

City of Scottsbluff, Nebraska

Monday, December 6, 2021

Regular Meeting

Item Consent1

Council to approve the minutes of the November 15, 2021 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on November 15, 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 November 12, 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 November 12, 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, Angela Scanlan and Selina Lerma. Also present were City Attorney Kent Hadenfeldt and City Manager Dustin Rief. Absent: None. 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. Ms. Elizabeth Roberts came forward reporting on Scottsbluff Youth Council. Ms. Roberts informed Council of various activities at Scottsbluff High School including Math Club, Skills USA, football, volleyball, DECA and FFA.

Moved by Council Member Scanlan, seconded by Council Member Green,

- a) The minutes of the November 1, 2021 Regular Meeting be approved.
- b) The advertising of a Request for Proposal for the purchase of real-time permit and asset management system software, to be used by various departments, and authorizing the City Clerk to advertise for proposals to be received by December 10, 2021 at 2:00 p.m. be approved.
- c) The bid specifications for the purchase of a 90 Gallon Cart Sanitation Vehicle, Cab & Chassis, for the Sanitation Department and authorizing the City Clerk to advertise for bids to be received by December 14, 2021 at 1:00 p.m. be approved.
- d) The bid specifications for the purchase of a Rear Loader Sanitation Vehicle, Cab & Chassis, for the Sanitation Department and authorizing the City Clerk to advertise for bids to be received by December 14, 2021 at 1:00 p.m. be approved, "YEAS," Colwell, Scanlan, Green, Lerma, and McKerrigan. "NAYS," None. Absent: None.

Moved by Council Member Green, seconded by Council Member Scanlan, that the following claims, be approved and paid as provided by law out of the respective funds designated in the list of claims dated November 15, 2021, as on file with the City Clerk and submitted to the City Council, "YEAS," Green, Lerma, Scanlan, McKerrigan, and Colwell. "NAYS," None. Absent: None.

CLAIMS

911 CUSTOM, LLC, CIP PATROL CAR #11 K9, 1711.89; ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHEMENT,248.39;ACTION COMMUNICATIONS INC.,EQUIP MAINT-PD,985.23;AGUALLO PAUL SR,DEPT SUPPLIES,3000; AIRGAS USA, LLC,DEPT SUPPLIES,174.37;ALFA LAVAL INC, EQUIP MAINT, 665.9; ALLO COMMUNICATIONS, LLC, LOCAL TELEPHONE CHARGES, 4091.33; AMERICAN LEGAL PUBLISHING CORPORATION, CODIFICATION OF ORDINANCES, 7507.5; ASSURITY LIFE INSURANCE CO, LIFE INSURANCE, 32.95;B & H INVESTMENTS, INC,DEP. SUP. - LIBRARY,281.5; B&C STEEL CORPORATION, DEPT SUPPLIES, 5117.91; BDS3C, LLC, ECON DEV ASSISTANCE AGREEMENT, 550000; BLUFFS FACILITY SOLUTIONS,BLDG. MAIN.,2479.31; CAPITAL BUSINESS SYSTEMS INC.,EQUIP MAINT ADM,178.42;CARR- TRUMBULL LUMBER CO, INC.,SNOW FENCE - 10 ROLLS,687.18;CELLCO PARTNERSHIP,IPADS, TABLETS, CELL PHONES, GRIDSMART FOR TRANS.,1080.99;CITIBANK, N.A.,SUPP - TOGGLE BOLTS & SILICONE,23.88;CITY OF GERING,DISPOSAL FEES,42199; CLARK PRINTING LLC,TIME CARDS,151.75;COMPUTER CONNECTION INC,CONTRACTUAL-PD,44;CONTINUUM EAP,EAP SERVICES 10/1/21 - 9/30/22,5000; CORE & MAIN LP,DEPT SUP,908.68;CORNHUSKER MARRIOTT HOTEL,SCHOOL & CONF,816;CREDIT BUREAU OF COUNCIL BLUFFS,FEE & EMPL SCREEN - OCT 2021,62.25;CRESCENT ELECT. SUPPLY COMP INC,SUPP - LAMPS,28.44; CROELL INC,DEPT SUPP CEM,734.32;DUNN JACOB,LEGAL FEES-PD,32.32;EAKES INC,DEPT SUPP CC,170.11;FASTENAL COMPANY,DEPT SUPP PARK,19.58;FAT BOYS TIRE AND AUTO,TIREREPAIRFORSWEEPER,108.15;FEDERAL EXPRESS CORPORATION,POSTAGE,281.9; FLIAM, TYLER,SCHOOLS & CONF-PD,200; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,950;FREMONT MOTOR SCOTTSBLUFF, LLC,VEH MAINT-PD,77.94;FYR-TEK INC,ANNUAL PUMP TESTING E1, E2, T1,1257.08;GALLS INC,UNIFORMS-PD,96.97;GARTON, LYNN,SCHOOLS & CONF,-155;GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,2095;HD SUPPLY FACILITIES MAINTENANCE LTD, DEPT SUP, 366.69; HOA SOLUTIONS, INC, EQUIPMENT,37099.4;HONEY WAGON EXPRESS,CONTRACUTAL,225;HULLINGER GLASS & LOCKS INC.,BLDG. MAIN.,787.5;HYDROTEX PARTNERS, LTD,EQUIP MAINT PARK,163.44; IDEAL LAUNDRY AND CLEANERS, INC.,DEPT SUPPLIES,443.3;INGRAM LIBRARY SERVICES INC,COLL., 98.17; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 63183.39; INTRALINKS, INC, CONTR SERV. - OCT 2021,3109.97;INVENTIVE WIRELESS OF NE, LLC,INTERNET CAMPGROUND,35.9;J G ELLIOTT CO.INC.,BOND - E.LOUTZENHISER,945; KNOW HOW LLC,BATTERIES & CHARGER,2275;KRIZ DAVIS,ELECTRICAL MAINT,300.13; LEE BHM CORP,PUBLISHING,4759.49;LESSERT CRYSTAL,LEGAL FEES-PD,20;LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100;M.C. SCHAFF & ASSOCIATES, INC,ENG. SERVICES FOR AVE. B OVERLAY PROJECT,38124;MADISON NATIONAL LIFE,INSURANCE,2429.47; MARKETING CONSULTANTS,CLOTHING ALLOWANCE - HATS,589;MATHESON TRI-GAS INC,RENT - MACHINES,66.18;MENARDS, INC,DEPT SUPP PARK,1812.94;MIDWEST CONNECT, LLC,UB PROCESSING - OCT 2021,1674.71;MONTELONGO JOSE,LEGAL FEES-PD,23.36; MTL COMMODITY CORPORATION,COST CERTIFICATION & DISBURS.REQUEST,125000; MUNIMETRIX SYSTEMS CORP,IMAGESILO - OCT 2021,39.99;NE CHILD SUPPORT PAYMENT CENTER,NECHILDSUPPORTPYBLE,1553.1; NE DEPT OF REVENUE,WITHHOLDINGS,22604.25; NEBRASKA ASSOCIATION OF CHIEF'S OF POLICE,MEMBERSHIP-PD,50;NEBRASKA INTERACTIVE, LLC,DRIVERS LIC REQ. (OCT 2021),7.5;NEBRASKA MACHINERY CO,EQUIP MAINT,1676.13;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,37814.18;NEBRASKA RURAL RADIO ASSOCIATION,CONTRACTUAL SVC,665;NEBRASKALAND TIRE, INC,VEH

MAINT-PD,867.69;NETWORKFLEET, INC,GPS SERVICE,286.04;OCLC ONLINE COMPUTER LIBRARY CENTER, INC, CONT. SRVCS., 385.72; ONE CALL CONCEPTS, INC, CONTRACTUAL, 205.61;OREGON TRAIL COMMUNITY FOUNDATION, INC,SPONSORSHIP-GIRLS STATE GOLF,6000;OREGON TRAIL PLUMBING, HEATING & COOLING INC,BLDG MAINT-PD,461; PAIGE'S POSIES,CONTRACT SERV - BID OCT 2021,2497.5;PANHANDLE COOPERATIVE ASSOCIATION,FUEL,3731.59;ANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL SVC,289;PLATTE RIVER GLASS RODNEY L FLOTH,EQUIP MAINT,300;PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,9868.36;POWERPLAN,EQUIP MAINT,314.57;PT HOSE AND BEARING,CAP NUTS & PLUGS FOR D. TRUCK,8.7;QUADIENT LEASING USA INC,CONT. SRVCS.,594.17;QUILL CORPORATION,DEPT SUPPL-PD,972.57;REGION 22 EMERGENCY MGMT,REGION 22 EMERGENCY MANAGEMENT FEE,7194.73;REGIONAL CARE INC,CLAIMS,91546.74;REVIZE LLC,ANNUAL WEBSITE SUPPORT,2568;RIGHT BRAIN UNLIMITED,DEPT SUPP PARK,532.31;ROSE DREW, INC,DEP. SUP.,162.81; S M E C,EMPLOYEE DEDUCTIONS,150.27;SAFETYLINE CONSULTANTS, INC,DEPT SUPPL-PD,41.35;SANDBERG IMPLEMENT, INC,EQUIP MAINT PARK,224.29;SCB COUNTY,DEPT CNTRL SRVCS,100;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,300;SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,458.18;SCOTTIES POTTIES INC,CONTRACTUAL,475;SCOTTS BLUFF COUNTY COURT, LEGAL FEES PD, 306; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, D POLICE EE DUES,936;SCOTTSBLUFF PUB SCHOOLS,SCOTTSBLUFF BRAND - WATER BOTTLES,3544.8;SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,SCREENPRINT UNIFORM T-SHIRTS,625;SCOTTSBLUFF/GERING CHAMBER OF COMMERCE,STATE OF THE VALLEY LUNCHEON,200;SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,16823.79; SIMON CONTRACTORS,PAYMENT ON AVE. B OVERLAY PROJECT,343043.6;SNELL SERVICES INC.,BLDG. MAIN.,367.6;SNYDER MARY,LEGAL FEES-PD,20; STAMPER SIDING & CONSTRUCTION,DEPT SUPPLIES,2320;STARR LEHL,CREATIVE DEV. CONF. EXPENSE - 11/3/21 - 11/4/21,64.88;TERRY D SCOTT,VEH MAINT PARK,85.1;THE PEAVEY CORP,INVEST SUPPL-PD,75.53;UNION BANK & TRUST,RETIREMENT,42802.37;WESTERN PATHOLOGY CONSULTANTS, INC,2022 FMCSA POLICY UPDATES,150;WESTERN TRAVEL TERMINAL, LLC,VEH MAINT-PD,471;WEX BANK,FLEET GASOLINE/DIESEL,22048.02;WILLIAM AND/OR ANITA JAMES,QUITCLAIM DEED JAMES,350;WIN INVESTMENTS INC,SCHOOLS & CONF,265.2;WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,765;ZM LUMBER CO CAPITAL ONE TRADE CREDIT,SUPP - SNOW FENCE,679.25;ZM LUMBR,REIMBURSE FOR PERMIT 2021-05,400;REFUNDS; SOUTHWEST DÉCOR, 36.33; LINDA PALSER, 71.24; RRESIDENCE SPRINKLER, 237.96; JERRE SMITH, 29.97

City Manager Rief presented the September 2021 Financial Report. He explained this report is the unaudited preliminary numbers for fiscal year end. He went on to note there are large expenditures, but there was a net positive gain of all funds, adding on the expenditure side of our total budget we are approximately \$600,000 under budget. He also mentioned we did take in an additional \$814,000 in tax revenues including sales tax above the projected budget; we are about \$1.5 million above in the general fund from last year's budget. Council Member Scanlan moved, seconded by Council Member Lerma to accept the September 2021 Financial Report, "YEAS," Scanlan, McKerrigan, Lerma, Colwell, and Green. "NAYS," None. Absent: None.

Regarding the October 2021 Financial Report, Mr. Rief explained this report starts the beginning of our fiscal year and the report reflects significant payments to insurance and transportation projects.

Council Member Scanlan moved, seconded by Council Member Green to accept the October 2021 Financial Report, “YEAS,” Lerma, Colwell, McKerrigan, Green, and Scanlan. “NAYS,” None. Absent: None.

Mayor McKerrigan opened the public hearing at 6:11 p.m. to consider a Class I Liquor License application from Pocu, Inc., d/b/a Wonderful House, 829 Ferdinand Plaza, Scottsbluff, NE.

Ms. Elise Mooc, liquor license manager applicant and Police Chief Kevin Spencer were present to answer questions regarding the liquor license. The following exhibits presented on behalf of the City Council were entered into record: 1) Pocu, Inc., d/b/a Wonderful House Liquor License Application; 2) City Council check list for section §53-132 cum. supp. 2016; 3) written statement of Police Chief Kevin Spencer dated November 12, 2021; 4) written statement of City Clerk dated November 15, 2021; 5) written statement of Development Services dated November 9, 2021.

Ms. Elise Mooc approached Council and stated she has managed the Wonderful House for eleven years. She added there is a change in ownership and that is the reason for the new license.

Police Chief Kevin Spencer came forward and explained he does a background check to make sure the applicant is fit, willing and able to hold a liquor license. This check was uneventful and there is nothing disqualifying the Wonderful House from being able to have the license. He added Ms. Mooc did appear before the Liquor License Investigatory Board and received a positive recommendation for the license.

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

Council Member Scanlan made a motion to send a positive recommendation to the Nebraska Liquor Control Commission regarding the Class I liquor license for Pocu, Inc., d/b/a Wonderful House pursuant to Nebraska §53-132 (2)a, (2)b, (2)c, and (2)d. This was seconded by Council Member Green, “YEAS,” McKerrigan, Green, Colwell, Scanlan, and Lerma. “NAYS,” None. Absent: None.

Council Member Scanlan moved, seconded by Council Member Lerma to send a positive recommendation to the Nebraska Liquor Control Commission naming Elise Mooc as the Liquor License Manager of Pocu, Inc., d/b/a Wonderful House, 829 Ferdinand Plaza, Scottsbluff, NE, “YEAS,” Colwell, Scanlan, Green, Lerma, and McKerrigan. “NAYS,” None. Absent: None.

RESOLUTION NO. 21-11-03

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

1. On November 15, 2021 the matter of the application of a Class I liquor license for Pocu, Inc., d/b/a Wonderful House, 829 Ferdinand Plaza, Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class I liquor license for Pocu, Inc., d/b/a Wonderful House, 829 Ferdinand Plaza, Scottsbluff, NE 69361

Exhibit 2 - City Council Check List for Section 53-132 (Reissue 2016)

Exhibit 3 - Written statement of Police Chief dated November 12, 2021

Exhibit 4 - Written statement of City Clerk dated November 15, 2021

Exhibit 5 - Written statement of Development Services Department dated November 9, 2021

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Elise Mooc, Manager; Police Chief Kevin Spencer spoke on behalf of the City.
3. Upon consideration of the evidence and the criterion to be considered by the City Council pursuant to law, the City Council finds as follows:
 - a. Applicant has demonstrated a fitness, willingness, and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act.
 - b. Applicant has met its burden with regard to the check list provided by Section 53-132 R.R.S. (2016) and demonstrates a willingness and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act and its management and control appears to be sufficient to insure compliance with such rules and regulations.
4. By reason of the above, the Applicant has met the burden of proof and persuasion in producing evidence pertaining to the criterion prescribed in the Nebraska Statutes.
Based on the above findings, the City Council approves the application and recommends to the Nebraska Liquor Control Commission that a Retail Class I liquor license be issued for Pocu, Inc., d/b/a Wonderful House at the premises described in the application.
5. The City Clerk shall transmit a copy of this Resolution to the Commission.
6. Cost of publication: \$12.95.

Passed and approved this 15th day of November 2021.

Mayor

ATTEST:

City Clerk

“seal”

Council Member Scanlan presented the Community Festival Permit for the Downtown Scottsbluff Christmas Parade 2021. Ms. Scanlan stated it is business as usual relating to the parade; they are happy to be able to have it, due to not being able to have it last year.

Council Member Colwell moved, seconded by Council Member Green to approve the Community Festival Permit for the Downtown Scottsbluff Christmas Parade 2021 on Broadway sponsored by the Downtown Scottsbluff Association on November 28, 2021 from 5:00-8:00 p.m., “YEAS,” Colwell, Scanlan, Green, Lerma, and McKerrigan. “NAYS,” None. Absent: None

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 Very Merry Christmas Market Event, Council Member Lerma declared a conflict of interest due to Rosita’s being a family business. She is abstaining from discussion or voting on the matter.

Council Member Green moved, seconded by Council Member Scanlan to excuse Council Member Lerma from discussion or voting on the agenda item pertaining to the Special Designated Liquor License for P.R.E.S. Inc., d/b/a Rosita's Restaurant, "YEAS," Green, Scanlan, McKerrigan, and Colwell. "NAYS," None. Abstain: Lerma. Absent: None.

Ms. Rosemary Florez approached Council 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 Very Merry Christmas Market Event. She explained they will open at 10:00 a.m. and they will use wristbands and check identification for alcohol sales.

Council Member Scanlan made a motion, seconded by Council Member Green 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 18th Street Plaza for the Very Merry Christmas Market Event on December 4, 2021 from 10:00 a.m. to 4:00 p.m., "YEAS," Scanlan, McKerrigan, Colwell, and Green. "NAYS," None. Abstain: Lerma. Absent: None.

Council introduced the Ordinance updating Parks within the City and was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 15, ARTICLE 1, SECTION 1 OF THE MUNICIPAL CODE TO UPDATE THE NAMES AND LISTINGS OF PARKS IN THE CITY OF SCOTTSBLUFF, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Colwell moved that the statutory rule regarding the Ordinance for updating Parks within the City to be read by title on three different days be suspended. This was seconded by Council member Scanlan. "YEAS," Lerma, Colwell, McKerrigan, Green, and Scanlan. "NAYS," None. Absent: None.

Council Member Colwell moved, seconded by Council Member Scanlan to adopt Ordinance No. 4266 updating Parks within the City, "YEAS," McKerrigan, Green, Colwell, Scanlan, and Lerma. "NAYS," None. Absent: None.

City Manager Rief presented to Council the Ordinance updating City Code 6-4-1 regarding the boundary lines of City Wards, explaining we were approached by the County to update our Wards. With the release of the 2020 Census Data, Scotts Bluff County is required to update the commissioner districts and per state statute the County must follow established ward lines within first class cities. The County has requested the City adjust boundary lines between Ward One and Ward Two from 17th Street to 18th Street. Staff is recommending the waiving of the three readings.

Council introduced the Ordinance updating City Code 6-4-1 regarding the boundary lines of City Wards and was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 6, ARTICLE 4, SECTION 1 OF THE SCOTTSBLUFF MUNICIPAL CODE DEALING WITH THE DEFINITIONS OF WARDS, REPEALING PRIOR PROVISIONS OF MUNICIPAL CODE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Green made a motion that the statutory rule regarding the reading of the Ordinance updating City Code 6-4-1 regarding the boundary lines of the City Wards to be read by title on three different days be suspended. This was seconded by Council Member Scanlan. "YEAS," Colwell, Scanlan, Green, Lerma, and McKerrigan. "NAYS," None. Absent: None.

Council Member Scanlan moved, seconded by Council Member Lerma to adopt Ordinance No. 4267 updating City Code 6-4-1 regarding the boundary lines of City Wards, "YEAS," Green, Lerma, Scanlan, McKerrigan, and Colwell. "NAYS," None. Absent: None.

Mr. Zach Glaubius, Planning Administrator approached Council regarding the Ordinance updating the name of Hilltop Place to Hilltop Estate Place. Mr. Glaubius explained while reviewing City

maps they realized the existing Hilltop Place street name is in violation of City Code 21-1-19 because there is another Hilltop Place, platted in 1958, located in the City's Extra-territorial Jurisdiction. After consulting with the developer of the Hilltop Estates subdivision, the name Hilltop Estate Place was chosen as the new name of the street, meeting requirements of City Code. Mr. Glaubius also stated since this was an oversight by the City he is requesting waiving the three readings of the Ordinance.

Council introduced the Ordinance updating the name of Hilltop Place to Hilltop Estate Place and was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO REVISE §20-1-3 DEALING WITH THE CHANGE IN THE NAME OF STREETS, IN HILLTOP ESTATES TO HILLTOP ESTATE PLACE AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Lerma moved that the statutory rule regarding the reading of the Ordinance updating the name of Hilltop Place to Hilltop Estate Place to be read by title on three different days be suspended. This was seconded by Council Member Scanlan. "YEAS," Scanlan, McKerrigan, Lerma, Colwell, and Green. "NAYS," None. Absent: None.

Council Member Scanlan moved, seconded by Council Member Lerma to adopt Ordinance No. 4268 updating the name of Hilltop Place to Hilltop Estate Place, "YEAS," Lerma, Colwell, McKerrigan, Green, and Scanlan. "NAYS," None. Absent: None.

Regarding accepting all completed improvements in Hilltop Estates and approving the Supplement Contract for Public Improvement, Mr. Rief explained he has been working with Mr. Hunter Kosman to get the utilities accepted and accomplish stormwater issues that came up later in the development. He added the first part of the agenda item is to accept the current improvements. The second, the supplemental agreement, is for the City to bid out the remainder of the improvements. He added it is essentially accepting the streets and water utilities with the City taking on the responsibility to get the rest completed on their behalf.

Council Member Colwell asked for clarification on bidding out and settling, wanting to know who pays for that. Does the City pay that portion? City Manager Rief stated, yes, we will bid the project with the supplemental agreement and as long as we are both in agreement that the bid is acceptable we will move forward with the project. Once the project is complete the City will invoice. We are responsible for making the initial payment and then Kosman, Inc. will be responsible for making the payment to the City.

Council Member Colwell moved, seconded by Council Member Scanlan to accept the completed improvements in Hilltop Estates and approve the Supplement Contract for Public Improvements for Hilltop Estates and authorize the Mayor to sign the Supplemental Contract, "YEAS," McKerrigan, Green, Colwell, Scanlan, and Lerma. "NAYS," None. Absent: None.

City Manager Rief presented the Façade Improvement Grant from Papa Murphy's Take and Bake Pizza for new signage. He explained this application received a positive recommendation from the CRA.

Mr. Dan Marshall, owner, came forward and explained he will be updating the sign on the business and on 27th Street. He is asking for \$3,905.32 to help complete the improvements.

Council Member Colwell moved, seconded by Council Member Scanlan to approve the City of Scottsbluff Façade Improvement Grant to Papa Murphy's Take and Bake Pizza, "YEAS," Colwell, Scanlan, Green, Lerma, and McKerrigan. "NAYS," None. Absent: None.

Under Council Reports, Council Member Scanlan stated that WNED had skipped their meeting for this month. Mayor McKerrigan added Tri City Active Living Advisory Committee had cancelled their meeting also. Mayor McKerrigan also commented that she and City Manager Rief attended meetings with Ground Based Strategic Deterrent and the Gambling Commission.

Council Member Scanlan moved, seconded by Council Member Lerma to adjourn the meeting at 6:34 p.m., “YEAS,” Green, Lerma, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: None.

Mayor

Attest:

City Clerk
“Seal”