

City of Scottsbluff, Nebraska

Monday, October 2, 2023

Regular Meeting

Item Consent1

Council to approve the minutes of the September 18, 2023 Regular Meeting.

Staff Contact: City Council

The Scottsbluff City Council met in a regular meeting on September 18, 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 September 14, 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, television station NBC Nebraska and the Star Herald. The notice was also available on the city's website on September 15, 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, Matt Salomon, and Betsy Vidlak. Also present were City Manager Kevin Spencer and City Attorney Kent Hadenfeldt. Absent: Angela Scanlan.

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 Salomon, seconded by Council Member Colwell that,

- a) The minutes of the September 5, 2023 Special Meeting be approved,
- b) The minutes of the September 5, 2023 Regular Meeting be approved,
- c) The absence of Council Member Vidlak from the September 5, 2023 Regular Meeting be excused,
- d) A public hearing be set for September 25, 2023 at 5:00 p.m. for authorizing the final tax request for the 2023-2024 year at a different amount than the prior year request,
- e) A public hearing be set for October 2, 2023 at 6:00 p.m. to consider the One-and Six-Year Street Improvement Plan,
- f) Council acknowledge receipt of and take no action on a liability claim from Raul Picazo, 1220 Ave. H, Scottsbluff, NE. The claim has been forwarded to the City's insurance carrier.,
- g) Council to acknowledge receipt of and take no action on a liability claim from Joe A. & Susan Salazar, 1022 12th Ave., Scottsbluff, NE. The claim has been forwarded to the City's insurance carrier,
- h) The bid specifications for the construction of Sanitary Sewer District No. 167 and authorize the city clerk to advertise for bids to be received by October 10, 2023 at 2:30 p.m. be approved.,
- i) Change Order No. 1 with Eric Reichert Insulation and Construction, Inc. for concrete repairs to 20th Street Overlay Project be approved,
- j) The Appointments of Vitoria Quezada (unexpired term ending 9/30/2025) and Justin McMillen (unexpired term 9/30/2024) to the Library Board be approved,
- k) Board and Commission reappointments be reviewed and approved,

- 1) The following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated September 18, 2023 as on file with the City Clerk and submitted to the City Council “YEAS,” Colwell, Salomon, Vidlak, and McKerrigan, “NAYS,” None. Absent: Scanlan.

CLAIMS

21ST CENTURY EQUIPMENT,EQUIPMENT,22611; 911 CUSTOM, LLC,CIP-BODY ARMOR-PD,830;ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,324.76;E SERVICES, LLC,ELECTRICAL,189;LLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4072.66; ASSOCIATED SUPPLY CO, INC,DEPARTMENT SUPPLIES-REC,1417.91;AUTOZONE STORES, INC,BALL JOINTS, BEARING, PULLEY FOR PICKUPS,426.46;BEELINE SERVICE INC,TOW SERVICE-PD,2080;BLUFFS FACILITY SOLUTIONS,DEPT/JANIT SUPPL-PD,1751.09;CAPITAL BUSINESS SYSTEMS INC.,COPIER SERVICE,19.78;CARR- TRUMBULL LUMBER CO, INC.,SUPP - SMOOTH FRAMED SIDING,23.16;CELLCO PARTNERSHIP,CELL PHONES/CONTRACTUAL SVC, 245.56 ;CEM SALES & SERVICE, DEPARTMENT SUPPLIES REC, 2493.65; CITY OF GERING, DISPOSALFEES-SAN,45959.1;CITYOFSCB,POSTAGEPD,66.74;CLARKPRINTINGLLC,BUILDING CODE CERTIFICATES - ARBORISTS,113.55;COMPUTER CONNECTION INC,CONTRACTUAL-PD,44;CONCORDIA UNIVERSITY,COLL. -LOST ILL BOOK,47;CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,357;CONTRACTORS MATERIALS INC.,SUPP - 18" CONES,529.93;CREDIT BUREAU OF COUNCIL BLUFFS,CONSULTING SERV,62.75;CRESCENT ELECT. SUPPLY COMP INC,SUPP - LAMPS,76.66;DEMCO, INC,DEP. SUP.,146.76; EAKES INC,DEP. SUP.,378.5; ENVIRONMENTAL RESOURCE ASSOCIATES,CONTRACTUAL SVC,181.25;ERIC REICHERT INSULATION & CONSTRUCTION INC,PAY APP 1 - CONCRETE 20TH STREET,167444.99;ESSENTIAL FUEL LLC STORE #003,VEH MAINT-PD,284;FAT BOYS TIRE AND AUTO,EQUIP MAINT PARK,94.07;FLOYD'S TRUCK CENTER SCOTTSBLUFF,VEHICLE MAINTENANCE-SAN,407.72; FUN EXPRESS, LLC,PRGRMG.,126.4;GALLS PARENT HOLDINGS, LLC,UNIFORMS-PD,1174.81;GAMETIME,EQUIP MAINT PARK,4284.39;GRAY TELEVISION GROUP INC,TRI CITY STORMWATER OTT PSAS,2095;HAWKINS, INC.,CHEMICALS,9222.02; HD SUPPLY INC,DEPT SUP,4830.17;HOA SOLUTIONS, INC,EQUIPMENT,26495.25;HONEY WAGON EXPRESS,ONTRACTUAL,225;IDEAL LAUNDRY AND CLEANERS, INC.,JAN. SUP.,1132.69; INGRAM LIBRARY SERVICES INC,COLL.,564.11;INLAND TRUCK PARTS & SERVICE,PREVENTATIVE MAINTENANCE - ENGINE 2,1153.94;INTERNAL REVENUE SERVICE,WITHHOLDINGS,85751.29; INTRALINKS, INC,DEPT SUPP,17599.43;INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL SVC,287.2; JODI MARIE PHOTOGRAPHY,COMMUNITY FUND,75;KNOW HOW LLC,EQUIP MAINT,1909.54; LEE BHM CORP,LEGAL PUBLISHING,523.4; LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,100;M.C. SCHAFF & ASSOCIATES, INC,20TH STREET - CONCRETE,24536;MADISON NATIONAL LIFE,INSURANCE,3657.95; MATHESON TRI-GAS INC,RENT - MACHINES,46.7; MENARDS, INC,DEPT SUPP PARK,1214.93; MICHAELBKEMBEL,BLDGMAINTCEM,150;MIDWESTCONNECT,LLC,CONTRACTUAL,6478.88 ;MUNIMETRIX SYSTEMS CORP,CONTRACTUAL,39.99;NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1500.1;NE DEPT OF REVENUE,LODGING TAX,306.57;NEBRASKAINTERACTIVE, LLC,SUBSCRIPTION FEE,100;NEBRASKA MACHINERY CO,CUTTIN EDGES,1694.4;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,43598.8; NEBRASKA RURAL RADIO ASSOCIATION,TRI-CITY STORMWATER KNEB WEBSITE AND TV PSAS,500;NEBRASKA SECRETARY OF STATE,NOTARY-PD,30;NEBRASKALAND TIRE, INC,VEH MAINT-PD,1031.91;NEMNICH AUTOMOTIVE,VEH MAINT-PD,280.43;NORTHERN SAFETY COMPANY,INC.,DEPTSUP,789.63;NORTHWESTPIPEFITTINGS,INC. OF SCOTTSBLUFF,GROUND

MAINTPARK, 123.13; ONE CALL CONCEPTS, INC, CONTRACTUAL, 216.4; PAIGE MANNING, AUGUST DOWNTOWN GARDEN PARKING LOT MAINTENANCE,6390;PANHANDLE CONCRETE PRODUCTS, INC, DEPT SUP, 1310;P ANHANDLE COOPERATIVE ASSOCIATION, FUEL, 6405.17; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,237;PARADISE PUMPERS LLC,CONTRACTUAL PARK,665;PLATTE RIVER GLASS RODNEY L FLOTH,VEH MAINT-PD,387;PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,10005.91;POMPS TIRE SERVICE INC,DEPARTMENT SUPPLIES-SAN,7654.87;POWERPLAN,DIAGNOS & REPAIR FUEL SYSTEM FAILURE CODES,1728.65;PRAISE WINDOWS INC,BLDG. MAIN.,350; PRO OVERHEAD DOOR,BLDG MAINT PARK,2740; PROTEX CENTRAL, INC.,CONTRACTUAL SVC,288; PT HOSE AND BEARING,HOSES FOR SWEEPER,64.25;QUILL CORPORATION,DEPT SUPPL-PD,333.78; REAMS SPRINKLER SUPPLY CO.,GROUND MAINT PARK,2479.09;RECREATION SUPPLY CO., INC.,DEPAARTMENT SUPPLIES-REC,4477.78;REGIONAL WEST MEDICAL CENTER,MEDICAL SUPPLIES,65.54;REGISTER OF DEEDS,LEGAL,64; RICHARD CELLI,EQUIP MAINT PARK,1596.8; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER,2985.33;ROSE DREW, INC,A/V Sup.,906.12;S M E C,EMPLOYEE DEDUCTION,96.15;SANDBERG IMPLEMENT, INC,EQUIP MAINT,3000.12;SANDRY FIRE SUPPLY,LARGE SCBA MASKS - PERALES, MUNOZ,840.15;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,280;SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,413.85;SCOTTSBLUFF MOTOR CO, INC,HIDTA CAR LEASE-PD,375; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,858;SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,DEPT SUPP ADM,8; SEILER INSTRUMENT MFG. CO., INC,GIS SOFTWARE SUBSCRIPTION,445;SHERIFF'S OFFICE,LEGAL FEES-PD,96.48; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,12434.29; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,10847;SIOUXLAND TURF PRODUCTS INC,DEPT SUPP CEM,5390; SNELL SERVICES INC.,BLDG. MAIN.,563.25;SOUNDSLEEPER SECURITY INC.,DEPT SUPPL-PD,1683.95;TAMARA REICHERT,DEPT SUPP ADM,125;THE PEAVEY CORP,INVEST SUPPL-PD,208.02;UNION BANK & TRUST,RETIREMENT,45362.66; UNITED STATES WELDING,SUPP - ACET,174.17; VERIZON CONNECT FLEET USA LLC,CONTRACTUAL SVC,64.76;VERSATILE ROOFING,DUPLICATEPERMIT,125;W&RINC,EQUIP MAINT-PD,184.4;WESTERN COOPERATIVE COMPANY,GROUND MAINT PARK,317.2;WESTERN COOPERATIVE COMPANY,GROUND MAINT PARK,346.26;WESTERN PATHOLOGY CONSULTANTS, INC,CONTRACTUAL,291; WEX BANK,DIESEL FUEL-SAN,30845.19;WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,738.08;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,804; REFUNDS; MARIA M LARA, 50.39; GEMMALYHN S TACTACAN, 9.49; ALYSSA DOREN, 18.58; ALEXI M WELSCH, 32.23; MARK WESTPHAL, 6.69

City Manager Spencer presented the August 2023 Financial Report. He explained we have one month remaining in this budget cycle. Some bigger items that need to be mentioned include the radio project, which we chose to pay off in full and the purchase of self-contained breathing apparatus being paid out of Mutual Fire Organization (MFO) funds. The accounts should have 8.33% remaining and all are in really good shape.

Council Member Colwell moved, seconded by Council Member Vidlak to approve the August 2023 Financial Report, "YEAS," Salomon, Vidlak, McKerrigan and Colwell. "NAYS," None. Absent: Scanlan.

Mayor McKerrigan opened the public hearing at 6:05 p.m. to receive a report from the LB840 Citizen Review Committee.

Sharaya Toof, Economic Development Director, approached Council to present the report stating all the accounts in the Economic Development Program are in pretty good shape with the exceptions of Elite Urgent Care and Open-Door Counseling; both have been turned over to collections. Ms. Toof added she

has been setting up business retention and expansion visits with most of the businesses for September and October. In addition, certification forms and letters are ready to be mailed out to borrowers in early October.

There were no comments from the public. Mayor McKerrigan closed the public hearing at 6:08 p.m.

Mayor McKerrigan opened the public hearing at 6:09 p.m. to consider making a recommendation to the Nebraska Liquor Control Commission on the Class C Liquor License for A&C Wild Horse, LLC d/b/a Wild Horse Saloon, 1702 17th Ave., Scottsbluff, NE.

Ms. Anne DeMaranville, 3002 Ave. E, Scottsbluff, NE came forward as the owner and sole member of A&C Wild Horse, LLC. Ms. DeMaranville acknowledged this is her first liquor license; she is applying for her business, Wild Horse Saloon, located at 1702 17th Street, Scottsbluff, NE.

Police Chief Kevin Spencer approached and stated a background check is done to make sure the applicant is fit, willing and able to hold a liquor license, commenting the manager is not separate from the liquor license application so an investigation was done also on Chad Leeling as the Liquor License Manager. He added while conducting the background check on Ms. DeMaranville there was nothing to disqualify her from having a liquor license. However, Mr. Leeling failed to report some violations and also has quite a bit of outstanding debt which showed on the report. He also commented he feels Ms. DeMaranville has a good process as far as checking ID's, but after considering everything at their meeting on September 13th, the Liquor License Investigatory Board chose to forward a negative recommendation to Council, which he agrees with.

Mayor McKerrigan asked Ms. DeMaranville what her processes would be if approved. Ms. DeMaranville answered they will card everyone that comes in; security will be present to make sure no one under the age of 21 is in the establishment. All bartenders will be required to take monthly training, they will have cameras located throughout, and anyone that sells to a minor would be terminated immediately.

During the public hearing Ms. Lanette Richards, Executive Director with Monument Prevention, came forward to protest the license. Ms. Richards started by addressing concerns on the liquor license application stating, Monument Prevention opposes the license due to Chad Leeling being listed as the manager of Wild Horse Saloon. After consulting with the Nebraska Liquor License Commission, Ms. Richards was able to inform Council of how many different establishments Mr. Leeling has been involved with, liquor license violations, as well as his history of not being able to pay bills; none of which follow the guidelines set up by the Commission. She then asked, on behalf of Monument Prevention, that Council send a negative recommendation to the Nebraska Liquor Control Commission due to the character and reputation of Mr. Leeling as being listed as the Manager on this Liquor License application. She also presented a petition of Scottsbluff residents opposing the Liquor License for Wild Horse Saloon.

The following exhibits were presented on behalf of City Council and entered into record: 1) A&C Wild Horse, LLC d/b/a Wild Horse Saloon Liquor License Application; 2) City Council Check List for section §53-132 cum supp. 2022; 3) written statement of Police Chief Kevin Spencer dated September 14, 2023; 4) written statement of City Clerk dated September 18, 2023; 5) written statement of Development Services dated August 18, 2023; 6) Petition opposing Liquor License for Wild Horse Saloon.

There were no other comments from the public. Mayor McKerrigan closed the public hearing at 6:23 p.m.

Mr. Chad Leeling came forward to explain he will only be the manager and nothing else, stating he does not want to own another business. He further added Covid was the result of his financial problems causing him to be shut down for months with his previous business. He did acknowledge one liquor license violation and stated the employee was terminated immediately. He feels he can help Ms. DeMaranville because of his experience and will not handle any money involved with the business.

Council Member Colwell moved to send a negative recommendation to the Nebraska Liquor Control Commission on the Class C Liquor License for A&C Wild Horse, LLC d/b/a Wild Horse Saloon, 1702 17th Ave., Scottsbluff, NE. The motion was seconded by Council Member Vidlak, "YEAS," McKerrigan, Salomon, Colwell, and Vidlak. "NAYS," None. Absent: Scanlan.

Council Member Colwell moved, seconded by Council Member Vidlak to send a negative recommendation to the Nebraska Liquor Control Commission naming Chad L. Leeling as the Liquor License Manager of A&C Wild Horse, LLC d/b/a Wild Horse Saloon, 1702 17th Ave., Scottsbluff, NE., “YEAS,” Vidlak, Colwell, McKerrigan, and Salomon. “NAYS,” None. Absent: Scanlan.

RESOLUTION NO. 23-09-02

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

1. On September 18, 2023 the matter of the application of a Class C liquor license for A & C Wild Horse, LLC d/b/a Wild Horse Saloon, 1702 17th Ave., Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class C liquor license for A & C Wild Horse, LLC d/b/a Wild Horse Saloon, 1702 17th Ave., Scottsbluff, NE 69361

Exhibit 2 - City Council Check List for Section 53-132 (Reissue 2022)

Exhibit 3 - Written statement of Police Chief dated September 14, 2023

Exhibit 4 - Written statement of City Clerk dated September 18, 2023

Exhibit 5 - Written statement of Development Services Department dated August 18, 2023

Exhibit 6 - Petition opposing Liquor License for Wild Horse Saloon

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Anne DeMaranville, owner. Police Chief Kevin Spencer spoke on behalf of the City; Lanette Richards, Executive Director of Monument Prevention, protested the Liquor License.
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 not 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 due to unwillingness to follow rules.
 - b. Applicant has not met its burden with regard to the check list provided by Section 53-132 R.R.S. (2022) and does not demonstrate 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 does not appear to be sufficient to insure compliance with such rules and regulations.
4. By reason of the above, the Applicant has not 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 denies the application and recommends to the Nebraska Liquor Control Commission that a Retail Class C liquor license for A & C Wild Horse, LLC d/b/a Wild Horse not be issued 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: \$18.10.

Passed and approved this 18th day of September, 2023.

ATTEST:

City Clerk

Ms. Susan Wiedeman, Marketing Director with Panhandle Cooperative Association, approached Council regarding a Special Designated Liquor License for West Nebraska Arts Center on October 27, 2023 from 6-11 p.m. Ms. Wiedeman explained this is a fall fund raising event for the Arts Center and tickets will be sold only to those over 21.

Police Chief Spencer added he sees no issues as they have never had any problems with events at the Arts Center.

Council Member Colwell made a motion, seconded by Mayor McKerrigan to approve the Special Designated Liquor License for Panhandle Cooperative Association to serve beer, wine & distilled spirits at a fund-raising event for West Nebraska Arts Center, 106 East 18th Street, Scottsbluff, NE on October 27th from 6-11 p.m., “YEAS,” McKerrigan, Colwell, Vidlak, and Salomon. “NAYS,” None. Absent: Scanlan.

Council introduced the Ordinance amending Chapter 23, Articles 1 & 2 dealing with water service repairs and other billable charges in connection with the repair and maintenance of the water system and was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 23, ARTICLES 1 AND 2 DEALING WITH WATER SERVICE CHARGES AND OTHER BILLABLE CHARGES IN CONNECTION WITH THE REPAIR AND MAINTENANCE OF THE WATER SYSTEM, SERVICE LINE AND METERS, AMENDING ARTICLE 1, SECTION 27 RELATING TO SERVICE LINE, LEAKS AND REPAIR, AMENDING ARTICLE 1, SECTION 30 RELATING TO FREEZING OF METERS AND DAMAGE, AMENDING ARTICLE 2, SECTION 10 DEALING WITH DELINQUENT BILLS AND OTHER BILLABLE CHARGES FOR REPAIR AND AMENDING ARTICLE 2, SECTION 11 ALLOWING FOR DISCONTINUANCE OF SERVICE FOR FAILING TO PAY WATER CHARGES OR OTHER BILLABLE CHARGES, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Colwell moved to approve Ordinance No. 4307 dealing with water service repairs and other billable charges in connection with the repair and maintenance of the water system. The motion was seconded by Council Member Salomon, “YEAS,” Colwell, Salomon, Vidlak, and McKerrigan. “NAYS,” None. Absent: Scanlan.

Council introduced the Ordinance adopting the budget statement to be termed the annual appropriation bill for FY 2023-2024 and was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2023; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.**

Council introduced the Ordinance allowing for exceeding the allowable growth limits by one percent of budgeted restricted funds for FY 2023-2024 and was read by title on second reading: **AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2023-2024 FISCAL YEAR BY ONE PERCENT OF**

BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS.

Council introduced the Ordinance updating utility user fees, including water and sewer fees, solid waste collection, surcharge for stormwater and amending the sewer averaging process and was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING AND CHANGING CHAPTER 6, ARTICLE 6, FOR SOLID WASTE COLLECTION FEES AT SECTIONS 6-6-23, 6-6-24; AMENDING AND CHANGING SEWER USER FEES INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS AT SECTIONS 6-6-19; 6-6-20; AND 6-6-22, AMENDING AND CHANGING THE WATER SERVICE FEES AT SECTION 6-6-28 ALL IN CHAPTER 6 ARTICLE 6 OF THE MUNICIPAL CODE, AMENDING CHAPTER 18, ARTICLE 4 SECTION 3 FOR SEWER AVERAGING PROCESS, REPEALING CHAPTER 18, ARTICLE 4 SECTION 4 AND AMENDING CHAPTER 23, ARTICLE 2, SECTION 2, ALL RELATING TO A MONTHLY BILLING CYCLE, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Ms. Sharaya Toof, Economic Development Director, came forward to present the Economic Development Assistance Agreement with Papa Moon Vineyard & Winery, LLC. She explained the applicants are looking to expand their cultivation, production and manufacturing of high-quality craft beverages in their new location at 3109 Avenue B. In addition, they plan on bringing a dining room with a full kitchen; the proceeds of the \$734,624 loan will primarily be used for the purchase of equipment, fixtures, furniture, renovation and additional staff to be used in the business.

Mr. Ryan and Mrs. Katlyn Massey approached Council to answer questions about the business expansion. Mr. Massey explained they have started renovations to the building and also to the outside by putting in 40,000 square feet of green space. The greenhouses on site will be used for growing fruits and housing a pickle ball court. They plan on employing at least 15 people; half to be employed on the manufacturing side, the others being split employees who will work in the green houses and also manufacturing. When asked about the farm location, Mr. Massey stated they plan on keeping that location open because of the growth requirement of being in state, adding they do festivals, weddings, and bird watching's four months out of the year at that location.

Regarding the new location expansion, they plan to open in February and are very excited about the new business.

Council Member Colwell moved, seconded by Council Member Salomon to approve the Economic Development Assistance Agreement with Papa Moon Vineyards & Winery, LLC, "YEAS," McKerrigan, Salomon, Colwell, and Vidlak. "NAYS," None. Absent: Scanlan.

Ms. Toof came forward to introduce Mr. Dave Hoxworth, Activities Director of Scottsbluff Public Schools and Mr. Robert Thomason, Golf Pro at Monument Shadows Golf Course. Mr. Hoxworth and Mr. Thomason are part of a committee that are requesting financial assistance of \$8,000/\$2,000 per year to help off-set the hosting costs that include lodging for the NSAA and NGA officials and staff, as well as mileage reimbursement costs for all officials traveling from the Lincoln/Omaha area to officiate the Girls State Golf Championships. Furthermore, the NSAA has awarded the four-year contract to host Class B Girls State Golf to Scottsbluff-Gering in October 2023 through October 2026.

Mr. Hoxworth came forward and thanked Council for the financial assistance provided in previous years, stating it was a vision of the committee to put bids in for these activities and it has turned out very well as the area is being awarded these events.

Mr. Thomason added the golfers are even on board, even if it means closing the course for two or three days, explaining it showcases our community and what we have in Western Nebraska. He also commented we have good teams that get to play at home and it is a huge benefit for them and the area.

Council Member Salomon made a motion, seconded by Council Member Colwell to approve a request from the Scottsbluff-Gering Class B State Golf "Host Committee" for \$8,000 from the Community

Programming Fund to help with four years of funding expenses for the Class B Girls State Golf Championship, “YEAS,” Vidlak, Colwell, McKerrigan, and Salomon. “NAYS,” None. Absent: Scanlan.

Under Council Reports, Council Member Salomon gave an update on the Riverside Discovery Center. He showed pictures of different animals and enclosures, explaining the renovations that have been made as suggested by the AZA.

Council Member Colwell moved, seconded by Council Member Vidlak to adjourn the meeting at 7:01 p.m., “YEAS,” McKerrigan, Colwell, Vidlak, and Salomon. “NAYS,” None. Absent: Scanlan.

Mayor

Attest:

City Clerk

“SEAL”