

City of Scottsbluff, Nebraska

Monday, June 1, 2020

Regular Meeting

Item Consent1

Approve the minutes of the May 18, 2020 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on May 18, 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 May 15, 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 and that anyone attending was encouraged to wear a mask and to respect social distance guidelines. It also stated 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 May 15, 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 and 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 were City Attorney Kent Hadenfeldt and Interim City Manager Rick Kuckkahn.

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 May 4, 2020 Regular Meeting be approved, "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales, "NAYS," None. 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 May 18, 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

911 CUSTOM, LLC,CIP-PO-PATROL CARS,1397; ACTION COMMUNICATIONS INC.,TORNADO SIREN - 27TH ST & HWY 26,27438.08; ADVANCE AUTO PARTS,ES STOCK- DEF,298.1; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4048.5; AL'S TOWING,TOW SERVICE-PD,85;ANITA'SGREENSCAPINGINC,CONT.SRVCS.,255;ASSURITY LIFE INSURANCE CO,LIFE INSURANCE,32.95; B & H INVESTMENTS, INC,SALT UNIT RENTAL & FINANCE CHARGE,31; BERNHARDT JUSTIN,TOW SERVICE-PD,515; BLUFFS SANITARY SUPPLY INC.,DEPT SUPPL-PD,762.25; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL-PD,46.99; CELLCO PARTNERSHIP,CELL PHONES,343.46; CITY OF SCB,PETTY CASH,55.79;

COMMERCIAL COOLANTS INC,REIMB FOR PERMIT 2-19,60; COMPUTER CONNECTION
 INC,CONTRACTUAL-PD,44; CORE & MAIN LP,METERS,6623.29; CREDIT BUREAU OF
 COUNCIL BLUFFS,FEE - APRIL 2020,50; CYNTHIA GREEN,DEPT SUPP ADM,349.98; DALE'S
 TIRE & RETREADING, INC.,TIRE REPAIRS,2484.47; DANKO EMERGENCY EQUIPMENT
 COMPANY,5 INCH STORZ ADAPTERS FOR TOWER 1,507.15; DELORES NUSS,REIM PARK
 SHELTER,25; EBSCO INDUSTRIES, INC,SBSCR.,1250; FASTENAL COMPANY,SUPP - BOLTS
 STREET,31.74; FEDERAL EXPRESS CORPORATION,POSTAGE,107.56; FLOYD'S TRUCK
 CENTER SCOTTSBLUFF,RADIATOR CORE AND TANK FOR ENGINE 2,1089.65; FRANCISCO'S
 BUMPER TO BUMPER INC,TOW SERVICE-PD,220;GRAY TELEVISION GROUP
 INC,CONTRACTUAL SVC,1390; HULLINGER GLASS & LOCKS INC.,DEPT SUPP PARK,11;
 HYDROTEX PARTNERS, LTD,DEPT SUPP PARK,778.26; IDEAL LAUNDRY AND CLEANERS,
 INC.,UNIFORMS-PD,509.75; INDEPENDENT PLUMBING AND HEATING, INC,GROUND
 MAINT PARK,21.2; INTERNAL REVENUE SERVICE,WITHHOLDINGS,56634.22;
 INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS,DEPT MMBRSHP,120;
 INTRALINKS, INC,CONTRACT SERVICES - APRIL 2020,1225.24; INVENTIVE WIRELESS OF
 NE, LLC,INTERNET,35.9; JOSEPH LOVELIDGE,REIMB FOR PARK SHELTER,25; KEMBEL
 SAND & GRAVEL COMPANY,DEPT SUPP CEM,126.58; KNOW HOW LLC,DEF AND
 HEADLIGHT,192.04; LANDAUER, INC,EQUIP MAINT-PD,172.25; LEAGUE ASSOCIATION OF
 RISKMANAGEMENT,WORKCOMPDEDUCTIBLE,2307.28; BHM CORP,PUBLICATIONS,1727.48;
 LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; M & M GREEN RENTALS
 LLC,CONTRACUTAL-PD,906.32;M.C. SCHAFF & ASSOCIATES, INC,DEPT CNTRCL
 SRVCS,2540; MADISON NATIONAL LIFE,INSURANCE,2518.57; MATHESON TRI-GAS
 INC,RENT-MACHINES,64.62;MENARDS,INC,DEPTSUPPL-PD,437.77;MONUMENTCARWASH
 INC,VEHICLE MAINT,48.45; MUNIMETRIX SYSTEMS CORP,IMAGESILO - APRIL 2020,39.99;
 NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,916.6; NE DEPT OF
 REVENUE,WITHHOLDINGS,29984.76; NEBRASKA FIRE CHIEFS' ASSOCIATION,ANNUAL
 DUES FOR MUNICIPAL FIRE CHIEFS AND NFPA,525; NEBRASKA INTERACTIVE,
 LLC,DRIVERS LIC. REQ. - APRIL 2020,30; NEBRASKA PUBLIC POWER
 DISTRICT,ELECTRIC,42429.37; NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL
 SVC,317.5;NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT
 PARK,307.78; ONE CALL CONCEPTS, INC,CONTRACTUAL,119.39; PANHANDLE
 COOPERATIVE ASSOCIATION,FLEET FUEL,7689.27; PANHANDLE ENVIRONMENTAL
 SERVICES INC,SAMPLES,140; PH&S PRODUCTS LLC,INVEST SUPPL-PD,250; PLATTE
 VALLEY BANK,HEALTH SAVINGS ACCOUNT,10489.5; QUADLENT LEASING USA INC,CONT.
 SRVCS.,585.56; QUILL CORPORATION,DEPT SUPPL-PD,122.31; REAMS SPRINKLER SUPPLY
 CO.,GROUND MAINT PARK,364.44; REGIONAL CARE INC,CLAIMS,8395.69; RODRIGUEZ JOSE
 R,TOW SERVICE-PD,95; RON'S TOWING,TOW SERVICE-PD,350; S M E C,EMPLOYEE
 DEDUCTION,130.5; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,300; SCHANHOLS
 MICHAEL,REIMB DUMPSTER,60.9; SCOTTIES POTTIES INC,CONTRACTUAL,720; SCOTTS
 BLUFF COUNTY COURT,LEGAL FEES-PD,119; SCOTTSBLUFF POLICE OFFICERS
 ASSOCIATION,POLICE EE DUES,1092; SHERIFF'S OFFICE,LEGAL FEES-PD,483.32; SHERWIN

WILLIAMS, YELLOW, WHITE, RED & BLUE LATEX STRIPING PAINT, 23583; SIMMONS OLSEN LAW FIRM, P.C., LEGAL, 12511.29; SNELL SERVICES INC., EQUIP. MAIN., 4145.82; SOUNDSLEEPER SECURITY INC., CONTRACTUAL-PD, 44.85; SOUTHERN UNIFORM EQUIPMENT, MEDIUM AND LARGE UNIFORM T-SHIRTS, 425.76; THE PEAVEY CORP, INVEST SUPPL-PD, 476.6; TOYOTA MOTOR CREDIT CORPORATION, HIDTA CAR LEASE-PD, 343.53; UNION BANK & TRUST, RETIREMENT, 33491.42; UNITED STATES WELDING, TANK RENTAL, 44.41; W&R INC, EQUIP MAINT, 83.75; WATER ENVIRONMENT FEDERATION, MEMBERS HIPS, 83; WESTERN COOPERATIVE COMPANY, GROUND MAINT PARK, 2136.6; WESTERN TRAVEL TERMINAL, LLC, VEH MAINT-PD, 397; WOODS & AITKEN LLP, PROF SERVICES THRU 4/30/20, 2160; WYOMING CHILD SUPPORT ENFORCEMENT, CHILD SUPPORT, 738.08; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE, YMCA, 1530; REFUNDS; SMITH LAND, 4.87; KIRK BARGE, 2.51; GERRY HRASKY, 16.56

Interim City Manager Kuckkahn presented the April 2020 Financial Report updating Council on questions regarding the revenue stream due to COVID-19 events. He broke down different items that are listed below:

- Sales Tax Receipts – We are up 4.3 % as compared to the prior year; the receipts are for May and reflect March spending. Projections are showing most municipalities will have decreased sales tax revenues in the 20-40% range.
- NPPD Lease Payments – April electric use for Scottsbluff is up 7.16 % as compared to the prior year, however the regional load is down 8-10% and statewide electric sales are down 8-12%; we are countertrending in this area. The general fund receives \$2,700,000.00 from this franchise fee.
- Hotel Occupation Tax – For April, the March stays are down 50%. Revenues for April and May are projecting to be down approximately 90%, based on an informal poll done with local hotels. This occupation tax usually amounts to around \$300,000.00.
- Gas Tax Receipts – All receipts in May were consistent with prior years. NDOT traffic counts on highways, interstates and rural roadways are down between 20 and 35%. This is a pretty good measure to help us determine what the impacts might be. Normally we budget around \$1,800,000.00 in the streets fund, but it looks to be more like \$1,600,000.00, which is down a bit.
- LB840 Loan Repayments – Payments were waived for 90 days for the LB840 borrowers and the 90 days will be up in June. At that time we will determine when we will collect loan payments again. Monthly receipts on loan payments are around \$25,000.00 per month. Payments waived to date amount to approximately \$75,000.00. The only effect is on the Economic Development Fund.
- Utility Receivables – Currently past due receivables are only 6.2% of our outstanding receivable balances. We are currently not assessing late charges or shutoffs for any utility services for nonpayment.

- Expenses - Departments have been instructed to be frugal and wait to purchase items. We are trying to preserve all the cash that we can by spending carefully.
- Capital Expenditures – Total budget for current year is \$9,302,000.00. Items that will not be completed include \$2,789,000,000 in a transfer station and compost pad cover. Projects completed to date amount to \$765,000.00 and balance to complete is \$5,747,000.00 and of this \$2,410,000.00 will be debt issued for the chip seal project. Debt issuance is to maintain flexibility and preserve the cash balance that we have. Bonds are attractive at this time because they are short term general obligation bonds and we should have no concern with the ability to sell the bonds. Cash balance to complete is \$3,337,000.00 and we will move forward to complete these expenditures with property tax dollars which are stable at this point.

Mr. Kuckkahn started discussion regarding the Business Promotional Event Permit for the Downtown Scottsbluff Association, sponsors of the “Scottsbluff Farmer’s Market” stating we have no problems with this permit, however, we need to communicate some of the guidelines concerning COVID-19 to be able to provide the best practices. Council Member Shaver stated his concern is the people doing crafts are not collecting sales tax and just selling the items; until they start to collect the tax, he is not for it. He also asked if we were going to start charging a fee to use the park. Mr. Kuckkahn stated we have nothing in place right now to charge for the use of the Plaza. Council Member Green questioned why we are able to have this event, but not open up the parks with the playground equipment for children to play on. Mr. Kuckkahn answered we follow the Directed Health Measures from the Governor and the Governor has considered farmer’s markets to not be a place of public gathering under the statewide DHM because of the nature of the business conducted. Council Member McKerrigan made the motion, seconded by Council Member Schaub to approve the Business Promotional Event Permit for the Downtown Scottsbluff Association, sponsors of the “Scottsbluff Farmer’s Market” at the 18th Street Downtown Plaza on Saturday mornings, 6/6/20-9/26/20; 8:00 a.m. to 11:00 a.m., “YEAS,” Gonzales, Schaub, and McKerrigan. “NAYS,” Shaver and Green. Absent: None.

Fire Chief Tom Schingle approached Council regarding adopting the International Fire Code, 2018 Edition and approving the Ordinance. Mr. Schingle explained the State of Nebraska is updating their fire code and the City is required to update to the same or newer version. He stated we are transitioning from the National Fire Protection Association (NFPA) Uniform Fire Code (UFC) to the International Fire Code (IFC) in effort to harmonize with the locally-adopted building codes. He went on to add we addressed this item at a Council meeting two months ago and one of the concerns was about the residential sprinkler systems and not having enough information provided to the public. He added this has been exempted out of the code at this time. The other concern was the discussion of 6 gallons of flammable liquids in a residential area. This also has been struck and the language in the fire code will now reflect allowing up to 120 gallons, which can be increased if stored in a flammable liquids cabinet or having residential sprinklers. Mr. Schingle reminded Council this was approved by the Planning Commission at their January meeting.

Council Member Schaub introduced the Ordinance adopting the International Fire Code, 2018 Edition: **AN ORDINANCE DEALING WITH THE SCOTTSBLUFF FIRE CODE, ADOPTING PROVISIONS OF THE INTERNATIONAL FIRE CODE 2018 EDITION, WITH EXCLUDED PORTIONS; AMENDING CURRENT CHAPTERS, ARTICLES AND SECTIONS OF THE**

SCOTTSBLUFF MUNICIPAL CODE BY REPEALING OR REVISING CHAPTER 8, ARTICLES 1, 2 AND 3; CHAPTER 4, ARTICLE 1 AND CHAPTER 23, ARTICLES 2 AND 3; REPEALING PRIOR PROVISIONS OF THE SCOTTSBLUFF MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE. He also moved that the statutory rule requiring the Ordinance be read by title on three different days be suspended. This was seconded by Mayor Gonzales. “YEAS,” Schaub, McKerrigan, and Gonzales. “NAYS,” Green and Shaver. Absent: None. The motion was not approved by three-fourths of the Council Members and therefore the Ordinance will be read by title on three different days or a second time if the same motion is introduced at the next meeting.

City Manager Kuckkahn presented the TV and Digital Public Service Announcement Contracts for KNEB and NBC Nebraska for Stormwater Public Education explaining the reoccurring Contract total is \$23,000.00; Scottsbluff’s portion is 60% or \$13,846.50. This is split between Scottsbluff, Gering and Terrytown. Council Member Green stated he does not know what this is and asked for more explanation. Legal Counsel Hadenfeldt stated this is a requirement for the MS4 permit. We have to do so many hours of community service and this complies with that. These commercials appear during local news and weather to give public education on the subject. Council Member Schaub moved, seconded by Council Member Green to approve the TV and Digital Public Service Announcement Contracts for KNEB and NBC Nebraska for Stormwater Public Education and authorize the City Manager to execute the Contracts, “YEAS,” Gonzales, Green, McKerrigan, Shaver, and Schaub. “NAYS,” None. Absent: None.

Police Chief Kevin Spencer explained the Agreement with Copier Connection for the Police Department stating it is for maintenance on one of their copy machines; the Contract is \$520.00 per year or \$44.00 per month. Council Member Shaver asked if the Contract has changed since last year. Police Chief Spencer stated he did not think so. Council Member Shaver made the motion, seconded by Council Member Schaub to approve the Agreement with Copier Connection for the Police Department and authorize the Mayor to execute the Agreement, “YEAS,” McKerrigan, Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Absent: None.

Fire Chief Schingle was present to explain the Agreement between Western Nebraska Community College and the City of Scottsbluff Fire Department to allow Health Sciences Division Students obtain clinical experience by riding with the Fire Department. Mr. Schingle stated WNCC needed to make two amendments to the Agreement that was signed last year. The amendments include adding two new programs offered by the college and a change in the wording of paragraph 20, removing the word “student.” Mr. Schingle did mention during discussion that they have not had any students ride with them since the pandemic started due to classes not being conducted at the college. He also stated the updated three year Agreement will be utilized during the fall semester and will take affect when signed. Council Member Green moved, seconded by Council Member Shaver to approve the Agreement between Western Nebraska Community College and the City of Scottsbluff Fire Department to allow Health Sciences Division Students obtain clinical experience by riding with the Fire Department and authorize the Mayor to execute the Agreement, “YEAS,” Green, Schaub, Shaver, Gonzales, and McKerrigan. “NAYS,” None. Absent: None.

Regarding action on maintenance charges for year 2020 at Landers Soccer Field, Volunteer & Cleveland Fields, and 23 Club because of the COVID-19 Pandemic, Mr. Kuckkahn started by explaining

this could be a budget question. He then asked Council if the City should continue to bill these entities to use the fields or do we excuse payment in lieu of them not using the fields. He went on to add the City is still providing maintenance; staff's recommendation is to continue charging them. Council Member Shaver stated he agrees with staff, but would like to see in the next budget what it actually costs to maintain the fields. After discussion, Council consensus was to continue charging for the maintenance of the fields.

Mr. Kuckkahn started discussion on the City's response to COVID-19 by explaining the stance the City is taking with 23 Club because of the guidelines announced that youth baseball can resume in June. He explained there was a teleconference with the League of Nebraska Municipalities regarding clubs using City facilities for activities and two things were brought forward. The first was a model Resolution for Council to pass that turns the ball field over to 23 Club. He added the City, however, would still be responsible for field maintenance as the activity takes place. 23 Club would be responsible for waivers from participants, prep, insurance, separation, and controlling the bleachers; the City would not be involved in enforcing anything on the field. The other part of the update is there will be no Legion Baseball this year or adult softball.

Mr. Kuckkahn also stated, regarding COVID-19 and the City, there is a plan in place to open, but we will not rush opening the doors right now because we are providing all of our services effectively with the exception of the Library. He also added if we open and have everyone come back to work, we will need to look at having additional equipment on hand and will need to provide training with that equipment.

Legal Counsel Hadenfeldt, at the request of Mr. Kuckkahn, gave a brief explanation regarding Workman's Compensation and COVID-19. He stated any time an employee is injured or sustains an industrial illness; it has to be a direct result of their employment, adding the City does have insurance coverage with the League Association of Risk Management (LARM) to handle these types of claims. Mr. Kuckkahn further commented he wants the employees to feel that we are protecting their safety, stating the City has had cases and some close calls with cases, this exposure provides a high degree of sensitivity for employees and their families. He reiterated we are providing all of our services, even when there has been a direct impact on that service. He also added the plan the City has put in place explains the different degrees of opening and he is following the guidelines of the experts.

Council Member Schaub commented to him it feels excessive. He thinks it has gotten blown out of proportion, stating we are killing our economy; we need to get the businesses back to work.

Mayor Gonzales added he has talked to other Mayors in the area and they all want to get back to normal, but all agree to err on the side of caution.

Council Member McKerrigan told City Manager Kuckkhan he was doing a good job, stating anytime you have a business with 150 employees you have to factor in to keep them safe. She added Workman's Compensation is a huge expense for a company and as a company owner you have to protect that.

Council Member Shaver stated just opening the doors sends a message that we are open and not cowering in fear over something that is a possibility but isn't a reality at this time.

Council Member Green was concerned about the out of state cars in our area and asked if they are here because they cannot get into City Hall to get their permitting to post their business. He and Council Member Schaub asked that the City website be updated to remove the quarantine guidelines and add that Development Services is open for permitting. Mr. Kuckkahn answered the inspectors are working and

the permitting activity has been pretty vigorous; he does not know how many contractors have been turned away because they could not access the inspector. He asked to get the names of the contractors, as he does not want to stymie development in the community. After discussion, Mayor Gonzales asked Mr. Kuckkhan to update Council as the Directed Health Measures change.

Regarding establishing a future meeting location, Mayor Gonzales explained this was put on the agenda to discuss to determine if Council would want to change the location of the meetings to the Library due to the Directed Health Measures and limited amount of space at City Hall. After discussion, Council Member Schaub stated he would prefer to leave it at City Hall. Council Member Shaver agreed, stating the Library meeting room isn't much bigger to make a difference. Mayor Gonzales stated this item will be put on the June agenda; Council will conduct the June 1st meeting at the City Hall Council Chambers.

Mr. Kuckkahn brought forth discussion to extend the life of the Gering landfill by explaining a 2007 contract amendment was sent to Gering that would extend the City's ability to dump in the Gering landfill for an additional ten years. The reason that was sent over was to make it obvious we did not feel the landfill would be open for that long, estimating the date of closure to be 2026. Mr. Kuckkahn hopes that through this, both Cities' will agree that going to a private landfill would be an advantageous to both. Mr. Kuckkahn then went over the RFP submittals from Waste Connections and TDS highlighting tipping fees, transportation, starting dates, terms of contract, recycling, and roll-off service. Mr. Kuckkahn stated his intent is to come to the next meeting with a recommendation on a private entity and move our waste from the Gering facility to the private facility in the interest of adding years to the Gering landfill's useful life. He added it will take 8-10 years to get a new landfill in place and he does not know if the City wants to bail out of the partnership with Gering, as we have around \$500,000.00 in the shared account now, commenting the City could stand to save potentially in their tipping fees if they did build a new landfill. He also informed Council he is having an engineer look at the TriHydro study as a second opinion, adding we are doing this in a friendly way to see if the numbers are realistic. He would like authorization from Council to send the request for extension and if Gering does not accept, move ahead with the two RFP submittals. After discussion, Council granted authorization to send the extension to Gering and move ahead with the two RFP submittals if Gering is not willing to accept the extension.

Mayor Gonzales started discussion regarding the amended Interim City Manager Agreement between the City of Scottsbluff and Rick Kuckkahn by explaining Mr. Kuckkahn's current contract expires at the end of the month and this would be an extension of the contract until we can get a new City Manager hired. Mayor Gonzales then asked Mr. Kuckkahn if he added any changes to the contract. Mr. Kuckkahn stated one change includes some paid personal time off; a week upfront and another week in July. The only other change is to dates and references. Council Member Shaver commented he does not have any problem with time off; it is the paid time off he has a problem with. He stated part of the \$700.00 a week was so Mr. Kuckkahn did not gain any benefits, including paid time off. Council Member Schaub expressed concern with the paid vacation as well as other personnel issues. With that statement, Mr. Kuckkahn requested to go into executive session.

Council Member Shaver made the motion to go into Executive Session to protect the public interest and for the prevention of needless injury to the reputation of an individual for the purpose of discussing the evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Council Member Schaub

seconded the motion. Mayor Gonzales stated a motion has been made and seconded to go into Executive Session to protect the public interest and for the prevention of needless injury to the reputation of an individual for the purpose of conducting an evaluation of job performance while discussing the renewal of Interim City Manager Rick Kuckkahn's Contract. He then asked for a roll call vote to go into Executive Session, "YEAS," Schaub, McKerrigan, Gonzales, Green and Shaver. "NAYS," None. Absent: None. Mayor Gonzales stated the motion to go into Executive Session to protect the public interest and for the prevention of needless injury to the reputation of an individual for the purpose of conducting an evaluation of job performance while discussing the renewal of Interim City Manager Rick Kuckkahn's Contract has been adopted. Council and Interim City Manager Kuckkahn went into Executive Session at 7:30 p.m.

Council reconvened out of closed session at 8:10 p.m. as stated on the record. The following Council Members were present: Raymond Gonzales, Jeanne McKerrigan, Scott Shaver, Nathan Green and Terry Schaub. Also present were Interim City Manager Rick Kuckkahn and City Attorney Hadenfeldt. Council Member Shaver made the motion, seconded by Council Member McKerrigan to accept the amended Interim City Manager Contract with the addendum of no paid vacation. "YEAS," McKerrigan, Shaver, Green, and Gonzales. "NAYS," Schaub. Absent: None.

Under Council Reports, Council Member Schaub stated he has had no prior meetings, but he does have a WNED and a 911 Emergency Management Advisory Board Meeting this week. Council Member Shaver added he has a remote call in meeting with 911 tomorrow. Council Member McKerrigan gave an update on the Senior Center, stating they are still up on their deliveries and pickups; they have 70 on a daily basis. Mayor Gonzales commented he attended a PADD meeting last week; they are still looking for a director and working on their budget.

Council Member Schaub made the motion, seconded by Council Member Green, to adjourn the meeting at 8:12 p.m., "YEAS," Gonzales, Green, McKerrigan, Shaver, and Schaub. "NAYS," None. Absent: None.

Mayor

Attest:

City Clerk
"SEAL"