

# **City of Scottsbluff, Nebraska**

**Monday, March 4, 2024**

**Regular Meeting**

## **Item Consent1**

**Council to approve the minutes of the February 20, 2024 Regular Meeting.**

**Staff Contact: City Council**

Regular Meeting  
February 20, 2024

The Scottsbluff City Council met in a regular meeting on February 20, 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 February 15, 2024 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 the Star Herald. The notice was also available on the city's website on February 16, 2024. 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, Matt Salomon, and Betsy Vidlak. Also, present were City Manager Kevin Spencer and City Attorney Kent Hadenfeldt. Absent: None.

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.

Council Member Salomon asked regarding consent item 8d) approving the plans and specifications for the installation of a water booster pump station, where the booster pump station would be located. City Manager Spencer stated by the SWBC building to make it redundant.

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

- a) The minutes of the February 4, 2024 Regular Meeting be approved,
- b) A public hearing be set for March 4, 2024 at 6:00 p.m. to receive information on making a recommendation on the Class YK Liquor License for Papa Moon Vineyards & Winery, LLC d/b/a Papa Moon Ciders, 3109 Ave. B, Scottsbluff, NE,
- c) A public hearing be set for March 4, 2024 at 6:00 p.m. to receive information on making a recommendation on the Class I Liquor License for Papa Moon Vineyards & Winery, LLC d/b/a Papa Moon Ciders, 3109 Avenue B, Scottsbluff, NE,
- d) The plans and specifications for the installation of a water booster pump station and authorizing the city clerk to advertise for bids to be received until March 11, 2024 at 10:00 a.m. be approved,
- e) The bid specifications for One, New, 22 ft. Tri-Deck Rotary Finishing Mower and authorizing the city clerk to advertise for bids to be received until March 11, 2024 at 1:00 p.m. be approved,
- f) The bid specifications for One, New, ¾ Ton, 4 Wheel Drive Base Model Crew Cab Pickup Truck for the Parks Department and authorizing the city clerk to advertise for bids to be received until March 11, 2024 at 1:30 p.m. be approved,
- g) The following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated February 20, 2024 as on file with the City Clerk and submitted to the City Council "YEAS," Colwell, Salomon, Vidlak, Scanlan, and McKerrigan, "NAYS," None. Absent: None.

## CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS, WAGE ATTACHMENT, 87.48; ACTION COMMUNICATIONS INC.,EQUIP MAINT-PD,1437; AE SERVICES, LLC,EQUIP MAINT PARK,96; AK BROWN ENTERPRISES LLC,PED PUSHBUTTON ASSY FOR TRAFFIC SIGNALS,1395; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4133.93;ANITA'S GREENSCAPING INC,BLDG. MAIN.,960;AUTOZONE STORES, INC,VEH MAINT-PD,23.99;B&C STEEL CORPORATION,DEPARTMENT SUPPLIES-SAN,153.36;BEELINE SERVICE INC,TOW SERVICE-PD,1730;BLUFFS FACILITY SOLUTIONS,DEPARTMENT SUPPLIES-SAN,576.83; BROWN'S SHOE FIT,CO.,UNIFORM&CLOTHING-SAN,195.5;CAPITALBUSINESSSYSTEMSINC.,CONTRACTUAL-PD,81.18;CELLCO PARTNERSHIP,IPADS, TABLETS, CELL PHONES, GRIDSMART FOR TRANS.,1153.01;CITY OF GERING,DISPOSAL FEES-SAN,40109.65; CLARK PRINTING LLC,DEPT SUPPL-PD,254.61;COLUMN SOFTWARE PBC,LEGAL PUBLISHING,187.39;COMMUNITY PHARMACY,MEDICAL SUPPLIES,82.9;COMPUTER CONNECTION INC,CONTRACTUAL-PD,44; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,427.95;CONTRACTORS MATERIALS INC.,SUPP - WOOD FLOAT,433.21;CORE & MAIN LP,METERS,137.36;CROELL INC,DEPT SUP,437.63; DEMCO, INC,MISC.,144.08;DIAMOND VOGEL,SUPP FOR SIGN SHOP - XYLOL,24.16;EAKESINC,DEPSUP.,629.56;ELLIOTTEQUIPMENT COMPANY INC.,DEPARTMENT SUPPLIES-SAN,13381.57;ESSENTIAL FUEL LLC STORE #003,VEH MAINT-PD,181;FAT BOYS TIREANDAUTO,EQUIPMAINTPARK,1190.67;FEDERALEXPRESSCORPORATION,POSTAGE,63.8 ;GALLS PARENT HOLDINGS, LLC,EQUIP MAINT-PD,389.6; GRAY TELEVISION GROUP INC,TRI-CITY STORMWATER PSAS TV JANUARY,2295.01;GREENING ENTERPRISES INC.,STRUCTURE BOOTS - MUNOZ,358.75;HAMPTON INN,INVEST-PD,214;HAWKINS, INC.,CHEMICALS,1684.74; HEARTLAND EXPRESSWAY ASSOCIATION,2024 MEMBERSHIP RENEWAL,5141.52; HULLINGER GLASS & LOCKS INC.,BLDG MAINT PARK,281;IDEAL LAUNDRY AND CLEANERS, INC.,JAN. SUP.,1060.28;INDEPENDENT PLUMBING AND HEATING, INC,SUPP - URINAL GASKETS,73.06;INFINITY CONSTRUCTION, INC.,STRUCTURE,112621;INLAND TRUCK PARTS & SERVICE,HOSE ASSY FOR D. TRUCK,20.47;INTERNAL REVENUE SERVICE,WITHHOLDINGS,69311.28; INTRALINKS, INC,CONTR.SERV - PD JAN. 2024,10202.88; INVENTIVE WIRELESS OF NE ,LLC, CONTRACTUA LSVC, 247.6; JEFFREY F MARTISCHEWSKY, BLDG MAINT ADMIN,404.69;JOHN DEERE FINANCIAL,EQUIP MAINT PARK,10;KITE, LANCE,SCHOOLS & CONF-PD,200;KNOW HOW LLC,EQUIP MAINT PARK,2594.66;LEAGUE ASSOCIATION OF RISK MANAGEMENT,WC RENEWAL PREM FY22-23 - AFTER AUDIT,5990.39;LEAL NOHEMI,CONSULTING-PD,35;LEXISNEXIS RISK DATA MANAGEMENT,CONSULTING-PD,116;LIGHTHOUSEELECTRICALCONTRACTORS,LLC,BLDG. MAIN.,640;M.C. SCHAFF & ASSOCIATES, INC,20TH ST. OVERLAY 2023,37307.55; MACQUEEN EQUIPMENT INC,DISGNOSE BROOM & CYL ISSUES ON SWEEPER,1644.31;MARKETING CONSULTANTS, DEPARTMENT SUPPLIES SAN, 664; MATHESON TRI GAS INC ,RENT MACHINES, 46.79;MENARDS, INC,U & E BATHROOM - POLYLAM, JOINT TAPE, ETC.,2305.49;MICHAEL BEEBE,BLDG MAINT-PD,105;MIDWEST CONNECT, LLC,UB PROCESSING - JAN. 2024,6505.11;MUNIMETRIX SYSTEMS CORP,IMAGE SILO - JAN 2024,39.99; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1455.1;NE DEPT OF HLTH &HUMAN SVCS,LICENSE/PERMITS-REC,80;NE DEPT OF REVENUE,WITHHOLDINGS,48358.73; NE LIBRARY COMMISSION,SBSCR.,2559.7;NEBRASKA MACHINERY CO,RENT - MACHINES,1264.31;NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,45512.35;NEBRASKA RURAL RADIO ASSOCIATION,TRI-CITY STORMWATER PSAS,500;NEBRASKALAND TIRE, INC,EQUIP MAINT PARK,58.85;NECROSEARCH INTERNATIONAL,INVESTIGATIONS-

PD,342.57;NEMNICH AUTOMOTIVE,VEH MAINT-PD,992.72;NMC GROUP INC,CUTTING EDGES FOR GRADERS,0;ONE CALL CONCEPTS, INC,CONTRACTUAL,57.74;PANHANDLE COOPERATIVE ASSOCIATION,FUEL,6356.62;PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 275; PARADISE PUMPERS LLC, CONTRACTUAL PARK, 665; PIERCE, GERALD, REIMBURSEMENT FOR CDL,60;PLATTE RIVER GLASS RODNEY L FLOTH,EQUIP MAINT,90; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,10476.53;POMPS TIRE SERVICE INC,DEPARTMENT SUPPLIES-SAN,3414.65; POWERPLAN,ANGLE FOR LOADER,27.22;PT HOSE AND BEARING,PARTS FOR BOBCAT,92.99;QUADIENT FINANCE USA INC,POSTAGE ADMIN,1000;QUADIENT LEASING USA INC,CONT. SRVCS.,861.2; QUILL CORPORATION,DEPT SUPPL-PD,154.45;RAILROAD MANAGEMENT CO III, LLC,RENT - LAND,758.28;REGIONAL CARE INC,CLAIMS,94811.65; REGISTER OF DEEDS,LEGAL,116; RUSSEL'S AUTOMOTIVE,VEH MAINT-PD,302.1;S M E C,EMPLOYEE DEDUCTION,120.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT PARK,1461.97;SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,300; SCB IBEW 1597 UNION DUES,SCB IBEW 1597 UNION DUES,386.09;SCOTT WALTON,GROUND MAINT PARK,574.23;SCOTTS BLUFF COUNTY COMMUNICATIONS CENTER,CONT. SRVCS.,125; SCOTTS BLUFF COUNTY COURT,LEGAL FEES-PD,322;SCOTTSBLUFF MOTOR CO, INC,VEH MAINT ADMIN,1569.34;SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,741;SHAGGY BUFFALO CARWASH LLC,VEH MAINT-PD,130;SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,14007.79;SIMON CONTRACTORS,GROUND MAINT PARK,1619.1; SNELL SERVICES INC.,BLDG. MAIN.,2010;SOUNDSLEEPER SECURITY INC.,CONTRACTUAL-PD,14.95;STANARD & ASSOCIATES INC.,POLICE OFFICER TESTING 2/2/24,164.5;STATE OF NE.,CONTRACTUAL-PD,210; SUBWAY 6906,RECRUITMENT,75.98;TERRY D SCOTT,EQUIP MAINT PARK,164.93;TWIN CITY AUTO, INC,BOSS HEADLIGHT FOR PICKUP,518.99; TYLER TECHNOLOGIES, INC,ANNUAL FEES/MAINTENANCE (3/1/24 - 2/28/25),64032.94; UNION BANK & TRUST,RETIREMENT,45898.03;UNITED STATES WELDING,CONTRACTUAL SERVICES-SAN,404.17;VERIZON COMMUNICATIONS INC,GPS SERVICE,95.7;W & R INC,PSB MAINT-PD, 8115.38; WEBER TYLER, SCHOOLS & CONF PD, 102; WESTERN COOPERATIVE COMPANY, HYDRAULIC OIL - ENGINE 3,219.5;WESTERN NE COMMUNITY COLLEGE,SCHOOLS & CONF,1300;WESTERN NE TOURISM COALITION,MEMBERSHIP,125;WESTERN PATHOLOGY CONSULTANTS, INC,DRUG/DOT TESTING - JAN 2024,435;WEX BANK,UNLEADED GASOLINE,24741.31;WHITING SIGNS,K9 CAR-PD,65;WILLIAM E ALPSTEG,FIREARMS RANGE SUPPL PD, 1580; WYOMING CHILD SUPPORT ENFORCEMENT, CHILD SUPPORT ,946.08 ;REFUNDS;WYLIE REAL ESTATE, 100.07; REGIONAL WEST MEDICAL CENTER, 121.60; REGIONAL WEST MEDICAL CENTER, 121.15; BRYAN DULIN, 3.29; MONICA MORENO, 17.65; ALLY PROPERTY, 6.66

City Finance Director, Lane Kizzire, approached to go over the January 2024 Financial Report. Notable items identified for the month, include insurance payments deposited on behalf of the 2023 hail storm, a large LB840 repayment and payments for the 20<sup>th</sup> Street project and 6<sup>th</sup> Avenue water main replacement. Council Member Scanlan moved, seconded by Council Member Salomon to approve the January 2024 Financial Report, “YEAS,” Salomon, Vidlak, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: None.

Council introduced the Ordinance dealing with the Rezone of Lot 5, Block 1, Country Club View Addition from C-2 Neighborhood & Retail Commercial to R-1A Single Family Residential and was read by title on second 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 5, BLOCK 1, COUNTRY CLUB VIEW**

**ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, CURRENTLY ZONED AS C-2 NEIGHBORHOOD AND RETAIL COMMERCIAL, WILL NOW BE INCLUDED IN R-1A SINGLE FAMILY RESIDENTIAL, REPEALING PRIOR SECTION 25-1-4, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council introduced the Ordinance dealing with the Rezone of Lots 1-4, Block 1, Triple Peaks Subdivision from AR Agricultural Residential to O-P Office and Professional and was read by title on second 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 LOTS 1, 2, 3, AND 4, BLOCK 1, TRIPLE PEAKS SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN SCOTTS BLUFF COUNTY, NEBRASKA WHICH WAS PREVIOUSLY ZONED AS AGRICULTURAL RESIDENTIAL (AR) TO OFFICE AND PROFESSIONAL (O-P), REPEALING PRIOR SECTION 25-1-4, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Regarding the Ordinance Annexing Real Property Platted as Lots 1, 2, 3 and 4 Block 1, Triple Peaks Subdivision, City Manager Spencer reminded Council at the last meeting the annexation was considered. He also mentioned we have letters on file to request annexation from the property owners.

Council introduced the Ordinance Annexing Real Property Platted as Lots 1, 2, 3 and 4, Block 1, Triple Peaks Subdivision and was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, ANNEXING REAL PROPERTY PLATTED AS LOTS 1, 2, 3 AND 4 BLOCK 1, TRIPLE PEAKS SUBDIVISION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF, NEBRASKA, SITUATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA AMENDING SECTION 25-1-3.1 OF THE MUNICIPAL CODE, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council introduced the Ordinance amending §20-1-3, changing the name of Easton Drive to 18<sup>th</sup> Avenue in the Quintt Commercial Tracts and was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE MUNICIPAL CODE TO UPDATE §20-1-3 DEALING WITH A CHANGE IN THE NAME OF A STREET, ADJACENT TO TRACT 1, BLOCK 2, QUINDT COMMERCIAL TRACT FROM EASTON DRIVE TO 18<sup>TH</sup> AVENUE, AND PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Council introduced the Ordinance to consider a Plat Vacation of Block 2, Residency Addition, commonly identified as 2204 Circle Drive, Scottsbluff, NE and was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING BLOCK 2, RESIDENCY ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA A SUBDIVISION AND REPLAT OF BLOCK 5, NORTHEAST SECOND ADDITION REPLAT NO. 2, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Legal Counsel Hadenfeldt informed Council we did get a request from the Residency to waive the third reading of the Ordinance so they could get started on the development.

Council Member Scanlan moved, seconded by Council Member Colwell that the statutory rule regarding the Ordinance vacating Block 2, Residency Addition to the City of Scottsbluff to be read by title

on three different days be suspended, “YEAS,” Scanlan, McKerrigan, Salomon, Colwell, and Vidlak. “Nays,” None. Absent: None.

Council Member Colwell made a motion to adopt Ordinance No. 4321 vacating Block 2, Residency Addition to the City of Scottsbluff. The motion was seconded by Council Member Vidlak, “YEAS,” Vidlak, Colwell, McKerrigan, Salomon, and Scanlan.

Mr. Tom Schingle, Fire Chief approached to present the bid for the replacement of the HVAC System and appurtenances for the Public Safety building. He explained this is for the heating system in the apparatus bay, adding the current system is original to the building and has been having issues for the past few years. The new system will replace with two units for the North and South halves of the bay and are sized redundantly, so if one goes out the other would maintain the entire building. In addition, the bid of \$77,370 is under the engineers estimate and has been budgeted for.

Council Member Salomon moved, seconded by Council Member Scanlan to approve awarding the bid for the replacement of the HVAC System and appurtenances for the Public Safety Building to Big Mack HVAC in the amount of \$77,370.00, “YEAS,” McKerrigan, Scanlan, Colwell, Vidlak, and Salomon. “NAYS,” None. Absent: None.

Mr. Mark Bohl, Public Works Director came forward to present the bid for the construction of the 20<sup>th</sup> Street Improvements-Cleveland Field to 17<sup>th</sup> Avenue-Mill and Overlay. Mr. Bohl explained we received one bid for this project, which is not uncommon for asphalt. The bid was submitted by Simon Contractors in the amount of \$2,740,000, entailing a 120-day contract ending October 1<sup>st</sup>. Mr. Bohl added the bid is over the engineers estimate of \$2,433,875, but stated it is hard to go off of estimates with this type of project. Council Member Colwell asked if we will have enough money of what was budgeted. Mr. Spencer answered, yes, this will be a bonded project that will also include the Frank PID.

Council Member Colwell made a motion, seconded by Council Member Vidlak to approve awarding the bid for the construction of the 20<sup>th</sup> Street Improvements-Cleveland Field to 17<sup>th</sup> Avenue-Mill & Overlay to Simon Contractors in the amount of \$2,740,000, “YEAS,” Colwell, Salomon, Vidlak, Scanlan, and McKerrigan. “NAYS,” None. Absent: None.

Regarding the Fuel Contract RFP, Mr. Bohl approached to explain we received three proposals with Panhandle Coop coming in with the best bid of .07 off the posted price for fuel. The proposed Contract also states we will have emergency power and delivery of fuel to all City generators. The current Contract ends March 13<sup>th</sup>, hence the reason to place on this agenda; staff is recommending approval.

Council Member Scanlan moved, seconded by Council Member Salomon to approve the three-year Fuel Contract with Panhandle Coop beginning March 20, 2024 and authorize the Mayor to sign the Contract, “YEAS,” Salomon, Vidlak, Scanlan, McKerrigan, and Colwell. “NAYS,” None. Absent: None

Fire Chief, Tom Schingle, approached to present the 2023 Annual Fire Department Report. He started his presentation by going over highlights of the report. One notable item was call volume increasing 8% from last year. Fire Prevention was another feature worth mentioning with 178 inspections performed, up 78% from the previous year, with fire system compliance at 92%. Mr. Schingle also went over calls for service explaining they are trending about the same from last year, response times are continuing to be five minutes or less, and property loss is at 3%.

In conclusion he added the department has experienced some turnover due to retirements and resignations, however, has hired three new firefighters, as well as a Fire Prevention Officer. The average age of fire fighter has lowered to 35.8 from 40.2 and all new firefighters are getting trained and certified.

City Manager Spencer came forward to discuss the Proposal Letter with TriHydro Engineering for Updated Airspace Site Life and Construction Estimate for Regional Landfill. He explained we have been

meeting with Gering to discuss the future landfill. Gering’s projected closing date for their current landfill is April 2027 and if there is a new landfill sited it will take all of that time to get it sited and built. Mr. Spencer stated we need new updated construction costs to determine tipping fees for our rate payers and is the purpose of the letter. The amount is just under \$5,000 and we need the numbers updated to move forward.

Council Member Salomon made a motion, seconded by Council Member Colwell to approve the Proposal Letter with TriHydro Engineering for Updated Airspace Site Life and Construction Cost Estimate for Regional Landfill and authorize the Mayor to sign the Letter, “YEAS,” McKerrigan, Scanlan, Colwell, Vidlak, and Salomon. “NAYS,” None. Absent: None.

Under Council Reports, Mr. Spencer stated he and Sharaya Toof, Economic Development Director, attended the Heartland Express meeting last week.

Council Member Colwell moved to adjourn the meeting at 6:28 p.m. The motion was seconded by Council Member Vidlak, “YEAS,” Colwell, Salomon, Vidlak, Scanlan, and McKerrigan. “NAYS,” None. Absent: None.

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Mayor

Attest:

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City Clerk

“SEAL”