

City of Scottsbluff, Nebraska

Tuesday, January 21, 2020

Regular Meeting

Item Consent1

Approve the minutes of the January 6, 2020 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on January 6, 2020 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 January 3, 2020, 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 January 3, 2020. 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, Nathan Green, and Terry Schaub. Also present were City Attorney Kent Hadenfeldt and City Manager Nathan Johnson. Absent: Scott Shaver.

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 Green that,

- a) The minutes of the December 16, 2019 Regular Meeting be approved,
- b) The appointment of Katie Camacho to the Community Redevelopment Authority, to fill the unexpired term of Cathy Eastman, be approved, "YEAS," McKerrigan, Green Schaub, and Gonzales. "NAYS," None. Absent: Shaver.

Moved by Council Member Schaub, seconded by Council Member Green, that the following claims, be approved and paid as provided by law out of the respective funds designated in the list of claims dated January 6, 2020, as on file with the City Clerk and submitted to the City Council, "YEAS", Green, Schaub, Gonzales, and McKerrigan. "NAYS," None. Absent: Shaver.

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,441.84; ADVANCE AUTO PARTS,POLICE #2- ROTORS & PADS,375.66;ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4026.57; AMAZON.COM HEADQUARTERS,MISC.,302.57; ANDERSON FORD INC,CIP-PO-PATROL CARS,31537; AUTOZONE STORES, INC,PARKS #318- WATER PUMP, THERMOSTADT, FAN CLUTCH,131.3;B & H INVESTMENTS, INC,DEP. SUP. - LIBRARY,218.5; B&C STEEL CORPORATION,MEZZANINE STORAGE CATWALK FOR PUBLIC SAFETY BUILD,15558.14; BACK COUNTRY BADGER,EQUIPMENT,7890; BEEHIVE INDUSTRIES,LLC,GIS CNTRCL SRVCS,3000; BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,5206.54; BLUFFS SANITARY SUPPLY INC.,BREAKROOM & CLEANING SUPPLIES,570.15; BRUNNER UPHOLSTERY,VEHICLE MAINT PARK,350; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,453.99; CARLSON, DEBRA,ADV TRAVEL FOR

CONFERENCE,52;CARR- TRUMBULL LUMBER CO, INC.,SUPP - ANCHORS, HEMMER BIT,194.72; CELLS CO PARTNERSHIP,CELL PHONES-PD,1457.74; CHRIS BURBACH,2020 GFOA AIR FARE REIMB.,599.3; CITIBANK N.A.,PRINTER FOR COMPOST FACILITY,942.02; CITIBANK, N.A.,BUILD. MAIN. KEYLESS PAD FOR OFFICE,119; CITY OF SCB,PETTY CASH,25.7; COLE TOOL DISTRIBUTORS LLC,CENTRAL GARAGE- BOLT EXTRACTOR,211.85; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,INSURANCE,48.7; COMMERCIAL RECREATION SPECIALISTS INC,GROUND MAINT PARK,147.77; CONTRACTORS MATERIALS INC.,SUPP - ANCHORS,314.53; CRESCENT ELECT. SUPPLY COMP INC,SUPP - SCREWDRIVERS, DRILL BITS,126.04; CYNTHIA GREEN,DEP. SUP.,125.56; D & H ELECTRONICS INC.,BATT GEL FOR MESSAGE BOARD AT 27TH ST BY HIGH SCHO,165.06; DALE'S TIRE & RETREADING, INC.,TIRES FOR LOADER,6946.75; DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,103.18; DUANE E. WOHLERS,HAULING RECYCLING TO DENVER, CO,1600; DXP ENTERPRISES INC,CALIBRATION GAS FOR ATMOSPHERE MONITORS,573.95; ENVIRONMENTAL ANALYSIS SOUTH, INC,CONTRACTUAL SVC,910.4; FAT BOYS TIRE AND AUTO,VEH MAINT PARK,761; FEDERAL EXPRESS CORPORATION,POSTAGE,46.55; FLOYD'S TRUCK CENTER SCOTTSBLUFF,ES #818- FILTERS,291.13; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,270; FREMONT MOTOR SCOTTSBLUFF, LLC,VEH MAINT PARK,200; GALLS INC,EQUIP/UNIFORMS-PD,811.04;GENERALELECTRICCAPITALCORPORATION,DEPT/EQUIP-PD,480.28;GFOA,MEMBERSHIP.C.BURBACH,150;HAWKINS,INC.,CHEMICALS,3085.45;HOLIDAY INN - KEARNEY,BUS. TRVL.,109.95;HORIZON WEST, INC,PARTS FOR TREE DUMP,237; HULLINGER GLASS & LOCKS INC.,VEH MAINT-PD,8.5; HYDROTEX PARTNERS, LTD,CENTRAL GARAGE- OIL,3413.39; ICC CERTIFICATION SERVICES,DEPT MMBRSH,135; IDEAL LAUNDRY AND CLEANERS, INC.,GROUND MAINT PARK,1908.66; INGRAM LIBRARY SERVICES INC,BKS.,43.92; INTERNAL REVENUE SERVICE,WITHHOLDINGS,56996.27; INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS,DEPT POSTAGE,28; INTRALINKS, INC,DATTO SIRIS - ADMINISTRATION,7920.5; J G ELLIOTT CO.INC.,NOTARY BOND-PD,70; JEFFREY F MARTISCHEWSKY,CITY HALL - LIGHT REPLACEMENT,7165.71; JOHN DEERE FINANCIAL,UNIFORMS & CLOTHING,178.92; JOHN DEERE FINANCIAL,BLDG MAINT PARK,30.29; JOHN DEERE FINANCIAL,EQUIP MAINT PARK,293.14; JULIUS D KONCABA,EQUIPMENT,1345.5; KEARNEY HOSPITALITY INC,SCHOOLS & CONF-PD,98.96; KNOW HOW LLC,ES #818- HYD HOSE FITTINGS AND HOSE,1550.97; KRIZ DAVIS,ELECT. SUPP - WIRE,161.07; LAWSON PRODUCTS, INC,CENTRAL GARAGE- SHOP SUPPLIES,177.76; LEAGUE ASSOCIATION OF RISK MANAGEMENT,ENDORSEMENT #9 - WATER & WW VEHICLES,1343.12;M.C. SCHAFF & ASSOCIATES, INC,ENG. SERV. - PARKING STUDY, TRAF.CTS, AERIALS,2228.75; MATHESON TRI-GAS INC,DEPT SUPP PARK,256.47; MCKINEY MANUFACTURING & SALES LLC,ECON.DEV. ASSISTANCE AGREEMENT,90000; MENARDS, INC,DEPT SUIPP PARK,1075.33; METECH RECYCLING, INC,E-WASTE RECYCLING CHARGES,12891.04; MIDLANDS NEWSPAPERS, INC,LEGAL NOTICE,15.27; MID-STATES ORGANIZED CRIME INFORMATION CENTER,MEMBERSHIP-PD,200; MOTOROLA SOLUTIONS, INC,EQUIP MAINT-PD,388.36; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1107.1; NE DEPT OF REVENUE,TAXES,23923.22; NEBRASKA ASSOCIATION OF CHIEF'S OF POLICE,MEMBERSHIP-PD,50; NEBRASKA MACHINERY CO,EQUIPMAINTADM,213.53; NEBRASKA PUBLIC POWER DISTRICT,ELECTRICITY,20942.77; NEBRASKA SALT AND GRAIN CO,2 LOADS ICE SLICER,12919.86; NEMNICH AUTOMOTIVE,PARKS #396- ALIGNMENT,159.76; NETWORKFLEET, INC,GPS SERVICE,350.2; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,EQUIP MAINT,39.11; ONE CALL

CONCEPTS, INC, CONTRACTUAL, 46.48; OREGON TRAIL PLUMBING, HEATING & COOLING INC, REPAIRS TO THERMOCYCLER, 95; PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 415; PLATTE VALLEY BANK, HEALTH SAVINGS ACCOUNT, 9609.26; POSTMASTER, POSTAGE, 1079.58; QUILL CORPORATION, DEPT/INV SUPPL-PD, 111.96; REGIONAL CARE INC, CLAIMS, 270675.26; REGISTER OF DEEDS, LEGAL, 172; RODRIGUEZ JOSE R, TOW SERVICE-PD, 325; RON'S TOWING, TOW SERVICE-PD, 175; ROOSEVELT PUBLIC POWER DISTRICT, DECEMBER ELEC, 3890.92; S M E C, SMEC, 146.5; SANDBERG IMPLEMENT, INC, EQUIP MAINT PARK, 662.06; SCB COUNTY TREASURER, EQUIPMENT, 1860.28; SCB FIREFIGHTERS UNION LOCAL 1454, FIRE EE DUES, 225; SCHOOL-TECH, INC, DEPT SUPPL-PD, 144.88; SCOTTS BLUFF COUNTY COURT, LEGAL FEES-PD, 289; SCOTTSBLUFF MOTOR CO, INC, EQUIPMENT, 53910.63; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES, 650; SCOTTSBLUFF WINSUPPLY COMPANY, DEPT SUP, 339.46; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE, MEMBERSHIP, 6561; SHERIFF'S OFFICE, LEGAL FEES-PD, 597.86; SIMON CONTRACTORS, SNOW HAUL, 8481.2; SIRSI CORPORATION, CONT. SRVCS., 1169.98; SNELL SERVICES INC., BLDG MAING PARK, 1709.53; SONNY'S TOWING, TOW SERVICE-PD, 190; SOUNDSLEEPER SECURITY INC., CONTRACTUAL-PD, 14.95; STATE HEALTH LAB, SAMPLES, 416; STATE OF NE., CONTRACTUAL-PD, 735; SUHOR INDUSTRIES, INC., DEPT SUPP, 220; THOMPSON GLASS, INC, VEH MAINT PARK, 238.2; TRANS IOWA EQUIPMENT LLC, TRANS STOCK- SCREWS, WEAR PLATE, BOLTS, 633.51; TWIN CITY AUTO, INC, SPRING KIT FOR PICKUP, 12.12; TYLER TECHNOLOGIES, INC, UB ONLINE 1/1/20 - 1/31/20, 348; UNION BANK & TRUST, RETIREMENT, 37094.56; US BANK, REPAIRS - SANITATION DEPT, 7826.67; VOGEL WEST, INC, PARTS FOR SNOW BLOWER - SWITCH, 110.44; WATERBED SHOWCASE INC, FIVE MATTRESSES FOR STATION 1, 1100; WATSON MACKENZIE, ADV TRAVEL FOR CONFERENCE, 52; WESTERN COOPERATIVE COMPANY, EQUIP MAINT, 103.15; WHITING SIGNS, DECALS FOR FIRE APPARATUS AND VEHICLES, 1937.46; WYOMING CHILD SUPPORT ENFORCEMENT, CHILD SUPPORT, 738.08; WYOMING FIRST AID & SAFETY SUPPLY, LLC, FIRST AID KIT SUPPLIES, 184.57; WYOMING WATER DEVELOPMENT OFF, PAWS FEASIBILITY STUDY, 4566.25; ZM LUMBER INC, DEPT SUPP PARK, 77.22; REFUNDS, STONEY CREEK HOMEOWNERS ASSOC., 1,476.85; ENEDELIA PARRA, 30.46; ALYSE ECKERT, 18.20; SALVADOR MUNOZ, 15.92.

City Manager Johnson presented the November 2019 Financial Report, explaining the report contains the hail insurance proceeds from the League Association of Risk Management (LARM) and also some bond payments.

Mayor Gonzales read the Proclamation naming January as Radon Action Month.

Council introduced Ordinance No. 4251 adopting the International Building Code 2018 Edition, with Appendix F and International Residential Code 2018 Edition and was read by title on third reading: **AN ORDINANCE DEALING WITH THE BUILDING CODE, ADOPTING THE INTERNATIONAL BUILDING CODE 2018 EDITION, WITH APPENDIX F, AND THE INTERNATIONAL RESIDENTIAL CODE 2018 EDITION EACH WITH EXCLUDED PORTIONS; AMENDING CURRENT SECTIONS OF THE SCOTTSBLUFF MUNICIPAL CODE; REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.** Moved by Council Member Schaub, seconded by Council Member McKerrigan to approve Ordinance No. 4251 adopting the International Building Code 2018 Edition, with Appendix F, and the International Residential Code 2018 Edition each with excluded portions, "YEAS," Gonzales, Schaub, McKerrigan, and Green. "NAYS," None. Absent: Shaver.

Council introduced Ordinance No. 4252 setting forth rates on Outbound Mulch and Compost at City disposal sites and was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF DEALING WITH DISPOSAL OF TREES, BRUSH AND YARD WASTE AT CITY DISPOSAL SITES, AMENDING THE SCOTTSBLUFF MUNICIPAL CODE SECTION 6-6-26, SETTING FORTH RATES FOR OUTBOUND MULCH AND COMPOST, REPEALING THE FORMER SECTION, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.** Council Member Green asked for clarification on the Ordinance asking if it was just to repeal the fee schedule and not the ability to take in items such as trees, brush and yard waste. City Manager Johnson answered it would be the fee schedule for inbound material. Council Member Schaub made the motion, seconded by Council Member McKerrigan to adopt Ordinance No. 4252 setting forth rates on Outbound Mulch and Compost at City disposal sites, “YEAS,” Schaub, McKerrigan, and Gonzales. “NAYS,” Green. Absent: Shaver.

Mr. Scott James, President of Factory Crimp Services, Inc. approached Council concerning an Economic Development Agreement, explaining the assistance of \$75,000 will be used to fund the creation and build-out of the business; they are taking assembly from CS Precision in Gering and Couplematic in Scottsbluff where they will do final assembly for equipment manufacturers. They will start with five full time employees, which will give them two crimp lines resulting in around 400,000 assemblies per year. Council Member Schaub, seconded by Council Member McKerrigan made the motion to, approve the Economic Development Agreement for Factory Crimp Services, Inc. and authorized the Mayor to sign the Agreement, “YEAS,” Gonzales, Green, McKerrigan, and Schaub. “NAYS,” None. Absent: Shaver.

Mr. Johnson explained the Permission and Indemnity Agreement with Regional West Medical Center, stating this agreement allows the City to place snow fence at 42nd Street on real estate owned by Regional West Medical Center. Council Member Green asked if any maintenance would have to be done other than putting the fence up and taking it down. Legal Counsel Hadenfeldt answered no; the hospital wanted a permissive agreement in writing. Council Member Schaub made a motion, seconded by Council Member McKerrigan, to approve the Permission and Indemnity Agreement to place snow fence on Regional West Medical Center property and authorize the Mayor to sign the agreement, “YEAS,” McKerrigan, Green, Schaub, and Gonzales. “NAYS,” None. Absent: Shaver.

Regarding the Estoppel Certificate (Solar Facilities Lease Agreement – Scottsbluff Project), Legal Counsel Hadenfeldt explained this Estoppel Certificate is the final phase of the lending for the solar project on the north side of town with entity WESTERN MEADOWLARK SOLAR SCS NE I, LLC. Mr. Hadenfeldt further explained an Estoppel Certificate is required by a lender of a tenant to say a lease is in place for them to operate a solar facility and that they are not in default of any way. If they are in default, the City agrees to send a copy of the notice to the lender to give them an opportunity to cure any default before the lease is terminated. Council Member McKerrigan made the motion, seconded by Council Member Green to, approve the Estoppel Certificate (Solar Facilities Lease Agreement - Scottsbluff project and authorize the Mayor to sign the Certificate, “YEAS,” Green, Schaub, Gonzales, and McKerrigan. “NAYS,” None. Absent: Shaver.

Mr. Tom Schingle, Fire Chief, approached Council regarding the Agreement between the City of Scottsbluff and the Scottsbluff Rural Fire Protection District. Mr. Schingle explained this Agreement states any time there is a structure fire or any other emergency, agreed upon by both Fire Chiefs, dispatch will automatically send both agencies to the location. Mr. Schingle added the agencies have been working together more frequently and feel the automatic aid will get them both out the door quicker with personnel on scene, especially with structure fires. Mayor Gonzales asked in the future that Chief Schingle give a report on the calls they overlap for Council review. Council Member Schaub made a motion, seconded by Council Member Green to, approve the Agreement between the City of Scottsbluff

and the Scottsbluff Rural Fire Protection District to be automatically dispatched to fires and other emergencies within each jurisdiction and authorize the Mayor to sign the Agreement, “YEAS,” Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: Shaver.

Under Council Reports Council Member Schaub stated he has a Region 22 Emergency Management Meeting on Wednesday at noon and a 911 Committee Meeting on January 21st. Mayor Gonzales added there is a PADD Meeting Thursday at noon at the Scottsbluff/Gering United Chamber of Commerce Board Room

Council Member Schaub made the motion, seconded by Council Member Green, to adjourn the meeting at 6:25 p.m., “YEAS,” Schaub, McKerrigan, Gonzales, and Green. “NAYS,” None. Absent: Shaver.

Attest:

Mayor

City Clerk “SEAL”