

City of Scottsbluff, Nebraska

Monday, April 19, 2021

Regular Meeting

Item Consent1

Council to approve the minutes of the April 5, 2021 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on April 5, 2021 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 April 2, 2021, 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 April 2, 2021. Mayor McKerrigan presided and City Clerk Wright recorded the proceedings. The meeting was called to order and the Pledge of Allegiance was recited. Mayor McKerrigan 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: Jeanne McKerrigan, Nathan Green, Jordan Colwell, and Angela Scanlan. Also present were City Attorney Kent Hadenfeldt and City Manager Dustin Rief. Absent: Terry Schaub. Mayor McKerrigan asked if there were any changes to the agenda. There was none. Mayor McKerrigan then 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 was none.

Moved by Council Member Green, seconded by Council Member Colwell that,

- a) The minutes of the March 29, 2021 Regular Meeting be approved.
- b) A liability claim from Robin Hoxworth be acknowledged. Council will take no action and the claim will be withdrawn and forwarded to the City's insurance carrier.
- c) Council Member Scanlan's absence from the March 29, 2021 Regular Meeting be excused. "YEAS," Colwell, Scanlan, Green, and McKerrigan. "NAYS," None. Absent: Schaub.

Moved by Council Member Scanlan, seconded by Council Member Colwell, 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 5, 2021, as on file with the City Clerk and submitted to the City Council, "YEAS," Green, Scanlan, McKerrigan, and Colwell. "NAYS," None. Absent: Schaub.

CLAIMS

911 CUSTOM, LLC, CIP- PO- PATROLCARS, 1176.49; ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,175.92; ADVANCE AUTO PARTS,TRANS STOCK- AIR FILTER,41.24; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4085.77; AMAZON.COMHEADQUARTERS,MISC.,641.72;AMERICANLEGALPUBLISHINGCORPORATION,CODIFICATION OF ORDINANCES,6038; ANDREW KELLEY,PER DIEM FOR HAZMAT TECHNICIAN SCHOOL,520; ARRIGA SALVADOR,CANCELLED PERMIT,30; ASSURITY LIFE INSURANCE CO,LIFE INS,32.95; ATLAS COPCO COMPRESSORS, LLC,EQUIP MAINT,694.7; AUTOZONE STORES, INC,WHITE GREASE,74.07; B & H INVESTMENTS, INC,BLDG MAINT-PD,316.85; BAKER & ASSOCIATES INC,23 CLUB IMPROVEMENTS,5558.61; BLACK HILLS

GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,4012.37;BLUFFS FACILITY SOLUTIONS,JANITORIAL SUPP PARK,750.54; BRODART CO,DEP. SUP.,262.54; BRUCE MEIER,FUEL REIMBURSEMENT FOR TRAVEL TO CLASS,96.7; CAPITAL BUSINESS SYSTEMS INC.,COPIER CHARGES,22.8; CARR- TRUMBULL LUMBER CO, INC.,DEPT SUP,2.77; CELLCO PARTNERSHIP,CELL PHONES-PD,1575.04; CITIBANK N.A.,SUPP - TRASH BAGS, PAPER,156.3; CITIBANK, N.A.,SUPP - 4 X 4 RED, DOUGLAS FIR,188.17; CITY OF SCB,POSTAGE-PD,101.55; CLARK PRINTING LLC,DEPT SUPP,78.9; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,INSURANCE,48.7; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,462.3; CONTRACTORS MATERIALS INC.,GROUND MAINT PARK,427.11; CONTRYMAN ASSOCIATES, P.C.,AUDIT - FINAL BILL,28500; CORE & MAIN LP,METERS,4240.33; CYNTHIA GREEN,DEPT SUPP,377.99; D & H ELECTRONICS INC.,SUPP - BATTERY GEL,94.23; DALE'S TIRE & RETREADING, INC.,EQUIP MAINT PARK,284.96; DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,109.91; DUANE E. WOHLERS,HAULING RECYCLING TO DENVER, CO & TIRE REPAIR,1826.78; EBSCO INDUSTRIES, INC,Sbscrp.,1313; ELLIOTT EQUIPMENT COMPANY INC.,ES #824- SWITCH,41.6; ENERGY LABORATORIES, INC DEPT 6250,SAMPLES,162; FASTENAL COMPANY,EQUIP MAINT PARK,14.59; FAT BOYS TIRE AND AUTO,VEH MAINT PARK,208.06; FEDERAL EXPRESSCORPORATION,POSTAGE,536.54; FLOYD'S TRUCK CENTER SCOTTSBLUFF,REPAIR AIR DRIER ON D. TRUCK,2406.11; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,2160; GENERAL ELECTRIC CAPITAL CORPORATION,DEPT SUPP WTR/WW,467.75; GENERAL TRAFFIC CONTROLS, INC,T.S. EQUIP - CAMERA, CONTROLLER, GRIDSMArt,22172; GREENING ENTERPRISES INC.,STRUCTURE FIRE BOOTS - 10 PAIRS,2900; HAWKINS, INC.,CHEMICALS,3680.5; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,2374.12; HOA SOLUTIONS, INC,EQUIP MAINT,587.12; HULLINGER GLASS & LOCKS INC.,BLDG MAINT PARK,57.83; HYDROTEX PARTNERS, LTD,CENTRAL GARAGE-OIL,2051.35; IDEAL LAUNDRY AND CLEANERS, INC.,SHOP TOWELS, RUGS, MOPS,794.94; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT PARK,319.74; INFINITY CONSTRUCTION, INC.,FACILITY REPAIR,3820; INFO USA MARKETING,DEPT SUPP LIB/PW,720; INGRAM LIBRARY SERVICES INC,Coll.,564.82; INTERNAL REVENUE SERVICE,WITHHOLDINGS,122793.88; INTRALINKS, INC,DATTO ALTO - MARCH 2021 (ADMIN, POL, WATER),2635; INVENTIVE WIRELESS OF NE, LLC,INTERNET,35.9; JOHN DEERE FINANCIAL,DEPT SUP,163.9; JOHN DEERE FINANCIAL,GROUND MAINT PARK,3.9; JOHN DEERE FINANCIAL,PARKS #398- MANIFOLD, GASKETS, ORINGS,753.8; KNOW HOW LLC,FIRE TOWER 1- BATTERY,1134.09; LEAGUE ASSOCIATION OF RISK MANAGEMENT,INSURANCE - PARKS 2021 UTV,66.64; LOGAN CONTRACTORS SUPPLY INC,DETACK SURFACE TACK,237.72; LONG BUILDING TECHNOLOGIES,BLDG MAIN.,4963.21; M.C. SCHAFF & ASSOCIATES, INC,ENG. SERV. FOR AVE. B OVERLAY,22811.5; MACQUEEN EQUIPMENT INC,EQUIP MAINT,1603.64; MADISON NATIONAL LIFE,INSURANCE,2723.72; MENARDS, INC,BLDG MAINT PARK,1200.97; MIDWEST CONNECT, LLC,UB BILLING - MARCH 2021,2058.01; NCMA,ANNUAL MEMBERSHIP - DUSTIN RIEF,600; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,2730.2; NE DEPT OF REVENUE,TAXES,44966.91; NE DEPT OF TRANSPORTATION,PATHWAY,411249.73; NEBRASKA DIPLOMATS,ANNUAL MEMBERSHIP

- STARR LEHL,350; NEBRASKA PUBLIC POWER DISTRICT,ELECTRICITY,21682.85; NEBRASKA SAFETY & FIRE EQUIPEMENT INC.,EQUIP MAIN.,156; NEBRASKA SALT AND GRAIN CO,1 LOAD ICE SLICER,4268.91; NETWORKFLEET, INC,GPS SERVICE,304.86; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUPP WTR,231.21; ONE CALL CONCEPTS,INC,CONTRACTUAL,164.71; ORIGINAL EQUIPMENT CORPORATION,ALUMINUM BRACKET REPAIR - RESCUE 1,0; PANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL SVC,481; PANHANDLE HUMANE SOCIETY,CONTRACTUAL,5383.65; PAUL REED CONSTRUCTION & SUPPLY, INC,STRUCTURE PARK,51134.84; PLATTE RIVER GLASS RODNEY L FLOTH,INSTALL BACK WINDOW ON LOADER,80; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,21598.26; POLYDYNE INC,CHEMICALS,5379.93; POWERPLAN,WINDOW PANE FOR LOADER,487.23; POWERTECH LLC,EQUIP MAINT,1369; PRAISE WINDOWS INC,BLDG MAIN.,700; PROTEX CENTRAL, INC.,EQUIP MAINT-PD,488.62; QUILL CORPORATION,DEPT SUPPL-PD,100.49; REGIONAL CARE INC,CLAIMS,112471.32; REGIONALWESTMEDICALCENTER,CONSULTING-PD,220.66;REGISTEROF DEEDS,LEGAL,30; RICHARDCELLI,2021CFMOTOUTV,13587.9;RIVERSIDEZOOLOGICALFOUNDATION,CONTRACTUAL,75000; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,1514.21; ROSE DREW, INC,DEP. SUP.,58.61; ROSEMARY FLORES,EAST OVERLAND FACADE IMPR. GRANT,3245; ROUNDHOUSE BUNKER GEAR SERVICE,TURNOUT PANTS REPAIR - GILL,43.52; RURAL HEALTH DEVELOPMENT, INC.,ECONOMIC DEV,6383.33; S M E C,EMPLOYEE DEDUCTIONS,312.54; SALES MIDWEST, INC,EQUIP MAINT PARK,683.7; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,560; SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,924.58; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,2028; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORM WTR,480.43; SCOTTSBLUFF WINSUPPLY COMPANY,DEPT SUPP PARK,21.64; SHERIFF'S OFFICE,LEGAL FEES-PD,855.27; SHERWIN WILLIAMS,WHITE, YELLOW, RED, BLUE LATEX PAINT,13123.81; SIMON CONTRACTORS,GROUND MAINT PARK,1641.75; SNELL SERVICES INC.,GROUND MAINT PARK,539.15; SPECTRUM PHOTO,PHOTO'S - COUNCIL & ECON. DEV. DIRECTOR,340; STATE HEALTH LAB,SAMPLES/WTR,3826; STATE OF NE.,CONTRACTUAL-PD,1155; TAMARA REICHERT,DEPT SUPP PARK,135; TERRI ROSE,RE-IMBURSEMENT FOR SWEEPER TITLE,16; THE PEAVEY CORP,INVEST SUPPL-PD,181.35; THOMPSON GLASS, INC,BLDG MAINT ADM,230; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE-PD,343.53; TRAFFIC PARTS, INC,LEDS FOR TRAFFIC SIGNALS,119.8; TWIN CITY AUTO, INC,TRANS STOCK- PLOW PIN, WIRING KIT, CABLE,529.25; TYLER TECHNOLOGIES, INC,FEE UB ONLINE 4/1/21 - 4/30/21,348; TYRELL GILL,PER DIEM FOR HAZMAT TECHNICIAN SCHOOL,520; UNION BANK & TRUST,RETIREMENT,76429; UNITED STATES WELDING,CO2 TANK RENTAL,41.08; US BANK,TRAINING,2216.16; WELLS FARGO BANK, N.A.,WAGEATTACHMENT,8.51;WESTERNNEBRASKAHUMANRESOURCEMANAGEMENT,2021 MEMBERSHIP - JANA BODE,30; WINTER CREEK CANAL COMPANY,ANNUAL FEE,2870; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,1476.16; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,731; ZM LUMBER INC,GROUND MAINT PARK,145.37; REFUNDS; DON KRUG, 5.06; ADELINA PALOMO, 16.71

Mr. Jordan Diedrich, Deputy Public Works Director, approached Council regarding a Community Festival Permit for the Downtown Scottsbluff Association at the 18th Street Plaza, including vendors, street closure, and noise permit for a Cinco de Mayo Celebration on May 5th from 5:00-8:00 p.m. He explained this will be a new and different event at the Plaza to bring the community together. They are requesting a street closure on 18th to 19th on Broadway for a car show. In addition, they will be introducing a taco contest where a traveling trophy will be presented to the restaurant with the best taco and because they hope to make this an annual event; will present the trophy each year to the winner. He also explained this is in conjunction with the events happening on East Overland, which will conclude on Saturday.

Council Member Colwell asked about COVID precautions. Mr. Diedrich stated he will contact Panhandle Public Health District to see what they suggest and they will act on those suggestions. Council Member Scanlan moved, seconded by Council Member Green to approve the Community Festival Permit for the Downtown Scottsbluff Association at the 18th Street Plaza, including vendors, street closure, and noise permit for a Cinco de Mayo Celebration on May 5th from 5:00-8:00 p.m., “YEAS,” Scanlan, McKerrigan, Colwell, and Green. “NAYS,” None. Absent: Schaub.

Regarding the Special Designated Liquor License for P.R.E.S., Inc. d/b/a Rosita’s Restaurant to serve beer and distilled spirits at the Cinco de Mayo Celebration at the Downtown Plaza on May 5th from 5:00-8:00 p.m., no one from the establishment was present to answer questions from Council. Ms. Starr Lehl, Economic Development Director, came forward and explained she has visited with the applicant and they intend to sell food and margaritas at the event. In addition, they are planning to use wristbands and will check ID’s at the point of sale. Police Chief Spencer came forward and added these events are usually uneventful and they do not anticipate any problems. Council Member Scanlan made a motion, seconded by Council Member Colwell to approve the Special Designated Liquor License for P.R.E.S., Inc. d/b/a Rosita’s Restaurant to serve beer and distilled spirits at the Cinco de Mayo Celebration at the Downtown Plaza on May 5th; 5:00-8:00 p.m., “YEAS,” Colwell, McKerrigan, Green, and Scanlan. “NAYS,” None. Absent: Schaub.

Ms. Andrea Margheim with Flyover Brewery approached Council regarding a Special Designated Liquor License for BDS3C, LLC d/b/a Flyover Brewing Company to serve beer at the Cinco de Mayo Celebration at the Downtown Plaza on May 5th; 4:00-10:00 p.m. She explained they, too, will be using wristbands and will ID at the point of sale. She commented they will look at using a different wristband color than the other vendor to avoid any confusion. Council Member Scanlan moved, seconded by Council Member Colwell to approve the Special Designated Liquor License for BDS3C, LLC d/b/a Flyover Brewing Company to server beer at the Cinco de Mayo Celebration at the Downtown Plaza on May 5th 4:00 to 10:00 p.m., “YEAS,” McKerrigan, Green, Colwell, and Scanlan. “NAYS,” None. Absent: Schaub.

Mr. Jordan Diedrich came forward and presented the Community Festival Permit for the Downtown Scottsbluff Association at the 18th St. Plaza for the Bands on Broadway Summer Series to be held on Thursday nights, June through August. Mr. Diedrich explained this will be the third year for the event and they have added an additional week, for a total of eight weeks. There are two bands that will perform each night and it is a family friendly event that brings the community together. Council Member Green made a motion, seconded by Council Member Scanlan to approve the Community Festival Permit for the Downtown Scottsbluff Association at the 18th Street Plaza, including vendors, street closure (July 1st only), and noise permit for the Bands on Broadway to be held June 24th, July 1st, 8th, 15th, 22nd, 29th, August 5th, and 12th, from 6:00-9:00 p.m., “YEAS,” Colwell, Scanlan, Green, and McKerrigan. “NAYS,” None. Absent: Schaub.

Regarding the eight Special Designated Liquor Licenses for BDS3C, LLC d/b/a Flyover Brewing Company to serve beer at Bands on Broadway at the Downtown Plaza, Ms. Andrea Margheim came forward and explained they will be checking ID's at point of sale and will issue different colored wristbands for each night. As far as COVID precautions, they do place six foot marks on the cement for line placement and have hand sanitizer available. Council Member Colwell moved, seconded by Council Member Scanlan to approve the eight Special Designated Liquor Licenses for BDS3C, LLC d/b/a Flyover Brewing Company to serve beer at Bands on Broadway at the Downtown Plaza on June 24th, July 1st, 8th, 15th, 22nd, 29th, August 5th and 12th from 5:00-10:00 p.m., "YEAS," Scanlan, McKerrigan, Colwell, and Green. "NAYS," None. Absent: Schaub.

City Manager Rief presented the bids for Parks and Recreation Hail Damage Repair explaining the City received two bids, the lowest bid is \$91,000 below the engineers estimate and staff is recommending approval. Council Member Green made a motion to approve awarding the bid for Parks and Recreation Hail Damage Repair to Schank Roofing in the amount of \$178,068.69. This was seconded by Council Member Scanlan. "YEAS," Colwell, McKerrigan, Green, and Scanlan. "NAYS," None. Absent: Schaub.

Mr. Rief approached Council regarding adopting the Owner Occupied Rehabilitation Program Guidelines and Reuse Plan explaining these guidelines define the reporting requirements for how applicants are selected for the \$25,000 forgivable loan for Owner Occupied Housing. The loan is income driven and is administered through Panhandle Area Development District. The total amount of the Grant is \$732,500. Council Member Scanlan moved, seconded by Council Member Green to approve adopting the Owner Occupied Rehabilitation Program Guidelines and Reuse Plan and authorizing the Mayor to sign the documents required for the Grant, "YEAS," Green, Scanlan, McKerrigan, and Colwell. "NAYS," None. Absent: Schaub.

Deputy Public Works Director, Jordan Diedrich came forward regarding the 18th Street Plaza. He informed Council the Plaza was awarded a Grant from the Economic Development Civic and Community Center Financing Fund. He also explained PADD helped the Downtown Scottsbluff Association apply for the Planning Grant and they were awarded \$15,000 on March 15th. Mr. Diedrich added in order to get engineer plans created to finish the Plaza they will need an additional \$25,000 and he is asking on behalf of the Business Improvement District Board, if Council would consider funding the added cost totaling \$40,000. He explained they would like to apply for the construction portion of the CCCFF grant next year and in order to do so need the engineer plans created. The construction grant would be a matching grant and Mr. Diedrich estimates the cost to complete the Plaza at or around \$500,000.

Mr. Neal Blomenkamp with Runza Restaurants and Chairman of the Business Improvement District Board approached Council and explained the West Nebraska Arts Center and the Plaza tie in together and that is pleasing for the community. He added there are three entities that are looking at donating to finishing the Plaza and they feel they have a good start with helping fund the construction as they have an account set up with the Oregon Trail Community Foundation.

After discussion Council Member Green moved, seconded by Council Member Scanlan to authorize the Mayor to sign the Contract for the CCCFF Grant Award and to fund the remaining \$25,000 needed to have engineer plans created for the 18th Street Plaza, "YEAS," Colwell, McKerrigan, Green, and Scanlan. "NAYS," None. Absent: Schaub.

Mr. Geoff Nemnich with 23 Club was present to give an update on the complex. Mr. Nemnich came forward and stated construction is underway and fundraising is going great. He explained they are at \$1,020,000 in fundraising so far and they have met goals for the base bid and are through the 5th alternate. He commented the only thing they do not have funding for currently is the 6th and 7th alternates; those alternates consist of landscaping between the fields, sod, trees, irrigation and the parking lot

between the baseball and softball fields. Everything beyond that is under contract, construction or finished, adding they are on track to have opening night on June 1st.

Under Council Reports, there was nothing to report as there were no meetings attended by Council.

Council Member Scanlan moved, seconded by Council Member Colwell to adjourn the meeting at 6:56 p.m., “YEAS,” Colwell, McKerrigan, Green, and Scanlan. “NAYS,” None. Absent: Schaub.

Mayor

Attest:

City Clerk