

City of Scottsbluff, Nebraska

Monday, October 5, 2020

Regular Meeting

Item Consent1

Approve the minutes of the September 21, 2020 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on September 21, 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 September 18, 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 September 18, 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, Interim City Manager Rick Kuckkahn, and Economic Development Director Starr Lehl. 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.

Council Member Schaub asked that item 8c, approving amendments to Economic Development Agreements for COVID accommodations be removed from the consent calendar and restored on the regular agenda for discussion.

Moved by Council Member McKerrigan, seconded by Council Member Schaub that,

- b) The minutes of the September 4, 2020 Regular Meeting be approved.
- c) A public hearing be set for October 5, 2020 at 6:00 p.m. for the One and Six Year Street Improvement Plan, "YEAS," McKerrigan, Green, Schaub, and Gonzales. "NAYS," Shaver
Absent: None.

Regarding the item 8c, approving amendments to Economic Development Agreements for COVID accommodations, Council Member Schaub asked for more clarification. City Manager Kuckkahn explained these are companies that have Economic Development loans with us and their payments were excused for 90 days due to COVID. We are now reinstating the loans which will push their payment schedule out 90 days; the amounts or credits have not changed. Council Member Schaub moved, seconded by Council Member Shaver to approve amendments to Economic Development Agreements for COVID accommodations, "YEAS," Gonzales, Schaub, Green, Shaver, and McKerrigan. "NAYS," None. Absent: None.

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 September 21, 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

3M COMPANY,WHITE PAVEMENT MARKING TAPE,459.84;ACTION COMMUNICATIONS INC.,INTERNET 9/1/20 - 9/30/20,459.12; ADVANCE AUTO PARTS,TRANS STOCK- DEF,205.15; AMAZON.COM HEADQUARTERS,MISC.,190.94;ANDERSON FORD INC,CIP-PO-PATROL CARS,114142;ANITA'SGREENSCAPINGINC,CONT.SRVCS,510;ANTHONYJMURPHY,DELEGAT ED AUTHORITY CONFERENCE - MURPHY,131; BLUFFS FACILITY SOLUTIONS,DEPT SUPP ADM,458.26; BSN SPORTS, INC,GROUND MAINT PARK,624.76; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,367.09; CARR- TRUMBULL LUMBER CO, INC.,XXL TYVEK COVERALLS FOR COVID RESPONSE,174.33; CELLCO PARTNERSHIP,CELL PHONES, IPADS,538.83; CITY OF GERING,TRASH & RECYCLING DISPOSAL AUGUST 2020,46931.89; CITY OF SCB,CIP-PO/POSTAGEPD,136.05;COLONIALLIFE&ACCIDENTINSURANCECOMPANY,INSURANCE,48.7 COMPUTER CONNECTION INC,CONTRACTUAL-PD,44; CONTRACTORS MATERIALS INC.,DEPT SUP,1550.09; CREDIT BUREAU OF COUNCIL BLUFFS,FEE - AUGUST 2020,50; CROELL INC,DEPT SUP,558.28; CYNTHIA GREEN,DEP. SUP.,198.45; DALE'S TIRE & RETREADING, INC.,PLUG AND PATCH RESCUE 1 TIRE,71.25; FASTENAL COMPANY,SUPPO - BOLTS,32.6; FAT BOYS TIRE AND AUTO,TIRES FOR MOTOR GRADER,4003.69; FEDERAL EXPRESS CORPORATION,POSTAGE,370.68; FIRST STATE BANK,PAYOFF WARRANT DEBT 9/30/2020,739068.1; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,905; FREMONT MOTOR SCOTTSBLUFF, LLC,POLICE #8- FRONT END,822.52; FULTS DESTINY,LEGAL FEES-PD,23.45; FYR-TEK INC,PRIMER PUMP MOTOR - ENGINE 2,497.3; GALLS INC,CIP-PO-BODY ARMOR,2834.98; GERING VALLEY PLUMBING & HEATING, INC,REFUND,30; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1595; HAWKINS, INC.,CHEMICALS,4827.75; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,777.46;HULLINGER GLASS & LOCKS INC.,DEPT SUPP PARK,99.75; HYDRONIC WATER MANAGEMENT,BLDG. MAIN.,425; IDEAL LAUNDRY AND CLEANERS, INC.,RUGS, MOPS, SHOP TOWELS,568.47; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT PARK,11.25; INGRAM LIBRARY SERVICES INC,BKS.,1916.16; INTERNAL REVENUE SERVICE,WITHHOLDINGS,69134.71; INTRALINKS, INC,CONTRACT SERVICES - AUGUST 2020,1921.02; INVENTIVE WIRELESS OF NE, LLC,INTERNET WESTMOOR POOL,35.9; JACOBUCCI CARSON,LEGAL FEES-PD,23.45; JACOBUCCI ERIC,LEGAL FEES-PD,20; KANZLERMIKE,UNIFORMS&CLOTHING,94.95;KEEPSOTTSBLUFFGERINGBEAUTIFUL,CON TRACTUAL SVC,16500; KNOW HOW LLC,CENTRAL GARAGE- CLOCK SPRING,720.02; LEE BHM CORP,ADVERTISING,1356.8; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING- PD,100;MACQUEENEQUIPMENTINC,EQUIPMINT,1891.79;MARKETINGCONSULTANTS,TRA SH CAN PROHIBITED STICKERS,300; MENARDS, INC,DEPT SUPP PARK,1545.38; MIDWEST CONNECT, LLC,DEPT SUPPL-PD,210; MIZE, ROBERT,UNIFORMS & CLOTHING,194.96; MUNICIPAL SUPPLY INC. OF NEBRASKA,DEPT SUP,6665.3; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,916.6; NE DEPT OF ENVIRONMENTAL CONTR,POST CLOSURE CARE,2100; NE DEPT OF REVENUE,TAXES,55926.63; NE.DEPT. OF LABOR UNEMPLOYMENT,2ND QTR 2020 - UNEMPLOYMENT,479.86;NEBRASKA INTERACTIVE, LLC,ANNUAL FEE,100; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,42564.94; NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL SVC,447.5; NEBRASKA STATE HISTORICAL SOCIETY,SBSCR. RNWL.,35; NEBRASKALAND TIRE, INC,POLICE #9- TIRE,149.99; NELSON TRENT,CENTRAL GARAGE- RUBBER FITTINGS,550.28; NORTHWEST

PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT PARK,2.35; OREGON TRAIL PLUMBING, HEATING & COOLING INC,SHOP A/C REPAIRS,203; PAIGE'S POSIES,CONTRACT - BID PARKING LOT,5940; PANHANDLE COOPERATIVE ASSOCIATION,FLEET FUEL,16027.02; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,60; PAUL D LEE,CLOTHING & UNIFORMS,47.48; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,10521.5; POLYDYNE INC,CHEMICALS,5379.93; POWERPLAN,PARKS #308- ALTERNATOR,329.08; QUILL CORPORATION,DEPT/INVEST SUPPL-PD,79.51; REAMS SPRINKLER SUPPLY CO.,DEPT SUPP CEM,1083.22;REGANIS AUTO CENTER, INC,POLICE #6- HANDLE,117.7; REGIONAL CARE INC,CLAIMS,79616.71; REGISTER OF DEEDS,PERMANENT EASEMENT MVP,78; RON'S TOWING,TOW SERVICE-PD,175; RYAN R KUMM,EQUIP MAINT,90; S M E C,SMEC,129.5; SANDBERG IMPLEMENT, INC,AIR FILTERS FOR GRINDLAZR,157.16; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,300; SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,479.99; SCOTTIES POTTIES INC,CONTRACTUAL,360; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,187; SCOTTSBLUFF MOTOR CO, INC,WW #954- CABLE,26.7; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,1053; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS & CLOTHING,398.04; SHERIFF'S OFFICE,LEGALFEESPD,178.62;SIMMONSOLSENLAWFIRM,P.C.,CONTRACTUAL,20 696.79;SIMONCONTRACTORS,CONCRETEFORSTREET EPAIR,2923.55; SNELL SERVICES INC.,ELECTRICAL PARK,76.5; SOUNDSLEEPER SECURITY INC.,MAINTENANCE SERVICE PACKAGE ON SECURITY SYSTEM,400; SPENCER, KEVIN,TUITION REIMB. - FY 2019- 2020,600; SUBWAY 6906,CIVIL SERVICE EXAM - LUNCH 9-11-20,47.93; THE PEAVEY CORP,INVEST SUPPL-PD,26.5; TRAFFIC PARTS, INC,LED'S FOR TRAFFIC SIGNALS,1974.06; TWIN CITY AUTO, INC,PLOW PARTS - FRAME, CUTTING EDGES,2440.22; TWIN CITY ROOFING & SHEETMETAL, INC,TRANSPORTATION FACILITIES HAIL DAMAGE REPAIR,126607.52; UNION BANK & TRUST,RETIREMENT,41477.97; US BANK,FEES - NE GO PA 2015,400; WAKEFIELD & ASSOCIATES INC,WAGE ATTACHMENT,144.96; WESTERN COOPERATIVECOMPANY,DEPT SUPP PARK,156.32;WESTERN PATHOLOGY CONSULTANTS, INC,DOT TESTING - AUGUST 2020,225; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT- PD,569; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08; WYOMING FIRST AID & SAFETY SUPPLY, LLC,DEPT SUPP CEM,11.27; REFUND; LORI BARNFIELD, 56.40.

Concerning the August 2020 Financial Report Mr. Kuckkahn explained the City is in good shape, highlighting that sales tax receipts are coming in strong which is showing support of the general economy.

Mayor Gonzales opened the public hearing at 6:07 p.m. for the purpose of reviewing and obtaining comment on a Redevelopment Plan submitted by MTL Commodity Corporation for the MTL Commodity Laundromat Project.

Mr. Mark Simmons, who is the developer of the project, approached Council informing them the lot he would like to develop is to the north of Kelley's Liquor Cabinet. He explained by putting a new Laundromat in the undeveloped lot it will bring much improvement to the area, stating he leases the current Laundromat on 27th Street, but will be letting that lease expire to build the new one.

Ms. Debra Wells, Scottsbluff resident, who lives across the street from the proposed Laundromat, came forward and stated her apprehension with the development, explaining she is concerned about the

lack of a public restroom and that the area will be unkempt.

Mr. Kelly Strey, Scottsbluff business owner, came forward and added he does not think the building needs public restrooms, as City Hall does not have a public restroom. Also, the area is zoned commercial and that is the correct zoning district for this development.

Mayor Gonzales then explained to everyone at the public hearing that further in the agenda Council will consider a Resolution for the Redevelopment Plan; the preliminary plans will still need to come before Council for final approval.

City Attorney Hadenfeldt agreed adding no plans for approval are coming forward tonight, just the Resolution for Tax Increment Financing (TIF). In addition, there are three standard elements for Council to review for the TIF plan. The first element is if it conforms to the Comprehensive Plan and Community Development Law. This area is zoned C-2 and no rezoning is necessary, so it does conform. The second is, the "But For" Test determining that the Plan would not be economically feasible to occur in the blighted and substandard area without the use of TIF. The Redeveloper certifies that this plan would not be economically feasible and that it would not occur at the Project Site without TIF. The third is Cost-Benefit Analysis. This determines that the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the City Council are in the long-term best interest of the community. Mr. Hadenfeldt then noted that each political subdivision was sent notice and no objections were received.

Mr. James Adams, rental property owner, approached Council and stated Mr. Simmons is trying to put a building on a vacant lot that is currently a weed patch; to question this is silly. He added Mr. Simmons has a building in Gering that is clean and professional and he also owns other properties in Scottsbluff. In his opinion to consider turning this down or delaying it would be absolutely foolish.

There were no other comments from the public. Mayor Gonzales closed the public hearing at 6:22 p.m.

Council Member Shaver commented that the current Laundromat in Scottsbluff is in really bad disrepair; if the landlord won't take care of it he thinks it is good that Mr. Simmons is stepping up to do something else.

Mayor Gonzales opened the public hearing at 6:25 p.m. for the purpose of reviewing and obtaining comment on a Community Development Block Grant in the amount of \$732,500 for Owner Occupied Housing Rehabilitation.

Mr. Bryan Venable, Panhandle Area Development District Executive Director, approached Council and explained the City of Scottsbluff is applying for a Community Development Block Grant in the amount of \$732,500 for Owner Occupied Rehab within the City limits in the City of Scottsbluff. The breakdown is as follows: \$625,000 for Rehabilitation; \$37,500 for Lead Based Paint Testing; \$50,000 for Housing Management; and \$20,000 for General Administration. Mr. Venable, in addition, stated all products will benefit LMI individuals and households within the City limits of Scottsbluff and there is no plan for displacement of any individual through the Owner Occupied Rehabilitation Program.

Ms. Starr Lehl, Economic Development Director came forward and commented when the City applied last year we had over 33 applications for the grant and this year we have over 40. She further stated if we are able to get these funds it will definitely make a positive impact on the community.

There were no further comments from the public. Mayor Gonzales closed the public hearing at 6:28 p.m.

City Manager Kuckkahn presented the bid for the repair of hail damage at the Sanitation and Compost Facilities to Twin City Roofing for the amount of \$145,728 contingent upon approval of Change Order #1 including the Old Office and Bay and removing the Storage and Garage building. Mr. Kuckkahn explained there was \$11,000 of work included in the bid that did not need to be done because it was done

immediately after the hail storm to the Storage and Garage building. With this change order it removes the Storage and Garage building and adds the Old Office and Bay buildings equaling to the same amount of money. Council Member McKerrigan moved, seconded by Council Member Schaub to approve awarding the bid for the repair of hail damage at the Sanitation and Compost Facilities to Twin City Roofing for the amount of \$145,728 contingent upon approval of Change Order #1 including the Old Office and Bay and removing the Storage and Garage building, “YEAS,” Shaver, Gonzales, Schaub, McKerrigan, and Green. “NAYS,” None. Absent: None.

Regarding the Resolution to approve the Redevelopment Plan submitted by MTL Commodity Corporation for the MTL Commodity Laundromat Project, Mayor Gonzales reiterated to Council the Resolution is one of the steps in the process of the Laundromat; it is just authorizing the TIF Plan submitted. Council Member McKerrigan made the motion, seconded by Council Member Green to approve Resolution No. 20-09-02 approving the Redevelopment Plan submitted by MTL commodity Corporation for the ML Commodity Laundromat Project and authorized the Mayor to sign the Resolution, “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

RESOLUTION NO. 20-09-02

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the “Act”), a redevelopment plan for the *MTL Commodity Laundromat* project submitted by MTL Commodity Corporation (the “Redevelopment Plan”) has been submitted to the Scottsbluff Community Redevelopment Authority (“CRA”). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the 2016 Scottsbluff Comprehensive Plan (the “Comprehensive Plan”). The Planning Commission recommended approval of the Redevelopment Plan to the CRA and City Council.

c. The Redevelopment Plan has been reviewed by the CRA, which found that the Redevelopment Plan conforms to the Comprehensive Plan, that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing, and that the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the CRA, are in the long term best interests of the community.

d. The CRA recommended approval of the Redevelopment Plan to the City Council.

e. On September 21, 2020, the City Council held a public hearing on the proposal to approve the Redevelopment Plan.

f. The City Council has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as documented in writing in this Resolution.

Resolved:

1. The Redevelopment Plan is determined to be feasible and in conformity with the Comprehensive Plan and with the legislative declarations and determinations set forth in the Act.

2. The project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the City Council, are in the long-term best interests of the community impacted by the project.

3. The City Council approves the Redevelopment Plan.

4. In accordance with NEB. REV. STAT. § 18-2147, and as proposed in the Redevelopment Plan, the City Council provides that any ad valorem tax on the Project Site as set forth in the Redevelopment Plan, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in § 18-2147, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the CRA. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies;

(b) That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CRA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the CRA for financing or refinancing, in whole or in part, the project set forth in the Redevelopment Plan. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due have been paid, the CRA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in the redevelopment project shall be paid into the funds of the respective public bodies; and

(c) Any interest and penalties due for delinquent taxes shall be paid in the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

6. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on September 21, 2020

Mayor

ATTEST:

City Clerk (Seal)

Council Member Shaver made a motion, seconded by Council Member Schaub to approve Resolution No. 20-09-03 authorizing the Mayor to sign the application along with the Citizen Participation Plan for a Community Development Block Grant in the amount of \$732,500 for Owner Occupied Housing Rehabilitation, "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales. "NAYS," None. Absent: None.

RESOLUTION 20-09-03

RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS

Whereas, the City of Scottsbluff, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City Of Scottsbluff, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$732,500.00 for Owner Occupied housing rehab within the city limits of Scottsbluff, NE to benefit LMI households; and,

NOW, THEREFORE, BE IT RESOLVED BY

City Council of City of Scottsbluff, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between City of Scottsbluff and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Signed Raymond Gonzales

Title Mayor

Date 09/21/2020

Mr. Kuckkahn explained to Council that the bank signature authorization needs to be updated to reflect the name change of Elizabeth Hilyard to Elizabeth Loutzenhiser. Ms. Loutzenhiser is the City's Finance Director and has recently gotten married. Council Member Schaub moved, seconded by Council Member McKerrigan to approve Resolution No. 20-09-04 updating the bank signature authorization and authorize the Mayor to sign the Resolution, "YEAS," Green, Schaub, Shaver, Gonzales, and McKerrigan. "NAYS," None. Absent: None.

RESOLUTION NO. 20-09-04

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
SCOTTSBLUFF, NEBRASKA:**

1. US Bank NA, First National Bank, First State Bank, Platte Valley Bank, Western States Bank and Pinnacle Bank, all with local branches in Scotts Bluff County, Nebraska and the Nebraska Public Agency Investment Trust (NPAIT) as well as Moreton Capital Markets, LLC are designated as depositories and/or financial investment institutions for funds of the City of Scottsbluff, Nebraska ("City").

a. Depository funds of the City deposited in each bank shall be subject to withdrawal upon checks, notes, drafts, or other orders for the payment of money when signed on the City's behalf by any two of the following City officials:

Raymond Gonzales OR
Jeanne McKerrigan AND

Kimberley Wright OR Christine Burbach

b. All investment funds of the City held as Government Money Market Funds, Certificates of Deposit, Treasury Notes, and other authorized securities purchased by the City shall be signed by the Finance Director for the

City, Elizabeth Loutzenhiser and one of the following City officials per the City's Investment Policy:

Rick Kuckkhan OR Kimberley Wright

2. Provided, the Finance Director for the City, Elizabeth Loutzenhiser, is authorized to make ACH drafts and withdrawals for payroll, electronic claims, utility payment drafts and debt payments on behalf of the City from any of the financial institutions named in paragraph 1. of this Resolution.

3. The banks are authorized to pay all orders and receive them for the credit of or in payment from the payee or any other holder without inquiring into the circumstances of the issue or the disposition of the proceeds.

4. US Bank is authorized to issue Visa credit cards to City personnel. The personnel to receive the cards and the credit limit on said cards shall be as approved by the City Manager or his/her designee.

5. This Resolution will revoke Resolution 18-12-04 and all prior banking resolutions and shall be delivered to all banks named in this Resolution. This Resolution will remain in effect until notice of revocation is delivered to any of these banks.

Passed, approved and effective this 2^{1st} day of September, 2020.

Mayor

ATTEST:

City Clerk

Mr. Kuckkahn presented the amended 2020-2021 Pay Resolution to Council explaining this is the Resolution memorializing the increases that were authorized through Contracts and budget. Council Member Schaub moved, seconded by Council Member McKerrigan to approve Resolution No. 20-09-05 amending the 2020-2021 Pay Resolution, "YEAS," Gonzales, Schaub, McKerrigan, and Green. "NAYS," Shaver. Absent: None.

RESOLUTION NO. 20-09-05

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

1. That the following Pay Plan for officers and employees of the City of Scottsbluff, Nebraska employed in Classified Positions be approved September 21, 2020 and effective September 28, 2020.

PAY SCHEDULE - GENERAL EMPLOYEES ONLY
HOURLY RATES (Based on 40 hour work week)

Grade	A	B	C	D	E	L1	L2
2	\$9.26	\$9.73	\$10.22	\$10.73	\$11.27	\$11.83	\$12.42
3	\$9.73	\$10.22	\$10.73	\$11.27	\$11.83	\$12.42	\$13.05
4	\$10.22	\$10.73	\$11.27	\$11.83	\$12.42	\$13.05	\$13.70
5	\$10.73	\$11.27	\$11.83	\$12.42	\$13.05	\$13.70	\$14.39
6	\$11.27	\$11.83	\$12.42	\$13.05	\$13.70	\$14.39	\$15.11
7	\$11.83	\$12.42	\$13.05	\$13.70	\$14.39	\$15.11	\$15.87
8	\$12.42	\$13.05	\$13.70	\$14.39	\$15.11	\$15.87	\$16.66
9	\$13.05	\$13.70	\$14.39	\$15.11	\$15.87	\$16.66	\$17.49
10	\$13.70	\$14.39	\$15.11	\$15.87	\$16.66	\$17.49	\$18.36
11	\$14.39	\$15.11	\$15.87	\$16.66	\$17.49	\$18.36	\$19.28
12	\$15.11	\$15.87	\$16.66	\$17.49	\$18.36	\$19.28	\$20.25
13	\$15.87	\$16.66	\$17.49	\$18.36	\$19.28	\$20.25	\$21.26
14	\$16.66	\$17.49	\$18.36	\$19.28	\$20.25	\$21.26	\$22.32
15	\$17.49	\$18.36	\$19.28	\$20.25	\$21.26	\$22.32	\$23.43
16	\$18.36	\$19.28	\$20.25	\$21.26	\$22.32	\$23.43	\$24.60
17	\$19.28	\$20.25	\$21.26	\$22.32	\$23.43	\$24.60	\$25.84
18	\$20.25	\$21.26	\$22.32	\$23.43	\$24.60	\$25.84	\$27.12
19	\$21.26	\$22.32	\$23.43	\$24.60	\$25.84	\$27.12	\$28.48
20	\$22.32	\$23.43	\$24.60	\$25.84	\$27.12	\$28.48	\$29.90

BI-WEEKLY RATES - EXEMPT EMPLOYEES

Grade	A	B	C	D	E	L1	L2
18	\$1,616.50	\$1,697.33	\$1,782.20	\$1,871.30	\$1,964.87	\$2,063.11	\$2,166.27
19	\$1,697.33	\$1,782.20	\$1,871.30	\$1,964.70	\$2,063.11	\$2,166.27	\$2,274.59
20	\$1,782.20	\$1,871.30	\$1,964.87	\$2,063.11	\$2,166.27	\$2,274.59	\$2,388.31
21	\$1,871.30	\$1,964.87	\$2,063.11	\$2,166.27	\$2,274.59	\$2,388.31	\$2,507.73
22	\$1,964.87	\$2,063.11	\$2,166.27	\$2,274.59	\$2,388.31	\$2,507.73	\$2,633.12
23	\$2,063.11	\$2,166.27	\$2,274.59	\$2,388.31	\$2,507.73	\$2,633.12	\$2,764.77
24	\$2,166.27	\$2,274.59	\$2,388.31	\$2,507.73	\$2,633.12	\$2,764.77	\$2,903.01
25	\$2,274.59	\$2,388.31	\$2,507.73	\$2,633.12	\$2,764.77	\$2,903.01	\$3,048.16
26	\$2,388.31	\$2,507.73	\$2,633.12	\$2,764.77	\$2,903.01	\$3,048.16	\$3,200.57
27	\$2,507.73	\$2,633.12	\$2,764.77	\$2,903.01	\$3,048.16	\$3,200.57	\$3,360.58
28	\$2,633.12	\$2,764.77	\$2,903.01	\$3,048.16	\$3,200.57	\$3,360.58	\$3,528.62
29	\$2,764.77	\$2,903.01	\$3,048.16	\$3,200.57	\$3,360.58	\$3,528.62	\$3,705.05
30	\$2,903.01	\$3,048.16	\$3,200.57	\$3,360.58	\$3,528.62	\$3,705.05	\$3,890.30
31	\$3,048.16	\$3,200.57	\$3,360.58	\$3,528.62	\$3,705.05	\$3,890.30	\$4,084.81

2. That the following positions in the Classification Plan are assigned to the following Class Grades:

HOURLY POSITIONS - GENERAL EMPLOYEES ONLY

<u>Grade</u>	<u>Class Titles</u>	<u>Grade</u>	<u>Class Titles</u>
7	Library Technician	13	Maintenance Worker – Parks, Cemetery
7	Waterpark Manager	14	Compliance Officer
9	Building & Grounds Custodian	15	Crew Leader
10	Library Assistant	18	Utilities Administrative Coordinator
11	Record Technician	18	Account Clerk - Finance
11	Humane Officer	18	Admin. Assist. - Police Department
11	Assistant Compliance Officer	18	Cemetery Supervisor
12	Administrative Services Assistant	20	Fire Prevention Officer
12	Administrative Records Technician	20	Code Administrator I
13	Account Clerk	20	Payroll Clerk/Benefit Administrator
13	Administrative Assistant		

EXEMPT POSITIONS

Professional, Administrative and Executive

<u>Grade</u>	<u>Class Titles</u>	<u>Grade</u>	<u>Class Titles</u>
18	Librarian	24	Park Supervisor
19	Recreation Supervisor	26	Deputy Director of Finance
20	GIS Analyst	26	Deputy Director of Public Works
22	Transportation Supervisor	27	Director of Economic Development
22	Water System Supervisor	27	Police Captain
22	Wastewater Plant Supervisor	27	Director of Human Resources
22	Environmental Services Supervisor	29	Director of Public Works
22	Code Administrator II	29	Fire Chief
22	Project & Planning Coordinator	30	Police Chief
24	City Clerk/Risk Manager	31	Director of Finance
24	Library Director		

3. That the following pay schedule for officers and employees in Unclassified Positions of the City is approved September 21, 2020 and effective September 28, 2020.

Seasonal and Part-Time Hourly Rates

<u>Class Title</u>	<u>Hourly Pay Schedule</u>						
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
School Crossing Guard	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$11.00	\$11.20
Library Page	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$11.00	\$11.20
Laborer	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$11.00	\$11.20
Field Mt. Grdskpr	\$9.80	\$10.30	\$10.80	\$11.00	\$11.20	\$11.40	\$11.60
Waterpark Aide	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$11.00	\$11.20
Lifeguard*	\$9.80	\$10.30	\$10.80	\$11.00	\$11.20	\$11.40	\$11.60

*Lifeguard with Nebraska Certified Pool Operator's License & Assigned to the maintenance of the Waterpark facility will receive an additional \$.30 per hour.

NOTE: Pay Step increase may be given after one year of service from hire date, at the discretion of the Department Head.

4. The Pay Schedule for the positions of Firefighters, Fire Lieutenants and Fire Captains working a 56 hour week shall be the schedule approved in a Resolution adopted by the Mayor and City Council on September 21, 2020 and effective September 28, 2020.

Class Title

Hourly Pay Schedule (56 Hour Week)

	1	2	3	4	5	6	7	8
Firefighter	\$14.73	\$15.47	\$16.24	\$17.05	\$17.90	\$18.80	\$19.74	\$20.73
Fire Lieutenant	\$16.93	\$17.79	\$18.66	\$19.60	\$20.59	\$21.62	\$22.70	\$23.84
Fire Captain	\$19.08	\$20.03	\$21.03	\$22.09	\$23.19	\$24.35	\$25.57	\$26.85

5. That the Pay Schedule for the position of Patrol Officer, Corporal and Police Sergeant shall be the Schedule approved in a resolution approved by the Mayor and City Council on September 21, 2020 and effective September 28, 2020.

Class Title

Hourly Pay Schedule

	1	2	3	4	5	6	7	8
Patrol Officer	\$20.67	\$21.71	\$22.80	\$23.93	\$25.14	\$26.39	\$27.71	\$29.09
Police Corporal	\$22.40	\$23.53	\$24.71	\$25.94	\$27.23	\$28.60	\$30.03	\$31.53
Police Sergeant	\$24.71	\$25.94	\$27.23	\$28.60	\$30.03	\$31.53	\$33.11	\$34.76

6. That the following Pay Schedule for the above listed IBEW eligible positions of the City of Scottsbluff, Nebraska employed in Classified Positions be approved September 21, 2020 and Effective September 28, 2020.

Pay Schedule - IBEW Eligible Employees Only Hourly Rates (Based on 40 hour work week)

Class Title

Hourly Pay Schedule

	A	B	C	D	E	L1	L2	L3
Transportation Motor Equip Opr	\$15.25	\$16.01	\$16.81	\$17.65	\$18.54	\$19.46	\$20.44	\$21.46
Transportation Heavy Equip Opr	\$16.57	\$17.40	\$18.27	\$19.18	\$20.14	\$21.15	\$22.21	\$23.32
Transportation Traffic Control Tech	\$16.81	\$17.65	\$18.54	\$19.46	\$20.44	\$21.46	\$22.53	\$23.66
Environmental Svcs Solid Waste Opr	\$16.33	\$17.15	\$18.00	\$18.90	\$19.85	\$20.84	\$21.88	\$22.98
Wastewater Maintenance Worker	\$15.91	\$16.71	\$17.54	\$18.42	\$19.34	\$20.31	\$21.32	\$22.39
Wastewater Plant Operator I	\$16.01	\$16.81	\$17.65	\$18.53	\$19.46	\$20.43	\$21.45	\$22.53
Wastewater Plant Operator II	\$18.53	\$19.46	\$20.43	\$21.45	\$22.52	\$23.65	\$24.83	\$26.07
Stormwater Program Specialist	\$20.90	\$21.95	\$22.93	\$23.94	\$24.96	\$25.97	\$28.00	\$29.40
Water Maintenance Worker	\$15.91	\$16.71	\$17.54	\$18.42	\$19.34	\$20.31	\$21.32	\$22.39
Water System Operator I	\$16.65	\$17.48	\$18.36	\$19.27	\$20.24	\$21.25	\$22.31	\$23.43
Water System Operator II	\$19.20	\$20.16	\$21.17	\$22.23	\$23.34	\$24.50	\$25.73	\$27.02
Water Construction Location Spec	\$19.20	\$20.16	\$21.17	\$22.23	\$23.34	\$24.50	\$25.73	\$27.02
Central Garage Maint Mechanic	\$17.65	\$18.53	\$19.46	\$20.43	\$21.45	\$22.53	\$23.65	\$24.84
Central Garage Lead Mechanic	\$19.62	\$20.60	\$21.63	\$22.71	\$23.85	\$25.04	\$26.29	\$27.61

7. Resolution No. 20-07-03 and all other resolutions in conflict with this resolution are repealed.

Passed and approved this 21st day September, 2020.

Mayor

ATTEST:

City Clerk

Regarding the Resolution authorizing the Scotts Bluff County Local Emergency Operations Plan, Mr. Kuckkahn explained this has been brought forward because of updates in the plan. Council Member Schaub added this is good for all of Emergency 22. Council Member Shaver asked if there was an emergency, who would take control, as well as which Federal agency would take control. Legal Counsel Hadenfeldt answered, Tim Newman, Emergency Management Director would be in charge and the agency would be NEMA/FEMA. Council Member Schaub made the motion, seconded by Council Member McKerrigan to approve Resolution No. 20-09-06 authorizing the Scotts Bluff County Local Emergency Operations Plan and authorize the Mayor to sign the Resolution, "YEAS," Schaub, McKerrigan, Gonzales, and Green. "NAYS," Shaver. Absent: None.

RESOLUTION 20-09-06

Council Member Schaub offers the following resolution and moves its adoption, seconded by Council member McKerrigan :

RESOLVE: That in order to provide for a coordinated response to a disaster or emergency in SCOTTS BLUFF County, the City of Scottsbluff and other cities and villages in SCOTTS BLUFF County, the Scottsbluff City Council deems it advisable and in the best interests of the community and the County to approve the attached SCOTTS BLUFF County Local Emergency Operations Plan. Acceptance of this 2020 Local Emergency Operations Plan supersedes all previous approved SCOTTS BLUFF County Local Emergency Operations Plans.

PASSED AND APPROVED THIS 21 DAY OF September, 2020.

Mayor, City of Scottsbluff

ATTEST:

City Clerk

Council Member McKerrigan declared a conflict of interest in regards to considering an Economic Development Assistance Agreement with Original Equipment Co. Council Member Schaub made a motion to excuse Council Member McKerrigan from voting and participating in the discussion of this agenda item. This was seconded by Council Member Green, “YEAS,” Shaver, Green, Schaub, and Gonzales. “NAYS,” None. Abstain: McKerrigan. Absent: None.

Ms. Starr Lehl, Economic Development Director, approached Council regarding an Economic Development Assistance Agreement with Original Equipment Co. Ms. Lehl explained the LB840 Committee has unanimously recommended a \$750,000 loan which will help create 31 jobs. Also, Original Equipment Co. aka Aulick’s is also partnering with WNCC to start a diesel tech program.

Mr. Austin Aulick came forward to answer questions from Council. Council Member Shaver asked if they were new jobs or if they are transferring from other businesses. Mr. Aulick stated they are brand new jobs. They will be moving some jobs from another location, but then will refill those positions with more personnel. They plan on advertising throughout the region, not just Scottsbluff and hope with the diesel program and also the welding program, through Scottsbluff High School, to get some more skilled hires.

Mr. Vinc Aulick addressed Council adding they have quite a bit of youth in their company and they are also a vocational company, which produces many different types of jobs from welders, fabricators, computer operators, and painters. He also commented they are very vertical to where they can make products out of raw materials to ship internationally. They have potential to grow and they are rooted in Scottsbluff.

Mr. Wayne Brozek, Scottsbluff business owner, came forward and commented he supports this company 110%. The Aulick’s commitment to our community to advance local youth is fantastic and he appreciates their support.

Council Member Schaub made a motion, seconded by Council Member Green to approve the Economic Development Agreement with Original Equipment, Co, “YEAS,” Green, Schaub, Shaver, and Gonzales. “NAYS,” None. Abstain: McKerrigan. Absent: None.

Mr. Kuckkahn presented the Lease Agreements with Telecom West, Inc. for their wireless antenna systems on the Airport and Water Towers explaining the current lease allows for an extension after two years. The Lease is set to expire; they have met all the requirements and are asking for the extension. After two more years the Lease can be renegotiated. Council Member Shaver commented he thinks the lease is way too low compared to other communities in the state. Council Member Schaub made the motion, seconded by Council Member McKerrigan to approve the renewal of Lease Agreements with Telecom West, Inc. for their wireless antenna systems on the Airport and Cemetery Water Towers and authorize the Mayor to sign the Agreement, “YEAS,” Gonzales, Schaub, McKerrigan, and Green. “NAYS,” Shaver. Absent: None.

Mr. Kuckkahn brought forward the Keep Scottsbluff-Gering Beautiful/Tri-city Stormwater Drain Marking Agreement to Council explaining the primary issue concerning this is to maintain the drains. According to the Contract each drain should have a sticker on it reflecting that they have been maintained. Mr. Kuckkahn added if there are drains that are not marked; the City needs to know so they can be taken care of. Council Member Schaub moved, seconded by Council Member Green to approve the Keep Scottsbluff-Gering Beautiful/Tri-City Stormwater Drain Marking Agreement and authorize the Mayor to sign the Agreement, “YEAS,” Schaub, McKerrigan, Gonzales, Green, and Shaver. “NAYS,” None. Absent: None.

Regarding the Memorandum of Understanding with Twin Cities Development to provide for unified Economic Development, Mayor Gonzales explained this item was brought forward at a prior meeting for consideration; it is on the agenda tonight for possible action. He then asked Council for questions or comments.

Council Member Shaver commented he still thinks we are better off being a customer and Ms. Lehl being an employee of TCD; that would be a more fitting situation for the way it is set up.

Council Member Schaub stated he spent endless hours going through this with a variety of people. He thinks for 90 days, a trial period, this will be a good start. If it doesn't work after 90 days then we can all come to an agreement it is not working. He would like to see us look to the future and work together as a team. TCD has many resources available and as a City we do not have those resources available to us.

Council Member Green asked if Twin Cities Development has a position open with payroll budgeted for that position. Mr. Todd Lewis, TCD Executive Director, answered Council Member Green by stating, yes, they currently do have a position open and they have opted to reach out and partner with the City of Scottsbluff instead, shifting those dollars to support Ms. Lehl in the position with marketing and lead generation resources. He also added that the long term goal in this relationship very well could be to hire an Economic Development person as the new face of what TCD can become and in addition this would allow everyone to have a say in the new person hired. It would also be very beneficial to have Ms. Lehl help with the transition of that new person.

Council Member Green added his point is, there was money budgeted for the position and we are paying to give our employee away. He is not against it, he just thinks the MOU needs to be written up better and being on City Council he needs to look at the City's best interest.

Council Member McKerrigan asked if there was anyway TCD could detail the value of their services they are giving to the City versus what the value the City is paying for Ms. Lehl. Mr. Lewis stated that is something they could definitely do to help the process along.

Mayor Gonzales moved to approve the Memorandum of Understanding with Twin Cities Development, seconded by Council Member Schaub, "YEAS," McKerrigan, Schaub, and Gonzales. "NAYS," Shaver and Green. Absent: None.

City Manager Kuckkahn stated periodic updates will be shared with Council to see how this is progressing.

Under Council Reports, Council Member Schaub reported he was at the WNED meeting and they discussed Land Banks, adding Ms. Lehl will be taking care of a letter regarding this subject to be sent to Michelle Coolidge at TCD on behalf of the City. He also will be attending an Emergency Management meeting this Thursday. Mayor Gonzales reminded everyone of the Monument Marathon this weekend.

Council Member Schaub moved, seconded by Council Member Green to adjourn the meeting at 7:11 p.m., "YEAS," McKerrigan, Shaver, Green, Schaub, and Gonzales. "NAYS," None. Absent: None.

Mayor

Attest:

City Clerk
"SEAL"