

City of Scottsbluff, Nebraska

Monday, May 4, 2020

Regular Meeting

Item Consent1

Approve the minutes of the April 20, 2020 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on April 20, 2020 at 6:00 p.m. Due to ongoing COVID 19 precautions and pursuant to a Limited Waiver Executive Order by Governor Ricketts the meeting was conducted by teleconference. A notice of the meeting had been published on April 17, 2020 in the Star Herald, a newspaper published and of general circulation in the City. The notice stated the date, hour and that the meeting would be held by teleconference by calling 1-866-414-2828, Participant Code 68919#. The notice also stated 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 by calling (308) 630-6221 during regular business hours; 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 April 17, 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 meeting asking those wishing to speak to 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 included in the City Council packet and available online at Nebraska.gov/open-meetings. He asked anyone that is not an active participant in the meeting to mute their phone to avoid background noise during the meeting. He also reminded Council Members to identify themselves before making or seconding motions, for the record. The following Council Members were present: Raymond Gonzales, Jeanne McKerrigan, Scott Shaver, Nathan Green, and Terry Schaub. Also present on the teleconference were City Attorney Kent Hadenfeldt and Interim City Manager Rick Kuckkahn, along with Public Works Director Mark Bohl, Economic Development Director Starr Lehl, Dave Schaff with M.C. Schaff and Associates and Mark McCarthy of the Star Herald. 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.

Regarding the consent calendar, Council Member Green stated that Dave Schaff was not included in the April 6, 2020 minutes as being present on the call and asked that the minutes be amended to add him to the list of people present on the teleconference. With that, Council Member Green moved that the consent calendar be approved, with the addition of adding Dave Schaff to the roll call of those who were present at the April 6, 2020 meeting. This was seconded by Council Member Shaver. "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales. "NAYS," None. Absent: None.

Moved by Council Member McKerrigan, 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 April 20, 2020, 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

ACCELERATEDRECEIVABLESOLUTIONS,WAGEATTACHMENT,441.84;ACTIONCOMMUNICATIONS INC.,CIP-PO PATROL CARS,3348.01; ADVANCE AUTO PARTS,DIESEL EXHAUST FLUID,58.3; AUTOZONE STORES, INC,VEH MAINT-PD,24.16; B & H INVESTMENTS, INC,SUPP - WATER,87.5; BH MEDIA GROUP INC.,LEGAL NOTICE,11.92; BLUFFS SANITARY SUPPLY INC.,JAN. SUP.,160; CAPITAL BUSINESS SYSTEMS INC.,COPIER LEASE,253.23; CELLCO

PARTNERSHIP,CELL PHONES,590.47;CITIBANK N.A.,INK, OFFICE CHAIRS, & SUPPLIES,647.46;CITY OF GERING,TRASH AND RECYCLING DISPOSAL MARCH 2020,41295.52; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,EE LIFE INS,48.7; COMPUTER CONNECTION INC,CONTRACTUAL-PD,44;CONTRACTORS MATERIALS INC.,CAUTION TAPE,229.5; CREDIT BUREAU OF COUNCIL BLUFFS,MONTHLY FEE - MARCH 2020,50; DALE'S TIRE & RETREADING, INC.,TIRES FOR UNIT #827,656.68; ELISA GARTON,COVID-19 SUPPLIES,19.74; ELLIOTT EQUIPMENT COMPANY INC.,ES UNIT #818-SWITCH ROTARY,48.91; FERGUSON SIGNS, INC,CITY HALL FRONT SIGN,4460; FLOYD'S TRUCK CENTER SCOTTSBLUFF,REPAIRS TO UNIT #824,9294.7; FYR-TEK INC,PERSONAL PROTECTIVE EQUIPMENT EXTRACTOR (WASHER),5365; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1390;HYDROTEX PARTNERS, LTD,CENTRAL GARAGE-OIL,1537.62; IDEAL LAUNDRY AND CLEANERS, INC.,UNIFORMS-PD,736.48; INDEPENDENT PLUMBING AND HEATING, INC,LACY PARK,864.6; INTERNAL REVENUE SERVICE,941 DEPOSIT,56134.57; INTRALINKS, INC,CONTRACTUAL - MARCH,5840.88; INVENTIVE WIRELESS OF NE, LLC,CAMPGROUND INTERNET,35.9; J G ELLIOTT CO.INC.,PUBLIC OFFICIAL BOND - KIM WRIGHT,945; JOHN DEERE FINANCIAL,OIL FILTER,41.11; KNOW HOW LLC,VEHICLE MAINT,228.34; LEE BHM CORP,MARCH ADVERTISING,5155.34; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; M.C. SCHAFF & ASSOCIATES, INC,ENG. SERVICES FOR CHIP SEAL PROJECT,8683.47; MATHESON TRI-GAS INC,RENT - MACHINES,66.18; MENARDS, INC,CAUTION TAPE,128.01; MIDLANDS NEWSPAPERS, INC,SUBSCRIPTION - 2525 CIRCLE DRIVE,213.2; MIDWEST CONNECT, LLC,UB PROCESSING,944.93;MOBIUS COMMUNICATIONS COMPANY,REPAIR PANIC BUTTONS - CITY HALL,111.27;MUNIMETRIX SYSTEMS CORP,IMAGESILO - MARCH 2020,39.99; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1120.1; NE DEPT OF REVENUE,WAGE ATTACHMENT,422.25; NEBRASKA MUNICIPAL POWER POOL,MEMBER DUES,4941.31; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,42848.98; NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL SVC,332.5;NEBRASKALAND TIRE, INC,POLICE #1- TIRES,588; NETWORKFLEET, INC,GPS SERVICES FOR FLEET,254.45; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SVCS.,378.16;ONE CALL CONCEPTS, INC,LOCATES,109.06; PANHANDLE COOPERATIVE ASSOCIATION,FLEET DIESEL/PROPANE,14298.24; PLATTE VALLEY BANK,EE HSA,10349.5; POWERPLAN,REPAIRS FOR COMPOST TURNER,458.26; PRAISE WINDOWS INC,BLDG MAIN.,690; PRO OVERHEAD DOOR,18' DOOR REPAIR,148.5; QUILL CORPORATION,DEPT SUPPL-PD,446.98; REGIONAL CARE INC,FLEX CLAIMS,380; REGISTER OF DEEDS,DEED OF BURIAL,20;S M E C,SMEC,130.5; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,300; SCOTTS BLUFF COUNTYCOURT,LEGALFEES-PD,221;SCOTTSBLUFFPOLICEOFFICERSASSOCIATION,POLICE EE DUES,1092; SCOTTSBLUFF PUB SCHOOLS,LICENSE FEES PAYABLE,6565; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,EMPLOYEE SERVICE AWARDS,254; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,15010.79; STADRI EMBLEMS,FLAG PATCHES FOR UNIFORMS,72.99; TYLER TECHNOLOGIES, INC,ONLINE UB FEES,3137.5;UNION BANK & TRUST,EE RETIREMENT W/Hs,30986.87; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,62.65; US BANK,2018 GO HWY BONDS - INT PMT,35358.07; WESTERN FARMS, LLC,CONSTRUCTION DRAW 2,214146.76; WESTERN PATHOLOGY CONSULTANTS, INC,CONTRACT SERVICES - DOT TESTING,203.75; WESTERN

TRAVEL TERMINAL, LLC,VEH MAINT-PD,576; WOODS & AITKEN LLP,UNION NEGOTIATIONS,2850;WYOMING CHILD SUPPORT ENFORCEMENT,EE CHILD SUPPORT,738.08; REFUNDS; R & K LAND CO LLC, 142.12; MANDY NATALE, 39.96; JANIE GONZALES, 100; TOBY ROGERS, 11.59; CINDY WEINMASTER, 88.89.

The March 2020 Financial Report was presented with Mayor Gonzales reminding Council the sales tax numbers they just received are for the month of February, as they are sent two months in arrears; we will not start to see the impact of COVID-19 until May and June when the next report comes out. Mr. Kuckkahn then asked if there were any questions from Council regarding the report. There were none.

City Manager Kuckkahn brought forward the agenda item of awarding the bid for the Water and Wastewater Utility Relocations for the Scottsbluff Pathway Project to Infinity Construction in the amount of \$368,041. He started discussion by stating this is one of the items we need to accomplish to be able to complete the Pathway project; the location is on the Scotts Bluff Drain, north of the ball fields, west of the high school. He added the piping will be located south of the highway and because of the proximity of the Scotts Bluff Drain there is more ground water which will have to be pumped out and removed, resulting in a higher bid for the dewatering. Council Member Shaver asked why the engineer did not take that into account when he put his estimate out. Mr. Dave Schaff with M. C. Schaff and Associates answered Council Member Shaver, stating, in their estimate there is dewatering money added; they had many conversations with local contractors and the risk for this project is fairly high, that is why they only had one contractor that was willing to work with them on the project. In addition to the contractor's cost is the relocation of utilities and bypass pumping for the sewer. Mr. Schaff did mention the contractor stated if those items did not pose an issue during the construction he would work with them on the cost during the construction portion of it.

After discussion, Council Member Schaub made a motion, seconded by Council Member Green to approve awarding the bid for the Water and Wastewater utility Relocations for the Scottsbluff Pathway Project to Infinity Construction in the amount of \$368,041., "YEAS," Gonzales, Schaub, McKerrigan, and Green. "NAYS," Shaver. Absent: None.

Regarding discussion and instruction to staff concerning filing of LB357 tax authorization for a November ballot vote, Mr. Kuckkahn stated we have a September 1st deadline to get our ballot request into the County; the reason this is on the agenda is to give Council the opportunity to look at the ballot question. He also stated a couple of organizations have expressed interest in promoting the ballot question, but given the circumstances he thought it would be a good idea to bring it forward now. He also reminded Council it can be tabled until a future meeting until we see how the virus situation plays out.

Council Member Shaver asked if the organizations wanted some of the money or if they wanted to help push it. Mr. Kuckkahn answered, stating, there is an interest in sharing the money. Council Member Shaver also added the only way he feels it will pass is if we do something specific such as storm water.

Council Member Green commented he would be more inclined to table the issue until we had more positive numbers, he does not want to have a citizen vote asking them to be taxed more.

Council Member Schaub added storm water is a priority, but he also sees a need for street projects. He feels adding a pool to the language would be minimal.

Council Member McKerrigan asked Mr. Kuckkahn if we do not put this on the ballot in November when would be the next time to do so. Mr. Kuckkahn stated in two years, the next election cycle. Council Member McKerrigan also commented she does not think this will pass even if storm water is in the language. She cited a lot of companies are having hard times right now.

Council Member Schaub asked to table now, get thru COVID-19 and revisit this at the end of May or first part of June. With that statement, Council Member Green moved, to table discussion and

instruction to staff concerning filing of LB357 tax authorization for a November ballot vote until the second meeting in June, which would be June 15th. This was seconded by Council Member Schaub. “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

Concerning the update on the FY 2020-2021 budget, Mr. Kuckkahn informed Council he would like to postpone budget discussions until as far as reasonable. He went on to mention there is a September 20th budget deadline to the State and he would like to hold off until we get as much sales tax number data as we can before looking at revenues. He added Finance Director Hilyard will be working on expenditures and some of the more predictable revenue numbers between now and then. He also indicated with interviews for the new city manager being held in early June, it would be good to have the new manager on board for budget discussions. He also commented he does not know how the State will handle the budget process this year, but we will still focus on having it sent in on September 20th.

Mr. Kuckkahn gave information to Council regarding decisions in response to COVID-19. He started by stating we try to send out a daily update with new information and in regards to the City we now have three confirmed cases; two are quarantined and two have returned from quarantine. Most of the impact for us was in the sanitation department. We have not been directly affected as an organization with the virus as we have not had to close any of our operations down because we have been protective; what we do has to be done. He asked Council to view, if they have not already, the video the Police and Fire Department made in regards to COVID-19, stating it gives a positive message as well as a fun thing for the departments to do. He complimented Finance Director Hilyard for her input with this project. He ended discussion by stating he, as well as Council, will probably feel pressure to open things up and we will do our best job to get things up and running, but we will need to follow the Governor’s lead as well as the recommendation from Region 22 before that can be done. Council Member Green asked if we have a check list in place to when we can open things back up. Mr. Kuckkahn answered, stating, Kevin Spencer and Tim Newman are working on that, but ultimately operational decisions are made by him. Council Member Shaver asked why the playground equipment is not open since Ultra Violet Rays kills COVID-19. Mr. Kuckkahn stated it is not the equipment that is the issue but the proximity of the users on the equipment and they have posed the question to the County Health Department and they are waiting for a response. Once the response becomes available, he will pass it on.

Under Council Reports, Council Member Shaver stated the 911 meeting has been postponed. Council Member McKerrigan gave an update on the Senior Center stating she has been in contact with them and things are going well; they are doing more deliveries and pickup and have not seen a decline in meals. Council Member Schaub gave an update on the WNED meeting held on April 9th. He stated they discussed legislative session updates including property tax, the regional landfill and COVID-19. Mayor Gonzales added he was on a call with WNED regarding land banks where they discussed appointing citizens from the community to be on the land bank committee. They also discussed creating a platform and looking at funding from communities, grants, and the private sector. He also explained PADD is looking for a new director in spite of the COVID-19 pandemic; they have three applications and will be delaying interviews if they possibly can. They will be starting budget discussions and could possibly increase memberships due to budget shortfalls. They will be making a presentation to Council in the future concerning PADD activities.

Council Member Schaub made a motion, seconded by Council Member Green to adjourn the meeting at 6:46 p.m., “YEAS,” Gonzales, Green, McKerrigan, Shaver, and Schaub. “NAYS,” None. Absent: None.

Attest:

Mayor

City Clerk
“SEAL”