

# **City of Scottsbluff, Nebraska**

**Monday, August 21, 2023**

**Regular Meeting**

## **Item Consent1**

**Council to approve the minutes of the August 7, 2023 Regular Meeting.**

**Staff Contact: City Council**

The Scottsbluff City Council met in a regular meeting on August 7, 2023 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 August 3, 2023, 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, together with a copy of the agenda, also had been emailed to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television station NBC Nebraska and the Star Herald. The notice was also available on the city's website on August 4, 2023. 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 in attendance and encouraged all citizens to participate in the Council meeting asking those wishing to speak to come to the microphone and state their name and who they are representing for the record. Mayor McKerrigan 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, Angela Scanlan, and Betsy Vidlak. Also present were City Manager Kevin Spencer and City Attorney Kent Hadenfeldt. Absent: Matt Salomon.

Mayor McKerrigan asked if there were any changes to the agenda. There was none. 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 Scanlan, seconded by Council Member Vidlak that,

- a) The minutes of the July 17, 2023 Regular Meeting be approved,
- b) The minutes of the July 25, 2023 Special Meeting be approved,
- c) The following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated August 7, 2023 as on file with the City Clerk and submitted to the City Council. "YEAS," Colwell, Vidlak, Scanlan and McKerrigan. "NAYS," None. Absent: S a l o m o n .

#### CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS, WAGE ATTACHMENT, 649.52; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4073.38;AL'S TOWING, INC.,TOW SERVICE-PD,150; ASSOCIATED SUPPLY CO, INC,DEPARTMENT SUPPLIES-REC,1936.13; B & H INVESTMENTS, INC,DEP. SUP. -LIBRARY,742.26; BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,3934.28; BLUFFS FACILITY SOLUTIONS,DEPT/JANIT SUPPL-PD,3134; BRETT BEWLEY,RE-IMBURSEMENT FOR CDL,60;BUDGET DRAIN SERVICES LLC,CONTRACTUAL PARK,4027.5; BULK TRANSPORT COMPANY WEST INC,GROUND MAINT PARK,888.25; CANO MAREBELLE,REFUND POOL PARTY,250; CAPITAL BUSINESS SYSTEMS INC., EQUIPMAINT, 333.31; CARLSON, DEBRA, BIS. TRVL., 80; CASHWA DISTRIBUTING, CONCESSIONS SUPPLIES-REC,1641.75;CELLCO PARTNERSHIP,CELL PHONES-PD,1743.65; CEM SALES & SERVICE,DEPARTMENT SUPPLIES-REC,4757.47;CITIBANK N.A.,DEPT SUPP ADM,232.99;CITIBANK, N.A.,DEPT SUPP CEM,125.48;CITY OF GERING,SCOTTSBLUFF SHARE

OF USGS STREAMGAGE OPERATION,1836.45;CITY OF SCB,CDL REIMB,113.3;COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,LIFE INSURANCE,22.75;COLORADO ASPHALT SERVICES, INC,1 LOAD COLD ASPHALT,3025.74;COMMERCIAL RECREATION SPECIALISTS INC,GROUND MAINT PARK,643.2;CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,230.5;CONTRACTORS MATERIALS INC.,SUPP - GRINDING WHEELS (DISCS),585.99; CORE & MAIN LP,METERS,3371.78;CRESCENT ELECT. SUPPLY COMP INC,BLDG MAINT PARK,16.54;CROELL INC,CONCRETE FOR STREET REPAIR,1725.69;DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,64.82;DAVID M GLENN JR.,SCHOOLS & CONF,295;DENNIS SUPPLY COMPANY,EQUIPMENT MAINTENANCE-REC,700.86; DIAMOND VOGEL,BLUE LATEX PAINT,96.85;EJS SUPPLY LLC,DEPARTMENT SUPPLIES-SAN,6645; ELLIOTT EQUIPMENT COMPANY INC.,DEPARTMENT SUPPLIES-SAN,1035.25; FAT BOYS TIRE AND AUTO,EQUIP MAINT PARK,411.83; FEDERAL EXPRESS CORPORATION,POSTAGE,132.31; FLOCK GROUP INC,CIP-LPR,16750;FLOYD'S TRUCK CENTER SCOTTSBLUFF,VEHICLE MAINTENANCE-SAN,159.16; FRANCISCO'S BUMPER TO BUMPER INC,TOW SERVICE-PD,1305; GALLS PARENT HOLDINGS, LLC,EQUIP MAINT-PD,2607.54;GARCIA & SON'S INTERIOR & EXTERIOR SERVICES, LLC,CDBG REHAB REIMB,49995;GERING MULTIPURPOSE SENIOR CENTER,CONTRACTUAL,1000;GI HOSPITALITY,SCHOOLS & CONF-PD,294;GONZALEZ EDDY,CONSULTING-PD,35;HAWKINS, INC.,CHEMICALS,9134.59;HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,8114.66;HOA SOLUTIONS, INC,EQUIP MAINT,375.71; HONEY WAGON EXPRESS,CONTRACTUAL,450;HQ COMPOST HOLDINGS LLC,DEPT SUP,9200; HULLINGER GLASS & LOCKS INC.,DEPARTMENT SUPPLIES-REC,2.75;INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT PARK,363.14;INGRAM LIBRARY SERVICES INC,COLL.,3160.12;INLAND TRUCK PARTS & SERVICE,VEHICLE MAINTENANCE-SAN,5265.86; INTERNAL REVENUE SERVICE,WITHHOLDINGS,150983.43;INTRALINKS, INC,DATTO ALTO - JULY 2023 (ADM/WA),4096.97;INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL SVC,351.7;JOHN DEERE FINANCIAL,LOADER ATTACHMENT & SUPPLIES,2377.81;JOHN DEERE FINANCIAL,DEPT SUPP PARK,31.96;JOHN DEERE FINANCIAL,EQUIP MAINT PARK,2139.32;LANDRETH RICHARD,BIS. TRVL.,160;LEAGUE ASSOCIATION OF RISK MANAGEMENT,ENDORS.#24 PARK PROPERTY,221.94;LEE BHM CORP,PUBLISHING,1120.49;LIFELOCK MEDICAL SUPPLY LLC,AED & CABINET (8),7488; LITTAU TYLER,SCHOOLS & CONF-PD,450;LOMBARD MATTHEW,UNIFORMS-PD,34.5; LORE BRIAN & LORI,CONTRACTUAL PARK,1400;M.C. SCHAFF & ASSOCIATES, INC,PROF.SERVICES - 20TH ST. OVERLAY 2023,17052.25;MACQUEEN EQUIPMENT INC,EQUIP MAINT,1871.59; MADISON NATIONAL LIFE,INSURANCE,3598.89;MATTHEW M. HUTT,PRE-EMPL.SCREENING - MUNOZ,450; MENARDS, INC,DEPT SUP,1012.27;MICHAEL B KEMBEL,BUILDING MAINT,290.2;MICHAEL BEEBE,CONTRACTUAL SVC,421;MIDTOWN ANIMAL HOSPITAL P.C.,K9 BOARDING-PD,35;MIDWEST CONNECT, LLC,DEPT SUPP ADM,223;MIDWEST MACHINERY & SUPPLY CO,GUARD RAIL PARTS - POSTS, BOLTS, WASHERS,1385.21; MILLAY ELIZABETH,BIS. TRVL.,80;NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,2925.2; NE DEPT OF REVENUE,TAXES,21992.98;NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF-PD,75;NE LIBRARY COMMISSION,MISC.,5437.3;NE.DEPT. OF LABOR UNEMPLOYMENT,UNEMPLOYMENT - 2ND QTR 2023,397.9;NEBRASKA MACHINERY CO,EQUIP MAINT,67.83;NEBRASKA MUNICIPAL POWER POOL,CONTRACTUAL SVC,7895; NEBRASKA PUBLIC POWER DISTRICT,ELECTRICITY,20867.04;NEBRASKA RURAL RADIO ASSOCIATION,STORMWATER RADIO SPOTS,500;NEBRASKA SAFETY & FIRE EQUIPMENT INC.,CHARGE TWO FIRE EXTINGUISHERS - T1 AND E1,110;NELSON ETHAN,BIS. TRVL.,80; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT PARK,2902.94; PAIGE

MANNING,CONTR.SERVICES - JULY 2023 SW,5790;PANHANDLE AUTOMOTIVE GROUP LLC,EQUIP MAINT CEM,317.99;PANHANDLE CONCRETE PRODUCTS, INC,DEPT SUP,1418; PANHANDLECOOPERATIVEASSOCIATION,EVENT-REC,35.63;PANHANDLEENVIRONMENTAL SERVICES INC,SAMPLES,300; PANHANDLE HUMANE SOCIETY,CONTRACTUAL,5656.07; PARADISE PUMPERS LLC,CONTRACTUAL,665;PAUL REED CONSTRUCTION & SUPPLY, INC,DEPTSUPP CEM,277.2;PEPSI COLA OF WESTERN NEBRASKA, LLC,CONCESSIONS SUPPLIES-REC,444.81;PLATTE RIVER GLASS RODNEY L FLOTH,VEH MAINT-PD,1167; PLATTE VALLEY BANK,HEALTH SAVINGS ACCT,20256.82;POMPS TIRE SERVICE INC,EQUIP MAINT,26.5; POWERPLAN,PARTS FOR GRADER - GASKETS, NUTS, TURBOCHARGER,2704.47; PT HOSE AND BEARING,SUCTION HOSE FOR PAINT GUN,94.72;QUADIENT LEASING USA INC,CONT. SRVCS.,390.35;QUILL CORPORATION,DEPT/BLDG SUPPL-PD,438.1;REAMS SPRINKLER SUPPLY CO.,DEPT SUPP CEM,1374.99; RECOLLECT SYSTEMS INC,CONTRACTUAL SERVICES-SAN,7381.56;RECREATION SUPPLY CO., INC.,DEPARTMENT SUPPLIES-REC,214.4;REGION 22 EMERGENCY MGMT,QUARTERLY EMERGENCY MANAGEMENT FEE,8070.3;REGIONAL CARE INC,CLAIMS,215030.68;REGIONAL WEST,LEAD #8371170,287;REGIONAL WEST MEDICAL CENTER,LITTAU #1805454-PD,280.7;REGIONAL WEST PHYSICIANS CLINIC,LITTAU #1805454-PD,279;RICHARD CELLI,EQUIP MAINT PARK,31.9; RIDGECREST PRODUCTS INC,UNIFORMS-PD,356.8;ROALKVAN DREW,SCHOOLS & CONF-PD,295;ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,2266.48;ROSE DREW, INC,A/V SUP,469.26;RUSCH'S GENERAL CONTRACTING, LLC,CDBG REHAB REIMB,5649.82;RUSSEL'S AUTOMOTIVE,VEH MAINT-PD,964.83;S M E C,EMPLOYEE DEDUCTION,192.3;SCB COUNTY,SEPTIC PERMITS: S22-111; S22-106; S23-061,275;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,540;SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,827.7;SCHAFF, MICHAEL,TREE REBATE,150;SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,328; SCOTTSBLUFF MOTOR CO, INC,HIDTA CAR LEASE-PD,439.5; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,1716;SHERIFF'S OFFICE,LEGAL FEES-PD,25.92;SHERWIN WILLIAMS,GROUND MAINT PARK,92.04;SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,8354.62;SNELL SERVICES INC.,DEPT SUPP ADM,48;SOUNDSLEEPER SECURITY INC.,CONTRACTUAL SVC,400;STATE HEALTH LAB,SAMPLES,76;STATE OF NE.,CONTRACTUAL-PD,315;STERLING T HUFF, ATTORNEY AT LAW,FACADE GRANT,7845.93;SUPERIOR SIGNALS, INC,REPLACEMENT CONTROLLER FOR LED,91.95;SYMBOLARTS, LLC,NAME PLATE AND BADGES - FPO AND LT,412.5; TACTICAL ENERGETIC ENTRY SYSTEM LLC,SCHOOLS & CONF-PD,2360; TEXAS PNEUDRAULIC INC,VEHICLE MAINTENANCE-SAN,475.54;THOMPSON GLASS, INC,CONTRACTUAL SVC,859.38; TITAN MACHINERY, INC.,EQUIP MAINT,249.1; TRANS-WEST INC,VEHICLE MAINT,35.4;U AND U TRUCKING LLC,CONTRACTUAL SERVICES-SAN,1102;UNION BANK & TRUST,RETIREMENT,81911.07;UNITED STATES WELDING,CONTRACTUAL SERVICES-SAN,62.48;US BANK,FEES - GO HWY ALLOC. BONDS 2018,880;US BANK,EQUIP MAINT,9055.72; VAN DIEST SUPPLY COMPANY,MOSQUITO SPRAY,3838;VORSE MARIC,SCHOOLS & CONF-PD,450;WALFORD REGAN,BIS. TRVL.,80;WALMART,DEPARTMENT SUPPLIES-REC,156.97; WASSON, BRIAN,GAS/SCHOOLS & CONF-PD,95;WEX BANK,DIESEL FUEL-SAN,23546.33; WINCHELL JILL,BIS. TRVL.,80;WRIGHT MICHAEL,BIS. TRVL.,80; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,1476.16;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,749;REFUNDS; SAMANTHA LOPEZ, 9.49; JENNIFER LOOMIS, 4.17; BUYERS REALTY, 7.89; VALLEY AIRWAYS, 10.70

City Manager Spencer presented the Resolution extending the date for written notice of termination

in participation in the League Association of Risk Management (LARM) and for considering the contribution credits for multi-year commitments. He explained we will receive a 5% discount by approving a three-year commitment; staff is recommending approval.

Council Member Colwell moved, seconded by Council Member Scanlan to approve Resolution No. 23-08-01 extending the date for written notice of termination in participation in the League Association of Risk Management (LARM) and consider the contribution credits for multi-year commitments, “YEAS,” Vidlak, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: Salomon.

**League Association of Risk Management  
2023-24 Renewal Resolution**

RESOLUTION NO. 23-08-01

WHEREAS, City of Scottsbluff is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of Scottsbluff, Nebraska, in consideration of the contribution credits provided under the LARM Board’s plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. **(180 day and 3 year commitment; 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(180 day and 2 year commitment; 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(180 day notice only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. **(90 day notice and 3 year commitment only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(2 year commitment only; 1%)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(90 day Notice only)**

Adopted this 7th day of August, 2023.

Signature: \_\_\_\_\_  
Title: Mayor  
ATTEST: \_\_\_\_\_  
Title: City Clerk

Mr. Spencer approached Council regarding the Police Tow Service contract. He explained this is a three-year contract; the prior contract expired July 31<sup>st</sup> of this year. He added we try to have a tow contract to keep the expenses consistent and reasonable, stating in 2021 there was a total of 127 tows, 2020-103 tows, and 2019- 90 tows. He further explained there was one bid received from BeeLine Services which was very competitive to the last contract; staff is recommending approval.

Council Member Scanlan made a motion to approve awarding the Police Tow Service three-year contract to Bee Line Services, Inc., 1608 Ave. A, Scottsbluff, NE from August 1, 2023 to July 31, 2026. The motion was seconded by Council Member Colwell, “YEAS,” Scanlan, McKerrigan, Colwell, and Vidlak. “NAYS,” None. Absent: Salomon.

Regarding the release of CDBG loan fund on the Lincoln House Project, Mr. Spencer came forward and reminded Council this was brought forth at a meeting in March and the instruction and guidance to staff at that time was to bring back when there was more information and a buyer identified. He then introduced Mr. Gary Stenson with MDI Limited Partnership #48 and Mr. David Pace with Chrisman Group.

Mr. Gary Stenson, via Zoom, started discussion by giving a little bit of history on how they acquire properties for housing projects, similar to the Lincoln House. He further explained they have tried to market the Lincoln House for several years, but there are very few buyers for rural development projects with all the restrictions with return to owner. In addition, the \$125,000 in CDBG debt does not work well for the buyer to make the necessary improvements or take through the cycle again, stating the program does not work for this type of housing as a grant cannot get low-income assistance or historic tax credits. They are essentially converted to soft second loans with the idea they could be forgiven in the future. He then commented, they have been successful, however, as they have found a buyer for the Lincoln House who is experienced with rural development properties.

Mr. David Pace, via Zoom, then approached and commented this particular property would be their first in Nebraska and they are very excited about the history of Lincoln House as it was originated in 1918 as a hotel. He went on to add their purpose is to preserve the property, while doing substantial rehabilitation to the inside. The apartments will be geared towards low to moderate income families, which is a need for the community. He also added it would be very helpful if the loan was released by the City, as their commitment is to keep the housing affordable for a long period of time. He informed they do have a management team and are very successful with tax credit awards with these types of properties.

Legal Counsel Hadenfeldt added, as a follow up, the City is looking for new investment and energy in this project. He explained the CDBG was given to us as a program through the State and we have a close out letter stating they are not expecting repayment. The net sum is zero essentially and the City would like to see some new investment and energy in this project. He further stated after the release of the loan and all other conditions are met, they will close, contact us, and we will prepare a Deed of Reconveyance for the Mayor to sign to be filed in the Register of Deeds Office showing we have released any liens on the property.

After discussion, Council Member Scanlan moved, seconded by Council Member Colwell to approve the release of CDBG loan fund on the Lincoln House Project, “YEAS,” Vidlak, Colwell, McKerrigan, and Scanlan. “NAYS,” None. Absent: Salomon.

Mr. Zach Glaubius, Development Services Director, presented the Interlocal Agreement with Scotts Bluff County for Pictometry with Pictometry International Corp. Mr. Glaubius stated this Agreement is for our satellite imagery with the County. The County hires the company and the cost is based on sections within our jurisdiction; we have eleven sections in Scottsbluff.

Council Member Colwell made a motion, seconded by Council Member Vidlak to approve the Interlocal Agreement with Scotts Bluff County for Pictometry with Pictometry International Corp and authorize the Mayor to sign the Agreement, “YEAS,” McKerrigan, Scanlan, Colwell, and Vidlak. “NAYS,” None. Absent: Salomon

Mr. Spencer approached Council with the Agreement with M.C. Schaff & Associates, Inc. for engineering services for Paving District No. 314. Mr. Spencer explained this Agreement lists the services that M.C. Schaff will do for us regarding Paving District No. 314. Those services include design, planning, drawings, and having an inspector on site. The projected costs are part of the project and assessed to the properties.

Council Member Scanlan moved to approve the Agreement with M.C. Schaff & Associates, Inc. for engineering services for Paving District No. 314 for portions of 28<sup>th</sup> Street and Avenue K and authorize the Mayor to sign the Agreement. The motion was seconded by Council Member Colwell. “YEAS,” Colwell, Vidlak, Scanlan, and McKerrigan. “NAYS,” None. Absent: Salomon

Regarding the Agreement with M.C. Schaff & Associates, Inc. for engineering services for Sewer District No 167, Mr. Spencer stated this is the same as the prior Agreement, but for the Sanitary Sewer District.

Council Member Scanlan made a motion, seconded by Council Member Colwell to approve the Agreement with M.C. Schaff & Associates, Inc. for engineering services for Sanitary Sewer District No. 167 located North of 27<sup>th</sup> Street and West of Avenue I and authorize the Mayor to sign the Agreement, “YEAS,” Vidlak, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: Salomon

There were no updates given for Council Reports.

Council Member Colwell moved to adjourn the meeting at 6:25 p.m. The motion was seconded by Council Member Vidlak, “YEAS,” Vidlak, Colwell, McKerrigan, and Scanlan. “NAYS,” None. Absent: Salomon.

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Mayor

Attest:

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City Clerk

“SEAL”