

# **City of Scottsbluff, Nebraska**

**Monday, May 2, 2016**

**Regular Meeting**

## **Item Consent1**

**Approve the minutes of the April 18, 2016 Regular Meeting.**

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

Regular Meeting  
April 18, 2016

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 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 April 15, 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. Mayor Meininger welcomed Boy Scout Troop 16 from Gering who led us in the Pledge of Allegiance. 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. 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 Shaver, seconded by Council Member McCarthy that,

1. "The minutes of the April 4, 2016 Regular Meeting be approved,"
2. "A public hearing be set for May 2, 2016, 6:05 p.m. to consider a Class C Liquor License application for 16<sup>th</sup> Empire LLC, 1605 Ave. A, Scottsbluff, NE,"
3. "A Public Hearing be set for May 2, 2016 at 6:05 p.m. to consider the Redevelopment Plan and Tax Increment Financing for Owen Oral Surgery located at Lot 1, Block 10, Five Oaks Subdivision, located on the southwest corner of 42<sup>nd</sup> Street and Avenue G,"
4. "A Public Hearing be set for May 2, 2016, 6:05 p.m. to consider a rezone request for Tracts 12, and 13, Wildy and Lana Commercial Tracts addressed as 1401 19<sup>th</sup> Avenue from R-4 Multi Family to C-3 Heavy Commercial,"
5. "A Public Hearing be set for May 2, 2016, 6:05 p.m. to consider an Ordinance Text Amendment Chapter 25, Article 2 & 3, definitions and zoning provisions for tattoos & body art as a permitted use by right in commercial and manufacturing districts,"
6. "Bid specifications be approved for demolition of buildings located at 23 East 18<sup>th</sup> St and 15 East 18<sup>th</sup> Street and authorize the city clerk to advertise for bids to be received by May 12, 2016 at 11:00 a.m.," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS" None. Absent: None.

Moved by Council Member McCarthy, 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 April 18, 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

4IMPRINT INC,DEPT SUP,755.47; ACCURACY INC,FIREARMS SUPPL,1464; ACTION COMMUNICATIONS INC.,CIP-PO# 1,5329.82; ALAMAR CORP,UNIFORMS,111.63; ALLO COMMUNICATIONS, LLC,LOCAL TELEPHONE CHARGES,4667.12; ANITA'S GREENSCAPING INC,CONTRACTUAL SVC, 988.89; ASSURITY LIFE INSURANCE CO,LIFE INS,34.36; ATLAS COPCO COMPRESSORS, LLC,EQUIP MAINT,25559.56; AUTOZONE STORES, INC,VEH MAINT,23.12; B & H INVESTMENTS, INC,BLDG MAINT,263.25; BIRUTA D. WALTON,vehicle mtnc,398.75; BLUFFS SANITARY SUPPLY INC.,Jan. sup.,501.47; BRANDT APPRAISAL CO INC,CONTRACTUAL,2000; BSN SPORTS, INC,DEPT SUPP,854.06; CAPITAL BUSINESS SYSTEMS INC.,Cont. svcs.,333.99; CARR- TRUMBULL LUMBER CO, INC.,GROUNDS MAINT,176.68; CELLCO PARTNERSHIP,CELL PHONE,340.27; CEMENTER'S INC,DEPT SUP,467.06; CHRIS BRANNAN,uniforms & clothing,125; CITIBANK N.A.,DEPT SUP,502.66; CITIBANK, N.A.,DEPT SUPP,35.58; CITY OF GERING,disposal fees,44020.57; CITY OF SCB,LEGAL FEES,30; COMPUTER CONNECTION INC,RENT-MACH,49.93; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,176.5; CONTRACTORS MATERIALS INC.,SUPP - SAW BLADES,1865.1; CREDIT BUREAU OF COUNCIL BLUFFS,EMPLOYMENT SCREEN - MARCH 2016,28.5; CRESCENT ELECT. SUPPLY COMP INC,SUPP - BALLAST,29; CYNTHIA GREEN,DEPT SUPP,242.56; DALE'S TIRE & RETREADING, INC.,vehicle mtnc,2774.48; DHCS ASSOCIATES LLC,SCHOOLS & CONF,1010; DUANE E. WOHLERS,disposal fees,450; DUHAMEL BROADCASTING ENTERPRISES,CONTRACTUAL SVC,475; ELLIOTT EQUIPMENT COMPANY INC.,vehicle mtnc,2245.6; ELXSI,CONTRACTUAL SVC,2450; ENFORCEMENT VIDEO, LLC,CIP-PO#1,391; ENVIRONMENTAL RESOURCE ASSOCIATES,CONTRACTUAL SVC,973.06; FEDERAL EXPRESS CORPORATION,POSTAGE,127.84; FLOYD'S TRUCK CENTER, INC,vehicle mtnc,791.85; FORTNA EQUIPMENT COMPANY, INC,DEPT SUP,346.66; GENERAL ELECTRIC CAPITAL CORPORATION,CIP-PO#1/EQUIP MAINT,180.8; GRAND ISLAND MOTEL DEVELOPMENT, INC,conner testing trip room,77.95; H D SUPPLY WATERWORKS LTD,DEPT SUP,7049.55; HAWKINS, INC.,CHEMICALS,2101.75; HEILBRUN'S INC.,VEH MAINT,1616.43; HENWIL CORPORATION,CHEMICALS,5269.5; HODGES, JOSHUA H,CONTRACTUAL,960; HULLINGER GLASS & LOCKS INC.,BLDG MAINT,309; HYDRONIC WATER MANAGEMENT,Equip. mntc.,425; ICMA RETIREMENT TRUST-457,DEF COMP,1305.14; ICMA ROTH IRA,ROTH IRA,530; IDEAL LAUNDRY AND CLEANERS, INC.,BLDG MAIN,1244.18; IDEXX LABORATORIES, INC,DEPT SUP,142.89; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT,90.44; INGRAM LIBRARY SERVICES INC,Bks,9886.63; INTERNAL REVENUE SERVICE,WITHHOLDINGS,59687.71; INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION-HR,POLICE OFFICER TESTING SUPPLIES,430; INTRALINKS, INC,SERVICE CONTRACT,5724; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,54.95; JOHN DEERE FINANCIAL,UNIFORM & CLOTHING,134.98; JOHN DEERE

FINANCIAL,UNIFORMS,165.5; JOHN DEERE FINANCIAL,DEPT SUPP,2.4; JULIUS D  
 KONCABA,VEH MAINT,100; KELLY SUPPLY COMPANY,EQUIP MAINT,2041.14; KEMBEL  
 SAND & GRAVEL COMPANY,GROUND MAINT,371.67; KRIZ-DAVIS  
 COMPANY,ELECTRICAL MAINT,62.1; M.C. SCHAFF & ASSOCIATES,  
 INC,ENGINEERING,13395.5; MADISON NATIONAL LIFE,LIFE INS,1806.32; MARKETING  
 CONSULTANTS,DEPT SUPPLIES,144; MAS MODERN MARKETING,DEPT SUPPL,161.36;  
 MATHESON TRI-GAS INC,RENT - MACHINES,28.1; MED-TECH RESOURCE LLC,PPE  
 hats,326.99; MENARDS, INC,DEPT SUPP,752.62; MIDWEST AUTO SUPPLY INC,HR repairs,30;  
 MONUMENT PREVENTION COALITION,CONTRACTUAL,1879.88; NATHAN PARRISH,Meal  
 refunds to Nathan Parrish,33.04; NBC CAPITAL LLC,SCHOOLS & CONF,199.9; NE CHILD  
 SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1399.68; NE DEPT OF  
 REVENUE,TAX WITHHOLDING,18087.24; NE.DEPT. OF LABOR  
 UNEMPLOYMENT,UNEMPLOYMENT,432; NEBRASKA SAFETY & FIRE EQUIPEMENT  
 INC.,EQUIP MAINT,358; NEBRASKA FIRE CHIEFS' ASSOCIATION,NFPA on line code book  
 access,475; NEBRASKA INTERACTIVE, LLC,DRIVERS LICENSE REQ. - MARCH 2016,33;  
 NEBRASKA MUNICIPAL POWER POOL,MEMBERSHIP,4690.73; NEBRASKA PUBLIC POWER  
 DISTRICT,Electric,41152.15; NEBRASKA SOCIETY OF CPA'S,MEMBERSHIP DUES -  
 HILYARD,140; NEMNICH AUTOMOTIVE,VEH MAINT,75; NEOPOST,postage,1000;  
 NETWORKFLEET, INC,GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF  
 SCOTTSBLUFF,DEPT SUP,119.82; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,Cont.  
 svcs.,310.39; ONE CALL CONCEPTS, INC,CONTRACTUAL,175.44; P.F. PETTIBONE &  
 CO,MINUTE BOOK PAPER,94.75; PANHANDLE COOPERATIVE ASSOCIATION,other  
 fuel,12925.49; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,126; PAUL REED  
 CONSTRUCTION & SUPPLY, INC,grounds maint,116.22; PELCO CORP, DON OVERMAN  
 AWARD, 54.8; PLATTE VALLEY BANK,HSA,13615.21; POSTMASTER, Postage,651.46;  
 POWERPLAN,equip mntnc,2496.02; PRAISE WINDOWS INC,Build. mntc,420; QUILL  
 CORPORATION,DEPT SUPPL,1105.7; RAILROAD MANAGEMENT CO III, LLC,RENT -  
 LAND,176.86; REGANIS AUTO CENTER, INC,VEH MAINT,280.15; REGIONAL CARE  
 INC,CLAIMS,41050.27; REGIONAL WEST MEDICAL CENTER,department supplies,1.4;  
 REGISTER OF DEEDS,DEPT SUPP,94; S M E C,EMPLOYEE DED,195.5; SCB COUNTY,DEPT  
 CNTRCL SRVCS,191; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCOTTS  
 BLUFF COUNTY COURT,LEGAL,221; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,140;  
 SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SCOTTSBLUFF PUB  
 SCHOOLS,LICENSE FEES,6385; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY,  
 LLC,UNIFORMS,451.75; SHERIFF'S OFFICE,LEGAL,241.1; SHERWIN WILLIAMS,RED,  
 YELLOW, WHITE LATEX PAINT FOR STR. STRIPING,24320; SIMMONS OLSEN LAW FIRM,  
 P.C.,CONTRACTUAL SERVICES,14031.29; SIMON CONTRACTORS,CONCRETE FOR STREET  
 REPAIR,8410.25; SNELL SERVICES INC.,Equip. mntc.,1830; SUNSET LAW ENFORCEMENT,  
 LTD,FIREARMS SUPPL,2137.4; THE CHICAGO LUMBER COMPANY OF OMAHA INC,dept  
 supplies,21.99; THOMAS P MILLER & ASSOCIATES, LLC,SERVICES - MARCH 2016,8333.33;  
 TRANS IOWA EQUIPMENT LLC,WELDMENTS, CURTAIN PINS, BRACKETS FOR  
 SWEEPERS,635.48; TYLER TECHNOLOGIES, INC,UB ONLINE TRANSACTION FEES,2317.5;

UNIQUE MANAGEMENT SERVICES, INC,Cont. svcs.,152.15; US BANK,INTEREST PAYT.- LEASING CORP 2015 REFUNDING BONDS,22561.51; US BANK,Bus. trav.,1240.22; VAN PELT FENCING CO, INC,BLDG MAINT,460.22; WELLS FARGO BANK, N.A.,RETIREMENT,22556.93; WESTERN COOPERATIVE COMPANY,EQUIP MAINT,440.51; WESTERN COOPRTATIVE COMPANY,GROUND MAINT,696.5; WESTERN PLAINS BUSINESS SOLUTIONS,CONTRACTUAL SVC,91.39; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT,143; WIN INVESTMENTS INC,SCHOOLS & CONF,325.47; YELLMAN, ABBIGAIL,TRAVEL EXPENSE - CONFERENCE,110; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,2035; ZM LUMBER INC,GROUND MAINT,29.98; REFUNDS: MEGAN SCHEER 35.15; LISA ALFORD 82.87.

Council reviewed the March Financial Report. Assistant City Manager Johnson explained that the report includes the six-month actuals. He is working with Finance Director Hilyard and the department heads as they begin planning for next year's budget. The budget workshop will be scheduled for June, and staff plans on getting the revenue committee more involved.

Mayor Meininger opened the public hearing at 6:07 p.m. which was scheduled for this date to consider the Catering License Liquor License application for Sam & Louie's Pizzeria, 1522 Broadway, Scottsbluff, NE. Melissa Schneider was sworn in to testify on the liquor license. She explained that they are applying for a catering license to enable them to do more events, such as weddings and outdoor events. As a security measure, they will have additional staff during events, and will issue wrist bands to those customers over the age of 21. Ms. Schneider did explain that they had a compliance violation in August of 2013, with a clean slate since then. All employees continue to receive the responsible server training. City Attorney Olsen asked how they plan to handle the additional responsibilities of outdoor events. Ms. Schneider said they will discuss the boundaries of the permit with the employees as they want them to be comfortable and aware of the boundaries. Additional training will be required for employees working these events. There were no additional comments from the public.

Mayor Meininger closed the public hearing at 6:10 p.m. Moved by Council Member McCarthy, seconded by Council Member Colwell, "to make a positive recommendation to the Nebraska Liquor License Commission regarding the Catering Liquor License application for Camp Family Enterprises, LLC dba Sam & Louie's Pizzeria Class I License, 1522 Broadway, Scottsbluff, NE," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Donna Thompson with the West Nebraska Arts Center, presented her request for approval of three special arts-related event wine permits to be held at the Art Center. They have had these special events for many years with no incidents involving serving minors. They have a well trained staff and volunteers who serve the alcohol at their opening receptions. These three permits are the remaining permits allowed for the year for a non-profit. Moved by Council Member McCarthy, seconded by Council Member Colwell, "to approve issuance of a special arts-related event wine permits for the West Nebraska Arts Center, 106 East 18th Street and special designated liquor licenses for three events on May 5, 2016; June 30, 2016; and July 29, 2016," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Parrish Abel with the Scottsbluff Firefighter's local union, approached the Council and explained the details of the circus they are sponsoring on May 28 and 29, 2016 at 820 Ave. B. The Carson & Barnes Circus Company has provided a certificate of insurance and a contract with the Firefighters Union. The circus company will be responsible for all clean-up of the property, which is owned by Panhandle Coop. Moved by Mayor Meininger, seconded by Council Member Shaver, "to approve the Community Festival permit from the Scottsbluff Firefighter's Local 1454 for a Circus on May 28 and May 29, 2016 at 820 Ave. B, Scottsbluff," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Terry Rajewich with Nebraska Public Power District (NPPD) presented the annual report to the City Council. NPPD provides energy to 86 of the 93 Nebraska Counties, currently serving 89,000 customers. They have become very diverse – supporting solar projects throughout the state and in 2018 they will be opening their first hydrogen plant. NPPD leases the electric system from the City and operates it as part of their statewide system. There has not been a retail rate increase for three years in Scottsbluff. In addition to providing electricity, NPPD offers economic development support to the communities they serve. They also provide sustainable energy services, including an incentive program which has given \$43,700 in rebates back to Scottsbluff customers. One of their main future challenges is looking at efficiencies of their operation.

Mr. Johnson explained the Tobacco Free In Parks Resolution, which is encouraged by the Panhandle Public Health District, who also provides free signage to be placed in parks as a courtesy reminder. If Council decides they want to enforce this resolution, they would need to adopt an Ordinance. Council Member Shaver commented that this is another area that we can't control unless we pass an Ordinance, and then it would be difficult to enforce. Council Member Colwell added that the Resolution and the signs promote good will and is a good reminder for people using the parks. Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve the Tobacco-Free Resolution in Parks, Resolution No. 16-04-02, and placement of Tobacco Free signs in parks," "YEAS", Gonzales, Meininger, McCarthy, and Colwell "NAYS", Shaver. Absent: None.

#### RESOLUTION NO. 16-04-02

#### TOBACCO-FREE RESOLUTION

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This resolution by the Mayor and Council of the City of Scottsbluff, Nebraska, approves a tobacco free policy for recreational facilities.

WHEREAS, there is no safe level of exposure to second hand smoke, whether indoors or outdoors and tobacco products and secondhand exposure to tobacco smoke are related to adverse health risks; and,

WHEREAS, Parents, coaches and officials serve as role models for youth and should model positive lifestyle choices, including not using tobacco products; and,

WHEREAS, Use of tobacco products in public places can result in litter and debris that is unsightly and may pose a risk of ingestion by toddlers; and,

WHEREAS, restricting use of tobacco products in outdoor facilities is intended to protect and promote the health, safety and welfare of community residents, particularly children and youth.

NOW, THEREFORE, be it resolved by the Council of the Scottsbluff as follows:

1. That all recreational facilities shall be designated as "tobacco-free" and tobacco use shall be prohibited. Included but not limited to parks, play grounds, swimming facilities, walking/biking paths, buildings and all grounds, including exterior open spaces, sidewalks and parking lots;
2. Appropriate signage shall be posted to designate tobacco-free areas;
3. The residents of Scottsbluff shall be notified of this Resolution and the designation of the tobacco-free zones;
4. This policy is intended to be enforced through public information and awareness.

RESOLVED this 18<sup>th</sup> day of April, 2016

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

Assistant City Manager presented the revised Pay Resolution which reflects the increase in minimum wage and job title changes. The effect to the budget is approximately \$20,000.00, however, most of this is covered by positions which have been open throughout the year. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve Resolution No.16-04-03, amended Pay Resolution," "YEAS", Gonzales, Meininger, McCarthy, and Colwell "NAYS", Shaver. Absent: None.

**RESOLUTION NO. 16-04-03**

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

1. That the following Pay Plan for officers and employees of the City of Scottsbluff, Nebraska employed in Classified Positions be approved April 18, 2016 and effective May 2, 2016.

**PAY SCHEDULE  
HOURLY RATES (Based on 40 hour work week)**

<u>Grade</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>L1</u>	<u>L2</u>
2	8.64	9.07	9.53	10.00	10.51	11.03	11.58
3	9.07	9.53	10.00	10.51	11.03	11.58	12.16
4	9.53	10.00	10.51	11.03	11.58	12.16	12.77
5	10.00	10.51	11.03	11.58	12.16	12.77	13.41
6	10.51	11.03	11.58	12.16	12.77	13.41	14.08
7	11.03	11.58	12.16	12.77	13.41	14.08	14.78
8	11.58	12.16	12.77	13.41	14.08	14.78	15.52
9	12.16	12.77	13.41	14.08	14.78	15.52	16.30
10	12.77	13.41	14.08	14.78	15.52	16.30	17.11
11	13.41	14.08	14.78	15.52	16.30	17.11	17.97
12	14.08	14.78	15.52	16.30	17.11	17.97	18.87
13	14.78	15.52	16.30	17.11	17.97	18.87	19.81
14	15.52	16.30	17.11	17.97	18.87	19.81	20.80
15	16.30	17.11	17.97	18.87	19.81	20.80	21.84
16	17.11	17.97	18.87	19.81	20.80	21.84	22.93
17	17.97	18.87	19.81	20.80	21.84	22.93	24.08
18	18.87	19.81	20.80	21.84	22.93	24.08	25.28
19	19.81	20.80	21.84	22.93	24.08	25.28	26.55
20	20.80	21.84	22.93	24.08	25.28	26.55	27.87

**BI-WEEKLY RATES**

18	1508.48	1583.90	1663.10	1746.25	1833.56	1925.24	2021.50
19	1583.90	1663.10	1746.25	1833.56	1925.24	2021.50	2122.58
20	1663.10	1746.25	1833.56	1925.24	2021.50	2122.58	2228.71
21	1746.25	1833.56	1925.24	2021.50	2122.58	2228.71	2340.14
22	1833.56	1925.24	2021.50	2122.58	2228.71	2340.14	2457.15
23	1925.24	2021.50	2122.58	2228.71	2340.14	2457.15	2580.01
24	2021.50	2122.58	2228.71	2340.14	2457.15	2580.01	2709.01
25	2122.58	2228.71	2340.14	2457.15	2580.01	2709.01	2844.46
26	2228.71	2340.14	2457.15	2580.01	2709.01	2844.46	2986.68
27	2340.14	2457.15	2580.01	2709.01	2844.46	2986.68	3136.02
28	2457.15	2580.01	2709.01	2844.46	2986.68	3136.02	3292.82
29	2580.01	2709.01	2844.46	2986.68	3136.02	3292.82	3457.46
30	2709.01	2844.46	2986.68	3136.02	3292.82	3457.46	3630.33
31	2844.46	2986.68	3136.02	3292.82	3457.46	3630.33	3811.85

2. That the following positions in the Classification Plan are assigned to the following Class Grades:

#### **HOURLY POSITIONS**

<b><u>Grade</u></b>	<b><u>Class Titles</u></b>	<b><u>Grade</u></b>	<b><u>Class Titles</u></b>
5	Assistant Pool Manager	14	Wastewater Plant Operator I
7	Library Technician	14	Water System Operator I
7	Waterpark Manager	14	Heavy Equipment Operator
9	Building & Grounds Custodian	14	Solid Waste Equip. Operator
9	Code Enforcement Assistant	15	Crew leader
10	Library Assistant	16	Maintenance Mechanic
11	Record Technician	16	Fire Prevention Officer
11	Humane Officer	17	Wastewater Plant Operator II
12	Admin. Services Assistant	17	Water System Operator II
12	Admin. Records Technician	17	Construction-Locator Spec.
13	Account Clerk	17	Event Coordinator
13	Administrative Assistant	18	Utilities Adm. Coordinator
13	Maintenance Worker	18	Lead Maintenance Mechanic
13	Motor Equipment Operator	18	Cemetery Supervisor
		19	Stormwater Program Specialist
		20	Code Administrator I
		20	HR Assistant/Deputy City Clerk
		20	Administrative Services Coord.

#### **EXEMPT POSITIONS**

##### **Professional, Administrative and Executive**

18 Librarian  
 20 GIS Analyst  
 22 Transportation Supervisor  
 22 Park Supervisor  
 22 Water System Supervisor  
 22 Wastewater Plant Supervisor  
 22 Environmental Services Supervisor  
 22 Code Administrator II  
 22 Planner  
 23 Network Administrator  
 23 Planning Administrator

24 City Clerk/Risk Manager  
 24 Library Director  
 24 Public Safety/Em Mgmt Dir  
 26 Police Captain  
 26 Director of Parks/Recreation  
 26 Assistant City Manager  
 27 Director of Human Resources  
 28 Director of Public Works  
 29 Fire Chief  
 30 Police Chief  
 31 Director of Finance

3. That the following pay schedule for officers and employees in Unclassified Positions of the city is approved April 4, 2016 and effective May 2, 2016.

<u>Position</u>	<u>Salary Minimum</u>	<u>Salary Maximum</u>
City Manager	Established by City Council	

**Seasonal and Part-time  
Hourly Rates**

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>	<b>Step 7</b>
School Crossing Guard	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Library Page	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Laborer	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Field Mntc. Groundskeeper	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$12.00	\$12.20

Waterpark Aide	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
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*Lifeguard	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80

\*Lifeguard with Nebraska Certified Pool Operator's License & assigned to the maintenance of the waterpark facility will receive an additional 30 cents per hour.

NOTE: Pay step increase may be given after one year of service from hire date, at the discretion of the Department Head.

4. The Pay Schedule for the position of Firefighters and Fire Captains working a 56 hour week shall be the schedule approved in a Resolution adopted by the Mayor and City Council on September 8, 2015 and effective October 5, 2015.

<u>Class Title</u>	<u>Hourly Pay Schedule (56 hour week)</u>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
Firefighter	12.64	13.27	13.94	14.63	15.36	16.13	16.94	17.79
Fire Captain	16.38	17.20	18.06	18.97	19.92	20.91	21.96	23.05

5. That the Pay Schedule for the position of Patrol Officer and Police Sergeant shall be the Schedule approved in a resolution approved by the Mayor and City Council on September 8, 2015 to be effective October 5, 2015.

<u>Class Title</u>	<u>Hourly Pay Schedule</u>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
Patrol Officer	17.85	18.74	19.68	20.67	21.70	22.78	23.92	25.12
Police Sergeant	21.32	22.39	23.46	24.58	25.77	27.00	28.30	29.65

6. Resolution No. 15-11-03 and all other resolutions in conflict with this resolution are repealed.

**Passed and approved this 18<sup>th</sup> day of April, 2016.**

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Mayor

ATTEST:

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City Clerk

Assistant City Manager Johnson explained that the agreement and resolution with the Nebraska Department of Roads for the Monument Valley North Project basically says that the State will take over the "Responsible Charge" designation and responsibilities. This action won't change our cost for the project. Once the project is bid and let, the state is responsible for the project and will respond directly to the Federal Government. Moved by Mayor Meininger, seconded by Council Member Shaver, "to authorize the Mayor to sign the supplemental agreement with the Nebraska Department of Roads for the

Program Agreement for Monument Valley Pathway North project and approve Resolution No. 16-04-04”  
“YEAS”, Gonzales, Meininger, McCarthy, Shaver and Colwell “NAYS”, None. Absent: None.

RESOLUTION No. 16-04-04  
SIGNING OF THE LPA SUPPLEMENTAL  
PROGRAM AGREEMENT #2 - FEDERAL-AID FUNDING

City of Scottsbluff  
Resolution No. 16-04-04

**Whereas:** City of Scottsbluff (City) is proposing to develop and construct a transportation project for which it would like to obtain Federal funds;

**Whereas:** City understands that it must strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

**Whereas:** City and State of Nebraska, Department of Roads (State) wish to enter into an **LPA Supplemental Program Agreement - Federal-Aid Funds** which will set out the various duties and funding responsibilities for the Federal-aid project; and

**Whereas:** City wishes to designate its representative for this project.

**Be It Resolved by the City Council of the City of Scottsbluff that:**

The Mayor, Randy Meininger, is hereby authorized to sign the attached **LPA Supplemental Program Agreement - Federal-Aid Funds** between the City and the State.

City hereby designates Perry Mader to serve as City's representative and Project Liaison (PL) with State for this project.

City of Scottsbluff is committed to providing local funds for the project as required by the **LPA Supplemental Program Agreement - Federal-Aid Funds**.

NDOR Project Number: ENH-79(42)

NDOR Control Number: 51512

NDOR Project Name: Scottsbluff Valley Pathway North

Adopted this 18<sup>th</sup> day of April, 2016 at Scottsbluff, Nebraska.

The City Council of the City of Scottsbluff

\_\_\_\_\_  
Mayor

Mayor Meininger moved the adoption of said resolution,  
Council Member Shaver seconded the motion.

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent  
Resolution adopted, signed and billed as adopted  
Attest:

\_\_\_\_\_  
City Clerk

Mr. Johnson presented the revised agreement with the Riverside Campground Hosts, which actually began the first of April. The previous agreement had a start date of May 1<sup>st</sup>. The campground hosts wanted to open the campground early since they had campers the beginning of April. Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve the amended contract for the Riverside Campground Hosts and authorize the Mayor to execute the contract," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Council Member Shaver presented information to Council regarding his research on regulating body art facilities. He explained that the zoning ordinance proposed doesn't include inspection regulations. He would like to see an ordinance that follows the requirement listed in the state statute. This should include a Certificate of Occupancy, licenses on file with the City of Scottsbluff, and a record of inspections.

Mr. Dave Chalupa, previous tattoo facility owner, explained that people need to be accountable, the City needs control and records need to be kept. Council Member Shaver called the State about inspections, they explained that they require the business to do "self inspections" with surprise inspections by the State within 90 days.

Mr. Johnson contacted the state, and was informed that there is an inspector in Sidney. The city of Scottsbluff doesn't have anyone trained to do the inspections. Mr. Johnson also contacted Scotts Bluff County Health Department, who use to do inspections, but stopped when the State started doing the inspections. However, Mr. Shaver discovered that it appears no inspections have been conducted by the State for many years.

City Attorney Howard Olsen informed the Council that there is a specific statute that permits the City to create an Ordinance which can be more, or less strict than the state statute. There are considerable regulations and statutes regarding inspections of tattoo establishments in addition to a number of other businesses. It starts with a self-evaluation, followed by an unannounced state inspection. If the state is not doing the inspections, they need to be accountable. The Legal Department would like to gather more information from the state regarding these inspections. If they aren't doing the inspections, then the city may want to take some steps. However, the city would need assistance doing the inspections by someone who has some background in these businesses.

The City Council has the power under the statute to enforce compliance. The information Council Member Shaver has provided is beneficial regarding this compliance issue. Mr. Olsen will call the State on the City's behalf to get more information.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to refer the issue regarding body art facility inspection regulations to the legal department to make contact with the State of Nebraska," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Colwell, "to remove from the table the item regarding a consultant contract with Rick Kuckkahn (April 4, 2016 meeting)," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Mr. Kuckkahn commented that the contract has been amended to change the number of hours to 30 hours per week. Council discussed that this should actually be no more than 120 hours over a four week period. Legal will make that change to the contract. The effective date of the contract will be May 1, 2016. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to change the wording in the contract to state that Mr. Kuckkahn will not be compensated for more than 120 hours in any consecutive four week period," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to approve the Service Agreement with Rick Kuckkahn, as amended, and authorize the Mayor to execute the contract," "YEAS", Gonzales, Meininger, McCarthy, Shaver and Colwell "NAYS", None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member McCarthy, “to remove from the table the item regarding Rick Kuckkahn’s resignation as City Manager (April 4, 2016 meeting),” “YEAS”, Gonzales, Meininger, McCarthy, Shaver and Colwell “NAYS”, None. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, “to accept the resignation of City Manager Rick Kuckkahn effective May 1, 2016,” “YEAS”, Gonzales, Meininger, McCarthy, Shaver and Colwell “NAYS”, None. Absent: None.

Regarding the discussion about the City Manager Position, Mayor Meininger stated that the Council has the option of having Nathan Johnson serve as Interim City Manager as of May 1, 2016 or to appoint Nathan Johnson as City Manager as of May 1, 2016. Council Member Colwell commented that if Council chooses to appoint Mr. Johnson as City Manager, that they have a one year contract with a formal evaluation at the end of the year.

City Attorney Howard Olsen informed the Council that the City Manager’s contract is “at will” so Council would need to have some flexibility if there are changes within that year. The City Manager serves at the pleasure of the Council. A severance package can be flexible depending on the contract. Mayor Meininger added that they would like a formal review process in place.

Council Member Shaver commented that he has no doubts that Mr. Johnson can do the job, however, since the City Council didn’t hire Mr. Johnson, he would like to look at all options. Mayor Meininger added that Mr. Johnson has been working for three years under the succession plan that Council put into place. Council Member Gonzales added that if Mr. Johnson is appointed, the contract will need to outline what the Council expects of him. He has already been handling much of the day to day activity, with no negative response from the public.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, “to appoint Nathan Johnson as City Manager effective May 1, 2016 and direct Legal to prepare a contract and guidance regarding compensation and benefit package,” “YEAS”, Gonzales, Meininger, McCarthy and Colwell “NAYS”, Shaver. Absent: None.

Under Public Comments, Kathy Birch approached the Council regarding the public hearing set for the next meeting rezoning property on 19<sup>th</sup> Ave. She is asking Council to consider approving the zone change without having additional readings of the Ordinance at the May 2, 2016 meeting.

Under Council reports, Council Member Gonzales reminded the Council that the Western Nebraska Economic Development committee meets this Thursday in Sidney.

Moved by Council Member shaver, seconded by Council Member McCarthy, “to adjourn the meeting at 7:40 p.m.,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS” None. Absent: None.

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Mayor

Attest:

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City Clerk

“SEAL”