

City of Scottsbluff, Nebraska

Monday, October 1, 2018

Regular Meeting

Item Consent1

Approve the minutes of the September 17, 2018 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on September 17, 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 September 14, 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 September 14, 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, Jordan Colwell, Mark McCarthy, and Raymond Gonzales. Also present were City Manager Johnson and City Attorney Kent Hadenfeldt.

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,

- a) "The minutes of the September 4, 2018 Regular Meeting be approved,"
- b) "The minutes of the September 10, 2018 Special Meeting be approved," "YEAS," Colwell, Meininger, McCarthy, and Gonzales" "NAYS," Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated September 4, 2018, as on file with the City Clerk and submitted to the City Council," "YEAS," Meininger, Shaver, McCarthy, Gonzales, and Colwell. "NAYS," None. Absent: None.

CLAIMS

3M COMPANY,PAVEMENT MARKING TAPE,5695.72; ACTION COMMUNICATIONS INC.,INTERNET SERVICE (9/1/18 - 9/30/18),119.15; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4577.62; ASSURITY LIFE INSURANCE CO,LIFE INS,32.95; AUTOZONE STORES, INC,EQUIP MTNC ES,431.93; B & H INVESTMENTS, INC,SUPP - WATER,250; BARCO MUNICIPAL PRODUCTS INC,DEPT SUPPLIES,123.3;BLUFFS SANITARY SUPPLY INC.,DEPT/JANIT SUPPL-PD,568.48; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,359.65; CELLCO PARTNERSHIP,CELL PHONES,182.43; CHRIS REYES,DEPT SUPPL-PD,185; CITY OF GERING,DISPOSAL FEES,45525.82; COLLEEN HERMAN,EAST OVERLAND GRANT,9678.3; COMPUTER CONNECTION INC,RENT-MACH-PD,44;CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,12.68; CONTRACTORS MATERIALS INC.,SUPP - CONCRETE BLADE,450.07; COPIER CONNECTION,DEPT SAVIN COPIER,141; CORE & MAIN

LP,METERS,2284.08;CREDIT BUREAU OF COUNCIL BLUFFS,FEE - AUGUST 2018,50; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,218.06; CYNTHIA GREEN,DEPT SUPPL-PD,128.26; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,662.74; DELL MARKETING LP,EQUIPMENT CAD/RMS PROJ. (POLICE),56714.88;DOWNTOWN SCOTTSBLUFF ASSOCIATION,CAPITOL CHRISTMAS TREE SPONSORSHIP,400; DUANE E. WOHLERS,DISPOSAL FEES,1600; FAT BOYS TIRE AND AUTO,EQUIP MTNC,287; FEDERAL EXPRESS CORPORATION,POSTAGE,159.59;FLAGSHIP PUBLISHING INC,SBSCR.,44; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,89.36; FYR-TEK INC,FIRE HOSE GASKETS,192.66;GALLS INC,CIP-PO-BODY ARMOR-PD,4900; GERARDO REYES & MARTHA BERNADAC,EAST OVERLAND GRANT,9678.3; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1390; HAWKINS, INC.,CHEMICALS,2957.98; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,299.55;HEARTLAND EXPRESSWAY ASSOCIATION,ANNUAL MEETING EXPENSE,45;HOLTZ INDUSTRIES, INC,DEPT SUPPLIES,942.65; HONEY WAGON EXPRESS,CONTRACTUAL PK,180;HYDROTEX PARTNERS, LTD,EQUIP MTNC,380.62; IDEAL LAUNDRY AND CLEANERS, INC.,UNIFORMS-PD,937.9; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT PK,277.55;INGRAM LIBRARYSERVICESINC,BKS.,3252.28;INTERNALEVENUE SERVICE,WITHHOLDINGS,57752.7; INTRALINKS, INC,CONTRACT SERVICES - AUGUST 2018,2101.38; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,58; KNOW HOW LLC,DEPT SUPPLIES CG,617.9; KRIZ DAVIS,EQUIP MAINT,331.1; LARRY UTTECHT,EAST OVERLAND GRANT,7640.75; LEAGUE OF NEBRASKA MUNICIPALITIES,MEMBERSHIPS,2934;LEXISNEXISRISKDATAMANAGEMENT,CONSULTING PD,100; M.C. SCHAFF & ASSOCIATES, INC,CONTRACTUAL SVC,3490; MADISON NATIONAL LIFE,LIFE INSURANCE,1835.94;MATHESON TRI-GAS INC,DEPT SUP,327.96; MENARDS, INC,EQUIP MAINT ADM,146.34; MIDLANDS NEWSPAPERS, INC,SBSCR.,19.95; MONUMENT PREVENTIONCOALITION,CONTRACTUALPD,1879.88;MUNIMETRIXSYSTEMSCORP,IMAGESI LO - AUGUST 2018,39.99; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1350.55; NE DEPT OF ENVIRONMENTAL QUALITY,CONTRACTUAL SERVICES,2100; NE DEPT OF REVENUE,WITHHOLDINGS,19940.91; NEBRASKA SAFETY & FIRE EQUIPEMENT INC.,EQUIP. MAIN.,468; NEBRASKA INTERACTIVE, LLC,SUBSCRIPTION FEE & DRIVERS LICENSE REQ - AUGUST,53;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,42435.26; NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL SVC,232.5; NEBRASKA SALT AND GRAIN CO,2 LOADS ICE SLICER,7989.95; NEBRASKALAND TIRE, INC,EQUIP MTNC,574.2; NEMNICH AUTOMOTIVE,EQUIP MTNC,79.5; NEOPOST,POSTAGE ADM,1000; NETWORKFLEET, INC,CONTRACTUAL SERVICES,204.5; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT PK,209.22; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,364.49; ONE CALL CONCEPTS, INC,CONTRACTUAL,133.98; OREGON TRAIL PLUMBING, HEATING & COOLING INC,EQUIP MAINT PK,438; PANHANDLE CONCRETE PRODUCTS, INC,GRADE RING,38; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL ES,26005.47; PANHANDLE ENVIRONMENTAL SERVICESINC,SAMPLES,140;PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,15984.95; POLYDYNE INC,CHEMICALS,5198; POSTMASTER,POSTAGE,914.63;PRO OVERHEAD DOOR,DEPT SUP,3109; QUILL CORPORATION,DEPT SUPP,117.96; REAMS SPRINKLER SUPPLY CO.,GROUND MAINT PK,248.75; REGIONAL CARE INC,CLAIMS,16353.42; ROALKVAN DREW,GASOLINE-PD,100.23; RYAN R KUMM,REPAIR HEAT SHIELDS ON E-

1,785; S M E C,EMPLOYEE DEDUCTION,160;SAFELITE FULFILLMENT, INC,VEH MAINT-PD,765.84; SANDBERG IMPLEMENT, INC,EQUIP MTNC,113.73; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCHOLASTIC INC.,BKS.,355.95; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,504;SCOTTSBLUFF WINSUPPLY COMPANY,GROUND MAINT PK,2.54; SHERWIN WILLIAMS,WHITE LATEX PAINT,772; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,6345.08; SNELL SERVICES INC.,DEPT SUPP ADM,36; SONNY'S TOWING,TOW SERVICE-PD,827; SPENCER, KEVIN,TUITION REIMBURSEMENT,758;SYMBOLARTS, LLC,UNIFORM BADGES FOR FIRE CHIEF,230; THOMPSON, NOELLE,TUITION REIMBURSEMENT,754.77; TRAFFIC PARTS, INC,TRAFFIC SIGNAL SUPP - THERM. FOR FAN ASSEM,106; TRANS IOWA EQUIPMENT LLC,EQUIP MTNC,796.02; UNION BANK & TRUST,RETIREMENT,36191.73;UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,375.9; US BANK,PAPERLESS CALCULATOR SOFTWARE,60; VAN DIEST SUPPLY COMPANY,MOSQUITO SPRAY,347.5; W & R INC,EQUIPMENT,13147.62; WESTERN NE TOURISM COALITION,MEMBERSHIP DUES,100; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TEST - AUGUST 2018 & PRE.EMPL.SCREENING,106;WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,448; WOODS & AITKEN LLP,PROF.SERVICES - CIR CASE 1464-IBEW 1597,3853.99; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08; WYOMING FIRST AID & SAFETY SUPPLY, LLC,DEPT SUPPLIES,40.94;WYOMING WATER DEVELOPMENT OFF,PAWS FEASIBILITY STUDY,5820.75;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,1637; ZM LUMBER INC,DEPT SUPP PK,38.75; ZUERCHER TECHNOLOGIES, LLC,EQUIPMENT - CAD/RMS PROJECT (POLICE),14244; REFUNDS, IVY VASQUEZ, 92.03; CYNTHIA HOFFMAN, 20.76; JERRY LEE, 10.92; DAVID B SCHICK, 9.91; STEPHEN K WILLIAMS, 4.01

Regarding the August 2018 Financial Report, City Manager Johnson went over sales tax numbers comparing them to this time last year. Revenues increased 5.53% or \$27, 087.00; with YTD over budget revenues at 0.44% or \$26,322.00.

Mr. Anthony Mason with Riverside Zoological Foundation dba Riverside Discovery Center approached the Council regarding a Business Promotional Event for the Zoo. The event will be called Octo-Bear-fest and will be held October 6th from 4:00 -8:00 p.m. This particular event will be a fund raiser that will include alcohol. Mr. Mason explained that the Zoo needs to have an SDL according to the recommendation of the Liquor Commission. Council Member McCarthy asked where alcohol will be permitted. Mr. Mason stated alcohol will be allowed everywhere the public can go in the zoo, but the event is only for those 21 and over. It was put into motion by Council Member Colwell, seconded by Mayor Meininger “to approve a Business Promotional Event Permit for Riverside Zoological Foundation dba Riverside Discovery Center at 1600 South Beltline Highway for an Octo-Bear-fest on October 6, 2018 from 4:00 p.m. to 8:00 p.m., “YEAS,” Shaver, McCarthy, Gonzales, Colwell, and Meininger. “NAYS,” None. Absent: None.

Ms. Andrea Margheim with Flyover Brewing Company explained she also will be responsible for applying for a Special Designated Liquor License for the Zoo event. She stated they will provide on tap beer from a trailer and because the event is only four hours does not see an excessive amount of alcohol being purchased. She did mention that everyone will be given a ticket for a free beer, but after that would be charged. It was put into motion by Council Member Gonzales, seconded by Council Member Colwell “to approve a Special Designated Liquor License for BDS3C, LLC dba Flyover Brewing Company and

Riverside Zoological Foundation dba Riverside Discovery Center to serve beer at a Business Promotional Event at 1600 South Beltline highway on October 6, 2018 from 4:00 to 8:00 p.m.” “YEAS,” McCarthy, Gonzales, Colwell, Meininger, and Shaver. “NAYS,” None. Absent: None.

City Manager Johnson approached Council regarding a preliminary and final plat of Lot 1, Block 1 Western Addition. This is a request by Western Sugar to subdivide and sell the parcel which is located on the corner of East Overland and Highway 26. Council Member Shaver asked how big the parcel is, with Mr. Johnson stating it is five acres. It was put into motion by Mayor Meininger, seconded by Council Member McCarthy “to approve the preliminary and final plat of Lot 1, Block 1 Western Addition and approve the Resolution. “YEAS,” Gonzales, Colwell, Meininger, Shaver, and McCarthy, “NAYS,” None. Absent: None.

RESOLUTION NO. 18-09-04

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

WHEREAS, BE IT RESOLVED, the preliminary and final plat of Lots 1, Block 1, Western Addition, situated in the SW¼ of the SW¼ Section 19, Township 22 North, Range 54 West of the 6th P.M., Scottsbluff, Scotts Bluff County, Nebraska, dated August 23, 2018, duly made, acknowledged and certified, is approved and the Mayor is authorized to sign the Plat on behalf of the City of Scottsbluff, Nebraska. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 17th day of September, 2018.

Mayor

ATTEST:

City Clerk

Regarding the bid for warrants, Council Member Shaver declared a conflict of interest. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to accept Council Member Shaver’s conflict of interest with the bid for warrants and excuse him from discussion or voting on the item,” “YEAS”, Colwell, Meininger, McCarthy, and Gonzales, “NAYS”, None. Absent: None. Abstain: Shaver

City Manager Johnson explained that every September we ask local banks to submit quotes on warrant interest rates for the upcoming fiscal year. This year we received the following quotes: First

National Bank 3.05%; First State Bank 2.54%; Platte Valley Bank 3.55%; and Western States Bank – no response. Staff is recommending First State Bank as the lowest interest rate and most responsible quote. Moved by Council Member McCarthy, seconded by Council Member Colwell, “to award the bid for warrants based on quotes for interest rates for the period 10-01-2018 through 09-30-2019 and approve the Resolution,” “YEAS”, Meininger, McCarthy, Gonzales, and Colwell, “NAYS,” None. Absent: None, Abstain: Shaver.

RESOLUTION NO. 18-09-05

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

That the claim of First State Bank in the amount of \$3,328.27, to payoff outstanding warrant principal to 9-30-18 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 \$134,827.86, to payoff outstanding warrant principal to 9-30-18 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 \$502,354.81, to payoff outstanding warrant principal to 9-30-18 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 \$95,744.14, to payoff outstanding warrant principal to 9-30-18 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 \$60,153.56, to payoff outstanding warrant principal to 9-30-18 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 17th day of September, 2018.

Mayor

ATTEST:

City Clerk
"seal"

Mayor Meininger introduced the 2018-2019 Budget Ordinance No. 4232 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.** There were no additional comments from the public regarding the budget. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to adopt Ordinance No. 4232, Fiscal Year 2018-2019 Budget,” “YEAS,” Shaver, McCarthy, Gonzales, Colwell, and Meininger. “NAYS,” None. Absent: None.

Council introduced the Ordinance No. 4233 updating solid waste collection fees for non-residential electronic recycling materials which was read by title on third reading: **AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE SOLID WASTE COLLECTION FEES AT CHAPTER 6, ARTICLE 6, ADDING A FEE PER POUND FOR NONRESIDENTIAL ELECTRONIC RECYCLING MATERIALS, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.** There were no additional comments from the public regarding this Ordinance. Moved by Council Member Gonzales, seconded by Council Member Shaver “to adopt Ordinance No. 4233, updating solid waste collection fees for non-residential electronic recycling materials,” “YEAS,” McCarthy, Gonzales, Colwell, Meininger, and Shaver. “NAYS,” None. Absent: None.

Council introduced the Ordinance No. 4234 updating utility user fees, including water and sewer fees, solid waste collection and surcharge for storm water which was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING SEWER USER FEES AT CHAPTER 6, ARTICLE 6, INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS, AMENDING AND CHANGING THE SOLID WASTE COLLECTION FEES AT CHAPTER 6, ARTICLE 6, AND WATER SERVICE FEES AT CHAPTER 6, ARTICLE 6, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.** Council Member Gonzales asked if charging three percent was going to become the normal procedure. City Manager Johnson stated the City is trying to stabilize rates; however, due to paying for projects with cash, which is what Council had suggested, there has to be an increase. Moved by Council Member McCarthy, seconded by Mayor Meininger “to adopt Ordinance No. 4234, updating utility user fees, including water and sewer fees, solid waste collection and surcharge for storm water,” “YEAS,” Gonzales, Colwell, Meininger, and McCarthy. “NAYS,” Shaver. Absent: None.

Council introduced the Ordinance No. 4235 updating the use of special collections and additional containers which was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING CHAPTER 6, ARTICLE 6, INCLUDING SPECIAL COLLECTIONS AND ADDITIONAL CONTAINERS REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.** There were no additional comments from the public regarding this Ordinance. Moved by Mayor Meininger, seconded by Council Member Colwell “to adopt Ordinance No. 4235 updating the use of special collections and additional containers,” “YEAS,” Colwell, Meininger, Shaver, McCarthy, and Gonzales. “NAYS,” None. Absent: None.

Council introduced the Ordinance charging fees for inbound and outbound materials at the compost facility which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF DEALING WITH DISPOSAL OF TREES, BRUSH AND YARD WASTE AT CITY DISPOSAL SITES, AMENDING THE SCOTTSBLUFF MUNICIPAL CODE SECTION 6-6-26, EXEMPTING YARD WASTE AND TREE DISPOSAL FROM A CITIZEN’S RESIDENCE, SETTING FORTH RATES AND CHARGES FOR ACCEPTING COMMERCIAL AND NON-RESIDENTIAL YARD WASTE AND TREE DISPOSAL, REPEALING THE FORMER**

SECTION, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Johnson reminded Council that at the last meeting there was a public hearing held to request the zoning change at 1116 Avenue C, Scottsbluff, Nebraska from R-1A Single Family Residential to C-2 Neighborhood and Retail Commercial Zone. There has been no opposition to the public hearing and the applicant has asked to waive the three readings to break ground on the project. Mayor Meininger introduced Ordinance No. 4236 to rezone the property located at 1116 Ave C, Scottsbluff, Nebraska from R-1A Single Family Residential to C-2 Neighborhood and Retail Commercial Zone which was read by title on first reading: **AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT A TRACT OF LAND IN THE NORTHEAST CORNER OF THE NW ¼ OF SECTION 26, TOWNSHIP 22 WHICH IS KNOWN AS TAX LOT 26, LOCATED AT 1116 AVENUE C, SCOTTSBLUFF, NEBRASKA CURRENTLY ZONED AS R-1A SINGLE FAMILY, WILL NOW BE INCLUDED IN C-2 NEIGHBORHOOD AND RETAIL COMMERCIAL ZONE., AND REPEALING PRIOR SECTION 25-1-4.**

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,” Shaver, McCarthy, Gonzales, Colwell, and Meininger. “NAYS,” None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Mayor Meininger, seconded by Council Member Shaver, “that Ordinance No. 4236 be adopted,” “YEAS,” McCarthy, Gonzales, Colwell, Meininger, and Shaver. “NAYS,” None. Absent: None.

Regarding the update on negotiations with Riverside Discovery Center, Mr. Johnson explained that the current contract will expire in September of 2020 and he has been in contact with Board President Martin Mickey and Zoo Director Anthony Mason with preliminary discussions; stating he would like direction from Council with how to proceed. Council Member Shaver commented that this needs to be addressed, but feels we should not negotiate a contract, due to not knowing what could happen financially in the two years remaining, but feels the City needs to have a plan. Mayor Meininger suggested that we work with County Tourism and local banks with return on the City’s investment of \$350,000.00 per year. Council Member Gonzales feels we need to continue this discussion as a yearlong process and not just at budget time, stating we need to stay on top of it. He also asked Mr. Johnson for a timeline showing funding and changes that have occurred at the Zoo from inception. Council Member McCarthy suggested staying in contact with Mr. Mason regarding how the Zoo is doing and finding out what their needs are.

Mr. Mason commented that he would appreciate communication with the City. He stated the Zoo could lose their AZA accreditation if they lost support and he needs to know if they need to look for outside help and donations.

Mr. Johnson presented an agreement with Tri-City Stormwater, not to exceed \$8,000, to be used for stormwater education, outreach and painting stormwater drains throughout the community. Council Member Shaver asked if this was required, with Mr. Johnson stating it helps meet the requirement the State mandates. Council Member Shaver, seconded by Council Member McCarthy made the motion “to approve the Tri-City Interlocal Stormwater Program Agreement for the Cities of Gering, Scottsbluff, and Terrytown and authorize the Mayor to execute the agreement,” “YEAS,” Colwell, Meininger, Shaver, McCarthy, and Gonzales. “NAYS,” None. Absent: None.

Regarding the update on additional fees with other entities relating to the NPPD contract, Mr. Johnson explained that after reaching out to several other governmental entities regarding paying the 12% lease payment it has not been favorable and he would like direction from Council on how to handle this matter. Council Member Shaver commented that we need to approach this, feeling the City has been cutting corners for years. Council Member Gonzales asked what the net gain would be, with Mr. Johnson commenting \$60,000. Council Member Colwell did not like the idea of the City taxing itself, with Mayor Meininger asking Mr. Johnson to reach out to the City Manager of Kearney to see how they handle this matter with the other governmental entities in their City.

Ms. Starr Lehl, Economic Development Director introduced Rod Clause of Der Topfer Gallery and Studio explaining that he is applying for a \$10,000 economic assistance grant to help fund a website he is creating to grow his business. Council Member Shaver asked if this money is for retail. Ms. Lehl stated the gallery qualified for both manufacturing and tourism, which are eligible activities for LB 840 funding. Mr. Clause stated he is applying for the grant because he needs equipment to move into tile making and for funding a website. He is selling not only for himself, but for other artists and he also gives private lessons. He hopes to hire employees, in the future, to work in his studio to help in selling and production. He would like to bring back the Art Festival and is very receptive to working and giving back to the community. Council Member Colwell made the motion, seconded by Mayor Meininger "to approve the Economic Assistance Grant for Der Topfer Gallery and Studio," "YEAS," McCarthy, Gonzales, Colwell, and Meininger. "NAYS," Shaver. Absent: None.

Mr. Johnson presented the Fifth Amendment to the Police Agreement with the City of Terrytown, explaining that in 1987 we started providing police services to the City of Terrytown. This new agreement, which has not changed for twelve years, shows an increase from \$92,200 to \$130,000 per year. It will be reviewed every five years, and based on the Consumer Price Index at the time, will determine whether the rate needs to increase. Council Member McCarthy asked what the cost is to actually provide the service. Police Chief Spencer commented that we are getting closer; per capita in Scottsbluff is at \$245 per citizen, compared to Terrytown which is a little over \$100 per citizen. Terrytown, however, does not receive all the services the department provides, such as animal control, code enforcement, and snow emergencies. Council Member Shaver, seconded by Council Member Colwell made the motion "to approve the Fifth Amendment to the Police Agreement with the City of Terrytown and authorize the Mayor to sign the Agreement," "YEAS," Gonzales, Colwell, Meininger, Shaver, and McCarthy. "NAYS," None. Absent: None.

Mr. Johnson started discussion by explaining the last time the initiative for the ½% sales tax went to the voters, the City offered educational forums to discuss what the money would be used for. At that time, there were three town hall meetings held that were minimally attended. Because of this, Mr. Johnson suggests holding one town hall meeting on Monday, October 29th. Council Member Shaver asked if Mr. Johnson has heard any feedback from groups who said they would be educating for the initiative. Mr. Johnson stated the group representing the aquatic center anticipates rolling out educational material that includes yard signs, pamphlets, and radio ads. After discussion, Council agreed having one meeting on October 29th at the Library, if the meeting room is available, if not it will be held at City Hall.

Under Council reports, 911 advisory task force meeting is coming up, LARM members board meeting will be at 10:15 a.m. in Kearney on Wednesday, September 19th, Governor Ricketts will be in Scottsbluff on Friday, September 21st, holding a town hall meeting at Elite Health at 11:00 a.m. and there will be a joint LB840 Application Review Committee with Gering on Friday, September 21st at 9:00 a.m. at Scottsbluff City Hall Council Chambers.

Ms. Josie Amoo, a sophomore at Scottsbluff High School, was in attendance representing Youth Council. Ms. Amoo informed Council that Rachael's Challenge presented an assembly on September

12th. She reported homecoming was a success, the art club will be carving jack lanterns for the upcoming Spooktakular at the Zoo and PE classes will continue to work on archery conducted by the Nebraska Parks and Recreation Department.

Council Member Shaver made the motion seconded by Council Member Colwell “to adjourn the meeting at 6:50 p.m.” “YEAS,” Colwell, Meininger, Shaver, McCarthy, and Gonzales. “NAYS,” None. Absent: None.

Mayor

City Clerk

“SEAL”