mr. Bohl added that all paperwork has been completed and staff is comfortable with the 20 days credit. Moved by Council Member Shaver, seconded by Mayor Meininger, “regarding the close out of the construction work at Avenue I, approve a 20 day credit to Simon Contractors for liquidated damages in the amount of \$54,600.00” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Assistant City Manager Johnson explained that inspections at Frank Park show that some of the equipment is failing and broken due to old age. Repair or replacement of this playground equipment is not included in the 2015/2016 capital improvements, so staff is looking at KENO, contingency funds, or grant funding to replace the equipment. It is not safe and should be removed. Staff is looking for direction regarding possible demolition or repairing. Mayor Meininger recommended that the unsafe equipment be removed from Frank Park, which is mainly the platform and slides, Council concurred with this recommendation. These items will be removed, leaving the swings for now.

Mr. Johnson presented the agreement with Electronic Recyclers International (ERI) for collection of electronic waste. He explained that due to the declining global commodity market, this has had a significant impact on the electronic recycling industry, therefore the price for electronic recycling will increase. This will result in an amendment to our contract with ERI. Due to the limited number of electronic recyclers in the area, staff is recommending approval of the amendment. This amendment does not represent a large dollar amount at this time, but we need to watch the expense and be aware of the increase. Council Member Shaver asked about getting prices from other recyclers in the area. Mr. Johnson explained that our contract is binding through May of 2016. We can look at alternatives prior to the renewal of this contract. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve the amended Electronic Waste Services Agreement with Electronic Recyclers International Inc., (ERI) and authorize the Mayor to sign the agreement,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard, “NAYS” None. Absent: None.

Council introduced Ordinance No. 4166 regarding the Annexation of a Gap Parcel of Five Oaks Subdivision, containing .06 acres, more or less in the NW ¼ of Section 14, Scotts Bluff County, NE which was read by title on third 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.

Moved by Mayor Meininger, seconded by Council Member Shaver, “to adopt Ordinance No. 4166,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard, “NAYS” None. Absent: None.

Assistant City Manager Johnson presented the Ordinance dealing with confidentiality of information provided for economic development projects. This Ordinance would include the regional Western Nebraska Economic Development organization as one of the committees required to maintain confidentiality of all matters dealing with Economic Development purposes. Deputy City Attorney Ediger explained that this Ordinance is being proposed to clarify that all Economic Development committees are included in confidentiality requirements, including the LB840 Application Review Committee, LB 840 Citizen Advisory Committee and the Western Nebraska Economic Development Committee, including any City Staff and Elected Officials affected. Mayor Meininger introduced the Ordinance which was read by title on first reading: AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE SCOTTSBLUFF MUNICIPAL CODE AT CHAPTER 6, ARTICLE 2, RELATING TO CONFIDENTIALITY OF INFORMATION PROVIDED FOR ECONOMIC DEVELOPMENT PURPOSES, REPEALING PRIOR SECTIONS, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

Police Chief Spencer presented a resolution authorizing an addition to the handicapped spaces, adding a space by Our Lady Guadalupe Church on East 11<sup>th</sup> St. Moved by Council Member Colwell, seconded by Council Member Hilyard, "to approve Resolution No. 15-08-05 authorizing additions to the handicapped parking spaces," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard, "NAYS" None. Absent: None.

#### RESOLUTION NO. 15-08-05

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

1. The public safety, health, convenience and welfare require that Handicapped Parking Spaces be established on the public streets pursuant to §22-6-47 of the Municipal Code.

2. The following public spaces on the public streets are hereby designated as handicapped parking spaces:

Broadway Avenue:

A portion of the east side of Broadway Avenue, two diagonal parking spaces, beginning at a point which is 16 feet south of the south curb line of East 16<sup>th</sup> Street. There shall then be two handicapped parking spaces immediately south of that point, each 9 feet wide with a 5 foot access aisle between the two spaces.

First Avenue:

The first parallel parking space immediately south of 16<sup>th</sup> Street on the west side of First Avenue, (begins 29 feet south of the south curb line of East 16<sup>th</sup> Street). The space shall be 8 feet in width and 22 feet in length.

First Avenue

The first parallel parking space immediately south of 17<sup>th</sup> Street on the west side of First Avenue, beginning 45 feet south of the south curb line of 17<sup>th</sup> Street.

Fourth Avenue:

The 36 feet of parking space on the east side of Fourth Avenue commencing 84 feet north of the north curb line of East 19<sup>th</sup> Street.

Ninth Avenue:

The 45 feet of parking space on the west side of Ninth Avenue commencing 188 feet north of the north curb line of East Overland.

Twelfth Avenue:

The 22 feet of parking space on the west side of Twelfth Avenue beginning 29 feet north of the north curb line of East 11<sup>th</sup> Street.

Twenty-First Avenue:

At 1502 21<sup>st</sup> Avenue: Starting 8 feet south and 2 feet west from the Southeast corner of the building continuing west 84 feet.

Avenue A:

The first 38 feet of parking space commencing 107 feet north of West 21<sup>st</sup> Street on the west side of Avenue A.

East 11<sup>th</sup> Street:

Beginning on the north side of East 11<sup>th</sup> Street and 30' west of the west curb line of 12<sup>th</sup> Avenue and continuing 53'6" west of the west curb line of the intersection of East 11<sup>th</sup> Street and 12<sup>th</sup> Avenue, adjacent to the handicap ramp located on the sidewalk near that intersection.

East 14<sup>th</sup> Street:

Two stalls 20 feet long by 10 feet wide, starting 30 feet west of 12<sup>th</sup> Avenue on East 14<sup>th</sup> Street.

East 15<sup>th</sup> Street:

The fourth parallel parking space west of First Avenue on the north side of 15<sup>th</sup> Street between Broadway and First Avenue.

West 15<sup>th</sup> Street:

The first 25 feet of parking space on the north side of West 15<sup>th</sup> Street commencing 35 feet east of the east curb line of Avenue F.

East 16<sup>th</sup> Street:

The first parallel parking space immediately west of the alley on the north side of East 16<sup>th</sup> Street between Broadway and First Avenue.

West 16<sup>th</sup> Street:

The fifth parallel parking space west of Broadway Avenue on the south side of 16<sup>th</sup> Street commencing 131 feet west of the west curb line of Broadway.

East 19<sup>th</sup> Street:

The third parallel parking space immediately west of First Avenue on the north side of 19<sup>th</sup> Street commencing 68 feet west of the west curb line of First Avenue.

East 21<sup>st</sup> Street:

The 46 feet of parking space on the south side of East 21<sup>st</sup> Street commencing 107 feet east of the east curb line of Fifth Avenue.

Avenue K:

The first two parking spaces on the west side of Avenue K commencing along the curb line of West 18<sup>th</sup> Street as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

Cleveland Field:

The first two parking spaces on the concrete pad located immediately south of the admission building which are designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

Avenue D:

The first four parking spaces on the west side of Avenue D along the north curb line of 31<sup>st</sup> Street as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

East 23<sup>rd</sup> Street:

The first six parking spaces along the west curb line of 3<sup>rd</sup> Avenue as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

City Hall:

The parking space located in the south corner of the parking lot immediately west of City Hall, as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

6<sup>th</sup> Avenue:

The first parking space on the west side of 6<sup>th</sup> Avenue along the north curb line of East 15<sup>th</sup> Street, as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

West 16<sup>th</sup> Street:

The first parking space on the west of the alley on the north side of West 16<sup>th</sup> Street, as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

Police Station:

The southeast corner parking space beginning along the north curb line on West 18<sup>th</sup> Street, as designated by signs posted above ground and immediately adjacent to the parking spaces and which parking spaces are indicated by blue paint adjacent to each parking space.

3. Resolution No. 11-04-03 and all other resolutions in conflict with this Resolution are repealed to the extent that an actual conflict with this Resolution exists.

4. This Resolution shall become effective following its passage and approval.

Passed and approved on August 17, 2015.

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Mayor

Attest:

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City Clerk

(Seal)

Under Council reports, Council Member Colwell announced that he attended an excellent presentation by Dr. Garcia at the Scottsbluff Public Schools, the Whole Child Initiative, sponsored by the Center for Strong Schools. He would like to see the City get more involved in this in the future.

Mayor Meininger reported that the Scottsbluff Senior Center passed their State inspections after a few repairs were made.

Mayor Meininger attended a meeting with Governor Ricketts regarding the Heartland Express. He challenged everyone to look at creative funding sources. The Federal Government is leveraging an additional 10% for the project, so it is now a 90/10 match.

Council Member Shaver is looking for information for High School Students to get involved with the Student Youth Council. Council Member Gonzales suggested looking at the Comprehensive Plan for youth program components.

Council was reminded of the upcoming League of Nebraska Municipalities Conference on September 23 – 25, 2015 and the Western Nebraska Economic Development committee meeting on August 20, 2015 at 6 p.m. – Gering City Council Chambers.

Council asked for a list of what committees Council Members serve and if minutes are available from those meetings. Mr. Kuckkahn suggested posting board and commission minutes to the city's web site.

Moved by Council Member Shaver, seconded by Council Member Gonzales "to adjourn the meeting at 7:25 p.m.," "YEAS", Gonzales, Colwell, Meininger, and Hilyard, "NAYS" Shaver. Absent: None.

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Mayor

Attest:

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City Clerk

"Seal"