

City of Scottsbluff, Nebraska

Monday, March 4, 2019

Regular Meeting

Item Consent1

Approve the minutes of the February 19, 2019 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on February 19, 2019 at 6:00 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. Since the regular meeting date would fall on a City recognized holiday the meeting was moved to the following day according to §6-1-12. A notice of the meeting had been published on February 15, 2019, 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 February 15, 2019.

Mayor Gonzales presided and City Clerk Wright recorded the proceedings. The meeting was called to order and the Pledge of Allegiance was recited. Mayor Gonzales 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 Gonzales 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: Raymond Gonzales, Scott Shaver, Jeanne McKerrigan, Nathan Green and Terry Schaub. Also present were City Manager Johnson and Deputy City Attorney John L. Selzer. Absent: None.

Mayor Gonzales asked if there were any changes to the agenda. Council Member Shaver asked that consent items 7b, approving the bid specifications for the Police Tow Service three year contract and 7c, approving the bid specifications for the purchase of a Wide Area Rotary Mower be moved off consent agenda. Council Member Shaver made the motion, seconded by Council Member Green "to move items 7b, approving the bid specifications for the Police Tow Service three year contract, and 7c, approving the bid specifications for the purchase of a Wide Area Rotary Mower off consent agenda to items 9c and 9d on the agenda," "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales. "NAYS," None. Absent: None.

Mayor Gonzales 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 Schaub, seconded by Council Member McKerrigan that,

- a) "The minutes of the February 4, 2019 Regular Meeting be approved,"
"YEAS," Green, Schaub, Gonzales, and McKerrigan. "NAYS," Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Council Member Schaub, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated February 19, 2019, as on file with the City Clerk and submitted to the City Council," "YEAS", Shaver, Green Schaub, McKerrigan, and Green. "NAYS," None. Absent: None.

CLAIMS

ACTION COMMUNICATIONS INC.,EQUIP MAINT-PD,2274.5; ADVANCE AUTO PARTS,EQUIP MTNC,1212.57;ANTHONY J MURPHY,TRAVEL TO NEMA AND FOREST SERVICE MEETING,66; ASSURITY LIFE INSURANCE CO,LIFE INSURANCE,32.95; B & H INVESTMENTS, INC,DEP. SUP. - LIBRARY,40.5;B&C STEEL CORPORATION,DEPT

SUPPLIES,2459.37; BLUFFS SANITARY SUPPLY INC.,DEPT SUPPL-PD,301.44; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,542.34; CELLCO PARTNERSHIP,CHARGES FOR CELL PHONE FOR ON CALL & IPAD,687.74; CENTRAL PLAINS LIBRARY SYSTEM,WRKSHOP. REG.,20; CITY OF GERING,DISPOSAL FEES,39632.2; CLARK PRINTING LLC,DEPT SUP,162.37;COLORADO ASPHALT SERVICES, INC,1 LOAD COLD ASPHALT,4007.22; COMPUTER CONNECTION INC,CONTRACTUAL-PD,44; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,194.72; CONTRACTORS MATERIALS INC.,SUPP - RUB. GLOVES, GOGGLES, FACESHIELD,39.1; CONTRYMAN ASSOCIATES, P.C.,AUDIT SERVICES,23000; CORE & MAIN LP,EQUIP MAINT REC,6413.2; CREDIT BUREAU OF COUNCIL BLUFFS,MONTHLY FEE,50; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,218.06; CYNTHIA GREEN,DEPT SUP,466.79; DALE'S TIRE & RETREADING, INC.,EQUIP MTNC,2826.17; DANKO EMERGENCY EQUIPMENT COMPANY,HURST EDRAULIC RAM,5843.92; DUANE E. WOHLERS,DISPOSAL FEES,800; ENERGY LABORATORIES, INC,SAMPLES,135; ENSEMBLE SOLUTIONS GROUP,EQUIP MAINT-PD,23.49; FASTENAL COMPANY,SAFETY VESTS,82.8; FAT BOYS TIRE AND AUTO,EQUIP MTNC,32.56; FEDERAL EXPRESSCORPORATION,POSTAGE,149.91;FLOYD'STRUCKCENTER,INC,EQUIP MTNC,1382.6; GALLS INC,UNIFORMS-PD,214.96; GSM FILTRATION INC,EQUIP MAINT,1859.45; HOLIDAY INN - KEARNEY,HOTEL FOR LES LUKERT CONFERENCE- ABEL,199.9; IDEAL LAUNDRY AND CLEANERS, INC.,GROUND MAINT PARK,1346.88; INGRAM LIBRARY SERVICES INC,BKS.,1585.78; INTERNAL REVENUE SERVICE,WITHHOLDINGS,55909.64; INTRALINKS, INC,CONTRACT SERVICES - JANUARY 2019,2072.17; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL WESTMOOR,1.7; KIESLER POLICE SUPPLY INC,CIP-PATROL CARS,450; KNOW HOW LLC,EQUIP MAINT,352.51; KRIZ DAVIS,EQUIP MAINT,228.19; LAWSON PRODUCTS, INC,DEPT SUPPLIES,162.29; M.C. SCHAFF & ASSOCIATES, INC,DEPT CNTRCL SRVCS,4210; MADISON NATIONAL LIFE,INSURANCE,1827.41; MATHESON TRI-GAS INC,RENT MACHINES,73.83; MENARDS, INC,SUPP - SHOVELS, CULTIVATORS,472.11; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,1560.45;MUNIMETRIX SYSTEMS CORP,IMAGESILO - JANUARY 2019,39.99; NAEM,CONFERENCE REGISTRATION,85; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1350.55; NE DEPT OF REVENUE,TAXES,41072.28; NEBRASKA FIRE CHIEFS' ASSOCIATION,2019 MEMBERSHIP DUES,525; NEBRASKA MACHINERY CO,EQUIP MAINT,5345.22; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,37951.64;NEBRASKA RURAL RADIO ASSOCIATION,SCHOOLS & CONF,607.5; NEBRASKA SALT AND GRAIN CO,2 LOADS ICE SLICER,7988.57; NEBRASKALAND TIRE INC,EQUIP MAINT PARK,116.48; NEBRASKALAND TIRE, INC,EQUIP MTNC,696; NEMNICH AUTOMOTIVE,EQUIP MTNC,112.49;NETWORKFLEET, INC,GPS SERVICE FOR TRANS.,160.64;OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,364.49; ONE CALL CONCEPTS, INC,CONTRACTUAL,58.32; OWEN DEVELOPMENT, LLC,TIF - 12/31/18,14245.96; PANHANDLE COLLECTIONS INC,WAGE ATTACHMENT,194.92; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,18003.64; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,352; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,9964.26; POSTMASTER,POSTAGE,633.88;PRO OVERHEAD DOOR,BLDG MAINT PARK,114; QUILL CORPORATION,DEPT SUPPL-PD,301.62;REGIONAL CARE INC,FLEX FUNDING,562.3; RIGHT BRAIN UNLIMITED,GROUND MAINT PARK,604.69; ROTARY CLUB OF SCOTTSBLUFF/GERING,DUES - NATHAN JOHNSON,360; S M E C,EMPLOYEE

DEDUCTIONS,156.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT PARK,411.85;SCB COUNTY MUTUAL AID ASSOC.,2019 MEMBERSHIP DUES,25; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCHINDLER TRUDY,DEPT PERMIT REFUND,30;SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,576; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,2018 SERVICE AWARDS,333; SHERIFF'S OFFICE,LEGAL FEES-PD,93.66; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,14979.61; SIMON CONTRACTORS,GRAVEL/SAND FOR ICE SLICER,165.3; SONNY'S TOWING,TOW SERVICE-PD,585; SOUNDSLEEPER SECURITY INC.,EQUIPMENT,4948.53; SPENCER, KEVIN,TUITION REIMBURSEMENT,600;THE CHICAGO LUMBER COMPANY OF OMAHA INC,DEPT SUPPLIES,2.39; THE COPIER NINJA LLC,EQUIP MAINT-PD,47.5; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,343.53; TRUAX BRIAN,EQUIP MAINT-PD,2850; UNION BANK & TRUST,RETIREMENT,37105.27; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,89.5; W & R INC,ELECTRICAL MAINT,80; W.S. DARLEY & CO,WATER EXTINGUISHER CAN HARNESS,53.45; WESTERN COOPERATIVE COMPANY,EQUIP MAINT,504.08;WESTERN PATHOLOGY CONSULTANTS, INC,DOT TESTING - JANUARY 2019,106; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,340; WOODS & AITKEN LLP,PROF. SERVICES - CIR CASE & NEGOTIATIONS,1271.88; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,753; ZM LUMBER INC,DEPT SUPP REC,253.68; REFUNDS; PINK SPA, 101.47; SON N TRAN, 28.27.

Ms. Jada Thompson with Contryman and Associates presented the report from the 2018 Audit. She complimented Finance Director Hilyard for preparing an excellent set of financial statements and the work that Ms. Hilyard and City Manager Johnson have done to assure that the day to day progress is smooth. She reported that there are no issues that were notable; they issued an unmodified opinion, which is the best report possible. Ms. Thompson thanked the City council for the opportunity to conduct the City of Scottsbluff audit. Moved by Council Member Schaub, seconded by Council Member McKerrigan, “to accept the 2018 City of Scottsbluff Audit,” “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

Mr. Johnson presented the report on General Fund revenue for the current fiscal year. He explained the sales tax report is in two month arrears and shows for the reporting month of February a year to date decline of approximately \$86,000. The lodging tax also shows a year to date decline of approximately \$11,000 and because of the decreases he suggests forwarding to the revenue committee to look at revenue projections for the current fiscal year, as well as the upcoming budget year.

Police Chief Spencer was present to answer questions regarding the tow contract for the Police Department. Council Member Shaver asked if this was standard or if there have been any changes from past contracts, with Mr. Spencer answering it is virtually the same; it is a competitive process to keep prices down. Council Member Green made the motion, seconded by Council Member Shaver “to approve the bid specifications for the Police Tow Service three year contract and authorize the city clerk to advertise for bids to be received by March 11, 2019 at 11:00 a.m.,” “YEAS,” Gonzales, Green, McKerrigan, Shaver, and Schaub. “NAYS,” None. Absent: None.

Regarding the bid specifications for the purchase of a Wide Area Mower, Mr. Johnson informed Council the funding source would be the Capital Projects Fund and this request is in the current CIP budget to replace an outdated mower we have had several issues with. Council Member Shaver questioned if we could use mowers that run on the tractor, saving money by using the same tractor for everything; Mr. Johnson responded this mower has 126 inch deck. Council Member McKerrigan made the motion, seconded by Council Member Schaub “to approve the bid specifications for the purchase of a Wide Area Rotary Mower and authorize the city clerk to advertise for bids to be received by March 15, 2019 at 2:00 p.m.,” “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Mayor Gonzales opened the public hearing at 6:25 p.m. to submit question of whether property generally described as land bounded by US Highway 26 on the northeast, East Overland Drive on the south, and 21st Avenue on the west is blighted and substandard. Ms. Susan Myers with M.C. Schaff and Associates came forward and explained to Council this particular study area would have been included with the original East Overland blight study area had it been in city limits at the time. The obvious reason for it to be included now is low elevation compared to the surrounding area and drainage constraints. She noted the study was reviewed by Deputy City Attorney Selzer and he concurred it is defensible, meeting the state statutes of the definition of blight. Also, this project is less than 38 acres which will bring the City’s blight percentage to 25.4% which is under the limit of 35%. Legal Counsel Selzer commented the statutory notices for this public hearing were given, which is required by state law and the blight study was reviewed and recommended by the Planning Commission. There were no comments from the public. Mayor Gonzales closed the public hearing at 6:29 p.m.

Council Member Shaver expressed concern the property does not meet the definition of blighted and substandard due to part of it being ag land recently annexed into the City. Legal Counsel Selzer explained that the blighted and substandard determination must be made without regard to any potential projects in the area. He explained the fact that this area is adjacent to the previous blighted and substandard area is significant and that the City Council has discretion to declare this area blighted and substandard and can find the property is necessary to make a comprehensive redevelopment area with the previous blight and substandard area.

Council Member McKerrigan made the motion, seconded by Council Member Schaub, “to adopt Resolution 19-02-02 declaring that property generally described as land bounded by US Highway 26 on the northeast, East Overland Drive on the south, and 21st Avenue on the west is blighted and substandard as those terms are defined in the Community Redevelopment Law,” “YEAS,” Gonzales, Schaub, and McKerrigan. “NAYS,” Green and Shaver. Absent: None

RESOLUTION 19-02-02

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

Recitals:

a. The City Council of the City of Scottsbluff has considered the question of whether the area described below is “substandard and blighted,” as those terms are defined in the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, and in need of redevelopment.

b. The area being considered is generally described as land bounded by US Highway 26 on the northeast, East Overland Drive on the south and 21st Avenue on the west and more particularly described as: Land Situated in the Southwest Quarter of Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows: Beginning at the Southwest Corner of Section 19, thence northerly on the west line of the Southwest Quarter of Section 19 on an assumed bearing of N02°11'37"E, a distance of 1579.26 feet, thence bearing S87°48'23"E, a distance of 33.00 feet to the point of intersection with the east 33 foot right of way line of 21st Avenue, thence southerly on said right of way line, bearing S02°11'37"W, a distance of 129.34 feet, to the point of intersection with the east line of a tract of land reserved for additional highway right of way as described in Deed Book 209, Page 114, thence northeasterly on said east line, bearing N08°33'45"E, a distance of 386.38 feet measured (386.30 feet record), to the point of intersection with the south right of way line of U.S. Highway 26, as described in Deed Book 108, Page 328, and the point of intersection with a non-tangent curve to the right, said curve having a central angle of 25°43'59"E, radius of 4317.37 feet, a chord bearing of S38°32'58"E and a chord length of 1922.79 feet, thence southeasterly on the arc of said curve and said right of way line, a distance of 1939.04 feet, to the point of intersection with the east line of the west half of the Southwest Quarter Section 19, and a point being 373.50 feet (Record and Measured) north of the sixteenth section corner as described in Deed Book 108, Page 328, thence southerly on said sixteenth section line, bearing S01°57'46"W, a distance of 1.90 feet, to the point of intersection with a tract of land as described in Deed Book 192, Page 85, said line also being the south right of way line of U.S. Highway 26, thence southeasterly on the north line of said tract and said south right of way line, bearing S22°55'32"E, a distance of 164.92 feet, thence southwesterly on the east line of said tract and U.S. Highway 26 right of way, bearing S13°18'40"W, a distance of 154.27 feet, (record and measured), to the point of intersection with the north line of highway right of way as described in Deed Book 108, Page 328, thence bearing S89°36'29"W, a distance of 39.08 feet, to the point of intersection with the east line of the west half of the Southwest Quarter of Section 19, thence southerly on said sixteenth section line, bearing S01°57'46"W, a distance of 4.13 feet, and the point of intersection with the north right of way line of U.S. Highway 26 Right of Way as described in Deed Book 108, Page 328, thence northwesterly on said right of way line, bearing N89°14'02"W, a distance of 225.37 feet measured (225.6 feet record), thence southerly on said right of way line, bearing S02°02'14"W, a distance of 60.00 feet record and measured, to the point of intersection with the south line of the Southwest Quarter of Section 19, thence westerly on said section line, bearing N87°57'46"W, a distance of 1106.91 feet, to the Point of Beginning, said tract containing an area of 37.79 Acres, more or less (the “Redevelopment Area”).

c. The City Council has caused to be conducted a substandard and blighted study relating to the Redevelopment Area from M.C. Schaff & Associates, Inc. (the “Study”).

d. The City Council has submitted the question of whether the Redevelopment Area is substandard and blighted to the Planning Commission.

e. The Planning Commission received the Study and conducted a public hearing on February 11, 2019 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted and in need of redevelopment. The Planning Commission provided its written recommendation to the City Council that the Redevelopment Area should be declared substandard and blighted and in need of redevelopment.

f. The City Council conducted a public hearing on February 19, 2019 on the question of whether the Redevelopment Area is substandard and blighted and in need of redevelopment.

g. The City Council has determined that declaring the Redevelopment Area as substandard and blighted is necessary to accomplish the sound redevelopment planning and program of the City, will enhance the development potential of the Redevelopment Area as well as adjacent areas already declared substandard and blighted, and will create a continuous, harmonious redevelopment area from the current blighted and substandard areas to U.S. Highway 26.

Resolved:

1. Based on the above recitals, the Planning Commission's recommendation, the Study and its findings which are incorporated into this Resolution by this reference, and the comments at the public hearing, the City Council declares that the Redevelopment Area as substandard and blighted, as those terms are defined in the Community Development Law, and in need of redevelopment.

2. All prior resolutions of the City Council in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

3. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on February 19, 2019.

**CITY COUNCIL OF THE CITY
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: _____
Mayor

By: _____
City Clerk

Regarding the Ordinance to amend high school parking maps of parking lots to enforce traffic regulations, Police Chief Spencer informed Council they are replacing the old map with a new one due to the high school remodel. Council Member Shaver asked why we do parking regulations at the school; Mr. Spencer stated the school security guards address the issues and the City gets involved only if called by the school.

Council Member Green introduced Ordinance No. 4243 to amend high school maps of parking lots to enforce traffic regulations which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE TO REVISE §22-2-99, PROVIDING A NEW DRAWING OF THE PREMISES OF SCOTTSBLUFF SENIOR HIGH SCHOOL FOLLOWING RENOVATION, FOR ENFORCEMENT OF PARKING AND REGULATION OF AUTOMOBILES ON THE PREMISES OF SCOTTSBLUFF SENIOR HIGH,**

PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM: Moved by Council Member Schaub, seconded by Council Member McKerrigan “that the statutory rule requiring the Ordinance be read by title on three different days be suspended,” “YEAS,” Gonzales, Green, McKerrigan, and Schaub. “NAYS,” Shaver. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member McKerrigan, seconded by Council Member Schaub, “that Ordinance No. 4243 be adopted,” “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Mr. Johnson informed Council we changed the terms of the sewer cleaning service proposed renewal agreements to only deal with emergency cleaning services at the request of the contractee. The changes include a charge of \$350.00 per hour for emergency cleaning services, plus labor, and this change allows for employees and equipment to return to perform their intended work in Scottsbluff. The entities affected by this agreement include: the Cities of Bayard and Terrytown, Villages of Melbeta and Morrill, Sanitary Improvement Districts 4A and 8 (includes hydrant maintenance) and Western Nebraska Community College and Western Nebraska Veterans Home. Council Member Schaub made the motion, seconded by Council Member McKerrigan, “to approve the emergency Sewer Cleaning and Fire Hydrant Maintenance Agreements for three year terms and authorize the Mayor to sign the Agreements,” “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Regarding the Agreement for the Umpire Coordinator and Concession Stand Operator, Mr. Johnson explained this contract is for the 2019 softball season and will save the City approximately \$350.00 per year due to combining the two. Last year the net revenue to the City was \$4,584.00 and Mr. Bernhardt will be paid \$4500.00 in five equal monthly installments as there is no change to the contract from last year. Council Member Shaver made the motion, seconded by Council Member Schaub, “to approve the agreement with Kirk Bernhardt as the Umpire Coordinator and Concession Stand Operator at Lacy Park for the 2019 softball season and authorize the Mayor to sign the Agreement,” “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

Ms. Terry Rajewich, Retail Account Manager with Nebraska Public Power District approached Council and gave a presentation on the Community Solar Project II. She explained the size of the project is 4.6 megawatts and is available only to residents and businesses within the city limits of Scottsbluff, excluding street lights or any customer who currently has their own generation. She added one solar energy share is equal to 150 kilowatt hour/month of solar energy and the customer’s maximum is computed by their one year annual average consumption, showing as a credit or charge line item on their bill. Customers are charged a \$50.00 enrollment fee, refundable on their three year anniversary date, and can exit the program at any time after one month with the City absorbing the cost of the share. She reminded Council that Scottsbluff already has a 128 kilowatt solar area in front of NPPD, which is the first community solar project, and those customers are getting a charge on their bill because the project is greater than what it costs to produce the energy and provide it to them. However, because of the new rate at 5.19 cents per kilowatt hour and the size of the new project area, the cost for all subscribers will be blended at 5.239 cents per kilowatt hour, which is less than the base energy credit at 5.8 cents per kilowatt hour. Mr. Johnson added all City accounts will be on the solar project as Scottsbluff has one of the lowest Professional Power Agreement (PPA) rates right now across the state. He also noted the site will

be at the Landers Soccer Complex with the solar panels being fenced off, adding the façade will be aesthetically pleasing with pollinator plants included for beauty and educational experience.

The Community Solar Project Agreement was introduced by Mr. Johnson, letting Council know that the City will fully subscribe the solar array not being used by residential or commercial customers; the contract is for 25 years and staff recommends approving the agreement. Council Member McKerrigan made the motion, seconded by Council Member Schaub, “to approve the Community Solar Project Agreement for Scottsbluff Solar II and authorize the Mayor to sign the Agreement,” “YEAS,” Gonzales, Green, McKerrigan, Shaver, and Schaub. “NAYS,” None. Absent: None.

Regarding the agreement with Bid It Bob Auction Service to conduct public auctions of unclaimed and abandoned property in possession of the City, Mr. Johnson explained to Council we did not go out for bids for unclaimed and abandoned property because there is only one auction business in city limits that has an online data base and showroom. Police Chief Spencer added we need to get rid of surplus property and by doing it the way we are now is inconvenient because the company we consign with cannot get to us in a timely fashion and all items need to be tagged and inventoried; by keeping the service in city limits, these small items can be disposed of faster through weekly and live auctions. Council Members Green and Shaver were concerned with the pricing and commission received by the auction service. Chief Spencer acknowledged their concern, but stated it would speed up the process for employees, essentially costing less, and also make space in the evidence room. Council Member Schaub made the motion, seconded by Council Member McKerrigan, “to approve the agreement with Bid It Bob Auction Service to conduct public auction of unclaimed and abandoned property in possession of the City and authorize the Mayor to execute the Agreement,” “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Regarding dismissing the bids for sanitation services, Mr. Johnson reminded Council they agreed at the last meeting to extend the Phase One contract with TriHydro to site a new landfill. Because of this extension, he recommends the bids be dismissed from TDS and Waste Connections as it appears we want to build a new landfill with the City of Gering. Council Member Shaver disagreed stating we are in a contract to look at landfill sites; he would like to talk to Gering to see if they would be interested in us going with one of the bids to extend their life in their landfill. He also commented maybe letting them use our tree dump to get some of our money back out of it. Council Member Green stated he had serious reservations about voting on the extension at the last meeting, feeling the City would lose the \$400,000. He stressed he does not feel comfortable with dismissing the bids and “moved to not dismiss the bids,” Council Member Shaver seconded the motion. “YEAS,” Green, Schaub, and Shaver. “NAYS,” Gonzales and McKerrigan. Mayor Gonzales stated the bids will remain as submitted, but acknowledged the bids may expire and would be dismissed anyway and because of this, Mr. Johnson was asked by Council to reach out and get validity of the bids. Council Member Shaver asked that we talk to Gering to see how they feel with letting us out of the contract to extend their life in their landfill. Council Member McKerrigan voiced agreement on wanting to meet with Gering to get information.

Due to Council not wanting to dismiss the bids for sanitation services, Mr. Johnson recommended tabling the bid specifications for the refuse truck. Council Member Shaver made the motion, seconded by Mayor Gonzales, “to table the bid specifications for the refuse truck,” “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Under public comments, Council Member Green stated concern for traffic on 27th street. He mentioned there is a bus stop sign in front of the flashing lights and this may be hampering to drivers; feeling the crosswalk is not safe.

Under Council Reports, Council Member Shaver stated 911 met on February 19th and he felt they received a good contract for the cars to access the information; no specifics on the tower. PAWS meeting for the Nebraska region was set up; supposed to have a joint meeting with Wyoming that was cancelled due to lack of participants. Council Member McKerrigan met with the Tri City Active Living Advisory Council and they are preparing for the Tour De Nebraska bike tournament this summer. She also met with the Senior Center stating concerns they have regarding upcoming funding; mentioning they were grateful for the boiler leak getting fixed. Mayor Gonzales gave to each council member a PADD update. He and Council Member McKerrigan went to the Regional Governance meeting at the high school asking each council member to participate in future meetings. Council Member Green went to a Board of Directors meeting at the Zoo, giving an update and mentioning a change in title only for Anthony Mason to Executive Director. Council Member Schaub went to the East Overland Steering Committee.

Council Member Shaver made the motion, seconded by Council Member Schaub, “to adjourn the meeting at 7:55 p.m.,” “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Mayor

Attest:

City Clerk
“SEAL”