

City of Scottsbluff, Nebraska

Monday, August 2, 2021

Regular Meeting

Item Consent1

Council to approve the minutes of the July 19, 2021 Regular Meeting.

Staff Contact: City Council

Regular Meeting
July 19, 2021

The Scottsbluff City Council met in a regular meeting on July 19, 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 July 16, 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, 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 July 16, 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, Jordan Colwell, and Terry Schaub. Also present were Deputy City Attorney John L. Selzer and City Manager Dustin Rief. Absent: Angela Scanlan and Nathan Green. Mayor McKerrigan asked if there were any changes to the agenda. There were no changes. 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 Colwell,

- a) The minutes of the July 6, 2021 Regular Meeting be approved.
- b) Council Member Scanlan's absence at the July 6, 2021 Regular Meeting be excused
- c) Council Member Schaub's absence at the July 6, 2021 Regular Meeting be excused.
- e) A liability claim which was presented be acknowledged from Clarence Gealy, North Hampton Apartments, 3521 Avenue D, Scottsbluff, NE. The claim will be withdrawn and forwarded to the City's insurance carrier. "YEAS," Colwell, Schaub and McKerrigan. "NAYS," None. Absent: Scanlan and Green.

Moved by Council Member Schaub, 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 July 19, 2021, as on file with the City Clerk and submitted to the City Council, "YEAS," n, Schaub, McKerrigan, and Colwell. "NAYS," None. Absent: Scanlan and Green.

CLAIMS

21ST CENTURY EQUIPMENT,LAWN MOWER,63046.06;3M COMPANY,PAVEMENT MARKING TAPE,7913.95;ACTION COMMUNICATIONS INC.,FACADE IMPROVEMENT GRANT,1299; ADVERTISING SPECIALTIES LLC,DEP. SUP.,2118.97;AE SERVICES, LLC,EQUIP MAINT PARK,400.85;AGUALLO PAUL SR,EMCO BOTTOM REPLACEMENTS X 17 CANS,3300;ALLO COMMUNICATIONS, LLC, LOCAL TELEPHONE CHARGES, 4141.9; AMAZON. COM HEAD QUARTERS,MISC.,1523.78;ANITA'S GREENSCAPING INC,CONT. SRVCS.,265;ASSOCIATED SUPPLY CO, INC,BLDG MAINT REC,1641.63;ASSURITY LIFE INSURANCE CO,LIFE

INSURANCE,32.95;AUTOZONE STORES, INC,CARB CLEANER,62.42;B & H INVESTMENTS, INC,DEP.SUP.-LIBRARY,345;B&CSTEELCORPORATION,BOTTOMS FOR DUMPSTERS,1740.63; BAKER & ASSOCIATES INC,23 CLUB IMPROVEMENTS,6536.9; BIBLIOTHECA LLC,BLDG. MAIN.,5372;BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,3304.99; BLUFFS FACILITY SOLUTIONS,REC. BRKFAST.,1902.03;BRUCE MEIER,EMS LEADERSHIP ACADEMY,159;CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,577.63;CARR- TRUMBULL LUMBER CO, INC.,SUPPLIES - 23 CLUB,130.64;CASH WA DISTRIBUTING,CONCESSIONS REC,203.9;CELLCO PARTNERSHIP,CELL PHONES-PD,2494.55;CEM SALES & SERVICE,EQUIP MAINT REC,3694.71;CENTRAL STATES WIRE PRODUCTS INC.,BALE WIRE,2340;CITIBANK N.A.,DEPT SUPP PARK,867.54;CITIBANK, N.A.,HUSKY TOOL SET,397.03;CITY OF GERING,TRASH/RECYCLING DISPOSAL FEES,48210.44;CITY OF SCB,PETTY CASH ADM,190.52;CLARK PRINTING LLC,DEPT SUPPLIES,735.99;COMPUTER CONNECTION INC,CONTRACTUAL-PD,44;CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,342.05;CONTRACTORS MATERIALS INC.,SUPP - LEVEL,506.85;CORE & MAIN LP,DEPT SUP,2885.78;CREDIT BUREAU OF COUNCIL BLUFFS,FEE - JUNE 2021,50;CROELL INC,CONCRETE FOR 23 CLUB,851.87;CULEK-SCHAEFFER ETHAN,CONTRACTUAL-PD,57.5; CYNTHIA GREEN,DEPT SUPP REC,479.52;DALE'S TIRE & RETREADING, INC.,TIRES FOR UNIT #812,3277.87;DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,55.49;DUANE E. WOHLERS,HAULING RECYCLING TO DENVER, CO,800;ELLIOTT EQUIPMENT COMPANY INC.,PARTS FOR 90 GALLON CANS,3721.5;ENERGY LABORATORIES, INC DEPT 6250,SAMPLES,162; FASTENAL COMPANY,DEPT SUPP CEM,3.51; FAT BOYS TIRE AND AUTO,EQUIP MAINT PARK,622.1;FEDERAL EXPRESS CORPORATION,POSTAGE,1561.62;FISHERWELL SERVICE, INC.,ELECTRICAL PARKS,7708.13; FLOYD'S TRUCK CENTER SCOTTSBLUFF,UNIT #824- A/C REPAIRS,4862.48;FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,1540;FREMONT MOTOR SCOTTSBLUFF, LLC,VEH MAINT-PD,627.39; GALLS INC,UNIFORMS-PD,172.96;GRAY TELEVISION GROUP INC, CONTRACTUAL SVC, 2095; HAWKINS, INC., CHEMICALS, 13535.56; HONEY WAGON XPRESS,CONTRACTUAL PARK,450; HULLINGER GLASS & LOCKS INC.,LOCK REPAIR FOR SOUTH DOOR,1085.25;HYDROTEX PARTNERS, LTD,10W-30 & 5W40 OIL,3968.6;ICMA MEMBERSHIP RENEWALS,MEMBERSHIP RENEWAL - DUSTIN RIEF #675184,1200;IDEAL LAUNDRY AND CLEANERS, INC.,RUGS, SHOP TOWELS, MOPS,607.41;INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT PARK,2061.41;INGRAM LIBRARY SERVICES INC,Coll.,301.73;INLAND TRUCK PARTS & SERVICE,ENGINE 1 ALIGNMENT AND PREVENTATIVE MAINTENANCE, 2215.43; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 66785.06;INTERNATIONAL CODE COUNCIL, INC.,DEPT SUPP STREET,371;INTRALINKS, INC,CONTRACT SERVICES - JUNE 2021,11068.86;INVENTIVE WIRELESS OF NE, LLC,INTERNET,125.9; J G ELLIOTT CO.INC.,BOND-PD,70; JESSE LAURUHN,REIMBURSE FUEL FOR SEA DOO TRAINING,40;JOHN DEERE FINANCIAL,SUPP - TOOLS - WRENCHES,146.76;JOHN DEERE FINANCIAL,DEPT SUPP PARK,366.95;JOHN DEERE FINANCIAL,DEPT SUPP CEM,270.67;KAY PARK RECREATION CORPORATION,DEPT SUPP PARK,4968.72; KNOW HOW LLC,DEPT SUPPLIES & VEHICLE MTNC,981.03;KRIZ DAVIS,ELECTRICAL MAINT,89.37;LANDAUER, INC,EQUIP MAINT-PD,168.35;LEAGUE ASSOCIATION OF RISK MANAGEMENT,WORK COMP DEDUCTIBLES - 6/30/21,3855.79; LEE

BHM CORP,PUBLISHING,491.11;LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100;LORE BRIAN & LORI,CONTRACTUAL,1000;M.C. SCHAFF & ASSOCIATES, INC,ENG. SERV. FOR AVE. B OVERLAY PROJECT, 26749.5; MADISON NATIONAL LIFE, INSURANCE, 2500.06;MASEK DISTRIBUTING INC,EQUIP MAINT PARK,315.08;MATHESON TRI-GAS INC,RENT - MACHINES,64.62;MENARDS, INC,STRUCTURE-SHED,3276.35;MICHAELS CHRISTINE,SEWER CLAIMS,10392.13;MIDWEST CONNECT, LLC,UB PROCESSING - JUNE 2021,2499.23;MIRACLE RECREATION EQUIPMENT,GROUND MAINT PARK,798.83;MOBIUS COMMUNICATIONS COMPANY, EQUIPMENT, 10688.21; MUNIMETRIX SYSTEMS CORP, IMAGESILO - JUNE 2021,39.99; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1315.1; NE DEPT OF REVENUE,JUNE TAXES,54504.25;NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF-PD,13.2;NE LIBRARY COMMISSION,SBSCR.,2321.73; NEBRASKA RURAL WATER ASSOCIATION,MEMBERSHIPS,275;NEBRASKA MACHINERY CO,EQUIP MAINT,351.06; NEBRASKA MEMORIALS INC,DEPT SUPP CEM,135;NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 63164.62; NEBRASKA RURAL RADIO ASSOCIATION, CONTRACTUAL SVC, 325; NEBRASKA STATE VOLUNTEER FIREFIGHTER'S ASSOCIATION, NSVFA MEMBERSHIP - MURPHY,10;NEBRASKALAND TIRE, INC,VEH MAINT-PD,1083.06; NEMNICH AUTOMOTIVE,REPAIR PICKUP - REPL. VALVE BODY ASSEM.,2564.29; NETWORKFLEET, INC,GPS SERVICE,286.04;NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP,889.79;ONE CALL CONCEPTS, INC,CONTRACTUAL,189.47; OREGON TRAIL PLUMBING, HEATING & COOLING INC,EQUIP MAINT REC,201;P.F. PETTIBONE & CO,MINUTE BOOK - CITY COUNCIL,147.95;PAIGE'S POSIES,CONTRACT SERVICES - BID - JUNE 2021,5635; PANHANDLE COOPERATIVE ASSOCIATION,FLEET FUEL-PROPANE& DIESEL,4196.27;PANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL SVC, 706; PANHANDLE HUMANE SOCIETY, CONTRACTUAL, 5383.65; PAULREED CONSTRUCTION & SUPPLY, INC,23 CLUB BALLPARK IMPROVEMENTS,336413.23;PEPSI COLA OF WESTERN NEBRASKA, LLC,CONCESSIONS,584.6;PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT, 10575.28; POOL EQUIP LLC, EQUIP MAINT REC, 6239.13; POWER PLAN, REPAIRS TO GRADER,1483.6;PT HOSE AND BEARING,DEPT SUP,2051.5;QUILL CORPORATION,INVEST/DEPT SUPPL-PD,1365.72; REAMS SPRINKLER SUPPLY CO.,GROUND MAINT PARK,2567.84;REGIONAL CARE INC,HEALTH INS. PREM. - JULY 2021,60663.45; REGISTER OF DEEDS,QUITCLAIM DEED,120;REZPLOT SYSTEM LLC,CONTRACTUAL,590; RIVERSIDE ZOOLOGICAL FOUNDATION,CONTRACTUAL,75000; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,3279.02;ROSE DREW, INC,DEP. SUP.,29.06;RURAL HEALTH DEVELOPMENT, INC.,ECONOMIC DEV,6383.33;S M E C,EMPLOYEE DEDUCTION,240.27;SANDBERG IMPLEMENT, INC,DEPT SUPP PARK,2330.14;SCB COUNTY,DEPT CNTRCL SRVCS,75;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,280;SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,458.18;SCOTT WALTON,EQUIP MAINT PARK,291.04;SCOTTS BLUFF COUNTY,2ND YR. - PICTOMETRY 2020 FLIGHT,4486.66;SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,975; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS-PD,260;SHERIFF'S OFFICE,LEGAL FEES-PD,633.04;SHERWIN WILLIAMS,BLDG MAINT PARK,242.96;SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,12773.79;SIMON CONTRACTORS,PAYMENT 1 FOR AVE. B MILL & OVERLAY PROJECT,105651.53;SIRSI CORPORATION,CONT. SRVCS.,1215.61;

SNELLSERVICESINC.,BLDG.MAIN.,2518.29;SOUNDSLEEPERSECURITY INC., CONTRACTUAL PD,14.95; STARR LEHL,POSTCARDS - NEW IN TOWN,129.21;STATE HEALTH LAB,SAMPLES,128;STATE OF NE.,CONTRACTUAL-PD,630;SUHOR INDUSTRIES, INC.,DEPT SUPP CEM,110; SWANK MOTION PICTURES INC,SPECIAL EVENT,465; THE MEAT SHOPPE INC,REC. BRKFST.,1288.8;THE PEAVEY CORP,INVEST SUPPL-PD,318.5;TOYOTA MOTOR CREDIT CORPORATION,HIDTA-CAR LEASE,343.53;TWIN CITY ROOFING & SHEETMETAL, INC,REPAIR - HAIL DAMAGE (SR. CENTER & TRANSP.HANGER),45506.32;UNION BANK & TRUST,RETIREMENT,39738.03;US BANK,FEE - GO HWY ALLOC. BOND 2018,800;US BANK,OFFICE CHAIRS FOR DAYROOM,5563.24;VAN PELT FENCING CO, INC,GROUND MAINT PARK,160;W & R INC,EQUIP MAINT REC,875.1; WALMART,REC. BRKFST.,482.08; WEBER TYLER,SCHOOLS & CONF-PD,65;WELLS FARGO BANK, N.A.,WAGE ATTACHMENT,96.47;WESTERN COOPERATIVE COMPANY,GROUND MAINT PARK,2010.07; WESTERN PATHOLOGY CONSULTANTS, INC,DOT RANDOM TEST - JUNE 2021,147.5; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,576;WEX BANK,FLEET FUEL,22709.77; WITMER PUBLIC SAFETY GROUP,RAPID INTERVENTION BAG AND SEARCH ROPE,774.82; WRISTBANDS MEDTECH USA, INC.,DEPT SUPP REC,860.16;WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,731;REFUNDS; MIDWESTERN BEHAVIORAL HEALTH SERVICES, 288.53; JOSH VAN EPS, 3.10; ROBERT L FEIL, 22.42.

City Manager Rief presented the June 2021 Financial Report. He explained we have been expending quite a bit of money on projects as we are wrapping them up, specifically 23 Club and the Pathway.

Council Member Schaub moved, seconded by Council Member Colwell to approve the June 2021 Financial Report, "YEAS," McKerrigan, Schaub, and Colwell. "NAYS," None. Absent: Scanlan and Green.

Police Chief Kevin Spencer approached Council regarding the Community Festival Permit on August 3rd sponsored by the Scottsbluff Police Department for National Night Out 2021. Mr. Spencer stated this will be the 23rd year; it is a very well attended event with normal street closures. He anticipates a great turnout with many vendors participating this year. Council Member Schaub moved, seconded by Council Member Green to approve the Community Festival Permit for the Scottsbluff Police Department for National Night Out 2021 on the 1500 to 1900 Blocks of Broadway, August 3, 2021 from 6:00-8:00 p.m. including street closures and noise permit, "YEAS," Schaub, Colwell and McKerrigan. "NAYS," None. Absent: Scanlan and Green.

Mr. Chad Leeling and Mr. Geno Bolger came forward regarding a Special Designated Liquor License for The Stomping Ground, LLC d/b/a Shots Bar & Grill to serve beer at the 18th Street Plaza on August 21st for a UFC Fights event. Mr. Bolger stated this will be a MMA fight event for Legion Combat Sports; it will be their 35th show and also Mr. Bolger's retirement from the event. He explained he would like his sendoff to be at this location, since he lives in Scottsbluff. He also complimented the security of the Plaza, stating it would be the perfect spot because of the fencing around it and only two entry and exit points.

Police Chief Spencer approached Council after being asked about security. He explained three to four off duty officers have been hired to help. In addition, Mr. Bolger commented his security crew will include 12-13 people, as well as eight from Mr. Leeling.

Council Member Schaub made a motion, seconded by Council Member Colwell to approve a

Special Designated Liquor License for the Stomping Ground, LLC d/b/a Shots Bar and Grill to serve beer at the 18th Street Plaza on August 21, 2021 from 2:00 p.m. to 11:45 p.m. for UFC Fights event, “YEAS,” McKerrigan, Colwell, and Schaub. “NAYS,” None. Absent: Scanlan and Green.

City Manager Rief presented the application for the creation of an Agriculture Estate Dwelling Site from Frank Properties 2, LLC for property located at 240677 Highland Road. Mr. Rief explained this is to clean up land around the home property and expand the amount of land in the Agriculture Estate Dwelling, adding the major change is the address because it was not properly annotated originally.

Mr. Greg Schilz with MC Schaff came forward and explained the old property was .7 acres and was never recorded; that is why there is a need to do the official Ag Estate. The area is comprised of 2.81 acres with a remainder of approximately 158 acres. He added there is a small house on the southeast corner, which used to be a dwelling. There are no utilities present and it is basically a shed now.

Council Member Schaub moved, seconded by Council Member Colwell to approve the application for the creation of an Agriculture Estate Dwelling Site from Frank Properties 2, LLC for property located on 240677 Highland Road, Scottsbluff, NE and authorize the Mayor to sign the Certificate, “YEAS,” Colwell, Schaub, and McKerrigan. “NAYS,” None. Absent: Scanlan and Schab.

Mr. Rief approached Council regarding the application for the creation of an Agriculture Estate Dwelling Site from Kelly Becker (Kel Kim Farms, Inc.) for property located at 80497 CR 22. He explained this site is located a half mile north of the soccer fields and is similar to the previous agenda item.

Mr. Schilz from MC Schaff approached Council and stated the Ag Estate is 2.29 acres, the remainder being 38.41 acres. He added there is an issue with the AEDS as an existing structure crosses the section/property line, however the structure was built many years ago.

Council Member Colwell moved, seconded by Council Member Schaub to approve the application for the creation of an Agriculture Estate Dwelling Site from Kelly Becker (Kel Kim Farms, Inc.) for property located at 80497 CR 22, Scottsbluff, NE and authorize the Mayor to sign the Certificate, “YEAS,” Schaub, McKerrigan, and Colwell. “NAYS,” None. Absent: Scanlan and Green.

Regarding the Final Plat of Lots 1 & 2, Block 2, Webber Manor Fourth Addition, City Manager Rief explained this is a subdivision behind the old Albertsons building; the land is currently vacant and zoned C-2.

Council Member Schaub made a motion, seconded by Mayor McKerrigan to approve the Final Plat of Lots 1 & 2, Webber Manor Fourth Addition, situated in the Southeast Quarter of Section 14, Township 22 North, Range 55 West of the 6th P.M. Scotts Bluff County, NE and authorize the Mayor to sign Resolution No. 21-07-02, “YEAS,” McKerrigan, Schaub, and Colwell. “NAYS,” None. Absent: Scanlan and Green.

RESOLUTION NO. 21-07-02

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

WHEREAS, BE IT RESOLVED, the final plat of Lots 1 and 2, Block 2, Webber Manor Fourth Addition, an Addition to the City of Scottsbluff, situated in the SE1/4 of Section 14, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, dated July 1, 2021, duly made, acknowledged and

certified, is approved and the Mayor is authorized to sign the Final Plat on behalf of the City of Scottsbluff, Nebraska. Such Final Plat is ordered to be filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 19th day of July, 2021.

Mayor

ATTEST:

City Clerk

Mr. Rief presented the Amended Contract for Public Improvements with Smith Land Company, LLC for Blocks 1 & 2 Webber Manor Fourth Addition explaining this is for the public improvements proposed for the rest of the development, excluding the portion that is being subdivided.

Legal Counsel Selzer explained the Agreement is amended because it changes the parcel boundaries of the original Agreement.

Council Member Schaub moved, seconded by Council Member Colwell to approve the Amended Contract for Public Improvements with Smith Land Company, LLC for Blocks 1 & 2 Webber Manor Fourth Addition to the City of Scottsbluff and authorize the Mayor to sign the Amended Contract, "YEAS," Schaub, Colwell, and McKerrigan. "NAYS," None. Absent: Scanlan and Green.

Mr. Rief approached Council regarding the City of Façade Improvement Grant for Diamond Vogel Paints. He explained the CRA met last week and approved the application; staff is recommending approval. He also reminded Council there is approximately \$126,000 left in the fund and they are carrying this over to the next budget year.

Council Member Schaub moved, seconded by Council Member Colwell to approve the City of Scottsbluff Façade Improvement Grant to Diamond Vogel Paint, "YEAS," McKerrigan, Colwell, and Schaub. "NAYS," None. Absent: Scanlan and Green.

There were no meetings attended by Council Members to be addressed in Council Reports.

Council Member Schaub moved to adjourn the meeting at 6:18 p.m. This was seconded by Council Member Colwell, "YEAS," Colwell, Schaub, and McKerrigan. "NAYS," None. Absent: Scanlan and Green.

Mayor

Attest:

City Clerk