

# **City of Scottsbluff, Nebraska**

**Tuesday, January 16, 2024**

**Regular Meeting**

## **Item Consent1**

**Council to approve the minutes of the January 2, 2024 Regular Meeting.**

**Staff Contact: City Council**

The Scottsbluff City Council met in a regular meeting on January 2, 2024 at 6:00 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. Since the regular meeting would fall on a City recognized holiday the meeting was moved to the following day, according to 6-1-12. A notice of the meeting had been published on December 28, 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 December 28, 2023. Mayor McKerrigan presided and City Clerk Wright recorded the proceedings. 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 Matt Salomon. Also, present were City Manager Kevin Spencer and City Attorney Kent Hadenfeldt. Absent: Betsy Vidlak.

Mayor McKerrigan asked if there were any changes to the agenda. There were 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 were none.

Under Public Comments Mr. Jerry Stricker, Scottsbluff resident, approached and commented that he was happy to see Public Comments back on the agenda and thinks it should be a regular agenda item, stating it is sad that there is no opportunity to come up and give thanks or congratulations on a regular basis. He feels this should be a normal routine because it would give more people the opportunity to speak in front of Council.

Moved by Council Member Colwell, seconded by Council Member Scanlan that,

- a) The minutes of the December 18, 2023 Regular Meeting be approved,
- b) The appointment of Maricia Marquez to the Community Redevelopment Authority, for an unexpired term, ending March 30, 2027 be approved,
- c) A public hearing be set for January 16, 2024 at 6:00 p.m. to receive information about making a recommendation to the Nebraska Liquor Control Commission on a Class D Liquor License for Chen's Express mart, LLC, 405 W. 27<sup>th</sup> Street, Scottsbluff, NE,
- d) A public hearing be set for January 16, 2024 at 6:00 p.m. for the Rezone of Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office and Professional,
- e) The following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated January 2, 2024 as on file with the City Clerk and submitted to the City Council "YEAS," Colwell, Salomon, Scanlan, and McKerrigan, "NAYS," None. Absent: Vidlak.

#### CLAIMS

911 CUSTOM, LLC,CIP-PO-PATROL CARS,131.94;AK BROWN ENTERPRISES LLC,REPAIR TRAFFICCONTROLLER,175; ALLO COMMUNICATIONS, LLC, LOCAL TELEPHONE CHARGES,

4730.17;ANDAX,CHEMICAL TRAP - 65 GAL CONTAINMENT,236.9;ANITA'S GREENSCAPING INC,BLDG. MAIN.,640;BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,5330.92;CAPITAL BUSINESS SYSTEMS INC.,EQUIP MAINT ADM,292.53;CELLCO PARTNERSHIP,PHONES-PD,1802.92;CITIBANK,N.A.,CORDLESSTOOLS FOR NEW ENGINE,3271; CITY OF SCB,PETTY CASH,75.46;CLOSSON PATRICK,UNIFORMS & CLOTHING,119.99; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,214.5;CORE & MAIN LP,METERS,2767.24;DASSTATEACCOUNTINGCENTRALFINANCE,MONTHLYLONGDISTANCE, 75.68;DIAMOND VOGEL,DEPT SUP,275.8;ELLIOTT EQUIPMENT COMPANY INC.,VEHICLE MAINTENANCE-SAN,1986.4; ERIC REICHERT INSULATION & CONSTRUCTION INC,20TH ST. OVERLAY, 41262.09; FEDERAL EXPRESS CORPORATION, POSTAGE, 308.15; GERING MULITPURPOSE SENIOR CENTER,CONTRACTUAL,1000; GI HOSPITALITY,SCHOOLS & CONF-PD,107;GREENING ENTERPRISES INC.,DUAL-PURPOSE GEAR - NEW HIRES,3972.41; HAWKINS, INC.,CHEMICALS,2812.52;HERSTEAD MONUMENT COMP. INC,DEPT SUP CEM,110;HULLINGER GLASS & LOCKS INC.,BLDG MAINT PARK,147.25;INGRAM LIBRARY SERVICESINC,COLL.,1288.02;INTERNALREVENUESERVICE,WITHHOLDINGS,71351.37;INTRA LINKS, INC,DATTO ALTO - DEC 2023 (ADM / WATER),2655; JOHN DEERE FINANCIAL,CORDLESS SAW AND SHEARS - NEW ENGINE,1553.31;JOHNSEN CORROSION ENGINEERING, INC,CONTRACTUAL SVC,13375;JOHNSON CASHWAY LUMBER CO,DEP. SUP.,559.2;KITE, LANCE,SCHOOLS & CONF-PD,40;L-TRON CORPORATION,CIP-TECH REPLACEMENTS,2101.73;M.C. SCHAFF & ASSOCIATES, INC,BLIGHT STUDY AVE B,21613; MACQUEEN EQUIPMENT INC, EQUIP MAINT, 3522.89; MADISON NATIONAL LIFE, INSURANCE, 3456.49;MATHESON TRI-GAS INC,WELD. SUPP - BI-METAL RODS,129.72; MENARDS, INC,DEPT SUP,1935.71;MICHAEL B KEMBEL,REPLACE BROKEN SPRING SHAFT & BRGS - OVERHEAD DOOR,1060.83; MICHAEL BEEBE,CONTRACTUAL SVC,337.35; MIDTOWN ANIMAL HOSPITAL P.C.,K9 DUKE-BOARDING,62.5;MIDWEST FARM SERVICE- ALLIANCE,EQUIP MAINT PARK,222.56;NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1455.1;NE DEPT OF REVENUE,TAXES,19841.12;NE LAW ENFORCEMENT TRAININGCENTER,SCHOOLS&CONFPD,142;NEBRASKARURALWATERASSOCIATION,MEMB ERSHIPS,550; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,20977.68;NEBRASKA SALT AND GRAIN CO,1 LOAD ICE SLICER,4832.65;PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,100;PANHANDLE HUMANE SOCIETY,CONTRACTUAL,5938.88;PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,9184.52;PRUDENT PUBLISHING CO INC,DEPT SUPPL- PD,374.04;REGIONAL CARE INC,HEALTH INS. PREMIUM - JAN. 2024,46205.2; REGIONAL WEST MEDICAL CENTER,HEARTSAVE CPR CARDS - POLICE DEPT,51;REGISTER OF DEEDS,LEGAL,56; RIVERSIDE ZOOLOGICAL FOUNDATION,CONTRACTUAL,75000; ROBERT E FORD JR,VEHICLE MAINT,74.88;ROCO RESCUE INC,FAST TRACK ROPE TRAINING REGISTRATION - KELLEY,2595;S M E C,EMPLOYEE DEDUCTION,302.65;SANDRY FIRE SUPPLY, MOUNTING BRACKETS FOR NEW ENGINE, 351.5; SAYLERS CREEN PRINTING, UNIFORMS-PD,189;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,560; SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,794.98;SCOTT WALTON,EQUIP MAINT PARK,299;SCOTTSBLUFF MOTOR CO, INC,UNIT 2 PREVENTATIVE MAINTENANCE,2266.74; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES, 1599; SCOTTSBLUFF/ GERING CHAMBER OF COMMERCE,PRE-LEGISL.LUNCHEON - SCANLAN & TOOF,40; SHERIFF'S OFFICE,LEGAL FEES-PD,537.96; SNELL SERVICES INC.,BLDG MAINT PARK,858; SOUTHERN UNIFORM AND TACTICAL INC,STATION UNIFORMS,312.68; STATE FIRE MARSHALL,EQUIPMENT MAINTENANCE-REC,72; STATE HEALTH LAB,SAMPLES,124; STATE OF NE.,CONTRACTUAL-PD,630;TERRY D SCOTT,VEHICLE MAINT,1615.04;TRANS-WEST

INC,VEH MAINT-PD,352;U AND U TRUCKING LLC,CONTRACTUAL SERVICES-SAN,1102; UNDERWRITERS LABORATORIES INC,ANNUAL UL LADDER TESTING - GROUND AND TOWER 1,3111.25;UNION BANK & TRUST,RETIREMENT,45526.67; UNITED STATES WELDING,CONTRACTUAL SERVICES-SAN,343.36; WALMART,DEPT SUPP ADM,398.06; WYOMING CHILD SUPPORT ENFORCEMENT,CHILD SUPPORT,1892.16; WYOMING FIRST AID & SAFETY SUPPLY, LLC,DEPT SUPP CEM,36.94;YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,894;REFUNDS;SHERIAN TAYLOR, 49.78; CYNTHIA HOFFMAN, 63.98

Council introduced Ordinance No. 4319 dealing with the Rezone of Lot 1A, Block 8, Laucomer Addition from C-2 Neighborhood and Retail Commercial to O-P Office and Professional and was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT LOT 1A, BLOCK 8, LAUCOMER ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, CURRENTLY ZONED AS C-2 NEIGHBORHOOD AND RETAIL COMMERCIAL, WILL NOW BE INCLUDED IN O-P OFFICE AND PROFESSIONAL, REPEALING PRIOR SECTION 25-1-4, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Scanlan moved, seconded by Council Member Salomon to adopt Ordinance No. 4319 dealing with the Rezone of Lot 1A, Block 8, Laucomer Addition from C-2 Neighborhood and Retail Commercial to O-P Office and Professional, “YEAS,” Salomon, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: Vidlak.

Regarding the Ordinance dealing with the vacation of Platte Valley Drive, a portion of 13<sup>th</sup> Avenue and easements in the Platte Valley Addition subdivision, Mr. Zach Glaubius, Development Services Director, approached Council and explained at the December 11<sup>th</sup> Planning Commission meeting they made a positive recommendation on the vacation of Platte Valley Drive, 13<sup>th</sup> Avenue and various utility and access easements in that subdivision. In addition, Platte Valley Bank is requesting to replat the entire campus, which is the next agenda item, into a single piece of property. Currently it is in five parcels with a public right of way dissecting it. Staff is requesting the waiver of the three readings to approve the final plat.

Mr. Alan Doll, with Platte Valley Bank came forward and added they are trying to simplify things and get the land into a single parcel. They also plan on adding another building in the future.

Council introduced the Ordinance regarding the vacation of Platte Valley Drive, a portion of 13<sup>th</sup> Avenue, and easements in the Platte Valley subdivision and was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING 40.50 FEET OF 13<sup>TH</sup> AVENUE RIGHT OF WAY, 50 FEET OF PLATTE VALLEY DRIVE RIGHT OF WAY, TWO 30 FOOT ACCESS EASEMENTS, A 30 FOOT BY 40 FOOT ACCESS EASEMENT AND A 20 FOOT UTILITY EASEMENT IN LOTS 1, 2 AND 4 BLOCK 1, PLATTE VALLEY ADDITION AND LOTS A & B, SUBDIVISION OF LOT 3, BLOCK 1, PLATTE VALLEY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, REPEALING PRIOR ORDINANCES AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council Member Scanlan made a motion, seconded by Council Member Colwell that the statutory rule regarding the Ordinance vacating Platte Valley Drive, a portion of 13<sup>th</sup> Avenue, and easements in the Platte Valley subdivision to be read by title on three different days be suspended, “YEAS,” Scanlan, McKerrigan, Salomon, and Colwell. “NAYS,” None. Absent: Vidlak.

Council Member Colwell moved to adopt Ordinance No. 4320 dealing with vacating Platte Valley Drive, a portion of 13<sup>th</sup> Avenue, and easements in the Platte Valley Subdivision. The motion was seconded by Council Member Salomon. “YEAS,” Colwell, McKerrigan, Salomon, and Scanlan. “NAYS,” None. Absent: Vidlak.

Development Services Director Glaubius, approached regarding the Final Plat of Lot 1A, Block 1, Platte Valley Addition, commonly identified as 1212 Circle Drive. He explained this is the Final Plat that the prior Ordinance makes official, adding the Planning Commission also gave this a positive recommendation at their December 11<sup>th</sup> meeting.

Council Member Scanlan moved, seconded by Council Member Colwell to approve the Final Plat of Lot 1A, Block 1, Platte Valley Addition and authorized the Mayor to sign Resolution 24-01-01. “YEAS,” McKerrigan, Scanlan, Colwell, and Salomon. “NAYS,” None. Absent: Vidlak.

**RESOLUTION NO. 24-01-01**

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

**WHEREAS, BE IT RESOLVED,** the final plat of Lot 1A, Block 1, Platte Valley Addition, a Replat of Lots 1, 2 and 4, Block 1, Platte Valley Addition and a Replat of Lots A & B, Subdivision of Lot 3, Block 1, Platte Valley Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, dated December 1, 2023, 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 2<sup>nd</sup> day of January, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

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

Mayor McKerrigan read the Proclamation naming January 18, 2024 as TeamMates Recognition Day. After the reading, Mr. John Marshall, President and Ms. Mary Kay Haun, Coordinator of TeamMates Mentoring Scotts Bluff County approached to inform everyone this is the 25<sup>th</sup> year of the Chapter, which includes 44 matches throughout the County. They are hoping to grow that number and continue the path towards helping children in the community. Their goal is to recruit 25 more new mentors to help grow the chapter and eventually be at 75 to 80 mentors and mentees.

Mr. Mark Bohl, Public Works Director, came forward to present the recommendation for the 36<sup>th</sup> Street Water Main Replacement – Avenue ‘D’ to Avenue ‘B’. He explained there were four bids received with Infinity Construction submitting the lowest bid at \$127,930; staff is recommending approval of this budgeted item.

Council Member Colwell made a motion, seconded by Council Member Salomon to approve awarding the bid for the 36<sup>th</sup> Street Water Main Replacement – Avenue ‘D’ to Avenue ‘B’ to Infinity Construction in the amount of \$127,930, “YEAS,” Colwell, Salomon, Scanlan, and McKerrigan. “NAYS,” None. Absent: Vidlak.

Concerning the Certificate of Compliance for Year 2023 as per Maintenance Agreement No. 22 with the Nebraska Department of Transportation, Public Works Director Bohl explained by approving this and authorizing the Mayor to sign, it verifies we did the maintenance required for the year and the City will receive \$36,792 for 2023.

Council Member Scanlan made a motion to approve authorizing the Mayor to sign the Certificate of Compliance for Year 2023 as per Maintenance Agreement No. 22 with the Nebraska Department of Transportation. The motion was seconded by Council Member Salomon. “YEAS,” Salomon, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: Vidlak.

City Manager Spencer presented the renewal of Water Tower Lease Agreements with Inventive Wireless of Nebraska, LLC d/b/a Vistabeam for their wireless internet transmission equipment on two City water towers located at the airport and country club. He explained the only changes in the leases are the addition of exhibits listing equipment and language regarding taxes, which Vista Beam will be responsible for. The leases are for five years with the City receiving \$150.00 per month rental fee, totaling \$3600/year.

Council Member Scanlan moved, seconded by Council Member Salomon to approve the renewal of Water Tower Lease Agreements with Inventive Wireless of Nebraska, LLC d/b/a Vistabeam and authorize the Mayor to sign the Agreements, “YEAS,” Scanlan, McKerrigan, Salomon, and Colwell. “NAYS,” None. Absent: Vidlak.

There were no meetings attended to be discussed in Council Reports.

City Manager Spencer recognized and introduced Council to Maricia Marquez, the newly appointed member of the Community Redevelopment Authority. Ms. Marquez stated she is very excited for the opportunity and looks forward to learning the process.

Council Member Scanlan made a motion to adjourn the meeting at 6:21 p.m. The motion was seconded by Council Member Colwell, “YEAS,” Colwell, McKerrigan, Salomon, and Scanlan. “NAYS,” None. Absent: Vidlak.

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Mayor

Attest:

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City Clerk

“SEAL”