

CITY OF SCOTTSBLUFF
City of Scottsbluff Council Chambers
2525 Circle Drive, Scottsbluff, NE
CITY COUNCIL AGENDA

Regular Meeting
October 21, 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. New Council Member Oath of Office:
 - a) Announcement of Mark McCarthy, qualified to be seated as a member of the City Council and pledge of Oath of Office and acknowledgement that the appropriate bond is in process.
 - b) Newly elected Council member is seated.
7. Consent Calendar:
 - a) Approve the minutes of the October 7, 2013 Regular Meeting.
 - b) Council to approve the City Manager's appointment of Mark Westphal to the Planning Commission.
8. Claims:
 - a) Regular claims
 - b) Request for payment of outstanding warrant principal and interest at First State Bank and approve the Resolution.
9. Public Hearings:
 - a) Council to conduct a public hearing scheduled for this date at 6:05 p.m., for a class C liquor license application for Valley Bowl dba Valley Bowl Fun Center.
 - b) Council to consider appointing Marlin Duncan as the manager of the Valley Bowl Fun Center.
10. Petitions, Communications, Public Input:
 - a) Council to consider a claim from Jim Graff in the amount of \$850.00 for alley maintenance of the 1700 Block of Ave. E.

11. Bids & Awards:
 - a) Award bid for warrants based on quotes for interest rates for period 10-22-13 through 9-30-14.
12. Reports from Staff, Boards & Commissions:
 - a) New Council Member Oath of Office:
 - i) Announcement of Mark McCarthy, qualified to be seated as a member of the City Council and pledge of Oath of Office and acknowledgement that the appropriate bond is in process.
 - ii) Newly elected Council member is seated.
 - b) Council to consider Council appointments to the following Boards:
 - i) Scottsbluff Drain Operating Committee
 - ii) Resource, Conservation & Development Board
 - iii) Riverside Discovery Center Board
 - iv) Discussion and instructions to staff regarding Council Member representation on the LARM Board.
 - c) Council to consider a change of location for the Silver Saddle Lounge Class C liquor license to 1901 – B 21st Ave.
 - d) Council to consider a new manager application for Brett Armstrong for the Elks BPO Lodge 1367 liquor license located at 1614 1st Ave., Scottsbluff.
 - e) Council to receive a recommendation from the Scottsbluff Drain Board for the purchase of property to eliminate liability and provide for future improvements to the Scottsbluff Drain.
 - f) Council to consider the revised contract with City Manager Rick Kuckkahn and authorize the Mayor to execute the contract.
 - g) Council to accept the resignation of Council Member Deibert effective November 8, 2013 and direct staff regarding the process to fill the vacancy.
13. Executive Session
 - a) Council reserves the right to enter into closed session if deemed necessary if the item is on the agenda.
14. Public Comments: The purpose of this agenda item is to allow for public comment of items for potential discussion at a future Council Meeting. Comments brought to the Council are for information only. The Council will not take any action on the item except for referring it to staff to address or placement on a future Council Agenda. This comment period will be limited to three (3) minutes per person
15. Council reports (informational only):
16. Scottsbluff Youth Council Representative report (informational only):
17. Adjournment.

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Oath1

Announcement of Mark McCarthy, qualified to be seated as a member of the City Council and pledge of Oath of Office and acknowledgement that the appropriate bond is in process.

Staff Contact:

City of Scottsbluff, Nebraska
Monday, October 21, 2013
Regular Meeting

Item Oath2

Newly elected Council member is seated.

Staff Contact:

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Consent1

Approve the minutes of the October 7, 2013 Regular Meeting.

Staff Contact: Cindy Dickinson

The Scottsbluff City Council met in a regular meeting on Monday, October 7, 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 October 4, 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 October 4, 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: 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 Deibert, seconded by Council Member Gonzales, that:

1. "The minutes of the September 16, 2013 Regular Meeting be approved,"
2. "The minutes of the September 30, 2013 Regular Meeting be approved,"
3. "The City Manager's appointment of Marla Marx to the Fair Housing Commission be approved,"
4. "A Public Hearing be set for October 21, 2013, 6:05 p.m., for a Class C liquor license application for Valley Bowl LLC dba Valley Bowl Fun Center,"
5. "A Request for Statements of Qualifications and Bid Proposals be approved for a Landscape Master Plan for the Downtown Business District and authorize the City Clerk to advertise for bids to be received by 2:00 p.m. November 4, 2013,"
6. "Specifications for the purchase of one, new, six-wheel sweeper be approved and authorize the City Clerk to advertise for bids to be received by 11:00 a.m. October 28, 2013,"
7. "Bid specifications be approved for the purchase of a Shredder for use in composting the City's biosolids, grass clippings and yard waste, and authorize the City Clerk to advertise for bids to be received on Tuesday, October 29, 2013 at 11:00 a.m.,"
8. "Bid specifications be approved for the purchase of a Compost Windrow Turner for use in

composting the City's biosolids, grass clippings and yard waste, and authorize the City Clerk to advertise for bids to be received on Tuesday, October 29, 2013 at 11:00 a.m.,"

9. "Bid specifications be approved for the purchase of a Mobile Star Screen for use in composting the City's biosolids, grass clippings and yard waste, and authorize the City Clerk to advertise for bids to be received on Tuesday, October 29, 2013 at 11:00 a.m.," "YEAS" "Gonzales, Deibert, Shaver 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 October 7, 2013, as on file with the City Clerk and submitted to the City Council," "YEAS", Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

CLAIMS

PAYROLL \$56,522.50 W/H; REGIONAL CARE \$51,900.49 INS CLAIMS; WELLS FARGO \$26,478.97 RETIREMENT; PVNB-HEALTH SAVINGS \$11,975.96 EMP DED; STATE OF NE \$30,600.91 PAYROLL TAX; NEBRASKA CHILD SUPPORT PAYMENT CENTER \$2,217.16; KRISTINE ACKER \$102.03 REFUND; ACTION COMM \$5,069.00 REPEATERS RWMC; ADVANCED AUTO PARTS \$19.98 PARTS; ADVERTISING SPECIALTIES INK. \$6.00 UNIFORM; AHLERS BAKING \$43.96 TRNG; AIRGAS USA, LLC \$190.75 SUPP; ALAMAR UNIFORMS \$3,141.21 UNIFORMS; ALLO COMMUNICATIONS \$4,673.57 PHONE; AMAZON.COM HDQRTRS \$3,369.77 BOOKS; ANDERSON CONSULT ENG \$2,029.00 CONTRACTUAL; AULICK IND TRUCK & TRAILER \$2,664.57 PARTS; BAKER & ASSOC \$2,187.50 CONTRACTUAL; BAKER & TAYLOR \$92.42 BOOKS; BEEHIVE INDUSTRIES,LLC \$25,300.00 TECH ASST MAINT; BENZEL PEST CONTROL \$145.00 PEST CONT; BLUFFS SAN SUPPLY \$1,031.92 SUPP; FARM PLAN \$41.98 UNIFORMS; BROWN SHOE FIT CO \$143.99 UNIFORMS; WILMA BUCHHAMMER \$92.96 REFUND; BUD'S RADIATOR SHOP \$138.10 REPAIR; C & C VENTURES LLC \$18.49 REFUND; CHRIS CALVERT \$1,380.00 TRNG; APRIL M CAMARILLO \$12.18 REFUND; CAPITAL BUSINESS SYST \$136.40 MAINT; CENTURY LUMBER CENTER \$12.58 SUPP; CITY OF GERING \$12.00 CONTRACTUAL; COLONIAL LIFE \$48.70 INS; CONTRACTORS MAT \$141.46 SUPP; CREATIVE SIGNS BY COZAD \$3,158.00 GRANT; CREDIT MANAGEMENT SERVICES INC \$203.42 WAGE ATTACH; MARGO CRESS \$66.08 REFUND; CULLIGAN \$16.20 MAINT; DALES TIRE & RETREAD \$141.23 TIRE DISP; DANKO EMERGENCY EQUIP CO \$1,528.00 PARTS; ANA DOMINGUEZ \$31.27 REFUND; ED ROEHR SAFETY PRODUCTS \$1,719.23 SUPP; EMERGENCY APPARATUS MAINT INC \$2,407.29 TESTING; JERRY FERTIG \$9.39 REFUND; FIRST STATE BANK \$5,902.25 INTEREST; FIRST WIRELESS, INC \$6,186.83 MAINT; FLOYDS SALES & SERV \$189,999.00 REFUSE TRUCK; FRANK IMP \$500.24 PARTS; RYAN FRIES \$31.27 RFUND; COREY FULLER \$1,380.00 TRNG; THE GALLERY COLLECTION \$244.87 SUPP; GOLD WATCH LLC \$1,500.00 CONTRACTUAL; THE GREENKEEPER \$4,186.82 SUPP; HEILBRUN FARM IND SUPP \$90.50 SUPP; HEWLETT PACKARD ED \$2,859.50 SUPPORT; HI TECH AUTO \$362.16 REPAIRS; HOME DEPOT CREDIT SERVICES \$41.47 SUPP; EVERGREEN PROPERTIES \$390.00 MAINT; HENRY HUBER \$7.57 REFUND; HULLINGER GLASS & LOCKS \$185.00 MAINT; HWM \$425.00 MAINT; ICMA RETIREMENT TRUST \$1,106.94 RETIRE; IDEAL LINEN \$237.16 SUPP; IND PLMBG & HTG \$139.37 SUPP; INFINITE GRAPHICS \$238.90 SUPP; INTRALINKS \$6,272.96 EQUIP; ISG INFRASYS \$45.00 PARTS; J & A TRAFFIC PRODUCTS \$1,094.40 SUPP; JACK'S UNIFORM & EQUIPMENT \$46.26 SUPP; JIRDON AGRI CHEM \$20.68 PARTS; KIMBALL MIDWEST \$474.44 SUPP; SAM KLASSERT \$390.25 INSPECTIONS; KRIZ DAVIS \$39.80 SUPP; DON KRUG \$6.97 REFUND; SARAH KRUMENACKER \$62.54 REFUND; LEAGUE OF NE MUNICIPALIT \$345.00 CONF FEE; MIRANDA LENHARDT \$31.27 REFUND; KEVIN LINN \$102.03 REFUND; MARIES EMBROIDERY \$6.00 UNIFORMS; BRYAN MARTINEZ \$1,380.00

TRNG; MATHESON TRI-GAS INC \$54.85 SUPP; STEVE & SHERYL MCLEAN \$6.97 REFUND; MENARDS \$583.93 SUPP; MES - MIDAM \$3,319.41 SUPP; MIKES STORE \$100.00 AWARDS; MIRACLE REC EQUIP \$945.93 PARTS; MONEY WISE OFFICE SUPPLIES \$929.88 SUPP; THE MOWER SHOP \$60.00 MAINT; MURDOCHS RANCH & HOME SUPPLY \$414.53 PARTS; NAT'L FIRE PROTECTION \$165.00 MBERSHP; NATL LEAGUE OF CITIES \$1,489.00 MBERSHP; THOMAS NATION \$26.02 REFUND; NE DEPT OF REV \$345.40 TAX; NE DEPT OF ROADS \$100,499.88 RD CONSTRUCTION; STATE OF NE \$315.00 TESTING; NE LAW ENF TRAINING CNTR \$150.00 CERT FEE; NEBR MACHINERY \$2,472.46 PARTS; NEBRASKA ONLINE \$6.00 DRIVERS LIC; NE SAFETY & FIRE EQUIP \$275.00 MAINT INSP; NEBR ENVIRONMENTAL PRODUCTS \$163.78 PARTS; NW PIPE FITTINGS \$709.92 SUPP; NPPD \$76,086.57 ELECT; OCLC \$291.82 SUPP; UPSTART ENTERPRISES, LLC \$681.38 SUPP; ONE CALL CONCEPTS \$127.55 LOCATES; OREGON TRAIL PLBG & HTG \$105.00 REPAIRS; PAGE MY CELL \$725.00 PAGING SERV; PANHANDLE LIBRARY SYSTEM \$15.50 MAINT; PEACEFUL PRAIRIE NURSERY, INC \$120.00 SUPP; PERMA-BOUND \$22.20 BOOKS; LEE PINET \$196.00 BUS TRVL; PIONEER TINT & CLEAR BRA \$35.70 REFUND; PLATTE VALLEY NATL BANK \$43,639.50 LOAN PMT; MARTIN POLA \$26.98 REFUND; POSTMASTER \$609.78 POSTAGE; PRINT BROKER \$178.51 SUPP; PRINT EXPRESS \$618.50 SUPP; PRO DOOR SERVICE \$1,141.50 REPAIRS; PRO TIRE \$62.65 REPAIRS; PROJECT HARMONY \$75.00 TRNG; INDEPENDENCE MOTEL PROP \$77.00 TRNG; RCI \$38,699.12 HEALTH INS; JILL REAM \$85.59 REFUND; KEVEN RECTOR \$31.27 REFUND; JIM REEVES \$3.06 REFUND; REGISTER OF DEEDS \$70.00 RECORDING; WY FIRST AID/SAFETY \$70.51 SUPP; RIVERSIDE DISCOVERY CENTER \$87,500.00 QRT PMT; JOSEPH ROHRER \$294.00 BUS TRVL; ROOSEVELT PP DIST \$1,909.61 UTILITY; SMEC \$261.50 UNITED WAY; SANDBERG IMPLEMENT \$1,977.51 RPAIRS; SCOTTSBLUFF BODY & PAINT \$52.00 MAINT; SCB FIREFIGHTERS UNION LOCAL 1 \$195.00 DUES; SCB POLICE OFFICERS ASS'N \$396.00 DUES; SCB SCREENPRINTING \$576.00 SUPP; MC SCHAFF \$10,862.50 CONTRACTUAL; ERIC SCHULZ \$27.67 REFUND; JAYCEES SENIOR CENTER \$5,750.00 QRT PMT; SHERIFFS OFFICE \$424.74 PAPERS SERVED; SIMON CONTRACTORS \$4,935.00 MAINT; SKILES INDUSTRIES, INC \$60,000.00 GRANT; SLAFTER OIL \$183.60 MAINT; SNELL SERVICES \$155.00 MAINT; KN ENERGY \$626.62 FUEL; SOUTHERN LAMP SUPPLY \$234.00 SUPP; STAPLES \$423.03 SUPP; STAR HERALD \$27.10 PUB NOTICE; STATE OF NE.DEPT.OF LABOR \$36.00 INSPECT; STATE OF NE \$115.26 PHONE; TETRA TECH, INC \$4,883.43 CONTRACTUAL; THOMPSON GLASS \$97.18 REPAIRS; TM BOOKS \$1,025.80 BOOKS; TOTAL FUNDS BY HASLER \$1,000.00 POSTAGE; TOYOTA FINANCIAL SVCS \$383.99 LEASE; TRIM LINE MFG INC. \$67.50 MAINT; TWIN CITY DEV ASSN \$6,085.00 GRANT; TYLER TECHNOLOGIES, INC \$9,207.88 IT SUPPORT; UNITED CHAMBER OF COMMERCE \$100.00 MEALS; US BANK-CPS \$1,257.01 BUS TRVL; DIANE VANDENBERGE \$11.91 REFUND; VERIZON WIRELESS \$822.45 PHONE; VIAERO WIRELESS \$36.21 LOCATES; SKYBEAM \$16.00 INTERNET; VOGEL PAINT \$311.19 SUPP; WALMART \$2,722.60 SUPP; WATCHGUARD VIDEO \$12,060.00 UPGRADE; MARY ANN ZEILER \$16.49 REFUND.

Council reviewed the August 2013 Financial Report, there were no comments from Council.

City Manager Kuckkahn informed the Council that residents of the Sheldon Heights neighborhood had some concerns regarding the recent designation of their neighborhood as a Blight and Substandard area. Mr. Larry McCaslin, 2501 Addison Ave. addressed the Council as a representative of the Sheldon Heights neighborhood. He noted that when the Blight and Substandard area was voted on by the Council, the vote was not unanimous, but rather a 3 yes; 1 no and 1 abstention vote. He handed out a letter with a number of questions regarding the Blight and Substandard designation. He said many people in the neighborhood are concerned about the impact of this designation and what the benefits or detriments are with regards to this designation. He added that during this process he has heard that it is a

privilege to have this designation placed on their neighborhood, but he wondered what improvements would be available to the residents. He cited a number of grant and development options, none of which would be available for their neighborhood to pave their street without a significant contribution from the property owners. He added that the reason the developer needed this neighborhood added in, was for the commercial development to qualify for the Tax Increment Financing (TIF). However, Sheldon Heights is close to the maximum of their tax value, leaving very little incremental value for improvements.

Mr. Kuckkahn explained that this blight and substandard study was viewed as an opportunity to help the neighborhood and surrounding area. Mr. McCaslin added that they would like to share in the benefit of the TIF funding with the developer. The estimate for paving their neighborhood street is \$680,000 which is \$17,000 - \$51,000 per resident.

Mr. John Schafer, a resident of Sheldon Heights for 28 years, also addressed the Council. He understood that the proposed Commercial Development would not qualify for TIF without adding in their residential area. He feels that the neighborhood and real estate market of their area has been negatively impacted by this designation.

Mr. Kuckkahn stated that he would research this project to see if the residential was indeed required for the commercial development to qualify for the TIF funding.

Mr. Schafer also commented that he was unaware of this process of blighting his neighborhood and questioned the integrity of the city and developer. He expressed his disappointment in the way the study was handled. Mr. Kuckkahn explained that notifications are handled the same for all developments, using the process that is legally required. Any additional notifications are done by the private developer. He apologized for not having additional notifications, but that is not a requirement listed in the State Statute.

Mayor Meininger referred this issue back to staff to answer the questions presented by the residents of Sheldon Heights.

Regarding the Liquor License Manager License for Applebees, Margaret Stine, Manager for Applebees, was unable to attend the meeting as she lives in eastern Nebraska and manages a number of stores throughout Nebraska. Captain Brian Wasson spoke for Chief Spencer who had interviewed Ms. Stine by phone. There are no issues regarding her ability to manage the Applebees liquor license. The company procedures regarding alcohol server training are exceptional including policies for non-compliance. If there is an incident, the employee is terminated and the entire staff is retrained. Mayor Meininger explained that Council has requested that applicants appear in person before being recommended as a liquor license manager. Moved by Mayor Meininger, seconded by Council Member Deibert, "to table the new manager application for Margaret Stine for the Applebee's liquor license located at 2621 5th Ave., Scottsbluff, until the Manager can appear before the Council," "YEAS", Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Council introduced Ordinance No. 4114 which was read by title on second reading: **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.**

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

Moved by Council Member Deibert, seconded by Mayor Meininger, "That Ordinance No. 4114 be adopted," "YEAS", Boeckner, Deibert, Gonzales, and Shaver. "NAYS" None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to remove from the table, the final plat of Lot 1, Block 2, Windbreak Subdivision and Resolution," "YEAS", Deibert, Gonzales, Shaver, and Meininger "NAYS": none. Absent: None. The motion carried having been approved by three-fourths of the Council Members.

Moved by Mayor Meininger, seconded by Council Member Deibert, to approve the final plat of Lot 1, Block 2, Windbreak Subdivision and approve Resolution No. 13-10-1, "YEAS", Deibert, Gonzales, Shaver, and Meininger "NAYS": none. Absent: None.

RESOLUTION 13-10-1

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 7th day of October, 2013.

Mayor

ATTEST:

City Clerk (Seal)

Moved by Mayor Meininger, seconded by Council Member Gonzales, “to remove from the table, the annexation request for proposed Lot 1, Block 2, Windbreak subdivision, and consider the Resolution,” “YEAS”, Deibert, Gonzales, Shaver, and Meininger “NAYS”: none. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Deibert, “to approve an annexation request for proposed Lot 1, Block 2, Windbreak Subdivision, City of Scottsbluff, Scotts Bluff, County and approve Resolution No. 13-10-2,” “YEAS”, Deibert, Gonzales, Shaver, and Meininger “NAYS”: none. Absent: None.

Resolution No. 13-10-2

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 7th day of October, 2013.

Mayor

ATTEST:

City Clerk (Seal)

City Manager Kuckkahn discussed the option of purchasing a 20 foot easement from the land owned by Floyd's Trucking to be used as part of the pathway system next to the river. This would help complete the pathway master plan. Council Member Shaver said he is not interested in purchasing the property, but would like to know if the owners would want to donate the land. Staff will talk with the owners regarding this property.

Mr. Kuckkahn presented a Memorandum of Understanding with the Nebraska State Patrol for Council approval. Moved by Council Member Gonzales, seconded by Council Member Deibert, "to approve the Memorandum of Understanding with the Nebraska Hazardous Devices Technicians Governing Group and ratify the Mayor's signature," "YEAS", Deibert, Gonzales, Shaver, and Meininger "NAYS": none. Absent: None.

Regarding the election of a new Council Member to fill a vacant position, Mayor Meininger made a motion to adjourn to executive session to protect the reputation of the candidates to include the City Council and City Attorney. Maunette Loeks, Star Herald, approached the Council and cited the section of the Open Meetings Act that says "nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body." She added, that her research showed that Council could go into executive session if an issue does arise, not if it might arise. The motion made by Mayor Meininger to adjourn to executive session at 7:10 p.m. to protect the reputation of the candidates, to include City Council and the City Attorney was seconded by Council Member Gonzales, "YEAS", Deibert, Gonzales, and Meininger "NAYS": Shaver. Absent: None.

After adjourning to Executive Session, City Attorney Olsen consulted with Ms. Loeks and reviewed the State Statute dealing with the Open Meetings Act and advised Council to return to Open Session. During their discussion, they may need to adjourn to executive session, if a situation arises that

they need to protect the candidate's reputation. Moved by Mayor Meininger, seconded by Council Member Deibert, "to reconvene in Open Session to discuss and vote on the candidates who have applied to fill the unexpired term of Dave Boeckner," "YEAS", Deibert, Gonzales, Shaver, and Meininger "NAYS": none. Absent: None.

Mayor Meininger expressed his appreciation of the four qualified candidates who have submitted their letters of interests to fill this vacancy. All four are passionate about our community and are interested in making a difference. The Council then discussed the strengths of the candidates. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to elect Mark McCarthy to fill the vacant City Council seat," "YEAS", Gonzales, and Meininger "NAYS": Shaver, Deibert. Absent: None. Motion did not pass.

Council then addressed the need to discuss weaknesses of some of the candidates, however, didn't feel they could do that without going into executive session. Pete Marez, candidate, approached the Council and explained that he was fine with him if the Council needed to discuss anything as it may relate to him and his reputation, in Open Session.

Moved by Council Member Shaver, "to elect Pete Marez to fill the vacant City Council seat," the motion died due to no second.

Moved by Council Member Deibert, "to elect Mark McCarthy to fill the vacant City Council seat," "YEAS", Deibert, Gonzales, and Meininger "NAYS": Shaver. Absent: None.

Mr. McCarthy will be sworn in at the October 21, 2013 Council Meeting.

Under the Public Comment section, Mr. Dennis Dinnel approached the Council regarding the continual lack of maintenance of alleys in his neighborhood. Staff will investigate this situation.

Captain Brian Wasson introduced Captain Tony Straub who has recently been appointed to his new position. He has been with the Police Department for 16 years. Council welcomed Captain Straub to his new appointment.

Mayor Meininger reminded everyone to sign up for the Fall Frolic at WNCC. Council Member Gonzales visited with Linda Meininger about the Youth Council. She will try to get the Student Council involved to discuss youth issues with the City Council.

Moved by Council Member Deibert, seconded by Council Member Gonzales, "to adjourn the meeting at 7:30 p.m.," "YEAS", Deibert, Gonzales, Shaver and Meininger "NAYS": None. Absent: None.

Mayor

ATTEST:

City Clerk

"SEAL"

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Consent2

Council to approve the City Manager's appointment of Mark Westphal to the Planning Commission.

Staff Contact: Rick Kuckkahn, City Manager

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Claims1

Regular claims

Staff Contact:

CLAIMS

October 21, 2013

Pay Period
9/23/13 - 10/6/13

Federal Withholding	EE	\$ 23,862.88		EE			
FICA	EE	\$ 12,523.51	ER	\$ 12,523.51	EE	ER	
Medicare	EE	\$ 3,375.76	ER	\$ 3,375.76	EE	ER	
							Total \$ 55,661.42
<u>Regional Care Inc. (RCI)</u>	\$	592.90	(Oct 8, 2013)		Flex Benefit plan		
	\$	713,163.61	(Oct 10, 2013)		Medical Claims Expense		
	\$	22,148.23	(Oct 11, 2013)		Medical Claims Expense		
	\$	192.40	(Oct 15, 2013)		Flex Benefit plan		
	\$	57,082.66	(Oct 18, 2013)		Medical Claims Expense		
							Total \$ 793,179.80
<u>Wells Fargo (retirement)</u>							
General Retirement	\$	13,170.34					
Fire Retirement	\$	6,046.33					
Police Retirement	\$	7,937.26					
							Total \$ 27,153.93
<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	10/18/2013	\$ 28,434.59				
State Payroll W/H	Paid						Total \$ 28,434.59

City of Scottsbluff

City Council Claims for October 21, 2013

3M CENTER-TRAFFIC CONTROL - \$190.40

TRANSPORTATION	TRANSPORTATION	1 EA ROLL WHITE PAVE. TAPE/ ADHESIVE/TRA	\$190.40
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911 CUSTOM - \$796.99

PUBLIC SAFETY	POLICE	SIREN/CONTROL CENTER/CIP-1	\$796.99
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LEXISNEXIS RISK DATA MANAGMENT INC - \$100.00

GENERAL	POLICE	1 EA SEP 13/INV# 1610881-20130930	\$100.00
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AE SERVICES,LLC - \$196.42

GENERAL	FINANCE	INSTALL ELECTRICAL OUTLET IN CSC OFFICE	\$196.42
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AIRGAS USA, LLC - \$4,829.34

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA NEW WELDER/OTHER MISC	\$4,829.34
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ALAMAR UNIFORMS - \$307.67

GENERAL	POLICE	1 EA UNIFORMS/INV# 427748	\$307.67
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ALAMAR UNIFORMS - \$2,196.98

GENERAL	FIRE	1 EA UNIFORMS	\$2,196.98
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ALAMAR UNIFORMS - \$188.98

GENERAL	POLICE	1 EA ENCUMBERED PO	\$188.98
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AM WATER WORKS ASSOC INC - \$180.00

WATER	WATER	1 EA AWWA CONFERENCE-STEVE SCHANAMAN/WA	\$90.00
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WASTEWATER	WASTEWATER	1 EA NWEA CONFERENCE-LYNN GARTON/WW	\$90.00
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ANITA'S GREENSCAPING - \$66.00

BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	AVE A #12 LOT - SEPT '13 MAINT	\$26.00
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BUSINESS IMPROVEMENT	DEVELOPMENT SERVICES	1ST AVE #3 LOT - SEPT '13 MAINT	\$40.00
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ASSOC SUPPLY COMPANY, INC - \$1,125.97

GENERAL	RECREATION	ACID MAGIC	\$1,125.97
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ASSURITY LIFE INSURANCE CO - \$72.21

CASH & INVESTMENT POOL		LIFE INSURANCE/EE	\$72.21
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B & C STEEL CORPORATION - \$330.35

GENERAL	PARKS	REBAR, SHEET METAL	\$330.35
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BAKER & TAYLOR CO - \$32.20

REGIONAL LIBRARY	LIBRARY	1 BOOKS - YA/TEEN	\$32.20
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BAKER & TAYLOR CO - \$31.60

REGIONAL LIBRARY	LIBRARY	YOUNG ADULT/TEEN BOOKS	\$31.60
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BLUFFS SANITARY SUPPLY INC. - \$18.76

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA FORKS FOR UNITED WAY PICNIC	\$18.76
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BNSF RAILWAY COMPANY - \$34,589.90

TRANSPORTATION	TRANSPORTATION	AVE I QUIET ZONE WORK	\$33,420.97
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TRANSPORTATION	TRANSPORTATION	20TH ST QUIET ZONE WORK	\$1,168.93
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JOHN DEERE FINANCIAL - \$249.53

GENERAL	PARKS	1 (6) Paint, gloves, heaters, ties	\$216.64
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GENERAL	PARKS	1 53067344 Antifreeze	\$32.89
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JOHN DEERE FINANCIAL - \$75.05

GENERAL	PARKS	PAINT,ROPE FOR HARVEST NIGHT	\$75.05
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MELINDA BROWN - \$61.20

WATER		DEPOSIT REFUND	\$61.20
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MELINDA BROWN - \$14.50

WATER		UTILITY REFUND	\$14.50
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BROWN NELSON ELECTRIC - \$111.88

City of Scottsbluff

City Council Claims for October 21, 2013

GENERAL	FIRE	1 EA ELECTRICAL MOTOR REPAIRS	\$111.88
<u>BROWN'S SHOE FIT CO - \$491.97</u>			
WASTEWATER	WASTEWATER	1 EA STEEL TOE BOOTS FOR EMPLOYEES/WW	\$491.97
<u>FRANCISCO'S BUMPER TO BUMPER INC - \$150.00</u>			
GENERAL	POLICE	TOW SERVICE 13-10583	\$150.00
<u>CAPITAL BUSINESS SYSTEMS INC. - \$48.49</u>			
GENERAL	LIBRARY	1 COPIER MAINTENANCE	\$48.49
<u>CAPITAL BUSINESS SYSTEMS INC. - \$44.01</u>			
GENERAL	FINANCE	MONTHLY MAINT ON COPIER	\$44.01
<u>CEMENTER'S INC - \$418.90</u>			
WATER	WATER	1 EA CEMENT FOR WORK SITES/WA	\$418.90
<u>CENTER POINT LARGE PRINT - \$1,538.64</u>			
GENERAL	LIBRARY	1 STANDING ORDER - ADULT LARGE PRINT	\$1,538.64
<u>CHEYENNE RADIOLOGY GROUP PC - \$55.48</u>			
GENERAL	POLICE	FULLER/NEW HIRE PHYSICAL	\$55.48
<u>CITY OF GERING - \$38,818.49</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA DISPOSAL FEES FOR 9/2013	\$38,818.49
<u>CITY OF GERING - \$46.63</u>			
GENERAL	PARKS	LANDFILL WASTE	\$46.63
<u>CITY OF SCB - \$39.92</u>			
GENERAL	DEVELOPMENT SERVICES	FILING FEE-RWMC REZONE	\$22.00
WATER	WATER	TIRE REPAIR UNIT 41	\$15.00
GENERAL	FIRE	POSTAGE - FIRE	\$2.92
<u>CONNECTING POINT INC - \$47.17</u>			
GENERAL	POLICE	1 EA COPIER RENTAL/COLOR/INV#	\$47.17
<u>CONTRACTORS MATERIALS INC. - \$30.13</u>			
GENERAL	PARKS	1 187365 Pliers	\$30.13
<u>CONTRACTORS MATERIALS INC. - \$86.24</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA SHRINK WRAP FOR RECYCLING	\$86.24
<u>CONTRACTORS MATERIALS INC. - \$5.83</u>			
WASTEWATER	WASTEWATER	REPLACEMENT SAFETY GLASSES/DALE/WW	\$5.83
<u>CONTRACTORS MATERIALS INC. - \$22.49</u>			
GENERAL	PARKS	CORD AND LABOR	\$22.49
<u>COUNTY COURT SCOTTS BLUFF COUNTY - \$1,576.00</u>			
GENERAL	CITY MANAGER	COURT COSTS	\$1,576.00
<u>COURTYARD BY MARRIOTT - \$218.00</u>			
GENERAL	CITY MANAGER	JOHNSON HOTEL LONM CONF	\$218.00
<u>CREDIT INFORMATION SYSTEMS - \$19.00</u>			
GENERAL	PERSONNEL	SEPT '13 BACKGROUND CHECKS/HR	\$19.00
<u>CREDIT MANAGEMENT SERVICES INC. - \$203.42</u>			
CASH & INVESTMENT POOL		WAGE ATTACHMENT	\$203.42
<u>CRESCENT ELECT. SUPPLY COMP INC - \$354.97</u>			
TRANSPORTATION	TRANSPORTATION	1 EA ELEC. SUPP/ WIRE/ TRANS	\$354.97
<u>CULLIGAN INC. - \$16.20</u>			
GENERAL	FIRE	1 EA BLDG MAINT/INV# 450043/FIRE	\$8.10
GENERAL	POLICE	1 EA BLDG MAINT/INV# 450043/POLICE	\$8.10
<u>CULLIGAN INC. - \$16.20</u>			

City of Scottsbluff

City Council Claims for October 21, 2013

GENERAL	FINANCE	WATER SOFTENER SALT (2)	\$16.20
<u>CULLIGAN INC. - \$24.30</u>			
GENERAL	FIRE	1 EA BLDG MAINT/INV# /FIRE	\$12.15
GENERAL	FIRE	1 EA BLDG MAINT/INV# /POLICE	\$12.15
<u>CULLIGAN INC. - \$85.70</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA WATER/SALT & UNIT RENTAL FEE	\$85.70
<u>CULLIGAN INC. - \$97.20</u>			
GENERAL	LIBRARY	1 DPTMT SUPPLIES- WATER SOFTENER SALT	\$97.20
<u>DALE'S TIRE & RETREADING, INC. - \$57.47</u>			
GENERAL	PARKS	1 50956 Flat Repair	\$37.78
CEMETERY	CEMETERY	1 051117 Flat Repair, Sealant	\$19.69
<u>DALE'S TIRE & RETREADING, INC. - \$1,505.20</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	NEW TIRES AND REPAIRS	\$1,505.20
<u>DALE'S TIRE & RETREADING, INC. - \$15.50</u>			
WATER	WATER	FLAT TIRE REPAIR/MAINT TRAILER	\$15.50
<u>DANKO EMERGENCY EQUIPMENT CO - \$433.60</u>			
GENERAL	FIRE	20 EA BUNKER GEAR BAG	\$433.60
<u>DANKO EMERGENCY EQUIPMENT CO - \$518.89</u>			
MUTUAL FIRE	FIRE	2 EA FIRE DEX STRUCTURAL BOOTS	\$518.89
<u>MICHAEL DOWNEY - \$125.00</u>			
KENO	COUNCIL	TREE REBATE	\$125.00
<u>DUHAMEL BROADCASTING ENT. - \$325.00</u>			
STORMWATER	STORMWATER	1 EA STORMWATER PUBLIC EDUCATION/WW	\$325.00
<u>EBSCO INFORMATION SVC - \$3,645.00</u>			
GENERAL	LIBRARY	1 DATABASE SUBSCRIPTION	\$3,645.00
<u>J G ELLIOTT CO.INC. - \$875.00</u>			
GENERAL	CITY CLERK	DICKINSON PUBLIC OFFICIAL BOND	\$875.00
<u>ELLIOTT EQUIPMENT COMPANY INC. - \$49.29</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA TAILGATE PIN FOR UNIT 816	\$49.29
<u>ENVIRO SERV INC - \$240.00</u>			
WATER	WATER	1 EA WATER SAMPLES/WA	\$240.00
<u>GARRETT ESCALERA - \$46.80</u>			
GENERAL	POLICE	WITNESS FEES CR13-989	\$23.40
GENERAL	POLICE	WITNESS FEES CR13-990	\$11.70
GENERAL	POLICE	WITNESS FEES CR13-988	\$11.70
<u>FASTENAL CO. - \$1,209.07</u>			
WASTEWATER	WASTEWATER	1 EA OVERHEAD LIGHTS FOR EAST END BLDG/W	\$1,209.07
<u>FEDERAL EXPRESS CORP. - \$290.95</u>			
WATER	WATER	1 EA SAMPLE SHIPMENTS/WA	\$290.95
<u>FELSBURG HOLT & ULLEVIG, INC - \$243.97</u>			
TRANSPORTATION	TRANSPORTATION	ENG SERVICES FOR QUIET ZONE	\$243.97
<u>FIRST STATE BANK - \$170,496.58</u>			
DEBT SERVICE	FINANCE	PYMT DOWN ON WARRANTS	\$170,496.58
<u>FLOYD'S SALES & SERV INC. - \$122,402.00</u>			
TRANSPORTATION	TRANSPORTATION	1 EA NEW CAB/CHASS.W/D.BODY & SNOW PLOW/	\$122,402.00
<u>FLOYD'S SALES & SERV INC. - \$370.00</u>			
WASTEWATER	WASTEWATER	1 EA SEWER JET SIGNAL LIGHT WIRING CK AN	\$285.40

City of Scottsbluff

City Council Claims for October 21, 2013

WASTEWATER	WASTEWATER	1 EA SIGNAL LIGHT REPL. BULBS/WW	\$84.60
<u>FRANK IMPLEMENT INC. - \$47.65</u>			
GENERAL	PARKS	1 P67568 Knob	\$29.08
GENERAL	PARKS	1 P67623 Bolts, bulbs	\$18.57
<u>FRANK IMPLEMENT INC. - \$508.89</u>			
TRANSPORTATION	TRANSPORTATION	FENDER FOR MOWING TRACTOR	\$508.89
<u>FRANK IMPLEMENT INC. - \$218.97</u>			
GENERAL	PARKS	EQUIPMENT REPAIR	\$218.97
<u>FRONT RANGE FIRE APPARATUS - \$656.06</u>			
GENERAL	FIRE	PRESSOR CONTROLLER FOR TOWER 1	\$656.06
<u>FYR-TEK - \$1,801.90</u>			
PUBLIC SAFETY	FIRE	3 30 MINUTE SCUBA BOTTLES	\$1,801.90
<u>THE GALE GROUP - \$250.00</u>			
GENERAL	LIBRARY	1 DATABASE SUBSCRIPTION	\$250.00
<u>GERING VALLEY PLUMBING & HTG. INC - \$3,500.00</u>			
GENERAL	RECREATION	1 333198 Winterize Pool and Bathhouse	\$3,500.00
<u>GERING VALLEY PLUMBING & HTG. INC - \$1,950.00</u>			
GENERAL	RECREATION	CAMERA DRAIN LINE FOR LAZY RIVER	\$1,950.00
<u>GERING VALLEY PLUMBING & HTG. INC - \$15,193.00</u>			
GENERAL	PARKS	CAMPGROUND SEWER LINE INSTALLATION	\$15,193.00
<u>GOLD WATCH LLC - \$750.00</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	9-26-13 HAULING RECYCLING	\$750.00
<u>JANIE GONZALES - \$53.84</u>			
WATER		DEPOSIT REFUND	\$53.84
<u>JANIE GONZALES - \$23.63</u>			
WATER		UTILITY REFUND	\$23.63
<u>GRAPHIC SCREEN PRINTING - \$552.00</u>			
GENERAL	POLICE	CALVERT,FULLER,MARTINEZ ACADEMY UNIFORM	\$552.00
<u>HAMPTON INN - \$242.85</u>			
GENERAL	POLICE	SPENCER HOTEL POAN CONF	\$242.85
<u>CHELSY D HAUCK - \$6.54</u>			
WATER		UTILITY REFUND	\$6.54
<u>HAWKINS, INC. - \$4,163.70</u>			
WATER	WATER	1 EA SODIUM HYPO/WA	\$4,163.70
<u>HAWKINS, INC. - \$1,170.15</u>			
WATER	WATER	1 EA SODIUM HYPO FOR SYSTEM DISINF/WA	\$1,170.15
<u>HD SUPPLY WATERWORKS, LTD - \$11,025.77</u>			
WATER	WATER	1 EA WATER METERS/RADIO READS/WA	\$10,882.31
WATER	WATER	BATTERY FOR HANDHELD UNIT	\$143.46
<u>HEILBRUN FARM IND SUPP.INC. - \$1,113.90</u>			
TRANSPORTATION	TRANSPORTATION	1 EA PARTS/FILTERS/WINCH/FAN CLUTCH/TRAN	\$968.69
TRANSPORTATION	TRANSPORTATION	1 EA SUPP/TRANS	\$145.21
<u>HEILBRUN FARM IND SUPP.INC. - \$959.17</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA PARTS & MATERIALS 9-2013	\$959.17
<u>HEILBRUN FARM IND SUPP.INC. - \$379.62</u>			
WASTEWATER	WASTEWATER	1 EA CASE OF WD-40/WINDSHIELD WASHER FLU	\$81.12
WASTEWATER	WASTEWATER	FUEL PUMP UNIT 954	\$265.55

City of Scottsbluff

City Council Claims for October 21, 2013

WATER	WATER	STANLY HYDR UNIT OIL & AIR FILTERS	\$32.95
<u>HEILBRUN FARM IND SUPP.INC. - \$31.13</u>			
GENERAL	PARKS	1 (2) Air Filters	\$31.13
<u>NICHOLE L HENDERSON - \$81.65</u>			
WATER		UTILITY REFUND	\$81.65
<u>JERRY HIGEL - \$1,642.51</u>			
TRANSPORTATION	TRANSPORTATION	1 EA TRAFFIC SIGNAL & CONTROLLER SERV/TR	\$1,642.51
<u>HOA SOLUTIONS, INC - \$998.32</u>			
WASTEWATER	WASTEWATER	1 EA CALIBRATE/REPAIR OUTFALL METER/WW	\$998.32
<u>HOLIDAY INN EXPRESS HOTEL & SUITES - \$400.00</u>			
GENERAL	FIRE	GLENN HOTEL BOMB TRAINING CLASS	\$400.00
<u>HOME DEPOT CREDIT SERVICES - \$101.17</u>			
WASTEWATER	WASTEWATER	1 EA TOOLS FOR WW SUPERVISOR TRUCK/WW	\$101.17
<u>HOME DEPOT CREDIT SERVICES - \$395.28</u>			
GENERAL	RECREATION	1 Torch Fuel- Harvest Night	\$395.28
<u>HYDROTEX - \$1,582.92</u>			
TRANSPORTATION	TRANSPORTATION	55 GAL 5W40 OIL	\$1,582.92
<u>ICMA RETIREMENT TRUST-457 - \$1,106.94</u>			
CASH & INVESTMENT POOL		DEFERRED COMP	\$1,106.94
<u>IDEAL LINEN SUP INC. - \$25.10</u>			
WATER	WATER	1 EA MATS/WA	\$25.10
<u>IDEAL LINEN SUP INC. - \$20.38</u>			
WATER	WATER	1 EA MATS/WA	\$20.38
<u>IDEAL LINEN SUP INC. - \$171.80</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA TOWELS/MOPS/UNIFORMS/RUGS	\$171.80
<u>IDEAL LINEN SUP INC. - \$367.20</u>			
GENERAL	POLICE	1 EA SEP 13/UNIFORMS	\$367.20
<u>IDEAL LINEN SUP INC. - \$135.62</u>			
GENERAL	LIBRARY	1 JANITORIAL SUPPLIES	\$135.62
<u>IDEAL LINEN SUP INC. - \$456.00</u>			
GENERAL	PARKS	1 (2) Rags, Liners	\$176.56
GENERAL	PARKS	1 S0099641 Cleaning Supplies	\$262.16
CEMETERY	CEMETERY	1 0092282 Rug Service	\$17.28
<u>INDEPENDENT PLUMBING & HEATING, INC - \$3.99</u>			
GENERAL	PARKS	1 134353 Frank Park Plumbing	\$3.99
<u>INDEPENDENT PLUMBING & HEATING, INC - \$267.80</u>			
GENERAL	NON-DEPARTMENTAL	FIX LEAK AT SENIOR CENTER	\$267.80
<u>INTRALINKS, INC - \$300.00</u>			
GENERAL	MIS	NETWORK TROUBLESHOOTING	\$300.00
<u>JIRDON AGRI CHEM.INC. - \$90.40</u>			
GENERAL	PARKS	1 11727 Insecticide	\$90.40
<u>NATHAN JOHNSON - \$118.53</u>			
GENERAL	CITY MANAGER	REIMB EXP ON LONM CONFERENCE	\$118.53
<u>KEEP SCOTTSBLUFF-GERING BEAUTIFUL - \$7,958.68</u>			
STORMWATER	STORMWATER	1 EA STORMWATER PUBLIC ED & OUTREACH AS	\$7,958.68
<u>KEEP SCOTTSBLUFF-GERING BEAUTIFUL - \$2,250.50</u>			
ENVIRONMENTAL SERVICES		MONITOR RECYCLING FEE FROM FY13	\$2,250.50

City of Scottsbluff

City Council Claims for October 21, 2013

CORY KILPATRICK - \$45.22

WATER		UTILITY REFUND	\$45.22
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KRIZ-DAVIS COMPANY INC. - \$165.81

WASTEWATER	WASTEWATER	1 EA BATTERIES AND EMERGENCY LIGHTS FOR	\$165.81
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KRIZ-DAVIS COMPANY INC. - \$149.22

WASTEWATER	WASTEWATER	1 EA BREAKERS FOR EAST END BLDG/WW	\$149.22
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KRIZ-DAVIS COMPANY INC. - \$619.44

WASTEWATER	WASTEWATER	1 EA OVERLOAD RELAYS/STARTERS FOR FINE S	\$455.24
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WASTEWATER	WASTEWATER	ELECTRICAL PARTS EAST END BLDG	\$164.20
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LOGAN CONTRACTORS SUPPLY INC - \$18,675.00

TRANSPORTATION	TRANSPORTATION	1 EA 1 LD.JOINT SEALANT/ TRANS	\$18,675.00
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PERRY MADER - \$62.00

GENERAL	PARKS	REIMB TRAVEL EXP NRPA CONF HOUSTON	\$62.00
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MADISON NATIONAL LIFE INS CO, INC - \$1,996.92

CASH & INVESTMENT POOL		LIFE INSURANCE/EE	\$32.88
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CASH & INVESTMENT POOL		LIFE INSURANCE/ER	\$725.76
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CASH & INVESTMENT POOL		DISABILITY INS-GENERAL EMPLOYEE/EE	\$856.92
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GENERAL	POLICE	POLICE DISABILITY INSURANCE/ER	\$381.36
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MAILFINANCE INC - \$153.09

GENERAL	FINANCE	POSTAGE MACHINE LEASE -OCT '13	\$153.09
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DBA: MARIE'S EMBROIDERY - \$59.00

GENERAL	POLICE	1 EA UNIFORMS/INV# 28393	\$39.00
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GENERAL	POLICE	1 EA UNIFORMS/INV# 28396	\$20.00
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JIM MASSEY - \$257.33

WASTEWATER	WASTEWATER	SEWER ADJ REFUND	\$257.33
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MENARDS - \$43.47

SPECIAL PROJECTS	POLICE	1 EA RANGE SUPPL/INV# 38934	\$43.47
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MENARDS - \$441.89

GENERAL	PARKS	1 (5) Tape,decor, strap, tarp, light	\$269.25
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GENERAL	RECREATION	1 (2) Torch Fuel, plywood	\$172.64
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MENARDS - \$50.53

GENERAL	FIRE	1 EA DEPARTMENT SUPPLIES	\$50.53
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MENARDS - \$1,368.64

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	SHED FOR OIL BARRELS	\$1,368.64
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MENARDS - \$24.39

GENERAL	FIRE	1 EA DEPARTMENT SUPPLIES	\$24.39
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MENARDS - \$761.52

KENO	RECREATION	1 37178 Candy, Batteries - HN	\$484.48
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GENERAL	PARKS	RADIOS, BATTERIES	\$186.14
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GENERAL	RECREATION	CANDY, PONCHOS	\$90.90
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MENARDS - \$398.70

WASTEWATER	WASTEWATER	1 EA 3 FIRE EXT/OUTLET COVERS/ELECT LINE	\$288.29
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WASTEWATER	WASTEWATER	1 EA BUG SPRAY/BATTERIES/WA	\$110.41
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METALMASTERS AUTOMATED TARGET SYSTEMS - \$634.25

SPECIAL PROJECTS	POLICE	1 EA FIREARMS RANGE SUPPLIES/INV# 4171	\$634.25
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MID-CONTINENT SAFETY LLC - \$216.50

GENERAL	FIRE	O2 SENSOR AND WATER BARRIER KIT	\$216.50
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City of Scottsbluff

City Council Claims for October 21, 2013

MONEY WISE OFFICE SUPPLIES - \$68.09

GENERAL	POLICE	1 EA DEPT SUPPL/INV# 26270	\$68.09
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MONEY WISE OFFICE SUPPLIES - \$74.12

GENERAL	POLICE	1 EA DEPT SUPPL/INV# 26371	\$63.92
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GENERAL	POLICE	1 EA DEPT SUPPL/INV# 26448	\$10.20
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MONEY WISE OFFICE SUPPLIES - \$58.38

GENERAL	PERSONNEL	EE FOLDERS FOR OPEN ENROLLMENT/HR	\$38.40
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GENERAL	FINANCE	DEPT SUPPLIES/POST IT;ADD MACH TAPE;TAB	\$19.98
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ALICIA MONTANEZ - \$35.10

GENERAL	POLICE	WITNESS FEES CR13-989	\$23.40
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GENERAL	POLICE	WITNESS FEES CR13-990	\$11.70
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MONUMENT CAR WASH - \$9.14

GENERAL	POLICE	1 EA SEP 13/CAR WASHES/INV#	\$9.14
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MONUMENT CAR WASH - \$16.00

WATER	WATER	1 EA FLEET WASHES FOR SEPT/WA	\$8.00
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WASTEWATER	WASTEWATER	1 EA FLEET WASHES FOR SEPT/WW	\$8.00
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MONUMENT PREVENTION COALITION - \$880.00

GENERAL	POLICE	OCT '13 FUNDING	\$880.00
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JOHN DEERE FINANCIAL - \$19.99

GENERAL	PARKS	1 HEATER	\$19.99
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JOHN DEERE FINANCIAL - \$37.77

WASTEWATER	WASTEWATER	1 EA AIR HOSE FOR AIR COMPRESSOR/WW	\$37.77
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JOHN DEERE FINANCIAL - \$1,454.09

WASTEWATER	WASTEWATER	1 EA UNIFORM CLOTHING-OUTDOOR/STEEL TOE	\$810.65
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WATER	WATER	1 EA UNIFORM CLOTHING-OUTDOOR/STEEL TOE	\$643.44
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NE DEPT OF REVENUE - \$165.60

GENERAL	PARKS	SEPT '13 LODGING TAX FORM 64	\$165.60
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NE LIBRARY COMMISSION - \$10.00

GENERAL	LIBRARY	1 BASIC SKILLS-COLLECTION MGMT-BOYD	\$10.00
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NE LIBRARY COMMISSION - \$1,503.90

GENERAL	LIBRARY	1 OVERDRIVE SUBSCRIPTION RENEWAL - AV	\$1,503.90
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NEBRASKA MACHINERY COMPANY - \$112.41

WATER	WATER	1 EA GENERATOR USE-STANDBY POWER WELL 15	\$112.41
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NEBRASKA MACHINERY COMPANY - \$2,485.36

TRANSPORTATION	TRANSPORTATION	1 EA REPAIR HYD. HAMMER/TRANS	\$2,485.36
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NE SAFETY & FIRE EQUIPEMENT INC. - \$336.80

GENERAL	PARKS	1 48257 Battery replacement	\$336.80
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NE STATE VOLUNTEER FIREFIGHTERS ASSOC. - \$400.00

GENERAL	FIRE	1 EA WHOLE DEPARTMENT ANNUAL MEMBERSHIP	\$400.00
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NEBR ENVIRONMENTAL PRODUCTS - \$62.88

WASTEWATER	WASTEWATER	1 EA FUSES FOR SEWER JET/WW	\$62.88
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NEBRASKA CODE OFFICIALS ASSN - \$250.00

GENERAL	DEVELOPMENT SERVICES	2 EA FALL CONFERENCE FOR BATT & HORT	\$250.00
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NORTHERN SAFETY COMPANY, INC. - \$345.79

WATER	WATER	1 EA STEEL TOE BOOTS/SAFETY EYEWEAR/WA	\$345.79
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UPSTART ENTERPRISES, LLC - \$30.25

GENERAL	POLICE	1 EA KITE NOTARY STAMP/INV# 28151	\$30.25
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City of Scottsbluff

City Council Claims for October 21, 2013

UPSTART ENTERPRISES, LLC - \$81.00

GENERAL	POLICE	1 EA DEPT SUPPL/INV# 27836	\$81.00
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UPSTART ENTERPRISES, LLC - \$28.73

WATER	WATER	1 EA MEMO/POST IT NOTE REFILLS/WA	\$28.73
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OREGON TRAIL PLBG & HTG INC - \$88.00

GENERAL	FINANCE	RESET STOOL & REPLACED WAX SEAL	\$88.00
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PANHANDLE CONCRETE PROD INC. - \$150.00

WASTEWATER	WASTEWATER	1 EA SEWER MANHOLE RINGS/WW	\$150.00
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PANHANDLE CONCRETE PROD INC. - \$222.00

WASTEWATER	WASTEWATER	1 EA MANHOLE RINGS/WW	\$222.00
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PANHANDLE COOP INC. - \$3,344.68

TRANSPORTATION	TRANSPORTATION	1 EA UNLEADED GASOLINE FOR TRANS	\$1,425.08
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TRANSPORTATION	TRANSPORTATION	1 EA DIESEL FUEL FOR TRANS	\$1,919.60
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PANHANDLE COOP INC. - \$5,106.05

GENERAL	POLICE	1 EA SEP 13/GASOLINE	\$5,106.05
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PANHANDLE COOP INC. - \$7,683.30

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA FLEET FUEL 9/2013	\$7,683.30
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PANHANDLE COOP INC. - \$1,256.94

GENERAL	FIRE	1 EA MONTHLY FUEL	\$1,256.94
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PANHANDLE COOP INC. - \$5,767.04

WASTEWATER	WASTEWATER	1 EA FUEL FOR UNITS/WW	\$913.77
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WASTEWATER	WASTEWATER	1 EA DIESEL FOR SEWER JET/1 TON/WW	\$524.17
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WASTEWATER	WASTEWATER	1 EA DIESEL FOR GENERATOR/EAST END TANK/	\$2,102.80
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WASTEWATER	WASTEWATER	1 EA UNLEADED FOR EAST END TANK/WW	\$601.47
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WATER	WATER	1 EA FUEL FOR UNITS/WA	\$1,479.80
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WATER	WATER	1 EA DIESEL FOR BACKHOE/DUMP TRK/WA	\$101.00
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STORMWATER	STORMWATER	1 EA FUEL FOR STORMWATER UNIT/WW	\$44.03
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PANHANDLE COOP INC. - \$4,308.88

GENERAL	PARKS	1 Parks Gasoline	\$825.48
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GENERAL	PARKS	1 Parks Diesel	\$2,405.15
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CEMETERY	CEMETERY	1 Cemetery Gasoline	\$364.80
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CEMETERY	CEMETERY	1 Cemetery Diesel	\$713.45
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PANHANDLE HUMANE SOC - \$4,881.32

GENERAL	POLICE	OCT '13 SUPPORT	\$4,881.32
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PLATTE VALLEY BANK - \$640.00

HEALTH INSURANCE	PERSONNEL	2013 ANNUAL HSA FEE	\$640.00
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POPULAR SUBSCRIPTION SVC - \$2,349.01

GENERAL	LIBRARY	1 MAGAZINE SUBSCRIPTION RENEWALS	\$2,349.01
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POSTMASTER - \$152.31

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	POSTAGE FOR UTILITY BILLS	\$50.77
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WASTEWATER	WASTEWATER	POSTAGE FOR UTILITY BILLS	\$50.77
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WATER	WATER	POSTAGE FOR UTILITY BILLS	\$50.77
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POSTMASTER - \$245.60

ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	POSTAGE FOR UTILITY BILLS	\$81.87
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WASTEWATER	WASTEWATER	POSTAGE FOR UTILITY BILLS	\$81.87
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WATER	WATER	POSTAGE FOR UTILITY BILLS	\$81.86
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NEBRASKALAND TIRE - \$1,416.85

City of Scottsbluff

City Council Claims for October 21, 2013

GENERAL	POLICE	1 EA SEP 13/VEH MAINT	\$1,416.85
<u>PROTEX CENTRAL, INC. - \$23.75</u>			
GENERAL	FINANCE	INSPECTION OF FIRE EXTINGUISHERS	\$23.75
<u>PROTEX CENTRAL, INC. - \$670.89</u>			
WATER	WATER	1 EA ANNUAL FIRE EXT INSPECTION/SERVICE	\$158.64
WASTEWATER	WASTEWATER	1 EA ANNUAL FIRE EXT INSPECTION/SERVICE	\$512.25
<u>PUBLIC AGENCY TRAINING COUNCIL - \$295.00</u>			
GENERAL	POLICE	KITE/CHILD DEATH INVESTIGATION	\$295.00
<u>QUILL CORP - \$160.22</u>			
GENERAL	FIRE	1 EA BLDG MAINT/INV# 6242692/FIRE	\$8.82
GENERAL	POLICE	1 EA BLDG MAINT/INV# 6242692/POLICE	\$8.83
GENERAL	FIRE	1 EA DEPT SUPPL/INV# 6242692/FIRE	\$14.56
GENERAL	POLICE	1 EA DEPT SUPPL/INV# 6242692/POLICE	\$14.56
GENERAL	POLICE	1 EA INVEST SUPPL/INV# 6242692/POLICE	\$105.96
GENERAL	POLICE	1 EA DEPT SUPPL/INV# 6301979/POLICE	\$7.49
<u>QUILL CORP - \$9,599.97</u>			
GENERAL	CITY CLERK	3 FIREPROOF CABINETS	\$9,599.97
<u>RAILROAD MANAGEMENT CO III,LLC - \$265.74</u>			
WATER	WATER	1 EA WATER LINE CROSSING/WA	\$132.87
WASTEWATER	WASTEWATER	1 EA SEWER LINE CROSSING/WW	\$132.87
<u>REAMS SPRINKLER SUPPLY CO., INC - \$1,320.00</u>			
CEMETERY	CEMETERY	SPRINKLER PARTS	\$1,320.00
<u>REGION I OFFICE OF HUMAN DEVEL - \$825.00</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA RECYCLING CREW 9/2013	\$825.00
<u>REGIONAL WEST PHYSICIANS CLINIC - \$316.00</u>			
GENERAL	POLICE	MARTINEZ/ACADEMY PHYSICAL	\$316.00
<u>RESPOND FIRST AID SYSTEMS - \$68.99</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	1 EA FIRST AID KIT REFILL	\$68.99
<u>ROBINSON ELECTRIC - \$2,825.63</u>			
WATER	WATER	1 EA STANDBY POWER FOR WELL 15/WA	\$2,825.63
<u>S M E C - \$261.50</u>			
CASH & INVESTMENT POOL		EMPLOYEE DEDUCTIONS	\$261.50
<u>SANDBERG IMPLEMENT, INC - \$493.11</u>			
GENERAL	PARKS	1 (2) Trimmer string, chain sharpen	\$90.41
CEMETERY	CEMETERY	1 (3) Chainsaw, trimmer supplies, oil	\$402.70
<u>SCOTTSBLUFF BODY & PAINT, INC - \$397.00</u>			
GENERAL	POLICE	1 EA MVA CAR#7/TOWS/RMV DCLS/INV# 32567	\$397.00
<u>SCOTTSBLUFF BODY & PAINT, INC - \$770.00</u>			
GENERAL	POLICE	1 EA SEP 13/TOW SERVICE	\$770.00
<u>SCB FIREFIGHTERS UNION LOCAL 1454 - \$195.00</u>			
CASH & INVESTMENT POOL		UNION DUES	\$195.00
<u>SCOTTSBLUFF LANDSCAPING INC - \$425.00</u>			
KENO	PARKS	AVE I MINI PARK CONTRACT LANDSCAPING	\$425.00
<u>SCB POLICE OFFICERS ASS'N - \$396.00</u>			
CASH & INVESTMENT POOL		UNION DUES	\$396.00
<u>SCOTTSBLUFF PUB SCHOOLS - \$9,672.72</u>			
GENERAL	RECREATION	SPLASH POOL GAS CONSUMPTION	\$3,191.27

City of Scottsbluff

City Council Claims for October 21, 2013

GENERAL	RECREATION	SPLASH POOL CUSTODIAL	\$6,047.95
GENERAL	RECREATION	SPLASH POOL BLDG COST/PEST CONTROL	\$238.50
GENERAL	RECREATION	SPLASH POOL EQUIP COST/FILTERS	\$195.00
<u>SCOTTSBLUFF PUB SCHOOLS - \$13,926.00</u>			
GENERAL		BIKE LICENSE TO 9-30-13	\$45.00
GENERAL		PEDDLERS PERMIT TO 9-30-13	\$343.00
GENERAL		LIQUOR LICENSE TO 9-30-13	\$6,650.00
GENERAL		CONTRACTORS LICENSE TO 9-30-13	\$4,210.00
GENERAL		PARKING FINES TO 9-30-13	\$13.00
GENERAL		PAWN BROKER LICENSE TO 9-30-13	\$670.00
GENERAL		TAXI LICENSE TO 9-30-13	\$50.00
GENERAL		MOBILE HOME LICENSE TO 9-30-13	\$1,945.00
<u>SCOTTSBLUFF SCREENPRINTING - \$116.00</u>			
WASTEWATER	WASTEWATER	1 EA UNIFORM CLOTHING - OUTDOOR/WW	\$116.00
<u>SCOTTSBLUFF SCREENPRINTING - \$168.00</u>			
GENERAL	FIRE	PRINTING ON 24 DUTY SHIRTS	\$168.00
<u>SCB TENT & AWNING - \$32.50</u>			
GENERAL	FIRE	REPAIR TO TRUCK TARP	\$32.50
<u>M.C. SCHAFF & ASSOC, INC - \$37,536.25</u>			
WATER	WATER	1 EA S BELTLINE E TRANSMISSION MAIN/WA	\$37,536.25
<u>CHARLOTTE SCHANEMAN - \$52.50</u>			
GENERAL	POLICE	WITNESS FEE CR13-989	\$23.40
GENERAL	POLICE	WITNESS FEES CR13-990	\$11.70
GENERAL	POLICE	WITNESS FEES CR13-988	\$17.40
<u>CODY SCOTT - \$438.43</u>			
GENERAL	FIRE	REIMB TRAVEL EXP HAZARDOUS MATERIAL SCH	\$438.43
<u>SHERIFF'S OFFICE - \$567.71</u>			
GENERAL	CITY MANAGER	CIVIL PAPERS SERVED SEPT '13	\$567.71
<u>SIMMONS OLSEN LAW FIRM, P.C. - \$11,329.62</u>			
GENERAL	CITY MANAGER	LEGAL SERVICES/RETAINER	\$6,086.85
GENERAL	POLICE	LEGAL SERVICES/PROSECUTING	\$3,917.77
STORMWATER	STORMWATER	DRAIN COMMITTEE	\$787.50
GENERAL	POLICE	VILLANUEVA/ HARRASSMENT SUIT	\$62.50
ECONOMIC DEVELOPMENT	CITY MANAGER	SKILES INDUSTRIES/ECON DEVELOPMENT	\$137.50
ECONOMIC DEVELOPMENT	CITY MANAGER	FY'13 ECON DEVELOPMENT GENERAL	\$337.50
<u>SIMON CONTRACTORS - \$4,717.25</u>			
TRANSPORTATION	TRANSPORTATION	1 EA CONCRETE FOR STREET REPAIRS/TRANS	\$4,717.25
<u>STAPLES - \$144.24</u>			
GENERAL	RECREATION	1 004133 Office Supplies	\$28.79
CEMETERY	CEMETERY	1 010613 Office Supplies	\$55.46
GENERAL	PARKS	1 Brother Fax/Copier	\$59.99
<u>STAPLES - \$61.99</u>			
WASTEWATER	WASTEWATER	1 EA INK FOR SEWER JET PRINTER/WW	\$61.99
<u>STAPLES - \$10.00</u>			
ENVIRONMENTAL SERVICES	ENVIRONMENTAL SERVIC	DEPT SUPPLIES INV#5859	\$10.00
<u>STAPLES - \$316.15</u>			
GENERAL	FIRE	DEPT SUPPLIES	\$305.63

City of Scottsbluff

City Council Claims for October 21, 2013

GENERAL	FIRE	POSTAGE FOR PACKAGE	\$10.52
<u>STAR HERALD - \$996.39</u>			
GENERAL	PERSONNEL	CIVIL SERVICE/HR	\$19.08
GENERAL	PERSONNEL	RECRUITMENT/HR	\$470.29
GENERAL	CITY CLERK	LEGAL PUBLISHING/CITY CLERK	\$494.05
GENERAL	LIBRARY	LEGAL PUBLISHING/LIB	\$12.97
<u>STAR HERALD - \$43.51</u>			
GENERAL	EMERGENCY MANAGEMENT	PET COMM MTG PUBLIC NOTICE	\$16.79
GENERAL	EMERGENCY MANAGEMENT	LEPC ANNUAL NOTICE	\$26.72
<u>STATE HEALTH LAB - \$5,322.00</u>			
WATER	WATER	1 EA SAMPLES/WA	\$5,322.00
<u>ROBERT STRAUB - \$244.00</u>			
GENERAL	POLICE	ADV TRAVEL MGMT TRAINING NLETC	\$244.00
<u>SWANK MOTION PICTURES INC - \$221.00</u>			
GENERAL	RECREATION	HARVEST NIGHT SHOW	\$221.00
<u>TLC, INC. - \$35.76</u>			
STORMWATER	STORMWATER	1 EA TREE STRAPS FOR ADOPT-A-SCHOOL TREE	\$35.76
<u>TOMMY'S JOHNNY'S INC - \$1,265.00</u>			
GENERAL	PARKS	VETERAN'S & NORTHWOOD PARK/SEPT	\$495.00
GENERAL	PARKS	SOCCER COMPLEX/SEPT	\$770.00
<u>TOTAL FUNDS BY HASLER - \$1,000.00</u>			
GENERAL	FINANCE	POSTAGE 9-27-13	\$1,000.00
<u>TWIN CITIES DEV ASSN INC - \$25,000.00</u>			
ECONOMIC DEVELOPMENT	FINANCE	1ST QTRLY PYMT FY14	\$25,000.00
<u>TWIN CITY AUTO, INC - \$202.03</u>			
GENERAL	PARKS	1 (2) Plow repair	\$202.03
<u>TYLER TECHNOLOGIES, INC - \$250.00</u>			
GENERAL	FINANCE	CONSULT FEES ON SOFTWARE CONVERSION	\$250.00
<u>TYLER TECHNOLOGIES, INC - \$3,937.50</u>			
GENERAL	FINANCE	CONSULT FEES ON SOFTWARE CONVERSION	\$3,937.50
<u>U S BANK - \$1,450.00</u>			
DEBT SERVICE	FINANCE	'09 BOND ANNUAL TRUSTEE FEES	\$1,450.00
<u>UNDERWRITERS LABORATORIES INC - \$1,662.05</u>			
GENERAL	FIRE	1 EA ANNUAL LADDER TRUCK/GROUND TESTING	\$1,662.05
<u>UNIQUE MANAGEMENT SERVICES, INC - \$1,449.90</u>			
GENERAL	LIBRARY	COLLECTION SERVICES TO 9-30-13	\$1,449.90
<u>US BANK-CPS - \$223.38</u>			
GENERAL	RECREATION	1 12063 Torch Wick - Wickstore.com	\$173.38
GENERAL	PARKS	1 NRPA - Perry, baggage fees	\$50.00
<u>US BANK-CPS - \$413.83</u>			
STORMWATER	STORMWATER	1 EA STORMWATER PUBLIC ED BOOKMARKS/WW	\$163.83
WASTEWATER	WASTEWATER	1 EA COMPOSTING COUNCIL MEMBERSHIP/WW	\$250.00
<u>USA BLUEBOOK - \$2,398.00</u>			
WATER	WATER	1 EA CHLORINE PUMP PARTS/SUPPLIES/WORK G	\$2,398.00
<u>VERIZON WIRELESS - \$128.53</u>			
WATER	WATER	1 EA CELL PHONE CHARGES/WA	\$81.23
WASTEWATER	WASTEWATER	1 EA CELL PHONE CHARGES/WW	\$47.30

City of Scottsbluff

City Council Claims for October 21, 2013

WALMART COMMUNITY/GEMB - \$17.40

GENERAL	LIBRARY	1 DEPT. SUPPLIES	\$17.40
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WALMART COMMUNITY/GEMB - \$679.85

WATER	WATER	1 EA UNIFORM CLOTHING/STEEL TOE BOOTS-WA	\$220.96
WATER	WATER	1 EA BATTERIES/AIR FRESHNERS/COFFEE SUPP	\$336.66
WASTEWATER	WASTEWATER	1 EA LAB SUPPLIES/WW	\$122.23

WALMART COMMUNITY/GEMB - \$393.98

GENERAL	RECREATION	1 (3)HN supplies, basket	\$393.98
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WALMART COMMUNITY/GEMB - \$34.96

GENERAL	FIRE	1 EA DEPARTMENT SUPPLIES	\$34.96
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WATCHGUARD VIDEO - \$1,570.00

GENERAL	POLICE	1 EA EQUIP MAINT/INV# 2018	\$1,570.00
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WESTERN NE COMMUNITY COLLEGE - \$792.65

GENERAL	FIRE	KUNZ-CLASS AND BOOKS FEES FOR EMT CLASS	\$792.65
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WESTERN PATHOLOGY CONSULTANTS, INC - \$178.00

GENERAL	PERSONNEL	RANDOM DOT FOR SEPT '13	\$178.00
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WESTERN PLAINS BUSINESS FORMS INC - \$64.24

WATER	WATER	1 EA COPIER MTNCE/WA	\$32.12
WASTEWATER	WASTEWATER	1 EA COPIER MTNCE/WW	\$32.12

YMCA OF SCOTTSBLUFF - \$1,456.20

CASH & INVESTMENT POOL		FITNESS PROGRAM-POLICE & GENERAL EMP/EE	\$890.24
CASH & INVESTMENT POOL		FITNESS PROGRAM-POLICE & GENERAL EMP/ER	\$565.96

YMCA OF SCOTTSBLUFF - \$630.00

GENERAL	FIRE	1 EA CAREER FITNESS PROGRAM	\$472.50
GENERAL	FIRE	1 EA VOLUNTEER FITNESS PROGRAM	\$157.50

BECKY ZLOMKE - \$23.40

GENERAL	POLICE	WITNESS FEES CR13-1257	\$23.40
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ZM LUMBER CO. - \$112.96

GENERAL	PARKS	1 81737 RR mainteneance	\$2.40
GENERAL	PARKS	LUMBER	\$110.56

GRAND TOTAL

\$678,939.17

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Claims2

Request for payment of outstanding warrant principal and interest at First State Bank and approve the Resolution.

Staff Contact: Renae Griffiths, Finance Director

Agenda Statement

Item No.

For meeting of: **October 21, 2013**

AGENDA TITLE: Request for payment of outstanding warrant principal and interest at First State Bank

SUBMITTED BY DEPARTMENT/ORGANIZATION: Finance

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: This is a request for payment on outstanding warrants with First State Bank for various projects on 10-22-13.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Recommend that council authorize the City Clerk to issue warrants for payment of the claims.

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 NO.

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

That the claim of First State Bank in the amount of \$16,542.26, to payoff outstanding warrant principal and \$37,151.21 to pay warrant interest to 9-30-13 for the Cirrus House TIF Project, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$42,641.64, to payoff outstanding warrant principal and \$2,286.06 to pay warrant interest to 9-30-13 for the Paving District #300, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$26,394.36, to payoff outstanding warrant principal to 9-30-13 for the Paving District #306, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$27,768.55, to payoff outstanding warrant principal to 9-30-13 for the Paving District #307, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$15,829.51, to payoff outstanding warrant principal and \$57.90 to pay warrant interest to 9-30-13 for the Paving District #308, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$26,822.01, to payoff outstanding warrant principal and \$564.26 to pay warrant interest to 9-30-13 for the Paving District #309, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$11,067.03, to payoff outstanding warrant principal to 9-30-13 for the Paving District #310, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$11,008.44, to payoff outstanding warrant principal and \$1,835.07 to pay warrant interest to 9-30-13 for the Sewer District #163, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$14,558.75, to payoff outstanding warrant principal and \$4,878.21 to pay warrant interest to 9-30-13 for the Sewer District #164, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$1,339.84, to payoff outstanding warrant principal and \$250.22 to pay warrant interest to 9-30-13 for the Sewer District #166, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$9,219.56, to payoff outstanding warrant principal and \$1,152.65 to pay warrant interest to 9-30-13 for the Water District #97, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$25,188.88, to payoff outstanding warrant principal and \$8,443.63 to pay warrant interest to 9-30-13 for the Water District #99, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$16,049.76, to payoff outstanding warrant principal and \$2,120.61 to pay warrant interest to 9-30-13 for the Water District #101, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

That the claim of First State Bank in the amount of \$6,546.83, to payoff outstanding warrant principal to 9-30-13 for the Water District #102, is approved and the city clerk is authorized to issue warrants for the payment of such claims.

Passed and approved this 21st day of October, 2013.

Mayor

ATTEST:

City Clerk

"seal"

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Pub. Hear.1

Council to conduct a public hearing scheduled for this date at 6:05 p.m., for a class C liquor license application for Valley Bowl dba Valley Bowl Fun Center.

Staff Contact: Cindy Dickinson

Agenda Statement

Item No.

For meeting of: October 21, 2013

AGENDA TITLE: Council to hold a public hearing as advertised for this date at 6:05 p.m. for a Class C Liquor License for Valley Bowl doing business as Valley Bowl Fun Center, 1702 17th Ave., Scottsbluff, NE.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Administration

PRESENTATION BY: Applicant

SUMMARY EXPLANATION:

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Conduct the public hearing and consider a recommendation to the Nebraska Liquor Commission either approving or denying said application.

EXHIBITS

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

Other (specify) ☒ Application, Memorandums, Exhibits

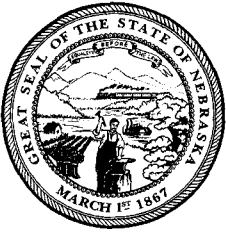
Exhibit #1 – Application of Valley Bowl Fun Center
Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2002
Exhibit #3 – Written Statement of Police Chief
Exhibit #4 – Written Statement of City Clerk
Exhibit #5 – Written Statement of Planning Administrator

NOTIFICATION LIST: Yes ☒ No ☐ Further Instructions ☐

Mr. and Mrs. Marlin Duncan
Valley Bowl Center
1702 17th Ave.
Scottsbluff, NE 69361

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk



Dave Heineman
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Robert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814 or (402) 471-2374

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

September 24, 2013

Scottsbluff City Clerk
2525 Circle Dr
Scottsbluff NE 69361-1779

RE: Valley Bowl Fun Center

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) Publicize one time not less than 7 days not more than 14 days prior to date of hearing.
- 2) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body,
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS, AND A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION
Michelle Porter
Licensing Division

Enclosures **Janice M. Wiebusch**
Commissioner

Robert Batt
Chairman

William F. Austin
Commissioner

An Equal Opportunity Employer
Printed with soy ink on recycled paper

RECOMMENDATION OF THE NEBRASKA LIQUOR CONTROL COMMISSION

October 24, 2013 MP

Date Mailed from Commission Office: September 24, 2013

I, _____ Clerk of _____
(City, Village or County)

Nebraska, hereby report to the Nebraska Liquor Control Commission in accordance with Revised Statutes of Nebraska, Chapter 53, Section 134 (7) the recommendation of said city, village or county, as the case may be relative to the application for a license under the provisions of the Nebraska Liquor Control Act as applied for by:

Valley Bowl LLC by Valley Bowl Fun Center

1702 17th Ave, Scottsbluff NE 69361 (Scottsbluff County)

NEW APPLICATION for Class C 105076

45 days November 8, 2013

1. Notice of local hearing was published in a legal newspaper in or of general circulation in city, village or county, one time not less than 7 nor more than 14 days before time of hearing.

Check one: Yes _____ No _____

The Statutes require that such hearing shall be held not more than 45 days after the date of receipt of this notice from the Commission.

2. Local hearing was held not more than 45 days after receipt of notice from the Nebraska Liquor Control Commission.

Check one: Yes _____ No _____

3. Date of hearing of Governing Body: _____

4. Type or write the Motion as voted upon by the Governing Body. If additional Motions are made by the Governing Body, then use an additional page and follow same format.

5. Motion was made by: _____ Seconded by: _____

6. Roll Call Vote: _____

7. **Check one:** The motion passed: _____ The motion failed: _____

8. If the motion is for recommendation of denial of the applicant, then list the reasons of the governing body upon which the motion was made.

(Attached additional page(s) if necessary)

SIGN HERE _____ **DATE** _____
(Clerks Signature)

**APPLICATION FOR LIQUOR LICENSE
CHECKLIST - RETAIL**

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

QA
New

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AUG 22 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

Applicant Name Valley Bowl, LLC NEBRASKA LIQUOR
CONTROL COMMISSION

Trade Name Valley Bowl Fun Center Previous Trade Name (none) RS

E-Mail Address: valleybowlfuncenter@gmail.com C-

105076

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the state.

Marlin Duncan
Sandra Duncan

REQUIRED ATTACHMENTS

Each item must be checked and included with application or marked N/A (not applicable)

X OK 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed on cards as per brochure. To prevent the delay in issuing your license, we strongly suggest you go to any Nebraska State Patrol office. See fingerprint brochure <http://www.lcc.ne.gov/brochures/fingerprint.pdf>.

X OK 2. Enclose application fee of \$400, check made payable to the Nebraska Liquor Control Commission.

X OK 3) Enclose the appropriate application forms;
Individual License (requires insert form 1)
Partnership License (requires insert form 2)
Corporate License (requires insert form 3a & 3c)
Limited Liability Company (LLC) (requires form 3b & 3c)

n/a 4. If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company making application. Lease term must run through the license year being applied for.

X OK 5. If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.

n/a 6. If buying the business of a current liquor license holder:
a) Provide a copy of the purchase agreement from the seller (mu

~~No Voters~~

~~No D/L - NE~~

~~Copy from cert~~



- b) Provide a copy of alcohol inventory being purchased (must include brand names and container size)
- c) Enclose a list of the assets being purchased (furniture, fixtures and equipment)

n/a 7. If planning to operate on current liquor license; enclose Temporary Operating Permit (T.O.P.)(form 125).

X 8. Enclose a list of any inventory or property owned by other parties that are on the premise.

XOK 9. For citizenship, residency and voter registration requirements see enclosed brochure.

XOK 10. Corporation or Limited Liability Company must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office. This document must show barcode.

XOK 11. Submit a copy of your business plan.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Mari Whelan
Signature

20 AUG 13
Date

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**APPLICATION FOR LIQUOR LICENSE
RETAIL**

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/

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**NEBRASKA LIQUOR
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**CHECK CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEE
(CHECK DESIRED CLASS)**

RETAIL LICENSE(S)

Application Fee \$400 (non refundable)

- ☐ A BEER, ON SALE ONLY
- ☐ B BEER, OFF SALE ONLY
- ☒ C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- ☐ D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- ☐ I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- ☐ AB BEER, ON AND OFF SALE
- ☐ AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- ☐ IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- ☐ ID BEER, WINE, DISTILLED SPIRITS ON AND OFF SALE

- ☐ Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31
All other licenses run from May 1 – April 30
Catering license (K) expires same as underlying retail license

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**NEBRASKA LIQUOR
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CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- ☐ Individual License (requires insert form 1)
- ☐ Partnership License (requires insert form 2)
- ☐ Corporate License (requires insert form 3a & 3c)
- ☒ Limited Liability Company (LLC) (requires form 3b & 3c)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)

(Commission will call this person with any questions we may have on this application)

Name Mr. Rick Ediger Phone number: 308-632-3811

Firm Name Simmons Olsen Law Firm, PC

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PREMISE INFORMATIONTrade Name (doing business as) Valley Bowl Fun CenterStreet Address #1 1702 17th Ave

Street Address #2 _____

City Scottsbluff County Scotts Bluff Zip Code 69361Premise Telephone number 308-641-3138E-mail valleybowlfuncenter@gmail.com

Is this location inside the city/village corporate limits:



YES



NO

Mailing address (where you want to receive mail from the Commission)

Name Valley Bowl, LLCStreet Address #1 1702 17th Ave

Street Address #2 _____

City Scottsbluff State NE Zip Code 69361**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED
READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

**For on-premise consumption liquor licenses minimum standards must be met by providing at least two restrooms

Length 37' feetWidth 24' feet165' x 100'Is there a basement? Yes ☐ No ☒

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

SAND VOLLEY BALL/PATIO 75' x 150'

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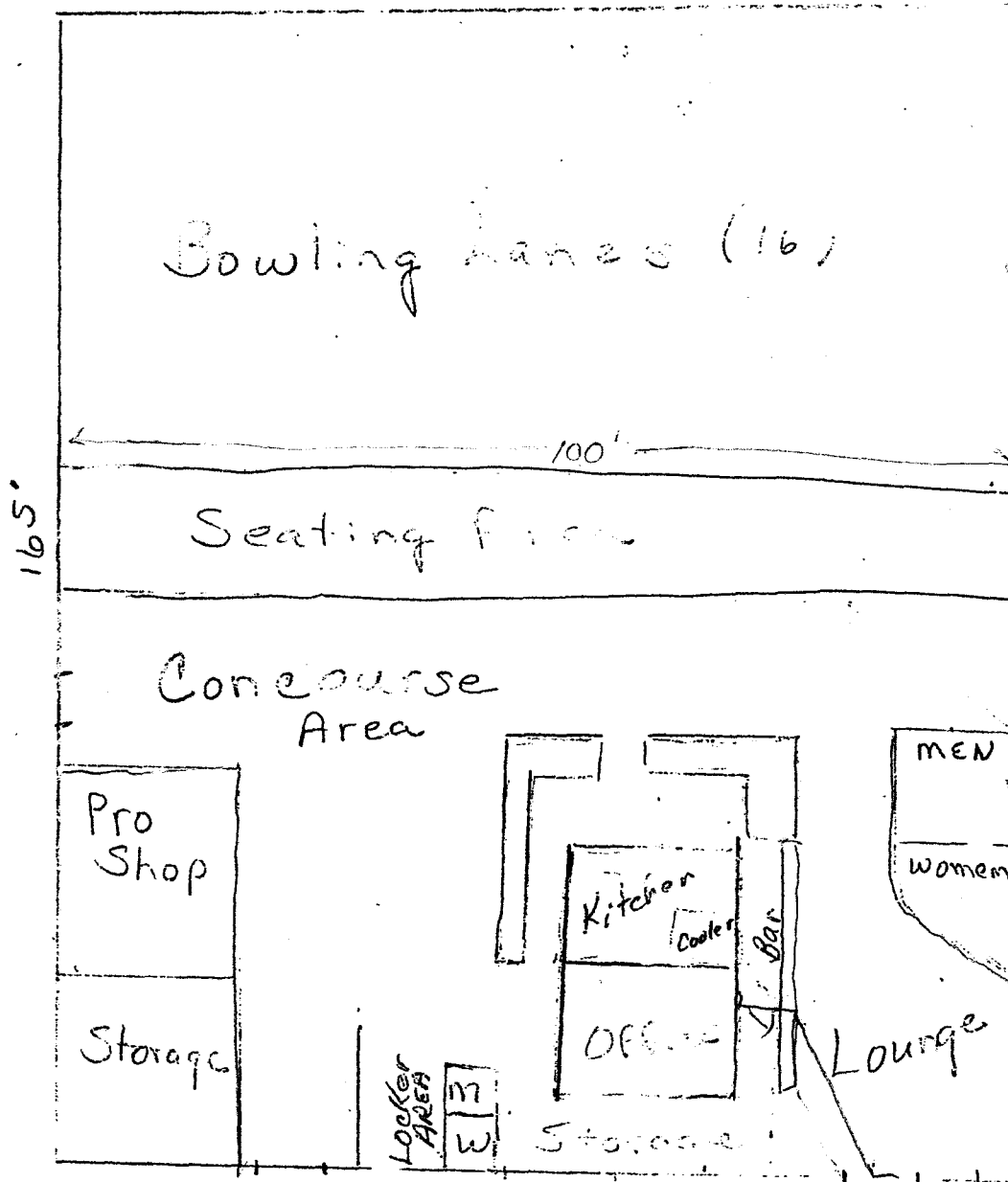
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Outside Building Measurements

100'



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LICENSING:

- SEATING AREA
- CONCOURSE AREA
- LOUNGE
- SMOKING / SAND VOLLENBALL
FENCED IN AREA

Smoking Area
+
Sand Volleyball
Courts (2)

95'
79'

One story bldg approx 100' x 165', plus
beer garden approx 89' x 95', OK per Marlene phone

Valley Bowl Licensed Area Description

The Valley Bowl building is approx. 160' x 100' with an adjacent fenced in beer garden/sand volleyball area that measures 80' x 100'. Depicted on the diagram submitted, we are requesting to license approx. 60' x 160' of the premises that would include the bowling seating area, the concourse area and the lounge area. We are also requesting to license the fenced in beer garden area as well.

*See diagram
desc.
OK per
phone - Marlin*

APPLICANT INFORMATION

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

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2. Are you buying the business of a current retail liquor license?

☐ YES ☒ NO

If yes, give name of business and liquor license number

a) Submit a copy of the sales agreement

b) Include a list of alcohol being purchased, list the name brand, container size and how many

c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

☒ YES ☐ NO

If yes, give name and license number

94051 - LAST - License
91165
C-61686 Valley Bowl Fun Center

4. Are you filing a temporary operating permit to operate during the application process?

☒ YES ☒ NO

If yes:

a) Attach temporary operating permit (T.O.P.) (form 125)

b) T.O.P. will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

☒ YES ☐ NO

If yes, list the lender(s)

Platte Valley Companies

Liquor Inventory

No alcohol was found on the property at the time that we took possession of the property.

A handwritten signature in black ink, appearing to be "M. L. Brown", is written above the bottom of the page.

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6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

☐ YES ☒ NO

If yes, explain. (All involved persons must be disclosed on application)

No silent partners

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

☐ YES ☒ NO

If yes, list such item(s) and the owner. _____

8. Is premise to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

☐ YES ☒ NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

☐ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

Platte Valley Bank - Marlin L & Sandra A Duncan

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

None

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12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- a) Individual, applicant only (no spouse)
- b) Partnership, all partners (no spouses)
- c) Corporation, manager only (no spouse) as listed on form 3c
- d) Limited Liability Company, manager only (no spouse) as listed on form 3c

See Att. copy of cert

Applicant Name	Date Trained (mm/yyyy)	Name of program where trained (name, city)
Marlin L Duncan	08/2013	SURESELL NEBRASKA (online)
Sandra A Duncan	08/2013	SURESELL NEBRASKA (online)

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

- ☐ Lease: expiration date _____
- ☐ Deed
- ☒ Purchase Agreement

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14. When do you intend to open for business? 29 August 2013

15. What will be the main nature of business? Bowling

16. What are the anticipated hours of operation? 2:00pm - 11:00pm

**NEBRASKA LIQUOR
CONTROL COMMISSION**

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS. APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
Gering, NE	2013	2013	Gering, NE	2006	2013
Cheyenne, WY	2006	2013	Cheyenne, WY	2006	2013
Scottsbluff, NE	2000	2006	Scottsbluff, NE	2000	2006

If necessary attach a separate sheet.

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**NEBRASKA LIQUOR
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SureSell

CERTIFICATE OF COMPLETION

This is to Certify that

Marlin Duncan

has met all training requirements and successfully completed the following course and/or exam.

SureSell Nebraska Alcohol Server Training

August 18, 2013

Expiration Date: August 17, 2016

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

SureSellNow.com



Authorized Signature

This course is approved by the Nebraska Liquor Control Commission (LCC). This training complies with all standards under Title 237 of Nebraska State Law.

SureSell^{Now}

CERTIFICATE OF COMPLETION

This is to Certify that

Sandra Duncan

has met all training requirements and successfully completed the following course and/or exam.

SureSell Nebraska Alcohol Server Training**August 18, 2013**

Expiration Date: August 17, 2016

Dioreys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613
SureSellNow.com


Authorized Signature

This course is approved by the Nebraska Liquor Control
Commission (LCC). This training complies with all standards
under Title 20, Nebraska State Law.

State of Nebraska - Registration Receipt

2013091915123746
2013091915123746
www.surellnow.com

State of Nebraska - Vehicle Registration E 4817972

CHEN GREENE, COUNTY TREASURER
SCOTT BLUFF CO. - GERING, NE 68041

Title Number	Type/Class	Series Year	Tax Flag	Reg Weight	Reg Date	Exp Date	Tax
2112226	TC	11		3 Tons	9/18/2013	SEP 2014	
Reg Number	Reg Type	Reg Date	Exp Date	Tax Flag	Reg Weight	Reg Date	Exp Date
20130042163	NR	9/18/2013	SEP 2014		37.10	9/18/2013	SEP 2014
V.I.N.	Title Number	Reg Date	Exp Date	Tax Flag	Reg Weight	Reg Date	Exp Date
1GCEK18T8YE270854	13262210036	9/18/2013	SEP 2014		37.10	9/18/2013	SEP 2014
Vehicle Info	CHEVROLET	30M EXTEND CAB	30M EXTEND CAB		37.10	9/18/2013	SEP 2014
2000	SILVERADO K1500	30M EXTEND CAB	30M EXTEND CAB		37.10	9/18/2013	SEP 2014
MAR					37.10	9/18/2013	SEP 2014
Owner Info					37.10	9/18/2013	SEP 2014
CHEN GREENE, JR.					37.10	9/18/2013	SEP 2014
1540 16TH STREET					37.10	9/18/2013	SEP 2014
GERING, NE 68041					37.10	9/18/2013	SEP 2014

PC
RENEWALS MOVE IN FROM WYOMING

Registration, title, and sales tax are paid at the time of purchase. Registration and title are paid at the time of purchase. Registration and title are paid at the time of purchase.



Requests for refunds or credits of fees upon loss of possession or ownership of motor vehicle must be made within sixty days of loss or transfer.

Total

9/18/2013

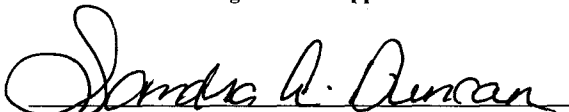
The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures.
<http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>


Signature of Applicant


Signature of Spouse


Signature of Applicant


Signature of Spouse

Signature of Applicant

Signature of Spouse

RECEIVED

RECEIVED

Signature of Applicant

SEP 16 2013

Signature of Spouse

AUG 22 2013

Signature of Applicant

NEBRASKA LIQUOR
CONTROL COMMISSION

Signature of Spouse

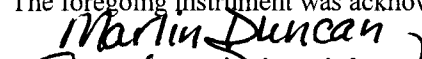
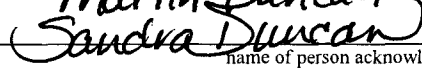
NEBRASKA LIQUOR
CONTROL COMMISSION

ACKNOWLEDGEMENT

State of Nebraska
County of Scotts Bluff

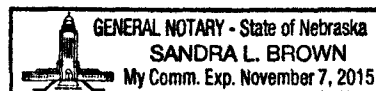
The foregoing instrument was acknowledged before me this

21st day of Aug 2013 by



name of person acknowledged


Notary Public signature

Affix Seal



In compliance with the ADA, this application is available in other formats for persons with disabilities.
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FORM 100
REV 02/2013
PAGE 8

**MANAGER APPLICATION
INSERT - FORM 3c**

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

Office Use	RECEIVED AUG 22 2013 NEBRASKA LIQUOR CONTROL COMMISSION
RECEIVED SEP 16 2013	

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 – 006) and must provide proof of voter registration in the State of Nebraska
- 3) Must provide a copy of one of the following: state issued US birth certificate, naturalization paper or US passport
- 4) Must submit fingerprints (unless a non-participating spouse) (2 cards per person) and fees of \$38 per person, made payable to Nebraska State Patrol
- 5) Must be 21 years of age or older
- 6) May be required to take a training course

Corporate Information

Name of Corporation/LLC: Valley Bowl, LLC

Premise Information

Premise License Number: _____
(if new application leave blank)

Premise Trade Name/DBA: Valley Bowl Fun Center

Premise Street Address: 1702 17th Ave

City: Scottsbluff State: NE Zip Code: 69361

Premise Phone Number: 308-632-2695

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi



CORPORATE OFFICER/MANAGING MEMBER SIGNATURE
(Faxed signatures are acceptable)

NEBRASKA www.dmv.ne.gov
USA NE

OPERATORS LICENSE

4a License No. H12508585 4a ISS 09-19-2013
3 DOB 05-20-1963 4b EXP 10-19-2013
9a End NONE 9 Class O
12 Rest. NONE

15 Sex M 16 Hgt 511 17 Wgt 210
18 Eyes BRO 19 Hair BRO

WITH DRIVING PRIVILEGES

1 MARLIN L DUNCAN
2 1540 18TH ST
GERING, NE 69341

M. Duncan DONOR **DMV**
Fee \$20.00

NEBRASKA www.dmv.ne.gov
USA NE

OPERATORS LICENSE

4a License No. 021032528 4a ISS 09-19-2013
3 DOB 05-14-1961 4b EXP 10-19-2013
9a End NONE 9 Class O
12 Rest. NONE

15 Sex F 16 Hgt 506 17 Wgt 110
18 Eyes BRO 19 Hair B

WITH DRIVING PRIVILEGES

1 SANDRA A DUNCAN
2 1540 18TH ST
GERING, NE 69341

Sandra Duncan DONOR **DMV**
Fee \$20.00

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2003	2013	Wy Air Nat'l Guard	Col Gerald Champlin	307-772-6332
2006	2008	Wy State Engineers	Martin Zimmerman	307-777-5956

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY. Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
				RECEIVED
				RECEIVED
				AUG 22 2013
				NEBRASKA LIQUOR CONTROL COMMISSION
				NEBRASKA LIQUOR CONTROL COMMISSION

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? ☐ YES ☒ NO
IF YES, list the name of the premise.

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business? ☒ YES ☐ NO
4. Have you enclosed the required fingerprint cards and **PROPER FEES** with this application? (Check or money order made payable to the **Nebraska State Patrol for \$38.00 per person**)
☒ YES ☐ NO
5. List any alcohol related training and/or experience (when and where).
SURESELL On-Line Training (online, Aug 13). USAirForce (Annually, 2010-2013)

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.


Signature of Manager Applicant


Signature of Spouse

ACKNOWLEDGEMENT

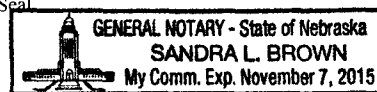
State of Nebraska

County of Scotts Bluff

The foregoing instrument was acknowledged before me this
21st day of Aug. 2013 by Marlin Duncan
 date name of person acknowledged
Sandra Duncan


Notary Public signature

Affix Seal



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

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NEBRASKA LIQUOR
CONTROL COMMISSION

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AUG 22 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

Form 103
Rev 11/2012
Page 5 of 5

APPLICATION FOR LIQUOR LICENSE
LIMITED LIABILITY COMPANY (LLC)
INSERT - FORM 3b

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

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NEBRASKA LIQUOR
CONTROL COMMISSION

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AUG 22 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints (2 cards per person)
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (Articles must show barcode receipt by Secretary of States office)

Name of Registered Agent: Simmons Olsen Law Firm, PC

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

Valley Bowl, LLC # 10180639

LLC Address: 1702 17th Ave

City: Scottsbluff State: NE Zip Code: 69361

LLC Phone Number: 308-632-2695 LLC Fax Number: none

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Duncan First Name: Marlin MI: L

Home Address: 1540 16th Street City: Gering

State: NE Zip Code: 69341 Home Phone Number: 308-641-3138

Marlin L Duncan

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

State of Nebraska
County of Scotts Bluff

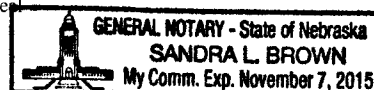
21st day of Aug 2013
Date

The foregoing instrument was acknowledged before me this

by Marlin Duncan
name of person acknowledge

Sandra L. Brown

Affix Seal



FORM 102
REV 12/2010
Page 1 of 4

Is the applying Limited Liability Company controlled by another corporation/company?

☐ YES

☒ NO

If yes, provide the following:

- 1) Name of corporation _____
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January Ending Date: December

Is this a Non Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID #. _____

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AUG 22 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

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SEP 16 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

FORM 102
REV 12/2010
Page 4 of 4

Nebraska Secretary of State

- John A. Gale

Business Services

Home » Corporation and Business Entity Searches

Wed Sep 18 14:15:57 2013

For Letters of Good Standing (\$6.50), Certificates of Good Standing (\$10.00), and/or images (\$0.45 per page) of documents filed with the Secretary of State please click the corresponding service below:

NEW SEARCH

[Back to Search Results](#)

Pay Services:

[Online Images of Filed Documents](#) | [Good Standing Documents](#)

Entity Name	SOS Account Number
VALLEY BOWL, LLC	10180639
Principal Office Address	Registered Agent and Office Address
No address on file	SIMMONS OLSEN LAW FIRM, P.C. 1502 SECOND AVENUE SCOTTSBLUFF, NE 69361
Designated Office Address	
1702 17TH AVENUE SCOTTSBLUFF, NE 69361	
Nature of Business	Entity Type
Not Available	Domestic LLC Qualifying State: NE
Date Filed	Account Status
Aug 14 2013	Active

Pay Services:

Click on the pay service items you wish to view. Your Nebraska Online account will be charged the indicated amount for each item you view.

- Images of Filed Documents

If an item is a link, the document may be retrieved online, otherwise you must contact the Secretary of State's office to obtain a copy of the document.

Code	Trans	Date	Price
CRTO	Certificate of Organization	Aug 14 2013	\$0.45 = 1 page(s) @ \$0.45 per page

- Letter of Good Standing

I require a Letter of Good Standing for this Corporation. - This is an online/electronic Letter of Good Standing which is immediately available for viewing or printing and will be charged to your Nebraska.gov account.

\$6.50

**CERTIFICATE OF ORGANIZATION
OF
VALLEY BOWL, LLC**


1. **Name:** The name of the Company shall be Valley Bowl, LLC.
2. **Initial Designated Office:** The initial designated office of the Company shall be:

1702 17th Avenue
Scottsbluff, NE 69361

3. **Initial Agent for Service of Process:** The name and address of the initial agent for service of process is:

Simmons Olsen Law Firm, P.C.
1502 Second Avenue
Scottsbluff, NE 69361

Dated: August 13, 2013.


Marlin L. Duncan, Member

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NEBRASKA LIQUOR
CONTROL COMMISSION

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SEP 16 2013

NEBRASKA LIQUOR
CONTROL COMMISSION



2013-4695

NUM PAGES 1
 DOC TAX \$618.75 CHG _____
 FEES \$10.00 CHG _____
 TOTAL \$628.75
 REC'D Ferguson Title Services, LLC
 RET _____

NUM INDEX _____
 COMPUTER _____
 PICTURED _____
 IMAGED _____

NEBRASKA DOCUMENTARY
 STAMP TAX
 Aug 23, 2013
 \$ 618.75 By JBauer

RECORDED
 SCOTTS BLUFF COUNTY, NE

Date Aug 23, 2013 Time 02:47 PM

Inst. 2013-4695

Jean A. Bauer
 REGISTER OF DEEDS
 ELECTRONICALLY RECORDED

Return to:
 Ferguson Title Company
 P.O. Box 92
 Scottsbluff, NE 69363

WARRANTY DEED

Alyssa Frank, single (the "Grantors"), in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is acknowledged, conveys to Valley Bowl, LLC, a Nebraska limited liability company (the "Grantees"), the following described real estate (as defined in Neb. Rev. Stat. §76-201) in Scotts Bluff County, Nebraska (the "Real Estate"):

Block 4, East Portal Village Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska.

And

Lot 2, Subdivision of Block 9, East Portal Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska

The Grantor covenants with the Grantee that the Grantor:

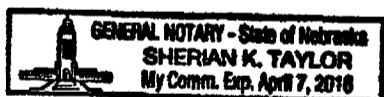
- (1) is lawfully seised of the Real Estate and that the Real Estate is free from encumbrances except subject to easements, restrictions, reservations, and rights-of-way of record;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Dated: August 23, 2013.

Alyssa Frank by Connie Frank POA
 Alyssa Frank

State of Nebraska, County of Scotts Bluff: ss.

This Warranty Deed was acknowledged before me on August 23, 2013, by Alyssa Frank, single.



Sherian K. Taylor
 Notary Public

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SEP 16 2013

NEBRASKA LIQUOR
 CONTROL COMMISSION

CHECK LIST

Neb. Rev. Stat. §53-132 Cum. Supp. 2002

Council should determine the propensity of whether or not to grant the liquor license that has been requested. In that regard, suitability and fitness and the following four criteria are most important:

- (2)(a) Applicant is fit, willing and able to provide the service proposed.
- (2)(b) Applicant can conform to all laws.
- (2)(c) Applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to ensure conformance with law.
- (2)(d) Issuance of the license is or will be required by the present or future public convenience and necessity.

In making its determination Council may also consider as the Nebraska Liquor Control Commission will consider, the following. The Council should not base its recommendation on any of the following criteria, but may chose to comment to the Commission about one or more of the criteria:

- (3)(b) Citizen's protest.
- (3)(c) Existing population/growth.
- (3)(d) The nature of the neighborhood around the location.
- (3)(e) Existence of other licenses.
- (3)(f) Existing motor vehicle and pedestrian traffic in the vicinity.
- (3)(g) Adequacy of existing law enforcement.
- (3)(h) Zoning restrictions.
- (3)(i) Sanitary conditions.
- (3)(j) Whether the type of business or activity proposed will be consistent with the public interest.

*OTHER COUNCIL CONCERNS

Memorandum

To: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
From: Kevin E Spencer, Chief of Police
Date: 10/15/2013
Re: Application for a Class C Retail Liquor License number C-105076 in the name of Marlin Duncan, Valley Bowl LLC dba/Valley Bowl Fun Center 1702 17th Ave Scottsbluff, Nebraska 69361

AUTHORITY: The Scottsbluff Police Department reports specific information to the City Council whenever a liquor license application is presented. The information furnished by the Police Department conforms to Chapter 53, Reissue Revised Statutes of Nebraska 1943, and Section 53-132, which outlines the factors which the Commission may consider in granting a liquor license.

COMMENTARY

53-132: Section 2

(A) The applicant is fit, willing and able to properly provide the service proposed within the city where the premises described in the application are located:

A background check was conducted on Marlin Duncan as a means to determine his fitness to hold a liquor license. Marlin did not report any convictions on his application nor were any found during our background investigation.

Marlin and Sandra Duncan met with me on Friday October 11th, 2013 to discuss the liquor license application.

Marlin reported that he did not have any experience in the retail liquor industry but did have considerable experience with alcohol education and prevention at the F. E. Warren Air Force Base in Cheyenne while stationed there. Sandra reported having worked in several liquor type establishments.

Based on the information gather during the background investigation and my interview of the Duncan's, I find no reason to believe the applicant is not fit to hold a liquor license.

(B) The applicant can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Any operator must adhere to the existing laws while doing business in the community and adhere to acceptable business practices. Marlin Duncan reported that he will manage the business adding that it will be somewhat of a family run business for some time. Marlin and Sandra reported that they do not have a formal policy but plan to terminate anyone that is responsible for a violation. Marlin and Sandra stated that they also plan to have formal policies that will be provided to employees in an employee handbook.

The applicant appears to have the ability and willingness to conform to language within the Nebraska Liquor Control Act.

(C) The applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to insure that the licensed business can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Marlin Duncan reported that the business has a locked room that is designed to store the alcohol which is where he will store his. Marlin stated that the beer will be stored in the cooler so that it can be kept cool. Sandra stated that it will be her duty to inventory the liquor and beer. Sandra said that she plans to conduct the inventory most likely weekly, explaining they are still working on details.

The applicant stated that the business currently has an intrusion alarm and he is considering some type of interior video camera system.

Marlin stated that both Sandra and he have attended training and plan to require anyone of their employees that handle alcohol to do the same. Marlin and Sandra both stated that they will require wrist bands on nights when there is mixed age groups. Marlin explained when a customer provides proper identification and is of legal age they will receive a wrist band. Marlin stated this will help his employees ensure that only customers who have provided proof of legal age consume alcohol. Sandra told me that they will also require everyone who is drinking from a pitcher of beer to show legal identification before receiving a glass.

The applicant has provided a business plan that explains what they intend to accomplish with regards to maintaining a successful and hopefully profitable business.

The applicant appears committed to complying with all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act.

(D) The issuance of the license is or will be required by the present or future public convenience and necessity:

The hours of operation of the establishment will be from 02:00 pm to 11:00 pm daily.

Oversight and accountability will be a priority for the applicants as it relates to the sale of alcoholic beverages.

SPECIFIC ISSUES COMMISSION MAY CONSIDER

(E) The existence of a citizen's protest made in accordance with Section 53-133:

There have been no known citizen protests of this business.

(F) The nature of the neighborhood or community of the location of the proposed licensed premises:

The business is located at 1702 17th Ave Scottsbluff, NE. It is a business that will attract customers during the afternoon and evening hours seven days a week Sunday through Saturday. Its location is easily accessible and convenient for customers. I would not anticipate any issues with location.

- (G) The existence or absence of other retail licenses or bottle club licenses with similar privilege within the neighborhood or community of the location or the proposed licensed premises.**

There are no other establishments of this nature in the immediate area.

- (H) The existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises:**

Although no recent traffic studies have been completed regarding motor vehicle traffic of the general area, the traffic flow is not of a concern at this time nor is pedestrian traffic.

- (I) The adequacy of existing law enforcement:**

The Scottsbluff Police Department is allowed 32 full time officers in the department and handled approximately 15,000 incidents, not including traffic citations during 2012. The number of liquor licenses within the jurisdictional boundaries of the Police Department, regardless of the class, continues to be a concern to the Police Department and even routine monitoring of their business practices is difficult. Compliance checks continue to remain a concern to those businesses that sell alcohol to minors. The Nebraska State Patrol has assumed liquor law enforcement duties and their wide jurisdiction generally precludes any particular focus in the city.

- (J) Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest:**

The Police Department would reserve making any statement which would indicate that the sale of alcohol is consistent with the public interest.

Adequate staffing and training, as well as close supervision of patrons are important. Cooperation with the Police Department by management will help to eliminate or diminish potential problems with violations.

EXHIBIT IV

Memo

Date: October 21, 2013
To: Honorable Mayor Meininger and Members of the City Council
From: Cindy Dickinson, City Clerk
CC: Rick Kuckkahn, City Manager
Re: Application of Valley Bowl dba Valley Bowl Fun Center

The city clerk is required by ordinance to report specific information to the city council whenever a liquor license application hearing is held.

Following are the existing licenses, their class, address and proximity to other licensed premises:

Class of License

Class A	Beer only, for consumption on premises
Class B	Beer only, for consumption off premises
Class C	Alcoholic liquors, for consumption on and off premises
Class D	Alcoholic liquors, including beer, for consumption off premises
Class I	Alcoholic liquors, for consumption on the premises
Class W	Wholesale beer
Catering	Alcohol permitted by licensee's retail license, sold or served at events covered by special designated licenses

Class A Licenses

Restaurants

Pizza Hut of Scottsbluff, Inc.
Mast Enterprises, Inc. dba Godfather Pizza

726 West 27th Street
2203-07 Broadway

Total Class A Licenses **2**

Class B Licenses

Convenience Stores

Total Class B Licenses **0**

Class C Licenses

Restaurants

El Charrito Restaurant & Lounge, Inc .
Woodshed, Inc.

802 21st Avenue
18 East 16th Street

Hotel/Motel

Holiday Inn Express
Candlelight Inn & Lounge

1821 Frontage Rd.
1822 East 20th Place

Taverns/Lounges

Hight's Tavern
Silver Saddle Lounge (submitted request for change of location)
18th Street Bar and Grille
Bob's Garage & Bar
Lucky Keno LLC dba FrontSide
El Tequila

20 West 18th Street
610 W. 27th St. Unit A
1722 Broadway
1907 Broadway
1001 Avenue I
1619 East Overland

Retail

Racks (Catering)
Panhandle Cooperative Assn. (Catering)

1402 East 20th St.
401 S. Beltline Hwy West

Clubs

Elks BPO Lodge 1367
The Sugar Club

1614 1st Avenue
705 East Overland

TOTAL CLASS C LICENSES 14

Class D Licenses

Grocery Stores

Safeway of Western Nebraska

601 Broadway

Convenience Stores

5th & O Eastco
Family Thrift #459
Sinclair Super Shop
Panhandle Coop Assn.
Git N Split
Cheema's Gas & Liquor
Route 26 Mart
Maverik Stores Inc.,
La Bamba
Walgreens

503 East Overland
121 W 27th Street
902 West Overland
3302 Ave. B
506 West 27th Street
2002 Avenue I
1722 E 20th Street
920 West 36th St.,
721 East Overland
205 West 27th Street

Liquor Stores

Dermer's
Liquor Cabinet (Catering)
Cigarette Chain

1311 E Overland Dr.
817 West 27th Street
323 East Overland

Discount/Grocery Stores

Big Kmart #7024
Wal-Mart Supercenter #867

802 East 27th Street
3322 Avenue I

TOTAL CLASS D LICENSES 16

CLASS I LICENSES

Restaurants

Rosita's
Chili's Grill & Bar
Applebee's Neighborhood Grill & Bar
Wonderful House Restaurant
Taco de Oro
Whiskey Creek Steakhouse
Ole, LLC
Oriental House
Emporium Coffeehouse & Cafe
San Pedro Mexican Restaurant
Sam & Louie's Pizzeria
Taco Town

1205 East Overland
826 West 36th St.
2621 5th Avenue
829 Ferdinand Plaza
2601 Avenue I
1802 E 20th Place
1901 East 20th Street
1502 E. 20th St.
1818 1st Avenue
23 West 27th St.
1522 Broadway
1007 West 27th St.

Bowling Alleys

Theater

Hotel/Motel

Hampton Inn & Suites

301 W Hwy 26

TOTAL CLASS I LICENSES 12

Class W Licenses

Wholesale

High Plains Budweiser

2810 Ave M

TOTAL CLASS W LICENSES 1

TOTAL LICENSES

Class A	2
Class B	0
Class C	14
Class D	16
Class I	12
Class W	1

TOTAL LICENSES 45

Memo

Date: September 27, 2013
To: Honorable Mayor and City Council
From: Staff, Development Services
CC: Rick Kuckkahn
Re: Class "C" Liquor License Application
Valley Bowl LLC by Valley Bowl Fun Center
1702 17th Avenue
Scottsbluff, NE 69361

Action:

The Development Services Department is required by Article 1, Chapter 11 of the Scottsbluff Municipal Code to report specific information to the Mayor and City Council whenever a liquor license application hearing is held. In accordance with that directive the following information is offered:

- (1) The property is situated in aC-2 Neighborhood and Retail Commercial zoning district where the proposed use is permitted by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances.
- (2) The area surrounding the Valley Bowl Fun Center property provides adequate off-street parking for the center. Municipal Code 25-5-1(2) requires that a bowling alley must have six parking spaces per lane. Parking will comply with these requirements.
- (3) The business is situated at the northwestern corner of the intersection of 17th Avenue and East 17th Street. Occupancy of the building as a bowling facility would not adversely affect the surrounding neighborhood, as there are no public or private institutions in close proximity to the subject property.
- (4) There are no churches, schools or other similar institutions within 500 feet of the subject property.
- (5) The existing population of Scottsbluff is approximately 15,039.

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Pub. Hear.2

Council to consider appointing Marlin Duncan as the manager of the Valley Bowl Fun Center.

Staff Contact: Cindy Dickinson

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Public Inp1

Council to consider a claim from Jim Graff in the amount of \$850.00 for alley maintenance of the 1700 Block of Ave. E.

Staff Contact: Rick Kuckkahn, City Manager



J.R. PIONEER ENTERPRISES, LLC.

P.O. Box 953 Scottsbluff, NE 69363-0953

Cell: 308-631-4104 Fax: 308-635-8446

pioneerrecovery@allophone.com

RESPONSIBLE, RELIABLE, PROFESSIONAL

Date 10/3/2013

To : City of Scottsbluff

Agrigate put on 1700 Block of Ave E in Scottsbluff.

TOTAL \$850.00

Notes:

thanks

RECEIVED

OCT 07 2013

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Bids1

Award bid for warrants based on quotes for interest rates for period 10-22-13 through 9-30-14.

Staff Contact: Renae Griffiths, Finance Director

Agenda Statement

Item No.

For meeting of: **October 21, 2013**

AGENDA TITLE: Award bid for warrants based on quotes for interest rates for period 10-22-13 through 9-30-14.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Finance

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: We asked local banks to submit quotes on warrant interest rates they were willing to give us. Here are the results of that request:

First Natl Bank	1.34%
First State Bank	1.31%
Platte Valley Bank	1.19%

These rates would be effective until 9-30-14 at which time I will request new rates.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Recommend that council approve Platte Valley Bank as the purchaser of our warrants from 10-22-13 through 9-30-14.

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, October 21, 2013

Regular Meeting

Item Reports1

New Council Member Oath of Office:

Announcement of Mark McCarthy, qualified to be seated as a member of the City Council and pledge of Oath of Office and acknowledgement that the appropriate bond is in process.

Newly elected Council member is seated.

Staff Contact: Cindy Dickinson

OATH OF OFFICE

STATE OF NEBRASKA)
) SS
COUNTY OF SCOTTSBLUFF)

I, Mark McCarthy, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of council member according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

Dated this 21st day of October, 2013.

Mark McCarthy

Subscribed in my presence and sworn to before me this 21st day of October, 2013.

Witness

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports2

Council to consider Council appointments to the following Boards:

Scottsbluff Drain Operating Committee

Resource, Conservation & Development Board

Riverside Discovery Center Board

Discussion and instructions to staff regarding Council Member representation on the LARM Board.

Staff Contact: Rick Kuckkahn, City Manager

LARM members:

The LARM Board has two vacant positions, which the LARM Board will fill with elected officials to keep current distribution of elected and appointed Board members balanced

If your community is interested in having representation for a three-year term on the LARM Board, please submit to me the name, contact information and (if available) a resume of the local government's representative. Subsequently the information submitted will be forwarded to the LARM Board's Nominating Committee who will recommend two appointees (elected officials) to the LARM Board.

If possible, please submit your local government's proposed LARM Board representative to me by November 1, 2013.

Thank you very much for your local government's interest in having a representative on the LARM Board.

Michael Nolan

Executive Director

League Association of Risk Management

1335 L Street

Lincoln, NE 68508

402-476-2829

mike.nolan@larmpool.org

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports3

Council to consider a change of location for the Silver Saddle Lounge Class C liquor license to 1901 – B 21st Ave.

Staff Contact: Rick Kuckkahn, City Manager

STATE OF NEBRASKA

Dave Heineman
Governor

NEBRASKA LIQUOR CONTROL COMMISSION
Hobert B. Rupe Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814
TRS USER 800 833-7352 (TTY)

September 24, 2013

SCOTTSBLUFF CITY CLERK
2525 CIRCLE DRIVE
SCOTTSBLUFF NE 69361

RE: **CHANGE OF LOCATION**

The below referenced licensee has submitted a request for a change of location.

LICENSE #: C-057774
LICENSEE NAME: WOODS, DICK L.
TRADE NAME: SILVER SADDLE LOUNGE
ADDRESS: 610 W 27TH STREET
CITY/COUNTY: SCOTTSBLUFF / SCOTTS BLUFF
PREMISE PHONE: 308-220-4411
NEW ADDRESS: 1901-B 21ST AVE
NEW DESCRIPTION: IRREGULAR SHAPED SINGLE STORY BLDG APPROX 202' X 67'

Please present this request to your board and send us the results of that action.

Sincerely,
Randy Seybert
Licensing Division
NEBRASKA LIQUOR CONTROL COMMISSION
RS

cc: file
Janice Wiebusch
Commissioner

Bob Batt
Chairman
An Equal Opportunity/Affirmative Action Employer

William Austin
Commissioner

FORM 35-4001
REV. 12/99

APPLICATION FOR CHANGE OF LOCATION TO LIQUOR 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

Office Use

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NEBRASKA LIQUOR
CONTROL COMMISSION

Application needs to include the following:

- Must include processing fee of \$45.00 made payable to Nebraska Liquor Control Commission
- Must include a copy of the lease, deed or purchase agreement showing ownership of new location
 - Document must show ownership in name of licensee, if licensed as corporation or LLC must show that name
- Must include simple sketch showing new building, must include outside dimensions in feet (not square feet), direction north, if it's a one or two story building, if there is a basement. No blue prints.
- May include a letter of explanation

RS

LIQUOR LICENSE # 57774-C
 LICENSEE NAME DICK L. WOODS
 TRADE NAME SILVER SADDLE LOUNGE
 CURRENTLY LICENSED ADDRESS 610 W 27th ST UNIT A
 CITY SCOTTS BLUFF
 CONTACT PERSON DICK WOODS
 CONTACT PERSON PHONE NUMBER 308-641-5454 308-220-4411

Change of location application will not be accepted if moving to a different jurisdiction (i.e. city or county), a new application will need to be filed.

Complete the following questions:

1. What is the new address? 1901-B-21st Ave
2. City SCOTTS BLUFF County SCOTTS BLUFF
3. When do you expect on moving to new location? AS SOON REMODELING IS DONE
AND INSPECTIONS ARE APPROVED.

MO 14-743555424
45-mm

1



1300020398

BT

DICK L. WOODS

Dick L. Woods

Print Name of Signature

RECEIVED

FILE

NEBRASKA LIQUOR
CONTROL COMMISSION

Dick L. Woods

Signature of Licensee or Officer

State of Nebraska

County of

Scotts Bluff

The forgoing instrument was acknowledge before
me this

15th day of August, 2013

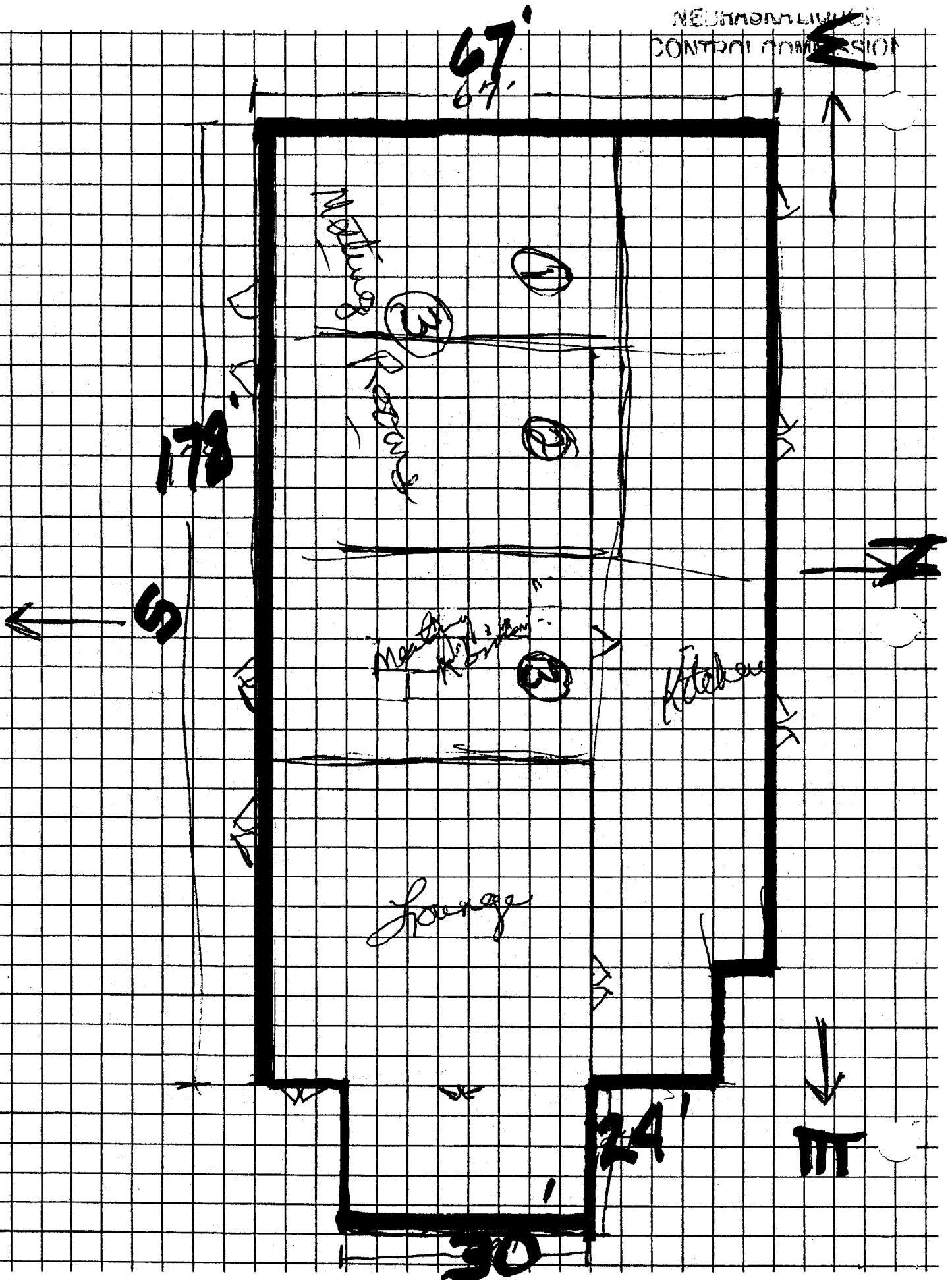
Date

Erika Moreno

Notary Public Signature

Affix Seal Here





SEP 11 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

LEASE AGREEMENT

LEASE AGREEMENT, entered into by and between Aarna Hospitality LLC dba Motel 6 ("LANDLORD") and Dick Woods ("Teanant").

For good and valuable consideration the parties agree as follows:

1. Landlord hereby leases and lets to teanant the premises described as

Follow: 1901 21st ave

Scottsbluff NE (Restaurent and Bar Only.)

2. This Lease shall be for a term of 10 years beginning on August 31, 2013 and ending on August 30, 2023. Teanant shall pay to Landlord rent in the amount of \$100.00 Per month during said term, payable on the 1st day of each Month in advance.

3. Teanant shall pay a security deposit of \$2000.00 To be kept by Landlord in accordance with state law, and to be returned Upon termination of this Lease and the payment of all rents due and Performance of all other obligations. { Lease will bevoid if state does not Allow the transfer of location of liquor license.

4. Tenant shall at his/her own expense provide the following utilities:

ELECTRICITY-GAS-WATER-AND ALL PERMITS

INSURANCE-MAINTANCE AT OWN EXPENSE

Maintain city and state fire code.

5. Tenant further agrees that:

a) Upon the expiration of the Lease, Tenant will return possession of the leased premises to Landlord in its present condition, except for reasonable wear and tear. Tenant shall commit no waste to the leased premises.

b) Tenant shall not assign or sublet the premises or allow any other person to occupy the leased premises without Landlord's prior written consent. No sublease of any nature.

c) Tenant shall not make any material or structural alternations to the premises or change locks on the premises without Landlord's prior written consent.

d) Tenant shall comply with all building, zoning, and health codes and other applicable laws for the use of said leased premises.

e) Motel not responsible for any injury or death at bar.

f) Premises are given possession As is - NO FIXING NO RENOVATING NO WARRENTIES.

g) Lease transfer with new terms. Landlord has rights to transfer or not.

h) NO loud music to the point of disturbing motel guests.

RECEIVED

SEP 11 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

- i) Tenant shall not conduct on any activity deemed by Landlord in its sole discretion hazardous, a requiring an increase in fire or hazard insurance premiums.
- j) In the event of any breach of the payment of rent, or any other breach of this Lease, Landlord shall have full rights to terminate this Lease in accordance with state law and re-enter and reclaim possession of the premises, in addition to such other remedies which are available to Landlord as a result of said breach.
- k) This Lease shall be binding upon and inure to the parties, and their respective successors, agents, Personal representatives, and assigns.
- L) This Lease shall be subordinate to all present or future mortgages against the property.
- M) Additional Lease terms:
- a) Owner has joint rights to meeting rooms.
 - b) Tenant has the right to cancel LEASE at any time and take what is theres...(HIS).
 - c) Deposit will not be refunded for breach of contract or early termination.

Signed this 30th day of August, 2013.

[Signature]

WITNESS

WITNESS

[Signature]

LANDLORD

[Signature]

TENANT

Memo

To: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
From: Kevin Spencer, Chief of Police
Date: 10/18/2013
Re: Silver Saddle Change of Location for License Class C, license Number 057774. License Applicant Name – Dick Woods

Dick Woods, owner of the Silver Saddle Lounge has requested to move his business from 610 W 27th Street Unit A to 1901 –B 21st Ave Scottsbluff, Nebraska. Dick Woods told me that he will be leasing the back of the Motel 6 building located at 1901 21st Ave. Woods stated that he is in the process of remodeling the space adding that he anticipates moving at the end of October opening for business sometime after the 1st of November. Woods told me that he will soon close his business on 27th Street to devote his time to the new business.

On October 17th, 2013 Nebraska State Patrol Trooper Tamara Otto and I met with Dick Woods at the proposed sight of the new Silver Saddle. Woods showed us the building stating that he has changed his plan and will only license the lounge area and part of the kitchen. Woods explained that sometime in the future he will extend his license to include the entire kitchen and restaurant area. Woods stated that he is going to focus his attention on the lounge and part of the kitchen as the walk in cooler are in the part of the kitchen he will license. Trooper Otto explained to Woods that he would need to construct a barrier wall dividing the kitchen from the restaurant and meeting rooms to prevent access the coolers. Trooper Otto told Woods that he would need to contact her once the wall is constructed and she would give him final approval.

As of October 18th, 2013, Woods has not yet received a "Certificate of Occupancy" for the business. Woods has to bring the business up to fire and building codes before that will be granted.

I would not expect any challenges with traffic or parking at the business. The part of the building that Wood's is renting is a former bar/lounge on the north side of the motel. In contemplating location I would consider this new location more appropriate than the current location of the Silver Saddle on W 27th Street.

There are two restaurants and a convenience store in the area that have liquor licenses.

Respectfully Submitted

Kevin E Spencer
Chief of Police
Scottsbluff Police Department

Memo

Date: September 27, 2013
To: Honorable Mayor and City Council
From: Staff, Development Services
CC: Rick Kuckkahn
Re: Class "C" Liquor License – change of location Application
Silver Saddle Lounge
From 612 W. 27th Street to 1921 B 21st Avenue
Scottsbluff, NE 69361

Action:

Mr. Dick Woods has requested a **change of location** for his liquor license # Class C 57774-C, from his current location at 612 West 27th Street to 1921 B 21st Avenue. The Development Services Department is required by Article 1, Chapter 11 of the Scottsbluff Municipal Code to report specific information to the Mayor and City Council whenever a liquor license application hearing is held. In accordance with that directive the following information is offered:

- (1) The property is situated in a C-2 (Neighborhood & Retail Commercial) zoning district where restaurants, bars, & taverns are allowed as a matter of right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances.
- (2) New location for the Silver Saddle Lounge is 1921 B 21st Avenue, which is situated north of Delta Drive and West of 21st Avenue.
- (3) The location has sufficient off-street parking as it is located in the Motel 6 building (formerly the Scottsbluff Inn which has had this type of business before). Required parking for this type of business (Restaurant, bar, one space per three seats).
- (4) The use of this property is consistent with the surrounding neighborhood, which is generally commercial in nature.
- (5) There are no other public buildings or institutions in close proximity to the subject property.
- (6) The existing population of Scottsbluff is approximately 15,039.

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports4

Council to consider a new manager application for Brett Armstrong for the Elks BPO Lodge 1367 liquor license located at 1614 1st Ave., Scottsbluff.

Staff Contact: Rick Kuckkahn, City Manager



Dave Heineman
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Robert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814 or (402) 471-2374

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

September 30, 2013

SCOTTSBLUFF CITY CLERK
2525 CIRCLE DR
SCOTTSBLUFF NE 69361

RE: Elks BPO Lodge 1367

LICENSE #CK-01678

Dear Clerk:

Enclosed is a copy of a manager application for Brett Armstrong in connection with the Elks BPO Lodge 1367 located in Scottsbluff.

Please present this application for manager to your City/Village Council or County Commissioners and send us the results of their action.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline Rodriguez".

Jacqueline Rodriguez
Licensing Division
NEBRASKA LIQUOR CONTROL COMMISSION
402-471-2572

encl.

Janice M. Wiebusch
Commissioner

Robert Batt
Chairman

William F. Austin
Commissioner

*An Equal Opportunity Employer
Printed with soy ink on recycled paper*

**MANAGER APPLICATION
INSERT - FORM 3c**

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

Office Use

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SEP 24 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 – 006) and must provide proof of voter registration in the State of Nebraska
- 3) Must provide a copy of one of the following: state issued US birth certificate, naturalization paper or US passport
- 4) Must submit fingerprints (unless a non-participating spouse) (2 cards per person) and fees of \$38 per person, made payable to Nebraska State Patrol
- 5) Must be 21 years of age or older
- 6) May be required to take a training course

Corporation/LLC information

Name of Corporation/LLC: EIKS BPO Lodge #1367

Premise information

Premise License Number: 001678

(if new application leave blank)

Premise Trade Name/DBA: EIKS BPO Lodge #1367

Premise Street Address: 1614 1st Ave

City: Scottsbluff State: NE Zip Code: 69361

Premise Phone Number: 308-632-2622

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.

http://www.lcc.ne.gov/license_search/licsearch.cgi

Julia Seip Secretary Lodge
CORPORATE OFFICER/MANAGING MEMBER SIGNATURE

(Faxed signatures are acceptable)



1300021478

Form 103
rev 11/2012
Page 2 of 5

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2009	2013	Vertex	Jennifer Dinges	308-632-2879
2008	2009	Gering Garden Center	Mike Kautz	308-436-5634

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY. Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☒ YES ☐ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Brett Armstrong	12/2008	Gering, NE	minor in possession of alcohol	Guilty / paid fines
Brett Armstrong	07/2008	Gering, NE	minor in possession of alcohol	Guilty / paid fines

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? ☐ YES ☒ NO

IF YES, list the name of the premise.

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business? ☒ YES ☐ NO

4. Have you enclosed the required fingerprint cards and **PROPER FEES** with this application? (Check or money order made payable to the **Nebraska State Patrol for \$38.00 per person**)

☒ YES ☐ NO

5. List any alcohol related training and/or experience (when and where).

N/A

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Brett Armstrong Signature of Manager Applicant
Courtney Armstrong Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska

County of Scotts Bluff

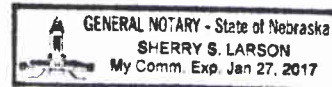
Sept. 19, 2013
date

Sherry S. Larson
Notary Public signature

The foregoing instrument was acknowledged before me this

by Courtney Armstrong
name of person acknowledged

Affix Seal



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

Form 103
Rev 11/2012
Page 5 of 5

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SEP 30 2013
NEBRASKA LIQUOR
CONTROL COMMISSION

RECEIVED

SEP 24 2013
NEBRASKA LIQUOR
CONTROL COMMISSION

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

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

Office Use

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SEP 24 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Courtney Armstrong

Signature of spouse asking for waiver
(Spouse of individual listed below)

State of NEBRASKA

County of Scotts Bluff

Sept 19, 2013

date

Sherry S. Larson

Notary Public signature

Courtney Armstrong

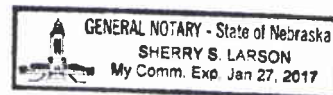
Printed name of spouse asking for waiver

The foregoing instrument was acknowledged before me this

by Courtney Armstrong

name of person acknowledged

Affix Seal



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

Brett Armstrong

Signature of individual involved with application
(Spouse of individual listed above)

State of NEBRASKA

County of Scotts Bluff

Sept 19, 2013

date

Sherry S. Larson

Notary Public signature

Brett Armstrong

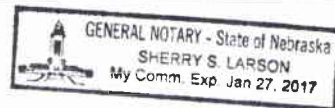
Printed name of applying individual

The foregoing instrument was acknowledged before me this

by Brett Armstrong

name of person acknowledged

Affix Seal



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

RECEIVED
SEP 30 2013
NEBRASKA LIQUOR
CONTROL COMMISSION

FORM 35-4178
Revised 1/2008

STATE OF NEBRASKA

WHEN THIS COPY CARRIES THE RAISED SEAL OF THE NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM, IT CERTIFIES THE BELOW TO BE A TRUE COPY OF THE ORIGINAL RECORD ON FILE WITH THE NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM, VITAL STATISTICS SECTION, WHICH IS THE LEGAL DEPOSITORY FOR VITAL RECORDS.

DATE OF ISSUANCE

02/02/2006
LINCOLN, NEBRASKA

Stanley S. Cooper
STANLEY S. COOPER
ASSISTANT STATE REGISTRAR
HEALTH AND HUMAN SERVICES

STATE OF NEBRASKA — DEPARTMENT OF HEALTH
BUREAU OF VITAL STATISTICS
CERTIFICATE OF LIVE BIRTH *γ*

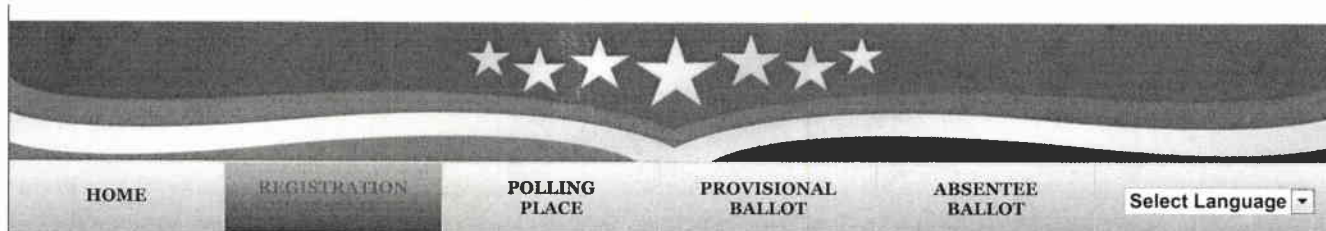
126 — 90 01818

1. CHILD'S NAME		FIRST	MIDDLE	LAST
		Brett	Eric	Armstrong
2. SEX	3a. DATE OF BIRTH (Month, Day, Year)		3b. HOUR OF BIRTH	4. COUNTY OF BIRTH
Male	January 18, 1990		4:57 A.M.	Scotts Bluff
5a. PLACE OF BIRTH:				
<input checked="" type="checkbox"/> Hospital <input type="checkbox"/> Freestanding Birthing Center <input type="checkbox"/> Clinic/Doctor's Office <input type="checkbox"/> Residence <input type="checkbox"/> Other (Specify) _____				
5b. FACILITY NAME (If not institution, give street and number)		5c. CITY, TOWN, OR LOCATION OF BIRTH		5d. INSIDE CITY LIMITS (Specify Yes or No)
Regional West Medical Center		Scottsbluff		Yes
6a. I certify this child was born alive at the place and time and on the date stated.		6b. DATE SIGNED (Month, Day, Year)		6c. NAME AND TITLE OF ATTENDANT IF OTHER THAN CERTIFIER
(Signature) <i>Kent Lacey MD</i>		1-20-90		
6d. CERTIFIER - NAME AND TITLE (Type or print)		6e. MAILING ADDRESS (STREET and NUMBER or R.F.D. NO., CITY or TOWN, STATE, ZIP)		
Kent Lacey M.D.		3639 Avenue B Scottsbluff, Nebraska 69361		
7a. REGISTRAR		7b. DATE RECEIVED BY REGISTRAR (MONTH, DAY, YEAR)		
(Signature) <i>Stanley S. Cooper</i>		JAN 26 1990		
8a. MOTHER'S NAME		8b. DATE OF BIRTH (Mo., Day, Yr.)	8c. BIRTHPLACE (City & State or Foreign Country)	
Theresa Lynn Fox		May 28, 1956	Fairbury, Nebraska	
9a. RESIDENCE-STATE	9b. COUNTY	9c. CITY, TOWN, OR LOCATION, (Include zip code)	9d. STREET AND NUMBER OF RESIDENCE	9e. INSIDE CITY LIMITS (Specify Yes or No)
Nebraska	Scotts Bluff	Scottsbluff 69361	PO Box 1492	Yes
10. MOTHER'S MAILING ADDRESS - Enter if not same as residence				
11a. FATHER'S NAME		11b. DATE OF BIRTH (Mo., Day, Yr.)	11c. BIRTHPLACE (City & State or Foreign Country)	
Charles Bryan Armstrong		Jan. 23, 1958	Aurora, Colorado	
12a. I certify that the personal information provided on this certificate is correct to the best of my knowledge and belief.				12b. RELATION TO CHILD
(Signature of Parent or other informant) <i>Theresa M. Fox</i>				Mother

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SEP 24 2013

NEBRASKA LIQUOR
CONTROL COMMISSION



Registrant Search Information

Registrant Detail

Name: Brett Armstrong
Party: Nonpartisan
Polling Place: Civic Center
1050 M Street
Gering, Ne, NE 69341

Districts

DISTRICT NAME	DISTRICT TYPE
Gering Public Schools	School District
Western Com College Dist 4	Community College District
U.S. Congressional District 3	U.S. Congressional District
Appeals Court Judge Dist 6	Judge of Appeals Court Dist.
County Judge Dist 12	Judge of County Court Dist.
District Judge, Dist 12	Judge of District Court Dist.
Supreme Court Judge Dist 6	Judge of Supreme Court Dist.
Legislative District 48	Legislative District
North Platte NRD SubD 3	Natural Resources District
Nebraska PPD SubD 5	Public Power District
PSC District 5	Public Service Comm District
Board of Regents District 7	Board of Regents
ESU 13 District 8	ESU District
County Airport Authority	Airport Authority
Gering City Council II	City Council (Ward)
County Commissioner District 3	County Board (Commis./Superv)
Mayor of Gering	Mayor
State Board of Education Dist7	State Board of Education

[Registration Information](#) [Polling Place](#) [Provisional Ballot](#) [Absentee Ballot](#)

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VoterView 2.4.1021.1

RECEIVED
SEP 24 2013
NEBRASKA LIQUOR
CONTROL COMMISSION

Memorandum

To: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
From: Kevin Spencer, Chief of Police
Date: 10/18/2013
Re: Manager Application for Brett Armstrong, Elks BPO Lodge 1367 1614 1st Ave Scottsbluff, NE
License number CK-01678

AUTHORITY: The Scottsbluff Police Department reports specific information to the City Council whenever a liquor license application is presented. The information furnished by the Police Department conforms to Chapter 53, Reissue Revised Statutes of Nebraska 1943, and Section 53-132, which outlines the factors which the Commission may consider in granting a liquor license.

COMMENTARY

53-132: Section 2

(A) The applicant is fit, willing and able to properly provide the service proposed within the city where the premises described in the application are located:

A background check was conducted on Brett Armstrong as a means to determine his fitness to hold a liquor license. Brett reported two convictions both for minor in possession one in July of 2008 and another in December of 2008.

Brett appeared before the City of Scottsbluff Liquor Committee on October 16th, 2013 at 1600 hours, where the committee asked several questions of Brett and offered advice in regards to policy and training.

I met with Brett October 17th, 2013 at 1500 hours in my office. I asked Brett specifically about the convictions on his criminal history. Brett told me that he was 18 years of age at the time adding that he pled guilty both times and paid a fine. I asked Brett about his experience in working with alcohol. Brett told me that he has 3 weeks experience that this is his first job in the business.

Although I have concerns about Brett's lack of experience considering all the information I find nothing that would disqualify him or deem him unfit to hold a liquor license.

(B) The applicant can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Any operator must adhere to the existing laws while doing business in the community and adhere to acceptable business practices.

Brett Armstrong told me that he would attend the Nebraska State Patrol's training on November 13th here in Scottsbluff, adding that he will require all employees to attend as well. Brett told me that if an employee commits a violation it would be his desire to terminate that employee adding that he was unsure of his authority.

The applicant appears to have the ability and willingness to conform to language within the Nebraska Liquor Control Act.

(C) The applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to insure that the licensed business can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Brett told me that the liquor inventory is kept in a locked room with key access only. Brett told me that the exalted ruler conducts the liquor inventory adding that he additionally keeps an inventory of the alcohol that is used. Brett told me that he inventories the beer once a week as part of his weekly order.

The applicant stated that the business does have video cameras on the interior but they are not currently working. Brett stated to gain entry a member has to use a card, a number code or contact an employee on the inside using the intercom. Brett stated that most of the customers are members and obviously of legal age. Brett stated that anyone unknown to them or that looks under aged will be asked to provide legal identification.

The applicant appears committed to complying with all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act.

(D) The issuance of the license is or will be required by the present or future public convenience and necessity:

The hours of operation of the establishment will be from 03:00 pm to 10:00 pm Sunday thru Friday, 12:00 pm to 11:00 pm on Saturday. In the occurrence of a special event the business can stay open until 01:00 am.

Oversight and accountability will be a priority for the applicants as it relates to the sale of alcoholic beverages.

SPECIFIC ISSUES COMMISSION MAY CONSIDER

(E) The existence of a citizen's protest made in accordance with Section 53-133:

There have been no known citizen protests of this business.

(F) The nature of the neighborhood or community of the location of the proposed licensed premises:

The business is located at 1614 1st Avenue Scottsbluff, NE. It is a business that will attract customers during the evening hours. Its location is easily accessible and convenient for customers. I would not anticipate any issues with location.

(G) The existence or absence of other retail licenses or bottle club licenses with similar privilege within the neighborhood or community of the location or the proposed licensed premises.

There are no other businesses of this nature in the immediate area.

(H) The existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises:

Although no recent traffic studies have been completed regarding motor vehicle traffic of the general area, the traffic flow is not of a concern at this time nor is pedestrian traffic.

(I) The adequacy of existing law enforcement:

The Scottsbluff Police Department is allowed 32 full time officers in the department and handled approximately 15,000 incidents, not including traffic citations during 2012. The number of liquor licenses within the jurisdictional boundaries of the Police Department, regardless of the class, continues to be a concern to the Police Department and even routine monitoring of their business practices is difficult. Compliance checks continue to remain a concern to those businesses that sell alcohol to minors. The Nebraska State Patrol has assumed liquor law enforcement duties and their wide jurisdiction generally precludes any particular focus in the city.

(J) Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest:

The Police Department would reserve making any statement which would indicate that the sale of alcohol is consistent with the public interest.

Adequate staffing and training, as well as close supervision of patrons are important. Cooperation with the Police Department by management will help to eliminate or diminish potential problems with violations.

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports5

Council to receive a recommendation from the Scottsbluff Drain Board for the purchase of property to eliminate liability and provide for future improvements to the Scottsbluff Drain.

Staff Contact: Rick Kuckkahn, City Manager

Agenda Statement

Item No.

For meeting of: October 21, 2013

AGENDA TITLE: Scottsbluff Drain Board recommends purchase of property

SUBMITTED BY DEPARTMENT/ORGANIZATION: Public Works

PRESENTATION BY: Legal Council

SUMMARY EXPLANATION: The City has been approached by a property owner to buy a piece of property located at 1308 E 17th Street. This property is one of the high priority properties for the City to acquire to eliminate liability and provide for future improvements to the Scottsbluff Drain. The property has two structures located directly over the Scottsbluff Drain, including a house with a direct sewer connection to the Drain. The property owner is asking for the taxable value of the property, about \$15,000. The Stormwater budget has about \$200,000 budgeted in a fund set aside solely for the purpose of making improvements to the Scottsbluff Drain. This money can be used for the purchase of this property.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION:

EXHIBITS

Resolution ☐

Ordinance ☐

Contract ☐

Minutes ☐

Plan/Map ☒

Other (specify) ☐ _____

NOTIFICATION LIST: Yes ☒ No ☐ Further Instructions ☐

Mark Bohl, Public Works Director

Lynn Garton, Wastewater Supervisor

Annie Folck, Stormwater Program Specialist

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev 3/1/99CClerk

**SCOTTSBLUFF DRAIN
OPERATING COMMITTEE
MINUTES
October 10, 2013**

The Scottsbluff Drain Operating Committee met in session on October 10, 2013 in the Scottsbluff City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. Notice of the meeting was published Sunday, October 6, 2013 in the Star-Herald, Scottsbluff, Nebraska. Notice of the Nebraska Open Meetings Act was posted as per state statute.

Chairman Lynn Garton called the meeting to order at 1:31 p.m.

Members present: Mark Masterton, Bob Bennettt, Lynn Garton

Moved by Committee Member Masterton, seconded by Committee Member Bennet that the minutes of the July 30, 2013 meeting be approved.

Vote of Committee: "YEAS" Masterton, Bennettt, Garton "NAYS" None. Absent: None

Chairman Garton began discussion regarding the sale of property adjacent to the Scottsbluff Drain along Avenue B. Legal council recommended that everything pertaining to easements, access to the drain, and flood mitigation should be addressed in the developer's agreement. Access to the drain needs to be permanent and should be retained in the deed.

Chairman Garton began discussion regarding the proposed use of a covered portion of the Drain at 14th Avenue and Highway 26 (north of Monument Car Wash) by Wolf Auto. Garton stated that in order for this piece of property to be utilized, a survey of the area would be needed, and this cost should be absorbed by Wolf Auto. Kent Hadenfelt, legal council for the Drain Board, stated that when the Drainage District dissolved, the land within city limits was to be transferred to the City, and the land outside of city limits was to be transferred to the County. However, no records have been found to show that any of the land was actually transferred to the City, so at this time, it appears that all property is owned by the County. Before Wolf Auto can use this piece of property, more research needs to be done to ensure that the Drain Board has the right to allow them to use it. Hadenfelt recommends that a license agreement be drawn up to give them the rights to the property, which could then be terminated at any time at the discretion of the Drain Board. Chairman Garton stated that it would be possible to charge rent for the property. Committee Member Masterton moved that a license agreement be drawn up with six month termination period. Committee member Bennet seconded.

Vote of Committee: "YEAS" Masterton, Bennet, Garton "NAYS" None. Absent: None

Chairman Garton began discussion about the Reganis development, located near the intersection of 27th St and Highway 26. Legal recommended that all requirements for the development, including access to the drain and flood mitigation, be addressed in the developer's agreement.

Chairman Garton began discussion on the potential purchase of property located at 1308 E 17th Street. The owner of the property has approached the City to inquire if the City would be interested in purchasing this property. The Drain Committee has discussed acquiring properties

in this area to eliminate liability and provide for future uses of the drain. Committee Member Masterton stated that the City and County should split the costs of maintenance and property purchase evenly. Chairman Garton stated that the current agreement requires about a 60/40 split for maintenance costs, which is based on the percentage of areas within the City and the County that drain to the Scottsbluff Drain. Hadenfelt stated that the current arrangement addresses only maintenance, and there is nothing in the agreement addressing property purchase. Chairman Garton stated that this property has two structures located directly over the top of the covered portion of the Scottsbluff Drain. One of these structures is a house which has a sewer connection directly connected to the Scottsbluff Drain. The owner is asking for \$15,000, which is the taxable value of the property. Hadenfelt stated that this would set a precedent for purchasing these properties at fair market value. Chairman Garton stated that the City has \$200,000 budgeted in a fund for this purpose. Dave Schaff recommended that the City purchase the property and then approach TCD about a demolition grant to take down the structures. Chairman Garton stated that the fire department might also be able to use these buildings for a training exercise. Hadenfelt stated that in order to purchase the property, City Council would have to approve the purchase, a public hearing would be held, title insurance bought, and then item would be put on a Council agenda to finalize the purchase. Committee Member Bennet moved and Chairman Garton seconded that the Committee recommend the purchase of this property, not to exceed \$15,000.

Vote of Committee: "YEAS" Masterton, Bennet, Garton "NAYS" None Absent: None

Chairman Garton began discussing the bylaws for the Scottsbluff Drain Committee. He stated that no bylaws have been found from when the Drainage District dissolved. Committee member Masterton stated that we need to get something in place, and that another meeting should be held to discuss these items in more depth. He asked for an overview of the history of the Drain, and an outline of the long term plan for the Drain. He stated that there are a lot of issues with the Drain, and the Committee needs to raise awareness and address these issues. Chairman Garton stated that all these things should be explained to the City Council when they are approached about purchasing the property at 1308 E. 17th Street.

With no other business to consider, Bennet moved to adjourn the meeting and Chairman Garton seconded at 2:22 pm.

Vote of Committee: "YEAS" Masterton, Bennet, Garton "NAYS" None Absent: None

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports6

Council to consider the revised contract with City Manager Rick Kuckkahn and authorize the Mayor to execute the contract.

Staff Contact: Howard Olsen, City Attorney

AGREEMENT

This Agreement shall be effective as of the 1st day of October, 2013 and is made between the CITY OF SCOTTSBLUFF, NEBRASKA, a Political Subdivision of the State of Nebraska, hereinafter referred to as “City” and RICK KUCKKAHN, hereinafter referred to as “Kuckkahn”.

The City offered to Kuckkahn the job of City Manager of Scottsbluff, Nebraska effective March 1, 1998 and Kuckkahn accepted. Kuckkahn has been performing the duties of City Manager for the City since. This Agreement shall supersede all prior agreements and contracts between the City and Kuckkahn relating to his employment and compensation.

1. DUTIES: The duties of the City Manager are set forth in Ordinance Nos. 6-2-35 through No. 6-2-39, which may be amended from time to time.

City shall conduct an annual performance-based evaluation of Kuckkahn during the first regular meeting of the City Council in March of each year.

2. COMPENSATION: Kuckkahn’s salary shall be \$104,000.00 annually.

3. BENEFITS: Kuckkahn shall receive all benefits as provided by the City Personnel Manual with the following exceptions:

- a. Vacation: For vacation leave, Kuckkahn shall be treated as a twenty-year employee and be entitled to an annual amount of four weeks vacation. Kuckkahn shall accrue vacation leave as provided for twenty-year employees in the City Personnel Manual, or as otherwise determined by City.
- b. Retirement: City shall contribute an amount equal to 9% of Kuckkahn’s salary to Kuckkahn’s ICMA-RC account in lieu of his participation in the City retirement plan. Kuckkahn may make voluntary contributions to his ICMA-RC account to the extent City employees are allowed to make voluntary contributions to the City retirement plan pursuant to the City Personnel Manual, City Ordinance, Internal Revenue Codes and its applicable regulations. However, if Kuckkahn makes any voluntary contributions to his ICMA-RC account, the City will not be required to make corresponding matching contributions as any such contribution of the City required by this Agreement will be limited to 9% of Kuckkahn’s salary. The City shall not be required to make any other contribution to Kuckkahn’s IMCA-RC account.
- c. Professional Association: City agrees to support Kuckkahn in the regional and national activities of ICMA and the League of Nebraska Municipalities. City shall pay annual dues and conference expenses to ICMA and the Nebraska City/County Management Association and shall further provide payment of dues for Rotary and AICP.

- d. Vehicle: City shall pay Kuckkahn an annual allowance of \$3,000.00 in lieu of providing Kuckkahn with a City car and reimbursing him for car related expenses, including mileage.
- e. Cell Phone: City shall pay Kuckkahn an annual cell phone allowance of \$360.00.
- f. Expenses: Except as specifically provided herein, City shall reimburse Kuckkahn for the payment of City business expenses while conducting official City business as long as reimbursement is not prohibited by applicable law or other provision of this Agreement.
- g. Severance Package: The parties acknowledge that Neb. Rev. Stat. '19-645 provides that the City Manager shall hold office at the pleasure of the council. It is therefore not possible for the City to offer Kuckkahn any guarantee of continued employment. To induce Kuckkahn to continue to serve in the position of City Manager, the Council has determined that it is in the best interests of the City to provide a severance package in the event Kuckkahn's employment is terminated by City. All sums payable to Kuckkahn pursuant to this Agreement are compensation for services rendered before payment is made or agreed to be made. City agrees to pay Kuckkahn on the City's regular pay days, six months severance in the event the City terminates Kuckkahn for any reason other than Just Cause, forced resignation, or the City's change from a council-manager form of government. This severance is not payable if Kuckkahn resigns or voluntarily terminates his employment. This severance shall include City-paid family health, dental, retirement, life and long-term disability (if applicable) for the duration of the severance.

The severance provided herein will automatically cease and terminate at the time Kuckkahn commences employment in another position with the same or greater gross pay as provided hereunder. If a lesser paying employment position is secured during the severance period, then severance will continue as the difference between his City regular gross pay minus the regular gross pay of his new position.

"Just Cause" as used herein, shall be defined as follows: Neglect of duty, unprofessional conduct, insubordination, immorality, physical or mental incapacity or other conduct which substantially interferes with the continued performance of duties.

- 4. **AUDIT:** The City Clerk shall, in March of each year, perform an internal audit of Kuckkahn's compensation and benefits and report the findings to the Mayor. Kuckkahn shall give the Clerk access to all resources and information needed for the Clerk to perform the audit.
- 5. **TERMINATION:**

- a. If Kuckkahn tenders his resignation to City, he must give sixty days advance written notice.
- b. The employment of Kuckkahn is at will and can be terminated at any time by the City.

IN WITNESS WHEREOF.

CITY OF SCOTTSBLUFF

BY: _____
Mayor

ATTEST:

City Clerk

Rick Kuckkahn

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Reports⁷


Council to accept the resignation of Council Member Deibert effective November 8, 2013 and direct staff regarding the process to fill the vacancy.

Staff Contact: Rick Kuckkahn, City Manager

memo

City of Scottsbluff

To: Rick Kuckkahn, City Manager

From: Michael J. Deibert 

CC: Randy Meininger, Mayor
Cindy Dickinson, City Clerk
Council Members

Date: 10/21/2013

Re: Resignation from City Council

Due to my imminent move from Scottsbluff, I hereby tender my resignation from the Scottsbluff City Council to be effective November 8, 2013.

Best Regards,



Michael J. Deibert

City of Scottsbluff, Nebraska

Monday, October 21, 2013

Regular Meeting

Item Exec1

Council reserves the right to enter into closed session if deemed necessary if the item is on the agenda.

Staff Contact: