

CITY OF SCOTTSBLUFF
City Hall
2525 Circle Drive, Scottsbluff, NE
CITY COUNCIL AGENDA

Regular Meeting
July 1, 2013
6:00 PM

1. Roll Call
2. Pledge of Allegiance.
3. **For public information, a copy of the Nebraska Open Meetings Act is available for review.**
4. Notice of changes in the agenda by the city clerk (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under Item 5 of this agenda.)
5. Citizens with business not scheduled on the agenda (As required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
6. Consent Calendar:
 - a) Approve the minutes of the June 17, 2013 Regular Meeting
 - b) Council to set a special meeting for July 25, 2013 at 10:00 a.m., City Council Chambers, for the purpose of conducting a budget work shop.
 - c) Approve following Council Member absences: Mayor Meininger: May 20, 2013; Council Member Boeckner: June 3, 2013; Council Member Deibert: June 17, 2013.
 - d) Council to approve the specifications for the installation of a water extension at Airport Road South and authorize the City Clerk to advertise for bids to be received by 2:00 p.m., July 23, 2013.
7. Claims:
 - a) Regular Claims
 - b) Conflict Claims
8. Financial Report:
 - a) Council to review the May, 2013 Financial Report
9. Public Hearings:
 - a) Council to conduct a public hearing at 6:05 p.m. as scheduled for this date, for a class I liquor license application for JJ'S TT, LLC, dba Taco Town, 1007 West 27th Street and appointment of Justin Dedic as Manager of the Liquor License.
 - i) Conduct the public hearing and consider a recommendation to the

Nebraska Liquor Commission either approving or denying said application. The following exhibits shall be entered into the record:

- ii) Exhibit #1 – Application of JJ'S TT, LLC, dba TACO TOWN, 1007 West 27th St., Scottsbluff, NE 69361.
 - iii) Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2002
 - iv) Exhibit #3 – Written Statement of Police Chief
 - v) Exhibit #4 – Written Statement of City Clerk
 - vi) Exhibit #5 – Written Statement of Planning Administrator
- b) Council to conduct a public hearing at 6:05 p.m. as scheduled for this date to consider a zone change for proposed Lot 1, Spengler subdivision, a replat of Lot 1, Hessler subdivision from Agricultural to Agricultural Residential (located west of 5th Avenue and North of 42nd Street).
- i) Public hearing to consider a zone change request from property owners, HVS, LLP (Shane Aulick), to rezone proposed Lot 1, Spengler Subdivision (14.71 acres ±). This parcel is located west of County Road 22 (5th Ave. extended north) & north of 42nd Street in our extra territorial jurisdiction. It is zoned A- Agricultural, the requested change is to AR Agricultural Residential. Surrounding properties are all zoned A - Agricultural except for a small area to the east which is zoned R-1 single family residential. The subdivision is exempt from the regulations but the 15 acre parcel will not meet the minimum lot size requirements of the A district (20 acres) the subdivision plat will be done administratively as a survey final plat. The City's comprehensive development plan future land use map designated the entire acreage owned by the applicant as single family residential. There were no comments received from the public.
 - ii) BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of June 10, 2013 made positive recommendation to City Council.
 - iii) STAFF RECOMMENDATION: Council approve the zone change request of proposed Lot 1, Spengler Subdivision a replat of Lot 1, Hessler Subdivision from A –Agricultural to AR- Agricultural Residential upon filing of the plat.
- c) Council to conduct a public hearing at 6:05 p.m. as scheduled for this date to consider a proposed Ordinance text change amendment to Chapter 21 Subdivisions - 2101-10(B) General Provisions.
- i) Public Hearing for proposed ordinance text change/amendment to Chapter 21 Subdivision General provisions adding language to the general provisions for subdivisions within the City of Scottsbluff. The term utility sublots will be added to the existing language. Utility sublots were added and defined in 25-24-2 WCF ordinance.
 - ii) BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of June 10, 2013 made

positive recommendation to City Council.

- iii) STAFF RECOMMENDATION: Staff recommends Council approve the proposed ordinance text change/amendment to Chapter 21 Subdivisions (B) General Provisions.
- d) Council to conduct a public hearing at 6:05 p.m. as scheduled for this date to consider a zone change for proposed Block 1, King's Acres from Agricultural to Agricultural Residential (located east of Highway 71 and north of the Scotts Bluff Country Club).
 - i) Public hearing to consider a zone change request from property owners, Gerald & JoAnn King (Revocable Trust), to rezone proposed Block 1, King's Acres Subdivision (14.71 acres ±). This parcel is located east of Highway 71, across from Scotts Bluff Country Club and north of Mountain View Avenue in our extra territorial jurisdiction. It is zoned A- Agricultural, the requested change is to AR Agricultural Residential. Surrounding properties are zoned A – Agricultural to the north, R-1A to the west, south. East is zoned both Ag and R-1A. The subdivision plat will be done administratively as a surveyed final plat. The City's comprehensive development future land use map designated the entire acreage as single family residential. There were no comments received from the public.

10. Petitions, Communications, Public Input:

- a) Council to consider a request from the Riverside Discovery Center to demolish the animal den building behind the vulture building.
 - i) Anne James, Executive Director for the Riverside Discovery Center, is seeking approval to remove the animal den building at the zoo, as part of their contractual obligation to the City of Scottsbluff.
- b) Council to consider a Community Festival Permit for the NEXT Young Professionals at the Broadway Mini Park, parking lot, including street closures, vendors, and noise permit for a Best of the West Beer and Wine Festival on August 17, 2013 from 3 p.m. to 8 p.m.
- c) Council to consider a Special Designated Liquor License for the NEXT Young Professionals to serve wine and beer at a Community Festival event at the Broadway Mini Park on August 17, 2013 from 3 p.m. to 8 p.m.
- d) Council to consider approval of a banner across Broadway prior to the Best of West Beer and Wine Festival the week of August 11th, 2013.
- e) Council to consider approving an Inter-Local Agreement with Scotts Bluff County for the Consolidated Communication Center and authorize the Mayor to execute the agreement.
- f) Council to consider approving the request from Racks Wine and Spirits, 1402 East 20th St., to add an outdoor area to their existing liquor license.

11. Bids & Awards:

- a) Council to consider awarding the bid of \$189,999.00 for a new rapid rail loader and compactor for Environmental Services to Floyd's Trucking.

12. Reports from Staff, Boards & Commissions:
 - a) Council to receive a report from Twin Cities Development regarding the Future Food Energy (F2E) project.
 - b) Council action and authorization for Mayor to sign documents providing for the Planning Commission's Public Hearing and council action to consider rezoning and special permit use for rendering plants for the 43 acre Immigrant Trail Industrial Park from M-1 light Industrial to M-2 Heavy Industrial.
 - i) Documents will be provided at the meeting.
 - c) Council to receive the City Manager's Quarterly Report
 - d) Council to consider moving the Scottsbluff Fire and Police repeaters from the Scottsbluff Public Safety Building to Regional West Medical Center.
 - e) Council to consider settlement of a claim with BNSF for blockage of the railroad track in the amount of \$645.56.
 - i) The initial claim filed by Burlington Northern Santa Fe requested payment of \$1936.68 for blockage of the railroad track caused by an accident involving a Scottsbluff Police Officer. Negotiations by our insurance company reduced the claim to \$645.56 for blockage of one train.
13. Resolution & Ordinances:
 - a) Council to consider a Resolution setting the speed limit to 20 mph on Broadway in the downtown district.
 - b) Council to consider the Ordinance authorizing the sale of city-owned property located at 120 5th Avenue (SECOND READING).
 - c) Council to consider the Ordinance authorizing the sale of city-owned property located at Lots 1 – 4, Block 2, Paul Mohr Addition (SECOND READING).
 - d) Council to consider an Ordinance making an addition to Chapter 25 Zoning Code regarding Wireless Communications Facilities (THIRD READING).
 - e) Council to consider a proposed zoning change regarding off-street parking in the C-1 zoning district, and consider the Ordinance (THIRD READING).
14. Public Comments: The purpose of this agenda item is to allow for public comment of items for potential discussion at a future Council Meeting. Comments brought to the Council are for information only. The Council will not take any action on the item except for referring it to staff to address or placement on a future Council Agenda. This comment period will be limited to three (3) minutes per person
15. Council reports (informational only):
16. Scottsbluff Youth Council Representative report (informational only):
17. Executive Session: (Council reserves the right to enter into closed session if deemed necessary if the item is on the agenda.)

Following passage of motion to enter into executive session, presiding officer must state purpose of executive session.

18. Action Items:
19. Adjournment.

