

City of Scottsbluff, Nebraska

Monday, October 3, 2016

Regular Meeting

Item Consent1

Approve the minutes from the September 19, 2016 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, September 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 September 16, 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 NBC Nebraska, and the Star Herald. The notice was also available on the city's website on September 16, 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 Deputy City Clerk Burbach 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 and Mark McCarthy. Absent: Scott Shaver. Also present was City Attorney Howard Olsen. Mayor Meininger asked if there were any changes to the agenda. Deputy City Clerk Burbach stated that there was one change to item 10a; to remove the wording "and approve the Resolution", as there is no resolution. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to change item 10a to read: Council to award the bid for warrants based on quotes for interest rates for the period 10-01-2016 through 09-30-2017," "YEAS", Colwell, Meininger, McCarthy and Gonzales, "NAYS", None. Absent: Shaver.

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 Mayor Meininger, seconded by Council Member McCarthy that,

1. "The minutes of the September 6, 2016 Regular Meeting be approved,"
2. "The absence of Mark McCarthy from the August 29, 2016 Regular Meeting be approved,"
3. "A public hearing be set for October 3, 2016 at 6:05 p.m. to determine if the East Overland Corridor should be declared substandard and blighted,"
4. "The City Manager's appointments to various boards and commissions be approved,"
5. "Bid specifications for a new or demonstrator medium duty rescue apparatus be approved and authorize the city clerk to advertise for bids to be received by October 28, 2016 at 2:00 p.m.," "YEAS", Gonzales, Colwell, Meininger and McCarthy "NAYS", None. Absent: Shaver.

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

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,149.12; ACTION COMMUNICATIONS INC.,VEHICLE MTNC,995.73; AHLERS BAKING INC,DEPT SUPPL,41.97; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4673.63; ASSURITY LIFE INSURANCE CO,LIFE INSURANCE,34.36; AUTOZONE STORES, INC,VEH MAINT,8.79; B & H INVESTMENTS, INC,DEP. SUP.,56.5; BLUFFS SANITARY SUPPLY INC.,JAN SUP - LIBRARY, 487; CAPITAL BUSINESS SYSTEMS INC.,CONT. SVCS.,366.55; CARLSON, DEBRA, DVDS REIMB.,390.14; CASTILLO P RICHARD,CONTRACTUAL,252; CELLCO PARTNERSHIP,CELL PHONE,148.75; CEMENTER'S INC,DEPT SUP,76.24; CITIBANK N.A.,DEPT SUPPL,1002.09; CITIBANK, N.A.,DEPT SUPP,500.74; CITY OF GERING,DISPOSAL FEES,47045.28; CITY OF SCB,POSTAGE,19.14; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,165.06; COPIER CONNECTION,DEPT SUP & MNTNCE,152.8; CREDIT BUREAU OF COUNCIL BLUFFS,EMPLOYMENT SCREEN,9.5; CYNTHIA GREEN,DEP. SUP.,101.5; DALE'S TIRE & RETREADING, INC.,EQUP MAINT,27.18; DEPARTMENT OF HEALTH AND HUMAN SERVICES, ANNUAL LAB FEES,150; DILLMAN NANCY,DEP SUP - LIBRARY,52.37; DOOLEY OIL INC,HEAT TRANSFER OIL FOR TRANS.,850.61; FASTENAL COMPANY,DEPT SUP,10.86; FEDERAL EXPRESS CORPORATION,POSTAGE,165.28; FIRST STATE BANK,WARRANT PAYDOWN,198174.77; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,1047.83; FRONT RANGE FIRE APPARATUS LTD,T-1 SUPPLIES,86.33; GENERAL ELECTRIC CAPITAL CORPORATION,DVDS,1221.53; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,695; H D SUPPLY WATERWORKS LTD,DEPT SUP,4828.22; HAWKINS, INC.,CHEMICALS,2403.9; HEILBRUN'S INC.,POWER LUBER - GREASE GUN,1068.62; HYDRONIC WATER MANAGEMENT,EQUIP MAIN.,425; IDEAL LAUNDRY AND CLEANERS, INC.,JANITORIAL SUPP,961.75; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT,60.57; INGRAM LIBRARY SERVICES INC,BKS,599.95; INTERNAL REVENUE SERVICE, WITHHOLDINGS,63978.14; INT'L INST OF MUNC CLKS,MEMBERSHIP-DICKINSON,155; INTRALINKS, INC,CONTRACT SERVICES,1725; JEROLD E. HIGEL,TRAFFIC SIGNAL & CONTROLLER SERVICE,450; JOHN DEERE FINANCIAL,GROUNDS MAINT,23.97; JOHN DEERE FINANCIAL,EQUP MAINT,10.44; KOIS BROTHERS EQUIPMENT CO INC,ELECT. MOTOR FOR SANDER,603.71; KRIZ-DAVIS COMPANY,SUPP - STEP LADDER FOR CENTRAL GARAGE,125; LEADERSHIP SCOTTS BLUFF INC,CLASS TUITION - NOELLE THOMPSON,500; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING,100; M.C. SCHAFF & ASSOCIATES, INC,STRUCTURES,6360; MACOMBER DANIEL,LEGAL,23.24; MADISON NATIONAL LIFE, LIFE INSURANCE, 1865.95; MAREZ FRANCISCO, CONTRACTUAL, 357; MARGARET KRAISINGER, BKS,55; MATHESON TRI-GAS INC,RENT MACHINES,46.67; MATTHEW M. HUTT, CONTRACT SERVICES,450; MENARDS, INC,DEPT SUPP,867.59; MIDLANDS NEWSPAPERS, INC,LEGAL PUB,19.09; MONUMENT PREVENTION COALITION, CONTRACTUAL, 1879.88; NATIONAL FIRE PROTECTION ASSOCIATON,ANNUAL NFPA MEMBERSHIP, 175; NE CHILD SUPPORT PAYMENT CENTER, NE CHILD SUPPORT PYBLE, 1237.93; NE DEPT OF REVENUE,AUGUST SALES TAX,60779.87; NEBRASKA INTERACTIVE,

LLC,ANNUAL SUBSCRIPTION FEE,50; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 46347.74; NELSON TRENT,SUPP - HARM. BAL & PULLER FOR CENTRAL GARAGE,358.9; NEOPOST, PSTGE, 857.04; NETWORKFLEET, INC,GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP, 392.67; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SVCS.,339.44; OREGON TRAIL PLUMBING, HEATING & COOLING INC,GROUND MAINT,335; PANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL SVC, 54; PAUL REED CONSTRUCTION & SUPPLY, INC, CONTRACTUAL SVC, 4560; PENNWELL CORPORATION,FIRE ENGINEERING SUBSCRIPTION, 29; PLATTE VALLEY BANK, HEALTH SAVINGS, 13607.71; POSTMASTER,POSTAGE,865.58; POWERPLAN,EQUIP MTNC,3487.17; QUILL CORPORATION, DEPT SUPP, 384.39; REGANIS AUTO CENTER, INC, VEH MAINT, 15.36; REGION I OFFICE OF HUMAN DEVELOPMENT,CONTRACTUAL SERVICES, 825; REGIONAL CARE INC,CLAIMS, 40103.58; REGISTER OF DEEDS,LEGAL,10; ROBERTA J BOYD, REIMB., 6.29; S M E C, EMPLOYEE DEDUCTIONS, 233.5; SAFETYLINE CONSULTANTS, INC,DEPT SUPPL,59; SCB COUNTY, DEPT CNTRCL SRVCS,210; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES, 180; SCOTTS BLUFF COUNTY COURT,LEGAL,306; SCOTTSBLUFF BODY & PAINT, TOW SERVICE,1360; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS,544; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES, 12512.29; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,6261.5; SNELL SERVICES INC.,BLDG MAIN., 300; STATE FIRE MARSHALL,CERTIFICATON TESTING FOR 12 STAFF, 1800; TEXAS PNEUDRAULIC INC,VEHICLE MTNC,154.66; THOMAS P MILLER & ASSOCIATES, LLC,PROFESSIONAL SERVICES,8333.33; TRANS IOWA EQUIPMENT LLC,ELEV. CHAIN FOR SWEEPER,1687.89; TWIN CITIES DEVELOPMENT ASSOC, INC,SERVICE AGREEMENT,12849.62; TWIN CITY AUTO, INC,VEH MAINT,67.29; UNIQUE MANAGEMENT SERVICES, INC,CONT. SVCS.,241.65; UNITED STATES WELDING, INC,ARGON GAS FOR CENTRAL GARAGE,77.13; UNITED WAY OF WESTERN NEBRASKA, SCHOOL & CONF,10; UPSTART ENTERPRISES, LLC,DEPT SUPP,10; US BANK,DEPT SUPPL, 854.43; VAN DIEST SUPPLY COMPANY, MOSQUITO SPRAY, 681.5; VANTAGEPOINT TRANSFER AGENTS-300793,DEF COMP,945; VANTAGEPOINT TRANSFER AGENTS-705437, ROTH IRA,530; W & R INC,STRUCTURES,6235.96; WEGELIN RICHARD,TREE REBATE,109.98; WELLS FARGO BANK, N.A.,RETIREMENT,31011.25; WESTERN COOPRTATIVE COMPANY, GROUND MAINT,38.24; WESTERN NEBRASKA HUMAN RESOURCE MANAGEMENT, MEMBERSHIP DUES,45; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TESTS - AUG. 2016,51; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA EE, 1710.75; ZUNIGA VAL,CAMPGROUND,225; REFUNDS: VANESSA NORDIEGA 6.39; MONICA CHANDLER 47.24; JAZMIN PERALES 38.51; ELIZABETH WALTON 19.89; JULIE BASZLER 6.29; EAST FAIR LLC 6.29.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve the request for payment of outstanding warrant principal and interest at First State Bank and approve

Resolution No. 16-09-04,” “YEAS”, McCarthy, Gonzales, Colwell and Meininger, “NAYS”, None.
Absent: Shaver.

RESOLUTION NO. 16-09-04

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

That the claim of First State Bank in the amount of \$38,424.21 to pay warrant interest to 9-30-16 for the Cirrus House TIF Project, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$12,670.62, to payoff outstanding warrant principal to 9-30-16 for the Paving District #306, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$291,894.05, to payoff outstanding warrant principal and \$2,139.59 to pay warrant interest to 9-30-16 for the Paving District #311, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$916,830.20, to payoff outstanding warrant principal and \$6,478.28 to pay warrant interest to 9-30-16 for the Paving District #312, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$10,502.50, to payoff outstanding warrant principal and \$23.44 to pay warrant interest to 9-30-16 for the Paving District #313, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$5,308.17 to pay warrant interest to 9-30-16 for the Sewer District #164, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$5,949.74, to payoff outstanding warrant principal and \$9,322.58 to pay warrant interest to 9-30-16 for the Water District #99, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$75,191.95, to payoff outstanding warrant principal and \$687.57 to pay warrant interest to 9-30-16 for the Water District #105, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

Passed and approved this 19th day of September, 2016.

Mayor

ATTEST:

City Clerk
"seal"

Council reviewed the August 2016 Financial Report. Council Member Colwell inquired about the Sales tax numbers and City Manager Johnson reported that they remain flat.

Murphy Forner, Vice President of Ground Operations and Dave Hall, Chief Operating Officer of PenAir, gave the Council a presentation about the history of the company and the air service that they will be providing to Western Nebraska Regional Airport. PenAir will have a manager here in Scottsbluff and expect this manager, along with themselves to make their presence known and to be involved in the community. They intend to bring a better quality service that is reliable to the area and will be doing some marketing specials to entice people to fly with them.

Ron Starzec, Nebraska Public Power District (NPPD), Land Management Appraiser gave the Council a presentation on the Stegall-Scottsbluff 115kV Transmission Line Project. Jedd Fischer of NPPD was unable to be present. The project will enhance the reliability of service for the entire Nebraska Panhandle and reduce voltage problems. The construction of this line covers mostly rural areas of pasture and grassland and some tillable and row crop land. It does cover commercial land once it comes into the cities. NPPD is committed to working safely and to being respectful to landowners and any agencies that they are working with. Construction will begin this month and is projected to be completed by June 2017.

City Manager Johnson informed the council that they would find in their agenda packets the modified (red-lined) version of the Fee for Services Agreement and also the Support Agreement for eCenter for the next fiscal year from Twin Cities Development (TCD). There are no changes to the eCenter agreement and staff recommends council to approve the eCenter agreement. Sean Overeynder, Community Development Director of Twin Cities Development presented to the council the Fiscal Year End Report, 2015-2016, Fee for Service and also the E-Center agreement. Sean stated that this has been a year of foundation building with TCD and the region. They have visited 39 businesses total within the region of which 20 visits were within Scottsbluff to discuss business retention and expansion. They have done Community Tours for businesses who are trying to attract employees and businesses to the area. They have also compiled a Development Packet for businesses looking to locate within the area, and a Profile Kit consisting of regional information that includes education, taxes, utilities, healthcare, transportation and demographics. They have been working with TPMA throughout the year to create marketing documents to attract industry and also strengthen the workforce through talent attraction. The eCenter currently has six tenants. They typically are in the eCenter two to three years. Council Member Colwell asked City Manager Johnson to explain the eCenter agreement. Mr. Johnson stated that the current agreement is capped at \$60,000.00 and those fees are directly related to the city's LB840 account and they must be a qualifying business in order for TCD to accept any funds. The contract pays \$1000.00 per business/company per month and to date the city has paid \$51,000.00 to TCD.

Mr. Johnson stated that the new contract TCD is proposing for Fees for Service is capped at \$90,000.00. Mayor Meininger stated that he had concerns over the language in Section 3, Additional Fee for Services: subsection 2, locking in TPMA as the company in the contract for Lead Generation Consulting Services. Mr. Johnson stated that he also had concerns with that, and stating a specific amount of money. Mr. Johnson stated that if we are thinking about regionalism we need to follow Omaha's model for regionalism and not just talk about it, but actually do it. That includes coming up with materials not just for the City of Scottsbluff, but for all the other communities in the Panhandle, such as WNED. Also, we need to focus on having a process in place so when we get a site selector approach us, we have a process to follow with guidelines to give the information they are requesting and ultimately be on their short list. City Attorney Olsen stated that if the council decides that Lead Generation Consulting Services is an important category, you likely shouldn't restrict it to TPMA. Mayor Meininger felt that this part of the contract was too restricting and should be changed.

Mr. Johnson stated that the current contract states that TCD needs to do a minimum of 35 visits per year to maintain the Certified Community Status with the Department of Economic Development and

in the presentation TCD stated they had only done 20 visits this year. They will need to come up with 15 more visits by the end of the month. Mr. Overeynder stated that they are still working on the remaining 15 visits for Scottsbluff.

Mr. Johnson stated that the other concern he had is that he would like TCD to take over all the marketing efforts, so that a consistent message is given.

Council Member Gonzales stated that during the budget workshop, the City Council agreed that the City would hire an Economic Development Director, and questioned whether some of the services in the contract could be done by this new hire. If so, we want to make sure that we don't have a duplication of services between the Economic Development Director and TCD. Mayor Meininger asked how long it would take to get an Economic Development Director hired. Mr. Johnson stated that the LB 840 committee has endorsed the position, but have asked for information on how it will affect the LB 840 budget. Mr. Johnson hopes to meet with the LB840 committee by the end of next month and have them reaffirm the endorsement for the position and then solicit applications. The goal is to have someone in place, in City Hall, January 1, 2017. Mr. Johnson wants this person to work hand in hand with the LB840 Application Review committee and TCD to actively get LB 840 money out in the community. City Attorney Olsen stated in regards to the TCD contract, we may need to have an early out clause for things that can be done by the new employee.

Mayor Meininger stated that the council will refer the contracts back to the City Manager to negotiate with TCD, to include an out clause, to eliminate any duplication of services with the start date of January 1st for the new city employee, and then have council review for approval. The eCenter agreement needs to have the dates updated for the new fiscal year and bring it back to council.

City Manager Johnson presented the bids for warrants based on the following quotes: First National Bank 2.03%; First State Bank 1.17%; Platte Valley Bank 1.49%; and Western States Bank 2.00%. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to award the bid for warrants to First State Bank in the amount of 1.17%," "YEAS", McCarthy, Gonzales, Colwell and Meininger, "NAYS", None. Absent: Shaver.

City Manager Johnson presented the bids for Paving District #313, Ave G. Bids were received from Eric Reichert Insulation and Construction in the amount of \$126,237.00 and Infinity Construction in the amount of \$123,793.00. The engineer's estimate for this project is \$185,569.00. Mr. Johnson explained that staff is recommending awarding the bid to Infinity Construction as the best and lowest bid for this project. Moved by Mayor Meininger, seconded by Council Member Gonzales "to award the bid for the Paving District #313, Ave G , to Infinity Construction in the amount of \$123,793.00 as the best and lowest bid," "YEAS", Gonzales, Colwell, Meininger and McCarthy, "NAYS", None. Absent: Shaver.

Council introduced Ordinance No. 4197 which was read by title on third reading: **AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.** Moved by Mayor Meininger, seconded by Council Member Colwell, "to adopt Ordinance No. 4197, FY 2016-2017 Budget," "YEAS", Colwell, Meininger, McCarthy and Gonzales, "NAYS", None. Absent: Shaver.

Council introduced the Ordinance providing for a new 1 ½% restaurant occupation tax, effective January 1, 2017 which was read by title on second reading: **AN ORDINANCE PROVIDING FOR A NEW OCCUPATION TAX ENTITLED FOOD SERVICE, DRINKING PLACES AND RESTAURANT TAX, REPEALING PRIOR SECTIONS LOCATED IN CHAPTER 6, ARTICLE 6 AND CHAPTER 11, ARTICLE 2 OF THE SCOTTSBLUFF MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.**

Dave Thiele, owner of Godfather's Pizza addressed the council to voice his objections to the one and a half percent restaurant tax that the council is considering. Thiele stated that he has been able to hold prices for three years even with additional labor costs. He also stated that he has not raised prices, but now he has the council doing it for him. He explained that in the primary election voters turned down an additional sales tax to pay for infrastructure needs and if the council approves this tax they will be circumventing the will of the voters by back dooring this tax that does not require voter approval and is targeted to just one sector of the business community.

City Manager Johnson informed the council that there have been several inquiries about tiny homes and in an effort to be pro-active we are looking at amending the City codes to address this matter. Current code has the minimum residential home size of 700 square feet. A tiny home would be defined as between 200 and 700 square feet and needs to be on a permanent foundation with water and sewer service in a Planned Unit Development. Each Planned Unit Development would have to be a minimum of three acres, with the exception that a smaller area may be approved if it is a redevelopment and meets the overall intent of the code. This is to allow existing mobile home parks or other areas to be repurposed as tiny home communities if appropriate.

Mayor Meininger introduced the Ordinance allowing for Tiny Home Communities as a Planned Unit Development, which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 25 ARTICLE 7 RELATING TO PLANNED UNIT DEVELOPMENTS PROVIDING FOR AN ADDITIONAL SECTION RELATING TO A TINY HOME COMMUNITY PLANNED UNIT DEVELOPMENTS, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE.**

City Manager Johnson stated that in another effort to be pro-active, he presented an Ordinance that would define and provide for Microbreweries, Brew Pubs and Breweries in the zoning codes. This would allow for these entities in the city. A brewery produces over 10,000 barrels a year, and a microbrewery produces under 10,000 barrels a year. A brew pub is a business such as a restaurant or hotel that also brews its own beer on site. A brew pub is proposed as a permitted use in C-1, C-2, C-3, M-1 and M-2 zoning districts. A microbrewery is proposed as a Special Permit Use in C-1 and C-2 zones and would be a permitted use in C-3, M-1 and M-2 zoning districts. A brewery is proposed as a permitted use in C-3, M-1 and M-2 zones. Staff is recommending the passage of this ordinance and requested that the three readings be waived. The Planning Commission recommends approval of this ordinance. Mayor Meininger then asked the members of the CRA who were present what their opinion was. Bill Trumbull stated that it was good to be pro-active in the event one of the above entities wants to come into the community.

Mayor Meininger introduced Ordinance No. 4198 defining Microbreweries, Brew Pubs, and Breweries and providing for them in the zoning code. which was read by title on first reading: **AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING ARTICLE 2, CHAPTER 25 OF THE MUNICIPAL CODE BY INCLUDING DEFINITIONS FOR A BREW PUB, BREWERY, CRAFT BREWERY AND MICRO BREWERY, AND AMENDING ARTICLE 3 OF CHAPTER 25 BY INCLUDING THOSE FACILITIES AS A PERMITTED USE IN ZONING DISTRICTS WITHIN THE CITY, REPEALING ALL PRIOR ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Mayor Meininger asked City Manager Johnson to explain why staff wanted the three readings waived. Mr. Johnson explained that city staff has been working extensively with such an entity and feels this would help the chances of this type of business, coming to Scottsbluff. Moved by Mayor Meininger, seconded by Council Member Colwell, "that the statutory rule requiring the Ordinance to be read by title on three different days be suspended," "YEAS", Meininger, McCarthy, Gonzales and Colwell, "NAYS", None. Absent: Shaver.

Moved by Mayor Meininger, seconded by Council Member McCarthy, “to approve Ordinance No. 4198, defining Microbreweries, Brew Pubs, and Breweries and providing for them in the zoning code,” “YEAS”, McCarthy, Gonzales, Colwell and Meininger, “NAYS”, None. Absent: Shaver.

Under Council reports, Mayor Meininger will attend the Senior Center meeting tomorrow and the 911 Advisory Group will also meet this week. Council Member Gonzales reported PADD met last week. PADD will be moving their offices from the TCD building to the Chamber offices January 1, 2017.

Moved by Council Member McCarthy, seconded by Council Member Colwell, “to adjourn the meeting at 7:15 p.m.,” “YEAS”, McCarthy, Gonzales, Colwell and Meininger, “NAYS”, None. Absent: Shaver.

Mayor

Attest:

Deputy City Clerk

“SEAL”