

City of Scottsbluff, Nebraska

Monday, April 2, 2018

Regular Meeting

Item Consent1

Approve the minutes of the March 19, 2018 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on March 19, 2018 at 6:00 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on March 16, 2018, 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 March 16, 2018.

Mayor 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 who they are representing 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, Mark McCarthy Raymond Gonzales, Scott Shaver, and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. 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 Member McCarthy seconded by Council Member Colwell that,

1. "The minutes of the March 5, 2018 Regular Meeting be approved,"
2. "The bid specifications for the purchase of a new street sweeper be approved and authorize the city clerk to advertise for bids to be received by April 10, 2018 at 10:00 a.m." "YEAS", Colwell, Meininger, McCarthy, and Gonzales. "NAYS", Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Mayor Meininger, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated March 19, 2018, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Meininger, McCarthy, Gonzales and Shaver. "NAYS", None. Absent: None.

CLAIMS

AC ELECTRIC MOTOR SERVICE,EQUIP MTNC,169.14; ACTION COMMUNICATIONS INC.,COMMS EQUIP FOR MOBILE CMD,392.07; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES, 4511.84; AMAZON.COM HEADQUARTERS, BKS/AV, 529.64; ANDERSON FORD INC, CIP-PO PATROL CARS,59208; ARROWHEAD SCIENTIFIC,INVEST SUPPL-PD,102.68; ASSURITY LIFE INSURANCE CO,LIFE INS,32.95; AUTOZONE STORES, INC,EQUIP MTNC,201.43; B & H INVESTMENTS, INC,DEP. SUP.- LIBRARY,62; B&C STEEL CORPORATION,EQUIP MAINT,153; BARCO MUNICIPAL PRODUCTS INC,SIGNING SUPP - 30" STOP SIGN FACINGS,1411.25; BLUFFS SANITARY SUPPLY INC.,DEPT SUPP,586.81; BUDGET DRAIN SERVICES LLC,BLDG MAING,442; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,411.29; CARR- TRUMBULL LUMBER CO, INC.,GROUND MAINT,277.12; CELLCO PARTNERSHIP,SUPP - GPS SERVICE,836.18; CHILD SUPPORT,CHILD SUPPORT,12;

CITIBANK N.A.,DEPT SUPP,95.32; CITIBANK, N.A.,RECOGNITION DINNER,347.83; CITY OF GERING,DISPOSAL FEES,36899.31; COMPUTER CONNECTION INC,RENT-MACH-PD,44; CONSERV FLAG COMPANY,US FLAGS & NE FLAGS,625.44; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,365.19; CONTRACTORS MATERIALS INC., DEPT SUPPLIES, 189.06; CORNHUSKER MARRIOTT HOTEL,SCHOOL & CONF,440; CREDIT BUREAU OF COUNCIL BLUFFS,MONTHLY FEE - FEB. 2018,50; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,216.52; CROELL INC,DEPT SUP,359.52; CYNTHIA GREEN,DEPT SUPPLIES,46.34; DALMATIAN FIRE EQUIPMENT,LEX TESTING,4615.12; DUANE E. WOHLERS,DISPOSAL FEES,1250; ELLIOTT EQUIPMENT COMPANY INC.,EQUIP MTNC,479.73; FASTENAL COMPANY,EQUIP MAINT,32.12; FEDERAL EXPRESS CORPORATION,POSTAGE,240.03; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,295.18; FUN EXPRESS, LLC,SPECIAL EVENT,215.94; FYR-TEK INC,AIR COMPRESSOR FILL STATION, 25636.2; GALLS INC,UNIFORMS/EQUIP-PD,393.89; GENERAL ELECTRIC CAPITAL CORPORATION,SUPPLIES/RECOGNITION DINNER,119.42; GRAY TELEVISION GROUP INC, CONTRACTUAL SVC,687.5; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,1122.61; IDEAL LAUNDRY AND CLEANERS, INC.,DEPT SUPPLIES,1290.74; INGRAM LIBRARY SERVICES INC, BKS., 1379.54; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 59433.93; INTERSTATE INDUSTRIAL SERVICE,CONTRACTUAL SVC,134.76; INTRALINKS, INC, CONTRACT SERVICES - FEBRUARY 2018,3556.37; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,9.95; J G ELLIOTT CO.INC.,NOTARY BOND-PD,70; JOHN DEERE FINANCIAL,EQUIP MAINT,39.98; KELLY KAVA,UNIFORMS-PD,384; KNOW HOW LLC,EQUIP MTNC,1169.91; LEAGUE ASSOCIATION OF RISK MANAGEMENT,VEHICLE INS. - POLICE DEPT, 865.19; LEAGUE OF NEBRASKA MUNICIPALITIES,2018 MIDWINTER CONF. EXPENSE - MEAL SEN. STINNER,25; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; LOU'S GLOVES INC,DEPT SUP,144; M.C. SCHAFF & ASSOCIATES, INC,42ND ST - AVE I TO 5TH AVE,48288.75; MADISON NATIONAL LIFE,LIFE INSURANCE,1913.67; MARKETING CONSULTANTS,UNIFORM VEST - C.KITE,45; MATHESON TRI-GAS INC,EQUIP MTNC,195.98; MENARDS, INC,DEPT SUP,1486.23; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING, 1243.46; MIDWEST AUTO SUPPLY INC,VEH MAINT,428; MUNIMETRIX SYSTEMS CORP, IMAGESILO MONTHLY FEE, 39.99; NE CEMETERY ASSOC.,MEMBERSHIP,40; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,2216.18; NE DEPT OF REVENUE,TAXES,21934.83; NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF-PD,100; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,40663.67; NEOPOST, POSTAGE,1000; NETWORKFLEET, INC,GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP,138.58; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,351.32; OMAHA WORLD- HERALD COMPANY,SBSCR. RNWL. - LIBRARY,311.48; OREGON TRAIL PLUMBING, HEATING & COOLING INC,CK. & REPAIR OFFICE FURNACE,265; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,19699.01; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,140; PATTLEN ENTERPRISE, INC,EQUIP MAINT,643.67; PLATTE VALLEY BANK,HEALTH SAVINGS,15375.51; POSTMASTER, POSTAGE, 872.48; QUILL CORPORATION,DEPT/INVEST SUPPL-PD,283.01; RADISSON HOTEL CHEYENNE, SCHOOL & CONF,178; REGANIS AUTO CENTER, INC,EQUIP MTNC, 3.91; REGIONAL CARE INC,CLAIMS,55067.15; REGIONAL WEST MEDICAL CENTER, MED SUPPLIES,20.25; REGIS CORPORATION,MALL TAX,23.83; ROBERTA J BOYD,REIM.

BUS. TRVL, 275.9; ROSE DREW, INC,DEP. SUP.,535.47; ROTHERHAM, DAVID,UNIFORMS & CLOTHING,103.61; S M E C,EMPLOYEE DEDUCT,174; SAFETYLINE CONSULTANTS, INC,DEPT SUPPL-PD,37.1; SANDBERG IMPLEMENT, INC,DEPT SUPP, 445.58; SCB FIREFIGHTERS UNION LOCAL 1454, FIRE EE DUES, 225; SCOTTS BLUFF COUNTY COURT, LEGAL FEES-PD,238; SCOTTSBLUFF BODY & PAINT,TOW SERVICE-PD,1010; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES,576; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,RECOGNITION DINNER,286; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,14156.29; SIMON CONTRACTORS,SAND FOR DE-SLICER,65.8; SNELL SERVICES INC.,EQUIP. MAIN.,1830; SOELTER SERVICE GROUP LLC,SUPP - GPS ANTENNA HATS,47; T&N ACQUISITION COMPANY,FIREARMS RANGE-PD,429.05; TD RELKA LLC,RECOGNITION DINNER,2214; TEXAS STATE DISBURSEMENT UNIT,CHILD SUPPORT,172.5; THE CHICAGO LUMBER COMPANY OF OMAHA INC,SUPP - OUTDR. EXT. CORD,7.59; TOYOTA MOTOR CREDIT CORPORATION,HIDTA-CAR LEASE, 365.69; TRANS IOWA EQUIPMENT LLC,EQUIP MTNC,4817.85; UNION BANK & TRUST, RETIREMENT, 38361.91; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,134.25; UNITED STATES WELDING,EQUIP MTNC,100; US BANK,SCANNER,1501.24; VOGEL WEST, INC,SUPP - PAINT REMOVER,41.45; W & R INC,ELECTRICAL MAINT,117.25; WESTERN NE HOUSING OPPORTUNITIES,COMMUNITY DEVELOPMENT,9678.3; WESTERN NEBRASKA HUMAN RESOURCE MANAGEMENT,HR CONFERENCE - CAMI KITE,110; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TESTING - FEB. 2018,76; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,481; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,36.26; WYOMING WATER DEVELOPMENT OFF, PAWS FEASIBILITY STUDY, 5806; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,1824; REFUND: PEGGY CARRELL 18.38.

City Manager Johnson presented the February 2018 Financial Report to the City Council, explaining that we are currently five months into the current budget. Our March sales tax report showed a 7.11% increase over the March 2017 sales tax revenue. We are seeing a slight uphill trend in sales tax revenue.

Regarding the amendment to the Backaracks Bar and Grill Liquor License, owner Bob Scripter, explained to the Council that he is terminating the retail portion of the business and expanding the bar and restaurant. With this, he is adding an outdoor area to the north of the building which will be enclosed with a rubber coated chain link fence, and the area will be secured and alarmed. Police Chief Spencer did not have any concerns about this amendment to the liquor license. Moved by Mayor Meininger, seconded by Council Member Shaver, “to forward a positive recommendation to the Nebraska Liquor Control Commission regarding an outdoor area addition to the Backaracks Bar & Grill Liquor License, 1402 East 20th St.,” “YEAS”, Colwell, Meininger, McCarthy, Gonzales and Shaver. “NAYS”, None. Absent: None.

Mr. Johnson introduced Mr. Don Dye with M.C. Schaff and Associates and explained that due to a potential perception of a conflict of interest in Mr. Schaff’s other business interests, the City had Mr. Don Dye review the bids that were received for the 42nd Street project. Mr. Dye presented the bid information for the 42nd Street Construction. The Engineer’s estimate was \$4,142,840.00. The following bids were received: Anderson-Shaw Construction \$3,125,988.70; Infinity Construction, Inc. \$3,278,850.00; Eric Reichert Construction \$3,390,591.50; and Paul Reed Construction \$3,940.689.34.

Mr. Dye explained that per the contract, the prime contractor must complete 50% of the total contract. The engineer asked for information on sub-contractors from all bidders. The lowest bid from

Anderson-Shaw includes Sunshine Holdings as a sub-contractor, who the City has had issues with, in the past, related to their performance. Based on the information from Anderson-Shaw, the primary contractor would be completing the mainline paving and pavement makings, of which they have no experience. This is a concern of the engineer's.

Mr. Dye explained that the next lowest bid was from Infinity Construction and they plan to complete all of the work themselves, and have the relevant experience related to this type of work having completed several projects with the City. M.C. Schaff and Associates and city staff are recommending awarding the bid to Infinity Construction and as the lowest, most responsible bidder.

Both of the contractors with the lowest bids would be able to begin by April 15, 2018; the contract provides for 240 calendar days to complete. They plan to complete the work in seven different phases to provide access for the businesses and residents along 42nd Street throughout the construction.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to award the bid for the 42nd Street construction to Infinity Construction in the amount of \$3,278,850.00 as the lowest most responsible bid based on the documents submitted by M.C. Schaff and Associates," "YEAS", Colwell, Meininger, McCarthy, Gonzales and Shaver. "NAYS", None. Absent: None.

Mr. Johnson presented the three-year agreement with Pepsi-Cola of Western Nebraska. Staff contacted both Coca-Cola and Pepsi-Cola to see if they would be interested in a three-year agreement to provide products to our Westmoor Pool and Lacy Park locations. Pepsi-Cola was the only company to respond to this request. In their proposal, they explained that they will pay an initial amount of \$1,500.00 in May, with an additional \$500.00 each year for three years for marketing support and display of their signs. They will also provide an annual allotment of \$250.00 of free products as a license fee. He explained that we have worked with Pepsi in the past, which has been a positive experience.

Moved by Council Member McCarthy, seconded by Council Member Colwell, "to approve the contract with Pepsi-Cola to provide products for the Lacy Park and Westmoor Pool concessions and authorize the Mayor to execute the contract," "YEAS", Colwell, Meininger, McCarthy, and Gonzales. "NAYS", Shaver. Absent: None.

Council introduced Ordinance No. 4226 amending the Scottsbluff Economic Development Plan to provide for an additional qualifying business, adding Film Production, which was read by title on third reading: **AN ORDINANCE AMENDING THE SCOTTSBLUFF ECONOMIC DEVELOPMENT PLAN TO PROVIDE FOR AN ADDITIONAL QUALIFYING BUSINESS.**

Moved by Mayor Meininger, seconded by Council Member Colwell, "to approve Ordinance No. 4226 for final passage," "YEAS", Colwell, Meininger, McCarthy, and Gonzales. "NAYS", Shaver. Absent: None.

Council introduced the Ordinance amending the fee schedule for personnel and equipment which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 6, ARTICLE 6, SECTION 34, SETTING FORTH THE CHARGE FOR THE LABOR OF CITY OF SCOTTSBLUFF EMPLOYEES AND USE OF CITY OF SCOTTSBLUFF EQUIPMENT, ELIMINATING THE REFERENCES TO THE USE OF FIRE DEPARTMENT PERSONNEL AND EQUIPMENT, ADDING NEW FEES FOR ADDITIONAL ITEMS, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

City Manager Johnson presented an update on the Draft Interlocal Solid Waste Management Operating Agreement. This is a draft agreement as we continue to work with the City of Gering in creating a cooperative for a potential regional landfill. The site is to be determined; the agreement is the foundation regarding the development of a landfill. Mayor Meininger commented that we will continue to move forward on this agreement.

Starr Lehl, Economic Development Director, gave a report on the East Overland Façade Grant Program. She reported that the total grant funds available was \$153,500.00, which has been awarded to 16 applicants total - 15 businesses and 1 residential.

There is a claim tonight for reimbursement to Western Nebraska Housing Opportunities (WNHO) for the Eastwood apartments for new windows. This has been a great project, with a wonderful improvement to the building. Twin Cities Auto has also completed their project. The other projects will begin as the weather permits. The applicants have a 6 month time period to complete their work with a 3 month extension if needed. Ms. Lehl has contacted the Kiewit Foundation and other funding agencies to try to secure additional matching funds for these projects. Mayor Meininger asked about plans for plantings and beautification along East Overland. Ms. Lehl answered that the Steering Committee will be meeting soon to discuss this item.

Under Council Reports, Mayor Meininger reported on the 911 Task Force meeting. They are working on upgrading the paging service and microwave links. Council Member Shaver commended the accomplishment of the Firefighters who recently completed their training. City Manager Johnson reported that we have four finalists for the position of Fire Chief, so the testing process will begin soon.

Council Member Shaver reported on the Scottsbluff Student Council, they just started their last quarter; DECA just competed at State and did a great job.

Moved by Council Member Shaver, seconded by McCarthy, “to adjourn the meeting at 6:25 p.m.,” “YEAS”, Colwell, Meininger, McCarthy, Gonzales and Shaver. “NAYS”, None. Absent: None.

Mayor

Attest:

City Clerk
“SEAL”