

CITY OF SCOTTSDLUFF
Scottsbluff Council Chambers
2525 Circle Drive
CITY COUNCIL AGENDA

Regular Meeting
September 16, 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 September 3, 2013 Regular Meeting.
 - b) Council to approve City Manager appointments to various boards and commissions.
7. Claims:
 - a) Regular Claims
8. Financial Report:
 - a) Council to review the July 2013 Financial Report
9. Public Hearings:
 - a) Council to conduct a Public Hearing at 6:05 p.m. to consider a zone change request for proposed Block 1, Sugar Factory Subdivision from Agricultural to R-1B Rural Residential and consider the Ordinance.
 - b) Council to consider the final plat of Block 1, Sugar Factory Subdivision and approve the Resolution.
 - c) Council to conduct a Public Hearing at 6:05 p.m. to consider a zone change request for proposed Lot 1, Block 2, Windbreak Subdivision from Agricultural to R-1 Single Family Residential and consider the Ordinance.
 - d) Council to consider the final plat of Lot 1, Block 2, Windbreak Subdivision and approve the Resolution.
 - e) Council to conduct a Public Hearing at 6:05 p.m. to consider an annexation request for proposed Lot 1, Block 2, Windbreak Subdivision, City of

Scottsbluff, Scotts Bluff, County and consider the Resolution.

10. Petitions, Communications, Public Input:
 - a) Council to consider issuance of a special arts-related event wine permit for the West Nebraska Arts Center, 106 East 18th Street and special designated liquor license to serve wine at a gallery reception on October 3, 2013 from 5:00 p.m. to 7:00 p.m.
11. Subdivisions & Public Improvements:
 - a) Council to consider a variance request of alley requirements 21-1-20 with an Ordinance to vacate the alleys abutting north and west line of Lot 2, Mackrill Replat Subdivision.
 - b) Council to consider a final plat of Block 2, Floyd's Subdivision a replat of Lot 2, Mackrill Replat, a replat of Lots 4H & 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat in the City of Scottsbluff, and approve the Resolution.
 - c) Council to consider a zone change request for Part of Block 2, & Blocks 3- 8 Rugger Hospital Addition from R-1A Single Family Residential to O & P Office and Professional, and consider the Ordinance (second reading).
12. Reports from Staff, Boards & Commissions:
 - a) Council to accept the resignation of Council Member Boeckner effective September 26, 2013 and direct staff regarding the process to fill the vacancy.
 - b) Council to consider an Economic Development request for LB840 grant funding from Bovidr Laboratories.
 - c) Council to acknowledge receipt of the Settlement Agreement for the case of Gonzalez v. City of Scottsbluff.
 - d) Council to consider the Interlocal Cooperation Agreement with Scotts Bluff County Consolidated Communications Center and authorize the Mayor to execute the agreement.
 - e) Council to consider the License Agreement between Regional West Medical Center and the City of Scottsbluff and authorize the Mayor to execute the agreement.
 - f) Council to consider a Memorandum of Understanding (MOU) with the Cities of Gering and Terrytown regarding a Brownfields Assessment Coalition Partnership and authorize the Mayor to sign the MOU.
13. 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
14. Council reports (informational only):
15. Scottsbluff Youth Council Representative report (informational only):
16. 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.

- 17. Action Items:
- 18. Adjournment.

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Consent1

Approve the minutes of the September 3, 2013 Regular Meeting.

Staff Contact: Cindy Dickinson

The Scottsbluff City Council met in a regular meeting on Tuesday, September 3, 2013 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 30, 2013, 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 accommodation 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 delivered to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television stations KSTF and KDUH, and the Star Herald. The notice was also available on the City's website on August 30, 2013. An agenda kept continuously current was available for public inspection at the office of the city clerk at all times from publication of the notice to the time of the meeting.

Mayor Randy Meininger presided and City Clerk Dickinson recorded the proceedings. The Pledge of Allegiance was recited. Mayor Meininger 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 address for the record. Mayor Meininger 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: David Boeckner, Raymond Gonzales, Randy Meininger, Mike Deibert, and Scott Shaver. Absent: None.

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

Moved by Council Member Boeckner, seconded by Mayor Meininger, that:

1. "The minutes of the August 19, 2013 Regular Meeting be approved,"
2. "A Public Hearing be set for September 16, 2013 at 6:05 p.m. to consider a zone change request for proposed Block 1, Sugar Factory Subdivision situated in the East half of the NE ¼ of Section 1, T22N, R55W of the 6th p.m. Scotts Bluff, County, from Agricultural to R-1B Rural Residential,"
3. "A Public Hearing be set for September 16, 2013 at 6:05 p.m. to consider a zone change request for proposed Lot 1, Block 2, Windbreak Subdivision situated in the SE ¼ of Section 13, T22N, R55W of the 6th p.m. City of Scottsbluff, Scotts Bluff, County, from Agricultural to R-1 Single Family Residential,"
4. "A Public Hearing be set for September 16, 2013 at 6:05 p.m. to consider an annexation request for proposed Lot 1, Block 2, Windbreak Subdivision situated in the SE ¼ of Section 13, T22N, R55W of the 6th p.m. City of Scottsbluff, Scotts Bluff, County, "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Council Member Boeckner declared a conflict of interest regarding payments to the League Association of Risk Management and the League of Nebraska Municipalities as he is a Board Member of these organizations. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to declare a conflict of interest for Council Member Boeckner regarding payments to the League Association of Risk Management in the amount of \$393.00 and the League of Nebraska Municipalities in the amounts of \$2,557.00 and \$26,271.00 and excuse him from voting on or discussing these items," "YEAS", Boeckner, Deibert, Shaver, Gonzales and Meininger "NAYS" None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "that the following claims be and hereby are approved and should be paid as provided by law out of the respective funds designated in the list of claims

dated September 3, 2013, as on file with the City Clerk and submitted to the City Council,” “YEAS”, Boeckner, Gonzales, Deibert, and Meininger, “NAYS” Shaver. Absent: None.

CLAIMS

PAYROLL \$57,311.26 W/H; REGIONAL CARE \$58,466.29 INS CLAIMS; WELLS FARGO \$26,273.89 RETIREMENT; PVNB-HEALTH SAVINGS \$9,763.46 EMP DED; STATE OF NE \$27,752.30 PAYROLL TAX; NEBRASKA CHILD SUPPORT PAYMENT CENTER \$0; 911 CUSTOM \$241.80 MAINT; ACCURINT \$400.00 TECH SUPP; ALAMAR UNIFORMS \$697.63 UNIFORMS; AMAZON.COM HDQRTS \$234.28 BOOKS; HUGH ANDERSON \$32.50 REFUND; ANITAS GREENSCAPING \$324.20 LANDSCAPING; ARTISTRY-LINNEA JOHN \$1,132.43 GRANT; ATCO INTL \$25.00 SUPP; B&C STEEL \$326.86 REPAIRS; BAKER & TAYLOR \$110.30 BOOKS; BLUE OX BUILDING \$900.00 REPAIRS; BLUFFS SAN SUPPLY \$175.17 SUPP; FARM PLAN \$80.73 SUPP; ZEKE BOWEN \$270.00 TRNG; ROBERTA J BOYD \$94.58 POSTAGE; CARR TRUMBULL LBR \$5.33 PARTS; LYNDIA CLARK \$50.00 REFUND; COMMUNITY HEALTH-RWMC \$87.00 VACCINATION; CONNECTING POINT \$3,233.70 TECH SUPP; CRESCENT ELECT SUPPLY \$192.57 SUPP; CULLIGAN \$32.40 MAINT; D&H ELEC \$131.83 REPAIRS; DALES TIRE & RETREAD \$1,334.02 REPAIRS; RICK DEEDS \$240.00 BUS TRVL; DEPT OF NATURAL RESOURCES \$70.00 WELL REG; DARLENE DIEDRIC \$3.88 REFUND; DOGGIE DO'S \$5,500.00 GRANT REIMB; ENERGY LAB \$108.00 SAMPLES; ENVIRO SERV \$135.00 SAMPLES; BOB ESCAMILLA \$27.12 REIMB; FEDERAL EXPRESS \$516.79 SHPING; FIRST WIRELESS, INC \$813.12 MAINT; ANDREA FREDRICKSON \$40.72 TRVL EXP; FRANK IMP \$155.49 PARTS; GOLD WATCH LLC \$1,500.00 CONTRACTUAL; HARDING & SHULTZ, P.C., L.L.O. \$53.30 CONTRACTUAL; ANTHONY HARRIS \$20.50 TITLE; JIM HARRISON \$120.00 TRVL EXP; HAWKINS \$1,285.85 SUPP; HEILBRUN FARM IND SUPP \$41.61 PARTS; HELENA CHEMICAL \$799.14 SUPP; HOME DEPOT CREDIT SERVICES \$100.34 SUPP; ICMA RETIREMENT TRUST \$1,106.94 RETIREMENT; IDEAL LINEN \$45.48 SUPP; IND PLMBG & HTG \$62.65 PARTS; INLAND TRUCK PARTS \$380.73 PARTS; INTRALINKS \$66.91 SUPP; RICHARD JOHNSON \$650.00 CONTRACTUAL; KIMBALL MIDWEST \$285.25 SUPP; SAM KLASSETT \$1,463.40 CONTRACTUAL; BOBBI KUHLMAN \$86.29 BUS TRVL; LEADERSHIP SCOTTS BLUFF \$500.00 TUITION; HOPE FARMS LIMITED PARTNERSHIP \$44.83 REFUND; MENARDS \$5,620.69 SUPP; MES - MIDAM \$42.34 PARTS; MIKES STORE \$690.00 TROPHIES; MIKE'S TREE SERVICE \$150.00 MAINT; MONEY WISE OFFICE SUPPLIES \$85.66 SUPP; MONUMENT PREVENTION COALITION \$880.00 CONTRACTUAL; MUNICIPAL PIPE TOOL CO, LLC \$794.23 PARTS; MURDOCHS RANCH & HOME SUPPLY \$63.46 SUPP; MWC ENTERPRISES \$2,977.33 SUPP; N.T.C. \$252.41 REIMB; STATE OF NE \$735.00 TEST; NE LIBRARY COMMISSION \$10.00 TRNG; NEBR MACHINERY \$810.85 MAINT; NE RURAL WATER ASSOC \$530.00 TRNG; NW PIPE FITTINGS \$40.34 PARTS; NPPD \$79,513.85 UTILITIES; NSA/POAN CONFERENCE \$95.00 TRNG; UPSTART ENTERPRISES, LLC \$312.99 SUPP; PANHANDLE CONCRETE \$105.00 REPAIRS; ELISEO PEREZ \$150.00 DELIVERY EXP; THE PLAYHOUSE SKATE & FUN CENT \$290.00 SUPP; POSTMASTER \$455.43 POSTAGE; QUILL CORP \$422.64 SUPP; R&C WELDING & FABRICATION \$531.76 REPAIRS; ASHLEY RAHMIG \$49.34 REFUND; REAMS SPRINKLER SUPP \$617.03 PARTS; JON REITER \$442.00 BUS TRVL; WY FIRST AID/SAFETY \$27.41 SUPP; BRANDON RITTERBUSH \$100.00 REFUND; ROOSEVELT PP DIST \$1,930.70 UTILITY; JASON M ROSS \$7.21 REFUND; RV'S 4 U \$550.00 PARTS; SMEC \$267.50 UNITED WAY; SANDBERG IMPLEMENT \$165.13 SUPP; SCB PARKS & CEMETERY FOUNDATIO \$37.50 REIMB; MC SCHAFF \$13,120.00 CONTRACTUAL; DAVE SCHLEVE \$10,000.00 GRANT REIMB; MIKE SCHWARTZKOPF \$48.84 REFUND; SHERWIN WILLIAMS \$38.60 SUPP; SIMON CONT \$204,274.51 SUPP; SNELL SERVICES \$1,830.00 MAINT; KN ENERGY \$4,027.56 FUEL; KEVIN SPENCER \$173.00 BUS TRVL; STAPLES \$137.00 SUPP; STAR HERALD \$2,758.59 LGL PUB; STATE HEALTH LAB \$16.00 SAMPLES; STATE OF NE \$138.87 PHONE; SUBWAY \$49.25 TESTING; SWANK MOTION PICTURES \$321.00 SUPP; TARGETS ONLINE \$124.88 SUPP; KATHERINE TEMPLEMAN \$31.27 REFUND; THOMPSON GLASS \$395.00 REPAIRS; TODAY'S DISTRIBUTOR, LLC \$6,900.00 PARTS; TYLER TECHNOLOGIES, INC \$12,120.41 TECH SUPP; U S BANK \$1,450.00 BOND FEE; ULTRAMAX \$1,190.00 SUPP; US BANK-CPS \$1,638.09 REPAIRS, TRNG; VERIZON WIRELESS \$481.12 PHONE; SKYBEAM \$57.95 INTERNET; AMY WAKEMAN \$93.15 REFUND; WALMART \$241.34 SUPP; BRIAN WASSON \$48.00 BUS TRVL; WATER ENV FED \$55.00 MBERSHP; WESTCO \$52.63 SAMPLES; WESTERN TRAIL SPORTS \$6,758.81 GRANT REIMB; YMCA \$1,764.00 FITNESS; ZAMARRIPA, TOM \$74.99 UNIFORMS.

Moved by Mayor Meininger, seconded by Council Member Gonzales, “that the claims to the League Association of Risk Management in the amount of \$393.00 and the League of Nebraska Municipalities in the amounts of \$2,557.00 and \$26,271.00 be paid as on file with the City Clerk and submitted to the City Council,” “YEAS”, Gonzales, Deibert, Shaver, and Meininger, “NAYS” None. Absent: None. Abstain: Boeckner.

Assistant City Manager Johnson presented the request from Lucky One LLC to extend their liquor license to an outdoor, fenced area. There are no issues with this liquor license and staff is recommending approval. Moved by Mayor Meininger, seconded by Council Member Boeckner, “to send a positive recommendation to the Nebraska Liquor License Commission regarding the extension of the liquor license of Lucky One LLC, dba Frontside, 1001 Avenue I, to include an outdoor fenced area,” “YEAS”, Boeckner, Gonzales, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

Mayor Meininger opened the public hearing at 6:05 p.m. to consider the final tax request for 2013-2014. Assistant City Manager Johnson presented the resolution Council with a tax request for FY 2013-2014 of \$1,687,535.00 for the City of Scottsbluff and \$54,100.00 for the Business Improvement District. There were no comments from the public. Mayor Meininger closed the Public Hearing at 6:10 p.m. Council Member Shaver asked how this request compares to previous years. Finance Director Griffiths responded that the mil levy and the Business Improvement District request are the same as last years. Moved by Council Member Boeckner seconded by Council Member Gonzales, “to approve Resolution No. 13-09-01 authorizing the final tax request for the 2013-2014 year at a different amount than the prior year request,” “YEAS”, Boeckner, Gonzales, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

RESOLUTION NO. 13-09-01

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Scottsbluff passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Scottsbluff that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Scottsbluff, by a majority vote, resolves that:

1. The 2013-2014 property tax request be set at \$1,687,535 for the City of Scottsbluff.
2. The 2013-2014 property tax request be set at \$54,100 for the Business Improvement District.
3. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2013.

PASSED AND APPROVED this 3rd day of September, 2013.

Mayor

ATTEST:

City Clerk

“seal”

Mayor Meininger opened the public hearing at 6:10 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the FY 2013-2014 budget. Assistant City Manager explained that the budget as presented reflects the changes discussed during the budget workshop, including the funding for an additional firefighter and a full time code enforcement officer. There were no comments from the public. Mayor Meininger closed the public hearing at 6:11 p.m.

Council Member Boeckner introduced Ordinance No. 4109 which was read by title: **AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.**

Moved by Council Member Boeckner, seconded by Mayor Meininger, "That the statutory rule requiring the Ordinance to be read by title on three different days be suspended." "YEAS", Boeckner, Deibert, Gonzales, and Meininger, "NAYS" Shaver. Absent: None. The motion carried having been approved by three-fourths of the Council Members.

Moved by Council Member Boeckner, seconded by Council Member Deibert, "That Ordinance No. 4109 be adopted," "YEAS", Boeckner, Deibert, Gonzales, and Meininger, "NAYS" Shaver. Absent: None.

Mayor Meininger declared a conflict of interest regarding the public hearing to consider a zone change request for the Rugger Hospital Addition. Moved by Council Member Boeckner, seconded by Council Member Deibert, "to declare a conflict of interest for Mayor Meininger regarding the Rugger Hospital Addition zone change and excuse him from voting on or discussing these items," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Vice President of the Council Raymond Gonzales opened the public hearing at 6:12 p.m. to discuss the zone change request for part of Block 2, & Blocks 3- 8 Rugger Hospital Addition from R-1A Single Family Residential to O & P Office and Professional. City Manager Kuckkahn explained that this zoning request is consistent with the master plan. David Griffiths, Chief Financial Officer for Regional West Medical Center approached the Council and explained that a medical related business is interested in locating a business on this property which is currently zoned residential. In discussing this zone change with the Development Services office, it was recommended to change the zoning of this property to tie in with the surrounding property. This will also change the zoning at the Village Retirement Center. The Planning Commission recommended this zone change as it will be more consistent with the surrounding property. Council Member Shaver asked what the opposition concerns were at the Planning Commission meeting. Mr. Griffiths explained that the opposition was very general regarding the zoning of the land to the north, which is currently being tabled by the hospital. Mr. Kevin Ott had concerns about the property currently being discussed, regarding the noise created by the helicopter on the west pad. Mr. Griffiths noted that the second pad is to be used at night if available, however, if there are east winds, or if it is occupied, the east pad cannot be used. Mr. Ott's other concern is landscaping and clean up of the property adjacent to his. These issues are being addressed.

There were no comments from the public. Vice President Gonzales closed public hearing at 6:20 p.m.

Council Member Boeckner introduced the Ordinance by title on first reading: **AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PART OF BLOCK 2, & BLOCKS 3, 4, 5, 6, 7, AND 8, RUGGER HOSPITAL ADDITION, SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED R-1A, WILL NOW BE INCLUDED AS O & P OFFICE AND PROFESSIONAL, AND REPEALING PRIOR SECTION 25-1-4.**

This Ordinance will be read again at the next regular Council Meeting.

Mayor Meininger opened the public hearing at 6:23 p.m. to consider the report of the Economic Development Citizen's Advisory Committee. City Manager Kuckkahn reported that since 1996, this fund had provided \$6.8 million for new and existing businesses. This resulted in 1200 total net jobs created or retained. Deputy City Attorney Rick Ediger commented that these grants offer something for smaller businesses. The Economic Development Citizens Review Committee is obligated to provide this report to the City Council. Not much has changed from the last report, and we still have a large balance in the fund. We need to find more applicants as the

funds do more good when they are being utilized. We have however, been able to provide some infrastructure improvements for qualifying business such as KYS Foods and EagleMed. We have plenty of funds for qualifying businesses, however, we do hold the businesses accountable and expect performance for the funds being granted.

Mr. Kuckkahn added that the grants are based on performance based employment and they are paid after they have provided employment information. Mayor Meininger added that the funding is available for service businesses, not retail. We don't want to provide a competitive edge with retail business. Council Member Shaver asked why the information was confidential if public funds are used. Mr. Ediger responded that State Statute requires the employment levels remain confidential, and we have adopted an Ordinance reflecting the statute. Employment levels are not something to be shared with competitors. The amount of the grant is public, but employment levels are confidential.

There were no comments from the public. Mayor Meininger closed the public hearing at 6:40 p.m.

Council Member Gonzales asked which committee should look into the possibility of adding retail businesses. Mr. Kuckkahn added there may be benefits of targeting certain types of retail to stimulate certain businesses. Mr. Ediger stated that we can amend our plan to include other types of businesses, which would require the adoption of an Ordinance. Mayor Meininger directed staff to meet with the Application Review Committee to consider broadening the plan and consider recruiting other types of businesses. Moved by Council Member Boeckner, seconded by Mayor Meininger, "to accept the report of the Economic Development Citizen's Advisory Committee," "YEAS", Gonzales, Boeckner, Meininger, Deibert and Shaver "NAYS": none. Absent: None.

Mayor Meininger opened the public hearing at 6:45 to consider a Class X Liquor License application for PIVO Inc. DBA High Plains Budweiser. Jeffrey Sheinhost, owner, and Police Chief Kevin Spencer were sworn in to testify on the liquor license. Moved by Council Member Boeckner, seconded by Council Member Deibert, "That the following exhibits, presented on behalf of the City Council, be entered into the record: 1) Application of PIVO Inc. DBA High Plains Budweiser; 2) City Council Check List for Section 53-132 Cum Supp 2002; 3) Written Statement of Police Chief Kevin Spencer dated August 28, 2013 ; 4) Written Statement of City Clerk dated August 29, 2013; 5) Written Statement of Planning Administrator Urdiales dated August 29, 2013; "YEAS", Gonzales, Boeckner, Shaver, Deibert and Meininger, "NAYS" None. Absent: None.

Mr. Sheinhost explained the reason for wanting to change his current liquor license to a Class X, is to allow him to distribute the cider and other products, which his current license does not allow. Chief Spencer told the Council that his staff conducted an extensive background check and interview with Mr. Sheinhost and said he had no reason to not recommend issuing the business the Class X liquor license. He explained that their security is very good and they have not had any incidents there.

Mayor Meininger closed the public hearing at 6:47 p.m. Moved by Council Member Boeckner, seconded by Council Member Deibert, "to forward a positive recommendation to the Nebraska Liquor License Commission regarding the Class X Liquor License for PIVO, Inc., dba High Plains Budweiser, 2810 Avenue M, Scottsbluff, NE," "YEAS", Gonzales, Boeckner, Meininger, Deibert and Shaver "NAYS": none. Absent: None.

RESOLUTION NO. 13-09-02

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

1. On September 3, 2013 the matter of the application of a Class X liquor license for PIVO, Inc., dba High Plains Budweiser, 2810 Ave. M, Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class I liquor license for PIVO, Inc., dba High Plains Budweiser
Exhibit 2 - City Council Check List for Section 53-132 R.R.S. (2002)
Exhibit 3 - Written statement of Police Chief dated August 28, 2013
Exhibit 4 - Written statement of City Clerk dated August 29, 2013
Exhibit 5 - Written statement of Development Services Director dated August 29, 2013

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Jeffrey Scheinost, owner. Police Chief Kevin Spencer spoke on behalf of the City.
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 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.
 - b. Applicant has met its burden with regard to the check list provided by Section 53-132 R.R.S. (1984) and demonstrates 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 appears to be sufficient to insure compliance with such rules and regulations.
4. By reason of the above, the Applicant has met the burden of proof and persuasion in producing evidence pertaining to the criterion prescribed in the Nebraska Statutes.
5. Based on the above findings, the City Council approves the application and recommends to the Nebraska Liquor Control Commission that a Retail Class I liquor license be issued to PIVO, Inc., dba High Plains Budweiser, at the premises described in the application.
6. The City Clerk shall transmit a copy of this Resolution to the Commission.
7. Cost of publication: \$16.79.

Passed and approved this 3rd day of September, 2013.

Mayor

ATTEST:

City Clerk

“seal”

Assistant City Manager Johnson presented a bid from Benjamin Franklin for the sewer project at Riverside Campground. The previous bid awarded to Oregon Trail has been cancelled as the contractor is unable to perform the work required. Our City Engineer contacted the Benjamin Franklin Plumbing contractors to make sure they understood the complexity of the project. They felt confident that Benjamin Franklin Plumbing could complete the job satisfactorily by the end of this fiscal year. Moved by Council Member Boeckner, seconded by Council Member Gonzales, “to approve the bid from Benjamin Franklin Plumbing for a sewer project at Riverside Campground in the amount of \$15,193.00,” “YEAS”, Gonzales, Boeckner, Meininger, Deibert and Shaver “NAYS”: none. Absent: None.

Assistant City Manager Johnson presented three resolutions and agreements naming Mark Bohl, Public Works Director as Responsible Charge (RC) for projects in Alliance, NE. Mayor Meininger noted that these Federal projects require someone with the proper qualifications to complete the work, which Mr. Bohl has. These projects will take approximately 100 hours to complete, much of which can be done from his Scottsbluff office. Assistant City Manager Johnson advised the Council that the City would be reimbursed for Mr. Bohl’s time.

Moved by Council Member Boeckner, seconded by Council Member Deibert, "Council to approve an Inter-local Agreement and Resolution No. 13-09-03 for Mark Bohl, Public Works Director to be the Responsible Charge (RC) for the City of Alliance for their 10th Street project," "YEAS", Boeckner, Deibert, Gonzales, and Meininger, "NAYS" Shaver. Absent: None.

Resolution No. 13-09-03

WHEREAS, City of Scottsbluff, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as "Responsible Charge" (RC); and

WHEREAS, City of Alliance has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with City of Scottsbluff for the services of a qualified "Responsible Charge" (RC) for a Federal-Aid project in City of Alliance; and

WHEREAS, City of Alliance and City of Scottsbluff; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that, Mark Bohl, Director of Public Works, is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in City of Alliance.

NDOR Project No.: URB-6253 (7)

NDOR Control No.: CN 51490

Project Name: 10th Street, Box Butte to Flack

Motion made by Council Member Boeckner to adopt said resolution. Second by Council Member Deibert.

Roll Call: 4 Yes 1 Nay

PASSED AND APPROVED this 3rd day of September, 2013.

Randy Meininger, City of Scottsbluff Mayor

Attest:

Cindy Dickinson, City Clerk

Moved by Council Member Boeckner, seconded by Council Member Deibert, "Council to approve an Inter-local Agreement and Resolution No. 13-09-04 for Mark Bohl, Public Works Director to be the Responsible Charge

(RC) for the City of Alliance for their Emerson Avenue project,” “YEAS”, Boeckner, Deibert, Gonzales, and Meininger, “NAYS” Shaver. Absent: None.

Resolution No. 13-09-04

WHEREAS, City of Scottsbluff, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, City of Alliance has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with City of Scottsbluff for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in City of Alliance; and

WHEREAS, City of Alliance and City of Scottsbluff; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that, Mark Bohl, Director of Public Works, is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in City of Alliance.

NDOR Project No.: URB-6255 (3)

NDOR Control No.: CN 51450

Project Name: Emerson Avenue, 18th - 25th Street

Motion made by Council Member Boeckner to adopt said resolution. Second by Council Member Deibert.

Roll Call: 4 Yes 1 Nay

PASSED AND APPROVED this 3rd day of September, 2013.

Randy Meininger, City of Scottsbluff Mayor

Attest:

Cindy Dickinson, City Clerk

Moved by Council Member Boeckner, seconded by Council Member Deibert, “Council to approve an Inter-local Agreement and Resolution No. 13-09-05 for Mark Bohl, Public Works Director to be the Responsible Charge (RC) for the City of Alliance for their South Potash Street project,” “YEAS”, Boeckner, Deibert, Gonzales, and

Meininger, “NAYS” Shaver, Absent: None.

Resolution No. 13-09-05

WHEREAS, City of Scottsbluff, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, City of Alliance has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with City of Scottsbluff for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in City of Alliance; and

WHEREAS, City of Alliance and City of Scottsbluff; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that, Mark Bohl, Director of Public Works, is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in City of Alliance.

NDOR Project No.: URB-6263 (1)

NDOR Control No.: CN 51347

Project Name: South Potash, Kansas to 2nd Street

Motion made by Council Member Boeckner to adopt said resolution. Second by Council Member Deibert.

Roll Call: 4 Yes 1 Nay

PASSED AND APPROVED this 3rd day of September, 2013.

Randy Meininger, City of Scottsbluff Mayor

Attest:

Cindy Dickinson, City Clerk

Assistant City Manager Johnson presented the FY 2013-2014 Pay Resolution which reflects a 2.2% cost of living adjustment for classified positions, fire and police. Moved by Council Member Boeckner, seconded by Council Member Gonzales, "to approve Resolution No. 13-09-06, FY 2013-2014 Pay Resolution," "YEAS", Gonzales, Boeckner, Meininger, Deibert and Shaver "NAYS": none. Absent: None.

RESOLUTION NO. 13-09-06

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

1. That the following Pay Plan for officers and employees of the City of Scottsbluff, Nebraska employed in Classified Positions be approved September 3, 2013 and effective October 7, 2013.

**PAY SCHEDULE
HOURLY RATES (Based on 40 hour work week)**

<u>Grade</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>L1</u>	<u>L2</u>
2	8.40	8.82	9.26	9.73	10.21	10.72	11.26
3	8.82	9.26	9.73	10.21	10.72	11.26	11.82
4	9.26	9.73	10.21	10.72	11.26	11.82	12.41
5	9.73	10.21	10.72	11.26	11.82	12.41	13.03
6	10.21	10.72	11.26	11.82	12.41	13.03	13.68
7	10.72	11.26	11.82	12.41	13.03	13.68	14.37
8	11.26	11.82	12.41	13.03	13.68	14.37	15.09
9	11.82	12.41	13.03	13.68	14.37	15.09	15.84
10	12.41	13.03	13.68	14.37	15.09	15.84	16.63
11	13.03	13.68	14.37	15.09	15.84	16.63	17.47
12	13.68	14.37	15.09	15.84	16.63	17.47	18.34
13	14.37	15.09	15.84	16.63	17.47	18.34	19.25
14	15.09	15.84	16.63	17.47	18.34	19.25	20.22
15	15.84	16.63	17.47	18.34	19.25	20.22	21.23
16	16.63	17.47	18.34	19.25	20.22	21.23	22.29
17	17.47	18.34	19.25	20.22	21.23	22.29	23.40
18	18.34	19.25	20.22	21.23	22.29	23.40	24.57
19	19.25	20.22	21.23	22.29	23.40	24.57	25.80
20	20.22	21.23	22.29	23.40	24.57	25.80	27.09

BI-WEEKLY RATES

17	1395.88	1465.67	1538.96	1615.90	1696.70	1781.53	1870.61
18	1465.67	1538.96	1615.90	1696.70	1781.53	1870.61	1964.14
19	1538.96	1615.90	1696.70	1781.53	1870.61	1964.14	2062.35
20	1615.90	1696.70	1781.53	1870.61	1964.14	2062.35	2165.47
21	1696.70	1781.53	1870.61	1964.14	2062.35	2165.47	2273.74
22	1781.53	1870.61	1964.14	2062.35	2165.47	2273.74	2387.43
23	1870.61	1964.14	2062.35	2165.47	2273.74	2387.43	2506.80
24	1964.14	2062.35	2165.47	2273.74	2387.43	2506.80	2632.14
25	2062.35	2165.47	2273.74	2387.43	2506.80	2632.14	2763.74
26	2165.47	2273.74	2387.43	2506.80	2632.14	2763.74	2901.93
27	2273.74	2387.43	2506.80	2632.14	2763.74	2901.93	3047.03
28	2387.43	2506.80	2632.14	2763.74	2901.93	3047.03	3199.38
29	2506.80	2632.14	2763.74	2901.93	3047.03	3199.38	3359.35
30	2632.14	2763.74	2901.93	3047.03	3199.38	3359.35	3527.32

31 2763.74 2901.93 3047.03 3199.38 3359.35 3527.32 3703.68

2. That the following positions in the Classification Plan are assigned to the following Class Grades:

HOURLY POSITIONS

<u>Grade</u>	<u>Class Titles</u>	<u>Grade</u>	<u>Class Titles</u>
3	Code Enforcement Assistant	14	Wastewater Plant Operator I
5	Assistant Pool Manager	14	Water System Operator I
7	Library Technician	14	Heavy Equipment Operator
7	Pool Manager	14	Solid Waste Equip. Operator
9	Building & Grounds Custodian	15	Crew leader
9	Clerical Technician	16	Maintenance Mechanic
10	Clerk Typist	16	Finance/HR Assistant
10	Customer Services Clerk	16	Fire Prevention Officer
10	Library Assistant	17	Wastewater Plant Operator II
11	Record Technician	17	Water System Operator II
11	Humane Officer	17	Construction-Locator Spec.
12	Accounts Payable Clerk	18	Cemetery Supervisor
12	Accounts Receivable Clerk	19	Stormwater Program Specialist
12	Admin. Records Technician	20	Code Administrator I
13	Administrative Assistant		
13	Maintenance Worker		
13	Motor Equipment Operator		

EXEMPT POSITIONS

Professional, Administrative and Executive

17	Recreation Supervisor	24	Development Serv. Director
18	Utilities Adm. Coordinator	24	City Clerk/Risk Manager
18	Librarian	24	Library Director
20	GIS Analyst	24	Public Safety/Em Mgmt Dir
22	Transportation Supervisor	25	IS Coordinator
22	Park Supervisor	26	Police Captain
22	Water System Supervisor	26	Director of Parks/Recreation
22	Wastewater Plant Supervisor	26	Assistant City Manager
22	Environmental Services Supervisor	27	Director of Human Resources
22	Code Administrator II	28	Director of Public Works
22	Planner	29	Fire Chief
23	Network Administrator	30	Police Chief
23	Planning Administrator	31	Director of Finance

3. That the following pay schedule for officers and employees in Unclassified Positions of the city is approved September 3, 2013 and effective October 7, 2013.

<u>Position</u>	<u>Salary Minimum</u>	<u>Salary Maximum</u>
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City Manager Established by City Council

**Seasonal and Part-time
Hourly Rates**

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
School Crossing Guard	\$7.40	\$7.55	\$7.70	\$7.85	\$8.00	\$8.15	\$8.30
Library Page	\$7.40	\$7.55	\$7.70	\$7.85	\$8.00	\$8.15	\$8.30
Laborer	\$8.00	\$8.15	\$8.30	\$8.45	\$8.60	\$8.75	\$8.90
Field Mntc. Groundskeeper	\$8.40	\$8.55	\$8.70	\$8.85	\$9.00	\$9.15	\$9.30

Recreation Aide	\$7.40	\$7.55	\$7.70	\$7.85	\$8.00	\$8.15	\$8.30
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Lifeguard	\$8.35	\$8.50	\$8.65	\$8.80	\$8.95	\$9.10	\$9.25
Head Lifeguard	\$8.65	\$8.80	\$8.95	\$9.10	\$9.25	\$9.40	\$9.55

NOTE: Pay step increase may be given after one year of service from hire date, at the discretion of the Department Head.

4. The Pay Schedule for the position of Firefighters and Fire Captains working a 56 hour week shall be the schedule approved in a Resolution adopted by the Mayor and City Council on September 3, 2013 and effective October 7, 2013.

<u>Class Title</u>	<u>Hourly Pay Schedule (56 hour week)</u>							
	1	2	3	4	5	6	7	8
Firefighter	12.28	12.88	13.50	14.16	14.85	15.57	16.32	17.11
Fire Captain	15.92	16.69	17.49	18.33	19.21	20.13	21.10	22.11

5. That the Pay Schedule for the position of Patrol Officer and Police Sergeant shall be the Schedule approved in a resolution approved by the Mayor and City Council on September 3, 2013 to be effective October 7, 2013.

<u>Class Title</u>	<u>Hourly Pay Schedule</u>							
	1	2	3	4	5	6	7	8
Patrol Officer	17.13	17.97	18.85	19.78	20.74	21.76	22.82	23.95
Police Sergeant	20.70	21.65	22.64	23.68	24.77	25.91	27.10	28.35

6. Resolution No. 12-09-01 and all other resolutions in conflict with this resolution are repealed.

Passed and approved this 3rd day of September, 2013.

Mayor

ATTEST:

City Clerk

Regarding the sale of the property located in Webber Manor subdivision, Council introduced Ordinance No. 4110 which was read by title on second reading: AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 2, WEBBER MANOR SUBDIVISION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That the statutory rule requiring the Ordinance to be read by title on three different days be suspended." "YEAS", Boeckner, Deibert, Gonzales, and Meininger, "NAYS" Shaver. Absent: None. The motion carried having been approved by three-fourths of the Council Members.

Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That Ordinance No. 4110 be adopted," "YEAS", Boeckner, Deibert, Gonzales, Shaver and Meininger, "NAYS" None. Absent: None.

Council Member Boeckner declared a conflict of interest regarding the items dealing with the League Association of Risk Management (LARM) items because he serves on the Board. Moved by Mayor Meininger seconded by Council Member Shaver, "to declare a conflict of interest for Council Member Boeckner regarding items dealing with the League Association of Risk Management presentation and Resolution and excuse him from discussing or voting on these items," "YEAS", Boeckner, Deibert, Shaver and Meininger, "NAYS" Gonzales. Absent: None.

Geneie Andrews, Marketing Manager with the League Association of Risk Management gave a presentation to the Council regarding the City's insurance coverage. She explained that a re-appraisal of all city properties will be conducted soon at no additional cost to the city. This will help determine the functional replacement cost of city buildings and equipment. She explained that one of the advantages of staying with LARM for our insurance coverage is that it is a complete risk management business offering training and information for employees. They have recently added nine new accounts, which will help to

get the costs down with more members. The insurance pool can offer more benefits at a lower cost to the city than a private company.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to remove from the table the Resolution regarding participation in the League Association of Risk Management," "YEAS", Deibert, Shaver, Gonzales and Meininger, "NAYS": None. Absent: None. Abstain: Boeckner.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve Resolution No. 13-09-07 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", Deibert, Shaver, Gonzales and Meininger, "NAYS": None. Absent: None. Abstain: Boeckner.

League Association of Risk Management
2013-2014 Renewal Resolution
RESOLUTION NO. 13-09-07

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

WHEREAS, section 7.3 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 The City 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, 2016 (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, 2015. (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, 2014. { 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, 2016. { 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, 2015. (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, 2014. { 90 day Notice only }

Adopted this 3rd day of September, 2013.

Signature: _____

Title: Mayor

ATTEST: _____

Title: City Clerk

Under Council reports, Council Member Boeckner presented his letter of resignation from the Scottsbluff City Council effective September 26, 2013 due to his impending move from the community.

Moved by Council Member Boeckner, seconded by Council Member Deibert, “to adjourn the meeting at 7:10 p.m., ““YEAS”, Boeckner, Deibert, Gonzales, Shaver and Meininger, “NAYS” None. Absent: None.

Mayor

ATTEST:

City Clerk

“SEAL”

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Consent2

Council to approve City Manager appointments to various boards and commissions.

Staff Contact: Rick Kuckkahn, City Manager

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Council to approve City Manager appointments to various boards and commissions.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Administration

PRESENTATION BY: Consent

SUMMARY EXPLANATION:

Board of Adjustment and Building & Fire Codes Exception Bd.– 3 yr term: Sabrina Guard and Roger Rojas
Business Improvement Board – 3 yr term: Roger Franklin and Neal Blomenkamp
Planning Commission – 3 yr term: Callen Wayman, Jim Zitterkopf, Anita Chadwick and Angie Aquallo
Park, Cemetery & Tree Board – 5 year term: Larry Cooper
Plumbers Examining Board – 4 year term: Larry McCaslin and Robert McCormick
Library Board – 5 year term: Marg Dredla
Civil Service Commission – 6 year term: Michael Schaff

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Approve appointments

EXHIBITS

Resolution ☐ Ordinance ☐ Contract ☐ Minutes ☐ Plan/Map ☐

Other (specify) _____

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Claims1

Regular Claims

Staff Contact: Renae Griffiths, Finance Director

CLAIMS

September 16, 2013

Pay Period
8/26/13 - 9/8/13

Federal Withholding	EE	\$	24,737.03		EE				
FICA	EE	\$	12,622.83	ER	\$	12,622.83	EE		ER
Medicare	EE	\$	3,430.02	ER	\$	3,430.02	EE		ER
									Total \$ 56,842.73
<u>Regional Care Inc. (RCI)</u>	\$	213.39	(Sept 3, 2013)				Flex Benefit plan		
	\$	34,609.01	(Sept 6, 2013)				Medical Claims Expense		
	\$	55.00	(Sept 10, 2013)				Flex Benefit plan		
	\$	62,840.07	(Sept 13, 2013)				Medical Claims Expense		
									Total \$ 97,717.47
<u>Wells Fargo (retirement)</u>									
General Retirement		\$	12,814.20						
Fire Retirement		\$	6,023.92						
Police Retirement		\$	7,938.62						
									Total \$ 26,776.74
<u>Nebr Child Support Payment Center</u>		\$	2,217.16						Total \$ 2,217.16
<u>PVNB-Health Savings Acct</u>									
	EE	\$	9,833.46						
	ER	\$	2,142.50						
									Total \$ 11,975.96
<u>State of Nebraska Payments (pd via ACH)</u>									
Sales & Use Tax	Paid								
State Payroll W/H	Paid	9/12/2013	\$ 27,820.96						Total \$ 27,820.96

City of Scottsbluff

City Council Claims for September 16, 2013

LEXISNEXIS RISK DATA MANAGMENT INC - \$100.00

GENERAL	POLICE	AUG '13 SERVICE, INV 20130831	\$100.00
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ACTION COMMUNICATION INC. - \$19.53

TRANSPORTATION	TRANSPORTATION	1 EA PAGER RENT FOR TRANS.	\$19.53
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ADVERTISING SPECIALTIES INK. - \$142.00

GENERAL	FIRE	1 EA UNIFORM EMBROIDERY	\$142.00
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ALF'S PROPERTIES - \$51.76

WATER		UTILITY REFUND	\$51.76
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ALLO COMMUNICATIONS - \$4,673.57

GENERAL	FINANCE	LOCAL TELEPHONE SERVICE	\$234.77
GENERAL	PERSONNEL	LOCAL TELEPHONE SERVICE	\$69.22
GENERAL	CITY MANAGER	LOCAL TELEPHONE SERVICE	\$67.72
GENERAL	CITY CLERK	LOCAL TELEPHONE SERVICE	\$37.04
GENERAL	MIS	LOCAL TELEPHONE SERVICE	\$227.72
GENERAL	DEVELOPMENT SERVICES	LOCAL TELEPHONE SERVICE	\$210.66
GENERAL	FIRE	LOCAL TELEPHONE CHARGES	\$290.77
GENERAL	POLICE	LOCAL TELEPHONE CHARGES	\$1,613.66
GENERAL	LIBRARY	LOCAL TELEPHONE CHARGES	\$550.83
GENERAL	PARKS	LOCAL TELEPHONE CHARGES	\$170.06
GENERAL	RECREATION	LOCAL TELEPHONE CHARGES	\$168.56
TRANSPORTATION	TRANSPORTATION	LOCAL TELEPHONE CHARGES	\$516.95
CEMETERY	CEMETERY	LOCAL TELEPHONE CHARGES	\$69.22
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	LOCAL TELEPHONE CHARGES	\$141.45
WASTEWATER	WASTEWATER	LOCAL TELEPHONE CHARGES	\$133.94
WATER	WATER	LOCAL TELEPHONE CHARGES	\$102.34
GIS SERVICES	GIS	LOCAL TELEPHONE CHARGES	\$34.04
STORMWATER	STORMWATER	LOCAL TELEPHONE CHARGES	\$34.62

AMERICAN CEMETERY - \$85.00

CEMETERY	CEMETERY	1 002108129196 Subscription 2 Yrs	\$85.00
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ANITA'S GREENSCAPING - \$69.00

BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	1 EA AUG MNTNCE-PRKG LT #3	\$30.00
BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	1 EA AUG MNTNCE-PRKG LT #12	\$39.00

ANITA'S GREENSCAPING - \$105.00

KENO	PARKS	1 3062 Landscaping Brdway/Overlnd	\$105.00
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ANITA'S GREENSCAPING - \$264.20

BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	1 EA JULY E.OLVD MAINTEN & ROUND UP	\$264.20
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ASSOC SUPPLY COMPANY, INC - \$1,099.04

GENERAL	RECREATION	1 73067 Pool Chemical	\$1,099.04
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ASSURITY LIFE INSURANCE CO - \$69.77

CASH & INVESTMENT POOL		LIFE INSURANCE/EE	\$69.77
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AUTOZONE, INC - \$41.78

GENERAL	POLICE	1 EA VEH MAINT/INV# 1657085991	\$41.78
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BAKER & TAYLOR CO - \$106.07

REGIONAL LIBRARY	LIBRARY	1 BOOKS - YOUNG ADULT/ TEEN	\$106.07
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BELTLINE SAND & GRAVEL INC - \$748.76

WATER	WATER	1 EA 1/2 ROCK FOR HYDRANT BACKFILL/WA"	\$748.76
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BLUFFS SANITARY SUPPLY INC. - \$184.71

City of Scottsbluff

City Council Claims for September 16, 2013

GENERAL	FIRE	1 EA DEPT SUPPL/INV# 285851/FIRE	\$66.00
GENERAL	POLICE	1 EA DEPT SUPPL/INV# 285851/POLICE	\$66.00
GENERAL	FIRE	1 EA JANIT SUPPL/INV# 285851/FIRE	\$26.35
GENERAL	POLICE	1 EA JANIT SUPPL/INV# 285851/POLICE	\$26.36
<u>BLUFFS SANITARY SUPPLY INC. - \$107.00</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA BREAK ROOM SUPPLIES	\$107.00
<u>BLUFFS SANITARY SUPPLY INC. - \$132.97</u>			
GENERAL	LIBRARY	1 JANITORIAL SUPPLIES	\$132.97
<u>BLUFFS SANITARY SUPPLY INC. - \$169.45</u>			
GENERAL	FINANCE	CLEANING SUPPLIES	\$169.45
<u>JOHN DEERE FINANCIAL - \$4.95</u>			
WATER	WATER	1 EA METER WORK UTILITY PAN/WA	\$4.95
<u>ROBERTA J BOYD - \$17.76</u>			
GENERAL	LIBRARY	1 PSTGE REIMBURSMENT- B&T SERIAL RTNS	\$17.76
<u>BRUNZ, BRANDI - \$136.15</u>			
GENERAL	POLICE	ADV TRAVEL/PENLINK CONFERENCE, LINCOLN	\$136.15
<u>CAREERTRACK - \$298.00</u>			
TRANSPORTATION	TRANSPORTATION	SUPERVISION SEMINAR	\$149.00
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	SUPERVISION SEMINAR	\$149.00
<u>DEBRA CARLSON - \$82.75</u>			
GENERAL	LIBRARY	1 REIMBURSEMENT-JUVENILE SRP SUPPLIES	\$82.75
<u>CARR TRUMBULL LBR INC. - \$120.94</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/PLYWOOD/ TRANS	\$120.94
<u>CASH-WA DISTRIBUTING - \$37.74</u>			
GENERAL	RECREATION	1 9121270 Splash Concessions	\$37.74
<u>CEMENTER'S INC - \$139.64</u>			
WATER	WATER	1 EA CEMENT FOR WORK SITES/WA	\$139.64
<u>CENTURY LUMBER CENTER - \$9.90</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP - HEM FIR/TRANS	\$9.90
<u>CITY OF GERING - \$38,939.68</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA DISPOSAL FEES AUG 2013	\$38,939.68
<u>CITY OF SCB - \$103.70</u>			
GENERAL	DEVELOPMENT SERVICES	DEPT SUPPLIES-HEADPHONES & MARKERS	\$15.99
GENERAL	PERSONNEL	SUPPLIES-RECRUITMENT-POLICE SGT	\$18.88
WASTEWATER	WASTEWATER	CDL RENEWAL-RANDY RUTTER	\$57.50
GENERAL	FIRE	POSTAGE	\$11.33
<u>CITY OF SCB - \$77.00</u>			
GENERAL	POLICE	POSTAGE	\$47.00
GENERAL	POLICE	2 NEW DODGE TITLES	\$30.00
<u>CONNECTING POINT INC - \$164.05</u>			
GENERAL	DEVELOPMENT SERVICES	1 EA JUNE-AUG SERVICE 2013-COLOR COPIES	\$23.05
GENERAL	DEVELOPMENT SERVICES	1 EA JUNE-AUG SERVICE 2013-BLACK COPIES	\$141.00
<u>CONNECTING POINT INC - \$56.77</u>			
GENERAL	POLICE	1 EA COPIER RENTAL/COPIES/INV# 155266	\$56.77
<u>CONNECTING POINT INC - \$6,273.00</u>			
GENERAL	MIS	LIBRARY SERVER	\$6,273.00
<u>CONNECTING POINT INC - \$401.00</u>			

City of Scottsbluff

City Council Claims for September 16, 2013

GENERAL	MIS	SUPPLIES-TAPES & MEMORY	\$401.00
<u>CONTRACTORS MATERIALS INC. - \$597.08</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/EXP.JT/STAKES/ADA PANLS/SEALAN	\$362.01
TRANSPORTATION	TRANSPORTATION	1 EA GLOVES & SAFETY GLASSES/TRANS	\$235.07
<u>CONTRACTORS MATERIALS INC. - \$135.82</u>			
GENERAL	PARKS	1 (3) Inverted Paint	\$135.82
<u>CREDIT MANAGEMENT SERVICES INC. - \$203.42</u>			
CASH & INVESTMENT POOL		WAGE ATTACHMENT	\$203.42
<u>CST MECHANICAL INC - \$31.27</u>			
WATER		DEPOSIT REFUND	\$31.27
<u>CUB SCOUT PACK 13 - \$150.00</u>			
STORMWATER	STORMWATER	1 EA WESTMOOR TREE PLANTING HELP/WW	\$150.00
<u>CULLIGAN INC. - \$64.80</u>			
GENERAL	LIBRARY	1 DPT SUPPLIES - WATER SOFTENER SALT	\$64.80
<u>CULLIGAN INC. - \$61.40</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA WATER/SALT/UNIT RENTAL FEE	\$61.40
<u>CULLIGAN INC. - \$32.40</u>			
GENERAL	FINANCE	SOFTENER SALT (4) 9/6/13	\$32.40
<u>D & H ELECTRONICS INC. - \$20.90</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/ BATTERY GEL/TRANS	\$20.90
<u>DALE'S TIRE & RETREADING, INC. - \$1,556.10</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA NEW TIRES & REPAIRS	\$1,556.10
<u>DALE'S TIRE & RETREADING, INC. - \$118.04</u>			
GENERAL	PARKS	1 (3) Flat repair, tire	\$69.39
CEMETERY	CEMETERY	1 (2) Tire repair	\$48.65
<u>DOOR CLOSER SERV - \$40.00</u>			
GENERAL	NON-DEPARTMENTAL	SENIOR CENTER REPAIR PANIC DEVICE	\$40.00
<u>DUHAMEL BROADCASTING ENT. - \$325.00</u>			
STORMWATER	STORMWATER	1 EA STORMWATER PUBLIC EDUCATION/WW	\$325.00
<u>J G ELLIOTT CO.INC. - \$70.00</u>			
GENERAL	POLICE	1 EA KITE NOTARY/INV# 14759441	\$70.00
<u>ENVIRO SERV INC - \$105.00</u>			
WATER	WATER	1 EA SAMPLES/WA	\$105.00
<u>FASTENAL CO. - \$14.30</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/BOLTS FOR TRAF. SIGNALS/TRANS	\$14.30
<u>FELSBURG HOLT & ULLEVIG, INC - \$2,574.84</u>			
TRANSPORTATION	TRANSPORTATION	1 EA ENG. SERVICES FOR QUIET ZONE/TRANS	\$2,574.84
<u>DEANNA FERGUSON - \$31.27</u>			
WATER		DEPOSIT REFUND	\$31.27
<u>D&D COMMUNICATIONS - \$85.00</u>			
GENERAL	PARKS	1 WT37373 Repeater Repair	\$85.00
<u>D&D COMMUNICATIONS - \$63.75</u>			
GENERAL	POLICE	1 EA VEH MAINT/INV# 36614	\$63.75
<u>FLOYD'S SALES & SERV INC. - \$880.28</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA REPAIRS FOR UNIT 828	\$880.28
<u>FRAASS HEATING & COOLING - \$108.00</u>			
TRANSPORTATION	TRANSPORTATION	1 EA REPAIR OFFICE AIR COND/TRANS	\$108.00

City of Scottsbluff

City Council Claims for September 16, 2013

JOSE FRANCO - \$57.84

WATER	DEPOSIT REFUND	\$57.84
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JOSE FRANCO - \$29.00

WATER	UTILITY REFUND	\$29.00
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FRANK IMPLEMENT INC. - \$603.44

GENERAL	PARKS	1 (2) Pins, caps	\$54.28
GENERAL	PARKS	1 P65751 Oil	\$17.77
GENERAL	PARKS	MOWER REPAIR	\$531.39

FYR-TEK - \$173.67

GENERAL	FIRE	SCBA REPAIR PARTS-HELMET NETS	\$173.67
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GENERAL TRAFFIC CONTROLS, INC - \$1,009.00

TRANSPORTATION	TRANSPORTATION	1 EA TRAF.SIGNAL EQUIP/DETECTOR CARD/TRA	\$1,009.00
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GOLD WATCH LLC - \$1,500.00

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA HAULING RECYCLING 8/27 & 9/6	\$1,500.00
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HARRIS COMPUTER SYSTEMS - \$2,371.70

GENERAL	MIS	SEPT '13 TECHNICAL ASSISTANCE	\$592.93
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	SEPT '13 TECHNICAL ASSISTANCE	\$592.93
WASTEWATER	WASTEWATER	SEPT '13 TECHNICAL ASSISTANCE	\$592.93
WATER	WATER	SEPT '13 TECHNICAL ASSISTANCE	\$592.91

HAWKINS, INC. - \$4,911.80

WATER	WATER	1 EA SODIUM HYPO FOR SYSTEM DISINFECTION	\$4,911.80
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HEILBRUN FARM IND SUPP.INC. - \$3,035.64

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA SHOP PARTS & SUPPLIES	\$3,035.64
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HEILBRUN FARM IND SUPP.INC. - \$1,653.06

TRANSPORTATION	TRANSPORTATION	1 EA PARTS/FILTERS/HYD/FIT/HOSES/TRANS	\$569.01
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/FLOOR DRY/BALL VALVE/SOCKET	\$537.81
TRANSPORTATION	TRANSPORTATION	1 EA 55 GALLONS HYD. OIL	\$546.24

HEILBRUN FARM IND SUPP.INC. - \$111.77

GENERAL	PARKS	1 (2) Antifreeze, flashers	\$14.16
GENERAL	PARKS	1 846512 Battery	\$97.61

HEILBRUN FARM IND SUPP.INC. - \$33.58

GENERAL	FIRE	1 EA AIR FILTER FOR STAFF UNIT	\$33.58
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HEILBRUN FARM IND SUPP.INC. - \$1.46

WATER	WATER	1 EA SNAP RINGS FOR STANLEY HYDR UNIT/WA	\$1.46
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HENWIL CORPORATION - \$5,198.00

WASTEWATER	WASTEWATER	1 EA POLYMER FOR BIOSOLIDS PROCESSING/WW	\$5,198.00
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JERRY HIGEL - \$2,400.00

TRANSPORTATION	TRANSPORTATION	1 EA TRAFF.SIGNAL & CONTRLLR SERVICE/TRA	\$2,400.00
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HOME DEPOT CREDIT SERVICES - \$244.00

GENERAL	POLICE	1 EA DEPT SUPPL/INV# 7505130	\$244.00
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EVERGREEN PROPERTIES - \$155.00

GENERAL	PARKS	1 15938 Lacy Septic Pump	\$155.00
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HORIZON WEST, INC - \$434.20

GENERAL	PARKS	1 SS28889 Case Repair	\$434.20
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HWM - \$425.00

GENERAL	LIBRARY	1 EQUIP MAINTENANCE - WATER TREATMENT	\$425.00
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ICMA RETIREMENT TRUST-457 - \$1,106.94

City of Scottsbluff

City Council Claims for September 16, 2013

CASH & INVESTMENT POOL		DEFERRED COMP	\$1,106.94
<u>IDEAL LINEN SUP INC. - \$202.62</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA UNIFORMS/TOWELS/MOPS	\$202.62
<u>IDEAL LINEN SUP INC. - \$203.43</u>			
GENERAL	LIBRARY	1 JANITORIAL SUPPLIES	\$203.43
<u>IDEAL LINEN SUP INC. - \$491.00</u>			
GENERAL	POLICE	1 EA AUG 13/UNIFORMS	\$491.00
<u>IDEAL LINEN SUP INC. - \$327.38</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/CVRLLS/TOWELS/MATS/TORK/TRANS	\$327.38
<u>IDEAL LINEN SUP INC. - \$458.34</u>			
GENERAL	PARKS	1 S084297 Insecticide	\$37.82
GENERAL	PARKS	1 (4) Cleaning Supplies	\$411.88
CEMETERY	CEMETERY	1 0080147 Rug Service	\$8.64
<u>IDEAL LINEN SUP INC. - \$60.15</u>			
GENERAL	FINANCE	JANITORIAL SUPPLIES-AUG 2013	\$60.15
<u>INDEPENDENT PLUMBING & HEATING, INC - \$53.82</u>			
GENERAL	PARKS	1 (2) Sprinkler Parts	\$53.82
<u>INFINITY CONSTRUCTION INC. - \$447.84</u>			
WATER	WATER	1 EA CONCRETE REPAVING ON BDWY FOR MAIN	\$447.84
<u>JIRDON AGRI CHEM.INC. - \$20.68</u>			
GENERAL	PARKS	1 11249 Seed Starter	\$20.68
<u>JIRDON AGRI CHEM.INC. - \$257.00</u>			
GENERAL	PARKS	1 11405 Seed	\$257.00
<u>L.L. JOHNSON DISTRI. CO. - \$653.91</u>			
GENERAL	PARKS	AERATOR PARTS-#1638135-00	\$653.91
<u>RICHARD JOHNSON - \$83.42</u>			
GENERAL	PARKS	1 Replaced campground phone	\$83.42
<u>RICHARD JOHNSON - \$650.00</u>			
GENERAL	PARKS	1 September Camp Host Stipend	\$650.00
<u>KRIZ-DAVIS COMPANY INC. - \$1,421.89</u>			
WASTEWATER	WASTEWATER	1 EA ELECTRICAL PARTS FOR EAST END BLDG	\$1,421.89
<u>RICK KUCKKAHN - \$197.95</u>			
GENERAL	CITY MANAGER	REIMB FOR REGIONAL GOVERNANCE MTG MEAL	\$197.95
<u>MARGARET LAWRENCE - \$22.69</u>			
WATER		DEPOSIT REFUND	\$22.69
<u>MARGARET LAWRENCE - \$13.21</u>			
WATER		UTILITY REFUND	\$13.21
<u>LONG'S EXTERIOR DESIGN LLC - \$75.00</u>			
STORMWATER	STORMWATER	1 EA CLEANUP OF RAIN GARDEN AVE B & 19TH	\$75.00
<u>LUNDGREN SEED & GRAIN PRODUCTS - \$78.00</u>			
KENO	RECREATION	1 Straw Bale for Harvest Night	\$78.00
<u>PERRY MADER - \$223.00</u>			
GENERAL	PARKS	1 NRPA Travel Expenses	\$223.00
<u>MADISON NATIONAL LIFE INS CO, INC - \$2,091.63</u>			
CASH & INVESTMENT POOL		LIFE INSURANCE/EE	\$35.84
CASH & INVESTMENT POOL		LIFE INSURANCE/ER	\$754.56
CASH & INVESTMENT POOL		DISABILITY INSURANCE/EE	\$910.66

City of Scottsbluff

City Council Claims for September 16, 2013

GENERAL	POLICE	POLICE DISABILITY INSURANCE/ER	\$390.57
<u>MAILFINANCE INC - \$153.09</u>			
GENERAL	FINANCE	POSTAGE MACHINE LEASE-SEPT 2013	\$153.09
<u>MATHESON TRI-GAS INC - \$102.04</u>			
GENERAL	PARKS	WELDING GLASSES, INV 7540258	\$102.04
<u>MATHESON TRI-GAS INC - \$51.17</u>			
GENERAL	PARKS	WELDING GLASSES-INV 7630098	\$51.17
<u>MCMASTER - CARR - \$1,110.34</u>			
WASTEWATER	WASTEWATER	1 EA 4 FORCED AIR HEATERS-EAST END BLDG	\$1,110.34
<u>MENARDS - \$30.24</u>			
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/TRAF. SIGNAL SUPP/TRANS.	\$30.24
<u>MENARDS - \$451.99</u>			
WASTEWATER	WASTEWATER	1 EA NAIL GUN W/CLIP HEAD AND NAILS/WW	\$240.00
WASTEWATER	WASTEWATER	1 EA SOLAR SHIELD FOR SEWER CAMERA/WW	\$5.99
WASTEWATER	WASTEWATER	1 EA STUDS/SAW/SAW BLADES/WW	\$206.00
<u>MENARDS - \$366.58</u>			
GENERAL	PARKS	1 34384 Ballast	\$19.97
GENERAL	PARKS	1 34384 Eyebolt, sprinkler	\$114.80
GENERAL	RECREATION	1 (2) Cleaning supplies, wasp killer	\$79.72
KENO	RECREATION	1 35431 Flashlights, radios - HN	\$152.09
<u>MENARDS - \$47.44</u>			
GENERAL	FINANCE	BATTERIES, LIGHT BULBS FOR EXIT SIGNS	\$47.44
<u>MENARDS - \$7.47</u>			
GENERAL	FINANCE	NEW LEVER FOR TOILET	\$7.47
<u>MONEY WISE OFFICE SUPPLIES - \$142.32</u>			
GENERAL	POLICE	1 EA DEPT SUPPL/INV# 25621	\$142.32
<u>MONEY WISE OFFICE SUPPLIES - \$15.42</u>			
GENERAL	FINANCE	DEPT SUPPLIES-PENS & REFILLS	\$15.42
<u>MONUMENT CAR WASH - \$317.93</u>			
GENERAL	POLICE	1 EA MAY-JUN-JUL-AUG 13/CAR WASHES/#494	\$317.93
<u>MONUMENT CAR WASH - \$140.84</u>			
WASTEWATER	WASTEWATER	1 EA FLEET WASHES/WW	\$68.59
WATER	WATER	1 EA FLEET WASHES/WA	\$72.25
<u>MONUMENT PREVENTION COALITION - \$880.00</u>			
GENERAL	COUNCIL	SEPT '13 SUPPORT	\$880.00
<u>JOHN DEERE FINANCIAL - \$19.96</u>			
GENERAL	PARKS	1 438458 Repellant	\$19.96
<u>NAT'L SEMINARS GROUP - \$498.00</u>			
GENERAL	PERSONNEL	FMLA COMPLIANCE UPDATE SEMINAR	\$498.00
<u>NE DEPT OF ENVIRONMENTAL CONTR - \$2,100.00</u>			
WASTEWATER	WASTEWATER	1 EA ANNUAL COMPOST PERMIT FEE/WW	\$2,100.00
<u>NE DEPT OF REVENUE - \$25.00</u>			
WATER	WATER	NE WASTE REDUCTION RECYCLING FEE	\$25.00
<u>NE LIBRARY ASSOC - \$140.00</u>			
GENERAL	LIBRARY	1 NLA CONF. REGISTRATION - KEHN	\$140.00
<u>NEBRASKA MACHINERY COMPANY - \$144.26</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA PARTS FOR UNIT 825	\$144.26

City of Scottsbluff

City Council Claims for September 16, 2013

NEBRASKA@ ONLINE - \$65.00

GENERAL	PERSONNEL	DRIVER'S LICENSE RECORDS-AUGUST '13	\$15.00
GENERAL	PERSONNEL	ANNUAL SUBSCRIPTION FEE	\$50.00

NE SAFETY & FIRE EQUIPEMENT INC. - \$465.00

TRANSPORTATION	TRANSPORTATION	1 EA CHECK, CHARGE, SERVICE/FIRE EXT/TRA	\$465.00
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NEWS BANK INC - \$3,190.00

GENERAL	LIBRARY	1 DATABASE SUBSCRIPTIONS	\$3,190.00
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NORTHEAST WISCONSIN TECHNICAL COLLEGE - \$350.00

GENERAL	POLICE	1 EA DODGE/TASER TRAINING/INV# 72038	\$350.00
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UPSTART ENTERPRISES, LLC - \$19.77

GENERAL	POLICE	1 EA DEPT SUPPL/INV# 26680	\$19.77
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ONE CALL CONCEPTS - \$167.35

WASTEWATER	WASTEWATER	LOCATES FOR AUG 2013	\$55.79
WATER	WATER	LOCATES FOR AUG 2013	\$55.78
TRANSPORTATION	TRANSPORTATION	LOCATES FOR AUG 2013	\$55.78

OREGON TRAIL PLBG & HTG INC - \$358.00

WASTEWATER	WASTEWATER	1 EA BOILER HEATING SYSTEM REPAIR/WW	\$358.00
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OREGON TRAIL PLBG & HTG INC - \$137.00

GENERAL	FINANCE	REPLACE PARTS & CHECK EAST COOLING UNITS	\$137.00
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PANHANDLE CONCRETE PROD INC. - \$63.00

WASTEWATER	WASTEWATER	1 EA MANHOLE RINGS/WW	\$63.00
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PANHANDLE COOP INC. - \$5,645.51

GENERAL	POLICE	1 EA AUG 13/GASOLINE	\$5,645.51
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PANHANDLE COOP INC. - \$3,076.71

TRANSPORTATION	TRANSPORTATION	1 EA UNLEADED GASOLINE FOR TRANS. DEPT.	\$1,455.28
TRANSPORTATION	TRANSPORTATION	1 EA DIESEL FUEL FOR TRANS	\$1,621.43

PANHANDLE COOP INC. - \$3,884.10

WATER	WATER	1 EA FUEL FOR UNITS/WA	\$1,967.88
WATER	WATER	1 EA DIESEL FOR DUMP TRK/BACKHOE/WA	\$293.17
WASTEWATER	WASTEWATER	1 EA FUEL FOR UNITS/WW	\$896.83
WASTEWATER	WASTEWATER	1 EA DIESEL FOR SEWER JET/1 TON/WW	\$565.91
STORMWATER	STORMWATER	1 EA FUEL FOR STORMWATER UNIT/WW	\$93.41
WASTEWATER	WASTEWATER	1 EA SOFTENER SALT FOR LAB/WW	\$66.90

PANHANDLE COOP INC. - \$7,094.18

GENERAL	PARKS	1 Parks Gasoline	\$1,770.80
GENERAL	PARKS	1 Parks Diesel	\$3,277.31
CEMETERY	CEMETERY	1 Cemetery Gasoline	\$1,137.51
CEMETERY	CEMETERY	1 Cemetery Diesel	\$908.56

PANHANDLE COOP INC. - \$9,276.36

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA FLEET FUEL AUG 2013	\$9,276.36
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PANHANDLE COOP INC. - \$173.46

GENERAL	DEVELOPMENT SERVICES	1 EA AUGUST FUEL	\$173.46
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PANHANDLE COOP INC. - \$1,091.52

GENERAL	FIRE	MONTHLY FUEL	\$1,091.52
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PANHANDLE HUMANE SOC - \$4,776.24

GENERAL	POLICE	CONTRACTUAL SERVICES-SEPT 2013	\$4,776.24
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PAUL REED CONSTRUCTION & SUPPLY, INC - \$256.00

City of Scottsbluff

City Council Claims for September 16, 2013

BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	1 EA PRKG LT#3 FLAGSTONE ROCK	\$256.00
<u>PERMA-BOUND - \$19.26</u>			
REGIONAL LIBRARY	LIBRARY	1 BOOKS - JUVENILE	\$19.26
<u>POSTMASTER - \$228.74</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	POSTAGE FOR UTILITY BILLS	\$76.25
WASTEWATER	WASTEWATER	POSTAGE FOR UTILITY BILLS	\$76.25
WATER	WATER	POSTAGE FOR UTILITY BILLS	\$76.24
<u>POSTMASTER - \$299.27</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	POSTAGE FOR UTILITY BILLS	\$99.76
WASTEWATER	WASTEWATER	POSTAGE FOR UTILITY BILLS	\$99.76
WATER	WATER	POSTAGE FOR UTILITY BILLS	\$99.75
<u>POSTMASTER - \$34.29</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	POSTAGE FOR UTILITY BILLS	\$11.43
WASTEWATER	WASTEWATER	POSTAGE FOR UTILITY BILLS	\$11.43
WATER	WATER	POSTAGE FOR UTILITY BILLS	\$11.43
<u>NEBRASKALAND TIRE - \$1,690.20</u>			
GENERAL	POLICE	1 EA AUG 13/VEH MAINT	\$1,690.20
<u>NEBRASKALAND TIRE - \$739.04</u>			
WATER	WATER	1 EA BACKHOE TIRE REPLACEMENT/WA	\$739.04
<u>INDEPENDENCE MOTEL PROPERTIES, LP - \$109.00</u>			
GENERAL	POLICE	LODGING/BRIAN WASSON, TRAINING 9/17-18	\$109.00
<u>MARISSA RAMOS - \$63.10</u>			
WATER		DEPOSIT REFUND	\$63.10
<u>MARISSA RAMOS - \$22.02</u>			
WATER		UTILITY REFUND	\$22.02
<u>RCI - \$38,705.12</u>			
HEALTH INSURANCE	PERSONNEL	HEALTH INS PREMIUM-SEPT '13	\$38,705.12
<u>REAMS SPRINKLER SUPPLY CO., INC - \$1,276.43</u>			
GENERAL	PARKS	1 S1190792.001 Sprinkler Parts	\$1,276.43
<u>RED BARN SHOP LLC - \$995.00</u>			
KENO	RECREATION	1 984315 Torch Holders	\$995.00
<u>REGION I OFFICE OF HUMAN DEVEL - \$825.00</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA DAILY RECYCLING CREW 8/2013	\$825.00
<u>BLANCA REJINO - \$13.46</u>			
WATER		DEPOSIT REFUND	\$13.46
<u>ROSALIO RIOS - \$1.69</u>			
WATER		DEPOSIT REFUND	\$1.69
<u>ROSALIO RIOS - \$0.52</u>			
WATER		UTILITY REFUND	\$0.52
<u>ROSALIO RIOS - \$10.57</u>			
WATER		UTILITY REFUND	\$10.57
<u>RON'S TOWING - \$125.00</u>			
GENERAL	POLICE	1 EA TOW FEES/13-08667/INV# 15115	\$125.00
<u>RUSCH'S GENERAL CONTRACTING, LLC - \$288.50</u>			
GENERAL	LIBRARY	1 BUILDING REPAIRS/MAINTENANCE	\$288.50
<u>S M E C - \$261.50</u>			
CASH & INVESTMENT POOL		EMPLOYEE DEDUCTIONS	\$261.50

City of Scottsbluff

City Council Claims for September 16, 2013

SALES MIDWEST, INC - \$153.97

GENERAL	PARKS	1 18198 Wing Lock	\$153.97
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SANDBERG IMPLEMENT, INC - \$53.06

TRANSPORTATION	TRANSPORTATION	1 EA SUPP/ LINE FOR WEED EATERS/TRANS	\$53.06
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SANDBERG IMPLEMENT, INC - \$1,460.89

GENERAL	PARKS	1 (2) Kubota Repair and blade	\$1,460.89
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SANDBERG IMPLEMENT, INC - \$1,460.89

GENERAL	PARKS	1 (2) Kubota Repair and blade	\$1,460.89
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SCOTTSBLUFF BODY & PAINT, INC - \$390.00

GENERAL	POLICE	1 EA AUG 13/TOW SERVICE	\$390.00
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SCB COUNTY - \$134.00

GENERAL	DEVELOPMENT SERVICES	1 EA JOHNSON & RODEHORST SEPTIC SYSTEM	\$134.00
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SCB FIREFIGHTERS UNION LOCAL 1454 - \$195.00

CASH & INVESTMENT POOL		UNION DUES	\$195.00
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SCOTTSBLUFF LANDSCAPING INC - \$425.00

KENO	PARKS	1 LSM83121 Centennial, Ave I August	\$425.00
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SCB POLICE OFFICERS ASS'N - \$378.00

CASH & INVESTMENT POOL		UNION DUES	\$378.00
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M.C. SCHAFF & ASSOC, INC - \$1,365.00

GENERAL	DEVELOPMENT SERVICES	1 EA JULY '13-STF MTGS&HSPTL NRTH REVIEW	\$1,365.00
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M.C. SCHAFF & ASSOC, INC - \$390.00

TRANSPORTATION	TRANSPORTATION	1 EA ENG. SERV. FOR 20TH & 11TH SIGNAL/T	\$390.00
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MORGAN SCHAFFER - \$51.73

WATER		DEPOSIT REFUND	\$51.73
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MORGAN SCHAFFER - \$26.91

WATER		UTILITY REFUND	\$26.91
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SIMMONS OLSEN LAW FIRM PC - \$10,554.62

GENERAL	CITY MANAGER	LEGAL SERVICES/RETAINER/CONTRACTUAL	\$6,086.85
GENERAL	POLICE	LEGAL SERVICES/CONTRACTUAL PROSECUTING	\$3,917.77
ECONOMIC DEVELOPMENT	CITY MANAGER	REGANIS AUTO CNTR/TAX INCREMENT FINANCIN	\$100.00
ECONOMIC DEVELOPMENT	CITY MANAGER	2013 ECONOMIC DEVELOPMENT GENERAL	\$450.00

SIMON CONTRACTORS - \$9,386.46

TRANSPORTATION	TRANSPORTATION	1 EA CONCRETE FOR STREET REPAIRS/TRANS	\$8,663.50
TRANSPORTATION	TRANSPORTATION	1 EA STR.REPAIR SUPP/GRAVEL & COLD MIX	\$722.96

SNELL SERVICES INC. - \$105.00

GENERAL	PARKS	1 112170-0 Power check after lightnin	\$105.00
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STANARD & ASSOCIATES INC. - \$795.00

GENERAL	PERSONNEL	1ST LINE POLICE SULPVERVISOR EXAMS 8/16/1	\$795.00
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STANARD & ASSOCIATES INC. - \$295.00

GENERAL	PERSONNEL	2ND LINE POLICE SUPERVISOR EXAMS 8/2/13	\$295.00
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STAR HERALD - \$19.08

GENERAL	EMERGENCY MANAGEMENT	1 Advisory Board Public Notice	\$19.08
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STAR HERALD - \$2,014.67

GENERAL	PERSONNEL	CIVIL SERVICE	\$19.46
GENERAL	PERSONNEL	RECRUITMENT	\$966.97
GENERAL	CITY CLERK	LEGAL PUBLISHING	\$950.38
GENERAL	DEVELOPMENT SERVICES	LEGAL PUBLISHING	\$60.69

City of Scottsbluff

City Council Claims for September 16, 2013

ECONOMIC DEVELOPMENT	CITY MANAGER	LEGAL PUBLISHING	\$17.17
<u>STATE HEALTH LAB - \$35.00</u>			
WATER	WATER	1 EA SAMPLES/WA	\$35.00
<u>STATE OF NEBR-DEPT OF ADMIN SVC - \$3.81</u>			
GENERAL	EMERGENCY MANAGEMENT	1 Long Distance Services	\$3.81
<u>TETRA TECH, INC - \$850.00</u>			
WASTEWATER	WASTEWATER	1 EA BIOSOLIDS STUDY/WW	\$850.00
<u>TODAY'S DISTRIBUTOR, LLC - \$103.93</u>			
WASTEWATER	WASTEWATER	1 EA 8 PROTECTIVE SLEEVES FOR PACKER- S"	\$103.93
<u>TOMMY'S JOHNNY'S INC - \$1,265.00</u>			
GENERAL	PARKS	1 Veterans and Northwood	\$495.00
GENERAL	PARKS	1 Soccer Complex	\$770.00
<u>TOTAL FUNDS BY HASLER - \$1,000.00</u>			
GENERAL	FINANCE	POSTAGE 8/28/13	\$1,000.00
<u>TOTAL FUNDS BY HASLER - \$500.00</u>			
GENERAL	LIBRARY	1 POSTAGE	\$500.00
<u>TRAFFIC PARTS - \$141.00</u>			
TRANSPORTATION	TRANSPORTATION	1 EA TRAF.SIGNAL SUPP/PUSHBUTTN SW/TRANS	\$141.00
<u>TYLER TECHNOLOGIES, INC - \$3,937.50</u>			
GENERAL	FINANCE	CONSULTING FEES ON SOFTWARE CONVERSION	\$3,937.50
<u>US BANK-CPS - \$468.30</u>			
GENERAL	POLICE	1 EA TODD/EOD CERT/HOLIDAY INN/INV#112	\$468.30
<u>US BANK-CPS - \$198.00</u>			
GENERAL	POLICE	1 EA BRUNZ/PENLINK/INV# 87360711	\$198.00
<u>US BANK-CPS - \$230.44</u>			
GENERAL	FINANCE	AMAZON.COM-TWO PRINTER CARTRIDGES	\$63.98
GENERAL	MIS	NTWRK SOLUTION-5YR RNWL-SCOTTSBLUFF.ORG	\$166.46
<u>U S WELDING,INC - \$101.06</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA ACETYLENE TANK REFILL	\$101.06
<u>USA BLUEBOOK - \$1,957.17</u>			
WASTEWATER	WASTEWATER	1 EA REPLACEMENT YSI PROBE METER FOR LAB	\$989.95
WASTEWATER	WASTEWATER	1 EA LAB SUPPLIES/WW	\$967.22
<u>VAN PELT FENCING CO,INC - \$1,621.05</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA NEW GATE/FENCE AROUND YARD	\$1,621.05
<u>STI - \$514.00</u>			
GENERAL	LIBRARY	1 VENDPRINT RENEWAL FEE	\$514.00
<u>VERIZON WIRELESS - \$212.80</u>			
GENERAL	FIRE	MONTHLY CELL PHONE	\$212.80
<u>VIAERO WIRELESS - \$36.21</u>			
WASTEWATER	WASTEWATER	1 EA WIRELESS CONNECTION FOR LOCATES/WW	\$18.11
WATER	WATER	1 EA WIRELESS CONNECTION FOR LOCATES/WA	\$18.10
<u>WALMART COMMUNITY/GEMB - \$122.42</u>			
CEMETERY	CEMETERY	1 028548 Glass, Batteries, Towels	\$30.60
GENERAL	RECREATION	1 013736 Protectant	\$91.82
<u>WALMART COMMUNITY/GEMB - \$37.76</u>			
GENERAL	FIRE	1 EA DEPARTMENT SUPPLIES	\$37.76
<u>WALMART COMMUNITY/GEMB - \$18.39</u>			

City of Scottsbluff

City Council Claims for September 16, 2013

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA BREAK ROOM SUPPLIES	\$18.39
<u>JEFFREY WEST - \$31.06</u>			
WATER		DEPOSIT REFUND	\$31.06
<u>JEFFREY WEST - \$21.49</u>			
WATER		UTILITY REFUND	\$21.49
<u>WESTERN PATHOLOGY CONSULTANTS, INC - \$51.00</u>			
GENERAL	PERSONNEL	RANDOM DOT TEST FOR AUGUST '13	\$51.00
<u>WESTERN TRAIL SPORTS - \$9.62</u>			
GENERAL	RECREATION	4 13962 Lifeguard suit	\$9.62
<u>WTG MIDWEST, INC - \$381.00</u>			
WASTEWATER	WASTEWATER	1 EA UV SYSTEM PISTON REPLACEMENT/WW	\$381.00
<u>YMCA OF SCOTTSBLUFF - \$1,456.20</u>			
CASH & INVESTMENT POOL		FITNESS PROGRAM-POLICE & GENERAL EMP/EE	\$858.74
CASH & INVESTMENT POOL		FITNESS PROGRAM-POLICE & GENERAL EMP/ER	\$597.46
<u>YMCA OF SCOTTSBLUFF - \$630.00</u>			
GENERAL	FIRE	1 EA CAREER FITNESS PROGRAM - SEPTEMBER	\$472.50
GENERAL	FIRE	1 EA VOLUNTEER FITNESS PROGRAM/SEPTEMBER	\$157.50
<u>ZM LUMBER CO. - \$33.58</u>			
GENERAL	PARKS	1 81189 Concrete	\$7.18
GENERAL	PARKS	1 81281 Lumber	\$26.40
<u>GRAND TOTAL</u>			\$233,952.44

City of Scottsbluff, Nebraska
Monday, September 16, 2013
Regular Meeting

Item Finance1

Council to review the July 2013 Financial Report

Staff Contact: Renae Griffiths, Finance Director

City of Scottsbluff

Fund Equity in Cash

July 31, 2013

Fund	Fund #	2 YRS PRIOR July 31, 2011	PRIOR YEAR July 31, 2012	PRIOR MONTH June 30, 2013	CURRENT MONTH July 31, 2013
General	111	\$ 2,224,619.32	\$ 3,070,078.49	\$ 4,043,065.42	\$ 3,741,514.13
Regional Library	211	10,599.57	13,661.11	36,380.09	33,016.71
Transportation	212	1,824,559.58	2,305,639.11	2,037,089.94	2,049,282.33
Cemetery	213	(9,414.83)	(120.36)	17,147.39	9,330.41
Cemetery Perp Care	214	354,329.58	332,525.45	389,570.51	395,240.46
Special Projects	215	539,104.29	93,551.30	502,247.28	511,802.63
Business Improvement	216	164,852.41	198,441.11	139,526.77	138,594.22
Public Safety	218	318,939.30	338,580.73	365,835.12	318,944.68
Scb Industrial Sites	219	45,215.99	48,532.15	53,498.14	50,429.48
Keno	223	88,960.86	65,347.30	79,218.39	77,367.09
Economic Development	224	2,779,014.69	3,601,959.22	4,983,299.87	5,069,066.51
Mutual Fire Organization	225	234,772.65	305,318.65	397,428.24	397,750.05
Debt Service	311	3,543,907.62	3,842,738.15	3,908,602.04	3,924,314.56
TIF	321	505,914.80	416,571.72	379,921.24	376,480.84
CDBG	411	221,317.61	190,486.26	42,588.58	42,623.07
Leasing Corporation	412	154,008.10	7,599.89	7,613.09	7,619.25
Environmental Services	621	417,407.42	479,608.82	463,262.19	561,584.92
Wastewater	631	2,073,325.00	2,106,819.39	1,547,924.57	1,729,623.99
Water	641	945,548.37	860,589.02	1,198,012.29	1,340,941.49
Electric	651	1,541,705.95	1,584,100.39	1,337,835.79	1,339,345.68
Stormwater	661	395,583.82	532,259.18	366,457.45	362,428.16
GIS	721	79,273.63	66,612.97	68,521.04	62,889.99
Unemployment Comp	811	2,280.56	27,059.68	23,247.98	23,266.80
Health Insurance	812	607,118.70	376,383.38	600,072.35	655,989.16
TOTAL		\$ 19,062,944.99	\$ 20,864,343.11	\$ 22,988,365.77	\$ 23,219,446.61

City of Scottsbluff

Revenue Summary For Month Ended July 31, 2013

Fund	2 Prior Yrs. YTD Actuals	Prior YTD Actuals	Budget	Current Mo. Activity	Current YTD Activity	% Used
Property Tax	105,168	106,961	175,000	1,854	102,693	58.68%
City Sales Tax	3,804,156	3,897,327	4,455,000	383,079	3,751,333	84.21%
Other Taxes	395,275	338,523	308,500	5,615	308,452	99.98%
Interest Earnings	6,714	9,814	11,000	3,027	12,540	114.00%
Pool Revenues	105,013	115,180	119,600	38,216	112,722	94.25%
Permits and Inspections	118,185	101,448	95,000	17,984	92,072	96.92%
Police Dept. Revenues	280,292	194,707	203,800	17,581	242,594	119.04%
Transfers	1,861,493	2,019,855	2,974,500	-	2,520,348	84.73%
Loan Proceeds	-	-	-	-	-	#DIV/0!
Other Revenues	399,581	157,234	128,900	38,874	223,189	173.15%
General Fund	6,873,865	6,739,049	8,471,300	506,230	7,365,943	86.95%
Regional Library	4,203	4,762	-	166	34,074	#DIV/0!
Property Tax	183,598	188,720	550,493	5,720	305,806	55.55%
City Sales Tax	284,431	277,193	270,000	30,165	344,002	127.41%
Highway User Tax	993,543	1,068,388	1,247,837	115,684	1,102,841	88.38%
Interest Earnings	6,576	8,135	10,000	1,858	6,801	68.01%
Other Revenues	282,127	1,456,740	230,000	41,575	262,821	114.27%
Transportation	1,710,263	2,997,176	2,338,130	194,782	2,021,871	86.47%
Cemetery	133,425	147,881	175,400	7,513	148,075	84.42%
Cemetery Perpetual Care	66,426	70,906	168,500	5,670	116,302	69.02%
Special Projects	71,825	125,316	501,500	9,605	297,850	59.39%
Business Improvement	39,941	36,117	54,850	970	47,403	86.42%
Public Safety	161,130	162,843	237,200	5,518	155,756	65.66%
Industrial Sites	8,667	9,546	5,150	41	189	3.67%
TIF	98,278	84,840	338,800	305	32,530	9.60%
Keno	56,577	38,184	36,300	63	57,069	157.21%
City Sales Tax	773,348	794,523	930,000	82,609	818,675	88.03%
Miscellaneous	13,825	34,984	-	1,624	1,012,543	0.00%
Interest Earnings	9,655	11,441	18,300	4,101	15,497	84.68%
Economic Development	796,626	840,948	943,000	88,334	1,846,715	195.83%
Mutual Fire	814,835	93,352	93,499	322	143,727	153.72%
Zoo Projects	-	-	-	-	-	#DIV/0!
CDBG	163,226	75,566	-	34	151	#DIV/0!
Property Tax	562,856	562,777	632,992	6,860	392,397	61.99%
TIF tax collections & in lieu of tax prmts	52,413	57,574	57,000	-	41,600	72.88%
Other taxes	4,328	3,930	4,300	1,056	3,427	79.70%
Interest Earnings	11,781	11,928	15,000	3,175	12,849	85.66%
Special Assessments	158,855	71,023	85,000	-	83,453	98.18%
Other Revenues	88,207	111,262	1,199,000	4,622	196,177	16.38%
Debt Service	858,440	818,494	1,993,292	15,713	729,903	36.62%
Leasing Corporation	566,755	697,292	719,161	6	719,158	100.00%
Sales & Service	1,804,185	1,859,825	2,067,418	169,891	1,733,435	83.85%
Interest Earnings	1,084	1,379	1,000	454	1,510	151.00%
Recycling & sale of recycling materials	78,193	88,857	119,000	3,357	67,973	57.12%
Other Revenues	12,459	107,530	10,000	578	22,416	224.16%
Environmental Services	1,695,881	1,857,391	2,197,416	174,080	1,825,334	83.07%
Sales & Service	2,158,817	2,161,292	2,708,488	228,498	2,096,454	77.40%
Connection charges & penalties	64,166	55,614	37,000	4,537	38,780	104.81%
Interest Earnings	7,832	7,194	10,947	1,399	7,157	65.38%
State Revolving Loan Fund	85,820	-	-	-	-	0.00%
Other Revenues	9,444	3,475	390	192	5,186	1324.62%
Wastewater	2,335,879	2,227,575	2,756,825	234,626	2,147,557	77.90%
Sales & Service	1,117,150	1,406,233	1,869,146	183,371	1,388,304	83.17%
Interest Earnings	3,352	3,158	3,933	1,085	4,456	113.30%
Water mains, meters, and penalties	24,626	34,522	26,500	3,178	28,712	108.35%
Other Revenues	18,622	24,945	19,200	1,911	33,685	0.00%
Water	1,163,750	1,468,858	1,718,779	189,545	1,455,137	84.66%
Electric	1,665,766	1,884,199	2,577,500	1,510	2,109,181	81.83%
Stormwater	108,446	173,644	128,530	1,728	90,645	70.52%
GIS Services	116,901	110,144	120,310	482	108,950	90.56%
Unemployment Comp	24	27,230	28,910	19	83	0.29%
Health Insurance	1,634,874	1,217,094	1,798,167	139,793	1,478,240	82.21%
TOTAL	\$ 21,146,003	\$ 21,908,407	\$ 27,402,519	\$ 1,577,055	\$ 22,931,843	83.69%

City of Scottsbluff
Expenditure Summary
For Month Ended July 31, 2013

Department	2 Prior Yrs YTD Actuals	Prior YTD Actuals	Budget	Current Mo. Activity	Current YTD Activity	% Used
Administration:						
Finance	105,659	176,485	415,488	76,218	184,535	44.41%
Personnel	28,515	28,939	48,505	1,304	29,857	64.20%
Council	21,085	37,772	26,683	2,503	27,497	103.05%
City Manager	94,422	164,014	216,818	15,089	102,239	47.15%
City Clerk	16,698	23,685	40,908	1,190	17,534	42.86%
MIS	15,592	54,448	56,973	1,482	25,230	44.28%
Administration (total)	281,971	485,323	803,375	97,766	386,892	48.16%
Development Services	271,110	369,853	475,910	31,009	341,672	71.79%
Fire	1,045,578	1,262,665	1,354,022	110,462	1,152,887	85.15%
Police	2,321,924	2,935,879	3,095,774	242,565	2,436,386	78.70%
Library	428,580	554,089	628,108	41,865	527,889	84.04%
Parks & Recreation	849,597	1,284,484	1,605,024	164,116	1,113,774	69.39%
Zoo	21,190	-	-	-	-	#DIV/0!
Non-Departmental-Other	447,695	426,966	852,321	93,505	507,064	59.49%
Non-Departmental-Contingency	56,854	152,385	250,000	-	274,063	109.63%
General Fund (total)	5,824,499	7,471,634	9,064,534	781,288	6,740,607	74.36%
Regional Library	30,630	3,701	9,895	3,530	14,853	150.11%
Contingency Balance	-	5,200	50,000	-	-	0.00%
Transportation	1,413,169	3,392,479	3,447,053	183,215	1,723,926	50.01%
Cemetery	122,561	177,859	175,212	15,330	130,195	74.31%
Cemetery Perpetual Care	70,000	100,000	350,000	-	70,000	20.00%
Special Projects	255,710	521,257	500,000	50	300,027	60.01%
Business Improvement	22,789	117,328	141,166	1,902	20,673	14.64%
Public Safety Equipment	251,025	270,930	288,630	52,408	165,860	57.46%
Scottsbluff Industrial Sites	2,666	6,571	47,698	3,109	4,451	9.33%
Keno	21,024	76,977	78,800	1,914	27,095	34.38%
Economic Development	665,726	453,999	4,018,450	2,568	256,066	6.37%
Mutual Fire	809,458	10,000	300,000	-	51,782	17.26%
Zoo Projects	41,997	-	-	-	-	#DIV/0!
Debt Service	459,812	1,167,767	4,428,729	-	850,204	19.20%
TIF Projects	142,686	285,973	697,040	3,745	127,043	18.23%
CDBG	53,502	273,426	-	-	1,400	#DIV/0!
Contingency Balance	-	-	-	-	-	#DIV/0!
Environmental Services	1,406,721	2,113,285	2,233,161	133,489	1,563,455	70.01%
Contingency Balance	-	-	100,000	-	-	0.00%
Wastewater	2,013,218	2,299,769	3,488,695	105,108	2,682,992	76.91%
Contingency Balance	-	-	100,000	-	-	0.00%
Water	1,061,317	1,962,311	2,058,641	91,540	1,268,671	61.63%
Electric	1,694,483	2,397,458	3,548,500	-	2,343,348	66.04%
Stormwater	33,049	32,038	322,687	5,986	247,963	76.84%
Scottsbluff Leasing Corp	660,455	697,265	719,131	-	719,152	100.00%
GIS Services	85,987	108,893	130,336	6,113	100,476	77.09%
Unemployment Comp	12,252	4,283	40,000	-	1,536	3.84%
Health Insurance	1,922,983	1,660,469	1,847,300	83,876	1,270,698	68.79%
TOTAL	\$ 19,077,719	\$ 25,610,872	\$ 38,185,658	\$ 1,475,171	\$ 20,682,473	54.16%

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Pub. Hear.1

Council to conduct a Public Hearing at 6:05 p.m. to consider a zone change request for proposed Block 1, Sugar Factory Subdivision from Agricultural to R-1B Rural Residential and consider the Ordinance.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Public Hearing for zone change request for proposed Block 1, Sugar Factory Subdivision situated in the East half of the NE ¼ of Section 1, T22N, R55W of the 6th p.m. Scotts Bluff, County, from Agricultural to R-1B Rural Residential.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Council to conduct a public hearing for a zone change request from property owner, Aaron Adams, to rezone proposed Block 1, Sugar Factory Subdivision (3.80 acres ±). This parcel is located west of Sugar Factory Road and south of County Road G in the City's extra territorial jurisdiction. It is zoned A- Agricultural, the requested change is to R-1B Rural Residential. Surrounding properties are all zoned A - Agricultural except for a small area to the south which is zoned R-1B Rural Residential. The subdivision is exempt from the regulations but the 3.80 acre parcel will not meet the minimum lot size requirements of the A district (20 acres). The City's comprehensive development plan future land use map designated the entire acreage owned by the applicant as single family residential.

BOARD/COMMISSION RECOMMENDATION: STAFF RECOMMENDATION:

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map

Other (specify) ☐ _____

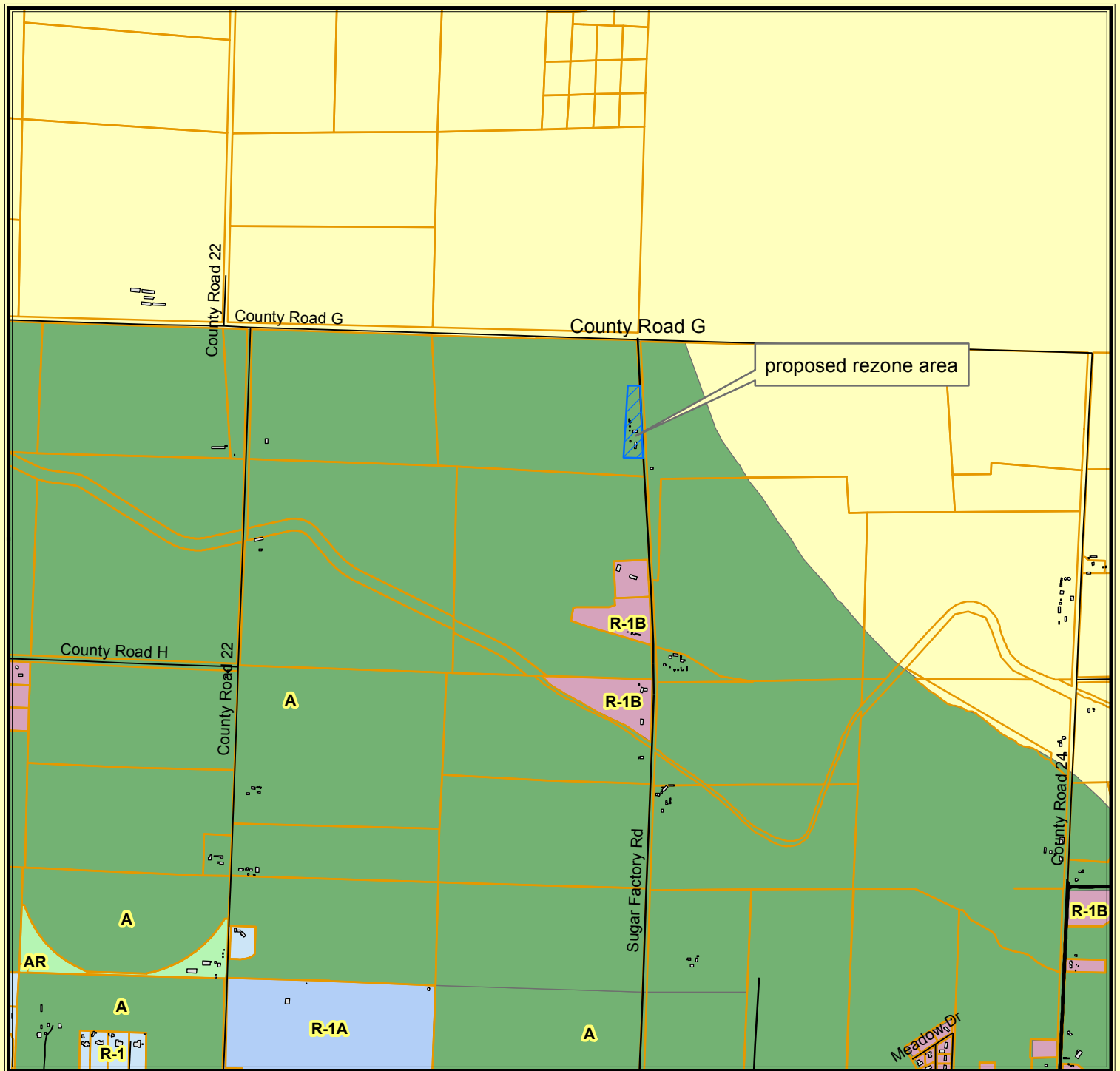
NOTIFICATION LIST: Yes No ☐ Further Instructions ☐

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

Sugar Factory Subdivision Rezone

Agricultural to Rural Residential



9/16/13



Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

Planning Commission Minutes
Regular Scheduled Meeting
September 9, 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, September 9, 2013, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on August 30, 2013. 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 accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

ITEM 1: Vice Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Henry Huber, Angie Aguallo, Gary Hutzal, Dana Weber, Anita Chadwick, and Becky Estrada. Absent: Glen Vandenberg. City officials present: Annie Urdiales, Planning Administrator, and Gary Batt, Code Administrator II.

ITEM 2: Vice Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: None.

ITEM 4: Business not on agenda: None

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of 8/12/13 were reviewed and approved as distributed. A motion was made to accept the minutes by Huber and seconded by Zitterkopf. "YEAS": Zitterkopf, Aguallo, Chadwick, Huber, and Estrada. "NAYS": None. ABSTAIN: Weber and Hutzal. ABSENT: Vandenberg. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for rezone request of proposed preliminary and final plat of Block 1 Sugar Factory Road Subdivision. The property is owned by Aaron Adams, LLC and they are represented by M.C. Schaff and Associates. The acreage (32 ± acres) is currently zoned Agricultural and the request is to rezone to R-1B - Rural Residential. There is an existing farmstead on the acreage which will be subdivided into a 3.8 acre lot this will meet the minimum guidelines of Rural Residential zone. The property is located in the City's extra territorial jurisdiction (northeast of the City) and the proposed zone change meets the future land development in the City's Comprehensive Development Plan, there are a few existing rural residential lots to the south.

Conclusion: A motion was made by Zitterkopf and seconded by Weber to approve the proposed rezone for proposed final plat of Block 1, Sugar Factory Subdivision from Agricultural (A) to Rural Residential (R-1B). “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a preliminary and final plat of Block 1, Sugar Factory Subdivision. Property owner, Aaron Adams LLC, represented by M.C. Schaff and Associates. This parcel is located within the City’s extra territorial jurisdiction on the west side of Sugar Factory Road and south of County Road G. The property is presently zoned A – Agricultural the owners are subdividing a 3.80± acre parcel and propose to rezone the parcel to R-1B Rural residential, this will allow for separate ownership of the farmhouse which has an existing well and septic system. The rural residential zoning will meet the performance guidelines of this zoning district. The plat also includes a 33’ right of way for future expansion of Sugar Factory Road.

Conclusion: A motion was made by Zitterkopf and seconded by Estrada to approve and make positive recommendation to City Council for the preliminary/final plat of Block 1, Sugar Factory Subdivision. “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7C: The Planning Commission opened a public hearing for a request from Anderson-Shaw Investments, LLC to rezone property described as proposed Lot 1, Block 2, Windbreak Subdivision situated in the NE ¼ of Section 13, T22N, R55W of the 6th P.M. (1.60± acres total) from A- Agricultural to R-1- Single Family Residential. The property is situated west of Sugar Factory Road and directly north of 17th Avenue in the City’s extra territorial jurisdiction. The Comprehensive Plan Future Land Use Map designates the parcels north of 17th Avenue as Single-Family Residential. Surrounding properties to the south are both R-1 and R-1A Single Family Residential to the north the property is zoned Agricultural

Conclusion: A motion was made by Weber to approve the proposed rezone of proposed Lot 1, Block 2, Windbreak Subdivision and recommend the zone change from A- Agricultural to R-1A - Single Family Residential, seconded by Chadwick to City Council. “YEAS”: Zitterkopf, Huber, Chadwick, Aguillo, Weber, Hutzel, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a preliminary/final plat with annexation for Lot 1, Block 2, Windbreak Subdivision this parcel is situated west of Sugar Factory Road and directly north of 17th Avenue. This property is in the City’s extra territorial jurisdiction and abuts the city limits. The property owners, Anderson and Shaw LLC have requested the annexation of this plat into the City’s corporate limits along with the rezone request. The lot is approximately 1.60± acres and will be served by existing water and sewer to the south of the lot. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Hutzel and seconded by Weber to make positive recommendation to City Council to approve the preliminary and final plat of Lot 1, Block 2, Windbreak Subdivision with Annexation. “YEAS”: Zitterkopf, Huber, Hutzel, Weber, Chadwick, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

A second motion was made by Weber and seconded by Hutzel to approve the annexation of Lot 1, Block 2, Windbreak Subdivision into to the City’s corporate limits. “YEAS”: Zitterkopf, Huber, Hutzel,

Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a final plat with ordinance to vacate for Block 2, Floyds Subdivision a replat of Lot 2 in the City of Scottsbluff, Mackrill Replat, a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat. This parcel is situated on the west side of 5th Avenue and south of the South Beltline Highway East. The plat comes with a request for variance (section 21-1-20) to remove the platted alleys on the north and west side of the lot and will retain the easements in place of the alleys. The alleys have never been fully developed or used for refuse collection, as the south end of the north south alley presently terminates at the North Platte River, and is used for surface water drainage. The plat has a 20' easement on the south end of the lot which will be used as future pathway. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Weber and seconded by Huber to make positive recommendation to City Council to approve the final plat of Block 2, Floyd's Subdivision a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat with the condition that City Council approves the variance to vacate alleys. "YEAS": Zitterkopf, Huber, Hutzel, Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Unfinished Business: Discussion regarding future nominations for Chairman and Vice Chairman at next months meeting. Glen Vandenberg and Gary Hutzel will not renew their terms on the Planning Commission. One new member Callan Wayman will serve in place of Gary Hutzel in our extra territorial jurisdiction. We need two regular members and one alternate for a full committee.

There being no further business the Planning Commission with a motion to adjourn made by Hutzel and seconded by Huber the meeting was adjourned at 6:35 p.m. "YEAS": Huber, Hutzel, Weber, Aguallo, Estrada, Chadwick, Zitterkopf, and Estrada. NAYS: none. ABSENT: Vandenberg. Motion carried.

Becky Estrada, Vice Chairperson

Attest: _____
Annie Urdiales

ORDINANCE NO. _____

AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PROPOSED FINAL PLAT, BLOCK 1, SUGAR FACTORY SUBDIVISION SITUATED IN THE E¹/₂ OF THE NE¹/₄ OF SECTION 1, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, WHICH IS CURRENTLY ZONED AS A-AGRICULTURAL, WILL NOW BE INCLUDED IN THE R-1B RURAL RESIDENTIAL ZONE, AND REPEALING PRIOR SECTION 25-1-4.

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

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this _____ day of September, 2013.

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on September ____, 2013.

Mayor

ATTEST:

City Clerk

(Seal)

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Pub. Hear.2

**Council to consider the final plat of Block 1, Sugar Factory
Subdivision and approve the Resolution.**

Staff Contact: Annie Urdiales

FINAL PLAT

BLOCK 1, SUGAR FACTORY SUBDIVISION

SITUATED IN THE EAST HALF OF THE
NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 22 NORTH, RANGE 55 WEST
OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA

SURVEYOR'S CERTIFICATE

I, Kelly A. Beatty, a Nebraska Registered Land Surveyor, hereby certify that I have surveyed and prepared a plat of BLOCK 1, SUGAR FACTORY SUBDIVISION SITUATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, more particularly described as follows:

Commencing at the Northeast Corner of Section 1, thence southerly on the east line of Section 1, on an assumed bearing of S02°46'58"E, a distance of 510.18 feet, to the Point of Beginning, thence continuing southerly on said east line of Section 1, bearing S02°46'58"E, a distance of 981.94 feet, thence bearing N89°27'47"W, a distance of 229.11 feet, thence bearing N04°13'30"E, a distance of 982.32 feet, thence bearing S89°27'47"E, a distance of 109.06 feet, to the Point of Beginning, containing an area of 3.80 acres, more or less.

That the accompanying plat is a true delineation of such survey drawn to a scale of 100 feet to the inch. That all dimensions are in feet and decimals. That each lot and block has its own number and that the boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2013.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

Kelly A. Beatty, Nebraska Registered Land Surveyor, L. S. 476

N

0

100

200

Scale in Feet

LEGEND

EXISTING SECTION CORNER, AS NOTED

SET 5/8" x 24" REBAR

WELL

EXISTING STRUCTURES

ROW

RIGHT OF WAY

R

RECORD

M

MEASURED

NOTE: Tracts will be served by private well and sanitary septic system

Scottsbluff

Regular Meeting - 9/16/2013

Page 48 / 128

RESOLUTION NO. _____

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

That the final plat of Block 1, Sugar Factory Subdivision situated in the East half of the Northeast Quarter of Section 1, T22N, R55W of the 6th P.M., Scotts Bluff County, Nebraska dated August 5, 2013, duly made, acknowledged and certified, is approved. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 16th day of September 2013.

Mayor

Attest:

City Clerk

SEAL

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Pub. Hear.3

Council to conduct a Public Hearing at 6:05 p.m. to consider a zone change request for proposed Lot 1, Block 2, Windbreak Subdivision from Agricultural to R-1 Single Family Residential and consider the Ordinance.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Public Hearing for zone change request for proposed Lot 1, Block 2, Windbreak Subdivision situated in the SE ¼ of Section 13, T22N, R55W of the 6th p.m. City of Scottsbluff, Scotts Bluff, County, from Agricultural to R-1 Single Family Residential.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Council to conduct a public hearing for zone change request from property owners, Anderson and Shaw Investments Inc. to rezone proposed Lot 1, Block 2, Windbreak Subdivision (1.60 acres ±). This parcel is located west of Sugar Factory Road at the north end of 17th Avenue and is in the City's extra territorial jurisdiction. It is zoned A-Agricultural, the requested change is to R-1 Single Family Residential. Surrounding properties are zoned A - Agricultural and AR to the north and R1 and R1A to the south except for a small area to the south which is zoned R-1B Rural Residential. The subdivision is exempt from the regulations but the 1.60 acre parcel will not meet the minimum lot size requirements of the A district (20 acres). The City's comprehensive development plan future land use map designated the entire acreage owned by the applicant as single family residential.

BOARD/COMMISSION RECOMMENDATION: STAFF RECOMMENDATION:

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map

Other (specify) ☐ _____

NOTIFICATION LIST: Yes No ☐ Further Instructions ☐

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

ORDINANCE NO. _____

AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PROPOSED LOT 1, BLOCK 2, WINDBREAK SUBDIVISION SITUATED IN THE SE¼ OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, WHICH IS CURRENTLY ZONED AS A-AGRICULTURAL, WILL NOW BE INCLUDED IN THE R-1 SINGLE FAMILY RESIDENTIAL ZONE, AND REPEALING PRIOR SECTION 25-1-4.

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

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this _____ day of September, 2013.

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on September _____, 2013.

Mayor

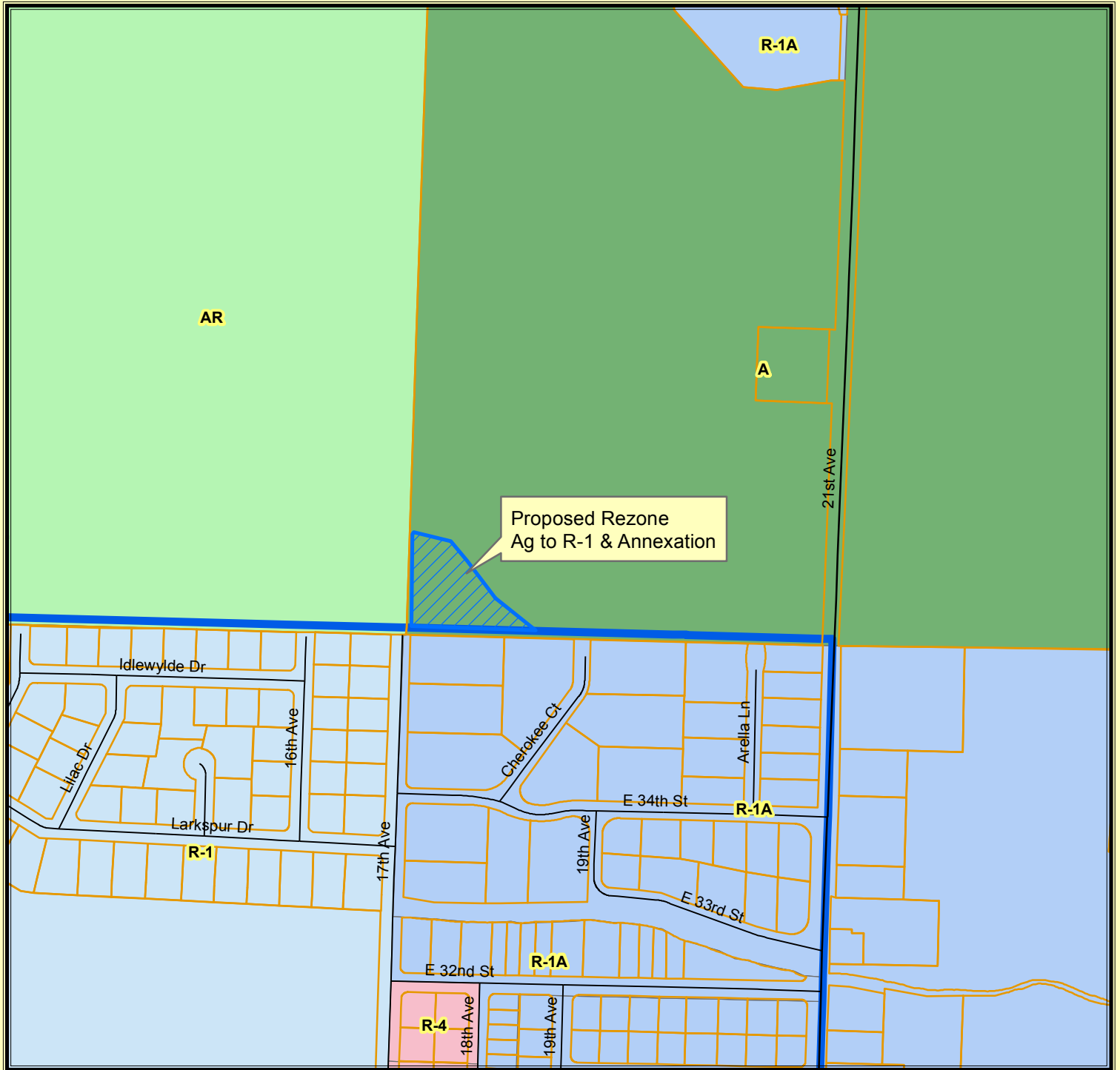
ATTEST:

City Clerk

(Seal)

Windbreak Subdivision Rezone & Annexation

Agricultural to Single Family Residential



9/16/13



Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

Planning Commission Minutes
Regular Scheduled Meeting
September 9, 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, September 9, 2013, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on August 30, 2013. 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 accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

ITEM 1: Vice Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Henry Huber, Angie Aguallo, Gary Hutzal, Dana Weber, Anita Chadwick, and Becky Estrada. Absent: Glen Vandenberg. City officials present: Annie Urdiales, Planning Administrator, and Gary Batt, Code Administrator II.

ITEM 2: Vice Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: None.

ITEM 4: Business not on agenda: None

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of 8/12/13 were reviewed and approved as distributed. A motion was made to accept the minutes by Huber and seconded by Zitterkopf. "YEAS": Zitterkopf, Aguallo, Chadwick, Huber, and Estrada. "NAYS": None. ABSTAIN: Weber and Hutzal. ABSENT: Vandenberg. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for rezone request of proposed preliminary and final plat of Block 1 Sugar Factory Road Subdivision. The property is owned by Aaron Adams, LLC and they are represented by M.C. Schaff and Associates. The acreage (32 ± acres) is currently zoned Agricultural and the request is to rezone to R-1B - Rural Residential. There is an existing farmstead on the acreage which will be subdivided into a 3.8 acre lot this will meet the minimum guidelines of Rural Residential zone. The property is located in the City's extra territorial jurisdiction (northeast of the City) and the proposed zone change meets the future land development in the City's Comprehensive Development Plan, there are a few existing rural residential lots to the south.

Conclusion: A motion was made by Zitterkopf and seconded by Weber to approve the proposed rezone for proposed final plat of Block 1, Sugar Factory Subdivision from Agricultural (A) to Rural Residential (R-1B). “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a preliminary and final plat of Block 1, Sugar Factory Subdivision. Property owner, Aaron Adams LLC, represented by M.C. Schaff and Associates. This parcel is located within the City’s extra territorial jurisdiction on the west side of Sugar Factory Road and south of County Road G. The property is presently zoned A – Agricultural the owners are subdividing a 3.80± acre parcel and propose to rezone the parcel to R-1B Rural residential, this will allow for separate ownership of the farmhouse which has an existing well and septic system. The rural residential zoning will meet the performance guidelines of this zoning district. The plat also includes a 33’ right of way for future expansion of Sugar Factory Road.

Conclusion: A motion was made by Zitterkopf and seconded by Estrada to approve and make positive recommendation to City Council for the preliminary/final plat of Block 1, Sugar Factory Subdivision. “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7C: The Planning Commission opened a public hearing for a request from Anderson-Shaw Investments, LLC to rezone property described as proposed Lot 1, Block 2, Windbreak Subdivision situated in the NE ¼ of Section 13, T22N, R55W of the 6th P.M. (1.60± acres total) from A- Agricultural to R-1- Single Family Residential. The property is situated west of Sugar Factory Road and directly north of 17th Avenue in the City’s extra territorial jurisdiction. The Comprehensive Plan Future Land Use Map designates the parcels north of 17th Avenue as Single-Family Residential. Surrounding properties to the south are both R-1 and R-1A Single Family Residential to the north the property is zoned Agricultural

Conclusion: A motion was made by Weber to approve the proposed rezone of proposed Lot 1, Block 2, Windbreak Subdivision and recommend the zone change from A- Agricultural to R-1A - Single Family Residential, seconded by Chadwick to City Council. “YEAS”: Zitterkopf, Huber, Chadwick, Aguillo, Weber, Hutzel, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a preliminary/final plat with annexation for Lot 1, Block 2, Windbreak Subdivision this parcel is situated west of Sugar Factory Road and directly north of 17th Avenue. This property is in the City’s extra territorial jurisdiction and abuts the city limits. The property owners, Anderson and Shaw LLC have requested the annexation of this plat into the City’s corporate limits along with the rezone request. The lot is approximately 1.60± acres and will be served by existing water and sewer to the south of the lot. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Hutzel and seconded by Weber to make positive recommendation to City Council to approve the preliminary and final plat of Lot 1, Block 2, Windbreak Subdivision with Annexation. “YEAS”: Zitterkopf, Huber, Hutzel, Weber, Chadwick, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

A second motion was made by Weber and seconded by Hutzel to approve the annexation of Lot 1, Block 2, Windbreak Subdivision into to the City’s corporate limits. “YEAS”: Zitterkopf, Huber, Hutzel,

Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a final plat with ordinance to vacate for Block 2, Floyds Subdivision a replat of Lot 2 in the City of Scottsbluff, Mackrill Replat, a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat. This parcel is situated on the west side of 5th Avenue and south of the South Beltline Highway East. The plat comes with a request for variance (section 21-1-20) to remove the platted alleys on the north and west side of the lot and will retain the easements in place of the alleys. The alleys have never been fully developed or used for refuse collection, as the south end of the north south alley presently terminates at the North Platte River, and is used for surface water drainage. The plat has a 20' easement on the south end of the lot which will be used as future pathway. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Weber and seconded by Huber to make positive recommendation to City Council to approve the final plat of Block 2, Floyd's Subdivision a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat with the condition that City Council approves the variance to vacate alleys. "YEAS": Zitterkopf, Huber, Hutz, Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Unfinished Business: Discussion regarding future nominations for Chairman and Vice Chairman at next months meeting. Glen Vandenberg and Gary Hutz will not renew their terms on the Planning Commission. One new member Callan Wayman will serve in place of Gary Hutz in our extra territorial jurisdiction. We need two regular members and one alternate for a full committee.

There being no further business the Planning Commission with a motion to adjourn made by Hutz and seconded by Huber the meeting was adjourned at 6:35 p.m. "YEAS": Huber, Hutz, Weber, Aguallo, Estrada, Chadwick, Zitterkopf, and Estrada. NAYS: none. ABSENT: Vandenberg. Motion carried.

Becky Estrada, Vice Chairperson

Attest: _____
Annie Urdiales

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Pub. Hear.4

Council to consider the final plat of Lot 1, Block 2, Windbreak Subdivision and approve the Resolution.

Staff Contact: Annie Urdiales

RESOLUTION 13-_____

WHEREAS, a request has been submitted by Anderson-Shaw Investments, LLC as the Owner for the inclusion of Lot 1, Block 2, Windbreak Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a tract of land being Lot 1, Block 2, Windbreak Subdivision all located in Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

A tract of land situated in the Southeast Quarter of the Northeast Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 13, thence bearing N02°07'53"E, on the west line of the Southeast Quarter of the Northeast Quarter of Section 13, a distance of 297.73 feet, thence bearing S81°46'22"E, a distance of 84.86 feet, to the point of curvature of a curve to the right, said curve having a central angle of 42°36'08", a radius of 114.04 feet, a chord bearing of S60°28'18"E, and a chord length of 82.86 feet, thence southeasterly on the arc of said curve, a distance of 84.80 feet, to the point of tangency, thence bearing S39°10'14"E, a distance of 238.34 feet, thence bearing S01°32'58"W, a distance of 68.34 feet, to the point of intersection with the south line of the Northeast Quarter of Section 13, thence bearing N88°27'02"W, on the south line of the Northeast Quarter of Section 13, a distance of 315.97 feet, to the Point of Beginning, containing an area of 1.60 acres, more or less.
; and

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on September 9, 2013 on the approval of a plat and inclusion of Lot 1, Block 2, Windbreak Subdivision within the corporate limits and recommend the Scottsbluff City Council approve the plat and request to include within corporate limits; and

WHEREAS, said request to include the land within the corporate limits was duly signed by the owner of the real estate affected with the express intent of platting the real estate as a lot 1, Block 2, Windbreak Subdivision an addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; and

WHEREAS, a public hearing was held by the Scottsbluff City Council relating to the requests on September 16, 2013, to approve the plat and deem the addition to be included within the corporate limits and it was advantageous to and in the best interests of the City of Scottsbluff.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska that the Plat of Lot 1, Block 2, Windbreak Subdivision an addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved and that the Mayor of the City of Scottsbluff, Nebraska shall be and is hereby authorized and directed to execute the final plat on behalf of the City of Scottsbluff, Nebraska.

PASSED and APPROVED this ____ day of September, 2013.

Mayor

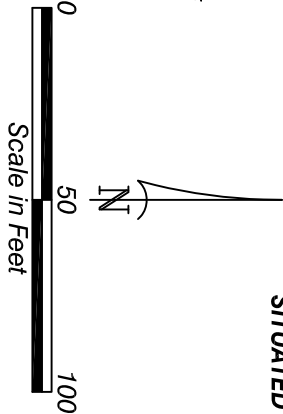
ATTEST:

City Clerk (Seal)

FINAL PLAT

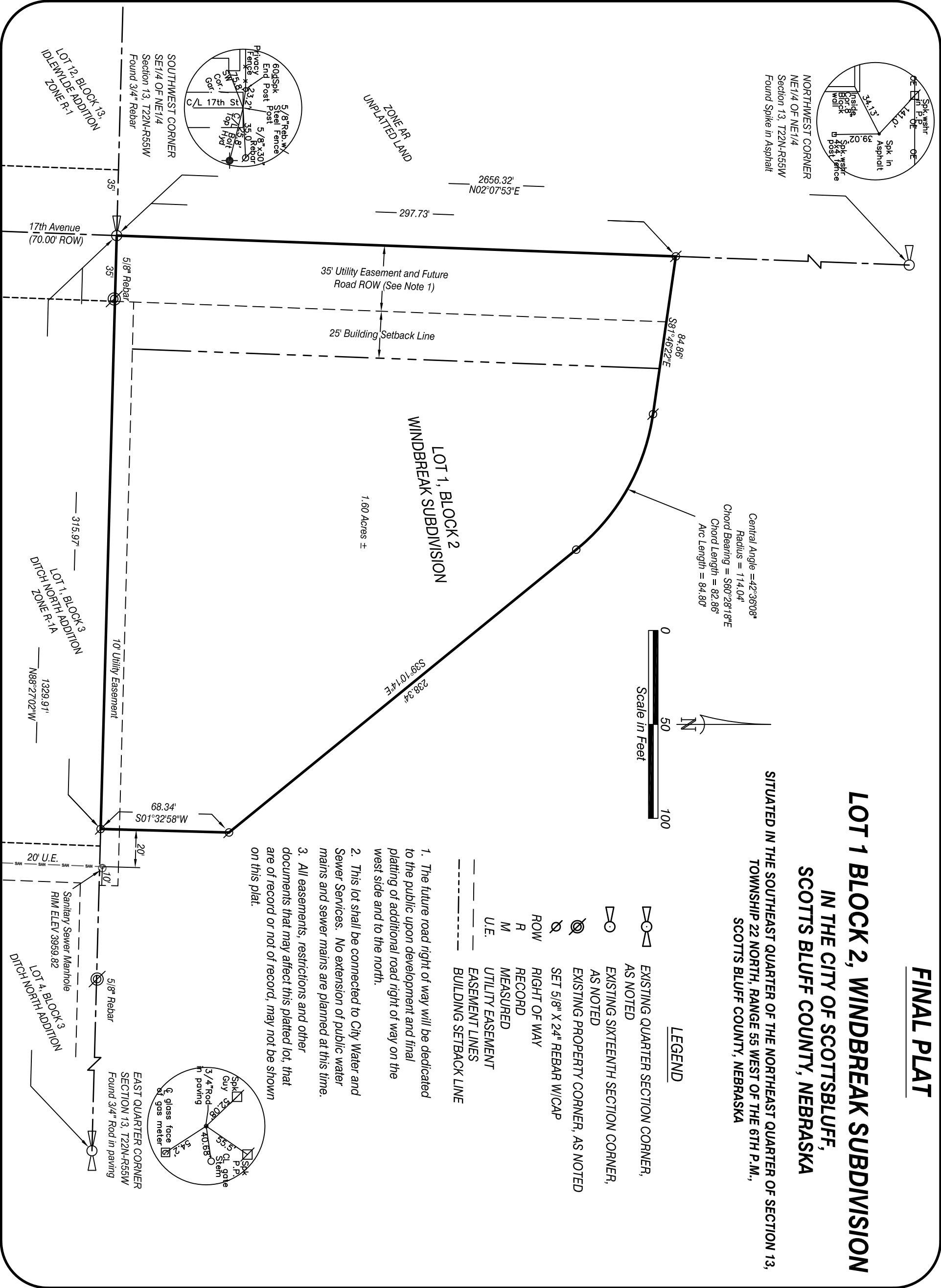
LOT 1 BLOCK 2, WINDBREAK SUBDIVISION
IN THE CITY OF SCOTTSBLUFF,
SCOTTS BLUFF COUNTY, NEBRASKA

SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13,
TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M.,
SCOTTS BLUFF COUNTY, NEBRASKA



- LEGEND
- EXISTING QUARTER SECTION CORNER, AS NOTED
 - EXISTING SIXTEENTH SECTION CORNER, AS NOTED
 - EXISTING PROPERTY CORNER, AS NOTED
 - SET 5/8" X 24" REBAR W/CAP
 - ROW
 - RIGHT OF WAY
 - R
 - RECORD
 - M
 - MEASURED
 - UTILITY EASEMENT
 - U.E.
 - EASEMENT LINES
 - BUILDING SETBACK LINE

1. The future road right of way will be dedicated to the public upon development and final platting of additional road right of way on the west side and to the north.
2. This lot shall be connected to City Water and Sewer Services. No extension of public water mains and sewer mains are planned at this time.
3. All easements, restrictions and other documents that may affect this platted lot, that are of record or not of record, may not be shown on this plat.



City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Pub. Hear.5

Council to conduct a Public Hearing at 6:05 p.m. to consider an annexation request for proposed Lot 1, Block 2, Windbreak Subdivision, City of Scottsbluff, Scotts Bluff, County and consider the Resolution.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Public Hearing for annexation request for proposed Lot 1, Block 2, Windbreak Subdivision situated in the SE ¼ of Section 13, T22N, R55W of the 6th p.m. City of Scottsbluff, Scotts Bluff, County.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Council to conduct a public hearing for zone change request from property owners, Anderson and Shaw Investments Inc. to annex proposed Lot 1, Block 2, Windbreak Subdivision (1.60 acres ±). This parcel is located west of Sugar Factory Road at the north end of 17th Avenue and is in the City's extra territorial jurisdiction.

BOARD/COMMISSION RECOMMENDATION: STAFF RECOMMENDATION:

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map

Other (specify) ☐ _____

NOTIFICATION LIST: Yes No ☐ Further Instructions ☐

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

RESOLUTION 13-_____

WHEREAS, a request has been submitted by Anderson-Shaw Investments, LLC as the Owner for the inclusion of Lot 1, Block 2, Windbreak Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a tract of land being Lot 1, Block 2, Windbreak Subdivision all located in Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

A tract of land situated in the Southeast Quarter of the Northeast Quarter of Section 13, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of the Southeast Quarter of the Northeast Quarter of Section 13, thence bearing N02°07'53"E, on the west line of the Southeast Quarter of the Northeast Quarter of Section 13, a distance of 297.73 feet, thence bearing S81°46'22"E, a distance of 84.86 feet, to the point of curvature of a curve to the right, said curve having a central angle of 42°36'08", a radius of 114.04 feet, a chord bearing of S60°28'18"E, and a chord length of 82.86 feet, thence southeasterly on the arc of said curve, a distance of 84.80 feet, to the point of tangency, thence bearing S39°10'14"E, a distance of 238.34 feet, thence bearing S01°32'58"W, a distance of 68.34 feet, to the point of intersection with the south line of the Northeast Quarter of Section 13, thence bearing N88°27'02"W, on the south line of the Northeast Quarter of Section 13, a distance of 315.97 feet, to the Point of Beginning, containing an area of 1.60 acres, more or less.

; and

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on September 9, 2013 on the approval of a plat and inclusion of Lot 1, Block 2, Windbreak Subdivision within the corporate limits and recommend the Scottsbluff City Council approve said request; and

WHEREAS, said request to include the land within the corporate limits was duly signed by the owner of the real estate affected with the express intent of platting the real estate as a Lot 1, Block 2, Windbreak Subdivision an addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; and

WHEREAS, a public hearing was held by the Scottsbluff City Council relating to the request on September 16, 2013, who deemed the said addition to be included within the corporate limits to be advantageous to and in the best interests of the City of Scottsbluff.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska, that the real estate which is platted as Lot 1, Block 2, Windbreak Subdivision pursuant to Section 19-916 of the Nebraska Revised Statutes and Section 21-1-61 of the Scottsbluff Municipal Code shall be included within the corporate limits of the City of Scottsbluff, Scotts Bluff County, Nebraska, and shall be and become a part of said City for all

purposes whatsoever, that the inhabitants of said addition shall be entitled to all the rights and privileges, and shall be subject to all of the laws, ordinances, rules and regulations of the City of Scottsbluff, Nebraska.

BE IT FURTHER RESOLVED that the inclusion of Lot 1, Block 2, Windbreak Subdivision within the corporate limits of the City of Scottsbluff, Nebraska is subject to the final plat being filed with the Scotts Bluff County Register of Deeds.

PASSED and APPROVED this ____ day of September, 2013.

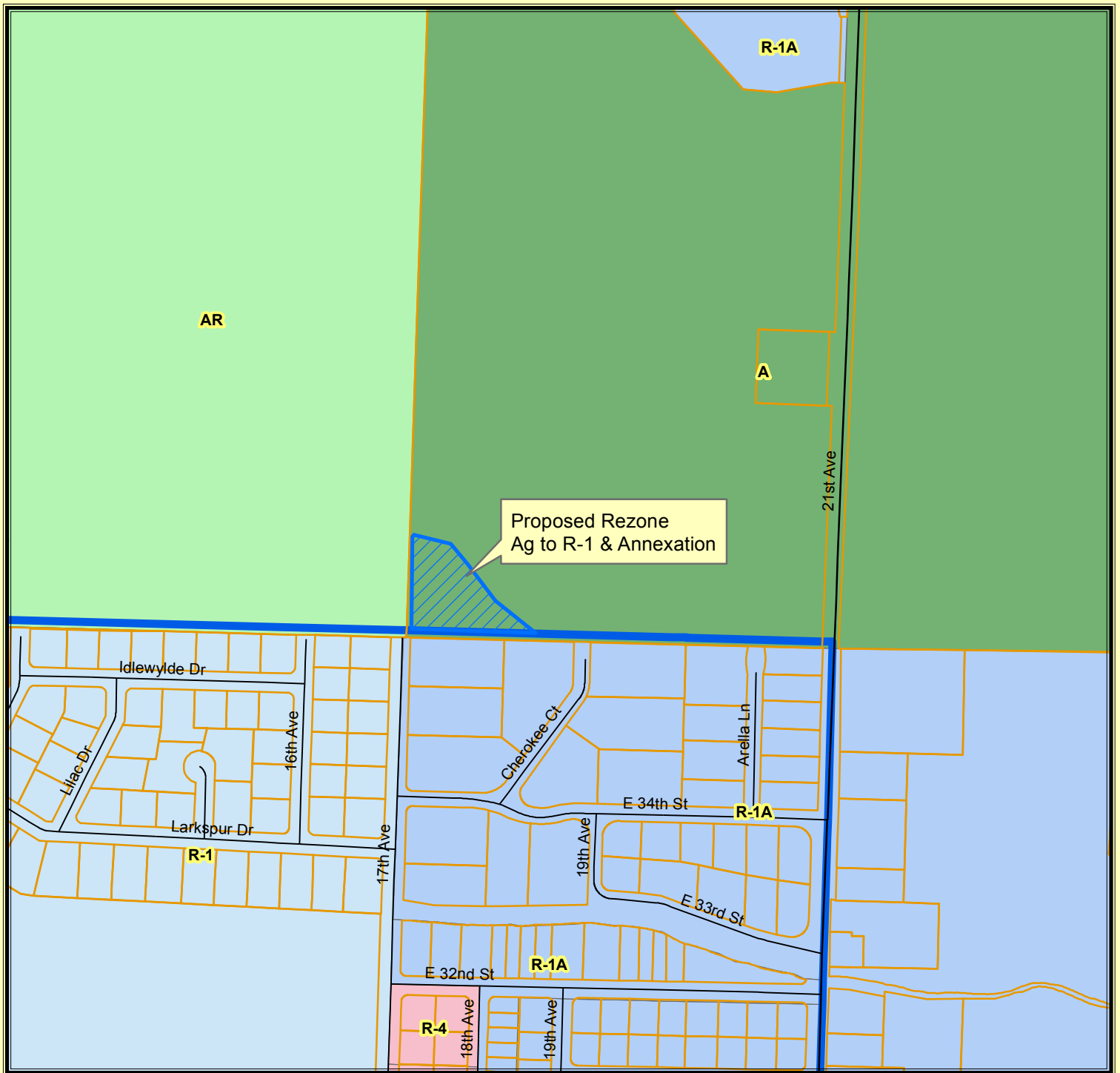
Mayor

ATTEST:

City Clerk (Seal)

Windbreak Subdivision Rezone & Annexation

Agricultural to Single Family Residential



9/16/13



Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

Planning Commission Minutes
Regular Scheduled Meeting
September 9, 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, September 9, 2013, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on August 30, 2013. 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 accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

ITEM 1: Vice Chairman, Becky Estrada called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Henry Huber, Angie Aguallo, Gary Hutzal, Dana Weber, Anita Chadwick, and Becky Estrada. Absent: Glen Vandenberg. City officials present: Annie Urdiales, Planning Administrator, and Gary Batt, Code Administrator II.

ITEM 2: Vice Chairman Estrada informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: None.

ITEM 4: Business not on agenda: None

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of 8/12/13 were reviewed and approved as distributed. A motion was made to accept the minutes by Huber and seconded by Zitterkopf. "YEAS": Zitterkopf, Aguallo, Chadwick, Huber, and Estrada. "NAYS": None. ABSTAIN: Weber and Hutzal. ABSENT: Vandenberg. Motion carried.

ITEM 7A: The Planning Commission opened a public hearing for rezone request of proposed preliminary and final plat of Block 1 Sugar Factory Road Subdivision. The property is owned by Aaron Adams, LLC and they are represented by M.C. Schaff and Associates. The acreage (32 ± acres) is currently zoned Agricultural and the request is to rezone to R-1B - Rural Residential. There is an existing farmstead on the acreage which will be subdivided into a 3.8 acre lot this will meet the minimum guidelines of Rural Residential zone. The property is located in the City's extra territorial jurisdiction (northeast of the City) and the proposed zone change meets the future land development in the City's Comprehensive Development Plan, there are a few existing rural residential lots to the south.

Conclusion: A motion was made by Zitterkopf and seconded by Weber to approve the proposed rezone for proposed final plat of Block 1, Sugar Factory Subdivision from Agricultural (A) to Rural Residential (R-1B). “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a preliminary and final plat of Block 1, Sugar Factory Subdivision. Property owner, Aaron Adams LLC, represented by M.C. Schaff and Associates. This parcel is located within the City’s extra territorial jurisdiction on the west side of Sugar Factory Road and south of County Road G. The property is presently zoned A – Agricultural the owners are subdividing a 3.80± acre parcel and propose to rezone the parcel to R-1B Rural residential, this will allow for separate ownership of the farmhouse which has an existing well and septic system. The rural residential zoning will meet the performance guidelines of this zoning district. The plat also includes a 33’ right of way for future expansion of Sugar Factory Road.

Conclusion: A motion was made by Zitterkopf and seconded by Estrada to approve and make positive recommendation to City Council for the preliminary/final plat of Block 1, Sugar Factory Subdivision. “YEAS”: Zitterkopf, Chadwick, Huber, Hutzel, Weber, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

ITEM 7C: The Planning Commission opened a public hearing for a request from Anderson-Shaw Investments, LLC to rezone property described as proposed Lot 1, Block 2, Windbreak Subdivision situated in the NE ¼ of Section 13, T22N, R55W of the 6th P.M. (1.60± acres total) from A- Agricultural to R-1- Single Family Residential. The property is situated west of Sugar Factory Road and directly north of 17th Avenue in the City’s extra territorial jurisdiction. The Comprehensive Plan Future Land Use Map designates the parcels north of 17th Avenue as Single-Family Residential. Surrounding properties to the south are both R-1 and R-1A Single Family Residential to the north the property is zoned Agricultural

Conclusion: A motion was made by Weber to approve the proposed rezone of proposed Lot 1, Block 2, Windbreak Subdivision and recommend the zone change from A- Agricultural to R-1A - Single Family Residential, seconded by Chadwick to City Council. “YEAS”: Zitterkopf, Huber, Chadwick, Aguillo, Weber, Hutzel, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a preliminary/final plat with annexation for Lot 1, Block 2, Windbreak Subdivision this parcel is situated west of Sugar Factory Road and directly north of 17th Avenue. This property is in the City’s extra territorial jurisdiction and abuts the city limits. The property owners, Anderson and Shaw LLC have requested the annexation of this plat into the City’s corporate limits along with the rezone request. The lot is approximately 1.60± acres and will be served by existing water and sewer to the south of the lot. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Hutzel and seconded by Weber to make positive recommendation to City Council to approve the preliminary and final plat of Lot 1, Block 2, Windbreak Subdivision with Annexation. “YEAS”: Zitterkopf, Huber, Hutzel, Weber, Chadwick, Aguillo, and Estrada. “NAYS”: None. ABSTAIN: None. ABSENT: Vandenberg. Motion carried.

A second motion was made by Weber and seconded by Hutzel to approve the annexation of Lot 1, Block 2, Windbreak Subdivision into to the City’s corporate limits. “YEAS”: Zitterkopf, Huber, Hutzel,

Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Agenda Item 7D: The Planning Commission opened a public hearing for a final plat with ordinance to vacate for Block 2, Floyds Subdivision a replat of Lot 2 in the City of Scottsbluff, Mackrill Replat, a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat. This parcel is situated on the west side of 5th Avenue and south of the South Beltline Highway East. The plat comes with a request for variance (section 21-1-20) to remove the platted alleys on the north and west side of the lot and will retain the easements in place of the alleys. The alleys have never been fully developed or used for refuse collection, as the south end of the north south alley presently terminates at the North Platte River, and is used for surface water drainage. The plat has a 20' easement on the south end of the lot which will be used as future pathway. The plat was reviewed and approved by City Staff and no comments were received from the public.

Conclusion: A motion was made by Weber and seconded by Huber to make positive recommendation to City Council to approve the final plat of Block 2, Floyd's Subdivision a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat with the condition that City Council approves the variance to vacate alleys. "YEAS": Zitterkopf, Huber, Hutz, Weber, Chadwick, Aguallo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Vandenberg.
Motion carried.

Unfinished Business: Discussion regarding future nominations for Chairman and Vice Chairman at next months meeting. Glen Vandenberg and Gary Hutz will not renew their terms on the Planning Commission. One new member Callan Wayman will serve in place of Gary Hutz in our extra territorial jurisdiction. We need two regular members and one alternate for a full committee.

There being no further business the Planning Commission with a motion to adjourn made by Hutz and seconded by Huber the meeting was adjourned at 6:35 p.m. "YEAS": Huber, Hutz, Weber, Aguallo, Estrada, Chadwick, Zitterkopf, and Estrada. NAYS: none. ABSENT: Vandenberg. Motion carried.

Becky Estrada, Vice Chairperson

Attest: _____
Annie Urdiales

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Public Inp1

Council to consider issuance of a special arts-related event wine permit for the West Nebraska Arts Center, 106 East 18th Street and special designated liquor license to serve wine at a gallery reception on October 3, 2013 from 5:00 p.m. to 7:00 p.m.


Staff Contact: Cindy Dickinson

MEMORANDUM

TO: Rick Kuckkahn, City Manager
FROM: Kevin Spencer, Chief of Police
CC: Cindy Dickinson, City Clerk
DATE: September 10, 2013
RE: Request for a Special Designated License (SDL) – West Nebraska Arts Center

In regards to the West Nebraska Arts Center Special Designated License, October 3, 2013 and ~~November 1, 2013~~ there will be sufficient law enforcement officers on duty to handle regular patrol duties in the city and to assist the West Nebraska Arts Center in the event of a problem. As always, we would insist that management have adequate staff on hand to closely monitor the event and take steps to ensure minors do not drink.

The police department does not object to the issuance of the Special Designated License.


Kevin Spencer
Chief of Police

SPECIAL ARTS-RELATED EVENT WINE PERMIT APPLICATION

CITY OF SCOTTSBLUFF

Date of Event 10-3-13 Starting Time 4:00 p.m. Termination Time 8:00 p.m.
 Organization Name WEST NEBRASKA ARTS CENTER
 Address/Phone 106 EAST 18th STREET, SCOTTSBLUFF, NE 69302-2226
 Authorized Head of Organization - Name MASON BURBACH
 Address/Phone 308. 632. 2226
 Description of Event: Opening Reception for Gallery Exhibit
 Estimated Attendance: 100

Event Chairman(s) Name(s) MASON BURBACH

Address/Phone 106 EAST 18th ST. 632-2226

The undersigned acknowledges reading a copy of the applicable ordinances and agrees to comply thereby:

Signed: Mason Burbach Address: 106 E. 18th ST.

Phone: 632-2226 Date of Application 9-11-13

REMARKS: THANK YOU!

APPLICANT

This permit authorizes the consumption of wine on the described premise by individuals who are of the drinking age. Other restrictions are as follows:

Approved by Mayor and City Council on _____

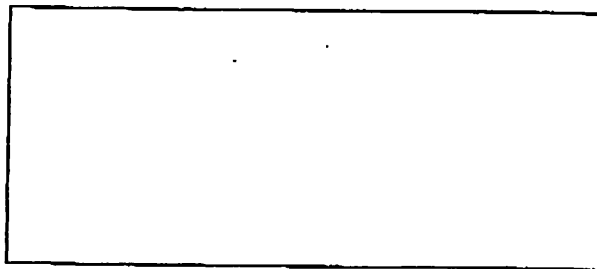
DATE: _____

CITY CLERK

cc: Police Chief

APPLICATION FOR SPECIAL
DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/

RETAIL LICENSE HOLDERS ☐DO YOU NEED POSTERS? YES ☒ NO ☐NON PROFIT APPLICANTS ☒

Non Profit Status (check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☒ Fraternal ☐ Religious ☐ Charitable ☐ Public Service ☐

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer ☐ Wine ☒ Distilled Spirits ☐2. Liquor license number and class (i.e. C-55441)
(If you're a nonprofit organization leave blank)
3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)NAME: WEST NEBRASKA ARTS CENTERADDRESS: 106 E. 18TH ST.CITY SCOTTSDUFFZIP 69361

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME WEST NEBRASKA ARTS CENTERADDRESS: 106 E. 18TH ST. CITY SCOTTSDUFFZIP 69361 COUNTY and COUNTY# 21, SCOTTSDUFF COUNTY

a. Is this location within the city/village limits?

YES ☒ NO ☐b. Is this location within the 150' of church, school, hospital or home
for aged/indigent or for veterans and/or wives?YES ☐ NO ☒

c. Is this location within 300' of any university or college campus?

YES ☐ NO ☒

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REV 5/12
Page 2 of 5

Date 10-3-13 Hours 4 P.M. From 8 P.M. To	Date _____ Hours _____ From _____ To	Date _____ Hours _____ From _____ To	Date _____ Hours _____ From _____ To	Date _____ Hours _____ From _____ To	Date _____ Hours _____ From _____ To
--	--	--	--	--	--

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

a. Alternate date: None

b. Alternate location: None

(Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

☒ Dance
☐ Reception
☐ Fund Raiser
☐ Beer Garden
☐ Sampling/Tasting
☐ Other

7. Description of area to be licensed

Inside building, dimensions of area to be covered IN FEET 73.5 x 33

*Outdoor area dimensions of area to be covered IN FEET _____ x _____

*SKETCH OF OUTDOOR AREA (or attach copy of sketch)

If outdoor area, how will premises be enclosed?

☐ Fence: snow fence
☐ chain link
☐ cattle panel
☐ other

☐ Tent

8. How many attendees do you expect at event? 100

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES ☒ NO ☐

a. Are there separate toilets for both men and women? YES ☒ NO ☐

11. Retailer: Will you be purchasing your alcohol from a wholesaler? YES ☐ NO ☐
 Non-Profit: Where will you be purchasing your alcohol? — WINE IS DONATED BY MEMBERS OF OUR BYO BOARD OF DIRECTORS.
 Wholesaler ☐ Retailer ☒ Both ☐
 (includes wineries)
12. Will there be any games of chance operating during the event? YES ☐ NO ☒

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law. There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: _____
14. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. PLEASE PRINT LEGIBLY

Print name of Event Supervisor MASON BURBACH

Signature of Event Supervisor Mason A. Burbach

Phone of Event Supervisor: Before 308-765-0353 During 308-632-2226

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign
here

Mason A. Burbach
Authorized Representative/Applicant

EXECUTIVE DIRECTOR 9-11-13
Title Date

MASON BURBACH
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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REV 5/12
Page 4 of 5

This page is required to be completed by Non Profit applicants only.

Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

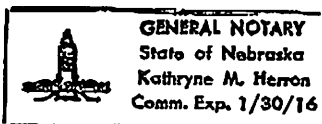
WEST NEBRASKA ARTS CENTER
NAME OF CORPORATION

470 499 224
FEDERAL ID NUMBER

[Signature]
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT; IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 11 DAY OF Sept 2013



[Signature]
NOTARY PUBLIC SIGNATURE & SEAL

FORM 108
REV 5/12
Page 5 of 5

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Subdiv.1

Council to consider a variance request of alley requirements 21-1-20 with an Ordinance to vacate the alleys abutting north and west line of Lot 2, Mackrill Replat Subdivision.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Variance Request of alley requirements 21-1-20 with an ordinance to vacate alleys abutting north and west line of Lot 2, Mackrill Replat Subdivision of proposed Block 2, Floyd's Subdivision. Scottsbluff, Nebraska.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Jonathan Gillam, property owner of proposed Block 2, Floyd's Subdivision a replat of Lot 2, Mackrill Replat, a replat of lots 4H & 4I, Mackrill Subdivision; and vacated alleys abutting north & west line of Lot 2, Mackrill replat. Has requested a variance of City Code 21-1-20 which states an alley shall be provided at the rear of every lot used or proposed to be used for business purposes. The proposed Block 2, Floyd's Subdivision has an alley on the north and west sides that have never been fully developed or used for refuse collection, easements will replace the alleys on the plat. An alley runs east and west on Block 1, Floyd's Subdivision which is directly north of Block 2.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission approved the preliminary and final plat with ordinance to vacate with the conditions that the ordinance to vacate and variance request be approved by City Council at their regular meeting of September 9, 2013.

STAFF RECOMMENDATION: Staff recommends City Council approve the requested variance with ordinance to vacate.

EXHIBITS

Resolution Ordinance x Contract Minutes x Plan/Map ☐

Other (specify) x Variance Request for ordinance to vacate alley

NOTIFICATION LIST: Yes x No ☐ Further Instructions ☐

Kelly Beatty, M.C. Schaff & Associates, 818 South Beltline Hwy East, Scottsbluff, NE 69361

APPROVAL FOR SUBMITTAL: _____

City Manager

Rev 3/1/99CClerk

Scottsbluff City Council
2525 Circle Drive
Scottsbluff, Nebraska 69361

Dear Council Members:

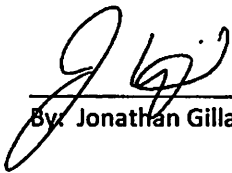
As owner of Lot 2, Mackrill Replat Subdivision in the City of Scottsbluff, Nebraska, I am requesting the City to vacate the alleys abutting the north line and west line of Lot 2, Mackrill Replat Subdivision, subject to the approval and filing of a replat of Lot 2, Mackrill Replat and the vacated alleys. It is the intent of the replat to replace the alleys with corresponding utility and drainage easements. By vacating the alleys and replacing with easements the property can be better utilized. Access to existing utilities will still be provided to the City and others, if needed.

As part of this vacation, we also request a variance from Section 21-1-20 of the Scottsbluff City Code, requiring an alley at the rear of business lots. The alleys requested to be vacated above have never been fully developed or used for refuse collection, as the south end of the north-south alley presently terminates at the North Platte River, and is used for surface water drainage. With the replacement of the alleys for public easements it is our opinion this would best serve the City and property owner.

Thank you for your consideration of this matter.

Respectfully submitted,

Owner, Lot 2, Mackrill Replat Subdivision:
120 5th Avenue, LLC



By: Jonathan Gillam, member

ORDINANCE NO.

AN ORDINANCE VACATING THE ALLEYS ABUTTING THE NORTH LINE AND WEST LINE OF LOT 2, MACKRILL REPLAT, A REPLAT OF LOTS 4H AND 41, MACKRILL SUBDIVISION TO THE CITY OF SCOTTSBLUFF, NEBRASKA.

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

1. The owner of the property has requested that the City vacate alleys abutting the North line and West line of Lot 2, Mackrill Replat, a Replat of Lots 4H and 41, Mackrill Subdivision, subject to the approval and filing of a replat of said property.
2. The City Council finds that the request and offers of replat and providing utility easements to replace the alleys are acceptable and it is in the best interest of the City that both alleys be vacated as requested.
3. The alley abutting the North property line and the alley abutting the West property line of Lot 2, Mackrill Replat, a Replat of Lots 4H and 41, Mackrill Subdivision are both hereby vacated.
4. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on September ____, 2013.

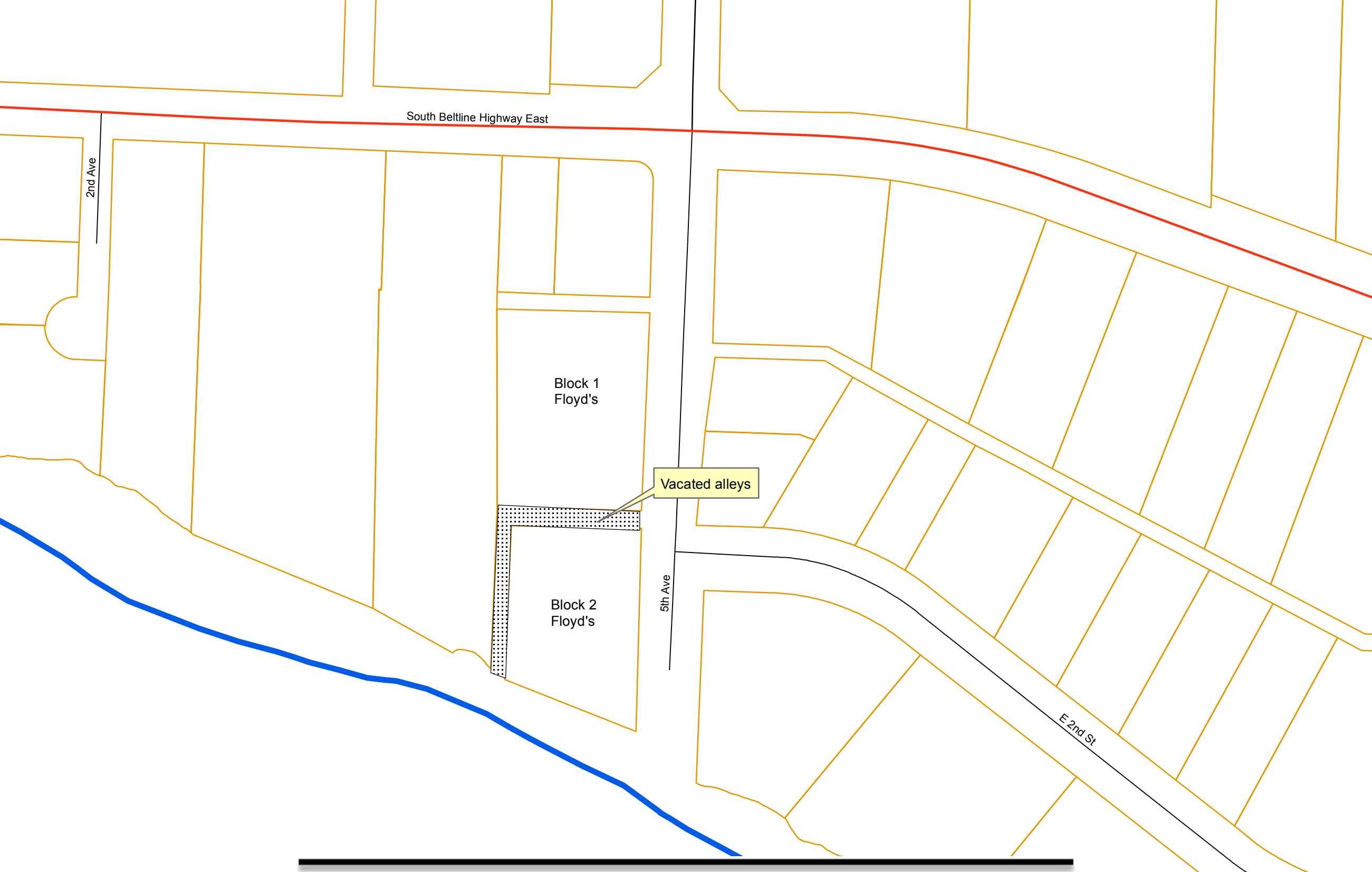
Mayor

Attest:

City Clerk (Seal)

Approved as to form:

City Attorney



City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Subdiv.2

Council to consider a final plat of Block 2, Floyd's Subdivision a replat of Lot 2, Mackrill Replat, a replat of Lots 4H & 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat in the City of Scottsbluff, and approve the Resolution.

Staff Contact: Annie Urdiales

Agenda Statement

Item No.

For meeting of: September 16, 2013

AGENDA TITLE: Final plat of Block 2, Floyd's Subdivision a replat of Lot 2, Mackrill Replat, a replat of Lots 4H & 4I, Mackrill Subdivision; and vacated alleys abutting north and west line of Lot 2, Mackrill replat in the City of Scottsbluff, Scotts Bluff County, Nebraska.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: This final plat is for property located at 120 5th Avenue. The City recently sold this property to Johnathan Gillam. Part of the sales agreement was to vacate the alleys and add a 20' easement to the south end of the lot for a future pathway. The City will retain easements in place of the vacated alleys.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of September 9, 2013 approved the final plat with ordinance to vacate with the conditions that the ordinance to vacate and variance request be approved by City Council.

STAFF RECOMMENDATION: Staff recommends City Council approve the final plat of Block 2, Floyd's Subdivision.

EXHIBITS

Resolution x Ordinance Contract Minutes x Plan/Map x

Other (specify) ☐ _____

NOTIFICATION LIST: Yes ☒ No ☐ Further Instructions ☐

Kelly Beatty, M.C. Schaff & Associates, 818 South Beltline Hwy East, Scottsbluff, NE 69361

APPROVAL FOR SUBMITTAL: _____
City Manager

RESOLUTION NO. _____

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

That the final plat of Block 2, Floyd's Subdivision, in the City of
Scottsbluff, Scotts Bluff County, Nebraska, a replat of Lot 2, Mackrill
Replat, a replat of Lots 4H and 4I, Mackrill Subdivision; and vacated
alleys abutting north and west line of Lot 2, Mackrill replat in the City of
Scottsbluff, Scotts Bluff County, Nebraska dated September 5, 2013,
duly made, acknowledged and certified, is approved. Such Plat is ordered
filed and recorded in the office of the Register of Deeds, Scotts Bluff
County, Nebraska.

Passed and approved this 16th day of September 2013.

Mayor

Attest:

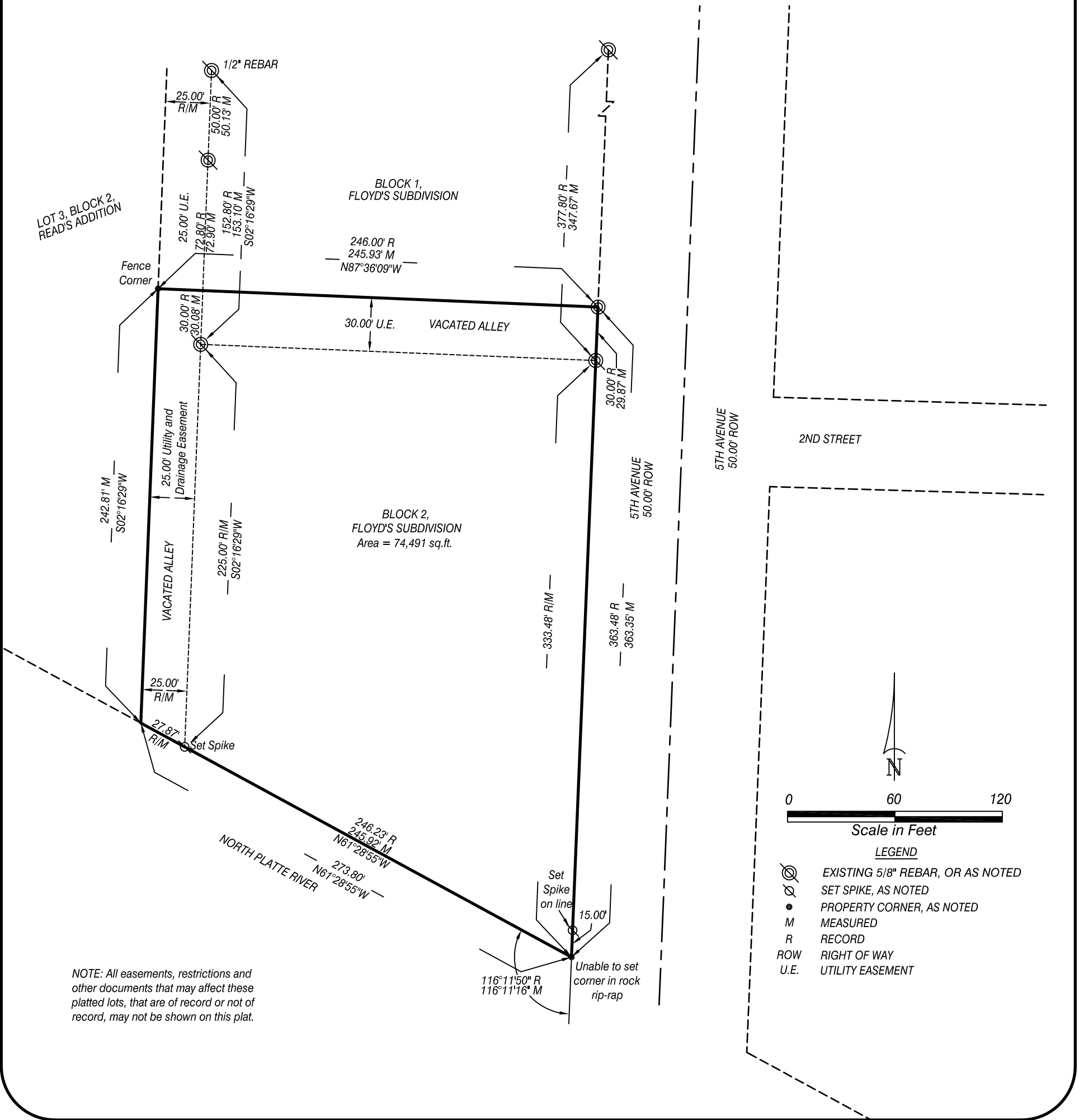
City Clerk

SEAL

FINAL PLAT

**BLOCK 2, FLOYD'S SUBDIVISION,
IN THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA,**

**A REPLAT OF LOT 2, MACKRILL REPLAT,
A REPLAT OF LOTS 4H AND 4I, MACKRILL SUBDIVISION; AND VACATED ALLEYS
ABUTTING NORTH AND WEST LINE OF LOT 2, MACKRILL REPLAT
IN THE CITY OF SCOTTSBLUFF,
SCOTTS BLUFF COUNTY, NEBRASKA**



City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Subdiv.3

Council to consider a zone change request for Part of Block 2, & Blocks 3- 8 Rugger Hospital Addition from R-1A Single Family Residential to O & P Office and Professional, and consider the Ordinance (second reading).

Staff Contact: Annie Urdiales

ORDINANCE NO. _____

AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PART OF BLOCK 2, & BLOCKS 3, 4, 5, 6, 7, AND 8, RUGGER HOSPITAL ADDITION, SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED R-1A, WILL NOW BE INCLUDED AS O & P OFFICE AND PROFESSIONAL, AND REPEALING PRIOR SECTION 25-1-4.

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

Section 1. Section 25-1-4 of the Municipal Code is amended to provide as follows:

25-1-4. Zones; location; maps. The boundaries of the zoning districts created in this chapter are shown on the zoning district map which is made a part of this municipal code. The zoning district map and all information shown thereon shall have the same force and effect as if fully set forth and described herein. The official zoning district map shall be identified by the signature of the Mayor, attested by the City Clerk under the following statement:

This is to certify that this is the official zoning district map described in §25-1-4 of the Scottsbluff Municipal Code, passed this _____ day of _____, 2013.

Section 2. Previously existing Section 25-1-4 and all other Ordinances and parts of Ordinances in conflict with this Ordinance, are repealed. Provided, this Ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on _____, 2013.

Mayor

ATTEST:

City Clerk

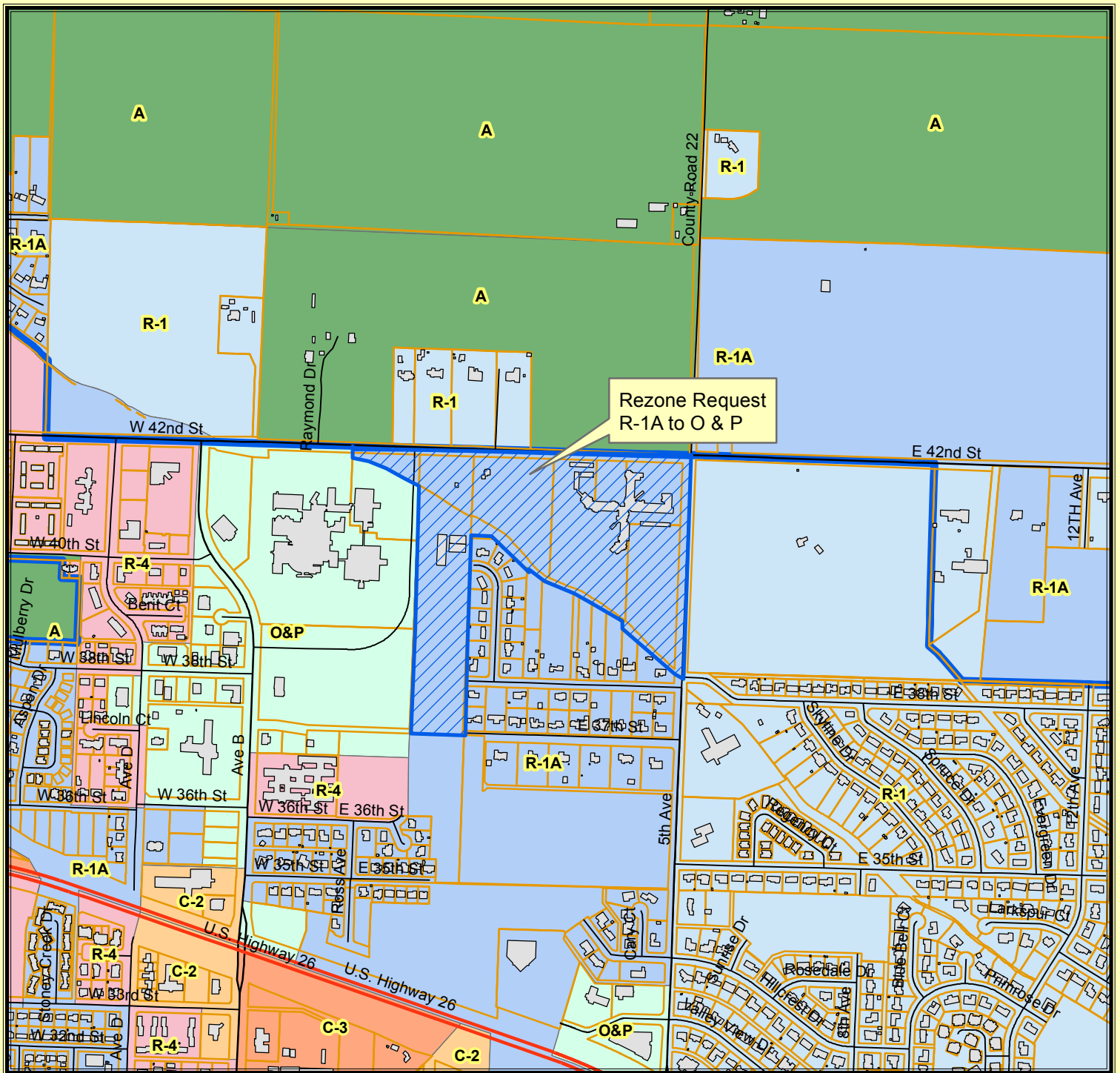
(Seal)

Approved as to form:

Deputy City Attorney

Panhandle Health Properties

Rezone R-1A to O & P



9/3/13



Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

Planning Commission Minutes
Regular Scheduled Meeting
August 12 2013
Scottsbluff, Nebraska

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, August 12, 2013, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on August 2, 2013. 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 accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

ITEM 1: Chairman, Glen Vandenberghe called the meeting to order. Roll call consisted of the following members: Jim Zitterkopf, Henry Huber, Angie Aguallo, Anita Chadwick, Becky Estrada, and Glen Vandenberghe. Absent: Gary Hutzel and Dana Weber. City officials present: Annie Urdiales, Planning Administrator, and Gary Batt, Code Administrator II.

ITEM 2: Chairman Vandenberghe informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on the bulletin board in the back area of the City Council Chamber, for those interested parties.

ITEM 3: Acknowledgment of any changes in the agenda: None.

ITEM 4: Business not on agenda: None

ITEM 5: Citizens with items not scheduled on regular agenda: None

ITEM 6: The minutes of 7/8/13 were reviewed and approved with correction noted. A motion was made to accept the minutes with correction by Zitterkopf, and seconded by Chadwick. "YEAS": Zitterkopf, Aguallo, Chadwick, Estrada, Huber, and Vandenberghe. "NAYS": None. ABSTAIN: None. ABSENT: Hutzel and Weber. Motion carried.

ITEM 7A: The Planning Commission reviewed a landscape plan for Wolf Auto. Wolf Auto is planning to relocate to 2216 14th Avenue. At their last meeting of July 8, 2013 the Planning Commission approved a special use permit to Wolf Auto to allow for auto sales in a C-2 zoning district. The property is located within our Gateway Greenway Overlay zone. They are requesting a waiver of the amount of trees required in the Overlay zone, they also asking that the Planning Commission allow for a three year time limit to finish proposed landscaping. They propose to complete their landscaping in two phases as follows:

- Phase 1: Install planting irrigation system, Seed all grass areas, Seed or provide rock or mulch in landscaping beds, and plant 21 medium shrubs around exterior of lot.
- Phase 2: plant remainder of shrubs and six trees.

Shane Cochran, project engineer, from Paul Reed Construction, representing property owner Dave Wolf, addressed the Planning Commission. Mr. Cochran asked that the Planning Commission consider approving the change to allow them to cut back on the GGO landscaping requirements regarding the number of trees and shrubs. They would like to cut back on the trees to allow for a visual view of the vehicles from the Highway, the lot is an irregular shaped lot and has approximately 700 sq. ft. of frontage. The reason they are asking for the three year allowance for the installation of the landscaping is because of budgetary issues.

The Planning Commission discussed Gateway requirements and whether or not the landscaping would be similar to what was required for Inland Trucks, Menards or the landscaping at O'Reilly's on Avenue I. O'Reilly's is not in the GGO district but meets the landscaping requirements for the City's landscaping codes for commercial development. The Planning Commission asked if it was possible to complete the landscaping in two years instead of three. Mr. Cochran agreed to have the landscaping done within two years of the completion of the construction.

Conclusion: A motion was made by Estrada and seconded by Aguallo to approve the landscape plan for Wolf Auto with the condition that they finish the landscaping within two years of completion of their construction – which will be planting season of 2016. “YEAS”: Zitterkopf, Chadwick, Huber, Aguallo, and Estrada. “NAYS”: Vandenberg. ABSTAIN: None. ABSENT: Hutzell, and Weber. Motion carried.

ITEM 7B: The Planning Commission opened a public hearing for a final plat of Lots 18A and 19A, Weber's Tracts, a replat of Tracts 17, 18, and 19, Weber's Tracts, and replat of Tracts 16 and 17, Weber's Tracts. Property owners, Rick and Victoria Bentley and Linda Abernethy are adjusting lot lines and removing easements. These parcels are located within the City's two mile extra territorial jurisdiction and located southwest of town on Fort Mitchell Drive. Mr. Bentley requested and was approved for a variance through the Board of Adjustment to allow for a detached garage to encroach into the front setback line of the lot, with the condition of the approval of the final plat. The parcels in this subdivision are geographically challenged the only place that would allow for the proposed garage was along the property line and existing easements. This subdivision is complete with all infrastructure installed the existing easement do not serve any utilities.

Kelly Beatty, with M.C. Schaff and Associates addressed the Planning Commission and explained that the easements are located on each of the lots on Weber Tracts they do not serve any utilities, the utility companies were notified of the removal of easements and did not enter any protests. A ten foot utility easement will remain in front of the lots.

Conclusion: A motion was made by Zitterkopf and seconded by Estrada to approve and make positive recommendation to City Council for the final plat of Lots 18A and 19A, Weber's Tracts, a replat of Tracts 17, 18, and 19, Weber's Tracts, and replat of Tracts 16 and 17, Weber's Tracts. “YEAS”: Zitterkopf, Chadwick, Huber, Aguallo, Estrada, and Vandenberg. “NAYS”: None. ABSTAIN: None. ABSENT: Hutzell, and Weber. Motion carried.

ITEM 7C: The Planning Commission opened a public hearing for a request from Panhandle Health Properties to rezone properties described as Part of Block 2, Blocks 3, 4, 5, 6, 7, and 8, Rugger Hospital Addition and proposed Lots 1, 2, and 3, Block 4, and Block 5, COPPOM Subdivision (75± acres total).

Panhandle Health Properties, desires to rezone a number of parcels that total approximately 75 acres from R-1A to O-P. The properties are east of the Regional West Medical Center and south of 42nd Street and northwest of the Medical Center, north of 42nd Street.

Neighboring zoning of the parcels south of East 42nd Street is O-P to the west, R-1a to the south, R-1 to the east and R-1 and A Agricultural to the north. Neighboring zoning of the property north of West 42nd Street is O-P and R-4 Heavy Density Multiple Family Residential to the south, R-4 and R-1a to the west and A to the north and east.

The existing land uses on the parcels south of East 42nd Street include Hospital-related facilities, Heavy Density Multiple Family and undeveloped land. The property north of West 42nd Street is undeveloped.

The Comprehensive Plan Future Land Use Map designates the parcels south of East 42nd Street as Business Center and Multi-Family Residential. The property north of West 42nd Street is designated as Single-Family Residential. As Multi-Family and Single Family Residential are allowed uses, with Planning Commission review and approval, the proposal is in accordance with the Comprehensive Plan.

The change in zoning to O & P will bring numerous existing uses on the south side of East 42nd Street into compliance. In addition, current and future development along this section of 42nd Street seems poised for additional growth for professional offices, particularly medically related uses. Access to 42nd Street via Avenue I/Highway 71, Avenue B and 5th Avenue portends future expansion of the street.

Neighbors in the area Ron Wegelin, Helen Cline, and William McKenzie spoke in opposition to the rezone. Concerns were about light pollution, property values, allowable height (70') in the O & P zoning district. They questioned what the hospital will allow on the parcels and whether the hospital will sell in the future. A list of permitted uses in O & P zoning district was distributed to neighbors and Board members. There are thirty permitted uses by right in this district with 14 permitted used with a special permit from the Planning Commission. These concerns were for the undeveloped property on the north side of 42nd Street.

Kevin Ott also spoke in opposition of the change his concerns are that past promises have not been kept and the hospital has not maintained the Heliport area as promised. A few trees that were planted have died and not been removed or replaced, weeds and other concerns about what is stored in barrels stored in this area.

David Griffith with the hospital addressed the Planning Commission and answered some of the questions. Some interest has been expressed about a proposed medical clinic on the south side of 42nd street, which would be approximately 10,000 sq. ft. The north side of 42nd street was proposed to be final platted, annexed, and rezoned to have this parcel ready for future development; they have no plans to develop at this time. The preliminary work will save time in the future as property will be ready to go without time restrictions, as the paper work and public notices will have been applied and approved for future development, he does not foresee any circumstances where the hospital would sell the property. Property is taxed on the highest and best use of the land. Mr. Griffith will check into the complaints regarding the Heliport area and clean the area of weeds, debris, etc. Rezoning the Blocks on the south side of 42nd Street will bring the area into compliance with the uses on the properties. These are all ancillary uses to the hospital which is situated to the west of these parcels.

Conclusion: A motion was made by Aguillo to approve and recommend the zone change from R-1A - Single Family Residential to O & P- Office & Professional to the parcels on the south side of 42nd Street only, these parcels are part of Block 2, and Blocks 3, 4, 5, 6, 7, & 8, Rugger Hospital Addition and excluding proposed Block 4 and 5, COPPOM Subdivision, seconded by Estrada to City Council. "YEAS": Zitterkopf, Chadwick, Aguillo, Estrada, and Vandenberg. "NAYS": Huber. ABSTAIN: None. ABSENT: Hutzler, and Weber. Motion carried.

Agenda Item 7D: Preliminary and Final Plat with annexation for Block 4 and Block 5, COPPOM Subdivision was verbally withdrawn by David Griffith, Finance Director for RWMC.

Agenda Item 7E: Review of Blight and Substandard Study area # 7. This study includes several areas some of the areas include are the NW corner of East 27th Street and Highway 26, the Mall area, property south of 27th Street and west of Erwin Street, and the Kmart building area, a map is included showing the complete area. Proposed Development in these areas will allow property owners to improve infrastructure and improve the area overall, updating older and deteriorating buildings and infrastructure. Also, with the area designated as blighted and substandard developers will be able to apply for TIF funds for redevelopment. With TIF funding available there may be more interest in these areas with more buildings being renovated or replaced with new construction. Zoning in these areas includes C-2 – Neighborhood Commercial, C-3, R-1A Residential, and Agricultural. The Planning Commission may make a positive recommendation of this area to be forwarded to the City Council for their review and approval at their next meeting of August 19, 2013.

Dave Schaff, with M.C. Schaff and Associates spoke in favor of the Study, the Study was done by Mike Bacon, an attorney, from Omaha who works with this Tax Increment Financing.

Tim Reganis, property owner, of an area west of the College addressed the Commission and if able to is planning on relocating his business (Reganis Auto) to this new location. Other possible development is a hotel. The TIF funds will be used to develop the streets, water, sewer lines which will improve the area which is vacant at this time. Several others have expressed interest in this property and developing the area.

Conclusion: A motion was made by Huber and seconded by Zitterkopf to make positive recommendation to City Council to approve the Blight and Substandard Study of Area # 7 “YEAS”: Zitterkopf, Huber, Chadwick, Aguillo, and Vandenberge. “NAYS”: Estrada. ABSTAIN: None. ABSENT: Hutzl, and Weber. Motion carried.

There being no further business the Planning Commission with a motion to adjourn made by Estrada and seconded by Huber the meeting was adjourned at 7:25 p.m. “YEAS”: Huber, Aguillo, Estrada, Chadwick, Zitterkopf, and Vandenberge. NAYS: none. ABSENT: Hutzl, and Weber. Motion carried.

Glen Vandenberge, Chairperson

Attest: _____
Annie Urdiales

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports1

Council to accept the resignation of Council Member Boeckner effective September 26, 2013 and direct staff regarding the process to fill the vacancy.

Staff Contact: Rick Kuckkahn, City Manager

September 3, 2013

City Council
City of Scottsbluff

In light of my impending move from this community, I hereby submit my resignation from the Scottsbluff City Council effective September 26, 2013.



David Boeckner

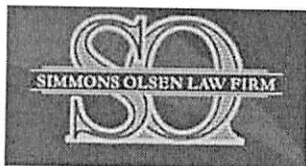
Cindy Dickinson

From: Howard Olsen <HOlsen@simmonsolsen.com>
Sent: Monday, September 09, 2013 11:54 AM
To: Cindy Dickinson
Subject: vacancy

§ 32-568. Cities and villages; vacancy; how filled

- (7) If a vacancy occurs in the office of council member in a city under a city manager plan, a successor council member shall be elected at the next regular city election to serve for the remainder of the term, except that a majority of the remaining members of the council shall appoint a registered voter to serve as council member until the successor is so elected and has qualified. If the council members are elected by ward, the council member elected or appointed to fill the vacancy shall be a registered voter of the ward in which the vacancy exists. If for any reason the seats of a majority of the council become vacant, the Secretary of State shall conduct a special election to fill the vacancies for the unexpired portion of each term. A vacancy in any office to which the council elects shall be filled by the council for the unexpired term.

Howard P. Olsen
Simmons Olsen Law Firm, P.C.
1502 2nd Avenue
Scottsbluff, NE 69361
(308) 632-3811
(308) 635-0907 (Fax)
Email: holsen@simmonsolsen.com
Website: <http://www.simmonsolsen.com>



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City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports2

Council to consider an Economic Development request for LB840 grant funding from Bovidr Laboratories.

Staff Contact: Rick Kuckkahn, City Manager

**City of Scottsbluff
Economic Development Grant Application**

1. Applicant Information:

Business Name: Bovidr Laboratories

Address: 1620 East Overland, Scottsbluff, NE 69361

Applicant Contact: Karyn Turner

Business Phone: (308) 635-4913 Cell Phone: (303) 905-7553 Fax: (308) 635-1134

E-mail address: karyn@bovidr.com

2. Business Information:

Structure of Business (proprietorship, partnership, LLC, corporation, etc.): S-Corporation

Ownership breakdown (include percentages for each Owner):

Karyn Turner – 33%

Beth Barrett – 33%

Michael Turner – 33%

General Description of Business:

Bovidr Laboratories is the agri-business manufacturer of Nutri-Drench and Nutri-Drops animal dietary supplements. Backed by 20 years of research, field trials, and 2 U.S. Patents, Nutri-Drench is a liquid supplement precisely formulated for the special needs of large animals off feed, specifically during times of significant stress in their life cycle. Mirroring the benefits of Nutri-Drench, Bovidr's Nutri-Drops is applied to smaller animals and household pets during similar periods of stress.

Bovidr Laboratories manufactures and bottles both Nutri-Drench and Nutri-Drops in Scottsbluff working in conjunction with LASS Inc., and also located in the Sugar Valley of Nebraska. Depending on demand for the Bovidr product, LASS will utilize its patented processing system to manufacture Bovidr's custom nutritional blend at the LASS manufacturing facility located at Airport Park. Tanks of product are then delivered to the Bovidr East Overland warehouse facility where it is bottled, and made ready for distribution.

Bovidr Laboratories approaches each customer equitably in regards to the size and quantity of the orders they are filling. They may send a single bottle of Nutri-Drops to someone raising a small litter or flock of animals, or they will fill significant orders to one of the many large distributors/retailers currently selling their product such as Tractor Supply and Animal Health International (AHI). Bovidr Laboratories prides itself on serving each customer in the same fashion as the next.

Bovidr's success, and what continues to drive the significant demand for both Nutri-Drench and Nutri-Drops in retail markets, is its uniqueness in the animal supplement industry. Bovidr's products are different in that they completely bypass an animal's digestive system making it similar to an "Oral I.V." More importantly, they offer increased potency in the treatment of the animal during periods of increased stress which increases the animal's chance of success and survival. Because of this singularity in the marketplace, Bovidr laboratories have been profitable 23 out-of-its 24 years of operation.

Beginning in 2010, Bovidr attracted Milk Products, Inc., a subsidiary of Land O' Lakes Inc., who was interested in purchasing the company, and initiated negotiations to do so. As purchasing negotiations commenced, Milk Products Inc. began buying large quantities of Bovidr Inventory in preparation to take over principal sales responsibilities after the sale was concluded. In turn, Karyn Turner began assisting her existing staff in starting their own companies and finding different positions throughout the region. After doing so, negotiations between the two parties broke down, and Bovidr was forced to purchase their inventory back from Milk Products Inc. The collapse of the sale, as well as the subsequent repurchase of inventory produced the loss during the 2011 tax year.

Following the non-sale to Milk Products, Inc., Karyn Turner was the sole-remaining staff person for Bovidr Laboratories, and has continued to keep the business running at an extremely high level. She has done so by continuing to meet the demand of her existing clientele by working extraordinarily long hours, and paying an outside firm to bottle the company's product for her.

During this period, the overall demand for Bovidr's products has increased significantly both in domestic and international sales. In order to meet this increased demand, Bovidr laboratories must increase its workforce primarily in management positions.

Specifically, a position managing the day-to-day operations of the business as a whole is needed, and the company is looking to add a warehouse manager to oversee the bottling and packaging operation as well. An LB840 grant for each position is seen as the vehicle to "kick start" the staffing needs in order to meet the increased demand that has presented itself in the past two years. In doing so, Karyn Turner can re-devote herself to promoting the company and its products with the hope of increasing the company's sales volume and creating new jobs in the process.

Products/Services:

American Products:

Nutri-Drench
Nutri-Drops
Poultry Nutri-Drench
Dairy & Beef Nutri-Drench
Sheep Nutri-Drench
Alpaca & Lamb Nutri-Drench
Rabbit Nutri-Drops
Equine Nutri-Drench

Exported Products:

Equine Charger (General Export)
Swine Vitamin Premix (Canada)
Vacuno Nutri-Drench (Mexico/Cattle)
Cabra Nutri-Drench (Mexico/Goats)
Porcino Nutri-Drench (Mexico/Swine)
Borego Nutri-Drench (Mexico/Sheep)

Goat Nutri-Drench
Equine Nutri-Drench
Swine Nutri-Drench
Pigeon Nutri-Drops

Number of years in Business (or if a new Business, describe Owners experience in this type of business): 24 Years

Proposed Location Address:

Current Zoning Classification:

3. Employment:

Base (current) number of full-time positions: 1

Full-time positions to be created: 2

Salary/Wage Range:

General Manager: \$30,000 per annum
Warehouse Supervisor: \$15.00 per hour

Benefits provided to employees (include any contribution required by Employees):

4. Financial Need:

Total project cost estimate: \$10,000

Breakdown of use of funds: \$5000 per new employee

Date funds are needed: As soon as grant is approved

Investment to be made by Applicant (Amount & Source): N/A

Loan(s) to be obtained (Amount & Bank Name): N/A

LB840 financial assistance amount requested for the Project: \$10,000

****The committee reserves the right to make part of the funds Grant (forgivable loan) and part of the funds Loan, which in non-forgivable and has repayment terms.**

Other Loans/Grants (CDBG, TIF, Re-Use, etc.):

5. Security Available:

Guarantor(s): Karyn Turner

Real Estate: Home

Existing Liens: None

Personal Property: 1991 Ford F-150; 1989 Falcon E-350 Motor Home;
1991 Mercedes Benz 500SL; 1949 Willys Jeepster

Existing Liens: None

Stock / LLC Interests:

Other: Certificates of Deposit – Platte Valley Bank. Credit Union of the Rockies

6. Eligibility:

Principal Source of Income from (circle one):

a. Manufacturing

Statement of how project is consistent with the goals of the Scottsbluff Economic Development Program:

Specifically, Bovidr Laboratories is creating jobs in the community that will require a great deal of training after the positions are filled. Further, with the creation of these positions, coupled with the aforementioned increased production and sales demand, more jobs could be created in the future to grow the business into the future.

Describe any pending legal action(s), to include the amount at risk and a summary of how ownership is reacting to the action(s):

7. Additional Information to be submitted:

- a. Resumes of Owners, Management & Key Employees (include experience, training, credentials & work history).
- b. Brief history of your business and where you see your business going in the next 5 years, with emphasis on the impact to the City of Scottsbluff.
- c. Personal Financial Statement of Guarantors and anyone owning 25% or more of the business. Note: documentation verifying assets and liabilities shall be made available upon request.

Karyn Turner has provided her Personal Tax Returns and a 5 Year Certificate of Deposit to cover the release of her partners Personal Financial Statements

- d. Income statement covering the past 2 years of business operations, if in business for that long. Copies of filed tax returns are acceptable and the most recent year's return must be included.
- e. Business Plan, to include:
 - Total project costs to include itemized use of funds
 - Lender Commitments
 - Investor Commitments
 - Financial projections for the next 3 years.
 - Employment projections for the next 3 years
 - Identification of jobs to be created by description, number, average wage, benefits, etc.
 - Information as to suppliers, and in particular, those in the Gering area
- f. References, to include name, position, address and phone number:

Jerry Green
LASS Inc.
955 East Country Club Road
Gering, NE 69341
(308) 631-0741

Kevin Bennett
MWI Veterinary Supply
P.O. Box 5217
3041 West Pasadena Drive
Boise, ID 83705
(800) 824-3703

Phil Mitchell
University of Nebraska Extension
240580 Lake Minatare Road
Scottsbluff, NE 69361
(308) 672-3007

- g. Any other information that you feel will assist the City in evaluating your Application. Please include any marketing or sales brochures.
- h. With respect to the Business, or any persons owning 25% or more of the business and any officers, indicate if there is any past or pending litigation which either has resulted in or could result in a judgment against the Business or any such person. List the nature of the judgment or pending action, and whether any portion remains unpaid as of this date.

N/A

- i. With respect to any persons owning 25% or more of the business and any officers, indicate any who have been convicted of or plead guilty to any criminal charge or violation of law, excepting minor traffic offenses. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea.
- j. Applicant agrees to sign waiver form provided by the City of Gering for Background and Credit Check.

I certify that the information presented in connection with this Application for Economic Development Assistance is true and correct. Consent is given to the City of Gering to contact references, conduct one or more credit checks, criminal background checks, and to verify the information contained in this Application.

Dated:

By: _____

Title: _____

KARYN TURNER

karyn@bovidrlaboratories.com
1620 East Overland, Scottsbluff, NE 69361
(308) 635-4913
www.bovidr.com

OBJECTIVES

To secure LB840 employment grants for two positions which are being created by Bovidr Laboratories

EXPERIENCE

Bovidr Laboratories

President 1990 – Present

- Manages a \$600,000 annual sales volume
- Conducts all domestic and international marketing for Nutri-Drench, Nutri-Drops, and international labels representing 6 countries in North America and Asia
- Represents Bovidr Laboratories at regional, national, and international trade shows and expositions
- Chief domestic sales representative
- Manages and oversees all administrative duties including packaging, accounting, and shipping

International Sports Kickboxing Association (ISKA)

Commissioner 1985 – 1990

- First female commissioner of any American professional sport
- Unified the major kickboxing promoters from around the United States to strengthen the validity of the ISKA's title bouts
- Secured all ISKA sponsors including the sports first major sponsor in Coors Brewing Company
- Initiated the first "World Championship Belts" for the sport's weight divisions
- Organized "Kick-Start," the first amateur series complete with regulations and ratings for amateur kickboxing athletes
- Published and rated the first "Top 10" in the sport's history
- Named the "Most Outstanding Woman in the History of the Martial Arts" by Black Belt Magazine
- First woman ever nominated to Karate's "Black Belt Hall of Fame"

Superfights, Inc.

President 1981 – 1990

- Successfully promoted Professional Kickboxing's only Pay-Per-View
- Established the "Coors Battle of Champions," 52 one-hour programs on the Score Television Network
- Successfully negotiated the sport's official rules with state athletic commissions in order to promote individual events
- Promoted and broadcast professional kickboxing programming on the ESPN Television Network
- Coordinated television coverage and on-air talent for television broadcasts
- Wrote and drafted all copy used by on-air television talent for television broadcasts
- Managed an independent stable of top professional kickboxing talent
- Established ticket outlets for individual events by utilizing promoters in local markets
- Coordinated travel arrangements, venues, and made matches for individual events

TYPE PERSONAL NAME

Bovidr Laboratories Immediate - Medium Term Strategic Plan

Task	Description	Responsibility	Completion Date
Obtain an LB840 Grant for two positions	Bovidr Laboratories is needing to hire at least two employees to man separate and distinct positions within the home office in Scottsbluff, NE. The two positions should consist of a general office manager, and a warehouse supervisor	Application Preparation: John Stinner Advertising and Interviewing for the Position: Karyn Turner and John Stinner	
Hire a General Office Manager	Office Manager should be able to perform order processing, shipping responsibilities, answer customer contacts and questions, placing advertisements, banking responsibilities, light warehouse duties, and ordering products and equipment	Advertising and Interviewing for the Position: Karyn Turner and John Stinner	
Hire a Warehouse Supervisor	Warehouse Foreman should be able to manage inventory, prepare shipments, transport product, maintain equipment, label products, and light clerical work	Advertising and Interviewing for the Position: Karyn Turner and John Stinner	
Rearrange existing space	The existing space needs to be rearranged for increased inventory and logistical concerns related to bottling, packaging, and shipping efforts	Planning: Karyn Turner and John Stinner Execution: Warehouse Manager	
Increase Inventory to meet specific demands	Currently, inventory is being made to meet specific order demands. This method needs to be changed to have inventory on hand to meet the demands of higher sales volumes more efficiently	Inventory Completion: Warehouse Manager Increasing Demand: Karyn Turner and John Stinner Efficiently Shipping Product: General Office Manager	
Increasing National and International Marketing Presence	Bovidr Laboratories needs to update their current website to better reflect the quality of their product. Additionally, they need to	Marketing Efforts: Karyn Turner, John Stinner, and Lora dePlante	

	establish a social media presence to continually update their customer base about product information, new retail options, etc. Bovidr Laboratories is also going to double down their efforts at trade and livestock shows to build brand awareness. Finally, the brand is going to downsize the numbers of lines of product to Nutri-Drench and Nutri-Drops in order to tighten the customer knowledge of brand		
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The Nutri-Drench™ family of nutritional supplements are the perfect compliment to veterinary care.

WHAT IS NUTRI-DRENCH?

Backed by 20 years of research, field trials, and 2 U.S. patents, *Nutri-Drench™* is a liquid supplement precisely formulated for the special needs of livestock off feed.

ALL SUPPLEMENTS ARE NOT CREATED EQUAL

Feed and supplements normally require 10 to 16 hours for digestion. *Nutri-Drench* does not require digestion. For the first time, an oral supplement links essential nutrients to an energy base that passes through the stomach wall *directly to the bloodstream*.

Now Available New! Alpaca & Llama Nutri-Drench

Nutri-Drench shunts
Glucose (Energy), Vitamins
Minerals, Amino Acids (Protein)...

In The Bloodstream In Minutes!



*Increases in blood glucose are measurable in minutes.
99% Utilization*

SAVING TIME IS SAVING MONEY

Fast response has a big impact on bottom line profit. Livestock off feed results in costly treatment or death loss. Nothing is more important than getting back on feed *fast* by correcting nutritional balance.

Ketosis • Pneumonia • Shipping Stress • Weak Newborns
Scours • Mastitis • Grain Overload
• Exposure to Extreme Weather
Vaccine/Antibiotic Failure • Milk Fever • Disease
Pregnancy Toxemia • Lactation • Reproduction
All benefit from supplemental nutrition.

THE SOLUTION IS SIMPLE

R_x

- ☒ Livestock Off Feed ☐
- ☒ Weak Newborns
- Oral Administration ☐
1 oz./100 lbs. body wt.
- ☒ Repeat as needed ☐

For Emergency Care or as a Regular Nutritional Supplement.

Nutri-Drench contains only natural nutritional ingredients.

No withholding.

Available in a variety of convenient bottle sizes. No refrigeration required.

Each Nutri-Drench product is precisely formulated for the individual special needs of livestock off feed.





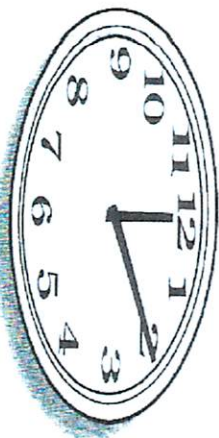
What Is PET Nutri-Drops?

PET NUTRI-DROPS is a natural, liquid supplement containing vitamins, minerals, amino acids, and glucose. These nutrients support metabolic function and restore the immune system. Specially formulated for domestic pets, PET NUTRI-DROPS is totally unique in the marketplace.

All Supplements Are Not Created Equal

Food and supplements normally require 10 to 16 hours for digestion. PET NUTRI-DROPS does not require digestion. For the first time, this amazing patented product is absorbed through the stomach wall directly to the bloodstream.

Field tests verify that PET NUTRI-DROPS can be measured in The Bloodstream In Minutes!



Increases in blood glucose are measurable in minutes.
99% Utilization

Speed Is Important

In a critical, survival situation, there is not much time between stress and death. Additionally, in high performance, show, hunting and working animals, timing is everything. At last, there is an energy source you can depend on exactly when you need it.

**Hypoglycemia • Weak Newborns • No Appetite • Chilling
Diarrhea • Infection • Whelping • Transport
Anxiety • Antibiotic Failure • Show Stress
Injury • Physical Exertion
Nutritional Support Before & Post Injury**

All benefit from supplemental nutrients

The Solution Is Simple

R

✓ Newborns
✓ Dogs
✓ Domestic Pets

Oral Administration
1 cc per 3lbs body wt.
Maximum of one treatment
every 6 to 8 hours.

No refrigeration required.
Do not dilute with food or
water, unless using as a
maintenance supplement.

PET NUTRI-DROPS
is available in 1 oz., 4 oz.,
8 oz. and Quart bottles.

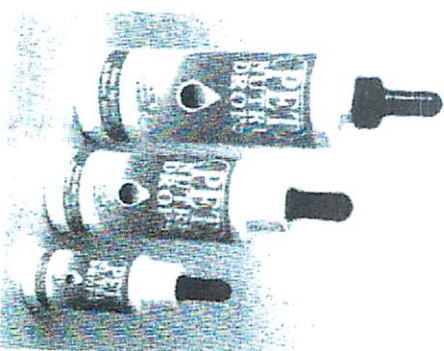
GUARANTEED ANALYSIS:

(in 1 fluid ounce, 30 ml.)

Vitamin A	25,000 IU
Vitamin E	1,000 IU
Zinc	75 IU

INGREDIENTS:

Propylene glycol, Potassium
phosphorus chloride, sulfur
dioxide, sodium chloride,
zinc sulfate, manganese sulfate,
copper sulfate, sodium selenite,
sodium sulfite, sodium borate,
calcium gluconate, dimethyl-
amino polyphosphate, Vitamin A
acetate, Vitamin A Palmitate,
Vitamin D3, Ascorbic acid,
Inositol, Inositol Hexanic, Vitamin
E, Vitamin E succinate,
thiamine, niacin, pyridoxine,
pantoic, choline, cholecalciferol,
lactate, caffeine.



City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports3

Council to acknowledge receipt of the Settlement Agreement for the case of Gonzalez v. City of Scottsbluff.

Staff Contact: Rick Kuckkahn, City Manager



308-632-4136
2525 Circle Drive
Scottsbluff, NE 69361

TO: Cindy Dickinson
City Clerk

FROM: Howard Olsen
City Attorney

DATE: September 11, 2013

RE: Gonzalez Settlement
For attachment to the Agenda materials

This claim arose on July 31, 2009, from a collision between a police vehicle owned by the City of Scottsbluff and the Gonzalez vehicle. As a result of the collision, members of the Gonzalez family were injured.



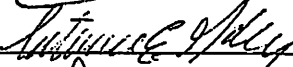
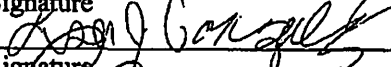
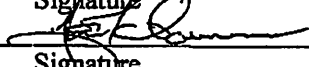
Settlement Agreement

Plaintiffs' counsel's Tax ID # 47-0710342

Case Name: Gonzalez v. City of Scottsbluff

- 1) Defendant to pay \$ 250,000 after the City's approval of the release and stipulation for dismissal but no later than September 19, 2013. The City's check shall be made payable to Plaintiffs and Plaintiffs' attorney.
- 2) If the above sum is not paid this agreement may be made an order of the court.
- 3) There is to be a release with a dismissal with prejudice of any and all claims against Defendant.
- 4) Plaintiffs will indemnify the Defendant and hold it harmless with regard to liens or subrogation claims asserted by any health care insurance carriers and/or providers and Medicaid.
- 5) Special Terms & Conditions:
 - A - Plaintiffs represent that the Medicaid lien is for Michael's past treatment and that no further treatment is anticipated.
 - B- This parties understand that the City must formally approve this settlement and that the Probate Court or Trial Court must approve Michael's settlement.
 - C- This is a settlement of the claims of Saturmino Gonzalez, Lisa Gonzalez and Michael Gonzalez and the Plaintiffs reserve the right to allocate the settlement between them.
 - D- Defendant shall pay Plaintiffs' cost of mediation.

Formal Documents are to be prepared by Defense Counsel within 10 days. This Settlement Agreement was prepared by or at the direction of counsel for the undersigned parties and reviewed by the parties. The parties to this agreement intend to be bound by its terms.

Michael Nolan		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date
James Ellison		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date
Saturmino Gonzalez		Plaintiff	9-3-13
Print Name	Signature	Defendant	Date
Lisa J. Gonzalez		Plaintiff	9-3-13
Print Name	Signature	Defendant	Date
John Sorenson		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date



CONFLICT RESOLUTION SERVICES, INC

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports4

Council to consider the Interlocal Cooperation Agreement with Scotts Bluff County Consolidated Communications Center and authorize the Mayor to execute the agreement.

Staff Contact: Rick Kuckkahn, City Manager

**SCOTTS BLUFF COUNTY CONSOLIDATED
COMMUNICATIONS CENTER
INTERLOCAL COOPERATION AGREEMENT**

WHEREAS, the County of Scotts Bluff provides communication services for political subdivisions within the County through a consolidated communications center; and

WHEREAS, the County of Scotts Bluff agrees to continue providing communications services for political subdivisions with the County, but requires a financial contribution from those political subdivisions for the purchase and acquisition of equipment to operate a consolidated communications center; and

WHEREAS, it is in the best interest of the County of Scotts Bluff to participate in a consolidated communications center with the City of Scottsbluff; and

WHEREAS, it is in the best interest of the City of Scottsbluff to participate in a consolidated communications center with the County; and

WHEREAS, the County of Scotts Bluff and the City of Scottsbluff agree to enter into such an Agreement, pursuant to the terms of the Interlocal Cooperation Act; and

WHEREAS, the County Board of Commissioners of Scotts Bluff County, has reviewed this Agreement and have authorized the Chairman of the Board of Commissioners for Scotts Bluff County, Nebraska to sign this Agreement; and

WHEREAS, the City Council of Scottsbluff, Nebraska has reviewed this Agreement and has authorized the Mayor of the City of Scottsbluff to sign this Agreement; and

IT IS HEREBY MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO THAT:

1. **TERM.** The term of this Agreement shall continue unless terminated as hereinafter provided.
2. **AGENCY DESIGNATION.** The Scotts Bluff County Consolidated Communications Center ("Communications Center") staffed and operated by Scotts Bluff County ("County") agrees to provide communication services to political subdivisions within the County, including the City of Scottsbluff ("City") subject, however, to the terms of this Agreement.
3. **PURPOSE.** The purpose of the Communications Center shall be to provide communications services, at no charge, for Scotts Bluff County, Cities of Scottsbluff,

Gering, Mitchell, Minatare, Terrytown and the Villages of Morrill, Lyman, Henry, McGrew, and Melbeta ("participants") public safety agencies and ambulance and medical services serving Scotts Bluff County, and such other duties as shall from time to time be established by the Advisory Board, provided the participants, including the City, agree to finance, on a pro rata share basis, based upon population, the cost to purchase, acquire and upgrade equipment needed by the County to provide communication services at no charge and as determined by the Advisory Board.

4. **ADVISORY BOARD.** The Communications Center shall be operated by a joint committee. This committee shall be know as the "Scotts Bluff County Consolidated Communications Center Advisory Board" ("Advisory Board"). The governing bodies of Scotts Bluff County, City of Scottsbluff, City of Gering, City of Terrytown, City of Mitchell, City of Minatare and the Village of Morrill may appoint one representative to be a member of the Advisory Board. The remaining entities of the Village of Lyman, Village of Henry, Village of McGrew and the Village of Melbeta may collectively appoint one representative. Each representative shall be entitled to one vote for every 1,000 persons of its population as set forth on the populations chart marked as Exhibit "A" which is attached hereto and incorporated by this reference. Provided, fractional populations over 500 persons will be rounded up to the next 1,000 persons in population.

The representatives on the Advisory Board shall be appointed to one term by their respective governing body. Any representative may be appointed to succeed himself or herself on the Advisory Board for additional terms. Representatives shall serve without compensation, but shall receive reimbursement for actual and necessary expenses paid through the budget of the Communications Center.

The Advisory Board shall elect a chairperson and vice-chairperson from among its representatives. The vice-chairperson shall act in the absence of the chairperson. The Board shall meet at such time and place as specified by call of the chairperson or any four representatives. At least one meeting shall be held quarterly. A majority of appointed representatives shall constitute a quorum to conduct business at any meeting.

5. **ADVISORY BOARD DUTIES.** The Advisory Board shall be responsible for, adopting, maintaining and amending procedures governing the purchase, acquisition and upgrade of equipment to operate the Communications Center, adopting a budget for recommendation to all political subdivisions participating in the Communications Center; and any other things necessary to purchase, acquire and upgrade equipment for the Communications Center and back up system. All actions of the Advisory Board shall require an affirmative vote of the majority of votes when a quorum of the Advisory Board is present.

6. **RATIFICATION OF ACTION OF ADVISORY BOARD.** All actions of the Advisory board shall, with the exception of the budget action and emergency actions, be reported to the Scotts Bluff County Commissioners and all the political subdivisions participating in the Communications Center within seven (7) days. Each participant shall have fifteen (15) days after receipt of such report to formally request it be placed on the agenda of the Scotts Bluff County Commissioners to discuss the actions of the Advisory Board. Failure to formally request being placed on the agenda shall be deemed acceptance of the action.
7. **APPROVAL BY POLITICAL SUBDIVISION, MAJORITY REQUIRED.** Any action of the Advisory Board shall be approved by majority vote.
8. **DIRECTOR, STATUS AND DUTIES.** The County agrees to fund and operate the Communications Center at no cost to the participants. The present Director of the Communications Center and all staff shall be considered employees of the County and shall be subject to the rules and regulations of the County Personnel System and shall be entitled to the benefits of the County Personnel System. The duties and responsibilities of the Director shall include; direction and management of the day-to-day operations of the Communications Center; hiring, replacement or removal of employees subordinate to him/her; attending meetings of the Advisory Board and give them an opinion on any matters submitted to him/her either orally or in writing, as may be required; accounting for all funds received and disbursed by the Communications Center; preparing an annual budget for submission to the Advisory Board and performing such other duties as may be required by the Advisory Board. The Director shall not be the head or employee of any department using the services of the Communications Center.
9. **EMPLOYEES.** Any new employees or replacements shall be hired on a competitive basis, using the County's current hiring policy in force. Employees of the Communications Center shall be subject to the rules and regulations of the County and entitled to the benefits of the County Personnel System.
10. **FISCAL YEAR.** The Communications Center shall adopt a fiscal year budget commencing July 1st and terminating on June 30th of its succeeding year.
11. **CLAIMS.** All claims concerning the purchase, acquisition and upgrade of equipment for the Communications Center and back up system shall be processed by the County as all claims are presently processed and approved or denied, or as the processing may be amended.
12. **BUDGET, ADOPTION.** On or before May 15th of each year, the Advisory Board shall submit a recommended capital expenditures budget for the purchase, acquisition and upgrade of equipment for the Communications Center and back up system to the

governing body of each participant. The governing body of the County shall, prior to September 20th of each year, adopt a complete budget for funding the Communications Center. The County will submit to every participant an audited financial statement which includes only that portion of financial reporting and management recommendations which pertain to the purchase, acquisition and upgrade of equipment for the Communications Center.

The total amount requested will include capital expenditures for the upcoming year. The annual capital expenditure amount would include: communications equipment purchases, upgrades for communications software, licensing and maintenance agreements for all equipment, including the backup system located at the City of Scottsbluff's Public Safety Building. The total amount would be reduced by any grant funding or other outside sources of funding that the Communications Center may receive (see Paragraph 14) and then divided, pro rata, according to the population of each participant.

13. **FINANCIAL PARTICIPATION.** To provide adequate financial support for the purchase, acquisition and upgrade of equipment for the Communications Center, each participant will annually contribute monies. The amount will be determined using a formula based on the latest Federal Census reflecting that participant's percentage of the total County population. Each participant's financial obligation will be due October 1st of each year and unless otherwise agreed will be limited to amounts set forth on the Communications Population Breakdown, attached hereto marked as Exhibit "B" and incorporated by this reference. If a participant objects to their contribution share or fails to budget and contribute monies to the Communications Center, then, notwithstanding paragraph 18. herein, that action will automatically terminate this Agreement as to that participant and any payments made toward the purchase, maintenance and upgrade of the equipment at the Communications Center, to include the backup system, shall be forfeited.
14. **FUNDING AND GRANTS.** To purchase, acquire and upgrade equipment the Communications Center may cooperate with and accept and expend funds from federal, state, or local entities or associations, public or semi-private or private individuals or corporations and may carry out such cooperative undertakings and contracts as long as the same are for the purchase, acquisition and upgrade of equipment. Funds provided by outside sources such as grants monetary donations or monies bequeathed to the Communications Center shall be applied directly to the financial obligation needed for the purchase, acquisition and upgrade of equipment for the Communications Center and used to reduce the required financial contributions for each participant.
15. **ALARMS.** The Communications Center will receive all annual permit fees paid with regard to the County alarm processing equipment systems and shall be responsible

for the administration of the systems maintenance and repairs and upgrading. Scottsbluff and Gering shall receive and retain any false alarm fees charged by them with regard to the alarm system.

16. **SERVICES.** The Communications Center agrees to provide communication services, at no charge, for all Scotts Bluff County, Scottsbluff, Gering, Lyman, Minatare, Mitchell, Morrill, McGrew, Melbeta, Henry, Terrytown and outlying public safety agencies and ambulance and medical services serving Scotts Bluff County, and shall have adequate employees equipped and facilities to efficiently carry out this responsibility at all times. The Communications Center shall handle all after-hours telephone and radio notifications for all the above named entities to include paging, utility service calls and all other official notifications as are necessary for effective operations of those entities.
17. **BACK UP SYSTEM.** The City of Scottsbluff's communications system shall be maintained as a back up system ("back up system"). The back up system equipment shall handle the services of the Communications Center in the event of failure of the main system or evacuation of the Communications Center. From time to time the back up system equipment shall be enhanced and upgraded as necessary to make it capable of performing its function, if required. The funds to provide, maintain, enhance and upgrade the back-up system shall be provided by the Communications Center budget pursuant to this Agreement.
18. **TERMINATION.** Any participant may terminate their participation in this Agreement as of June 30th of any year provided, however, written notice of such termination must be delivered to the other parties not less than one hundred and eighty (180) days prior to the first day of June that year. This procedure shall be in addition to all remedies available by law to all participants in the Communications Center. If any participant terminates its participation in the Communications Center, the County agrees to discharge its obligation to provide communication services to the withdrawing participant, by sending any 911 calls to a telephone number provided by the withdrawing participant. Provided, if the County terminates this Agreement, then the remaining participants shall have the option to provide communication services utilizing the equipment of the Communications Center as well as the equipment purchased pursuant this Agreement.
19. **INTERLOCAL COOPERATION ACT.** Pursuant to the provisions of the Nebraska Interlocal Cooperation Act, and to the extent not specified in this Agreement, the parties further state as follows:

No separate legal or administrative entity will be created pursuant to this Agreement. Existing agents of the respective parties will complete the terms of this Agreement.

The obligations of this Agreement will be financed as may be provided for by law for each of the respective parties.

Termination of this Agreement shall properly occur as provided herein.

The parties acknowledge, stipulate, and agree that this Agreement shall not relieve any public agency of any obligation or responsibility imposed upon it by law.

20. **LIABILITY.** Liability and responsibility for matters relating to the operation of the Communications Center shall be with Scotts Bluff County and Scotts Bluff County agrees to indemnify and hold harmless the other party to this Agreement from any such liability or responsibility. During the term of this Agreement, Scotts Bluff County shall carry commercial general liability and professional liability and errors and omissions insurance coverage for itself and all employees of the communications Center in an amount not less than \$1,000,000 per year. In addition, Scotts Bluff County agrees to maintain such types, kinds and amounts of insurance to protect from the risk of loss for the Communications Center's equipment, software and other property used in providing services under this Agreement. All such policies shall contain a provision requiring the insurance company to notify the City at least thirty (30) days prior to the cancellation or termination of coverage.
21. **SEVERABILITY.** If any of the provisions of this Agreement, or the application thereof, to any person, entity or circumstances, are held to be invalid, such invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or applications, and to this the provision of this Agreement are declared to be severable.
22. **SINKING FUND.** Under current law the County cannot establish such a fund, but would be supportive of legislation to implement such a system. If and when authorized to implement such a system of necessary equipment and/or emergency situations that are related to the operations of the Communications Center. The type and amount of funds to be placed in the sinking fund would be determined at the time it would be implemented by the Advisory Board.
23. **NOTICE.** All notices required or permitted under this Agreement shall be in writing and shall be deemed given when mailed by Certified Mail, Return Receipt Requested, to the parties address as follows:

Scotts Bluff County, Nebraska
County Administration Building
1825 10TH Street
Gering, NE 69341
ATTENTION: County Clerk

City of Scottsbluff, Nebraska
2525 Circle Drive
Scottsbluff, NE 69361
ATTENTION: City Manager

[SIGNATURE PAGE WILL FOLLOW]

City Clerk

ATTEST:

County Clerk

ATTEST:

DATED this _____ day of _____, 2013.

THE COUNTY OF SCOTTS BLUFF,

Chairman - Scotts Bluff County

CITY OF SCOTTSBLUFF,

Mayor

COMMUNICATIONS POPULA'

CITY/VILLAGE	POPULATION	PERCENTAGE
WIKIPEDIA	2010	
City of Scottsbluff	15039	40.7%
City of Gering	8500	23.0%
Scotts Bluff County	8130	22.0%
City of Mitchell	1702	4.60%
City of Terrytown	1198	3.2%
Village of Morrill	921	2.5%
City of Minatare	816	2.2%
Village of Lyman	341	0.92%
Village of Melbeta	112	0.30%
Village of Henry	106	0.29%
Village of McGrew	105	0.29%
Banner County		
TOTALS	36970	100.0%



COMMUNICATIONS POPULATION BREAKDOWN

Budget Years			2013-2014	2013-2014
CITY/VILLAGE	POPULATION	%	Amount Due	Amount Paid
Source: WIKIPEDIA	2010		\$256,627	\$0.00
City of Scottsbluff	15039	41%	\$104,447.18	
City of Gering	8500	23%	\$59,024.21	
Scotts Bluff County	8130	22%	\$56,457.94	
City of Mitchell	1702	5%	\$11,804.84	
City of Terrytown	1198	3%	\$8,212.07	
Village of Morrill	921	3%	\$6,415.68	
City of Minatare	816	2%	\$5,645.80	
Village of Lyman	341	1%	\$2,360.97	
Village of Melbeta	112	3%	\$769.88	
Village of Henry	106	.29%	\$744.22	
Village of McGrew	105	.29%	\$744.22	
TOTALS	36970	100%	\$256,627	\$0.00



City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports5

Council to consider the License Agreement between Regional West Medical Center and the City of Scottsbluff and authorize the Mayor to execute the agreement.

Staff Contact: Rick Kuckkahn, City Manager

**LICENSE AGREEMENT BETWEEN REGIONAL WEST
MEDICAL CENTER, THE CITY OF SCOTTSBLUFF,
NEBRASKA AND SCOTTS BLUFF COUNTY, NEBRASKA**

This License Agreement ("Agreement") dated _____, 2013 is made between Regional West Medical Center, a Nebraska Non-Profit Corporation, ("RWMC"), the City of Scottsbluff, Nebraska, a Municipal Corporation, ("City"), and The County of Scotts Bluff, Nebraska ("County").

WHEREAS, the County operates a Communications Center which provides communications for the City and its inhabitants; and

WHEREAS, the City and the County have discovered a need to enhance its communication services at RWMC; and

WHEREAS, RWMC is willing to allow the County to house repeaters and antennas in order to enhance communication between the City, the County and RWMC; and

WHEREAS, the City, County, and RWMC now formally enter into this Agreement for the housing, installation, maintenance, and operation of repeaters and antennas ("communication equipment") in RWMC for enhanced communications capabilities; and

THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. RWMC grants to the City and the County a non-exclusive right to enter upon real estate owned by RWMC and located at 4021 Avenue B, Scottsbluff, Nebraska ("Real Estate"), for the purpose of locating the uninterruptible power source ("UPS"), two 800 MHZ repeaters and two yagi antennas ("communications equipment"). The purpose of this Agreement is to enhance communications between the City, County and RWMC. This Agreement shall continue for one year from the date of signature hereof but shall automatically extend each year for an additional one year unless terminated according to the terms of this Agreement.
2. RWMC agrees to provide a secure and climate controlled room at the Real Estate wherein the UPS, and two 800 MHZ repeaters will be housed as well as tower space to attach two yagi antennas. RWMC agrees to provide access to the City and County at all times, when required. In addition, RWMC will provide an emergency back-up power in the event the main power would fail. RWMC agrees to provide the main power, back-up power source, room, rack space, and antenna tower space at no cost to the City or County.
3. The County conditionally agrees to relocate its communications equipment to RWMC for placement in order to enhance communications, provided the County

obtains approval from the Federal Communications Commission ("FCC"). The County further agrees to apply to the FCC to re-license the communications equipment in a timely fashion and prior to the relocation. The cost to pay for re-licensing and relocating the communication equipment owned by the County will be allocated between RWMC and the City, with both parties agreeing to pay up to \$5,069.00 to complete the relocation. However, the County agrees to be responsible for the cost to maintain, enhance, upgrade, repair or replace the communications equipment and UPS relocated to RWMC.

4. The City agrees to paying a portion of the costs for moving and re-licensing the communication equipment to RWMC as set forth in paragraph 3.
5. RWMC represents and warrants the use of the communication equipment will not disrupt or interfere with any of the City or County communication activities or RWMC's other communication activities on the Real Estate.
6. The County grants RWMC permission to communicate on the 800 frequencies to the City's fire, police or other law enforcement or emergency activities when appropriate. RWMC now grants permission to the City and the County to communicate on their ultra high frequency ("UHF") radio system when required or appropriate.
7. All parties to this Agreement agree to maintain at all times during the terms of this Agreement, public liability insurance and peril insurance for the communications equipment to insure against claims for personal injury, death or property damage, including damage arising from lightening, occurring in, on or upon the Real Estate. Such insurance shall be at a minimum amount of \$1,000,000.00 for personal injury or death and \$1,000,000.00 for property damage. The City and the County may utilize a Nebraska Intergovernmental Risk Management Pool in lieu of a Nebraska Licensed Insurer to provide the Public Liability Insurance specified in this paragraph. All parties shall name each other as additional insureds.
8. RWMC agrees to pay all utility charges related to the communications equipment. The City and RWMC agree to pay the installation charges as allocated between them as set forth in paragraph 3 herein. The County agrees to pay all maintenance charges, including all enhancements, upgrades, repairs, and replacement of the coax, UPS and communications equipment, in accordance with all applicable building codes and other codes applicable to radio tower installation. In the event the communications equipment must be moved for construction on the Real Estate, the County shall be responsible for the timely removal and relocation of the communications equipment at the County's expense.
9. The City and County shall have a right to access the communication equipment, provided that RWMC shall be notified through its security department prior to

such access. The access shall be granted at any time requested by the City and County.

10. The County shall fully comply with the laws of the United States of America, the Federal Communications Commission and the State of Nebraska. All parties agree that this Agreement is conditional upon the FCC agreeing to the move and a new license being received by the County.
11. This Agreement may be terminated by either party without cause upon giving 180 days written notice to the non-terminating party. Upon termination, the County shall remove all communication equipment placed on the Real Estate.
12. This Agreement may not be altered, changed or amended, except in writing, executed by all parties to this Agreement. This Agreement is non-assignable.
13. All notices required to be given to either party shall be addressed to the parties as follows:

To the City: City of Scottsbluff

2525 Circle Drive

Scottsbluff, NE 69361

ATTENTION: City Manager

To the County: Scotts Bluff County, Nebraska

County Administration Building

1825 10th Street

Gering, NE 69341

ATTENTION: County Clerk

To RWMC: Regional West Medical Center

4021 Avenue B

Scottsbluff, NE 69361

ATTENTION: David Griffiths, CFO, VP of Finance

CITY OF SCOTTSBLUFF,

COUNTY OF SCOTTS BLUFF,

By _____

By _____

REGIONAL WEST MEDICAL CENTER,

By _____
David Griffiths, Vice President

City of Scottsbluff, Nebraska

Monday, September 16, 2013

Regular Meeting

Item Reports6

Council to consider a Memorandum of Understanding (MOU) with the Cities of Gering and Terrytown regarding a Brownfields Assessment Coalition Partnership and authorize the Mayor to sign the MOU.

Staff Contact: Rick Kuckkahn, City Manager

Background

Twin Cities Development has previously applied for EPA (Environmental Protection Agency) Brownfield Assessment Grants to help assess brownfield sites in Gering, Bayard, Scottsbluff, and Mitchell.

The term “brownfield site” means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or the potential presence of a hazardous substance, pollutant, or contaminant. Due to the collective stigma of contamination and other barriers to redevelopment, brownfields remain unproductive while developers resort to greenfields outside cities.

EPA initiated the Brownfields Action Agenda in 1995 to empower states, tribes, local government, communities and other redevelopment stakeholders to work together in addressing brownfields. EPA has since expanded its brownfield programs to reach over 400 cities across the United States. EPA’s efforts have leveraged billions of dollars in funding and investment for these communities.

State, regional and federal staff is recommending the formation of a Brownfield Assessment Coalition Partnership for a community-wide brownfield assessment application in Western Nebraska. Community-wide support increases the possibility of redevelopment of land throughout the region to provide job opportunities to Nebraskans.

This partnership would include the cities of Gering, Scottsbluff and Terrytown for the purpose of qualifying for up to \$400,000 in funding from the U.S. Environmental Protection Agency. If successful, this federal funding will be used to fund professional engineering and technical services needed to assess existing local brownfield sites; and to develop cleanup plans where necessary.

The formalizing of a tri-party “MOU/MOA” as proposed will establish a general framework for inter-local cooperation in carrying out the full scope of redevelopment of the underutilized or vacant sites throughout the community. If funded, the participating Coalition Partners will amend the MOA/MOU to allot the funds for sites within the defined geographic areas of the grant.

Mike Sarchet, project manager at TCD, is the driving force behind the assessments and has solicited and received the backing and help of environmental agencies across the Midwest over the past five years. Sarchet is responsible for getting funds to assess several local sites, speeding up the potential development of those sites to provide jobs. Some site visits using NDEQ (Nebraska Department of Environmental Quality) funds will begin assessments this September.

A successful community-wide partnership could help to get the EPA grant which would help free up buildings, sites and infrastructure to be used to create economic growth and increase quality of life.

MEMORANDUM OF UNDERSTANDING REGARDING A BROWNFIELDS ASSESSMENT COALITION PARTNERSHIP FOR THE ENVIRONMENTAL PROTECTION AGENCY ASSESSMENT GRANT BETWEEN THE CITY OF GERING, THE CITY OF SCOTTSBLUFF AND THE CITY OF TERRYTOWN; PROVIDING AUTHORIZATION FOR THE MAYOR OF GERING TO SIGN AND EXECUTE ANY OR ALL DOCUMENTS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE

This Memorandum of Understanding (“MOU”) is entered into this ____ day of _____, 2013 between the cities of TERRYTOWN, SCOTTSBLUFF and GERING, municipal corporations organized and existing under the laws of the State of NEBRASKA. All parties are collectively referred to as the “Parties” or “Coalition Partners” or “Partners”.

WHEREAS, the Partners include the City of GERING, the City of SCOTTSBLUFF, and the City of TERRYTOWN, NEBRASKA; and

WHEREAS, each of the Parties has determined that it is in the best interests of the residents of the Parties’ respective jurisdictions that they enter into this MOU to form a Brownfield Assessment Coalition Partnership; and

WHEREAS, the purpose of this MOU is to set forth the general intentions of the Parties regarding the EPA Brownfields Assessment Grant Program.

NOW THEREFORE, the Parties do hereby agree as follows:

Section 1 - General Terms: The Coalition Partners heretofore set forth the following format in order to further the mutual goal for assessing brownfields:

- a. The City of Gering shall apply for the Grant.
- b. During the application process, the partners should create a prioritized list of sites to be assessed to determine where funds are to be used if the Grant is awarded. If the grant is awarded, parties may each enter into sub-recipient agreements with the City of Gering defining the roles of the cities in the process and the proportion of funds needed in each city to assess local sites.
- c. Activities funded through the agreement may include inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to Brownfield sites, outreach materials and implementation, and other eligible activities. The Partners may retain consultant(s) and contractor(s) to undertake various activities in accordance with the cooperative agreement. The city of Gering or its designee is responsible for overseeing the work.
- d. Unless otherwise agreed upon in a sub-recipient agreement, it will be the responsibility of each Partner to obtain all required permits, easements, and access agreements as may be necessary to undertake assessments at the selected site. If Partner does not have the capacity to perform these activities, the City of Gering may assist in securing necessary site access agreements and permits.
- e. The Partners will work to develop a site selection process based on agreed-upon factors and will ensure that a minimum of five sites are assessed over the life of this MOU. Selected sites will be submitted to EPA for prior approval to ensure eligibility.
- f. The City of Gering shall have responsibility for ensuring that the other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon. Gering may retain a consultant to supervise the grant.

Section 2 – Default/Termination: In the event the Coalition Partner(s) fails to comply with any of the provisions of this MOU, the City of Gering may terminate this MOU for cause by first notifying the Partner(s) in writing, specifying the nature of the default and providing the Partner(s) with a reasonable period of time in which to rectify such default. In the event the default is not cured within the time period given, the City of Gering thereafter may terminate this MOU upon written notice to the Partner(s) without

prejudice to the City of Gering. Any Party may withdraw from this MOU by providing a 60 days written notice to the other Parties, but will still be bound by the terms of any sub-recipient agreement executed by such withdrawing party.

Section 3 - Third Party Beneficiaries: This MOU does not create any relationship with, or any rights in favor of, any third party.

Section 4 – Severability: If any provision of this MOU is declared void by a court of law, all other provisions will remain in full force and effect.

Section 5 - Non Waiver: The failure of any party to exercise any right in this MOU shall not be considered a waiver of such right.

Section 6 - Governing Law and Venue: This MOU is governed in accordance with the laws of the State of Nebraska. Venue shall be in Scotts Bluff County, Nebraska.

Section 7 - Sovereign Immunity: Nothing in this MOU shall be interpreted as a waiver of the any partner's sovereign immunity.

Section 8 – Amendments: The parties may amend this MOU only by mutual written agreement of all three (3) parties.

Section 9 - Captions and Section Headings: Captions and section headings used herein are for convenience only and shall not be used in construing this MOU.

Section 10 – Construction: This MOU shall not be construed more strictly against one Party than against the other merely by virtue of the fact that it may have been prepared by one of the Parties. It is recognized that each Party has contributed to the preparation or execution of this MOU.

Section 11 – Notice: Except as otherwise provided herein, all notices and other communications provided for hereunder shall be in writing and sent by certified mail return receipt requested, or by hand delivery, and shall be deemed effective if mailed, when deposited in a United States Postal Service mailbox with postage prepaid or if hand delivered, when personally handed to the Party to whom the notice or other communication is addressed, with signed proof of delivery. Notices required or permitted under this MOU shall be delivered to:

CITY OF GERING: City of Gering Government Administration Office
1025 P Street, Gering, NE 69341
CONTACT PERSON: Edwin Mayo, Mayor
PHONE: (308) 436-5096
EMAIL: mayormayo@gering.org

CITY PARTNER: City of Terrytown
116 Terry Blvd, Gering NE 69341
CONTACT PERSON: Kent Greenwalt, Mayor
PHONE: (308) 632-7212
E-MAIL: kgb2@embarqmail.com

CITY PARTNER: City of Scottsbluff
2525 Circle Drive, Scottsbluff, NE 69361
CONTACT PERSON: Randy Meininger, Mayor
PHONE: (308) 630-6221
EMAIL: kindy@actcom.net

Section 12 - Recording of Agreement: The City of Gering, upon execution of this MOU by all parties, shall record this MOU in the public records of City of Gering.

Section 13 - Entire Agreement: This MOU supersedes all prior written or oral agreements, understandings, or representations relating to the Brownfields Assessment Grant Program.

PASSED AND DULY ADOPTED by

ATTEST:

GERING MAYOR

SCOTTSBLUFF MAYOR

CITY OF TERRYTOWN MAYOR