

**City of Scottsbluff, Nebraska**  
**Tuesday, September 8, 2020**  
**Regular Meeting**

**Item 1**

**Approval of minutes for meeting of August 18, 2020.**

**Staff Contact: Starr Lehl**

## **CITY OF SCOTTSBLUFF**

### **ECONOMIC DEVELOPMENT APPLICATION REVIEW COMMITTEE**

**August 18, 2020**

A meeting of the Economic Development Application Review Committee was held on August 18, 2020 at 3:30 p.m. at City Hall, 2525 Circle Drive, Scottsbluff, Nebraska.

Present were committee members Dennis Hadden, Nate Merrigan, Jim Trumbull, Marla Marx, and Lee Glenn. Also, in attendance on behalf of the City was Starr Lehl, Economic Development Director, Adam A. Hoelsing, Deputy City Attorney, Rick Kuckkahn, Interim City Manager, and Elizabeth Hilyard, Finance Director for the City.

Chairman Trumbull called the meeting to order at 3:30 p.m. and stated that a copy of the Nebraska Open Meetings Act was located on the south wall of the Council Chamber.

The first item on the agenda was to approve the minutes of the August 7, 2020 committee meeting. It was moved by member Glenn and seconded by member Merrigan the minutes of the August 7, 2020 committee meeting be approved. Voting yes: Hadden, Merrigan, Trumbull, Marx, and Glenn. Voting no: None.

The next item on the agenda was a presentation by Deputy City Attorney Hoelsing regarding the Nebraska Open Meetings Act as it relates to the committee. Deputy City Attorney Hoelsing presented on the confidentiality requirements of the City's Economic Development Program, and how those confidentiality requirements lend the meeting of the committee towards a closed session under the Open Meetings Act. Deputy City Attorney Hoelsing also discussed specific examples and desired procedures in which the Committee would likely be able to enter into closed session to discuss applications and consider funding of applications for the Economic Development Program. Several members engaged in a discussion and dialogue with Deputy City Attorney Hoelsing as a follow-up to Deputy City Attorney Hoelsing's presentation. No action was taken.

Next item on the agenda was a presentation by Deputy City Attorney Hoelsing regarding conflicts of interest for the committee members. Deputy City Attorney Hoelsing discussed the standard for statutory conflicts of interest as they relate to the Nebraska Accountability and Disclosure Act. Deputy City Attorney Hoelsing also discussed general practice and procedure of the committee as to certain conflicts of committee members, which may call into question the

propriety of a member voting on the application but would not otherwise be considered a statutory conflict under the Accountability and Disclosure Act. Again, several members of the committee engaged in dialogue and discussion with Deputy City Attorney Hoelsing following Attorney Hoelsing's presentation. No action was taken.

Next item on the agenda was a review and discussion of Economic and Development Program funding for the 2020-2021 fiscal year of the City. Finance Director Hilyard presented the committee with the plan of action to budget the full amount of the Economic Development Fund for the 2020-2021 fiscal year, with the goal towards avoiding a budget amendment should enough applications be awarded during that fiscal year. Discussion was had amongst the committee members, Interim City Manager Kuckkahn, Economic Development Director Lehl, and City Finance Director Hilyard regarding expected ability to fund applications as well as desired level of the Economic Development Fund regardless of expenditures budgeted in order to avoid a budget amendment. No action was taken.

Next item on the agenda was a discussion amongst the committee regarding goals and intent of the program. Several committee members as well as Interim City Manager Kuckkahn expressed a desire that the committee narrow its focus of desired applications towards those that create jobs. Historically, the committee has reviewed and awarded those applications that presented job creation. In recent years, the committee has reviewed and awarded other applications on merits that were not necessarily on job creation. There was a discussion amongst the committee members and Economic Development Director Lehl regarding the desires of the committee for applications to be presented by Economic Development Director Lehl. Deputy City Attorney Hoelsing suggested that the committee consider a guideline approach (rather than a blanket subject matter approach) towards desired applications, those guidelines focusing upon credits per full time equivalent jobs created, equity of the applicant, percentage of the project to be funded, particular uses and desires of the funds applied for, the longevity of the applicant, and the proposed job creation. Chairman Trumbull discussed whether guideline, of that nature could be provided in writing and relied upon by the committee. For future reference, the committee will consider reviewing and adopting guideline, that set forth the perimeters of desired applications, and also directed staff to consider amending the Economic Development Program application in order to set forth the information relevant to those guideline topics.

The next item in the agenda was a discussion of committee membership. Several new members had been proposed to the committee, as several members of the current committee had expressed a desire to resign. In particular, committee member Glenn stated his desire to resign from the committee at the end of August 2020. No other member at that time expressed an immediate desire to resign from the committee, although Chairman Trumbull did state that he would reach out to members of the committee which were not present in order to gauge their interest or desire towards the committee. Following resignations from the committee, Chairman

Trumbull expressed the desire to have interested committee member applicants attend one or two committee meetings in order to introduce themselves and understand the nature of the committee and its role in the Economic Development Program. Direction to staff was therefore provided to reach out to prospective interested committee members and invite them to the upcoming committee meetings.

Following that discussion, the meeting was then adjourned at 4:35 p.m.

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Starr Lehl, Economic Development Director