

City of Scottsbluff, Nebraska
Monday, February 1, 2016
Regular Meeting

Item Consent1

Approve the minutes of the January 19, 2016 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Tuesday, January 19, 2016 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 January 15, 2016, 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 December 18, 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, and Scott Shaver. Absent: Mark McCarthy. Also in attendance was Scottsbluff High School Student Youth Council Representative Uriah Mata.

Mayor Meininger asked if there were any changes to the agenda. There were no changes.

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 Shaver, seconded by Council Member Colwell, that:

- a) "The minutes of the January 4, 2016 Regular Meeting be approved,"
- b) "The specifications for a new refuse truck for Environmental Services be approved and authorize the City Clerk to advertise for bids to be received by February 8, 2016 at 1:00 p.m.,"
- c) "A Public Hearing be set for February 1, 2016 at 6:05 p.m. to consider the Rezone of Lots 1 & 2, Tract B&C, Blk. 10, Five Oaks Subdivision, Scotts Bluff County, NE, from Agricultural to Office and Professional,"
- d) "A Public Hearing be set for February 1, 2016 at 6:05 p.m. to consider an Ordinance creating requirements for the placement of shipping containers," "YEAS", Gonzales, Colwell, Meininger and, Shaver "NAYS" None. Absent: McCarthy.

Moved by Mayor Meininger, seconded by Council Member Shaver, "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 January 19, 2016, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Gonzales, Meininger and Shaver, "NAYS" None. Absent: McCarthy.

CLAIMS

ACTION COMMUNICATIONS INC.,EQUIP MAINT,559; AE SERVICES, LLC,SCOREBOARD WORK- CLEVELAND FIELD,1657.02; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4654.45; ASSURITY LIFE INSURANCE CO,LIFE INS,34.36; AUTOZONE STORES, INC,EQUIP MAINT,7.62; B & H INVESTMENTS, INC,DEP. SUP.,389; B&C STEEL

CORPORATION, DEPT SUPP, 58.4; BIRUTA D. WALTON, EQUIP MAINT, 117.5; BLUFFS SANITARY SUPPLY INC., DEPARTMENT SUPPLIES,408.86; CAPITAL BUSINESS SYSTEMS INC.,MONTHLY MAINT,185.06; CARR- TRUMBULL LUMBER CO, INC.,PAINT & SUPPLIES,83.43; CELLCO PARTNERSHIP,MONTHLY CELL FIRE,387.85; CHRIS REYES,DEPT SUPPL,180; CITIBANK N.A.,DEPT SUP,241.22; CITY OF GERING,DISPOSAL FEES,41748.36; CITY OF SCB,POSTAGE,38.75; COMPUTER CONNECTION INC,DEPT SUPP,166.45; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,247.25; CONTRYMAN ASSOCIATES, P.C.,AUDIT SERVICES,12000; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACH,212.14; CRESCENT ELECT. SUPPLY COMP INC,LIGHT BULBS,308.16; DALE'S TIRE & RETREADING, INC.,EQUIP MAINT,36; DOMDELINGER TROY,LEGAL,20; ELECTRONIC RECYCLERS, INC,DISPOSAL FEES,4559.07; ENFORCEMENT VIDEO, LLC,CIP-PO#1,1614; FASTENAL COMPANY,EQUIP MAINT,32.78; FAT BOYS TIRE AND AUTO,SUPP - RUBBER VALVE STEM FOR CENTRAL GARAGE,7.5; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,1111.17; FREMONT AMERI-TECH EQUIPMENT COMPANY INC,PARTS FOR D. TRUCK,158.61; FREMONT MOTOR SCOTTSBLUFF, LLC,REPAIRS TO BUCKET TRUCK, 4026.91; FYR-TEK INC,REPAIRS FOR VOLUNTEER GEAR,579; GARTON, LYNN,SCHOOL & CONF,98; GENERAL ELECTRIC CAPITAL CORPORATION,DEPT SUP,272.81; GRAND ISLAND MOTEL DEVELOPMENT, INC,ROOMS-MCDOWELL-TECHNICIAN CLASS,389.75; H D SUPPLY WATERWORKS LTD,DEPT SUP,38877.37; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,2057.21; HEILBRUN'S INC.,DEPT SUPP,5352.59; HULLINGER GLASS & LOCKS INC.,DEPT SUPP,20.25; ICMA RETIREMENT TRUST-457,DE COMP,1725.14; IDEAL LAUNDRY AND CLEANERS, INC.,DEPT SUPPLIES,1026.47; INGRAM LIBRARY SERVICES INC,BKS,31.9; INTERNAL REVENUE SERVICE,WITHHOLDINGS, 62300.66; INTRALINKS, INC, CONTRACTUAL SERVICES,3298.54; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,8; J G ELLIOTT CO.INC.,BOND - DEPUTY CITY CLERK,875; JOHN DEERE FINANCIAL,DEPT SUPP,27.99; JOHN DEERE FINANCIAL,EQUIP MAINT,800.49; KEMBEL SAND & GRAVEL COMPANY,DEPT SUPP,115.04; KOIS BROTHERS EQUIPMENT CO INC,VEHICLE MTNC, 1242.07; LEAGUE OF NEBRASKA MUNICIPALITIES,SCHOOLS & CONF,80; LEXISNEXIS RISK DATA MANAGMENT INC,CONSULTING,100; M.C. SCHAFF & ASSOCIATES, INC,DEPT CNTRCL SRVCS,1560; MADISON NATIONAL LIFE,LIFE INS,1874.28; MARSHALL JUDY,LEGAL,32.65; MATHESON TRI-GAS INC,RENT MACHINES,56.5; MAXWELL JANA,LEGAL,20; MCPHAIL CATHY,LEGAL,23.45; MENARDS, INC,DEPT SUPP,2009.61; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,702.13; MID-STATES ORGANIZED CRIME INFORMATION CENTER,MEMBERSHIP,200; MIDWEST MOTOR SUPPLY CO INC,SUPP FOR CENTRAL GARAGE,1015.31; MUNICIPAL SUPPLY INC. OF NEBRASKA,DEPT SUP,8773.23; NAEM,MEMBERSHIP,50; NCMA,MEMBERSHIP,467.06; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1863.43; NE DEPT OF REVENUE,WITHHOLDINGS,30754.34; NE LAW ENFORCEMENT TRAINING CENTER, SCHOOLS & CONF,100; NEBRASKA RURAL WATER ASSOCIATION,MEMBERSHIPS,275; NEBRASKA MACHINERY CO,EQUIP MTNC,1435.06; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,40638.91; NEBRASKA SALT AND GRAIN CO,1 LD. ICE SLICER,3817.58; NEOPOST,POSTAGE,1499.68; NETWORKFLEET, INC,GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,ELL & PLUG FOR SNOW BLOWER,6.12; ONE CALL CONCEPTS, INC,CONTRACTUAL SERV,53.4; OREGON TRAIL PLUMBING, HEATING & COOLING INC,BUILDING MAINT,785; PANHANDLE AREA DEVELOPMENT DISTRICT, CONTRACTUAL SERV,3060; PANHANDLE CONCRETE PRODUCTS, INC,DEPT SUP,72; PANHANDLE COOPERATIVE ASSOCIATION,UNLEADED GASOLINE,19346.33; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,126; PLATTE VALLEY BANK,HSA,79226.73; POSTMASTER,POSTAGE,897.26; PRAISE WINDOWS INC,BLDG MAIN.,645; PUBLIC SAFETY CENTER, INC,DEPARTMENT SUPPLIES,289.59; QUICK CARE MEDICAL SERVICES, DOT PHYSICALS TWO STAFF,250; QUILL CORPORATION,DEPT SUPPL,89.98; REGION I OFFICE OF HUMAN DEVELOPMENT,CONTRACTUAL SERVICES,825; REGIONAL CARE

INC,CLAIMS,134207.92; REGIONAL WEST MEDICAL CENTER,HEALTH FAIR,5661.6; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,24; REGISTER OF DEEDS,LEGAL,80; RICHS WRECKING & SALVAGE,VEH MAINT,450; RUSHMORE MEDIA COMPANY, INC, CONTRACTUAL SVC,325; S M E C,EMPLOYEE DEDUCTIONS,195.5; SALAZAR BEN,LEGAL,23.45; SANDBERG IMPLEMENT, INC,EQUIP MAINT,258.13; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,655; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,552; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS,825; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,16038.79; SIMON CONTRACTORS, SNOW HAULING FOR TRANSPORTATION, 6613.37; STILLAHN CHRIS,DUMPSTER,60.9; THE CHICAGO LUMBER COMPANY OF OMAHA INC,DEPT SUPP,34.57; THE PEAVEY CORP,INVEST SUPPL,259.65; THE WESTERN SUGAR COOPERATIVE,SUPPLIES - TRUCKBED LINERS,152.72; THOMAS P MILLER & ASSOCIATES, LLC,LB840 - ECONOMIC DEVELOPMENT,6577.53; TRANS IOWA EQUIPMENT LLC,PART FOR SNOW BLOWER - SPIDER,9859.06; TWIN CITY AUTO, INC,CUTTING EDGES FOR SNOW PLOWS,1591.69; TYLER TECHNOLOGIES, INC,FEES-UTILITY BILLING,1576.75; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS,340.1; UPSTART ENTERPRISES, LLC,EQUIP MAINT,371.78; US BANK,DEPT SUPPL,1766.25; WELLS FARGO BANK, N.A.,RETIREMENT, 24463.27; WESTERN PATHOLOGY CONSULTANTS, INC,CONTRACT SERVICES, 280; WESTERN PLAINS BUSINESS FORMS INC,CONTRACTUAL SVC,74.38; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT,79.99; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,2157.75; REFUNDS: DANIELA DUARTE 33.32; ANN GACHNE 18.02; DEB SHIRKEY 114.10; ZACHERY PHILLIPS .28; RAMONA WARNER 4.00; LISA PAEZ 26.06; FIRST CASH INC. #365 182.67; NATHAN LEWIS 23,86; DENNY TURNER 6.26.

Mr. Jim Carney, representing St. Agnes Church, approached the Council to explain the request for Special Designated Liquor Licenses for their annual fish fry events. This is the 11th year for this event. They are very careful regarding serving beer and wine and have never had an issue of serving to minors. Police Chief Spencer added that the event is managed very well and they have no problem recommending approval of the permits. Moved by Council Member Gonzales, seconded by Council Member Colwell, "to recommend issuance of special designated liquor licenses for St. Agnes Church, 2314 3rd Ave., Scottsbluff, for events on February 12, February 26 and March 11, 2016," "YEAS", Colwell, Gonzales, and Meininger,"NAYS" Shaver. Absent: McCarthy.

City Manager Kuckkahn presented the agreement with the Splash Foundation and recommended that this agreement go to the Parks and Recreation Board for review first. Council was concerned over some confusing wording of the agreement and also felt the contract should be considered since it is on the agenda. Mayor Meininger commented that review from the Parks and Recreation Board would give another layer of input. Representatives from the Splash Foundation, Janelle Debes, President Elect; and Jennifer Galinda, President; approached the Council to justify their request for \$80,000.00 for the Foundation. They explained that with the cost of running the pool is actually quite a bit more, with payroll alone at \$156,000.00. They felt the \$80,000.00 request was a fair amount to assist with the operation. Funding is needed to help with labor, insurance, and supplies, including purchasing a payment system (POS). Ms. Galinda explained that they have organized their board and plan to increase services and build the memberships to help them meet their expenses. They plan to be open 6 days a week to provide more programs to the community.

Mayor Meininger expressed his concern for the organization to operate on their budget. The City did not continue with the Splash because of the cost per participant. Currently, the Splash Foundation is not receiving any funding from the City or the Scottsbluff Public School District. They have received some in-kind assistance from the School District. They have also received some donations and membership fees, which are \$30/family per month. The Torpedoes members also pay a membership fee. The financial request from the City would help to stabilize and grow the program. Council Member Shaver was concerned if \$80,000.00 would be enough to cover expenses.

Mr. Kuckkahn added that staff suggested that the Splash foundation work with the Park and Recreation Board to present a unified approach to running the pool. He also voiced concern about competition with the City for lifeguards to fill the positions. He added that if the Council is interested in providing funding to the Splash Foundation, the funds would come from contingency funds.

Council Member Colwell commented that the representatives presented the information requested, so we should consider their request now rather than send it back to the Park and Recreation Board for recommendation. Council Member Shaver agreed and suggested that we provide \$40,000.00 of their request now, and evaluate the remaining one-half later, which will give them time to work out the specifics. The Splash Foundation representatives commented that this request for funding is just a starting point, they don't intend to ask for funding on a regular basis.

Council Member Shaver suggested changing the contract to \$40,000.00 now and reevaluate in six months, and remove the last sentence of #7 in the contract "These funds shall be used to provide services for the City's residents as provided in paragraph 2 above".

Meagan Hayward, member of the Park and Recreation Board, commented that the Board would like some time to look at the proposal and make a recommendation to the City Council. In reviewing the Splash budget, it appears that the funding from the City would go to pay their lifeguards more than the City can pay lifeguards, which presents a concern about competition for lifeguards.

Moved by Mayor Meininger "to recommend sending the Splash Foundation proposal back to the Park and Recreation Board." Motion died due to lack of a second.

Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve the Splash Foundation Agreement with the following change in #7: Provided the City has funding available, the City by this Agreement shall contribute an amount of money to support Splash's operation of the Indoor Swimming Pool not to exceed \$40,000.00. Provided further, additional funding may be considered by City upon further request by Splash and further review by the City," "YEAS", Colwell, Gonzales, Meininger and Shaver, "NAYS" None. Absent: McCarthy.

Assistant City Manager Johnson presented the agreement with Panhandle Area Development District (PADD) for work related to the Comprehensive Development Plan. The City contracted with PADD in 2015 for this project in the amount of \$4,000.00, of which there are approximately 16 hours (\$940.00) remaining to complete the work. PADD's portion of the Comprehensive Plan will be complete by February 29, 2016. Moved by Council Member Gonzales, seconded by Council Member Colwell, "to approve the agreement with Panhandle Area Development District and authorize the Mayor to execute the agreement," "YEAS", Colwell, Gonzales, Meininger and Shaver, "NAYS" None. Absent: McCarthy.

Mr. Johnson presented the contract with Twin Cities Development for support of the eCenter. This will be paid for out of the LB840 fund, which is very healthy. Payment will be \$1,000.00 per month for businesses that qualify, with a cap of \$60,000.00 per year. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve the agreement with Twin Cities Development for support of the eCenter and authorize the Mayor to execute the agreement," "YEAS", Colwell, Gonzales, and Meininger, "NAYS" Shaver. Absent: McCarthy.

Mr. Johnson presented the Fee for Services contract with Twin Cities Development, which will also be paid from LB840 funds. This will provide \$7500.00 per quarter for core services to include day to day operations of the economic development office, maintain the economic development website, participate in area marketing efforts, participation in area business and industry tours for high school students and board and staff development and training. The contract amount will not exceed \$60,000.00 per fiscal year. The City will pay \$100.00 per hour for business retention and expansion visits and economic development related activities required to maintain Certified Community Status. This contract is limited to and not to exceed \$60,000.00 per fiscal year.

Mayor Meininger noted that this contract meets the approved activities qualifying under the State's LB840 requirements. The City will have the capability to review funding again depending upon the types of business recruitments. Moved by Council Member Gonzales, seconded by Mayor Meininger,

“to approve a Fee for Services Contract with Twin Cities Development and authorize the Mayor to execute the contract,” “YEAS”, Colwell, Gonzales, and Meininger, “NAYS” Shaver. Absent: McCarthy.

City Manager Kuckkahn presented the lease for a new car for use by the WING investigator, to replace the existing lease. This lease is paid with funds from the HIDTA grant. Moved by Council Member Gonzales, seconded by Council Member Shaver, “to approve a three-year lease agreement for the WING investigator vehicle in the amount of \$386.00 per month,” “YEAS”, Colwell, Gonzales, Meininger and Shaver, “NAYS” None. Absent: McCarthy.

Mr. Kuckkahn presented the Memorandum of Understanding with the TriCities Amateur Radio Club to allow the ham radio club to utilize the old Fire Department dive bus, which has been taken out of service. The TriCities Amateur Radio Club will use the bus for a mobile communications vehicle to assist in emergency operations. The bus will be stored at the airport when not in use. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve the Memorandum of Understanding with the TriCities Amateur Radio Club to use the city’s bus and authorize the Mayor to sign the agreement,” “YEAS”, Colwell, Gonzales, Meininger and Shaver, “NAYS” None. Absent: McCarthy.

Assistant City Manager Johnson presented the agreement with MC Schaff and Associates regarding the Platte Alliance Water Supply (PAWS) project. He explained that Wyoming has approved and committed \$200,000.00 of the \$400,000.00 required for the feasibility study. This study for the region-wide municipal water supply project is needed to address the operational programs, options for cost-effective operation, infrastructure design, cost estimates, economic viability, water supply and rights and environmental compliance.

The \$200,000.00 required can be paid out of the Water Department contingency funds for a portion, and then the remainder budgeted for next fiscal year. Regarding water issues, this is a very essential project. Similar projects have stabilized water costs in other areas. Mr. Dave Schaff, MC Schaff and Associates, explained that there are a few very successful models they have looked at, including the Lewis and Clark Project in South Dakota, Minnesota and Iowa. The reason for this agreement is to solidify the Nebraska share of the project. Water rights will be a big part of the feasibility study through multiple users. Among many items, they will be looking at changing the point of diversion and cost effectiveness of treating water. The contract is for the feasibility study only. Moved by Mayor Meininger, seconded by Council Member Shaver, “to approve an agreement with MC Schaff and Associates regarding the Platte Alliance Water Supply (PAWS) project and authorize the Mayor to execute the agreement,” “YEAS”, Colwell, Gonzales, Meininger and Shaver, “NAYS” None. Absent: McCarthy.

Mr. Kuckkahn presented the inter-local agreement with the City of Terrytown for paint striping, at the same cost as last year. Moved by Council Member Shaver, seconded by Council Member Gonzales, “to approve the inter-local agreement with the City of Terrytown for paint striping and authorize the Mayor to execute the agreement,” “YEAS”, Colwell, Gonzales, Meininger and Shaver, “NAYS” None. Absent: McCarthy.

Mr. Kuckkahn also presented the inter-local agreement with the City of Terrytown for street sweeping, at the same cost as last year. Moved by Council Member Shaver, seconded by Mayor Meininger, “to approve the inter-local agreement with the City of Terrytown for street sweeping and authorize the Mayor to execute the agreement,” “YEAS”, Colwell, Gonzales, Meininger and Shaver, “NAYS” None. Absent: McCarthy.

Mr. Tom West with Thomas P. Miller and Associates (TPMA) introduced the other team members with TPMA, Courtney Zaugg and Scott Neale. He explained that he is very excited about the Economic Development plans for Western Nebraska as it is a plan for our future generations. Two years ago they began the strategic planning and discussing how we define success. The plan is action oriented with a common vision for all of the communities involved in the Western Nebraska Economic Development committee. The stake holders made it clear they wanted to get away from jurisdictional boundaries and developed the theme “United We Grow” which describes the regional collaboration and cooperation. They concentrated on reaching a consensus throughout the region of the top priorities for projects, recognizing that projects in other communities may have a high priority for the entire region. It’s important to understand that the funding for the plan didn’t drive the plan, priorities drove the plan. We

will need to tap many funding sources, including grants, LB840, workforce development, private investments, etc.

Courtney Zaugg added that approximately two years ago they were tasked with building trust and guidance for Economic Development in the Panhandle Region. This effort is called Western Nebraska Economic Development. They have worked with a number of local organizations on capacity building, visioning and building community resources. They are applying for an EDA i6 Grant for \$300,000.00 which should be complete soon. In addition, they are working with Starr Lehl, our local representative with the Nebraska Department of Economic Development, to build a relationship and develop communication.

Some of the area projects include working on economic feasibility in Bridgeport to determine a market for tourism and businesses; a day care establishment in Morrill, which has been identified as a qualifying business which eliminates barriers to employment; and community engagement in Bayard. In addition they are working on identifying needs in housing, tourism and downtown development.

TPMA is a firm with a comprehensive focus, known nationally for their work in education, health care, and economic development. They essentially are a resource that has filled the gap in Western Nebraska.

Scott Neale explained that their first project is the Scottsbluff/Gering Highway, of which they will soon be sending out requests for proposals. In addition, the Overland Corridor study will be a priority project and they will be working with City of Scottsbluff staff. Also, a key project is the assessment study for development sites. There is definitely momentum in the region which involves eight counties, and nine cities in the Panhandle. It's important to sustain the momentum through leadership development. Mr. Neal explained that it's obvious that we receive a lot of revenue from the area communities, so it's important to help them grow also.

Tom West explained that there is a vision for regional effort through WNED as a clearing house for Economic Development projects. In cooperation with PADD they are preparing a Library of resources that all communities can share. WNED is now a cohesive voice for Western Nebraska, with more influence in Lincoln for lobbying efforts.

Ms. Zaugg added that sustainability means leadership development, developing mission, and projects, but we need strong leaders. We need a dedicated resource, capacity expertise and strong guidance to sustain and be stable. We are working on building trust, we have the momentum and need to continue.

Mr. West explained that their goal is not to create dependency, but help work on independence. WNED is keeping the momentum and TPMA will continue to help, but the area and the communities need to own the project. TPMA can help bring many issues to the table; however we need to continue consensus building. We may want to create a 501(c)(6) so WNED can lobby for revenue sources. Scottsbluff has invested in the regional plan, which needs to continue. This will help build excitement and build sustainability.

Ms. Zaugg explained the reason for the contract, which is mainly focused on Scottsbluff with an evaluation of industrial sites for qualifying businesses and regional marketing assistance. Communication is a key, so we will be providing additional presentations to City Council.

Council Member Shaver asked why the contract with TPMA is with the City of Scottsbluff and not WNED. Deputy City Attorney Ediger explained that there was recently a legislative change regarding LB840 funds. The contract has to be with the City of Scottsbluff as LB840 funds cannot go to another political subdivision. Funding can be provided to Qualifying Businesses for projects in other communities, but the City can't grant LB840 funds to other political subdivisions, such as WNED or another community

Mr. West commented that they plan to go to the Nebraska Department of Economic Development (NDED) to identify other funding sources to make sure this program works. Council Member Shaver commented that other communities need to provide funding for this economic plan and have an investment in the plan. Mr. Ediger added that the goal is to get LB840 funding in all communities as they need to have their own LB840 program. Council Member Shaver agreed that this is a good source of funding, however, it's restrictive, so we should look at WNED becoming a 501(c)(3) or

501(c)(6) tax exempt organization. Ms. Zaugg commented that nearly all federal funding needs a regional piece, which WNED supplies.

Council Member Shaver added that he felt extending the time period of the TPMA agreement extends the time period of their assistance. Tom West responded that the funding doesn't necessarily go to TPMA, it can go to any organization that can assist. It's important that the group supports itself. Council Member Colwell asked how TPMA sees themselves working with PADD or TCD. Ms. Zaugg responded that they need to be involved as they have knowledge of areas that TPMA doesn't have.

Moved by Council Member Gonzales, seconded by Mayor Meininger, "to approve the contract with Thomas P. Miller and Associates for Economic Development services and authorize the Mayor to execute the contract," "YEAS", Colwell, Gonzales, Meininger and Shaver, "NAYS" None. Absent: McCarthy.

Deputy City Attorney Ediger gave the Council the following power point presentation on the details of LB357 and the Community Redevelopment Authority:

LB 357

Basics - City of the First Class

- No impact on existing 1½ cent City Sales Tax
- Additional ½ Cent to be used for Public Infrastructure Projects
- Projected tax per year = \$1.8 million
- Term: 10 years or until bonds for which sales tax revenue is pledged are paid off

Implementation

- At least 70% of City Council (4 votes) required for proposal
- Must be submitted at a Primary or General Election
- March 1 deadline for May primary Election
- If fails, then must wait 2 years
- If passes, additional tax would take effect October 1, 2016

Public Infrastructure Projects

public highways and bridges and municipal roads, streets, bridges, and sidewalks; solid waste management facilities; wastewater, storm water, and water treatment works and systems, water distribution facilities, and water resources projects, including, but not limited to, pumping stations, transmission lines, and mains and their appurtenances.

Interlocal Agency Formation

- Partner must be a political subdivision within the City or County.
- Interlocal Agency must not be in existence more than one year preceding the election.
- Needs to be a new Partnership.

Interlocal agreement requirements

- Agreement "shall contain provisions, including benchmarks, relating to the long-term development of unified governance of public infrastructure projects"
- Emphasis is on efficiencies to promote the goals of both partners.

Interlocal Agency Purpose

- Monitor benchmarks
- Assess the effect of the collaboration between the City and its partner.
- If Interlocal Agency is funded, how to spend its funds.

Project Decisions

- Sales Tax is levied by the City.
- City Council determines the projects.
- Bonds are issued by the City. Sales Tax is pledged for payment of the Bonds.
- Interlocal Agency is primarily advisory as to the infrastructure projects.

Interlocal Agency Funding

A portion of the additional sales tax can be allocated to the Interlocal Agency – maximum 25%.

If the maximum, that portion of the sales tax continues beyond 10 years.

No requirement to fund the Interlocal Agency - or can fund with a lesser percentage of the tax, or from other sources.

Interlocal Agency Governance

Number of Board Members (City Council can appoint the majority)

Who can be Board Members?

Officers

Terms of Board Members

LB357 History in Nebraska

Adopted by 12 cities to date.

Partners have been School Districts, NRD's, a County, Rural Fire Districts & a CRA.

Many are tied to specific projects

Only one has funded the Interlocal Agency.

Community Redevelopment Authority (CRA) as a Partner

CRA created by Ordinance

5 (most common) or 7 Members – staggered terms, appointed by Mayor & Council.

Director of CRA: City Manager or Designate

If funded, City Treasurer is Ex Officio Treasurer

CRA Purpose

Separate Public Body

Power to prepare and recommend redevelopment plans

Undertake and carry out redevelopment projects

Expenditures necessary to carry out the purposes of the Community Development Law

Current Process (for TIF Projects)

City Council makes determination as to Blighted and Substandard Condition – no change if a CRA.

City Council approves Redevelopment Plan – no change if a CRA.

City Council acts as Community Development Agency (“CDA”) and approves Contract.

CDA is typically reactive – acts upon request of Developer.

CRA Funding

Property Tax – max levy of 2.6 cents per \$100 in value.

Appropriation from General Fund

Reserve a portion of funding from a TIF project to reimburse CRA expenses.

LB357 Interlocal Agency – contract with the CRA for services or projects.

Reasons for a CRA

CRA can specialize and concentrate on Community Redevelopment. Proactive.

Adds another level of review of Redevelopment Plans.

Select CRA Members with appropriate skill sets.

Variety of programs available. Examples: purchase of blighted property, demolition of dilapidated properties, enter into agreements with developers.

Less red tape when it comes to selling property.

CRA Successes

Grand Island

Hastings

Kearney

North Platte

Ogallala

Alliance (recently adopted a CRA Ordinance)

CRA Issues:

- Ineffective or “do nothing” CRA.
- Inadequate funding.
- Financial failure of Developer(s).
- Loaning Borrowed funds

Council Member Shaver voiced his concern regarding the 25% maximum that can go to the Interlocal Agency. He feels it’s extremely important to list the projects being funded on the ballot, so voters know exactly where those funds are going. Mr. Shaver also noted that he feels the CRA should not be funded with a portion of the sales tax, but rather another source. Mr. Ediger explained that the ballot language will be transparent regarding the use of the funds.

Mr. Bill Trumbull asked about the limitation of developers serving as members of the CRA, which makes it difficult to choose members to serve. Mr. Ediger explained that State Law determines that members of the CRA cannot be involved in the redevelopment project.

Council introduced the Ordinance which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE TO PROVIDE FOR A COMMUNITY REDEVELOPMENT AUTHORITY.**

Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve Resolution No. 16-01-01 authorizing Assistant City Manager Johnson to sign closing documents for the purchase of the property located at 1303 East Overland,” “YEAS”, Colwell, Gonzales, and Meininger, “NAYS” Shaver. Absent: McCarthy.

RESOLUTION NO. 16-01-01

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

WHEREAS, the City of Scottsbluff in an effort to help clean up the right of way for the Scottsbluff Drain has entered into an agreement to purchase property, located within the City known as 1303 East Overland;

WHEREAS, one of the requirements from the Title Insurance Commitment is to have a Resolution from the City Council of the City of Scottsbluff to approve the transaction and to designate a party authorized to sign the closing documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsbluff that approval is now given for the purchase and acquisition of real estate with the address of 1303 East Overland, Scottsbluff, Nebraska and more particularly described as follows:

Lot One (1) and the West Half of Lot Two (2), Block Twelve (12), IMPERIAL SUBDIVISION, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska.

The Council further resolves that the Assistant City Manager, Nathan Johnson, shall have authority to sign any and all closing documents required by the title company, including a HUD-1 Closing Statement for the completion of this transaction.

This Resolution shall become effective following its passage and approval.

Passed and approved on January 19, 2016.

Mayor

Attest:

City Clerk
(Seal)

Council introduced the Ordinance which was read by title on second reading: **AN ORDINANCE AUTHORIZING THE SALE OF LOT 3A, BLOCK 1, SECOND IMMIGRANT TRAIL SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.**

Moved by Mayor Meininger, seconded by Council Member Gonzales, "that the statutory rule requiring the Ordinance to be read by title on three different days be suspended," "YEAS", Colwell, Meininger, and Gonzales, "NAYS", Shaver. Absent: McCarthy.

Motion did not pass with three-fourths of the Council Members.

Council Member Gonzales introduced the Ordinance which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO REVISE §6-6-28 DEALING WITH WATER SERVICE AND RATES FOR WATER SERVICE, TO SPECIFICALLY SET FORTH THAT ALL USERS OF THE CITY WATER SYSTEM LOCATED OUT OF CITY LIMITS SHALL PAY THE SAME RATE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Under Council reports, Mayor Meininger reported that he met with the Senior Center Board and they signed the support agreement with the City. He also met with the 911 Advisory Group and discussed the RFP/CAD records management. He suggested we place this item on the next agenda to request legal representative review.

Council Member Shaver introduced Uriah Mata who will serve as our Student Council Representative to the City Council.

Moved by Council Member Shaver, seconded by Council Member Colwell to adjourn the meeting at 8:30 p.m., "YEAS", Colwell, Gonzales, Shaver and, Meininger. "NAYS" None. Absent: McCarthy.

Mayor

Attest:

City Clerk

"SEAL"