

# **City of Scottsbluff, Nebraska**

**Monday, February 3, 2014**

**Regular Meeting**

## **Item Consent1**

**Approve the minutes of the January 21, 2014 Regular Meeting.**

**Staff Contact: Cindy Dickinson, City Clerk**

The Scottsbluff City Council met in a regular meeting on Tuesday, January 21, 2014 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 January 3, 2014, 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 January 17, 2014. 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, Mark McCarthy, Randy Meininger, Scott Shaver and Liz Hilyard. 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.

Council reviewed the minutes of the January 6, 2014 Regular Meeting with a correction to include the following comment from Mr. Kuckkahn regarding the Ordinance providing for common and separate water service lines and meters: "If we are going to do this, we want to be restrictive, so we are not running into more complexity down the road." Moved by Council Member Shaver, seconded by Council Member McCarthy, "to approve the corrected minutes of the January 6, 2014 Regular Meeting," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, that:

1. "Monday, February 3, 2014, 6:05 p.m., be set as the public hearing date for the One and Six Year Street Improvement Plan,"
2. "Monday, February 3, 2014, 6:05 p.m., be set as the public hearing date to consider a Zone Change of proposed Block 1A, Merrigan Subdivision from A (agricultural) to R-1B (rural residential estate),"
3. "Monday, March 3, 2014, 6:05 p.m. be set as a public hearing date to review the Reganis project Redevelopment Plan,"
4. "Council approve the Request For Proposals for a floating bridge and fishing docks for Riverside Park, and authorize the City Clerk to advertise for bids to be received by February 12, 2014 at 2 p.m.," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member Shaver, "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 January 21, 2014, as on file with the City Clerk and submitted to the City Council," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

#### CLAIMS

ABDO PUBLISHING CO.,Bks-juv,226.35; ACTION COMMUNICATION INC.,PAGER RENT,19.61; AIRGAS USA, LLC,dept supplies,70.04; ALDRICH, DENISE A,UTILITY REF,19.81; ALLEN, BRANDON,Witness Fees,20; ALLO COMMUNICATIONS,LOCAL TELEPHONE CHARGES,4680.95; ANDREA FOLCK,Trvl Exp,100.67; ASSOC SUPPLY COMPANY, INC,BDG MTC,1124.42; AULICK IND TRUCK & TRAILER,EQUIP MAINT,216.2; B & C STEEL CORPORATION,DEP SUP,465.62; BATTERY ZONE,VEH MAINT,19.88; BELTLINE SAND & GRAVEL INC,DEPT SUP,94.94; BEST BOOKS INC,Bks-juv,119.7; BLUFFS SANITARY SUPPLY INC.,DEPT SUPPL/JANIT SUPPL,458.02; BURFORD, MADELINE J,UTIL REF,32.71; CAMPBELL, JON-LEE J,UTILITY REF,32.71; CAMPOS, MARGIE,Witness Fees,23.4; CAPITAL BUSINESS SYSTEMS INC.,Maint Cntrct-copier,52.08; CARR TRUMBULL LBR INC.,SUPP,22.23; CEMENTER'S INC,CEMENT,279.28; CENTURY LUMBER CENTER,DEP SUP,16.59; CERVANTES, NATALIA,Witness Fees,23.4; CITY OF GERING,disposal fees,38902.59; CITY OF SCB,Petty Cash,106.45; COLONIAL LIFE & ACCIDENT INS CORP, I,SUPPLEMENTAL DISABILITY INS - EE,48.7; CONNECTING POINT INC,RENT-MACH,58.42; CONSERV FLAG COMPANY,flags,607.91; CONSOLIDATED MANAGEMENT,SCHOOLS & CONF,310.75; CONSOLIDATED SERVICES,dept supplies,791.76; CONTRACTORS MATERIALS INC.,SAFETY VESTS,86.97; CREDIT MANAGEMENT SERVICES INC.,Wage Attach,203.42; CULLIGAN OF SCOTTSBLUFF,Dpt sup,202.9; DALE'S TIRE & RETREADING, INC.,vehicle mtnc,1797.36; DUHAMEL BROADCASTING ENT.,PUBLIC ED,325; EITLER, KRYSTAL,Witness Fees,46.8; ELLIOTT EQUIPMENT COMPANY INC.,vehicle mtnc,3065.9; FEDERAL EXPRESS CORP.,SHIPPING FEES,289.23; FIRST WIRELESS, INC,PARTS,58.69; FLOYD'S SALES & SERV INC.,vehicle mtnc,550.95; FRANK IMPLEMENT INC.,EQP MTC,935.62; FREMONT MOTOR SCOTTSBLUFF,LLC,unit repair,1174.91; GARCIA, ANTOINETTE,Witness Fees,23.4; GARCIA, DEANNA,Witness Fees,23.4; GENERAL TRAFFIC CONTROLS, INC,EQUIP REP,265.47; GOLD WATCH LLC,disposal fees,1500; GUERRA, MIRA,Witness fees,23.4; HARDING & SHULTZ, PC, LLO,SERVICES,212; HARRIS COMPUTER SYSTEMS,TECH SUPPORT,9844.64; HEARTLAND AG-BUSINESS GROUP,Bks,33; HEILBRUN FARM IND SUPP.INC.,dept supplies,1161.84; HENWIL CORPORATION,POLYMER,5198; HI-TECH AUTO SERVICE,VEH MTC,807.53; HULLINGER GLASS & LOCKS INC.,DEP SUP,21.5; ICMA RETIREMENT TRUST-457,DEFERRED COMP - EE,1125.14; IDEAL LINEN SUP INC.,dept supplies,798.64; INDEPENDENT PLUMBING & HEATING, INC,GRD MTC,139.4; INGRAM LIBRARY SERVICES INC,Bks,95.48; INTERNAL REVENUE SERVICE,941 TAXES WITHHELD,59462.52; INTRALINKS, INC,SUPPLIES,1066.11; J G ELLIOTT CO.INC.,BOND,100; JERRY HIGEL,TRAF. SIGNAL & CONTROLL SERVICE,925; JOHN DEERE FINANCIAL,UNIFORM CLOTHING,149.79; JOHN DEERE FINANCIAL,EQP MTC,64.9; JOHN DEERE FINANCIAL,DEP SUP,39.97; JOHN DEERE FINANCIAL,EQP MTC,64.98; JOHN DEERE FINANCIAL,DEP SUP,3.61; JOHN DEERE FINANCIAL,EQP MTC,1.99; JOHNSON CORROSION ENG INC,TWR CORROSION CTRL,8840; KARA FROSSARD,Witness Fees,20; KEEP SCOTTSBLUFF-GERING BEAUTIFUL,contractual services,5000; KIMBALL MIDWEST,SUPP,270.12; KRIZ-DAVIS COMPANY INC.,equip

mtnc,182.66; LEAGUE ASSOC OF RISK MANAGEMENT,INSURANCE,1050.43; LEAGUE OF NE MUNICIPALIT,CONFERENCE,1017; LEXISNEXIS RISK DATA MANAGMENT INC,CONSULTING,100; M.C. SCHAFF & ASSOC, INC,Dec dev serv staff meetings,1957.5; MAILFINANCE INC,Postage Meter lease,153.09; MATHESON TRI-GAS INC,DEP SUP,170.99; MELISSA POHL,Reimb.,33.96; MENARDS,DEP SUP,398.08; MOCIC,MEMBERSHIPS,200; MONEY WISE OFFICE SUPPLIES,DEPT SUPPL,352.64; MONUMENT CAR WASH,VEH MAINT,276.55; MORRISON, MARIAH,Witness Fees,23.4; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1982.31; NE DEPT OF ROADS,CON SVC,88217.44; NE SAFETY & FIRE EQUIPEMENT INC.,Bldg main,115.95; NE STATE LIBRARY,PUBLICATIONS,62; NE.DEPT. OF LABOR UNEMPLOYMENT,UNEMPLOYMENT,29.08; NEBR. RURAL WATER ASSOC.,MEMBERSHIP,275; NEBRASKA@ ONLINE,recruitment,18; NEBRASKA SALT AND GRAIN,STREET SUPP,3777.09; NEBRASKALAND TIRE,VEH MAINT,380.79; OCLC, INC,Contr. svc.,298.5; ONE CALL CONCEPTS,Contractual Svs,37.2; OREGON TRAIL PLBG & HTG INC,bldg mtnc,504; OZUNA, ANISHA,Witness Fees,23.4; PALOMO, SELENA,Witness Fees,20; PANHANDLE COOP INC.,fleet fuel,23732.31; PANHANDLE HUMANE SOC,Contractual Svc,4881.32; PAUL D LEE,gasoline,77.22; PAUL REED CONSTRUCTION & SUPPLY,INC,AIRPORT WATER MAIN,56142.6; PLATTE VALLEY BANK,HSA EE PYBLE,14256.21; POSTMASTER,Postage,328.49; POWERPLAN,equip mtnc,1191.47; RCI,Medical Claims,32094.4; REGION I OFFICE OF HUMAN DEVEL,contractual services,825; S M E C,EE CONTRIBUTION - BIWEEKLY,246; SAM KLASSERT,comm electric permits,574; SANDBERG IMPLEMENT, INC,EQP MTC,628.56; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,195; SCB POLICE OFFICERS ASS'N,POLICE EE DUES,378; SCOTTS BLUFF COUNTY,Cntr. Svc.,85; SCOTTSBLUFF BODY & PAINT, INC,TOW,630; SCOTTSBLUFF PUB SCHOOLS,CON SRV,11897.46; SCOTTSBLUFF SENIOR CENTER,CONTRACT PAYT.,5750; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,12584.62; SIMON CONTRACTORS,DEP SUP,976.5; SLAFTER OIL CO INC.,other fuel,160.65; SS AUTOMOTIVE,VEH MAINT,35.58; STAPLES,DEP SUP,234.59; STAR HERALD, Legal Publishing,682.87; STATE OF NEBR-DEPT OF ADMIN SVC,LONG DISTANCE,2.63; THE MOWER SHOP,EQP,17500; THE SHERWIN-WILLIAMS CO,DEP SUP,108.59; TOMMY'S JOHNNY'S INC,CON SRV,495; TOTAL FUNDS BY HASLER,POSTAGE,600; TOYOTA FINANCIAL SVCS,HIDTA CAR LEASE,383.99; TYLER TECHNOLOGIES, INC,CONTRACT,17442.03; ULTRAMAX INC,AMMUNITION,1428; UNIQUE MANAGEMENT SERVICES, INC,Contr. svc.,322.2; UPSTART,Prgm supp,1562.9; UPSTART ENTERPRISES, LLC,DEPT SUPPL,629; US BANK,EDU,607.81; USA BLUEBOOK,DEPT SUP,291.36; VALLEY BANK & TRUST CO,FEES,350; VERIZON WIRELESS,fire cells,342.49; WAKELEY, LISA,Witness Fees,20; WALMART COMMUNITY/GEMB,DEP SUP,221.72; WELLS FARGO BANK N.A.,TSA POLICE,29211.75; WESTERN PATHOLOGY CONSULTANTS, INC,CONTRACT FEES,247.5; ZM LUMBER CO.,DEP SUP,150.13;

Anne James, Executive Director of the Riverside Discovery Center, presented the Council with the annual report of the progress of the Center. She expressed her appreciation to the Council for the partnership and continued support of the Center which offers a great tourist attraction. They are close to completing construction on the new Heritage Barn which will enhance the zoo experience for visitors. Ms. James thanked Council Member McCarthy for serving as a Board Member. Mayor Meininger commented that the report was very informative and helpful, and the Council looks forward to seeing the continued progress at the Riverside Discovery Center.

Perry Mader, Park and Recreation Director presented the bids for the playground equipment. He explained that all bids were under budget and were all very close. Therefore, price was not the issue in reviewing the bids, but rather quality. The review panel consisted of himself; Rick Deeds, Parks Supervisor; Megan Hayward, Board Member; and Triniti Burgner, Recreation Supervisor. In addition, the review team shared the bids with the Parks Department who are very familiar with the durability and practicality of the equipment. The bid from Cunningham Recreation scored the highest as their equipment was superior. The staff is familiar with this company and have had previous success with them. This equipment will address the ADA requirements for playground equipment and provide the upgrades needed at the parks. Mr. Mader informed Council that staff would install the equipment and they plan on it being in place by late April. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the bid from Cunningham Recreation in the amount of \$59,954.02 as the most responsible bid for new playground equipment," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

City Manager Kuckkahn presented the lease agreement with Inventive Wireless dba Vistabeam for use of the Coke Plant water tower. The lease amount of \$150.00 per month remains the same for them to use the tower for their wireless antenna system. Moved by Council Member Shaver, seconded by Council Member McCarthy, "to approve the renewal of a Lease Agreement with Inventive Wireless LLC, dba Vistabeam, for their wireless antenna system on the Coke Plant Water Tower," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Regarding the coordination with Gering to construct a new landfill, Mr. Kuckkahn discussed the importance of communication with Gering about the new landfill. It's important to convey our desire to continue this partnership and enter into another inter-local agreement regarding the new landfill. We are aware there has been money spent on the land for the landfill by the City of Gering, which is a result of the auditor's review of our records. Staff is recommending that Council authorize the Mayor to send a letter to Gering expressing our interest to participate in an inter-local agreement outlining our partnership with the purchase and development of the new landfill, as directed by the auditors. The purpose of the inter-local is to provide a clear understanding of our partnership and mutual expectations with the City of Gering.

Moved by Council Member Shaver, seconded by Council Member Hilyard, "to authorize the Mayor to send a letter to the City of Gering regarding our partnership in the construction of a new landfill and our desire to enter into an inter-local agreement to clarify each city's role in the partnership," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Mr. Kuckkahn presented the Certificate of Compliance for the maintenance of Highway 26, which is a routine verification that the work has been completed in accordance with the Maintenance Agreement. Council discussed some possible options to enhance the medians along this highway. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the Certificate of Compliance for the Maintenance Agreement with the State of Nebraska for 2013 and authorize the Mayor to execute the certificate," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

City Manager Kuckkahn reviewed the previous decision by Council to remove the stop light at the intersection of East 20<sup>th</sup> Street and 11<sup>th</sup> Ave. At that time, it was decided to bag the light to assess the

effect of not having a stop light, however, with some mixed feeling regarding this light, that was put on hold. Since then, Monument Mall has been sold, which is a major source of traffic at that intersection. Staff is suggesting that we wait until the transition with the mall takes place before making a decision to remove the light. There is some maintenance work needed on the light. Mayor Meininger agreed that we need to keep the light in place after seeing the plan for signage and developments at Monument Mall. Moved by Mayor Meininger, seconded by Council Member Shaver, "to recind the previous direction to staff to bag the stop light at East 20<sup>th</sup> Street and 11<sup>th</sup> Ave. and keep it in operation," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Regarding the construction on Avenue I, Mr. Kuckkahn explained that the stimulus funds have basically dried up, so any extra expenses incurred for this project will be the responsibility of the City. The state is providing over one million dollars for this project. We have funds budgeted for expenses over this amount, which may run up to a maximum of \$200,000. For the price we are paying for construction, it is well worth any additional funds we have to pay. The project has been let, and construction is anticipated to begin this summer. Mayor Meininger noted that the communication with the Federal Projects Division point out that Scottsbluff has received about four million dollars for projects in our community. He gave credit to Mark Bohl, Public Works Director for securing these funds.

Mr. Kuckkahn gave a brief explanation of the improvements that will be made to Ave. I, which include resurfacing, curbs, ADA compliance, and a provision for turning lanes. To accommodate the turning lanes, the parking on the west side will be eliminated. This project will complement the bike path project, however they are two separate projects.

Moved by Mayor Meininger, seconded by Council Member Hilyard, "to direct staff to continue with the Avenue I construction project and authorize the additional funding from the Transportation budget which is required to complete the project," "YEAS", Gonzales, McCarthy, Meininger and Hilyard, "NAYS" Shaver. Absent: None.

Nathan Johnson, Assistant City Manager, gave a report on the current method of trash collection and possible solutions to some issues we are experiencing due to larger equipment. The large trucks are difficult to maneuver in the alleyways, which occasionally results in property damage in the alleys. He explained that we have also increased our collection, making it necessary to be as efficient as possible when collecting trash and recyclables. In order to increase safety and reduce the damage to personal property in the alley, staff is recommending having all roll-out containers that are currently placed in the alley for pick-up, be moved to the street. Council Member Hilyard asked if this would cause problems if the containers were too close to cars. Residents will need to be educated on the proper location for their roll-out containers.

There was discussion regarding the recycling options and methods of picking up both recyclables and trash. Council directed staff to discuss the issues with the Environmental Services Department employees to find out which areas are most difficult to collect in the alleys and get their input regarding the safest and most efficient collection method. The main focus will be on the residential areas rather than commercial.

Mr. Johnson explained the agreement with Hewlett Packard for continued Technical support for our current software. He explained that we are currently in the process of shifting to new software, however, we still need support for the existing software. This includes the Administration and Police Department's software. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the renewal of a one year agreement with Hewlett Packard (HP) for continuing technical support on the server housing the City's Harris software and police records system and authorize the Mayor to execute the agreement," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Council introduced the Ordinance providing for common and separate water service lines and meters which was read by title on second reading: AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF DEALING WITH WATER SERVICE LINES AND WATER METERS, AMENDING CHAPTER 23, ARTICLE 1 OF THE SCOTTSBLUFF MUNICIPAL CODE TO PROVIDE FOR COMMON AND SEPARATE SERVICE LINES AND METERS, TO REPEAL PRIOR SECTIONS AND TO PROVIDE FOR AN EFFECTIVE DATE.

Under Council Reports, Council Member Gonzales reported that he will be reviewing the RFQ's submitted for the Economic Development Study. Council Member McCarthy attended the recent Riverside Discovery Center Board Meeting. City Manager Kuckkahn reported that the broken water line on Broadway which closed the Middle School today, has been repaired and they are discussing replacing this line as there have been numerous breaks. Mr. Johnson reported that Dropseed will be submitting their preliminary plans for landscaping on Broadway the last week in February.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to adjourn the meeting at 7:10 p.m.," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

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Mayor

ATTEST:

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City Clerk

"SEAL"