

City of Scottsbluff, Nebraska

Monday, November 4, 2019

Regular Meeting

Item Consent1

Approve the minutes of the October 21, 2019 Regular Meeting.

Staff Contact: Kim Wright, City Clerk

The Scottsbluff City Council met in a regular meeting on October 21, 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 October 18, 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 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 October 18, 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, Jeanne McKerrigan, Scott Shaver, Nathan Green, and Terry Schaub. Also present was City Attorney Kent Hadenfeldt. Absent: None.

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 October 7, 2019 Regular Meeting be approved.
- b) Council Member Schaub's absence at the October 7, 2019 meeting be excused. "YEAS," McKerrigan, Green, Schaub, and Gonzales. "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 October 7, 2019, as on file with the City Clerk and submitted to the City Council, "YEAS", Green, Schaub, Shaver, Gonzales, and McKerrigan "NAYS," None. Absent: None.

CLAIMS

21ST CENTURY EQUIPMENT,EQUIP MAINT PARK,2.6;21st CENTURY WATER TECHNOLOGIES, LLC,GROUND MAINT PARK, 259.94; 911 CUSTOM, LLC, CIP- PO- PATROL CARS,138.5; ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,219.3; ACTION COMMUNICATIONS INC.,EQUIP MAINT-PD,627.93; ADOLPH KIEFER & ASSOC LLC,DEPT SUPP REC,101.46; ADVANCE AUTO PARTS,ES STOCK- DEF,394.22; AIRGAS USA, LLC,WIRE AND TIPS FOR WELDER AT TREE DUMP,12.63; ALVARO SILVA,CONTRACTUAL,585; B&C STEEL CORPORATION,DUMPSTER BOTTOMS CUT CHARGE,190.29; BLUFFS SANITARY SUPPLY INC.,JAN. SUP.,552.17; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,521.54; CARR- TRUMBULL LUMBER CO, INC.,DEPT SUP,34.4; CELLCO PARTNERSHIP,CELL PHONE,96.99; CENTER POINT INC,BKS.,1639.44; CITY OF GERING,TRASH & RECYCLING DISPOSAL FEES SEPT 2019,44251.23; CITY OF

SCB,POST/DEPT SUPPL-PD,28; CLARK PRINTING LLC,DEP. SUP.,41.99;COATS CALEB,CONTRACTUAL,45; COLE TOOL DISTRIBUTORSLLC,CENTRAL GARAGE- DRIVE LINE SET,119.95; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,INSURANCE,48.7; COMPUTER CONNECTION INC,CONTRACTUAL-PD,44; CONTINUUM EAP,EAP SERVICES 10/19 - 9/20,5000; CONTRACTORS MATERIALS INC.,EQUIP MAINT PARK,27.39; COPIER CONNECTION,CONT. SRVCS.,240; CYNTHIA GREEN,DEP. SUP.,950.27; D & H ELECTRONICS INC.,SUPPBATTERIES,18;DECLUEGARRETT,CONTRACTUAL,45;DONKRUG,CONTRACTUAL-PD,319; DUANE E. WOHLERS,HAULING RECYCLING TO DENVER, CO,800; FAIRBANKS SCALES INC,TICKETS FOR SCALE AT COMPOST FACILITY,327.69; FASTENAL COMPANY,SUPP - NUTS, BOLTS,36.96; FAT BOYS TIRE AND AUTO,TRANS #4150- TIRES,123; FEDERAL EXPRESS CORPORATION,POSTAGE,121.07; FLOYD'S TRUCK CENTER SCOTTSBLUFF,ES #827- FAN CLUTCH,1916.07; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,100; FYR-TEK INC,ANNUAL PUMP TESTING E1, E2, T1,1108.31; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1390; HANSEN, JOSH,SCHOOLS & CONF-PD,45; HYDROTEX PARTNERS, LTD,CENTRAL GARAGE- HY-TORQUE ATF,3188.45; ICMA MEMBERSHIP RENEWALS,MEMBERSHIP - NATHAN JOHNSON,1104.19; IDEAL LAUNDRY AND CLEANERS, INC.,UNIFORMS-PD,872.77; INGRAM LIBRARY SERVICES INC,BKS.,789.87; INTERNAL REVENUE SERVICE,WITHHOLDINGS,54645.05; INTERNATIONAL PUBLIC MANAGEMENTASSOCIATION-HR,FIREFIGHTER EXAM,227.5; INTRALINKS, INC,CONTRACT SERVICES - LIBRARY SEPT. 2019,650; JOHN Q HAMMONS RVOC TR 12281989,BUS. TRVL.,469.35; KB INDUSTRIES INC,DEP.SUP.,595.41; KIRK BERNHARDT,CONTRACTUAL,45; KNOW HOW LLC,BUILDING MAINT PARK,1032.24; KRIZ DAVIS,ELECT. SUPP - CONDUIT,82.33; LAWSON PRODUCTS, INC,DEPT SUPP PARK,134.08; LEAGUE ASSOCIATION OF RISK MANAGEMENT,DEDUCTIBLE REIMB. (10/1/18 - 12/31/18),1577.59; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; M.C. SCHAFF & ASSOCIATES, INC,PROFESSIONAL SERVICES - SEPTEMBER 2019,2295; MARKETING CONSULTANTS,CITY LOGO SWEATSHIRTS/HATS ELISA AND ANTHONY,368; MATHESON TRI-GAS INC,SUPPLIES - VISE GRIP,20.04; MENARDS, INC,DEPT SUP,2329.2; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,1276.44; MULLEN MITCH,CONTRACTUAL,45; NE CHILD SUPPORT PAYMENT CENTER,CHILD SUPPORT,903.6; NE DEPT OF ENVIRONMENTAL CONTR,SOLID WASTE COMPOST SITE PERMITS,2100; NE DEPT OF REVENUE,WAGE ATTACHMENT,197.28; NE.DEPT. OF LABOR UNEMPLOYMENT,UNEMPLOYMENT,35.12; NEBRASKA INTERACTIVE, LLC,DRIVERS LICENSE REQ. - SEPT 2019,18;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,44582.53;NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL SVC,325; NELSON HUNTER,CONTRACTUAL,45; NEOPOST,POSTAGE,1000; NETWORKFLEET, INC,GPS SERVICE,332.42; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT PARK,55.88; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,378.16; OLSON JOSEPH,CONTRACTUAL,45; OREGON TRAIL PLUMBING, HEATING & COOLING INC,BLDG MAINT-PD/FD,151.5;PANHANDLE COOPERATIVE ASSOCIATION,FLEET GASOLINE,24107.42; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,60; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,9799.26; POSTMASTER,POSTAGE,582.48; RAAJ LINCOLN LESSE, LLC,HOTEL FOR LEGISLATIVE HEARING- SCHINGLE,96; REAMS SPRINKLER SUPPLY CO.,GROUND MAINT PARK,1211.11; REGIONAL CARE INC,CLAIMS,100560.09; REGIONAL WEST MEDICAL CENTER,KING TUBES AND SUCTION

CANISTER- MEDICAL SUPPLIES,77.08; RIGHT BRAIN UNLIMITED,DEPT SUPP CEM,140.01; ROD CLAUSE,LB840 GRANT,250; RODRIGUEZ JOSEPHINE,CONTRACTUAL-PD,942.5; S M E C,EMPLOYEE DEDUCTION,146.5; SANDBERG IMPLEMENT, INC,DEPT SUPP PARK,591.99; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCHANK ROOFING,EAST OVERLAND GRANT PROGRAM,1700; SCOTTS BLUFF COUNTY,FY19-20 COMMUNICATIONS INTER-LOCAL AGREEMENT,82418; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,142; SCOTTSBLUFF MOTOR CO, INC,VEH MAINT CEM,110; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,650; SCOTTSBLUFF SENIOR CENTER,FY19-20 1ST QTR PAYMENT,5750; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE,SCHOOL & CONF STATE OF THE VALLEY,160; SEILER INSTRUMENT MFG. CO., INC,EQUIPMENT,5465.14; SHAFFER PUBLICATONS,SBSCR. RNWL,2056.12; SHERIFF'S OFFICE,LEGAL FEES-PD,694.26; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,12503.79; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,7220.02; SNELL SERVICES INC.,EQUIP MAINT PARK,415; SONNY'S TOWING,TOW SERVICE-PD,80; SOUNDSLEEPER SECURITY INC.,CONTRACTUAL-PD,14.95;THE ABY MANUFACTURING GROUP, INC,UNIFORMS-PD,309.9; THE PEAVEY CORP,INVEST SUPPL-PD,294; THOMPSON GLASS, INC,BLDG MAINT ADM,603.64; TORRINGTON SOD FARMS,DEPT SUPP CEM,40.5; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,343.53; TYLER TECHNOLOGIES, INC,UB TRANSACTION FEES,3205.5; UNION BANK & TRUST,RETIREMENT,35782.53; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,250.6; VASQUEZ PATRICIA,QUIT CLAIM DEED,300; W & R INC, EQUIPMENT, 1123.51; WESTERN NEBRASKA HUMAN RESOURCE MANAGEMENT, MEMBERSHIP FY 19-20 JANA BODE, 30; WESTERN PATHOLOGY CONSULTANTS, INC,PRE-EMPL. SCREENING - DOT,53.75; WESTERN SURETY COMPANY,BOND - TERRY SCHAUB,300; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,376; WOMACK MATTHEW,CONTRACTUAL,45; WOODS & AITKEN LLP,PROF SERVICES - POLICE & IBEW UNIONS,265.5; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,103.68; ZM LUMBER INC,GROUND MAINT PARK,71.96; REFUNDS; ALEXANDER KAUFMAN, 4.59; HALEIGH J MARINO, 13.87; GABRIELLE PHILLIPS, 19.19; AMANDA SOKOL, 16.36; SEAN HOLLOWAY, 13.04.

Mr. Jordan Colwell, former Scottsbluff City Council Member came forward to receive a plaque for his years of service on city council. Mayor Gonzales thanked Mr. Colwell for his dedication and service to the City. Former Council Member, Mark McCarthy also received a plaque, but was unable to attend.

Council introduced Ordinance No. 4250 amending the Cemetery rules and fees and was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE AT CHAPTER 5, ARTICLE 1, REGARDING BURIAL VAULTS AND MONUMENT LAYOUT PERMITS AND AMENDING CEMETERY FEES AT CHAPTER 6, ARTICLE 6, ADDING FEES FOR SINGLE MARKERS AND DUAL BURIAL EXEMPTIONS AS WELL AS ADDITIONAL RIGHTS OF INTERMENT, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.**

Council Member Green asked if this was an Ordinance we were going to look at on an annual basis or are we able to come back to it and make adjustments; he heard people are looking at cemeteries other than ours, not knowing if this is to slow the growth of our cemetery. He feels we need to look at this more. Mayor Gonzales answered, stating, it is brought forward because the costs the cemetery incurs keep going up and adjusting these fees help offset some of that. Council Member Green commented that other Cities are not adjusting their fees and have the same obstacles to overcome. Council Member Schaub made the motion, seconded by Council Member McKerrigan, to adopt the rules and Ordinance No. 4250 amending the Cemetery rules and fees, "YEAS," Gonzales, Schaub, and McKerrigan. "NAYS," Shaver and Green. Absent: None.

Council introduced the Ordinance authorizing the sale of city-owned property Lots Five (5) and Six (6), Block One (1), ORIGINAL TOWN ADDITION to Western States Bank for \$20,000.00 and was read by title on third reading: **AN ORDINANCE AUTHORIZING THE SALE OF LOTS FIVE AND SIX BLOCK ONE, ORIGINAL TOWN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.**

Council Member Shaver said he looked at this lot and the lot by the Arts Center noting that there is no difference between the two; they both have the same amount of damage. Council Member Green added this lot is a block away from small businesses, with Council Member Schaub stating we need to look at future business developments as well. Council Member Shaver also commented we are trying to develop the downtown to make it grow and to him, giving away a parking lot where we can't get it back for the same amount is insane; the businesses can still use the lots. Council Member Shaver made a motion, seconded by Council Member Green, to not sell city-owned property Lots Five (5) and Six (6), Block One (1), ORIGINAL TOWN ADDITION to Western States Bank for \$20,000.00, "YEAS," Schaub, McKerrigan, Gonzales, Green, and Shaver. "NAYS," None. Absent: None. The Ordinance of selling city-owned property Lots Five (5) and Six (6), Block One (1), ORIGINAL TOWN ADDITION to Western States Bank for \$20,000.00 failed.

Council introduced the Ordinance authorizing the sale of city-owned property, Lot Four (4), EXCEPT the North Four Feet (4'), Block One (1), ORIGINAL TOWN ADDITION to Chaloupka, Holyoke, Snyder, Chaloupka & Longoria, PC, LLO for \$12,500.00 and was read by title on third reading: **AN ORDINANCE AUTHORIZING THE SALE OF LOT FOUR, EXCEPT THE NORTH FOUR FEET, BLOCK ONE, ORIGINAL TOWN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.**

Council Member Shaver made the motion to not sell city-owned property, Lot Four (4), EXCEPT the North Four Feet (4'), Block One (1), ORIGINAL TOWN ADDITION to Chaloupka, Holyoke, Snyder, Chaloupka & Longoria, PC, LLO for \$12,500.00, seconded by Council Member Green, "YEAS," Gonzales, Green, McKerrigan, Shaver, and Schaub. "NAYS," None. Absent: None. The Ordinance of selling city-owned property, Lot Four (4), EXCEPT the North Four Feet (4'), Block One (1), ORIGINAL TOWN ADDITION to Chaloupka, Holyoke, Snyder, Chaloupka & Longoria, PC, LLO for \$12,500.00 failed.

Under Council Reports, Council Member Green went to the Zoo Board Meeting. He is impressed with the way they are moving forward with positive direction, feeling they are putting together a good business plan. Council Member Shaver asked to get a copy of their financials to be forwarded to City Manager Johnson for Council to view. Council Member Schaub could not make the Emergency Management meeting; however Fire Chief Schingle was able to attend. Council Member McKerrigan

attended the Senior Center Meeting and Tri City Active Living Council Meeting. She stated Tri City Active Living Council asked about the timeline of the School Zone Safety Study, offering their help with anything that could be done in that area.

Council Member Shaver made the motion, seconded by Council Member Schaub, to adjourn the meeting at 6:16 p.m., “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Mayor

Attest:

City Clerk “SEAL”