

City of Scottsbluff, Nebraska

Monday, April 29, 2019

Regular Meeting

Item Consent1

Approve the minutes of the April 15, 2019 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on April 15, 2019 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 April 12, 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 April 12, 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 City Attorney Kent Hadenfeldt. Absent: None.

Mayor Gonzales asked if there were any changes to the agenda. Council Member Shaver asked that consent item 7b, approving the bid specifications for the replacement of the City's Sewer Camera Van and Equipment, be moved off of consent agenda. Council Member Shaver made the motion, seconded by Council Member McKerrigan "to move item 7b, approving the bid specifications for the replacement of the City's Sewer Camera Van And Equipment, off consent agenda to item 9b 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 April 1, 2019 Regular Meeting be approved,"
- b) "A public hearing be set for May 6, 2019 to receive a report from the LB840 Citizen's Review Committee," "YEAS," Green, Schaub, Shaver Gonzales, and McKerrigan. "NAYS," None. Absent: None.

Moved by Council Member Schaub, seconded by Council Member McKerrigan, "that the following claims, be approved and paid as provided by law out of the respective funds designated in the list of claims dated April 15, 2019, as on file with the City Clerk and submitted to the City Council," "YEAS", Shaver, Gonzales, Schaub, McKerrigan, and Green. "NAYS," None. Absent: None.

CLAIMS

ACTION COMMUNICATIONS INC.,CIP-PO-UNMARKED CAR,2820.59; ADVANCE AUTO PARTS,FLOOR MATS FOR PICKUP,200.73; ALVARO SILVA,CONTRACTUAL,1755; ASSURITY LIFE INSURANCE CO,LIFE INSURANCE,32.95; AUTOZONE STORES, INC,BATTERIES FOR BRUSH 1,510.7;B & H INVESTMENTS, INC,BLDG MAINT-PD,403.35; B&C STEEL

CORPORATION,POLICE #13- SHEET METAL & BARS,87.6; BLUFFS SANITARY SUPPLY INC.,BREAK ROOM AND CLEANING SUPPLIES,323.15; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,577.65; CELLCO PARTNERSHIP,CELL PHONES,263.21; CITIBANK, N.A.,DEPT SUPP REC,713.97;CITY OF GERING,TRASH & RECYCLING DISPOSAL FEES,39278.76;COMPUTERCONNECTION INC,SUPP - ADAPTER PORT,14.95; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,151.66; CONTRACTORS MATERIALS INC.,DEPT SUP,2637.63; CORE & MAIN LP,METERS,6111.62; CREDIT BUREAU OF COUNCIL BLUFFS,MONTHLY FEE - MARCH 2019,50; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,37.79; CRESCENT ELECT. SUPPLY COMP INC,QUARTZ LIGHT BULB FOR STATION,7.76; CYNTHIA GREEN,DEPT SUPPL-PD,209.38; D & H ELECTRONICS INC.,TRANS #433- SWITCH,7.51; DALE'S TIRE & RETREADING, INC.,NEW TIRES FOR UNIT 815,1506.03; DOUG'S UPHOLSTERY,EQUIP MAINT PARK,150; DUANE E. WOHLERS,HAULING RECYCLINGTO DENVER COLORADO,800;ELXSI,CONTRACTUAL SVC,3750; ENFORCEMENT VIDEO,LLC,EQUIPMAINT-PD,50;ENVIRONMENTALRESOURCE SSOIATES,CONTRACTUAL SVC,1009.68; ETS DEVELOPMENT GROUP, LLC,CONTRACTUAL-PD,1058; FAT BOYS TIRE ANDAUTO,PARKS #325- NEW TIRE,106; FEDERAL EXPRESS CORPORATION,POSTAGE,111.3; FELSBURG HOLT & ULLEVIG, INC,ENGINEERING SERVICES FOR QUIET ZONE,1650; FINDAWAY WORLD LLC,AV,382.44; FLOYD'S TRUCK CENTER, INC,REPAIRS TO UNIT #825,2342.8;FREMONTMOTOR SCOTTSBLUFF, LLC,POLICE #4- NEW TRANSMISSION,5025.36; FUN EXPRESS, LLC,PRGRM.,81.67; FYR-TEK INC,TURNOUT PANTS- GILL,800; GALLS INC,UNIFORMS-PD,206.71; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1390; HAWKINS, INC.,CHEMICALS,815; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,1757.1; HOA SOLUTIONS, INC,DEPT SUP,15133.77; HOLIDAY INN - KEARNEY,HOTEL FOR FIREFIGHTER I EXAM- KELLEY AND GILL,99.95; HULLINGER GLASS & LOCKS INC.,BLDG MAINT-PD,272; HYDROTEX PARTNERS, LTD,CENTRAL GARAGE- BARREL OF OIL,1259.78; IDEAL LAUNDRY AND CLEANERS, INC.,JANITORIAL SUPP PARK,1117.8; IDEXX LABORATORIES, INC,DEPT SUP,159.32; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT PARK,258.56; INFO USA MARKETING,DEPT SUPP LIB/PW,720; INGRAM LIBRARYSERVICESINC,BKS.,2899.95;INTERNALREVENUESERVICE,WITHHOLDINGS,55441.2 9; INT'L INST OF MUNC CLKS,2019 ANNUAL MEMBERSHIP - K.WRIGHT,170; INTRALINKS, INC,CONTRACT SERVICES - MARCH 2019,3370.28; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,9.95; J G ELLIOTT CO.INC.,BOND - KIM WRIGHT, CITY CLERK,875; JESSE LAURUHN,TRAVEL TO FIRE SCHOOL- LAURUHN,151; JOHNSON CASHWAY LUMBER CO,GROUND MAINT PARK,575.52; KIRK BERNHARDT,CONTRACTUAL,900; KNOW HOW LLC,CENTRAL GARAGE- ELECTRIC OIL PUMP,1306.58; KRIZ DAVIS,EQUIP MAINT-PD,434.26; LAWSON PRODUCTS, INC,CENTRAL GARAGE- MISC SHOP TOOLS & PARTS,110.73; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; LOGAN CONTRACTORS SUPPLY INC,ST. SUPP. - DETACK,110.49; MADISON NATIONAL LIFE,INSURANCE,1888.44; MAIN STREET APPLIANCE,REPLACE STATION WASHER AND DRYER,1900; MATHESON TRI-GAS INC,DEPT SUPP PARK,181.53; MENARDS, INC,COMPOST FACILITY PIPE, SCREWS, & WASHERS,768.66; MICHAEL B KEMBEL,REPAIRS TO OVERHEAD DOOR,98; MIDLANDS NEWSPAPERS, INC,LGL PUBLISHING,2037.93; MIDWEST AUTO SUPPLY INC,VEH MAINT PARK,140; MIDWEST CONNECT, LLC,DEPT SUPP ADM,59.95;MODECMIKE,GASOLINEPD,39;MONUMENTPREVENTIONCOALITION,CONTRACTUAL-PD,1879.88; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1575.55; NE DEPT OF REVENUE,WITHHOLDINGS,19589.16; NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF-PD,80; NEBRASKA SAFETY & FIRE EQUIPEMENT

INC.,EQUIP. MAIN.,95; NEBRASKA DEPT OF CORRECTIONAL SERVICES,EQUIP MAIN.,739; NEBRASKA MACHINERY CO,CUTTING EDGES FOR UNIT #831,1014.54; NEBRASKA PUBLIC POWERDISTRICT,ELECTRIC,91275.18;NEBRASKARURALRADIOASSOCIATION,CONTRACTU AL SVC,67.5; NEBRASKA SALT AND GRAIN CO,2 LOADS ICE SLICER,8099.64; NELSON TRENT,CENTRALGARAGEPULLEYPULLER,79.95;NEOPOST,POSTAGE,1000;NETWORKFLEET , INC,GPS SERVICE,227.5; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT PARK,333.54; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,364.49; ONE CALL CONCEPTS, INC,CONTRACTUAL,75.61; OREGON TRAIL PLUMBING, HEATING & COOLING INC,BUILD MAINT ADM,95; PANHANDLE COOPERATIVE ASSOCIATION,UNLEADED GASOLINE,27988.64; PANHANDLE ENVIRONMENTAL SERVICES INC,BLDG MAINT PARK,1905;PLATTE VALLEY BANK,HEALTH SAVING ACCT,9844.26; POSTMASTER,POSTAGE,587.06; PRAISE WINDOWS INC,BLDG. MAIN.,690; QUILL CORPORATION,DEPT SUPPL-PD,329.07; RAILROAD MANAGEMENT CO III, LLC,RENT - LAND,235.41;REGIONAL CARE INC,CLAIMS,63876.14; S M E C,EMPLOYEE DEDUCTION,156.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT PARK,167.91; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,119; SCOTTSBLUFF MOTOR CO, INC,RUNNING BOARDS FOR NEW PICKUP,1089.85; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,576; SCOTTSBLUFF PUB SCHOOLS,FEES&LICENSES10/1/183/31/19,8685;SHERWINWILLIAMS,CABLEFORPAINTGUN,3 8.76;SIMMONSOLSENLAWFIRM,P.C.,CONTRACTUAL,16889.29;SIMONCONTRACTORS,BLIZZ ARD SNOW HAUL,10425.18; SNELL SERVICES INC.,BLDG. MAIN.,673.15; SONNY'S TOWING,TOWING-PD,840; SOUCIE ANDREW,SCHOOLS & CONF-PD,91; SUBWAY 6906,RECRUITMENT,36.66; SYMBOLARTS, LLC,LIEUTENANT BADGES,349.5; THE PEAVEY CORP,INVEST SUPPL-PD,396.85; TOYOTA MOTOR CREDIT CORPORATION,HIDTA-CAR LEASE,343.53; TRANS IOWA EQUIPMENT LLC,TRANS STOCK PARTS,3480.59; TWIN CITY AUTO, INC,CUTTING EDGES FOR PLOWS,1165.26; TYLER TECHNOLOGIES, INC,REGISTRATIONDATAEXTRACTION,275;UNIONBANK&TRUST,RETIREMENT,36278.63;U NIQUEMANAGEMENTSERVICES, INC,CONT. SRVCS.,170.05; UNITED STATES WELDING,CYLINDER LEASE,374.5; US BANK,INTEREST PYMT - GO HIGHWAY ALLOC. BONDS 2018,47916.78; VOGEL WEST, INC,SUPP - PAINT STRAINERS,66.88; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,508; WOODS & AITKEN LLP,PROFESSIONAL SERVICES - IBEW LOCAL NO 1597,413; WYOMING CHILD SUPPORTENFORCEMENT,CHILD SUPPORT,738.08;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,753; ZM LUMBER INC,GROUND MAINT PARK,148.3; REFUNDS; ALESIA CERVANTES, 18.25; MIGUEL GUTIERREZ, 16.36; TOM M TOLOMEO, 446.42; ROBERT GREENE, 13.17; CLARKNATION LLC, 11.24.

City Manager Johnson presented the March 2019 Financial Report, stating we are halfway through the fiscal year with expenditures and revenues being right around 50%. Sales tax revenues for April, from this time last year are down 17,511.00; with year to date being down 103,348.00 as compared to last fiscal year.

Regarding the bid specifications for the replacement of the City's Sewer Camera Van and Equipment, Council Member Shaver asked if this piece of equipment was available from multiple vendors and if this is something that just needs to be replaced over time or does the equipment have issues. Mr. Johnson stated the equipment is available from other vendors and this equipment is aging and also has issues, stating it is a budgeted CIP item for the current fiscal year.

Mr. Mark Bohl, Public Works Director added we share this equipment with different communities at a cost to them and with this new equipment will be able to go into service lines and not just the main. Council Member Schaub made the motion, seconded by Council Member Green, "to approve the bid specifications for the replacement of the City's Sewer Camera Van and Equipment and authorize the city clerk to advertise for bids to be received by May 7, 2019 at 10:00 a.m.," "YEAS," Schaub, McKerrigan, Gonzales, Green, and Shaver. "NAYS," None. Absent: None.

Council Member McKerrigan declared a conflict of interest in regards to considering a Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project because she is an employee and can sign as Secretary of the Corporation. Moved by Council Member Schaub, seconded by Council Member Green, "to accept Council Member McKerrigan's conflict of interest in regards to considering a Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project and excuse her from voting." "YEAS," Gonzales, Green, Shaver, and Schaub. "NAYS," None. Abstain: McKerrigan. Absent: None.

Mayor Gonzales opened the Public Hearing at 6:08 p.m. to consider a Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project. Legal Counsel Hadenfeldt went over the three elements for Council to review in regards to Tax Increment Financing (TIF); the first being the Comprehensive Plan. He stated there is no zoning change that is required and the area has been blighted and substandard for some time fitting into the Comprehensive Plan for development. The second, the "But For" Test, includes the project would not be economically feasible and would not occur in the blighted and substandard area without the use of tax increment financing. The third, Cost-Benefit Analysis affirms there is no cost to the City or the taxing authorities; all have been given notice and to this point no objections have been brought forward.

Council Member Shaver asked how do you know it passes the "But For" test? Legal Counsel Hadenfeldt stated the Redeveloper has certified they would not invest in the substandard and blighted area "but for" this financing tool.

Mr. Austin Aulick, Truck Shop General Manager for Aulick Industries, explained there is a need for more production in used rebuilt truck chassis in the valley, stating lead time takes anywhere from 15-20 weeks resulting in lost sales due to time restrictions. The proposed project will increase Aulick's truck division capacity by 50% and will increase parts sales by 100%. Mr. Aulick stated the proposed site has been vacant for twenty years (they have owned for ten); has ceilings too low and has been used for storage. Storm water retention has been an issue and because of this all storm drains will be updated to City code. The growth projection for the company shows an increase to 50 employees in five years and landscaping will be updated to be more aesthetically pleasing.

Council Member Shaver asked if they have to lift the property up. Mr. Aulick stated it will need to be raised about 18 inches, of which they will be able to do most the work themselves.

Council Member Green asked about generating sales tax. Mr. Aulick stated all parts and service sales do collect tax unless they have a tax exemption.

There were no more comments from the public. Mayor Gonzales closed the public hearing at 6:20 p.m.

Mayor Gonzales opened the Public Hearing at 6:21 p.m. to consider and make a recommendation to the Nebraska Liquor Commission regarding adding a Catering Endorsement to a Class Z Liquor

License held by Great Plains Distillery.

Mr. Phillip Mitchell, proprietor, explained to Council they have applied for the Catering Endorsement because they would like to do more promotional situations, stating they would not have to buy an SDL from the State every time they would like to have an event.

Police Chief Spencer commented he did a file review on the Class Z license and nothing came up. He finds Mr. Mitchell to be fit, willing, and able to have this endorsement added to his license.

There were no more comments from the public. Mayor Gonzales closed the Public Hearing at 6:24 p.m. Council Member Green asked if this allowed for catering of beer and wine. Legal Counsel Hadenfeldt stated it does and it allows him to serve off the premises site where their license is. Council Member Shaver made the motion, seconded by Council Member Green, "to make a positive recommendation to the Nebraska Liquor Control Commission regarding adding a Catering Endorsement to a Class Z Liquor license held by Great Plains Distillery, 213 W. Railway Street, Scottsbluff, NE.," "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales. "NAYS," None. Absent: None.

Mr. Jordan Colwell, President and Mr. Anthony Mason, Executive Director of Riverside Discovery Center were present to give an update and address questions regarding the Zoo. Mr. Colwell explained his goal is to look at additional revenue sources and to reconnect with sustaining partners. He stated with exhibit sponsors, sustaining partners and other donations have raised \$63,000.00 to date. Also, in addition, they have grown their board to 15 members and have voted unanimously in favor of annual board contributions of \$1,000.00 from each member.

He added a new chimp group will be coming this spring, bringing five new chimps, which the Center feels will lead to a big surge in attendance and admission. Admission and Membership rates have also been raised, with memberships growing to over 500 members.

Mr. Mason explained they currently have a loan with Platte Valley Bank for \$185,000.00 which is the result of a pre-existing and new loan, adding this came about due to several revenue sources discontinuing during the transition period when he took over the organization. Because of this, the impact was not discovered immediately, but presently fail-safes have been put in place so this does not happen again. He described expenses have been cut, including changing some positions to part time, and also revenue generating efforts have been put in place to ensure stability.

Regarding Wildlife World in Gering, the property inside is being moved, including taxidermy mounts, to divest the Center of the building and save money. The mounts will be moved to storage or be on display at the zoo. Also, the bear exhibit is currently accepting donations and has raised approximately \$188,000 toward the estimated need of \$606,000 and they have outstanding requests committed that equal \$435,000.

After the presentation, Mr. Colwell formally requested a contract for \$400,000.00 per year, for a period of five years, from the City of Scottsbluff beginning in September of 2020 for general operations; believing it will help the zoo maintain financial stability as they seek to make it more financially independent over time. There were no questions or action taken from Council.

Mr. Geoff Nemnich, President with 23 Club gave an update on the organization. He stated unfortunately, they did not receive the grant through the Nebraska Department of Economic Development that was applied for two months ago; however, they do have approximately \$450,000.00 raised through field and business sponsorships. He is asking for \$650,000.00, requesting the City reconsider what they discussed in the past, reminding Council of discussion in August of 2017 regarding a letter of support from the City committed to giving in-kind labor to accomplish demolition, landscaping, grading and

concrete work with the value not to exceed \$300,000.00 to 23 Club. He stressed the importance of keeping the fields updated and renovated because of revenue the many tournaments held at the club generate, stating the economic impact the 23 Club brings is huge. Mr. Nemnich also stated this would be a one time commitment that needs to happen this year in order to solidify the verbal donations he has received. After discussion, Council Members Schaub and Shaver asked Mr. Johnson to come back with options the City can do, to be made available to Council, at the meeting on April 29th.

City Manager Johnson presented the bids for the new refuse truck for the Environmental Services Department, stating we received five bids for the truck body and two bids for the cab. Staff recommends Floyd's Truck Center for the Freightliner cab; \$101,987.00 and Elliott Equipment for the Scorpion full eject body; \$124,330.00, totaling \$226,317.00. This is a budgeted CIP item from the Environmental Services Fund. Council Member Schaub made the motion, seconded by Council Member Shaver, "to award the bid for the new or demo refuse truck to Floyd's Truck Center (truck cab) \$101,987.00 and Elliott Equipment (body) \$124,330.00 for a total amount of \$226,317.00," "YEAS," Green, Schaub, Shaver, Gonzales, and McKerrigan. "NAYS," None. Absent: None.

Council Member McKerrigan declared a conflict of interest regarding approving a Resolution for the Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project because she is an employee and can sign as Secretary of the Corporation. Council Member Schaub made the motion, seconded by Council Member Green, "to accept Council Member McKerrigan's conflict of interest regarding approving a Resolution for the Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project and excuse her from voting," "YEAS," Schaub, Gonzales, Green, and Shaver. "NAYS," None Abstain, McKerrigan. Absent: None.

Council Member Shaver made the motion, seconded by Council Member Schaub, "to adopt Resolution 19-04-03 regarding Redevelopment Plan by HVS, LLP and Original Equipment Co., dba Aulick Industries for the Aulick Offices and Truck Shop Project and authorize the Mayor and City Clerk to sign the Resolution," "YEAS," Shaver, Gonzales, Schaub, and Green. "NAYS," None. Abstain, McKerrigan. Absent: None.

RESOLUTION NO. 19-04-03

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

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the "Act"), a redevelopment plan for the *Aulick Industries Office and Truck Shop* project submitted by HVS, LLP and Original Equipment Co., d/b/a Aulick Industries (the "Redevelopment Plan") has been submitted to the Scottsbluff Community Redevelopment Authority ("CRA"). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the 2016 Scottsbluff Comprehensive Plan (the "Comprehensive Plan"). The Planning Commission recommended approval of the Redevelopment Plan to the CRA and City

Council.

c. The Redevelopment Plan has been reviewed by the CRA, which found that the Redevelopment Plan conforms to the Comprehensive Plan, that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing, and that the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the CRA, are in the long term best interests of the community.

d. The CRA recommended approval of the Redevelopment Plan to the City Council.

e. On April 15, 2019, the City Council held a public hearing on the proposal to approve the Redevelopment Plan.

f. The City Council has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as documented in writing in this Resolution.

Resolved:

1. The Redevelopment Plan is determined to be feasible and in conformity with the Comprehensive Plan and with the legislative declarations and determinations set forth in the Act.

2. The project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the City Council, are in the long-term best interests of the community.

3. The City Council approves the Redevelopment Plan.

4. In accordance with NEB. REV. STAT. § 18-2147, and as proposed in the Redevelopment Plan, the City Council provides that any ad valorem tax on the Project Site as set forth in the Redevelopment Plan, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in § 18-2147, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the CRA. Said tax shall be divided as follows:

(a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies;

(b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CRA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the CRA for financing or refinancing, in whole or in part, the project set forth in the Redevelopment Plan. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due have been paid, the CRA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in the redevelopment project shall be paid into the funds of the respective public bodies; and

(c) Any interest and penalties due for delinquent taxes shall be paid in the funds

of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

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

PASSED and APPROVED on April 15, 2019

Mayor

ATTEST:

City Clerk (Seal)

Regarding the Revenue Committee update, City Manager Johnson explained and went over some general fund revenues; (sales tax, NPPD lease payments, and hotel tax) by showing a chart that outlined these revenues versus expenses. He stated the Revenue Committee is recommending a three percent decrease this year and next year for budgeted revenues and he informed Council we try to have a lower sales tax receipt number to budget against on a year to year basis. He is looking for direction from Council to use this recommendation from the Revenue Committee, of a negative three percent, stating these numbers were brought forth for Council to review and will be included in the budget workshop May 9th.

Mr. Johnson explained the contract with NBC Nebraska for PSA announcements, stating we need to have a public education piece to be compliant with our MS4 permit. These announcements are for Tri-City Stormwater; our percentage of the cost is 60%; \$834.00/mo. or \$10,008.00/yr. Council Member Shaver asked if we have looked into social media options instead. Mr. Johnson said yes we have, but with these contracts they give us specific numbers of people they reach. Council Member Schaub made the motion, seconded by Council Member McKerrigan, "to authorize the contract with NBC Nebraska for PSA announcements and authorize the Mayor to execute the contract," "YEAS," Gonzales, Green, McKerrigan, Shaver, and Schaub. "NAYS," None. Absent: None.

Concerning the contract with KNEB for Internet and TV PSA announcements, Mr. Johnson stated this falls under the same category of being a requirement for the MS4 permit regarding Tri City Stormwater. Our total cost will be 60% for both KNEB Internet and TV totaling \$2362.50/ yr., Internet 136.88/mo., T.V \$60.00/mo. Council Member Shaver asked if we got bids from other stations. Mr. Johnson stated the committee looked at all options and voted on KNEB. Council Member Schaub made the motion, seconded by Council Member McKerrigan, "to authorize the Internet and TV PSA contracts

with KNEB and authorize the Mayor to execute the contracts,” “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Ms. Starr Lehl, Economic Development Director, explained we had seven additional applications for the East Overland Façade Improvement Program totaling \$29,309.00. This combined with the other applications already approved and with the private investments added, totaled \$248,000.00. Mayor Gonzales asked Ms. Lehl, as we go forward, to please bring updates on the progress. Council Member Schaub made the motion, seconded by Council Member McKerrigan, “to approve the East Overland Façade Improvement Program Applications,” “YEAS,” Green, Schaub, Shaver, Gonzales, and McKerrigan. “NAYS,” None. Absent: None.

Regarding the Quiet Zone, Mr. Johnson explained this is an affirmation to state we completed the Quiet Zone study authorizing the Mayor to sign the documentation so we can send the paperwork to the respective parties. Council Member Shaver asked if there was any additional cost to this. Mr. Johnson answered no, stating this affirmation is brought forward as a level of transparency to show Council that when we say we do something, we do it. Council Member McKerrigan made the motion, seconded by Mayor Gonzales, “to approve the 5-Year Quiet Zone Affirmation to continue the Scottsbluff Quiet Zone and authorize the Mayor to sign the Chief Executive Officer Statement,” “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Mr. Johnson went over his Organizational and Professional Goals he had given Council prior to the meeting to explain details of each category and maintain a level of transparency.

Council Member Green asked what the Council’s role is concerning staff and different organizations. Mr. Johnson stated part of his job is to be a liaison between the Council and staff with this form of government; needing to have a rapport with the staff to conduct business at a high level. As far as different groups, that would be up to Council to come up with a policy as to how to handle that.

Mayor Gonzales added when the City Manager is successful with his goals, that reflects well on the Council and he feels Mr. Johnson has come up with an excellent set of goals.

Mr. Robert Franco, CRA Member, approached Council stating Mr. Johnson has done a fantastic job. He feels he is very professional, gives facts, and lets the committee make decisions while answering any questions they may have.

Mr. Robert Kinsey, resident, also stated Mr. Johnson is easy to work with and he holds respect for him, adding that organizations in the area are glad when they are able to work with him.

Council Member Schaub, seconded by Mayor Gonzales made the motion, “to approve the City Manager’s goals,” “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

Regarding the wage adjustment and amended agreement with Mr. Johnson, Mayor Gonzales stated the evaluations received were all very positive and he feels with Mr. Johnson’s achievement of goals, there should be an adjustment to his salary and based on the budget, suggested an increase of 2.5%.

Council Member Shaver questioned the car allowance in the contract, stating the City has two cars available to use, wondering why Mr. Johnson doesn’t use one of them. Mr. Johnson explained the automobile allowance is for meetings in this area so the City doesn’t have to pay mileage, with Mayor Gonzales stating his job is more 24/7. Council Member McKerrigan asked if the two City automobiles are used by all staff, with Mr. Johnson stating yes, they are used quite often for training.

Council Member Green questioned the outward appearance of giving Mr. Johnson a raise and how that would look to the community with the cuts we are looking at. Mayor Gonzales stated he understands the comments, but for those who completed the evaluations, the marks were very high and considering that reason, could give Mr. Johnson more, but is being sensitive to that, explaining the salary comparison puts Mr. Johnson in the bottom tier comparable to other City Managers.

Council Member Schaub made the motion, seconded by Council Member McKerrigan, “to increase City Manager Johnson’s salary by 2.5% and authorize the Mayor to sign the amended agreement,” “YEAS,” Gonzales, Green, McKerrigan, Shaver, and Schaub. “NAYS,” None. Absent: None.

Under Public Comments Mr. Robert Kinsey approached Council on behalf of 23 Club. He states it is an economic tool that is solely volunteer that will bring many tax dollars to our community. He feels it is a good program and encourages Council to find a way to meet this need.

Ms. Starr Lehl informed Council that she was able to represent Western Nebraska in Washington D.C. regarding the Heartland Expressway.

Under Council Reports, Council Member McKerrigan stated Tri-City Active Living Advisory is getting their bike stations set up around town and they would like to make a presentation to Council in the near future. Mayor Gonzales explained the PADD and Regional Governance meetings were cancelled due to the storm. PADD was rescheduled, Thursday, April 18th. Council Member Shaver stated PAWS cancelled their meeting this month. They want to get with him and Council Member Green regarding progress with stage two. 911 meeting is Tuesday, April 16th.

A representative from Scottsbluff Youth Council was not present and they have not gotten in touch with Council Member McKerrigan, who is the Youth Council liaison. In the future, it was suggested by Council Member Shaver, to move Scottsbluff Youth Council towards the beginning of the agenda, due to the length of meetings and student activities.

Council Member Schaub made the motion, seconded by Mayor Gonzales, “to adjourn the meeting at 7:42 p.m.,” “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales.

Mayor

Attest:

City Clerk
“SEAL”