

City of Scottsbluff, Nebraska

Monday, May 6, 2019

Regular Meeting

Item Consent1

Approve the minutes of the April 29, 2019 Regular Meeting.

Staff Contact: City Council

Regular Meeting
April 29, 2019

The Scottsbluff City Council met in a regular meeting on April 29, 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 26, 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 26, 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, and Terry Schaub. Also present were City Manager Johnson, City Attorney Kent Hadenfeldt, Finance Director Elizabeth Hilyard, and Deputy Finance Director Chris Burbach. Absent: Nathan Green.

Mayor Gonzales asked if there were any changes to the agenda. There were 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 15, 2019 Regular Meeting be approved," "YEAS," McKerrigan, Schaub, and Gonzales. "NAYS," Shaver. Absent: Green.

Mayor Gonzales and Vice President McKerrigan read the proclamation naming May as Building Safety Month.

Regarding the proclamation naming May 12-18, 2019 as Police Week, Mayor Gonzales moved "to table the reading of the proclamation naming May 12-18, 2019 as Police Week until the May 6, 2019 meeting," seconded by Council Member Shaver. "YEAS," Schaub, Shaver, Gonzales, and McKerrigan. "NAYS," None. Absent: Green.

Mr. Johnson explained to Council as we move forward to the Budget Workshop on May 9th, there are some items to consider that pertain to Capital Projects in and outside of the General Fund. He added due to having new Council members, he would like to familiarize them with these projects to make the Budget Workshop not so time consuming and started discussion on the items.

Previously approved and budgeted items by City Council:

- Pathway Project – Mr. Johnson stated we have received a firm number for the City's share of the Pathway, which is just over 1.35 million dollars, adding eight to ten years ago money was budgeted for the project because the previous City Council did not like

debt and wanted to pay cash for projects. The budgeted money was put in a sinking fund and now has around 2 million dollars in it, explaining this is more than our share for the Pathway, freeing around \$650,000.00 for other projects. Public Works Director Mark Bohl added we do have 12-15% in contingency funds built in, which is included in the 1.35 million.

- Chip Seal Project – Mr. Johnson explained every five years debt is issued to do chip seal on every residential street throughout the City. When the debt is paid off, more debt is reissued to move the project forward; saving money to keep the streets together to prohibit significant debt issuance. During discussion, Council Member Shaver asked what the cost is for chip seal. Mr. Johnson stated around 2.4 million is budgeted. Council Member Shaver suggested taking \$400,000.00 from the Pathway monies that was budgeted and apply it to the chip seal project, stating that way we do not have to borrow as much, paying less interest saving money for the City. Council Member McKerrigan asked what the debt rates are, with Finance Director Hilyard stating less than two percent. Mr. Johnson reminded Council that with the chip seal, it can come from other funding sources, outside of sales tax, such as the Street Fund, stating the policy from previous City Councils was to use cash for Capital Projects, rather than for ongoing reoccurring expenses. Council Member Shaver suggested we be conservative and use \$500,000.00 for other projects rather than the \$650,000.00.

Mr. Johnson explained staff is seeking direction regarding the priority of the following projects. These projects are dependent on council direction and the availability of funds to complete them to determine if it is included in the FY20 budget or future budgets.

General Fund:

- Downtown Plaza – Council Member McKerrigan asked what was needed to complete the Downtown Plaza. Mr. Johnson stated the latest plan showed several million dollars' worth of work, including taking out 18th Street, putting in permeable pavers, and adding more shade structures and trees. Council Member McKerrigan asked what advantage that has. Mr. Johnson stated it attracts people to downtown, making it more vibrant and family friendly. Council Member Schaub commented property owners in the area have flooding issues when it rains; blaming the bulb outs', stating everything is blocked off and we have lost the drainage flow. He added water does back up into a few businesses within the two block radius of the Plaza and the owners are not happy. He would like to put this second, after the 23 Club in prioritization. After discussion, Council decided the Downtown Plaza is not a top priority at this time due to the estimated cost of the project.
- 23 Club – Mayor Gonzales suggested making 23 Club a priority, stating the Pathway adds to the quality of life, as does 23 Club. He went on to add this is a one-time project that has seen huge commitments from the community already. Council Member Shaver stated he recommends giving a lower amount of \$500,000.00 to 23 Club, because of other expenses that could occur, with Mr. Johnson suggesting allocating the \$650,000.00, bidding it out, hoping to get lower bids. Mr. Jack Baker, with Baker & Associates was present and added the highest priority items in the base bid for 23 Club would be done

first with the others coming secondary. Mr. BJ Kinsey, with 23 Club, was also present and commented, with the bidding, they hope to influence local contractors into donating labor, but they cannot do that until they go through the bid process and have a general contractor. During discussion, Council Member Schaub asked Mr. Kinsey if the softball program is a part of 23 Club, with Mr. Kinsey stating yes, but regarding the diamonds for softball, the school district owns those fields, adding 23 Club did make an agreement with the school district to use them, by paying for maintenance and upkeep. After discussion it was the recommendation from Mayor Gonzales and Council Member's McKerrigan and Schaub to allocate \$600,000.00 to 23 Club.

- Westmoor Pool - Council Member McKerrigan asked how much it takes to keep Westmoor Pool running throughout the summer. City Manager Johnson stated around \$200,000.00 of which \$60,000.00-\$80,000.00 is needed for repairs yearly. Mr. Johnson also mentioned that currently we do not have enough life guards hired to open the pool and last year due to staffing the pool was only open 59 days. Mayor Gonzales asked if we could look into putting splash pads around the community if the pool could not open. Council Member Shaver reminded Mayor Gonzales that we cannot put in splash pads due to an agreement with the Zoo, but Mr. Johnson stated that could be something the Park, Cemetery and Tree Advisory Board could look into for the future. Council Member Shaver commented he would like to see an actual pool in this community and not a pool with a lazy river. After discussion, Mr. Johnson explained the YMCA is doing a study on the future of pools in our community and prompted Council to wait until after the study comes out from the YMCA to determine any future development with Westmoor Pool or other options.
- Dog Park – Mr. Johnson asked Council what direction they want to take regarding this project, with Council Member Shaver commenting this should be a priority because it is not remotely comparable to what we are spending money on, since we are going to use an existing park. He also added we are currently waiting on feedback from the Common Grounds Dog Park Group. Council Member Schaub suggested using Northwood Park as a possible location and tying that in with the Pathway project if we have the money. Council Member Shaver suggested Terry Carpenter Park or the park by Platte Valley Bank as possible locations that might work, also. Mr. Johnson recommended asking the Park, Cemetery, and Tree Advisory Board to give feedback and also work with the Common Grounds Dog Park Group on this project. After discussion, it was the consensus of Council to have cost estimates and more information provided before deciding its priority.
- East Overland Revitalization Efforts – Council Member Shaver stated if something is done it needs to be City wide and not just concentrated on one area of town. He suggested giving Scottsbluff dollars to everyone with a City utility bill, so we can track where the money is spent to know what retail is needed in Scottsbluff. Mayor Gonzales asked about opening the program up City wide, with Mr. Johnson stating we could do that, but we would need to pull monies out of reserves for a one time expenditure. Council Member Schaub stated he does not think it would be in our best interest to do this again, he agrees

it was good for East Overland, but personally thinks this should be at the bottom of the list. Council Member McKerrigan asked if we did open this up City wide for small businesses, what would we budget for this, with Mr. Johnson stating around \$100,000.00; using General Fund reserves to be able to accomplish it. After discussion, Council decided to not make this a priority.

Enterprise Funds:

- Transfer Station / Sanitation – Council Member Shaver commented a transfer station is probably not a priority due to not going a different way with our trash. Mr. Johnson stated we will need a transfer station at some point in time with the emphasis being to have the budget authority option to do this, explaining if we had a transfer station now, with our current set up, we could save money. After discussion Council agreed to budget for this item and instructed Mr. Johnson to get some preliminary designs and numbers.
- Compost Pad Cover – Mr. Johnson explained we do have years left to get the cover built, but since we have the cash, suggests doing this now due to the down economy, informing Council that a new Ordinance will be brought forward charging everyone for inbound materials due to issues with the interpretation of the current Ordinance. Council agreed with Mr. Johnson to go forward with getting the cover built.

Regarding discussion on outside contracts, Mr. Johnson explained at the last Council meeting we had a presentation from the Zoo requesting \$400,000.00 each year for five years. He stated a discussion needs to be had and decisions need to be made for preliminary 10 year budget projections for the General Fund, asking the decisions be made sooner than later. During discussion, Council agreed the Zoo is great for the community and our partnership is extremely important, but the City cannot afford to continue to fund it at its current level once the contract is up.

Council Member Green entered the meeting at 7:27 p.m. and explained he does not know the appropriate action to take as being the appointed liaison of the City to the Zoo, stating we are in a stalemate, asking we offer to pay off their debt rather than making payments to them. Council Member Shaver suggested giving them the \$400,000.00 they asked for, but spread it over four years. Council Member Schaub suggested looking at the \$250,000.00 mark with a downward progression over the next five years, to where the Zoo starts to become self-sustaining. Council Member McKerrigan and Mayor Gonzales echoed the recommendations of offering a lessor amount and then tier down over five years. Mr. Johnson was advised by Council to take this direction during negotiations with the Zoo board.

Another outside contract brought up by Mr. Johnson was the contract with Monument Prevention Coalition. He informed Council the last alcohol compliance checks were done by the State Patrol and our Police Department and not by the Coalition. Council Member Shaver also commented it has been some time since they have made a presentation at a meeting, which is a request from Council for funding; making a recommendation that we not fund them \$15,000.00/yr. any longer. Mr. Johnson stated he will bring this contract back for discussion at the budget workshop.

Under Public Comments, Mr. Dan Marshall, with the Parks, Cemetery and Tree Advisory Board expressed his appreciation to the Parks Department for their help with the Easter Egg Hunt; there were 16,000 eggs that were filled and he appreciates the support.

Under Council Reports, Council Member Shaver asked to go into closed session to discuss what is going on with negotiations with the Labor Union contracts. Legal Counsel Hadenfeldt explained Council Reports are for Council Members to discuss meetings they have gone to and negotiations cannot be talked about because that specific item is not on the agenda. He added if it is necessary to protect the public interest or one of the items, then it can go into closed session. Council Member Shaver requested that Labor Union contract negotiations be on the next agenda, with Mr. Hadenfeldt suggesting he call and talk to the City Manager. Mayor Gonzales stated on Arbor Day there was a Proclamation read and trees planted at the soccer fields; expressing his thanks to the staff and Park Board for their hard work with this project. There is a prayer Proclamation being read on Thursday, May 2nd at Gering City Hall and Cinco De Mayo festivities are this weekend at the Guadalupe Center on East Overland. Council Member Green attended the Heartland Expressway Meeting and is excited that we can take traffic off the interstate and direct them to other routes, helping us grow.

Council Member Schaub, seconded by Council Member McKerrigan made the motion, “to adjourn the meeting at 7:53 p.m.,” “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Mayor

Attest:

City Clerk
“SEAL”