

# **City of Scottsbluff, Nebraska**

**Monday, July 16, 2018**

**Regular Meeting**

## **Item Consent1**

**Approve the minutes of the July 2, 2018 Regular Meeting.**

**Staff Contact: City Council**

The Scottsbluff City Council met in a regular meeting on July 2, 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 June 29, 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 June 29, 2018.

Mayor Meininger presided and City Clerk Wright 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, Scott Shaver, Raymond Gonzales, and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. Absent: Mark McCarthy.

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 Shaver seconded by Council Member Colwell that,

- a) "The minutes of the June 18, 2018 Regular Meeting be approved," "YEAS," Colwell, Meininger, Shaver, and Gonzales. "NAYS," None. Absent: McCarthy.

Moved by Council Member Gonzales, seconded by Council Member Shaver, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated July 2, 2018, as on file with the City Clerk and submitted to the City Council," "YEAS," Meininger, Shaver, Gonzales, and Colwell. "NAYS," None. Absent: McCarthy.

#### CLAIMS

3MCOMPANY,PAVEMENTMARKINGTAPE,9913.41;ACCELERATEDRECEIVABLESSOLUTION  
S,WAGE ATTACHMENT,1052.26; ALARMSECURITY TECHNICIANS, CONTRACTUAL-  
PD,14.95; AMAZON.COM HEADQUARTERS,MISC.,680.9; ASSOCIATED SUPPLY CO,  
INC,EQUIP MAINT,16.95; AUTOZONE STORES, INC,EQUIP MTNC, 243.96; B & H  
INVESTMENTS, INC,DEP. SUP. -LIBRARY,59.5;BALL MECON,CONTRACTUAL,36; BIRUTA D.  
WALTON,BLDG MAINT,318.35; BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY  
BILL,4405.34; BLUFFS SANITARY SUPPLY INC.,DEPT SUPPLIES,859.54; BNSF RAILWAY  
COMPANY,LICENSE & PERMITS,800; BRODERICK, MATTHEW,GASOLINE-PD,40; BRUNZ,  
BRANDI,SCHOOLS&CONFPD,215;BUD'SRADIATOR,EQUIPMTNC,389;CASHWADISTRIBUTIN  
G,CONCESSIONS,960.91; CELLCO PARTNERSHIP,CELL PHONES-PD,430.54; CITIBANK  
N.A.,DEPTSUPPLIES,632.98;CITIBANK,N.A.,GROUND MAINT,56.74;CITYOF GERING,GROUND  
MAINT,260; CITY OF SCB,INVEST SUPPL-PD,54.95; CLARK PRINTING LLC,DEPT  
SUP,908.94; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,SUPPLEMENTAL  
INS,48.7; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,169;

CONTRACTORS MATERIALS INC.,EQUIP MAINT,724.86; CORE & MAIN LP,DEPT SUP,121.16; CROELL INC,DEPT SUP,105.93; CYNTHIA GREEN,DEP. SUP.,266.99; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,2691.28; DANKO EMERGENCY EQUIPMENT COMPANY,MOBILECMDEQUIP,143.91;DASSTATEACCOUNTINGCENTRALFINANCE,MONTHLYLONGDISTANCE,140.95;DAVIDQUIJAS,CONTRACTUAL,36;DAVISLARRY,CONTRACTUAL,1000; DUANE E. WOHLERS,DISPOSAL FEES,900; DXP ENTERPRISES INC,SENSORS,456.69; ELLIOTT EQUIPMENT COMPANY INC.,DEPT SUPPLIES,12392.3; ENERGY LABORATORIES, INC,SAMPLES,127; FEDERAL EXPRESS CORPORATION,POSTAGE,749.78; FLOYD'S TRUCK CENTER, INC,EQUIP MTNC,347.5; FRED PRYOR SEMINARS,PAYROLL LAW SEMINAR - C.KITE,149;GARTON,LYNN,SCHOOLS&CONF,126;GENERALELECTRICCAPITALCORPORATION,CIP-PO-EAPONS/DEPT SUP/VEH MAINT,453.48; GENERAL TRAFFIC CONTROLS, INC,T.S. UPGRADEAVE.I&33RD,5TH&E.OVLD.,51259.38;HANDLEYINDUSTRIES,INC,DEPTSUP,2980.41;HANNRICHARD,CONTRACTUAL,18;HAWKINS,INC.,CHEMICALS,4009.34;HOASOLUTIONS,INC,EQUIPMENT,20295;HONEYWAGONEXPRESS,CONTRACTUAL,180;HOODPATSY,CAMPGROUND,25; HULLINGER GLASS & LOCKS INC.,BLDG MAINT,1748.66; HYDROTEX PARTNERS, LTD,EQUIP MTNC,266.63; IDEAL LAUNDRY AND CLEANERS, INC.,JANITORIAL SUPP,1468.57; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT,411.58; INFINITYCONSTRUCTION, INC.,42ND STREET PROJECT (AVE I - 5TH AVE),239529.77; INGRAMLIBRARYSERVICESINC,BKS.,976.99;INTERNALREVENUESERVICE,WITHHOLDINGS,58965.95;INTERNATIONALASSOCIATION OF PLUMBING & MECHANICAL OFFICIALS,DEPT MMBRSH,200; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,58; JACOB MCLAIN,CONTRACTUAL,72; JOHN DEERE FINANCIAL,EQUIP MAINT-PD,290.86; JOHN DEERE FINANCIAL,DEPT SUP,68.2; JOHN DEERE FINANCIAL,WALKER MOWER,90.99; JONATHAN P VAN GALDER,CONTRACTUAL,162; JULIUS D KONCABA,EAST OVERLAND GRANT FUNDS,9615.72; KIRK BERNHARDT,CONTRACTUAL,1044; KNOW HOW LLC,EQUIP MTNC,1025.37;LAWSONPRODUCTS,INC,DEPTSUP,208.05; LEIS JORDAN,CONTRACTUAL,36; LUCKINBILLBENJAMIN,SCHOOLS & CONF-PD,206.79;M&TFIREAND SAFETY,EXTRICATION TOOL SERVICE,639; M.C. SCHAFF & ASSOCIATES, INC,PROFESSIONAL SERVICES - 42ND ST (AVEI5THAVE),39162;MAILFINANCEINC,MONTHLYLEASE,148.76;MARKETINGCONSULTANTS,DEPT SUPPLIES,300; M-B CO, INC,EQUIP MTNC,2932.61; MENARDS, INC,BLDG MAINT,1366.48;MIKESELLJO,CONTRACTUAL,400;MONUMENTPREVENTIONCOALITION,CONTRACTUAL-PD,2819.82; NATIONAL TELEPHONE MESSAGE CORP,DEPT SUPPL-PD,150.77; NECHILDSUPPORTPAYMENTCENTER,NECHILDSUPPORTPYBLE,1556.93;NEDEPTOFREVENUE,SALESTAX,43521.48;NEBRASKAMACHINERYCO,EQUIPMTN,1677.43; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,24035.2; NEMNICH AUTOMOTIVE,EQUIP MTNC,79.5; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT,75.69; OREGONTRAIL PLUMBING, HEATING & COOLING INC,BLDG MAINT,180; PANHANDLE COLLECTIONS INC,WAGE ATTACHMENT,218.06; PANHANDLE CONCRETE PRODUCTS, INC,DEPTSUP,273.92;PANHANDLECOOPERATIVE ASSOCIATION,FUEL,3834.65; PANHANDLE ENVIRONMENTALSERVICESINC,CONTRACTUALSVC,250.5;PANHANDLEHUMANESOCIETY, CONTRACTUAL,5174.59; PAUL MENDOZA,CONTRACTUAL,288; PEPSI COLA OF WESTERN NEBRASKA, LLC,CONCESSION,572.3; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,14942.45;POSTMASTER,POSTAGE,420.44;REAMS SPRINKLER SUPPLY CO.,DEPT SUPP,2557.27; REGIONAL CARE INC,CLAIMS,132660.65; REGISTER OF DEEDS,QUITCLAIM DEED,20;RICHARDMPETERS,DEPTSUPPLIES,995.25;RICHARDPCASTILLO,CONTRACTUAL,216;RINZLERGROUPLLC,EQUIPMAINT,8360;RIVERSIDEZOOLOGICALFOUNDATION,CONTRACTUAL,87500; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,1618.52; S M E

C,EMPLOYEE DEDUCTION,161; SANDBERG IMPLEMENT, INC,EQUIP MAINT,157.44; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCOTTIES POTTIES INC,CONTRACTUAL,750; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,221; SCOTTS BLUFF COUNTY ROADS DEPT,CONTRACTUAL SVC,437.83; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,528; SCOTTSBLUFF WINSUPPLY COMPANY,GROUND MAINT,1674.92; SHERWIN WILLIAMS,PARTS FOR GRINDR/LZR - BRUSHKITSCARIFIER,230;SIMONCONTRACTORS,CONCRETEFORSTREETREPAIR,3479.28;SN ELLSERVICESINC.,BLDG.MAIN.,309.25;SPENGLERMICHAEL,CONTRACTUAL,54; STARR LEHL,SCHOOL & CONF,80; STATE FIRE MARSHALL,HAZMAT OPS TESTING,100; STATE HEALTH LAB,SAMPLES,2338; STATE OF NE.,CONTRACTUAL-PD,210; STRICKER MARTIN,CONTRACTUAL,288; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,365.69; TRANS IOWA EQUIPMENT LLC,DEPT SUP,5106.58; TYLER TECHNOLOGIES, INC,UB ONLINE FEE (7/1/18 - 7/31/18),348; UNION BANK & TRUST,RETIREMENT,33584.83; UNITED STATES WELDING,WELDING SUPP - WIRE,79.4; US BANK,FEES -2018 GO HWY ALLOC.FUND PLEDGE BONDS,650; US BANK,SCHOOLS & CONF-PD,1871.68; W & R INC,BLDG MAINT,1355.27; WESTERN COOPERATIVE COMPANY,DEPT SUP,43.52; WESTERNCOOPRTATIVE COMPANY,GROUND MAINT,281.25; WESTERN LIBRARY SYSTEM,CONT. SRVCS.,37; REFUNDS: ISIAIAH R BAKER, 19.92; JOSH M BODY, 19.92; ELIZABETH HEINZ, 10.92.

Mr. Anthony Mason with the Riverside Discovery Center presented the Council a packet containing items concerning their budget for FY 2016/2017 and new bear exhibit. Mr. Mason says they are finding ways to cut costs, increase revenue, and that they appreciate the City's support with the zoo. Mr. Mason commented that attendance is up a little over 2000 people from January thru June last year and is continually rising during the summer, due to the arrival of the bears. Council Member Shaver asked if attendance includes both members and non-members. Mr. Mason explained it includes both, and membership is up ten to fifteen percent, with memberships coming not only from Scottsbluff, but surrounding areas as well. Mr. Mason went on to explain a new item that was introduced this year called the Double Pass, which partners with the Legacy of the Plains Museum. This partnering introduces the zoo to a new audience of tourists who may not know we have a zoo in the area. Council Member Shaver asked if the zoo could be sustainable by 2020. Mr. Mason stated that he does not see the zoo being sustainable by that time, but sees them making financial progress in the future by doing as much as they can with as little as possible. Mayor Meininger asked what they spend for capital expenditures in one year. Mr. Mason stated that they are trying to get their bookkeeping system in better order, but estimates it around ten to twenty thousand. Council Member Gonzales asked if they have a current budget and why the Council has not been getting monthly financial statements like they have in the past. Mr. Mason stated their accounting firm is behind on filing the 990 official year statement, but he will get up to date numbers for the Council.

With respect to the bear exhibit, Mr. Mason explained the goal is to raise money through private businesses and grants. The exhibit will be built in the heart of the zoo and will cost around \$2,445,000 for all three planned phases with \$600,000.00 projected to be spent in the proposed budget. The exhibit is being built with the intention of bringing in out-of-town visitors, building a regional attraction, making our community better.

Regarding the funding obligation for the ambulance, Mayor Meininger declared a conflict of interest. Moved by Council Member Shaver, seconded by Council Member Colwell "to declare a conflict of interest for Mayor Meininger regarding the funding obligation for the ambulance service as he is the owner of Valley Ambulance, and excuse him from discussion or voting on this item," "YEAS," Shaver, Gonzales, Colwell, and Meininger." "Nays," None. Absent: McCarthy. Council Member Colwell, Vice President of the Council, presided over the meeting for this item.

City Manager Johnson went on to explain that the funding obligation is a four year extension for Valley Ambulance Services and is an inter-local agreement that both Scotts Bluff County and the City of Gering have already approved unanimously. Scottsbluff's portion of this agreement is \$10,564.44 per year and is budgeted as a public safety item and not a general fund item.

Mr. Randy Meininger, President of Valley Ambulance, stated the original agreement started in 1974 with monetary changes taking place in 1984. He added Nebraska is one of few states that does not make anyone responsible to provide ambulance services and by having this inter-local agreement it establishes services to be available, regardless if payment can be made or not. Also, by statute, if someone is in custody the agency is responsible for paying the fees; meaning the Police Department can use the services with no charge to the City or County. Valley Ambulance also provides supplies and driver training to the Fire Department at no additional cost. Council Member Shaver asked why the Fire Department can't provide this service. Mr. Meininger said they could, but creating jobs was a goal of the three entities, and it would also not be cost effective. It was put into motion by Council Member Gonzales, seconded by Council Member Colwell "to approve Resolution 18-07-02 extending the obligation of funding for ambulance services for Valley Ambulance ," "YEAS," Gonzales, Colwell, and Shaver. Abstain: Meininger. Absent: McCarthy.

### **RESOLUTION 18-07-02**

Be it resolved by the Mayor and City Council of the City of Scottsbluff, Nebraska that:

1. Effective September 8, 1998, the City of Scottsbluff, the City of Gering, and the County of Scotts Bluff, entered into an agreement for the funding of ambulance services under the Inter-local Cooperation Act, which agreement has been extended on several occasions.
2. Said agreement was last extended for four additional years by Resolution No. 14-06-03 on June 16, 2014 by the Mayor and City Council to be effective through June 30, 2018.
3. Public safety, convenience, and welfare will be enhanced by the continuation of the agreement for an additional period of four years.
4. The City of Scottsbluff now notifies the County Clerk of Scotts Bluff County, Nebraska, and the City Clerk of the City of Gering, Nebraska, of its agreement to continue the obligation of funding ambulance services for an additional period of four years, subject to the same terms and provisions that existed in the agreement of September 8, 1998, which agreement is attached to this Resolution and incorporated by this reference. This obligation will continue through June 30, 2022.
5. This resolution shall become effective immediately upon its adoption.

Passed and approved 2nd day of July, 2018.

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VICE PRESIDENT OF THE COUNCIL

Attest:

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CITY CLERK

“SEAL”

Mr. Johnson stated due to overwhelming response with the sand volleyball program the current agreement needs to be modified. The program has expanded to sixteen teams and is being played two nights per week instead of one. Because of this increase, the program administrator needs to be paid for her time and hence the amended agreement. Mr. Nathan Green approached the Council with questions regarding the agreement and who the Recreation Supervisor is. Mr. Johnson stated that the Parks Supervisor and Public Works Department are filling that capacity due to the City not having a Recreation Supervisor on staff. Council Member Gonzales, seconded by Council Member Colwell, put into motion “to approve the amended sand volleyball coordinator agreement and authorize the Mayor to execute the agreement,” “YEAS,” Gonzales, Colwell, Meininger, and Shaver. “NAYS,” None. Absent: McCarthy.

Council Member Shaver asked if there was anything the City could do with respect to Tri City Roadrunner County Transportation Service and their bus stop locations. Mr. Shaver is concerned because the buses are stopping in streets, obstructing traffic. He suggests they use an off street, rather than busy corners to pick up riders. Mayor Meininger suggested getting data from the Police Department and talking to Tri City Roadrunner to see if they would consider alternative routes for bus stops.

Ms. Starr Lehl, Economic Director presented an update on the East Overland Façade Program. She explained there have been fifteen grants received and approved through the CRA; eight grants have closed, with seven being extended due to snow and rain this spring. The total grant dollars expended thus far has been \$77,829.00, with property owner receipts totaling \$305,035.00, making the City’s return on the investment \$227,207.00. Ms. Lehl explained this program has been extremely popular and she has a waiting list in place for future grants. She also noted that property owners who received extensions have until August 13<sup>th</sup> to complete their projects.

Regarding conversation pertaining to the 2018/2019 budget, Council Member Gonzales expressed wanting to start discussion with the Riverside Discovery Center, concerning funding, in the near future. He also asked for resources with regard to East Overland and the budget process. Mr. Johnson stated, with respect to East Overland, the City does have \$150,000.00 budgeted for the industrial sites fund and if Council chooses to allocate \$100,000.00 of Phase II to East Overland, that is money that is earmarked for such an event. Council Member Shaver expressed waiting for the new guidelines from the state for the Opportunity Zones before making any decisions. Council Member Gonzales asked when we would get the next sales tax numbers, with Mr. Johnson stating they should be in by the next council meeting. Mr. Johnson also asked if there were no more changes to the budget, he would start the process to have the Ordinance read by title three times.

Mr. Johnson reminded the Council that a signed resolution needs to be to the County by September 1, 2018, if they choose to pursue LB357. Mayor Meininger suggested that the verbiage needs to be as specific as possible with Council Member Shaver suggesting part of the funding be designated for the zoo and road maintenance, with Council Member Colwell inquiring about a recreation pool. Mr. Johnson proposed the Pathway could possibly be listed as a potential project, as well. During discussion, Council Member Colwell asked about reaching out to the citizens seeing what projects they would like the tax used for, with Ms. Lehl suggesting putting a survey on the City's website.

Mayor Meininger made a motion at 7:12 p.m., seconded by Council Member Shaver "that the Council will go into closed session as necessary for the purpose of protecting the public interest for the intent of a strategy session regarding the potential real estate purchase of a landfill site and options with the City of Gering," "YEAS," Gonzales, Colwell, Meininger, and Shaver "NAYS," None. Absent: McCarthy.

Mayor Meininger announced "that the City Council is adjourning to closed session at 7:12 p.m. as necessary for the purpose of protecting the public interest for the intent of a strategy session regarding the potential real estate purchase of a landfill site and options with the City of Gering."

Council reconvened out of closed session at 7:54 p.m. as stated on the record. The following Council Members were present: Randy Meininger, Scott Shaver, Raymond Gonzales, and Jordan Colwell. Also present was City Manager Johnson and City Attorney Hadenfeldt. Absent: Mark McCarthy. Mayor Meininger made the motion, seconded by Council Member Colwell "to have staff continue to work with the City of Gering for purchasing land for a future landfill and all options," "YEAS," Meininger, Shaver, Gonzales, and Colwell. "NAYS," None. Absent: McCarthy.

Under Council Reports, Mayor Meininger reported that the funding for the next section of 911 financing for ECitation has been approved and they did receive some state support to pay for the hardware.

Council Member Shaver, seconded by Council Member Colwell made a motion "to adjourn the meeting at 7:56 p.m.," "YEAS," Shaver, Gonzales, Colwell, and Meininger. "NAYS," None. Absent: McCarthy.

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Mayor

Attest:

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City Clerk

"SEAL"