

City of Scottsbluff, Nebraska

Monday, April 18, 2016

Regular Meeting

Item Consent1

Approve the minutes of the April 4, 2016 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, April 4, 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 April 1, 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 April 1, 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: Randy Meininger, Raymond Gonzales, Jordan Colwell, Scott Shaver and Mark McCarthy. Absent: None. Mayor Meininger asked if there were any changes to the agenda. Mayor Meininger requested to change the order of some agenda items. Moved by Council Member Colwell, seconded by Mayor Meininger, "to make the following changes to the agenda, moving 12d to 12e and 12e to 12d," "YEAS", Gonzales, Meininger, McCarthy, Colwell and Shaver, "NAYS" None. Absent: 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 Mayor Meininger that,

1. "The minutes of the March 21, 2016 Regular Meeting be approved,"
2. "The specifications for towing service for the Police Department be approved and authorize the City Clerk to advertise for bids to be received by 11:00 a.m., April 25, 2016,"
3. "A public hearing be set for April 18, 2016, 6:05 p.m. to consider a Catering License Liquor License application for Sam & Louie's Pizzeria, 1522 Broadway, Scottsbluff, NE,"
4. "Receipt of the claim from Isidro Mendez Chavez be acknowledged, which has been forwarded to the city's insurance carrier,"
5. "Receipt of a claim from Randy Baum for personal property damage be acknowledged,"
6. "The absence of Council Member Colwell from the March 21, 2016 Regular Meeting be approved," "YEAS", Gonzales, Meininger, McCarthy, and Colwell "NAYS" Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "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 April 4, 2016, as on file with the City Clerk and submitted to the City Council," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

CLAIMS

3M COMPANY, PAVEMENT MARKING TAPE, 11171.14; A & E SERVICES, REFUND CHECK, 203.08; AIRGAS USA, LLC, DEPT SUPPLIES, 74.76; ALAMAR CORP, CIP-PO SUPPLIES, 3302.35; AMAZON.COM HEADQUARTERS, MISC., 410.55; AMER BACKFLOW PREVENTION

ASSOC, MEMBERSHIP, 65; ANITA'S GREENSCAPING INC, CONTRACTUAL, 272.22; ANTHONY J MURPHY, TRAVEL FUNDS MURPHY LINCOLN TRAINING, 269; ARBOR ROCK LLC, GROUNDS MAINT,9241.96; ARCHITECTURAL SIGNS, INC, DEPT SUPPLIES, 189.72; B & H INVESTMENTS, INC, BLDG MAINT,106.75; BAKER & ASSOCIATES INC, CONTRACTUAL SVC, 6658.06; BARCO MUNICIPAL PRODUCTS INC, GALVANIZED POSTS - 12,978.74; BLUFFS SANITARY SUPPLY INC., SUPP - CASE OF HAND CLEANER, 195.67; BRODERICK, MATTHEW, SCHOOLS & CONF, 81; CARR-TRUMBULL LUMBER CO, INC., GROUNDS MAINT,3 57.23; CASTRO ROOFING, REFUND CHECK, 217; CELLCO PARTNERSHIP, CELL PHONES, 938.08; CITIBANK N.A.,SUPP - CARTRIDGE FOR CENTRAL GARAGE, 116.42; CITY OF GERING, CONTRACTUAL, 38.67; CITY OF SCB, PETTY CASH, 99.65; CLARK PRINTING LLC, FLYERS, 1238.74; CLINGAN TRISHA, LEGAL FEES, 23.24; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY, INSURANCE, 48.7; COMFORT INN, DEPT BSNSS TRVL, 269.85; COMPUTER CONNECTION INC, CONTRACTUAL SVC, 19.08; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,27.5; CONTRACTORS MATERIALS INC.,STR. SUPP - ADA PANELS,498.34; COPIER CONNECTION,DEPT SUP & MNTNCE,176.86; COZY, INC,CIP-PO#1,1564; CREDIT MANAGEMENT SERVICES INC.,ATTACMENT,40.36; CRESCENT ELECT. SUPPLY COMP INC,EQUIP MAINT,811.63; CYNTHIA GREEN,DEPT SUPP,610.95; DANKO EMERGENCY EQUIPMENT COMPANY,GLASS CUTTER FOR EXTRICATION,693.68; DAVID M GLENN JR.,TRAVEL FEES FOR GLENN EOD/EMS TRAINING,316; DE LOS SANTOS ANGELINA,LEGAL FEES,20; DE LOS SANTOS EZEKIAL,LEGLA FEES,20; DITCH-WITCH OF WEST TEXAS INC,EQUIP MAINT,177.9; DUANE E. WOHLERS,DISPOSAL FEES,450; ELLIOTT EQUIPMENT COMPANY INC.,VEHICLE MTNC,1478.31; ENERGY LABORATORIES, INC,SAMPLES,272; ENFORCEMENT VIDEO, LLC,EQUIP MAINT,160; ENGINEERED CONTROLS INC,EDP CONTROLLER REPAIR,18750; ENVISIONWARE, INC,EQUIP. MNTC.,2615; ETS DEVELOPMENT GROUP, LLC, CONTRACTUAL, 5005; FEDERAL EXPRESS CORPORATION,SHIPPING COSTS,10; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,206.47; FRAAS HEATING & COOLING,REFUND,20; GARTON, LYNN,SCHOOL & CONF,157; GENERAL ELECTRIC CAPITAL CORPORATION, DEPT SUP,576.4; H D SUPPLY WATERWORKS LTD,DEPT SUP,204.08; HAACK ADAM,LEGAL FEE,23.24; HANDLEY INDUSTRIES, INC,DEPT SUP,2696.17; HEARTLAND COMMUNICATIONS GROUP, INC,BKS,20; HEILBRUN'S INC.,20 T JACK FOR CENTRAL GARAGE,706.68; HENKEL'S MACHINE AND WELDING,DEPT SUPPLIES,2759.48; HESTIKIND RAYMOND,TRAVEL FEES FOR HESTIKIND CAR SEAT CLASS,32.85; HOA SOLUTIONS, INC,EQUIP MAINT,553.95; HOME TOWN ROOFING,REFUND CHECK,105; HULLINGER GLASS & LOCKS INC.,SUPP - KEYS MADE,16; HYDRONIC WATER MANAGEMENT,EQUIP. MNTC.,425; HYDROTEX PARTNERS, LTD,EQUIP MTNC,353.84; ICMA RETIREMENT TRUST- 457,DEF COMP,1305.14; ICMA ROTH IRA,ROTH IRA,530; IDEAL LAUNDRY AND CLEANERS, INC. ,DEPT SUPP,324.18; INDEPENDENT PLUMBING & HTG,REF,12.5; INGRAM LIBRARY SERVICES INC, BKS., 94.26; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 8720.11; INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC,MEMBERSHIPS,150; J G ELLIOTT CO.INC., NOTARY BLANKET E & O RENEWAL PREMIUM,525; JAMIE WALLACE,TRAVEL FEES JAMIE WALLACE CLASS KEARNEY,67.85; JOHN DEERE FINANCIAL,DEPT SUPP,273.92; JOHN DEERE FINANCIAL,DEPT SUPP,75.77; JOHN DEERE FINANCIAL,EQUIP MAINT,61.52; JWC ENVIRONMENTAL,LLC,EQUIP MAINT,947; KUSTOM SIGNALS, INC, EQUIP MAINT,355.75; LANDAUER, INC,EQUIP MAINT,69.45; LEAGUE

ASSOCIATION OF RISK MANAGEMENT,WC PREMIUM,16693.84; LEAGUE OF NEBRASKA MUNICIPALITIES, 2016 MIDWINTER CONFERENCE EXPENSE, 23; LOGAN CONTRACTORS SUPPLY INC, HYD MOTOR FOR TAR KETTLE,962.5; M.C. SCHAFF & ASSOCIATES, INC,DOWNTOWN BULB OUT PROJECT,25785.52; MAILFINANCE INC,MONTHLY LEASE,148.76; MENARDS, INC,DEPARTMENT SUPPLIES,490.21; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,2102.85; MONUMENT CAR WASH INC,VEH MAINT,38.81; MUNICIPAL PIPE TOOL CO, LLC,EQUIP MAINT,382.22; NATIONAL INSTITUTE OF CRIME PREVENTION,SCHOOLS & CONF,900; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1399.68; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,32.37; NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF,20; NEBRASKA SAFETY & FIRE EQUIPEMENT INC.,BLDG MTNC,196; NEBRASKA MACHINERY CO,REPAIRS TO CAT HYD HAMMER,791.62; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,21801.47; NELSON ELECTRIC MOTOR SERVICE, INC,NEW MOTOR FOR WATER PUMP PSB,393.47; NEPTUNE CHEMICAL PUMBP CO,EQUIP MAINT,270; NEWMAN, TIMOTHY,SCHOOLS & CONF,75; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUPP,109.85; NWEA,SCHOOLS & CONF,100; O'REILLY AUTO ENTERPRISES, LLC,VEH MAINT,18.39; PANHANDLE AREA DEVELOPMENT DISTRICT,CONTRACT SERVICES,955; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,144; PANHANDLE HUMANE SOCIETY, CONTRACTUAL, 5023.88; PARADISE,REFUND CHECK,53.5; PAUL REED CONSTRUCTION & SUPPLY, INC,DEPT SUPP,295.98; PEAK VIEW ROOFING,REFUND,215; PLATTE VALLEY BANK,HSA,13495.21; POSTMASTER,POSTAGE,677.3; POWERPLAN,EQUIP MTNC,616.72; QUILL CORPORATION,DEPT SUPPL,56.97; REGIONAL CARE INC,CLAIMS,201329.54; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,383; REIN ELECTRIC,REFUND CHECK,3.45; RIVERSIDE ZOOLOGICAL FOUNDATION,CONTRACTUAL,87500; ROBERTA J BOYD,REIMB.,10.07; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,1815.47; S M E C,EMPL DEDUCTION,195.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT,306.97; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCHANK ROOFING,BUILD. MNTC.,273; SCOTTS BLUFF COUNTY COURT,LEGAL FEE,44.9; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS,90; SCOTTSBLUFF WINNELSON COMPANY,DEPT SUPP,14.9; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE,MILLER CLASS FEES-GENERATIONAL DIFFERENCES,35; SHERWIN WILLIAMS,GROUNDS MAINT,93.33; SHRADDHA, LLC,ROOMS FOR GLENN AND MILLER GI CLASSES,166; SIMON CONTRACTORS, KENO,5414.98; SIRSI CORPORATION,CONT. SVCS.,7218.48; SNELL SERVICES INC.,EQUIP. MNTC.,1830; SOURCE GAS,MONTHLY ENERGY FUEL,3253.57; STATE OF NE.,CONTRACTUAL,105; STATE OF NEBR,MONTHLY LONG DISTANCE,133.09; THE WATER SHED INC,EQUIP MAINT,73.22; TODD, JAMES,SCHOOLS & CONF,81; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,365.69; TRANS IOWA EQUIPMENT LLC,DEPT SUP,8309.38; TRI STATE ROOFING,REFUND CHECK,125; TWIN CITIES DEVELOPMENT ASSOC, INC,SERVICE AGREEMENT,7500; TWIN CITY ROOFING,CONVERTING T,102; UNIVERSITY OF LOUISVILLE,SCHOOLS & CONF,1195; UPSTART ENTERPRISES, LLC,DEPARTMENT SUPPLIES,145.02; US BANK,DEPT MMBRSH,982.13; VALLEY VOICES,RECOGNITION DINNER,100; VOGEL WEST, INC,EQUIP MAINT,40.39; WELLS FARGO BANK, N.A.,RETIREMENT,22171.67; WESTERN COOPRTATIVE COMPANY,GROUNDS MAINT,756.44; WILSON T RONALD,GASOLINE,15;

WYOMING FIRST AID & SAFETY SUPPLY, LLC, FIRST AID KIT SUPPLIES, 96.24; YELLMAN, ABBIGAIL, REIMB., 14.32; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE, FEBRUARY VOLUNTEER FITNESS PROGRAM, 330; ZM LUMBER INC, EQUIP MAINT, 27; REFUNDS: KRISA QUINDT 66.96; MONA URWIN 22.3; CHUCK EDWARDS 55.95; ALVENA HUGHES 58.55; MARGARET LINTZ 70.14.

City Manager Kuckkahn presented the following bids received for the compost facility building: Paul Reed Construction \$237,548.29; KL Wood & Company \$267,170.00; and Eric Reichert Insulation & Construction \$270,460.00. The engineer's estimate for this project was \$283,483.00. This amount has been budgeted and split between Wastewater and Sanitation. Staff is recommending awarding the bid to Paul Reed Construction. Moved by Council Member Shaver, seconded by Council Member Colwell, "to award the bid for the Compost Facility Building to Paul Reed Construction in the amount of \$237,548.29 as the best and lowest responsible bid," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Mr. Kuckkahn presented the three year on-going contract for maintenance of Centennial Park and the corner park located at 27th Street and Avenue I. Mayor Meininger commented that we may want to consider hiring or training an employee as an arborist, which will be addressed during our next budget work session. Council Member Colwell commented on the trash situation at the corner park, which doesn't seem to be addressed. Mr. Kuckkahn will alert the Parks Department to make sure the trash is cleaned on a regular basis. Moved by Council Member McCarthy, seconded by Council Member Gonzales, "to approve the contract with Anita's Greenscaping, Inc. for maintenance of Centennial Park and 27th Street and Ave. I and authorize the Mayor to execute the contract," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Mayor Meininger opened the public hearing at 6:10 p.m. which was advertised for this date to consider the creation of Paving District 313 in the Five Oaks Subdivision. Mr. Kuckkahn explained that this is the other one-half of Avenue G between 40th and 42nd Street. This is part of the Webb development which will be the location of another Doctor's Office. This area is also part of a Tax Increment Financing redevelopment project. There were no comments from the public. Mayor Meininger closed the public hearing at 6:12 p.m.

Mayor Meininger introduced Ordinance No. 4182, which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA CREATING PAVING DISTRICT NO. 313; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING AND GUTTERING, OR SUCH OTHER WORK AS IS NECESSARY AND INCIDENTAL THERETO; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COST AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR ASSESSMENT OF THE COST OF SAID IMPROVEMENTS AGAINST THE PROPERTY IN SAID DISTRICT ESPECIALLY BENEFITTED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS AND DISTRICT AND INTERSECTION IMPROVEMENT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; PROVIDING FOR THE REPEALING OF ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.**

Moved by Mayor Meininger, seconded by Council Member Shaver, "that the statutory rule requiring the Ordinance to be read by title on three different days be suspended," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Mayor Meininger, seconded by Council Member Shaver, "that Ordinance No. 4182 be adopted," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Mr. Kuckkahn presented information regarding the maintenance of the Kiwanis Playground located in Riverside Park. He explained that the Parks Department was allocated \$30,000 of KENO funds for a basketball court, however, were able to install it in-house with the assistance of the Street Department. This saved \$23,000.00 of KENO funds. Staff would like to shift a portion of this to the Kiwanis Park to assist with landscaping and maintenance.

Mr. Derek Manley with Kiwanis explained to the Council that the Kiwanis playground was built in 2009 with the assistance of volunteers and donations. In 2011 the park suffered from flooding, which ruined a number of trees at the park. The Kiwanis would like to landscape around the playground to provide much needed shade. Over 30 trees have already been donated to the project along with many volunteers. They have purchased mulch and are looking at a drip system for the park. The City Park Department will then be responsible for watering the landscaping. The Kiwanis also provide maintenance to the park four times a year. The re-allocation of the KENO funds would be helpful as they would also like to build a secondary shelter in the park. Council would like to see the itemized list of expenses for the park improvements. Moved by Mayor Meininger, seconded by Council Member Colwell, "to reallocate \$12,000.00 of KENO funds to use for landscaping the Kiwanis Playground in Riverside Park, pending receipt of an itemized list of landscaping items," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS" Shaver. Absent: None.

Mr. Kuckkahn presented the Resolution updating the authorized signatures for bank accounts. Moved by Council Member Shaver, seconded by Council Member McCarthy, "to approve Resolution No. 16-04-01 authorizing signatures on bank accounts," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

RESOLUTION NO. 16-04-01

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

1. US Bank, First National Bank, First State Bank, Platte Valley Bank, Valley Bank, all in Scottsbluff, Nebraska, and Nebraska Public Agency Investment Trust (NPAIT) are designated as depositories for funds of the City of Scottsbluff, a Nebraska municipal corporation ("City). Funds of the City deposited in each bank shall be subject to withdrawal upon checks, notes, drafts, or other orders for the payment of money when signed on the City's behalf by any two of the following City officials:

Randy Meininger OR
Raymond Gonzales AND

Cynthia Dickinson OR
Christine Burbach

2. All transactions regarding Certificates of Deposit, Treasury Notes, and other securities purchased by the City shall be signed by the following City officials:

Jordan Colwell OR
Raymond Gonzales OR
Randy Meininger OR
Mark McCarthy OR
Scott Shaver AND

Nathan Johnson

3. Provided, the Finance Director for the City, Elizabeth Hilyard, is authorized to make ACH withdrawals on behalf of the City from any of the financial institutions named in paragraph 1. of this Resolution.

4. The banks are authorized to pay all orders and receive them for the credit of or in payment from the payee or any other holder without inquiring into the circumstances of the issue or the disposition of the proceeds.

5. US Bank is authorized to issue Visa credit cards to City personnel. The personnel to receive the cards and the credit limit on said cards shall be as approved by the City Manager or his/her designee.

6. The City has a safety deposit box at Platte Valley Bank which may be accessed by any one of the following City officials:

Cynthia Dickinson OR
Christine Burbach OR
Nathan Johnson.

7. This Resolution will revoke all prior banking resolutions and shall be delivered to all banks named in this Resolution. This Resolution will remain in effect until notice of revocation is delivered to any of these banks.

8. This Resolution shall become effective April 4, 2016.

Passed and approved this 4th day of April, 2016.

Mayor

ATTEST:

City Clerk

Regarding the Ordinance changing the campground fees, City Manager Kuckkahn explained that staff researched area campgrounds and found that our rates are still very competitive and actually lower than many campgrounds. Staff is recommending approval of the new rate schedule for the campground. Mayor Meininger introduced Ordinance No. 4183 which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO REVISE §6-6-13 DEALING WITH USERS OF THE RIVERSIDE PARK CAMP GROUND FEES, TO INCREASE FEES FOR CAMPING WHICH WILL BEGIN AS OF MAY 1, 2016, AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Moved by Mayor Meininger, seconded by Council Member Shaver, "that the statutory rule requiring the Ordinance to be read by title on three different days be suspended," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Mayor Meininger, seconded by Council Member Shaver, "that Ordinance No. 4183 be adopted," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Mr. Kuckkahn explained the reason for changing the name of West 39th Street to Burlington Blvd. is because this one block is the only street named West 39th Street, which connects to Burlington Blvd. For emergency response reasons, it is less confusing to change the name of the street to Burlington Blvd. Council Member Shaver introduced Ordinance No. 4184 which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO REVISE §20-1-3 DEALING WITH CHANGE IN THE NAME OF STREETS, UPON REQUEST BY COUNTY EMERGENCY MANAGEMENT TO CHANGE THE NAME OF 39TH STREET, AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Moved by Council Member Shaver, seconded by Mayor Meininger, "that the statutory rule requiring the Ordinance to be read by title on three different days be suspended," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Shaver, seconded by Mayor Meininger, "that Ordinance No. 4184 be adopted," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Council considered Ordinance No. 4185 dealing with a surcharge for city stormwater regulatory requirements on third 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.**

Moved by Mayor Meininger, seconded by Council Member McCarthy, "to approve Ordinance No. 4185 dealing with a surcharge for city stormwater regulatory requirements," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS" Shaver. Absent: None.

Council commended Jack Satur, Water Department Supervisor, and his staff, for receiving a first place award in the Nebraska Rural Water Association water tasting contest and fourth place in the national contest.

Mark Bohl, Public Works Superintendent, gave the Council an update of the curb, gutter and street repairs in the City. He commented on the benefits of doing the chip seal project last year. This will eliminate a lot of additional repair work so they can begin repairing the concrete streets and curbs. Each corner will be updated to comply with the ADA standards. This work will continue through the summer until October, weather providing. Mayor Meininger expressed his appreciation to the department and crews working on the streets and curbs and keeping the streets safe during the construction work. Mr. Bohl commented that they have two employees who are certified in street safety, which is very beneficial.

Jack Satur, Water Supervisor, presented the inter-local contract with the City of Gering for the joint purchase of a valve turning maintenance trailer. This will be a shared piece of equipment that helps turn the valves, making it safer and more efficient. This is especially helpful to shut off valves in small spaces. The bids were less than \$29,000.00, so we did not need to advertise for bids. Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve an Agreement with the City of Gering for the joint purchase of a valve turning maintenance trailer and authorize the Mayor to execute the agreement," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Regarding The City Manager's proposed consultant contract, Mr. Kuckkahn explained that he did not think he would need the professional liability insurance, which City Attorney Olsen agreed, as the work he will be doing as a consultant will not require this type of insurance, Commercial Liability Insurance may be a better fit. Mr. Olsen will research the insurance issues and report back to the City Council.

The contract includes projects as the deliverables. Council Member Shaver commented on the number of hours in the contract and suggested that 30 hours per week averaged over a month may be a better number. The intent was for Mr. Kuckkahn to ramp down and he feels that 30 hours, with a request for more if the need arises, may be better.

City Attorney Olsen suggested bringing the contract back, deleting the Professional Liability Insurance, leaving the Commercial Liability Insurance, if appropriate; and changing the number of hours to 30/week averaged over a month. In addition, Council Member Colwell asked for a comparison of his salary with the hourly rate in the contract. Mr. Olsen informed Council that the \$50.00 per hour reflects Mr. Kuckkahn's current salary.

Council discussed the option of tabling the items dealing with Mr. Kuckkahn's contract, resignation, and appointment of Mr. Nathan Johnson as Interim City Manager until they receive more information regarding this position and situation. Moved by Council Member Gonzales, seconded by Council Member Shaver, "to table the item dealing with a contract, pending the amendments, for Rick Kuckkahn," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member McCarthy, "to table the item dealing with the resignation of City Manager Rick Kuckkahn," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

City Attorney Olsen commented that staff needs guidance if a contract is desired for Mr. Johnson as the Interim City Manager. The contract would depend on Council's decision to change salary and benefits from his existing employment compensation and benefits. Council Member Gonzales commented that we need to compensate accordingly for the additional duties. Council Member Colwell suggested going to the League of Nebraska Municipalities for salary comparables and recommendations. The City has a current salary survey we can also use as comparison, including consideration for years of experience. Mayor Meininger suggested that Council Member Colwell, Mr. Kuckkahn and HR Director Bode work together to gather information regarding the Interim City Manager job description and compensation. Mr. Olsen commented that given that guidance, he feels we do need a contract for Mr. Johnson.

Council discussed the item dealing with the appointment of Assistant City Manager Johnson as the Interim City Manager, and the process to fill the City Manager position. Council agreed that Mr. Johnson has done a great job as Assistant City Manager, but feels it is their due diligence and an obligation to the taxpayers to explore the possibility of a national search for a City Manager. Council directed Mr. Kuckkahn to prepare information regarding the job description, community profile, and salary survey for the position.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to table the item dealing with the appointment of Assistant City Manager Nathan Johnson as Interim City Manager," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Under Council Reports, Mayor Meininger complimented Chief Kevin Spencer and the Police Department for preparation of the RFP for the CAD system.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to adjourn the meeting at 7:10 p.m.," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Mayor

Attest:

City Clerk

"SEAL"