

City of Scottsbluff, Nebraska

Monday, March 21, 2016

Regular Meeting

Item Consent1

Approve the minutes of the March 7, 2016 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, March 7, 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 March 4, 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 March 4, 2016. 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, Mark McCarthy and Scott Shaver. Absent: None. 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 none. Mayor Meininger asked that the Volunteer Firefighter Roster be removed from consent agenda and placed on the regular agenda.

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 Mayor Meininger that,

1. "The minutes of the February 29, 2016 Regular Meeting be approved,"
2. "The plans and specifications for a Scale and Office Building at the Compost Facility be approved and authorize the City Clerk to advertise for bids to be received prior to 10:00 a.m., March 29, 2016,"
3. "A public hearing be set for March 21, 2016, 6:05 p.m. to consider a Class I Liquor License application for San Pedro Mexican Restaurant, 23 West 27th St., Scottsbluff, NE,"
4. "A public hearing be set for March 21, 2016, 6:05 p.m. to consider a Class C Liquor License application for the Tangled Tumbleweed LLC, 1823 Avenue A, Scottsbluff, NE," "YEAS", Colwell, Gonzales, Meininger, Shaver and McCarthy, "NAYS": None; Absent: None.

Moved by Council Member Shaver, seconded by Council Member Colwell "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 March 7, 2016, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Gonzales, Meininger, McCarthy and Shaver, "NAYS" None. Absent: None.

CLAIMS

AGUALLO, PAUL, CONTRACTUAL SERVICES, 57.5; AIRGAS USA, LLC, UNIFORMS & CLOTHING, 161; ALAMAR CORP, UNIFORMS, 72.88; AMAZON.COM HEADQUARTERS, DEP SUP, 62.34; B & H INVESTMENTS, INC, DEP SUP, 238.75; BLUFFS SANITARY SUPPLY INC., JANIT & DEPT SUPPL, 1229.54; CALIFORNIA CONTRACTOR SUPPLIES INC, IND. GLOVES, 95.88; CARR- TRUMBULL LUMBER CO, INC., GROUNDS MAINT, 166.61; CELCO PARTNERSHIP, CELL PHONE, 557.71; CEMENTER'S INC, DEPT SUP, 355.78; CHRIS REYES, DEPT SUPP, 686.14; CITIBANK N.A., DEPT SUPP, 369.56; COLONIAL LIFE & ACCIDENT

INSURANCE COMPANY,SUP LIFE INS EE,48.7; COMMUNITY HEALTH-RWMC,HEP B SHOT FOR STAFF MEMBER,127; CONNOR MCDOWELL,TRAVEL COST FOR MCDOWELL TRAINING IN GRAND ISLAND,65.95; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF, 298; CONTRACTORS MATERIALS INC.,DEPT SUPPLIES,241.77; CONTRYMAN ASSOCIATES, P.C.,AUDIT SERVICES,13000; COURT ADMINISTRATORS OFFICE, PUBLICATIONS, 64.5; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT EE, 412.9; CRESCENT ELECT. SUPPLY COMP INC,DEPT SUPP,22.32; CROUCH RECREATIONAL DESIGN, INC,KENO,3905; CYNTHIA GREEN,DEPT SUPP,384.67; DALE'S TIRE & RETREADING, INC.,VEH MAINT,15; DANKO EMERGENCY EQUIPMENT COMPANY,EMS PANTS FOR WALLACE,54.21; DEPT OF HLTH & HUMAN SVCS, MEMBERSHIP,40; DILLMAN NANCY,DEP SUP,35.99; DUANE E. WOHLERS,DISPOSAL FEES,450; ELLIOTT EQUIPMENT COMPANY INC.,DEPT SUPPLIES,28609; ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC,EQUIP MAINT,500; FAT BOYS TIRE AND AUTO,VEH MAINT,1346.9; FEDERAL EXPRESS CORPORATION,POSTAGE,288.87; FLIAM, TYLER, SCHOOLS & CONF,45; FLOYD'S TRUCK CENTER, INC,TURN SIGNAL SW. FOR D. TRUCK,92.33; FREMONT MOTOR SCOTTSBLUFF, LLC,REPAIRS TO BUCKET TRUCK,4818.69; FYR-TEK INC,TWO SETS OF BUNKER GEAR, 4031.95; GENERAL ELECTRIC CAPITAL CORPORATION,DEPT SUPP,857.49; GI HOSPITALITY, SCHOOLS & CONF,104.95; H D SUPPLY WATERWORKS LTD,DEPT SUP,379.8; HAWKINS, INC.,CHEMICALS,2863.15; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,3151.82; HEILBRUN'S INC.,DRAIN & EVACUATION KIT FOR CENTRAL GARAGE,5206.07; HOLIDAY INN - KEARNEY,ROOM FOR TWO STAFF LES LUKERT CONFERENCE,179.8; HOLIDAY INN - MID TOWN,SCHOOLS & CONF,89; HOLIDAY INN EXPRESS LINCOLN AIRPORT,SCHOOLS & CONF,89; HULLINGER GLASS & LOCKS INC.,DEPT SUPP,3.75; HYDROTEX PARTNERS, LTD,HYD/ATF OIL FOR CENTRAL GARAGE,9565.71; ICMA RETIREMENT TRUST-457,DEF COMP EE,1725.14; IDEAL LAUNDRY AND CLEANERS, INC.,JAN SUPPLIES,1236.27; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT,143.01; INGRAM LIBRARY SERVICES INC,BKS,1175.08; INTERNAL REVENUE SERVICE,FED W/H,61728.59; INT'L INST OF MUNC CLKS,ADMISSION APPLICATION,50; INTRALINKS, INC,CONTRACT SERVICES,2437.5; INVENTIVE WIRELESS OF NE, LLC, CONTRACTUAL, 8; J G ELLIOTT CO.INC.,ANNUAL VOLUNTEER INSURANCE PACKAGE, 1305; JACOBS AUTO GLASS,VEH MAINT,125; JOHN DEERE FINANCIAL,SUPP - CLIP,1.78; JOHN DEERE FINANCIAL,BLDG MAINT,36.37; JOHN DEERE FINANCIAL,EQUIP MAINT,1032.6; KEARNEY HOSPITALITY INC,SCHOOLS & CONF,89; KOIS BROTHERS EQUIPMENT CO INC,CONTROL FOR SANDER,813.59; KUCKKAHN, RICK,TRAVEL EXPENSE, 87; LOGAN CONTRACTORS SUPPLY INC,DETACK SURFACE TACK,191.11; M.C. SCHAFF & ASSOCIATES, INC,DEPT CNTRCL SRVCS,1300; MAILFINANCE INC,LEASE, 148.76; MATHESON TRI-GAS INC,REPAIRS TO AIR CHIZEL REGULATOR,265.05; MENARDS, INC,DEPT SUP,1086.11; MIDLANDS NEWSPAPERS, INC,LIB SBSCRPNRWL,25; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,3470.6; MIDWEST AUTO SUPPLY INC,VEHICLE MTNC,115; MIDWEST CONNECT, LLC,DEPT SUPP,500; MIDWEST MOTOR SUPPLY CO INC, SUPP - PIPE SEAL, FUSES, ETC FOR CENTRAL GARAGE,125.1; MONUMENT PREVENTION COALITION,CONTRACTUAL,939.94; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1448.43; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,32.37; NE DEPT OF REVENUE,WITHHOLDINGS,19948.28; NEBRASKA INTERACTIVE, LLC,DRIVERS LICENSE RECORDS,3; NEBRASKA MACHINERY CO,CONTRACTUAL,529.75; NEBRASKA PRINTWORKS, LLC,CONTRACTUAL SVC,613.82; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC,22075.77; NEBRASKA SALT AND GRAIN CO,2 LOADS ICE SLICER, 6822.91; NEMNICH AUTOMOTIVE,VEH MAINT,207.72; NEOPOST,PSTG,500; NEWMAN, TIMOTHY, SCHOOLS & CONF,66; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF, BLDG MAINT, 53.22; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT SVCS,310.39; ONE CALL CONCEPTS, INC,CONTRACTUAL,94.53; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,254; PANHANDLE HUMANE SOCIETY,CONTRACTUAL,5023.88; PLATTE

VALLEY BANK,HSA EE,13557.71; PLATTE VALLEY VAC & SEW,VACUUM REPAIRS FOR PSB,66.29; POSTMASTER,POSTAGE,1185.97; POWERPLAN,EQUIP MTNC,717.71; QUILL CORPORATION,DEPT SUPPL,142.86; RECORDED BOOKS INC,SBSCRIP,1182.34; REGANIS AUTO CENTER, INC,VEH MAINT,1204.69; REGION I OFFICE OF HUMAN DEVELOPMENT, CONTRACTUAL SERVICES,825; REGIONAL CARE INC,HEALTH INS. PREMIUM,90442.76; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,321; REGISTER OF DEEDS,LEGAL FEE,60; RELIABLE REFRIGERATION & APPLIANCE REPAIR,REPAIR THERMOSTAT ON RAD. HEATER IN SHOP,117.5; ROCKSTEP SCOTTSBLUFF LLC,CONTRACT,45062.34; ROOSEVELT PUBLIC POWER DISTRICT,PUMPING POWER,1802.2; S M E C, EMPLOYEE EE,195.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT,459.37; SATO, LEANN,SCHOOL & CONF,18.26; SATUR, JACK,SCHOOL & CONF,84; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,1100; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SHERIFF'S OFFICE,LEGAL,218.24; SHERWIN WILLIAMS,BLDG MAINT,884.53; SIMON CONTRACTORS,GRAVEL FOR ALLEYS,227.26; SNELL SERVICES INC.,EQUIPMENT,40777.4; SOURCE GAS,MONTHLY ENERGY FUEL, 4881.45; STATE HEALTH LAB,SAMPLES,957; STATE OF NE.,CONTRACTUAL,105; STATE OF NEBR,MONTHLY LONG DISTANCE,128.98; SWANK MOTION PICTURES INC,SPECIAL EVENT, 849; THOMPSON PUBLISHING GROUP INC,SUBSCRIPTION, 536.99; TODD, JAMES SCHOOLS & CONF,24; TOMMY'S JOHNNYS INC,CONTRACTUAL,2610; TRAFFIC PARTS, INC,SUPP - PED XING BOXES - LEDS,1396; TRANS IOWA EQUIPMENT LLC,AUGER, BLADE FOR SWEEPERS, 5760.47; TWIN CITIES DEVELOPMENT ASSOC, INC, SERVICE AGREEMENT, 5450; TYLER TECHNOLOGIES, INC,ANNUAL SOFTWARE MAINTENANCE,15278.05; US BANK, CONFERENCE, 3864.18; VOGEL WEST, INC, EQUIP MAINT, 44.81; WELLS FARGO BANK, N.A., GENERAL EMPLOYEES EE,25320.44; WYOMING FIRST AID & SAFETY SUPPLY, LLC,DEPT SUP,160.83; ZAMARRIPA, TOM,UNIFORMS & CLOTHING,125; REFUNDS: HEIDI GRANT 25; KAREN CLEVELAND 24.13; JUSTIN BECERRA 49.22; HAILEY SULLIVAN 54.09; SAL MUNOZ 3.98; D&C PARTNERSHIP 6.29; TERRY RAJEWICH 7.23.

Fire Chief Dana Miller presented the following list of volunteer firefighters for Council's approval: Anthony Murphy, Terrence Lake, Christopher Perales Jr., Jerry Andrew, Parker Dregalla, and Devvin Hayden. He explained that the department is actively recruiting volunteers. In addition to the City of Scottsbluff Volunteers, there are also volunteer firefighters with the Scotts Bluff Rural Fire Protection. Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve the list of volunteer firefighters for the City of Scottsbluff," "YEAS", Colwell, Gonzales, Meininger, McCarthy and Shaver, "NAYS" None. Absent: None.

Assistant City Manager Johnson presented the bids for two new mowers for the Parks Department. The following two bids were received: 21st Century \$95,650.00 and LL Johnson \$111,501.00. 21st Century offered to take the trade-in mowers for \$22,000.00 making the total amount \$73,650.00, which is less than the budgeted amount of \$90,000.00. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve the bid for two new mowers for the Parks Department to 21st Century Equipment in the amount of \$95,650.00, less \$22,000.00 for trade-in," "YEAS", Colwell, Gonzales, Meininger, and McCarthy, "NAYS" Shaver. Absent: None.

Mr. Johnson presented the following bids for asbestos abatement for the properties located at 23 East 18th St. and 15 East 18th St.: Western Nebraska Environmental Services \$13,600.00; Great Plains Asbestos Control, Inc., Kearney \$16,680.00; and Environmental Services Inc., Norfolk \$21,287.50. This project will be paid by the Business Improvement District funds. Staff is recommending Western Nebraska Environmental Services as the best and lowest bid. The project should begin within the next couple of weeks. Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve the bid for asbestos abatement for the properties located at 23 East 18th St. and 15 East 18th St. to Western Nebraska Environmental Services in the amount of \$13,600.00," "YEAS", Colwell, Gonzales, Meininger, McCarthy and Shaver, "NAYS" None. Absent: None.

Shawn Overeynder, Twin Cities Development, gave the Council an update of the projects and businesses with whom they are currently working. They have assisted with providing equipment for a graphic design manufacturing business; they are looking at numerous site selectors and have met with commercial property owners with potential sites; currently they are working with a potential manufacturing plant; a long term / short term mental health facility; and they are also working with the Nebraska Department of Economic Development on Project AIM, which is projected to bring in 30 jobs. They are looking for a 25,000 to 50,000 square foot building for this project, or possibly a build-to-suit location. Mr. Overeynder commented that there are many industry demands and he's working on what's best for the community. He noted that there are many good resources available in our area.

Council Member Shaver explained his concern regarding recent reports of youth loitering in downtown parking lots. The youth had been told they could not loiter in the parking lot, following complaints from patrons and downtown business owners. Council Member Shaver's concern is finding other options for youth. Evidently this issue has been going on for some time now. Mayor Meininger commented that with the downtown improvement project, hopefully we will create an inviting place for people to gather. Chief Spencer commented that many of the youth gather at different locations, with the most recent location being the parking lot behind Anytime Fitness. The officers have stopped to visit with the groups and encouraged them to behave properly and pick up their trash. The most recent incident was more of a public safety issue with fighting and threats to the people who use the parking lot. Chief Spencer commented that the Police Department doesn't want our citizens to feel afraid or threatened in any of our public parking lots. He has also talked with some of the parents of the youth, trying to come up with ideas of places for the youth to congregate. They generally will move on to another parking lot. With the downtown redevelopment, we want everyone to feel safe and take advantage of the improvements we create. We want to make sure there is proper lighting so the area is inviting and safe. Mayor Meininger commented that the Council is open to suggestions regarding gathering places for the youth. The Police Department will also work with the schools to find solutions. Scottsbluff High School Student Youth Council Representative Uriah Mata will visit with the Student Council to get input regarding this issue and bring it back to the Council.

Chief Kevin Spencer introduced Officer Ron Wilson to the City Council, who recently graduated from the Police Academy. Chief Spencer explained the rigorous training that officers go through before they graduate. Officer Wilson began his training in June 2015 and graduated February 2016. The Police Department has a lot of time invested in this training process and are very proud of Officer Wilson for completing his training. The Council congratulated Officer Wilson for his accomplishment.

Mr. Johnson presented the existing sewer and fire hydrant maintenance agreements, which have the same fees as previous agreements. The renewal period for these agreements will be three years. Mayor Meininger commented that we have the proper equipment to assist other communities and entities with these services. Council Member Shaver suggested we approach other communities to offer these services. Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve the renewal of existing Sewer Cleaning and Fire Hydrant Maintenance Agreements for the following entities: City of Bayard, City of Terrytown, Sanitary Improvement District 4, Sanitary Improvement District 8, Village of Melbeta, Western Nebraska Community College and Western Nebraska Veterans Home, and authorize the Mayor to sign them for another three year term," "YEAS", Colwell, Gonzales, Meininger, McCarthy and Shaver, "NAYS" None. Absent: None.

Assistant City Manager Johnson presented the LED Rate Comparisons for Broadway provided by NPPD for Council's consideration. The total increase in the rate would be \$294.84. This change would showcase downtown as a focus point for LED lighting. Council Member Shaver commented that the LED lights illuminate a smaller area and they don't seem perfected yet. Public Works Director Bohl commented that 12th Ave. has LED lights for those who want to see what the lighting is like. They are still waiting to see if there are any savings due to the LED lighting. Mr. Bohl suggested waiting until the downtown bulb-out project is done so they will know where to place the lighting. Mayor Meininger commented that he would eventually like to see they entire community with LED lighting. Council agreed to wait on this project until the downtown redevelopment project is complete.

Mr. Johnson reported the recommendation of the Community Redevelopment Authority as to the terms of office of the members. Moved by Mayor Meininger, seconded by Council Member Colwell, "to approve the following terms of office for the Community Redevelopment Authority Members: Kelly Beatty 1 year; Seth Covalt 2 years; Bill Knapper 3 years; Joanne Phillips 4 years and Bill Trumbull 5 years," "YEAS", Colwell, Gonzales, Meininger, and McCarthy, "NAYS" Shaver. Absent: None.

Assistant City Manager Johnson presented an Ordinance dealing with a surcharge for city stormwater regulatory requirements. This Ordinance will reflect the proper charges including stormwater. Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO REVISE §6-6-22 DEALING WITH A SURCHARGE FOR CITY STORMWATER REGULATORY REQUIREMENTS, TO SPECIFICALLY SET FORTH THAT AN INCREASE IN THE SURCHARGE WILL BEGIN AS OF JANUARY 1, 2016, AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council introduced Ordinance No. 4181 which was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 3, ARTICLES 3 AND 4 OF THE SCOTTSBLUFF MUNICIPAL CODE, AMENDING AND REVISING CHAPTER 20, ARTICLE 6 OF THE SCOTTSBLUFF MUNICIPAL CODE, ALL INCLUDING NEW DEFINITIONS AND DEALING WITH THE REGULATION OF MOTORIZED SKATE BOARDS, HOVERBOARDS, MOTORIZED SCOOTERS, AND THE LIKE WITHIN THE CITY OF SCOTTSBLUFF, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** Moved by Council Member Colwell, seconded by Council Member McCarthy, "to approve Ordinance 4181," "YEAS", Colwell, Gonzales, Meininger, and McCarthy, "NAYS" Shaver. Absent: None.

Under Council reports, Mayor Meininger reported that he would be meeting with the Senior Citizen Center Board on Tuesday and going to Torrington to meet on the PAWS project. Council Member Colwell asked about the pedestrian crossing signs downtown and if they would be replaced. Mark Bohl reported that they were destroyed by large trucks and would be very expensive to replace. Chief Spencer commented that we need something in the middle of the road to remind people to slow down and stop for pedestrians. City Manager Kuckkahn commented that we need to be patient and wait for the bulb-out project to be completed, as Broadway will then be more like a two lane street with slower traffic. In addition there will be small speed bumps at the intersections. We can evaluate later if we need a stop light.

Council also discussed the public's interest in the need for a stoplight at the intersection of Highway 26 and 14th Ave. Mr. Bohl said that a request has been sent to the state, but we have not heard back yet. This would be a state project since it's on a state highway.

Mr. Johnson distributed informational brochures on LB357 for Council's review. He is scheduling educational open houses and will hand out the brochures at those meetings. Mayor Meininger announced that we received the dividend check from PACE in the amount of \$14,212.00.

Moved by Council Member Shaver, seconded by Council Member Colwell, "to adjourn the meeting at 6:50 p.m.," "YEAS", Colwell, Gonzales, Meininger, and McCarthy, "NAYS" Shaver. Absent: None.

Mayor

Attest:

City Clerk

"SEAL"