

City of Scottsbluff, Nebraska
Monday, November 7, 2016
Regular Meeting

Item Consent1

Approve the minutes of the October 17, 2016 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

Regular Meeting
October 17, 2016

The Scottsbluff City Council met in a regular meeting on Monday, October 17, 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 October 14, 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 emailed 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 October 14, 2016.

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, Jordan Colwell, Scott Shaver and Mark McCarthy. Also present was City Attorney Howard Olsen. Absent: Raymond Gonzales. 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 Mayor Meininger, seconded by Council Member Colwell that,

1. "The minutes from the October 3, 2016 Regular Meeting be approved,"
2. "The October 31, 2016 meeting be cancelled, as two regular meetings will have already been held in the month of October," "YEAS", Meininger, Colwell, and McCarthy, "NAYS" Shaver. Absent: Gonzales.

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 October 17, 2016, as on file with the City Clerk and submitted to the City Council," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,149.12; ACTION COMMUNICATIONS INC.,EQUIP MAINT, 564.2; ALBERT RAMIREZ,BLDG MAINT,95; ALLO COMMUNICATIONS,LLC, LOCAL TELEPHONE CHARGES,4684.39; ANITA'S GREENSCAPING INC, BID PRKNG LOTS MNTNCE,1681.11; ASSURITY LIFE INSURANCE CO,LIFE INSURANCE, 34.36; B & H INVESTMENTS, INC,SUPP - WATER,207.5; B&C STEEL CORPORATION,IRON TUBING FOR SIGNS,162.47; BEEHIVE INDUSTRIES,LLC,CONTRACTUAL SVC,25300; BLUFFS SANITARY SUPPLY INC.,DEPT & JANIT SUPPL,687.4; BROWN'S SHOE FIT, CO.,UNIFORMS & CLOTHING,149.8; CALM NIGHTS, LLC,SCHOOLS & CONF,91; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,327.26; CELLCO PARTNERSHIP,CELL PHONE,630.18; CEMENTER'S INC, CONCRETE FOR STREET REPAIR,1755; CITIBANK, N.A.,DEPT SUPP,214.13; CITY OF GERING,DISPOSAL FEES,45242.78; CITY OF SCB,POSTAGE,6.45; CLARK PRINTING LLC,DEP. SUP. - LIB., 34.95; COMPUTER CONNECTION INC, RENT-MACH,51.04; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,164.81; CONTRACTORS MATERIALS INC.,SUPP - CONCRETE SAW BLADES,1312.19; CREDIT BUREAU OF COUNCIL BLUFFS, SEPT. EMPLOYMENT SCREENS,28.5; CYNTHIA GREEN, D.S. DEPT SUP,128.86; D & H

ELECTRONICS INC.,SUPP,5.45; DALE'S TIRE & RETREADING, INC., VEHICLE MTNC,2027.06; DOCU-SHRED LLC,CONTRACTUAL, 300; DUANE E. WOHLERS,DISPOSAL FEES,450; ELLIOTT EQUIPMENT COMPANY INC., EQUIPMENT MTNC,4777.88; ENERGY LABORATORIES, INC, SAMPLES,135; FASTENAL COMPANY,SPECIAL EVENT,4; FAT BOYS TIRE AND AUTO,D.S. VEHICLE MNTNC, 1102.96; FEDERAL EXPRESS CORPORATION, RETURN TEST MATERIAL -FIRE CAPT EXAM,17.55; FLOYD'S TRUCK CENTER, INC,EQUIPMENT MTNC,328.29; FRANCISCO'S BUMPER TO BUMPER INC,INSURANCE CLAIM, 7521.32; GARTON, LYNN,SCHOOLS & CONF,83; GARY'S CLEANING & RESTORATION SERV, CONTRACTUAL,989.15; GENERAL ELECTRIC CAPITAL CORPORATION, DEP SUP. - LIBRARY,120.7; GENERAL TRAFFIC CONTROLS, INC,TRAFFIC SIGNAL SUPP - PED PUSHBUTTON, MONITORS,2479.12; GERING VALLEY PLUMBING & HEATING, INC, STRUCTURES,13228; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,655; H D SUPPLY WATERWORKS LTD,METERS,1966.52; HANNA:KEELAN ASSOC, P.C. COM PLANNING & RESEARCH,MULTI-COUNTY REGIONAL HOUSING STUDY,14500; HAWKINS, INC.,CHEMICALS,3838.55; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,3316.2; HEILBRUN'S INC.,VEH MAINT,3153.3; HELENA CHEMICAL COMPANY,DEPT SUP, 117.6; HENWIL CORPORATION,CHEMICALS,5286.61; HOA SOLUTIONS, INC,EQUIP MAINT, 721.5; HONEY WAGON EXPRESS,CONTRACTUAL,310; HULLINGER GLASS & LOCKS INC., DEPT SUPP,5.5; HYDRONIC WATER MANAGEMENT,CONT. SRVCS.,425; IDEAL LAUNDRY AND CLEANERS, INC.,UNIFORMS,940.78; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT,8.7; INGRAM LIBRARY SERVICES INC,BKS,545.55; INTERNAL REVENUE SERVICE,WITHHOLDINGS, 58357.22; INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION-HR,POLICE OFFICER TESTING MATERIALS, 331.5; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,9.95; J G ELLIOTT CO.INC.,NOTARY BOND, 70; JACOBS AUTO GLASS,EQUIPMENT MTNC,175; JEROLD E. HIGEL,TRAFFIC SIGNAL & CONTROLLER SERVICE,540; JOHN DEERE FINANCIAL,DEPT SUPP,5375.51; JOHN DEERE FINANCIAL,DEPT SUPP,69.96; JOHN DEERE FINANCIAL,EQUIP MAINT,28.66; KEEP SCOTTSBLUFF-GERING BEAUTIFUL, CONTRACTUAL SVC, 10775.69; KELLY KAVA, UNIFORMS, 192; LEAGUE ASSOCIATION OF RISK MANAGEMENT,INSURANCE, 708255.75; LEAGUE OF NEBRASKA MUNICIPALITIES,PRE-CONFERENCE - N.JOHNSON,118; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING,100; LUNDGREN SEED & GRAIN PRODUCTS,SPECIAL EVENT,35; M.C. SCHAFF & ASSOCIATES, INC,D.S. CONTRCL SRVCS,4458.75; MADISON NATIONAL LIFE,LIFE INSURANCE,1838.96; MAILFINANCE INC, MONTHLY LEASE,148.76; MATHESON TRI-GAS INC,DEPT SUP,142.69; M-B CO, INC,CUTTER SET FOR PAVEMENT ERASER,749.41; MENARDS, INC,DEPT SUP,1106.33; MIDLANDS NEWSPAPERS, INC,SBSCRIP. - LIBRARY,158.85; MUNICIPAL PIPE TOOL CO, LLC,EQUIP MAINT,269.98; NAT'L LEAGUE OF CITIES,MEMBERSHIP,1489; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1237.93; NE DEPT OF REVENUE WITHHOLDINGS, 19559.32; NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF,50; NEBRASKA SAFETY & FIRE EQUIPEMENT INC.,BLDG MAIN.,541; NEBRASKA MUNICIPAL CLERKS' ASSOCIATION, DUES - CHRISTINE BURBACH, 70; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 43436.74; NEBRASKA STATEWIDE ARBORETUM, MEMBERSHIPS, 130; NEOPOST, POSTAGE, 1300; NETWORKFLEET, INC,GPS FOR TRANS., 18.95; NEWMAN, TIMOTHY,SCHOOLS & CONF/GAS,100; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF, DEPT SUP, 217.6; OCLC ONLINE COMPUTER LIBRARY CENTER,

INC,CONT. SRVCS.,339.44; ONE CALL CONCEPTS, INC,CONTRACTUAL,154.26; PANHANDLE AREA DEVELOPMENT DISTRICT, FY16-17 MEMBERSHIP, 11656.6; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,16908.67; PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES,126; PANHANDLE RC&D,MEMBERSHIP DUES,300; PAUL REED CONSTRUCTION & SUPPLY, INC,STRUCTURES,82364.93; PLATTE VALLEY BANK,HEALTH SAVINGS,13628.68; POSTMASTER,POSTAGE,626.92; POWERPLAN,EQUIPMENT MTNC,26.76; QUILL CORPORATION,DEPT SUPPL,1254.94; RAAJ LINCOLN LESSEE LLC,SCHOOLS & CONF,89; RAILROAD MANAGEMENT CO III, LLC,RENT - LAND,353.72; RECORDED BOOKS INC,CONT. SRVCS.,997.8; REGION I OFFICE OF HUMAN DEVELOPMENT,CONTRACTUAL SERVICES,825; REGIONAL CARE INC,CLAIMS,52503.26; ROBERTA J BOYD,REIMB.,6.05; S M E C,EMPLOYEE DEDUCTIONS,179.5; SANDBERG IMPLEMENT, INC,DEPT SUPP,605.21; SATUR, JACK,SCHOOL & CONF,94; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,180; SCOTTS BLUFF COUNTY COURT,LEGAL FEES,204; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,1350; SCOTTSBLUFF MOTOR CO, INC, D.S. PARTS,20.94; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SCOTTSBLUFF PUB SCHOOLS,LICENSE FEES (APR - SEPT 2016),6962.5; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,DEPT SUPPL,394; SCOTTSBLUFF SENIOR CENTER, CONTRACTUAL, 5750; SHAFFER PUBLICATONS, SBSCR.,2074.06; SIMMONS OLSEN LAW FIRM, P.C., CONTRACTUAL SERVICES, 11985.29; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR, 3475.06; THE PEAVEY CORP,INVEST SUPPL, 666.8; THOMAS P MILLER & ASSOCIATES, LLC,SERVICES - SEPTEMBER 2016,8333.33; TOYOTA MOTOR CREDIT CORPORATION, HIDTA CAR LEASE,365.69; TRAFFIC PARTS, INC,SUPP - LED LITES - RED, 495; TRANS IOWA EQUIPMENT LLC,CHEMICALS,4857.27; TWIN CITIES DEVELOPMENT ASSOC, INC,ECENTER AGREEMENT - SEPT 2016,3275; TYLER TECHNOLOGIES, INC,BANK FEES,1547.5; UNDERWRITERS LABORATORIES INC,LADDER TRUCK AND GROUND LADDER ANNUL NFPA TESTING,1831.95; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS, 545.95; UNIVERSITY OF LOUISVILLE,SCHOOLS & CONF,1195; UPSTART ENTERPRISES, LLC,DEPTSUPP,20.39; US BANK,BOND PRINCIPAL & INTEREST,469406.25; US BANK,EQP MAINT,2755.08; VANTAGEPOINT TRANSFER AGENTS-300793,DEF COMP, 945; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,530; WARD LABORATORIES, INC, PLAZA PROJECT,38; WELLS FARGO BANK, N.A.,RETIREMENT, 29437.36; WESTERN COOPERATIVE COMPANY, DEPT SUPP,39.59; WESTERN COOPRTATIVE COMPANY, GROUNDS MAINT, 1702.56; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TESTING - SEPT 2016,127; WESTERN PLAINS BUSINESS FORMS INC,CONTRACTUAL SVC,60.04; WESTERN SURETY COMPANY,BOND - FLOYD J. COLWELL, 100; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT,203.57; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,39.55; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,1664; ZM LUMBER INC,DEPT SUPP,1.56; REFUNDS: SAMUEL CROUCH 1.50; BRIANNA GONZALES 3.94; JUANA VARELA 4.56; SHELBY BENSON 20.46; BELEN LONGORIA 21.69; SHARON CLINESMITH 6.77; CURVES CARL GURNSEY 10.16; ONEITA BULLER 6.47; ELI HAFFNER 8.63; JOST LLC 9.11; ANDY SAUCEDO 1.57.

Council received a report from Marcia Schlichtemier, President of the Board of Directors of the Scottsbluff Senior Center. The center serves people between the ages of 65 to late 90's, serving 45-50 meals per day. They also deliver meals to 50-60 people who are homebound, making their meal delivery an important contact each day for their clients. In addition to their meal program, they provide

educational programs, health programs and social activities. Ms. Schlichtemier explained the benefits of socializing while eating lunch for our aging population.

Regarding their financial situation, the approximate expenses each month are \$3600.00. They are working with Nebraska Public Power District on a five year grant program to replace all of their lighting from fluorescent to LED, which should save some utility costs. They have also addressed some accessibility issues, adding lift bars in the restrooms. In addition, they are converting their manual doors to automatic doors. Improvements to the kitchen include the purchase new stainless steel tables. The Office of Aging does not provide weekend meals to homes, so they are working on a program to provide these meals. Additional purchases by the Center includes a steamer, sound system and more tables. Ms. Schlichtemier complimented the staff and cooks at the center and invited the Council to join them for lunch. She added that the Scottsbluff Senior Center Board is very appreciative of the support they receive from the City of Scottsbluff. Mayor Meininger commended the Senior Center on their Capital Improvement Plan and the projects they have completed.

Cathy McDaniel, Executive Director of the Panhandle Humane Society, gave the Council a report on the many successes they have experienced over the past months. There are many more dogs adopted than cats, so each year they euthanize less animals, which designates them as a “low kill” shelter. They have been working with other shelters for adoption and fostering their dogs and cats. They are also offering a \$25.00 microchip fee for first time offenders that are claimed by their owners.

Ms. McDaniel explained that because of the large number of feral cats, they are beginning to work on a “return to field” program to capture the cats, spay or neuter them, and return the healthy cats back to the neighborhood. This is the best way to treat the feral cat population.

Improvements to the facility include a “catio” which is an outdoor, fenced area for the cats to have some secure time outside. Outreach in the community is very valuable for the animals and the youth and elderly citizens they spend time with at the schools and nursing homes. In addition, they provide therapy pets for special needs children and students in the Vaults program. Ms. McDaniel expressed her appreciation to the City Council for continued support of the Panhandle Humane Society.

Mayor Meininger opened the public hearing advertised for this date at 6:20 p.m. to consider a Class CK liquor license application from Blackstone Spirits LLC dba Kelley’s Liquor, Scottsbluff. Cory Kilpatrick, Koni Kilpatrick, and Karen Hunter, owners, and Police Chief Kevin Spencer were sworn in to testify on the liquor license. Moved by Mayor Meininger, seconded by Council Member McCarthy, “that the following exhibits, presented on behalf of the City Council, be entered into the record: 1) Blackstone Spirits, LLC dba Kelley’s Liquor application; 2) City Council check list for section 53-132 cum supp 2010; 3) written statement of Police Chief Kevin Spencer dated October 14, 2016; 4) written statement of City Clerk dated October 13, 2016; 5) written statement of City Planner Folck dated October 3, 2016; “YEAS”, Meininger, Colwell, Shaver and McCarthy, “NAYS” None. Absent: Gonzales

Mr. Kilpatrick’s attorney, Jerry Ost diek, asked a number of questions regarding Mr. Kilpatrick’s business experience and ability to hold a liquor license. Mr. Kilpatrick responded that he has been a small business owner and self-employed for many years. His experience includes supervising employees in his businesses. He has been working at Kelley’s Liquor since the purchase on October 1, 2016 and operating with a temporary liquor license. He and his wife have taken the responsible server classes. Their policy is to check ID’s for anyone who appears to be under the age of 30. He is also planning to purchase the ID scanner. They have a no-tolerance policy if an employee sells alcohol to a minor. He also plans to offer additional sales training to his employees. Mr. Kilpatrick is responsible for the entire inventory and ordering of alcohol for the business. They have security cameras inside and outside of the building.

Police Chief Kevin Spencer informed the Council that he reviewed the application and the department conducted the background check. He found no disqualifying information or criminal history with any of the people on the liquor license. They have a good process in place for the business, with trained employees. They have retained the employees who have been at the business under the previous ownership. The Liquor License Investigatory Board met October 13, 2016 to review the application and

interview the applicants. The Board unanimously approved forwarding a positive recommendation to the City Council regarding the Liquor License application for Blackstone Spirits LLC dba Kelley's Liquor.

City Attorney Howard Olsen asked about the hours of operation and when Mr. Kilpatrick plans to be at the business. They will be open seven days a week and he plans to be there most days. With a Class C License, he also plans to hold some tastings at the business.

There were no other comments from the public regarding this liquor license. Mayor Meininger closed the public hearing at 6:40 p.m.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to make a positive recommendation to the Nebraska Liquor Control Commission to approve the Class CK 119832 Liquor License application for Blackstone Spirits LLC dba Kelley's Liquor, 817 West 27th St., Scottsbluff, NE," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "to make a positive recommendation to the Nebraska Liquor Control Commission naming Corey Kilpatrick as the Liquor License Manager of the Class CK 119832 liquor license for Blackstone Spirits LLC dba Kelley's Liquor, 817 West 27th St.," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

RESOLUTION NO. 16-10-02

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

1. On October 17, 2016, the matter of the application of a Class CK liquor license for Blackstone Spirits LLC dba Kelley's Liquor, 817 West 27th St., Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class CK liquor license for Kelley's Liquor, 817 West 27th St., Scottsbluff, NE 69361

Exhibit 2 - City Council Check List for Section 53-132 (Reissue 2010)

Exhibit 3 - Written statement of Police Chief dated October 14, 2016

Exhibit 4 - Written statement of City Clerk dated October 13, 2016

Exhibit 5 - Written statement of City Planner dated October 3, 2016

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Corey Kilpatrick and Karen Hunter. Police Chief Kevin Spencer spoke on behalf of the City.
3. Upon consideration of the evidence and the criterion to be considered by the City Council pursuant to law, the City Council finds as follows:
 - a. Applicant has demonstrated a fitness, willingness, and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act.
 - b. Applicant has met its burden with regard to the check list provided by Section 53-132 R.R.S. (2010) and demonstrates a willingness and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act and its management and control appears to be sufficient to insure compliance with such rules and regulations.

4. By reason of the above, the Applicant has met the burden of proof and persuasion in producing evidence pertaining to the criterion prescribed in the Nebraska Statutes.

Based on the above findings, the City Council approves the application and recommends to the Nebraska Liquor Control Commission that a Retail Class CKliquor license be issued to Kelley's Liquor, at the premises described in the application.

5. The City Clerk shall transmit a copy of this Resolution to the Commission.
6. Cost of publication: \$15.65.

Passed and approved this 17th day of October, 2016.

Mayor

ATTEST:

City Clerk

“seal”

City Manager Johnson presented the three-year agreement with Scotts Bluff County for the KENO operation. The Scotts Bluff County Commissioners approved the agreement at their meeting. The City receives 1% of the proceeds from the main facility and 5% of the proceeds from the other two locations within the city limits. Moved by Council Member McCarthy, seconded by Mayor Meininger, “to approve the renewal of the Scotts Bluff County KENO Remote Location Operation Agreement and authorize the Mayor to execute the agreement,” “YEAS”, Meininger, Colwell, Shaver, and McCarthy, “NAYS” None. Absent: Gonzales.

Council Member Shaver asked that the Council discuss school speed zones. He feels that the current speed signage is unclear and needs to be updated; our signage is not similar with other communities in Nebraska. The signs say the speed limit is 15 mph between 8 a.m. and 5 p.m. when children are present. However, the Ordinance lists the lower speed limit when students are being picked up and dropped off.

Police Chief Kevin Spencer reported that he asked School Resource Officers if they had received any complaints or experienced any problems with the school speed zones and crossings. They have not had any issues and the school administrators were very complimentary with the patrol around all of the schools. He asked the Sergeants and the Officers to pay attention to the need for any enforcement improvements. They responded that due to the congestion around the schools, it is difficult to issue tickets for violations. There are not very many speed violations, mainly stop sign violations.

Chief Spencer added that we currently do not have anything in our code that declares certain zones as schools zones. He is consulting with the City Attorney's office and City Engineer regarding these issues. The high school has been challenging because of the construction and we hope to resolve some of these issues after construction is complete. Improvements have been made to the Middle School and St. Agnes, so traffic is pretty smooth in those areas. Council asked Chief Spencer to come back to the Council the first meeting in January, 2017, to discuss some solutions.

City Manager Johnson presented the lease renewal agreements with Telecom West, Inc. for renting a portion of the Airport and Cemetery Water Towers where their antennae and cables are mounted to provide broadband service. They would like to renew these agreements for another year term. The

Cemetery Tower Agreement includes a rental fee of \$75.00 a month plus 2 internet service connections valued at \$150.00. These are used by the Park Department maintenance and Cemetery administrative buildings. The Airport Tower Agreement includes a rental fee of \$225.00 a month. Moved by Colwell, seconded by Mayor Meininger, "to approve the renewal of Lease Agreements with Telecom West, Inc. for their wireless antenna system on the Airport and Cemetery Water Towers and authorize the Mayor to execute the agreements," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

Mr. Johnson presented the Lien Release for Paving District No. 311, as payment has been received for these parcels. Moved by Council Member McCarthy, seconded by Council Member Colwell, "to authorize the Mayor to execute the Release of Lien for Special Assessments for Paving District No. 311," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

Emergency Management Coordinator, Tim Newman, presented the Resolution adopting the Hazard Mitigation Plan. FEMA approved the plan in June of 2016. The cost for the plan was 75% paid by federal funding and 25% paid by local match, which was provided by the North Platte Natural Resource District, so there is no cost to the City. This plan will enable the City to apply for hazard mitigation grants, such as the siren replacement grant, which has been approved. Mayor Meininger commended Mr. Newman on his work on the siren grant. Moved by Mayor Meininger, seconded by Council Member Shaver, "to approve Resolution No. 16-10-03 adopting the North Platte Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

RESOLUTION NUMBER 16-10-03

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by the North Platte Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes the jurisdiction of the City of Scottsbluff.

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the City of Scottsbluff and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Scottsbluff in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the City of Scottsbluff, does herewith adopt the North Platte Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety; and

PASSED AND APPROVED this _____ day of _____, 2016.

_____, Mayor

Attest:

_____, City Clerk

City Manager Johnson presented the Ordinance updating the fees for collecting electronics and additional trash containers for customers. He explained that it includes a fee of \$.50/pound for electronics for non-residential customers. There is also a fee of \$10.00/month per container for customers who have more than one yard waste container, to cover our overhead. We are trying to increase efficiencies and extend the life cycle of our equipment. There are a number of yard waste containers that are not full when they pick them up, so this may help incentivize residents to return unused containers if they don't use them. For customers with multiple brown containers, we may want to replace these with one metal container if possible.

Mayor Meininger expressed his concern about charging for additional yard waste containers, when we are trying to get more customers to put their yard waste in the proper container as we work on our composting program. It seems that we are penalizing them for something that we want them to do.

Council was agreeable with the additional fee for electronics, however, they would like staff to re-write the Ordinance and bring it back for consideration.

Council introduced Ordinance No. 4199 regarding the Tiny Home Communities which was read by title on third 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.**

Moved by Mayor Meininger, seconded by Colwell, "to approve Ordinance No. 4199, allowing for Tiny Home Communities as a Planned Unit Development," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

Under Council Reports, Mr. Johnson reported that the West Nebraska Economic Development committee will meet this Thursday at 6:00 p.m. to review the Regional Housing Plan.

Moved by Council Member Shaver, seconded by Council Member Colwell, "to adjourn the meeting at 7:00 p.m.," "YEAS", Meininger, Colwell, Shaver, and McCarthy, "NAYS" None. Absent: Gonzales.

Mayor

Attest:

City Clerk
"SEAL"