

# **City of Scottsbluff, Nebraska**

**Monday, June 7, 2021**

**Regular Meeting**

## **Item Consent1**

**Council to approve the minutes of the May 17, 2021 Regular Meeting.**

**Staff Contact: City Council**

Regular Meeting  
May 17, 2021

The Scottsbluff City Council met in a regular meeting on May 17, 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 30, 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 May 14, 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 Terry Schaub. Also present were City Attorney Kent Hadenfeldt and City Manager Dustin Rief. Absent: Angela Scanlan. Mayor McKerrigan asked if there were any changes to the agenda. City Clerk Wright asked that items 13 a) the Proclamation for Emergency Medical Services Week, 13 b) & 13 c) regarding the Business Promotional Event Permit and Special Designated Liquor License for the Buck Cherry Concert be moved after item 15 c) on the agenda due to people wanting to speak on those items possibly being late because of attending an earlier meeting at the County. Also in reference to items 13 b) & 13 c) the location has changed from Scottsbluff Uptown Mall to the 18<sup>th</sup> Street Plaza, the time of the event has changed, as well as the type of alcohol to be served. Ms. Wright also informed Council that the Workforce Housing Investment Fund City of Scottsbluff Local Match Agreement, item 15 b), has changed and the updated version has been placed at each Council seat, as well as the media table and will be on the television screens. Council Member Schaub made a motion to accept the changes to the agenda. The motion was seconded by Council Member Green, "YEAS," Colwell, Green, Schaub, and McKerrigan. "NAYS," None. Absent: Scanlan. Mayor McKerrigan 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 Schaub, seconded by Council Member Green that,

- a) The minutes of the May 3, 2021 Regular Meeting be approved.
- b) Council Member Scanlan's absence from the May 3, 2021 Regular Meeting be excused.
- c) Council Member Schaub's absence from the May 3, 2021 Regular Meeting be excused.
- d) A public hearing be set for June 7, 2021 at 6:00 p.m. to consider a Zone Change for Lots 2 & 3, Block 1, King's Acres Subdivision, a replat of block 1, King's Acres Subdivision from Agriculture Residential (AR) to Single Family Residential (R-1A) Zoning.
- e) A public hearing be set for June 7, 2021 at 6:00 p.m. to consider a revision to the One Year Street Plan.
- f) The reappointment of Bill Trumbull to the Community Redevelopment Agency for a five year term be approved, "YEAS," Green, Schaub, McKerrigan, and Colwell. "NAYS," None. Absent: Scanlan.

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 May 17, 2021, as on file with the City Clerk and submitted to the City Council, "YEAS," McKerrigan, Schaub, Colwell, and Green "NAYS," None. Absent: Scanlan.

#### CLAIMS

3M COMPANY,PAVEMENT MARKING TAPE,942.67; ACTION COMMUNICATIONS INC.,INTERNET (5/1/21 - 5/31/21),195; ADVANCE AUTO PARTS,CENTRAL GARAGE- FLOOR DRY,83.84; AGUALLO PAUL SR,WELDING BOTTOMS ON CANS x24,2400; ALLO COMMUNICATIONS,LLC,LOCALTELEPHONECHARGES,4231.07;ASSURITY LIFE INSURANCE CO,LIFE INSURANCE,32.95; ATLAS COPCO COMPRESSORS, LLC,EQUIP MAINT,426.56; AUTOZONE STORES, INC,AUTOMOTIVE BATTERIES - BRUSH 1,601.35; B & H INVESTMENTS, INC,SUPP - WATER,362; B&C STEEL CORPORATION,NEW EMCO BOTTOMS X 20,6297.53; BLUFFS FACILITY SOLUTIONS,JAN. SUP.,905.06; BOX BUTTE COUNTY,LEGAL FEES-PD,24.5; BROWN JUSTIN,REFUND PERMIT,90; BULK TRANSPORT COMPANY WEST INC,GROUND MAINT PARK,1097; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,432.11; CARR- TRUMBULL LUMBER CO, INC.,EQUIP MAINT,2.65; CELLCO PARTNERSHIP,IPADS, CELL PHONES, TABLETS FOR TRANS.,1227.98; CINDA MUNOZ - PROPERTY MGR,EAST OVERLAND FACADE IMPR PROGRAM,6000; CITIBANK, N.A.,SUPP - HEX NUTS, CPLGS, CLAMPS,14.97; CITY OF GERING,DISPOSAL FEES TRASH AND RECYCLING,44513.67; CLARK PRINTING LLC,DEPT SUPPL-PD,1041.62; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,SUPPLEMENTAL LIFE,-25.95; COMPUTER CONNECTION INC,CONT. SRVCS.,284; CONTRACTORS MATERIALS INC.,SUPP - LEATHER GLOVES, SAFETY GLASSES, TROWEL,692.07; CORE & MAIN LP,DEPT SUPPLIES,3093.96; CREDIT BUREAU OF COUNCIL BLUFFS,FEE & EMPLOYMENT SCREEN - APRIL 2021,73; CRESCENT ELECT. SUPPLY COMP INC,ELECT. SUPP - 305V PHOTOCONTROLS,69.62; CYNTHIA GREEN,DEPT SUPP,50.27;DALE COOPER LLC,REPAIR FIBERGLASS SLIDE,31982.91; DALE'S TIRE & RETREADING, INC.,TIRES FOR UNIT #812,3662.82; DAS MANUFACTURING INC,DEPT SUP,2643.56; DUANE E. WOHLERS,HAULING RECYCLING TO DENVER, CO,1600; ELLIOTT EQUIPMENT COMPANYINC.,70BLACK/100GREEN/30BLUETRASHCARTS,23176.87;ENFORCEMENTVIDEO, LLC,EQUIPMAINTPD,480;ENVIRONMENTALANALYSISOUTH,INC,CONTRACTUALSVC,243; FASTENALCOMPANY,EQUIPMAINTPARK,35.57;FATBOYSTIREANDAUTO,TRANS#425TIRES, 297.5;FEDERALEXPRESSCORPORATION,POSTAGE,1116.76;FLOYD'STRUCKCENTERSCOTTS BLUFF,EQUIP MAINT,1976.42; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,1927.5; FREMONT MOTOR SCOTTSBLUFF, LLC,WATER #38- OIL,107.07; GALINDO MARIA,REFUND PARK SHELTER,25; GOLF AND SPORT SOLUTION LLC,GROUND MAINT PARK,805.05; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,1595; GREENING ENTERPRISES INC.,HELMETS - TWO BLACK AND ONE WHITE,1351.35; HAWKINS, INC.,CHEMICALS,2711.78; HOLLAND SUPPLY INC,DEPT SUPP CEM,46.26; HONEY WAGON EXPRESS,CONTRACTUAL PARKS,225; HULLINGER GLASS & LOCKS INC.,BLDG MAIN.,106.25; IDEAL LAUNDRY AND CLEANERS, INC.,SHOP TOWELS, MOPS, RUGS,480.55; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT PARK,1244.85; INGRAM LIBRARYSERVICESINC,Coll.,1595.28; INTERNAL REVENUE SERVICE,WITHHOLDINGS,60079;

INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS,DEPT MMBRSHIP,120; INT'L INST OF MUNC CLKS,ANNUAL MEMBERSHIP FEE - K.WRIGHT,175; INTRALINKS, INC,CONTRACT SERVICES - APRIL 2021,4854.01; INVENTIVE WIRELESS OF NE, LLC,INTERNET WESTMOOR POOL,125.9; KNOW HOW LLC,AIR FILTERS FOR TREE DUMP,1304.16; KRIZ DAVIS,EQUIP MAINT PARK,28.46; LAWSON PRODUCTS, INC,DEPT SUPP PARK,45.36; LEAGUE ASSOCIATION OF RISK MANAGEMENT,WC PREMIUM - FINAL FY19-20 AUDIT,5545.26; LEE BHM CORP,LEGAL PUBLISHING,2715.89; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100; LINCOLN JOURNAL STAR,SBSCR.,1245;M & M GREEN RENTALS LLC,CONTRACTUAL-PD,728.2; M.C. SCHAFF & ASSOCIATES, INC,DEPT CNTRCL SRVCS,2035; MACQUEEN EQUIPMENT INC,EQUIP MAINT,154.67; MADISON NATIONALLIFE,INSURANCE,2621.25;MARKETING CONSULTANTS,CLOTHING ALLOWANCE - SUMMER HATS & SHIRTS,4626; MASONER RANDY,LEGAL FEES-PD,23.36; MATHESON TRI-GAS INC,RENT MACHINES,64.62; MENARDS, INC,GROUND MAINT PARK,816.32; MIDWEST CONNECT, LLC,UB MAILING - APRIL 2021,2058.33; MUNICIPAL SUPPLY INC. OF NEBRASKA,DEPT SUP,436.04; MUNIMETRIX SYSTEMS CORP,IMAGESILO - APRIL 2021,79.98; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1315.1; NE DEPT OF REVENUE,LODGING TAX,200.22; NEBRASKA INTERACTIVE, LLC,DRIVERS LICENSE REQ. - APRIL 2021,36;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,40394.49; NETWORKFLEET, INC,GPS SERVICE,286.04;NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP,748.43; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,378.16; ONE CALL CONCEPTS, INC,CONTRACTUAL,199.66; OREGON TRAIL PLUMBING, HEATING & COOLING INC,EQUIP MAINT POOL,3186; ORIGINAL EQUIPMENT CORPORATION,TOW HOOKS FOR SNOW PLOWS,719.6; PANHANDLE COOPERATIVE ASSOCIATION,PROPANE & DIESEL,2704.44; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,184;PAUL REED CONSTRUCTION & SUPPLY, INC,23 CLUB IMPROVEMENTS,177175.25; PEACEFUL PRAIRIE NURSERY,INC,DEPTSUP,3684.92;PLATTEVALLEYBANK,HEALTHSAVINGSACCOUNT,10869.1 3;POLYDYNE INC,CHEMICALS,5379.93; QUADIANT INC,POSTAGE ADM,1000;QUADIANT LEASING USA INC,MACHINE RENT,203.82; QUILL CORPORATION,DEPT SUPPL-PD,327.97; R & R REPAIR,NEW CYLINDER FOR BALER,5954.36; REAMS SPRINKLER SUPPLY CO.,DEPT SUPP CEM,1093.62; REECE CONSTRUCTION CO,EQUIPMENT,2790.8; REGIONAL CARE INC,CLAIMS,16161.9; REGIONAL WEST MEDICAL CENTER,TWO INCH MEDICAL TAPE,23.85; REZPLOT SYSTEM LLC,CONTRACTUAL PARKS,199; RON'S TOWING,FIXED LEAKING AIRLINE,450; ROSE DREW, INC,DEP. SUP.,137.7; RR DONNELLEY,DEPT SUPPL-PD,117.05; RUSSEL'S AUTOMOTIVE,EQUIP MAINT CEM,67.95; S M E C,EMPLOYEE DEDUCTION,156.27; SANCHEZ LISA,LEGAL FEES-PD,23.36; SANDBERG IMPLEMENT, INC,DEPT SUPP CEM,892.82; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,280; SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,462.29; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,119; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,975;SEEWALD CONSTRUCTION COMPANY,WESTMOOR POOL SURFACE REPAIR,10860; SHERWIN WILLIAMS,YELLOW LATEX PAINT,6250; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,11894.29; SIMON CONTRACTORS,CONCRETE FOR CURB,3767.71; SOUNDSLEEPER SECURITY INC.,CONTRACTUAL-PD,14.95;THE WESTERN SUGAR COOPERATIVE,EQUIPMENT CEM,121.5; TOMMY'S JOHNNYS INC,CONTRACTUAL PARK,0;

TRI-STATE SPRINKLER SYSTEMS, LLC,DEPT SUP,106.72; TYLER TECHNOLOGIES, INC,FEE -  
UBONLINE6/1/216/30/21,348;ULINEINC,PRGMG.,54.18;UNIONBANK&TRUST,RETIREMENT,37  
282.57;W&RINC,BLDGMAINT-PD,505.6;WELLSFARGOBANK,N.A.,WAGEATTACHMENT,96.47;  
WESTERN COOPERATIVE COMPANY,GROUND MAINT PARK,672.5;WESTERN  
COOPERATIVE COMPANY,EQUIP MAINT CEM,764.52; WESTERN PATHOLOGY  
CONSULTANTS, INC,CONTRACT SERVICES - APRIL 2021,147.5; WESTERN TRAVEL  
TERMINAL, LLC,VEH MAINT-PD,394;WEX BANK,FLEET GASOLINE & OTHER  
FUELS,19268.64; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08;  
YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,731; ZM LUMBER  
INC,GROUND MAINT PARK,737.36;REFUNDS; LINDSEY M MOSEL, 72.03.

City Manager Rief presented the April 2021 Financial Report. He explained the report shows large disbursements of cash as we are getting to the core part of projects; there are significant outflows, but nothing that has been unexpected. Council Member Schaub moved, seconded by Council Member Green to approve the April 2021 Financial Report, "YEAS," Schaub, Colwell, McKerrigan, and Green. "NAYS," None. Absent: Scanlan.

Mayor McKerrigan opened the public hearing at 6:09 p.m. to submit question of whether Study Area #13 which is generally described as properties and tracts of land within the general vicinity of Avenue A, Broadway, and 1<sup>st</sup> Avenue, between 23<sup>rd</sup> Street on the north and 18<sup>th</sup> Street on the south, in the central portion of the City of Scottsbluff is blighted and substandard.

Planning and Projects Coordinator Zachary Glaubius approached Council to present Blight Study #13. Mr. Glaubius explained Study area #13 is an area known as North Broadway; it encompasses 24.59 acres which will add .584% to the total blighted area of the City. He also stated that currently the City has approximately 25% of its total area blighted, explaining that per State Statute we cannot have more than 35% listed as blighted. If all four areas are approved our percentage would increase to approximately 27%.

There were no comments from the public. Mayor McKerrigan closed the public hearing at 6:13 p.m.

Mayor McKerrigan opened the public hearing at 6:17 p.m. to submit question of whether Study Area #14 which is generally described as properties and tracts of land north of East 15<sup>th</sup> Street and south of East 17<sup>th</sup> Street, beginning at 21<sup>st</sup> Avenue on the east and running west for a distance of two blocks, in the southeastern portion of the City of Scottsbluff is blighted and substandard.

Mr. Glaubius came forward and explained Blight Study Area #14 is filling a gap in an area east of 21<sup>st</sup> Avenue. The area is 18.157 acres, comprising of commercial industrial area. It will add roughly .3% to the blighted area.

There were no comments from the public. Mayor McKerrigan closed the public hearing at 6:18 p.m.

Council Member Green had a concern that the Senior Center, which is listed as public property, is located in the study area. Legal Counsel Hadenfeldt explained not all properties are eligible for redevelopment funds and that includes public property, explaining we cannot apply for our own benefit.

Mayor McKerrigan opened the public hearing at 6:20 p.m. to submit question of whether Study Area #15 which is generally described as properties and tracts of land within the general vicinity south of the Burlington Northern Santa Fe railroad right-of-way, east of 9<sup>th</sup> Avenue, west of 13<sup>th</sup> Avenue and north

of and including South Beltline Highway East in the southeastern portion of the City of Scottsbluff is blighted and substandard.

Mr. Glaubius presented Study Area #15 explaining this is a single parcel comprising of 13.59 acres, adding roughly .3% to the blighted area. The owner of the property came to the City in interest of fixing up the facility and noted he would like to apply for Tax Increment Financing if the Blight Study is approved.

There were no comments from the public. Mayor McKerrigan closed the public hearing at 6:21 p.m.

Council Member Green asked why it is only one parcel. Mr. Glaubius answered he believes south of the railway is in the flood plain. Mr. Rief also added this was brought forward as a late request after there was an opportunity for the owner to improve the area.

Mayor McKerrigan opened the public hearing at 6:24 p.m. to submit question of whether Study Area #17 which is generally described as properties and tracts of land within the general vicinity between Avenues A and C and between West Overland Drive and West 18<sup>th</sup> Street, including a corridor extending westerly from Avenue B along the southern border of the BNSF railroad right-of-way and north of Cowen Drive, in the south-central portion of the City of Scottsbluff is blighted and substandard.

Mr. Glaubius approached Council regarding Study Area #17 explaining this area is around Avenue B comprising of 22.86 acres; it will add roughly .5% to the blighted area. This area was added so businesses could apply for the façade grants that are currently available for qualifying businesses.

There were no comments from the public. Mayor McKerrigan closed the public hearing at 6:25 p.m.

Council Member Colwell moved to approve Resolution 21-05-21 declaring that Study Area #13 generally described as properties and tracts of land within the general vicinity of Avenue A, Broadway, and 1<sup>st</sup> Avenue, between 23<sup>rd</sup> Street on the north and 18<sup>th</sup> Street on the south, in the central portion of the City of Scottsbluff is blighted and substandard as those terms are defined in the Nebraska Community Redevelopment Law. This was seconded by Mayor McKerrigan, “YEAS,” McKerrigan, Green, and Colwell. “NAYS,” Schaub. Absent: Scanlan.

#### **RESOLUTION 21-05-01**

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

##### **Recitals:**

a. The City Council has considered the question of whether the “Redevelopment Area,” as defined below, is substandard and blighted as those terms are defined in the Nebraska Community Development Law (the “Act”).

b. The “Redevelopment Area” encompasses the area in Scottsbluff, Nebraska, described as set forth in Exhibit A to this Resolution.

c. The City Council has received and reviewed the Blight & Substandard Determination Study, Study Area #13 prepared by M.C. Schaff & Associates, Inc. and dated March 9, 2021 (the “Study”).

d. The City Council submitted the question of whether the Redevelopment Area is substandard and blighted to the Planning Commission.

e. The Planning Commission received the Study and conducted a public hearing on May 10, 2021 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted and in need of redevelopment. The Planning Commission provided its written recommendation to the City Council that the Redevelopment Area should be declared substandard and blighted and in need of redevelopment.

f. The City Council conducted a public hearing on May 17, 2021 on the question of whether the Redevelopment Area is substandard and blighted and in need of redevelopment.

**Resolved:**

1. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study.

2. Declaring the Redevelopment Area as substandard and blighted is necessary to accomplish the sound redevelopment planning and program of the City, will enhance the development potential of the Redevelopment Area as well as adjacent areas already declared substandard and blighted, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.

3. Based on the above recitals and resolutions, the Planning Commission's recommendation, the Study and its findings which are incorporated into this Resolution by this reference, and the comments at the public hearing, the City Council declares the Redevelopment Area as substandard and blighted, as those terms are defined in the Act, and in need of redevelopment.

4. All prior resolutions of the City Council in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

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

**PASSED and APPROVED** on May 17, 2021

**CITY COUNCIL OF THE CITY  
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

**Exhibit A  
Redevelopment Area (Area 13)**

Properties and tracts of land within the general vicinity of Avenue A, Broadway, and 1st Avenue, between 23rd Street on the north and 18th Street on the south, in the central portion of the community. The area contains approximately 24.955 acres and is more particularly described as:

*Situated in the center of Section 23, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning*** at, the southeast corner of TL 8, TL9 & S2/3 OF TL 13, BLK 22, NORTH SCB ADD (Parcel #010135278), said point being on the north right-of-way line of East 22nd Street, and proceeding northerly on the east line of said Parcel #010135278 to the southeast corner of ALL TLS 2,10,11,12, BLK 22, NORTH SCB ADD (Parcel #010135308), said point also being the southwest corner of an Unknown parcel;

*Thence, easterly on the south line of said Unknown parcel to the southeast corner of said Unknown parcel, said point also being the southwest corner of N 1/3 SE TL 5, BLK 22, NORTH SCB ADD (Parcel #010135235);*

*Thence, northerly on the west line of said Parcel #010135235 to the northwest corner of said Parcel #010135235, said point also being the on the south line of S 1/3 NE TL 4, BLK 22, NORTH SCB ADD;*

*Thence, westerly on the south line of Parcel #010135227 to the southwest corner of said Parcel #010135227;*

*Thence, northerly on the west line of said Parcel #010135227 to the northwest corner of said Parcel #010135227;*

*Thence, easterly on the north line of said Parcel #010135227 to the northeast corner of said Parcel #010135227 said point being on the westerly right-of-way of 1st Avenue, and continuing on an easterly extension of said Parcel #010135227 to the northerly-southerly centerline of 1st Avenue;*

*Thence, northerly on the 1st Avenue centerline to the easterly-westerly right-of-way of East 23rd Street;*



*Thence, westerly on the easterly-westerly centerline of East 23rd Street to the northerly-southerly centerline of Broadway Avenue;*

*Thence, southerly on the said centerline of Broadway Avenue to the easterly extension of the north line of LT 5, BLK 21, SUB BLK 21, N SCB ADD (Parcel #010149627);*

*Thence, westerly on the easterly extension of the north line of said Parcel #010149627 to the northeast corner of said Parcel #010149627;*

*Thence, westerly on the north line of said Parcel #010149627 to the northwest corner of said Parcel #010149627 and continuing on a westerly extension of said north line to the centerline of the northerly-southerly alley right-of-way between said Parcel #010149627 and LT 8, BLK 21, SUB BLK 21, N SCB ADD (Parcel #010149635);*

*Thence, southerly on said northerly-southerly centerline of the said northerly-southerly alley, also being the alley between Avenue A and Broadway, to its intersection with the centerline of the easterly-westerly right-of-way of West 21st Street;*

*Thence, westerly on said easterly-westerly centerline of West 21st Street to its intersection with the centerline of the northerly-southerly centerline of Avenue A;*

*Thence, southerly on said northerly-southerly centerline of Avenue A to the easterly extension of the north line of LTS 6-8, BLK 2, THIRD ADD (Parcel #010150994);*

*Thence, westerly on the easterly extension of said Parcel #010150994 to the northeast corner of said Parcel #010150994 and continuing westerly on the north line of said Parcel #010150994 to the northwest corner of said Parcel #010150994 and continuing westerly on a westerly extension of said north line of Parcel #010150994 to its intersection with the centerline of the northerly-southerly alley right-of-way between Avenue A and Avenue B, also being the alley between said Parcel #010150994 and LTS 1-5 & 9-16 BLK 2, THIRD ADD (Parcel #010150943);*

*Thence, southerly on said northerly-southerly alley centerline between Avenue A and Avenue B to its intersection with the easterly-westerly right-of-way centerline of West 19th Street;*

*Thence, easterly on said easterly-westerly right-of-way centerline of West 19th Street to its intersection with the northerly-southerly right-of-way centerline of Avenue A;*

*Thence, southerly on said northerly-southerly right-of-way centerline of Avenue A to its intersection with the easterly-westerly right-of-way centerline of West 18th Street;*

*Thence, easterly on said easterly-westerly right-of-way centerline of West 18th Street to its intersection with the northerly-southerly right-of-way centerline of Broadway Avenue;*

*Thence, northerly on said northerly-southerly right-of-way centerline of Broadway Avenue to its intersection with the easterly right-of-way centerline of East 19th Street;*

*Thence, easterly on said easterly right-of-way centerline of East 19th Street to its intersection with the northerly-southerly right-of-way centerline of the alley between 1st Avenue and 2nd Avenue;*

*Thence, northerly on said northerly-southerly right-of-way centerline of the alley between 1st and 2nd Avenue to its intersection with the easterly extension of the north line of LT 7, BLK 1, SEVENTH ADD (Parcel #010146652);*

*Thence, westerly on said easterly extension of the north line of said Parcel #010146652 to the northeast corner of said Parcel #010146652, and continuing westerly on the north line of said Parcel #010146652 to the northwest corner of said Parcel #010146652 and continuing westerly on a westerly extension of the north line of said Parcel #010146652 to its intersection with the northerly-southerly right-of-way centerline of 1st Avenue;*

*Thence, northerly on said northerly-southerly right-of-way centerline of 1st Avenue to its intersection with the easterly extension of the north line of LT 6-8, BLK 2, SEVENTH ADD (Parcel #010146725);*

*Thence, westerly on said easterly extension of the north line of said Parcel #010146725 to the northeast corner of said Parcel #010146725, and continuing westerly on the north line of said Parcel #010146725 to the northwest corner of said Parcel #010146725, and continuing westerly on a westerly extension of the north line of said Parcel #010146725 to its intersection with the northerly-southerly centerline of the alley right-of-way between Broadway Avenue and 1st Avenue;*

*Thence, northerly on said northerly-southerly alley right-of-way centerline between Broadway Avenue and 1st Avenue to its intersection with the easterly-westerly right-of-way centerline of East 20th Street;*

*Thence, easterly on said easterly-westerly right-of-way centerline of East 20th Street to its intersection with the northerly-southerly right-of-way centerline of 1st Avenue;*

*Thence, northerly on said northerly-southerly right-of-way centerline of 1st Avenue to its intersection with the easterly extension of the north line of C 1/3 SE TL 5 EXC N 7', BLK 30, NORTH SCB ADD (Parcel #010135596);*

*Thence, westerly on said easterly extension of the north line of Parcel #010135596 to the northeast corner of said Parcel #010135596, and continuing westerly on the north line of said Parcel #010135596 to the northwest corner of said Parcel #010135596, and continuing westerly on a westerly extension of the north line of said Parcel #010135596 to its intersection with the northerly-southerly right-of-way centerline of the alley between Broadway Avenue and 1st Avenue;*

*Thence, northerly on said northerly-southerly right-of-way centerline of the alley between Broadway Avenue and 1st Avenue to its intersection with the north line of the easterly-westerly right-of-way of East 22nd Street, said point also being the southeast corner of Parcel #010135278, and said point being the Point of Beginning—said redevelopment study area containing an area of **24.955 acres**, more or less.*

Council Member Colwell moved, seconded by Council Member Green to approve Resolution 21-05-02 declaring that Study Area #14 generally described as properties and tracts of land north of East 15<sup>th</sup> Street and south of East 17<sup>th</sup> Street, beginning at 21<sup>st</sup> Avenue on the east and running west for a distance of two blocks, in the southeastern portion of the City of Scottsbluff is blighted and substandard as those terms are defined in the Nebraska Community Redevelopment Law, “YEAS,” Colwell, Green, Schaub, and McKerrigan. “NAYS,” None. Absent: Scanlan.

## **RESOLUTION 21-05-02**

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

#### **Recitals:**

g. The City Council has considered the question of whether the “Redevelopment Area,” as defined below, is substandard and blighted as those terms are defined in the Nebraska Community Development Law (the “Act”).

h. The “Redevelopment Area” encompasses the area in Scottsbluff, Nebraska, described as set forth in Exhibit A to this Resolution.

i. The City Council has received and reviewed the Blight & Substandard Determination Study, Study Area #14 prepared by M.C. Schaff & Associates, Inc. and dated March 9, 2021 (the “Study”).

j. The City Council submitted the question of whether the Redevelopment Area is substandard and blighted to the Planning Commission.

k. The Planning Commission received the Study and conducted a public hearing on May 10, 2021 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted and in need of redevelopment. The Planning Commission provided its written recommendation to the City Council that the Redevelopment Area should be declared substandard and blighted and in need of redevelopment.

l. The City Council conducted a public hearing on May 17, 2021 on the question of whether the Redevelopment Area is substandard and blighted and in need of redevelopment.

#### **Resolved:**

2. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study.

2. Declaring the Redevelopment Area as substandard and blighted is necessary to accomplish the sound redevelopment planning and program of the City, will enhance the development

potential of the Redevelopment Area as well as adjacent areas already declared substandard and blighted, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.

3. Based on the above recitals and resolutions, the Planning Commission's recommendation, the Study and its findings which are incorporated into this Resolution by this reference, and the comments at the public hearing, the City Council declares the Redevelopment Area as substandard and blighted, as those terms are defined in the Act, and in need of redevelopment.

4. All prior resolutions of the City Council in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

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

**PASSED and APPROVED** on May 17, 2021

**CITY COUNCIL OF THE CITY  
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

**Exhibit A  
Redevelopment Area (Area 14)**

Properties and tracts of land north of East 15th Street and south of East 17th Street, beginning at 21st Avenue on the east and running west for a distance of two blocks, in the southeastern portion of the community. The area contains approximately 18.156 acres and is more particularly described as:

*Situated in the North Half of the Southeast Quarter of the Southeast Quarter of Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning*** at the northerly-southerly 21st Avenue right-of-way centerline's intersection with the easterly-westerly right-of-way centerline of East 15th Street;

*Thence, westerly on said East 15th Street right-of-way centerline to its intersection with the southerly extension of the northerly-southerly alley right-of-way between LT 5, BLK 5, EAST PORTAL ADD (Parcel #010245065) and LTS 7-13, BLK 5, REPL LTS 7-13, BLK 5, EAST PORTAL ADD (Parcel #010245081);*

*Thence, northerly on said southerly extension of right-of-way centerline of alley between said Parcel #010245065 and said Parcel #010245081, and continuing northerly on said right-of-way centerline of alley between Parcel #010245065 and said Parcel #010245081 and continuing northerly to its intersection with the easterly-westerly centerline of the East 17th Street right-of-way;*

*Thence easterly on said East 17th Street right-of-way centerline to its intersection with the northerly-southerly centerline of the 21st Avenue right-of-way;*

*Thence southerly on said 21st Avenue right-of-way centerline to the Point of Beginning, said redevelopment study area containing an area of **18.156 acres**, more or less.*

Council Member Schaub moved, seconded by Council Member Colwell to approve Resolution 21-05-03 declaring that Study Area #15 generally described as properties and tracts of land within the general vicinity south of the Burlington Northern Santa Fe railroad right-of-way, east of 9<sup>th</sup> Avenue, west of 13<sup>th</sup> Avenue and north of and including South Beltline Highway East in the southeastern portion of the City of Scottsbluff is blighted and substandard as those terms are defined in the Nebraska Community Redevelopment Law, “YEAS,” Green, Schaub, McKerrigan, and Colwell. “NAYS,” None. Absent: Scanlan.

#### **RESOLUTION 21-05-03**

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

##### **Recitals:**

m. The City Council has considered the question of whether the “Redevelopment Area,” as defined below, is substandard and blighted as those terms are defined in the Nebraska Community Development Law (the “Act”).

n. The “Redevelopment Area” encompasses the area in Scottsbluff, Nebraska, described as set forth in Exhibit A to this Resolution.

o. The City Council has received and reviewed the Blight & Substandard Determination Study, Study Area #15 prepared by M.C. Schaff & Associates, Inc. and dated April 1, 2021 (the “Study”).

p. The City Council submitted the question of whether the Redevelopment Area is substandard and blighted to the Planning Commission.

q. The Planning Commission received the Study and conducted a public hearing on May 10, 2021 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted and in need of redevelopment. The Planning Commission provided its written recommendation to the City Council that the Redevelopment Area should be declared substandard and blighted and in need of redevelopment.

r. The City Council conducted a public hearing on May 17, 2021 on the question of whether the Redevelopment Area is substandard and blighted and in need of redevelopment.

**Resolved:**

3. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study.

2. Declaring the Redevelopment Area as substandard and blighted is necessary to accomplish the sound redevelopment planning and program of the City, will enhance the development potential of the Redevelopment Area as well as adjacent areas already declared substandard and blighted, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.

3. Based on the above recitals and resolutions, the Planning Commission's recommendation, the Study and its findings which are incorporated into this Resolution by this reference, and the comments at the public hearing, the City Council declares the Redevelopment Area as substandard and blighted, as those terms are defined in the Act, and in need of redevelopment.

4. All prior resolutions of the City Council in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

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

**PASSED and APPROVED** on May 17, 2021

**CITY COUNCIL OF THE CITY  
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

**Exhibit A  
Redevelopment Area (Area 15)**

Properties and tracts of land within the general vicinity south of the Burlington Northern Santa Fe railroad right-of-way, east of 9th Avenue, west of 13th Avenue and north of South Beltline Highway East in the

southeastern portion of the community. The area contains approximately 13.590 acres and is more particularly described as:

*Situated in the South Half of the Southeast Quarter of the Northwest Quarter, and in the North Half of the Northeast Quarter of the Southwest Quarter of Section 25, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning** at the northwest corner of PT TR 1 N OF HWY & PT TR 8, UNION LIVESTOCK ADD (Parcel #010152393), said point also being on the southern right-of-way line of the Burlington-Northern Santa Fe (BNSF) railroad right-of-way;*

*Thence, southeasterly on said southern line of BNSF railroad right-of-way to its intersection with the southerly extension of the northerly-southerly right-of-way centerline of 13th Avenue, said point also being on the City of Scottsbluff corporate limits line;*

*Thence, southerly on the City of Scottsbluff corporate limits to its intersection with the southern right-of-way line of South Beltline Highway East;*

*Thence, westerly and northwesterly on said southern right-of-way line of South Beltline Highway East to its intersection with the centerline of the northerly-southerly 9th Avenue right-of-way;*

*Thence, northerly on said 9th Avenue right-of-way centerline to its intersection with the south line of the BNSF railroad right-of-way, said point also being a northwesterly extension of the north line of Parcel #01052393;*

*Thence southeasterly on said northwesterly extension of the north line of said Parcel #01052393 to the northwest corner of said Parcel #01052393, said point also being the Point of Beginning, said redevelopment study area containing an area of **13.590 acres**, more or less.*

Council Member Colwell moved, seconded by Mayor McKerrigan to approve Resolution 21-05-04 declaring that Study Area #17 generally described as properties and tracts of land within the general vicinity between Avenues A and C and between West Overland Drive and West 18<sup>th</sup> Street, including a corridor extending westerly from Avenue B along the southern border of the BNSF railroad right-of-way and north of Cowen Drive, in the south-central portion of the City of Scottsbluff is blighted and substandard as those terms are defined in the Nebraska Community Redevelopment Law, "YEAS," McKerrigan, Colwell, and Green. "NAYS," Schaub. Absent: Scanlan.

#### **RESOLUTION 21-05-04**

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

**Recitals:**

s. The City Council has considered the question of whether the "Redevelopment Area," as defined below, is substandard and blighted as those terms are defined in the Nebraska Community Development Law (the "Act").

t. The “Redevelopment Area” encompasses the area in Scottsbluff, Nebraska, described as set forth in Exhibit A to this Resolution.

u. The City Council has received and reviewed the Blight & Substandard Determination Study, Study Area #17 prepared by M.C. Schaff & Associates, Inc. and dated April 8, 2021 (the “Study”).

v. The City Council submitted the question of whether the Redevelopment Area is substandard and blighted to the Planning Commission.

w. The Planning Commission received the Study and conducted a public hearing on May 10, 2021 for the purpose of making a recommendation to the City Council as to whether the Redevelopment Area is and should be determined as substandard and blighted and in need of redevelopment. The Planning Commission provided its written recommendation to the City Council that the Redevelopment Area should be declared substandard and blighted and in need of redevelopment.

x. The City Council conducted a public hearing on May 17, 2021 on the question of whether the Redevelopment Area is substandard and blighted and in need of redevelopment.

**Resolved:**

4. The Redevelopment Area meets the criteria set forth in Sections 18-2103(3) and (31) of the Act, as described and set forth in the Study.

2. Declaring the Redevelopment Area as substandard and blighted is necessary to accomplish the sound redevelopment planning and program of the City, will enhance the development potential of the Redevelopment Area as well as adjacent areas already declared substandard and blighted, and the inclusion of all property in the Redevelopment Area is necessary to create a unified redevelopment area sufficient to encourage developers and redevelopment and to carry out the purposes of the Act.

3. Based on the above recitals and resolutions, the Planning Commission’s recommendation, the Study and its findings which are incorporated into this Resolution by this reference, and the comments at the public hearing, the City Council declares the Redevelopment Area as substandard and blighted, as those terms are defined in the Act, and in need of redevelopment.

4. All prior resolutions of the City Council in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

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

**PASSED and APPROVED** on May 17, 2021



**CITY COUNCIL OF THE CITY  
OF SCOTTSBLUFF, NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Clerk

**Exhibit A  
Redevelopment Area (Area 17)**

Properties and tracts of land within the general vicinity between Avenues A and C and between West Overland Drive and West 18th Street, including a corridor extending westerly from Avenue B along the southern border of the BNSF railroad right-of-way and north of Cowen Drive, in the south central portion of the community. The area contains approximately 22.861 acres and is more particularly described as:

*Situated in the Southeast Quarter of the Southwest Quarter and in the Southwest Quarter of the Southeast Quarter of Section 23, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows;*

***Beginning*** at the northwest corner of LTS 10-11, BLK 1, TRI STATE ADD (Parcel #010152245);

*Thence, easterly on the north line of said Parcel #010152245 to the northeast corner of said Parcel #010152245, and continuing easterly on an easterly extension of said north line of Parcel #010152245 to its intersection with the northerly-southerly centerline of the alley right-of-way between Avenue B and Avenue A, and between said Parcel 010152245 and LTS 16-19, BLK 1, TRI STATE ADD (Parcel #010152253);*

*Thence, southerly on said alley right-of-way centerline to its intersection with the north line of the West Overland Drive right-of-way, and continuing on a southerly extension of said alley centerline to the easterly-westerly centerline of the West Overland Drive right-of-way;*

*Thence, westerly on said West Overland Drive right-of-way centerline to its intersection with the southerly extension of the northerly-southerly alley right-of-way centerline of the alley between Avenue B and Avenue C;*

*Thence, northerly on said southerly extension of said alley right-of-way centerline of the alley between Avenue B and Avenue C to its intersection with the north right-of-way line of West Overland Drive, and continuing northerly on said alley right-of-way centerline of the alley between Avenue B and Avenue C to its intersection with the easterly extension of the north line of LT 8, BLK 1, MCCLANAHANS ADD (Parcel #010131639);*

*Thence, westerly on said easterly extension of the north line of said Parcel #010131639 to the northeast corner of said Parcel #010131639, and continuing westerly on the north line of said Parcel #010131639 to the northwest corner of said Parcel #010131639, and continuing on a westerly extension of the north line of said Parcel #010131639 to its intersection with the northerly-southerly right-of-way centerline of Avenue C;*

*Thence, northerly on said Avenue C right-of-way centerline to its intersection with the easterly-westerly right-of-way centerline of West 14th Street;*

*Thence, easterly on said West 14th Street right-of-way centerline to its intersection with the southerly extension of the west line of Lots 9-12, Block 1, Sunset Addition (Parcel #010150595);*

*Thence, northerly on the southerly extension of said west line of Parcel #010150595 to the southwest corner of said parcel, and continuing northerly on the west line of Parcel #010150595 to the northwest corner of said parcel, and continuing northerly on a northerly extension of said parcel to the south edge of Lot 4, Block 1, Sunset Addition;*

*Thence, easterly on the south line of said Lt 4, Blk 1, Sunset Add and continuing on an easterly extension thereof to the southwest corner of Lots 1-2, Block 1, Sunset Addition (Parcel # 010150498);*

*Thence, northerly on the west line of said Parcel # 010150498 to the north line of Block 1, Sunset Addition;*

*Thence, westerly on said north line of Block 1, Sunset Addition to the southerly extension of the east line of LT 1 EX E 115', ALL LT 2, KELLEY-BRESTER REPLAT (Parcel # 010113622);*

*Thence, northerly on said southerly extension of the east line of Parcel #010113622 to the south line of said Parcel #010113622;*

*Thence, westerly on the south line of Kelley-Brester Replat to the southwest corner of said Kelley-Brester Replat, said point also being the Cowen Drive east right-of-way;*

*Thence, northerly on Cowen Drive east right-of-way to the south corner of LT 4, KELLEY-BRESTER REPLAT (Parcel #010113673);*

*Thence, northeasterly on the southeast line of said Parcel #010113673 to the northeast line of Kelley-Brester Replat, said point also being on the southwest line of PT E 1/2 SW, UNPL LANDS, 23-22-55 (Parcel #010274405);*

*Thence, northwesterly on the southwest line of said Parcel #010274405 to the west corner of said Parcel #010274405;*

*Thence, northeasterly on the northwest line of said Parcel #010274405 to the north corner of said Parcel #010274405, said point also being on the southwest line of the Burlington Northern Santa Fe (BNSF) Railroad right-of-way;*

*Thence, southeasterly on said BNSF southwest right-of-way line to its intersection with the west right-of-way line of Avenue B;*

*Thence, northerly on the west right-of-way line of Avenue B to its intersection with the southwestern right-of-way line of West Railway Street;*

*Thence, northwesterly on said West Railway Street southwest right-of-way line to its intersection with the Avenue C right-of-way centerline;*

*Thence, northerly on said Avenue C right-of-way centerline to its intersection with the West 18th Street right-of-way centerline;*

*Thence, easterly on said West 18th Street right-of-way centerline to its intersection with the Avenue A right-of-way centerline;*

*Thence, southerly on said Avenue A right-of-way centerline to the West Railway Street southwest right-of-way line;*

*Thence, northwesterly on the said West Railway Street southwest right-of-way line to its intersection with the Avenue B east right-of-way line;*

*Thence, southerly on said Avenue B east right-of-way to the northwest corner of LTS 10-11, BLK 1, TRI STATE ADD (Parcel #010152245), said point also being the Point of Beginning, said tract containing an area of **22.861 Acres**, more or less.*

City Manager Rief approached Council regarding the application for the creation of an Agricultural Estate Dwelling Site from John Raymond, Executor of the Patricia Raymond Estate. Mr. Rief explained this request has been approved through the Planning Commission.

Mr. Gregg Schilz with MC Schaff & Associates came forward and explained Mr. Raymond has a potential buyer for the farm ground of 44.7 acres and that is the reason for the Ag Estate. Council Member Schaub made a motion, seconded by Council Member Colwell to approve the application for the creation of an Agricultural Estate Dwelling Site from John Raymond, Executor of the Patricia Raymond Estate, for property located at 210113 Raymond Drive, Scottsbluff, NE and authorize the Mayor to sign the Certificate, "YEAS," Schaub, Colwell, McKerrigan, and Green. "NAYS," None. Absent: Scanlan

Regarding the preliminary and final plat of lots 1, 2, and 3 Block 1, King's Acres Subdivision, Legal Counsel Hadenfeldt explained the land owner would like to subdivide two lots off of the original lot. This is located off of Hwy 71 and is in the City's extraterritorial district. Council Member Colwell moved, seconded by Council Member Schaub to approve the preliminary and final plat of lots 1, 2, and 3 Block 1, King's Acres subdivision, a Replat of Block 1, King's Acres subdivision and approve Resolution 21-05-05, "YEAS," McKerrigan, Green, Colwell, and Schaub. "NAYS," None. Absent: Scanlan.

#### **RESOLUTION NO. 21-05-05**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF**

**SCOTTSBLUFF, NEBRASKA:**

**WHEREAS, BE IT RESOLVED**, the preliminary and final plat of Lots 1, 2 and 3, Block 1, King's Acres Subdivision, a Replat of Block 1, King's Acres Subdivision, situated in the NW¼ of the SW¼ of Section 11, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, dated April 8, 2021, duly made, acknowledged and certified, is approved and the Mayor is authorized to sign the Plat on behalf of the City of Scottsbluff, Nebraska. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 17<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Mr. Geoff Nemnich, President of 23 Club, approached Council regarding additional project funding. Mr. Nemnich explained they need additional funding to complete phase 1 of the project, as they are going to be a little short to complete alternates 6 and 7 which comprise of irrigation, landscaping, sod in between the fields and parking lot improvements.

Mr. Rief then came forward and explained with regard to the parking lot, the City may be able to get the grading and gravel through the construction costs due to the use being degraded substantially during construction of this and the Pathway project. He commented we should not have to put much out of pocket, maybe just running a road grader over the area to level it out.

After discussion, Mr. Nemnich stated he would like to request roughly \$50,000 to \$60,000 to complete the irrigation, sod and landscaping, commenting, everything should be finished until they are ready to put up LED lighting in the future. Council Member Colwell moved to approve up to \$50,000 to the 23 Club Baseball Complex for irrigation and sod. This was seconded by Mayor McKerrigan. "YEAS," Colwell, Green, and McKerrigan. "NAYS," Schaub. Absent: Scanlan.

Ms. Rawnda Pierce, Executive Director of Twin Cities Development came forward regarding the Workforce Housing Investment Fund City of Scottsbluff Local Match Agreement between the City of Scottsbluff and Twin Cities Development Association, Inc. Ms. Pierce explained to Council that April 15<sup>th</sup> they were notified they were awarded the grant from the Rural Workforce Housing Fund. She reiterated the first \$350,000 of the City's money that was approved by Resolution 20-12-03 will be dispersed to qualified businesses and after that the money becomes a pool of money that can be served in the communities of Kimball County, Scotts Bluff County and Morrill County. In addition they do have a diverse review committee in place which includes City Attorney Adam Hoesing. Their main focus is on single family homes and wanting to get the inventory built up again since housing is hard to find in this area. She is asking this be approved tonight, so a check can be sent to the state before their fiscal year

ends. Council Member Schaub made a motion, seconded by Council Member Colwell to approve the Workforce Housing Investment Fund City of Scottsbluff Local match Agreement between the City of Scottsbluff and Twin Cities Development Association, Inc. and authorize the Mayor to sign the Agreement, “YEAS,” Green, Schaub, McKerrigan, and Colwell. “NAYS,” None. Absent. Scanlan.

Regarding the TV and Digital Public Service Announcement Contracts for KNEB and NBC Nebraska for Stormwater Public Education, Mr. Rief explained this is part of our Tri City Stormwater PSA contracts for 2021 and is a requirement for our MS4 permit. Council Member Colwell asked if next year we can utilize social media in replace of the other advertisers to meet this requirement. City Manager Rief stated he will check into it. 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,” McKerrigan, Schaub, Colwell, and Green. “NAYS,” None. Absent: Scanlan.

Mayor McKerrigan read the Proclamation naming May 16-22, 2021 as Emergency Medical Services Week.

Mr. Chad Leeling approached Council regarding a Business Promotional Event Permit for the Stomping Ground d/b/a Shots Bar to include vendors and noise permit for a Buck Cherry Concert on June 11, 2021 at the 18<sup>th</sup> Street Plaza from 10:00 a.m. to 2:00 a.m. Mr. Leeling stated the main reason for the move to the 18<sup>th</sup> Street Plaza is the gating and security. He also stated that with COVID precautions having the concert outside would be beneficial as well.

Mr. Rief, on behalf of Police Chief Spencer, asked what Mr. Leeling’s plan is for security and if he will be utilizing any of the City’s Police Officers. Mr. Leeling stated he could use the Scottsbluff Police Department. If utilized he would only need two officers and he would like to see them walk around during the concert to help with any potential incidents that could arise, adding he has hired five correctional officers to his security of ten already. Mr. Leeling stated the actual show will go from 6:00 to 11:00 p.m., explaining the hours on the permit encompass setting up and shutting down. He will utilize the main gate and shut the other gates, so tickets will only be taken from one gate to help check for minors entering the facility. He will also use cattle gates in other areas where there is not a fence. He is capping the attendance at 600 people and will not be closing any streets. Council Member Green moved, seconded by Council Member Schaub to approve the Business Promotional Event Permit for the Stomping Ground d/b/a Shots Bar to include vendors and noise permit for a Buck Cherry Concert on June 11, 2021 at the 18<sup>th</sup> Street Plaza from 10:00 a.m. to 2:00 a.m., “YEAS,” Schaub, Colwell, McKerrigan and Green. “NAYS,” None. Absent: Scanlan.

Regarding the Special Designated Liquor License for the Stomping Ground, LLC d/b/a Shots Bar to serve beer, wine and distilled spirits at a Buck Cherry Concert in the 18<sup>th</sup> Street Plaza from 2:00 p.m. to 11:30 p.m., Mr. Chad Leeling explained the gates will open at 5:00 p.m., the concert will start at 6:00 p.m. and everything will be shut down at 11:00 p.m. He does not anticipate selling any wine, but has it on the permit in case something changes. Council Member Schaub moved, seconded by Council Member Green to approve the Special Designated Liquor License for the Stomping Ground, LLC d/b/a Shots Bar to serve beer, wine and distilled spirits at a Buck Cherry Concert in the 18<sup>th</sup> Street Plaza from 2:00 p.m. to 11:30 p.m., “YEAS,” McKerrigan, Green, Colwell, and Schaub. “NAYS,” None. Absent: Scanlan.

Concerning the land acquisition and conveyance at Webber Manor subdivision, City Manager Rief explained he has been approached by a land owner interested in donating some land and he would like to enter into closed session to discuss the transaction. Council Member Colwell moved to go into closed session for the reason that it is clearly necessary for the protection of the public interest as it will

involve a strategy session regarding negotiations and real estate acquisition. This was seconded by Council Member Schaub.

Mayor McKerrigan then stated the motion has been made to go into closed session as it is necessary to protect the public interest as it will involve a strategy session regarding negotiations and real estate acquisition. There was no discussion.

Mayor McKerrigan then added the pending motion is to go into closed session as it is clearly necessary to protect the public interest as it will involve a strategy session regarding negotiations and real estate acquisition. She then asked to call the roll, "YEAS," Colwell, Green, Schaub, and McKerrigan. "NAYS," None. Absent: Scanlan.

Mayor McKerrigan stated a motion to go into closed session as it is necessary for the protection of the public interest as it will involve a strategy session regarding negotiations and real estate acquisition has been adopted. Council went into closed session at 7:34 p.m. with City Manager Rief and Legal Counsel Hadenfeldt.

Council reconvened out of closed session at 7:56 p.m. The following Council Members were present: Jeanne McKerrigan, Jordan Colwell, Nathan Green, and Terry Schaub.

Mayor McKerrigan then explained Council has reconvened out of closed session involving a strategy session regarding negotiations and real estate acquisition. She added Council has agreed to move forward with direction to staff to continue with acquiring the real estate and negotiations that was in the discussion, asking the City Manager to keep them updated. This was put into motion by Council Member Schaub, seconded by Council Member Green, "YEAS," Green, Schaub, Colwell, and McKerrigan. "NAYS," None. Absent: Scanlan.

Under Council reports, Council Member Colwell stated there is a 911 meeting on Tuesday, May 18<sup>th</sup>.

Council Member Colwell moved to adjourn the meeting at 7:58 p.m. This was seconded by Council Member Schaub, "YEAS," Colwell, Schaub, McKerrigan, and Green. "NAYS," None. Absent: Scanlan.

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Mayor

Attest:

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City Clerk