

City of Scottsbluff, Nebraska

Tuesday, February 18, 2014

Regular Meeting

Item Consent1

Approve the minutes of the February 3, 2014 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, February 3, 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 31, 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 31, 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. City Clerk Dickinson noted a change on the agenda regarding item No. 6c under consent agenda, should read Westfield Estates Replat and Lots 4 & 5, Block 2. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the agenda and accept the change on item No. 6c changing the lot description from Lots 3 & 4 to Lots 4 & 5," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: 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 Mayor Meininger, seconded by Council Member Gonzales, that:

1. "The minutes of the January 21, 2014 Regular Meeting be approved,"
2. "Tuesday, February 18, 2014, 6:05 p.m. be set as a public hearing to consider a zone change for the proposed final plat of Block 9, Five Oaks Subdivision, which is situated south of 42nd Street and east of Highway 71 (Ave. I) from A- Agricultural to C-2 Neighborhood & Retail Commercial,"
3. "Tuesday, February 18, 2014, 6:05 p.m. be set as a public hearing to consider a zone change for Lots 16 through 27, Block 1, Westfield Estates Replat and Lots 4, & 5, Block 2, Westfield Estates Replat from R-1A and C-2 (Residential & Neighborhood & Retail Commercial) to C-3 (Heavy Commercial), these lots are situated west of Highway 71 and north of West 35th Street,"

4. "The claim from Haun Holdings, LLC, be acknowledged for property damage and forward to the city's insurance carrier," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member Hilyard, "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 February 3, 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

ACTION COMMUNICATION INC.,SERVICES,162.75; ADVANCE AUTO PARTS,VEH MTC,39.98; ADVANCED CUTTING SYSTEMS, INC,SIGN SUPP,411.02; ADVERTISING SPECIALTIES INK.,uniforms,479.89; AHLERS BAKING INC,DEPT SUPPL,25.98; ALAMAR UNIFORMS,EQUIP MAINT,180.6; AMAZON.COM HEADQUARTERS,Bks/dpt supp,190.62; ANDREA FOLCK,Travel Reimb,117.84; APWA,APWA MEMBERSHIP,438; AUTOZONE, INC,batry,102.44; B & C STEEL CORPORATION,BIOSOLIDS BLDG ADDN,16839.75; BAKER & ASSOCIATES INC,RADIOLOGICAL CONTAM STUDY,6871.53; BATTERY ZONE,INVEST SUPPL,131.66; BEEHIVE INDUSTRIES,LLC,DEV EQPMNT MNTNCE,3000; BLUFFS SANITARY SUPPLY INC.,BLD MTC,698.78; BROWN NELSON ELECTRIC,EQUIP MAINT,375.65; CAPITAL BUSINESS SYSTEMS INC.,Cpr main,164.5; CARR TRUMBULL LBR INC.,BLDG MAINT,503.68; CEMENTER'S INC,CEMENT,209.46; CONSOLIDATED MANAGEMENT,SCHOOLS & CONF,538; CONTRACTORS MATERIALS INC.,DEPT SUP,337.41; CULLIGAN OF SCOTTSBLUFF,Dept Supp,64.8; DALE'S TIRE & RETREADING, INC.,VEH MAINT,15; DITCH-WITCH INC,EQP MTC,152.82; ELLIOTT EQUIPMENT COMPANY INC.,dept supplies,680.42; ENERGY LABORATORIES, INC,SAMPLES,108; ENVIRO SERV INC,SAMPLES,135; FASTENAL CO.,EQP MTC,17.69; FEDERAL EXPRESS CORP.,SHIPPING FEES,158.23; FIRST WIRELESS, INC,DEP SUP,1140.5; FLOYD'S SALES & SERV INC.,vehicle mtnc,222.42; FRANK IMPLEMENT INC.,EQP MTC,1505.15; FREMONT MOTOR SCOTTSBLUFF,LLC,rescue repair,2256.88; G & T REICHERT'S FINE JEWELRY,SUPPLIES,63.2; GENERAL TRAFFIC CONTROLS, INC,TRAF SIGNAL SUPP,2196.23; GERING VALLEY PLUMBING & HTG. INC,EQP MTC,332; GOLD WATCH LLC,disposal fees,1500; HARRIS COMPUTER SYSTEMS,TECH SUPPORT,794.77; HAWKINS, INC.,CHLORINE,2111.35; HD SUPPLY WATERWORKS, LTD,DEPT SUP,203.73; HEILBRUN FARM IND SUPP.INC.,PARTS,157.8; HEIMAN FIRE EQUIPMENT,emrg light,1617.57; HI-TECH AUTO SERVICE,VEH MTC,55.01; HOME DEPOT CREDIT SERVICES,EQP MTC,15.45;HORNADY Mfg Co,AMMUNITION,1038.5; HULLINGER GLASS & LOCKS INC.,33 keys,132; IAN MCPHERSON,SCHOOLS & CONF,154; ICMA RETIREMENT TRUST-457,DEFERRED COMP - EE,1125.14; IDEAL LINEN SUP INC.,SUPP,134.77; INTERNAL REVENUE SERVICE,941 TAXES WITHHELD,59928.78; INT'L ASSOC OF CHIEFS OF POLICE,MEMBERSHIP,120; JENKINS, MICHAEL C,Dep Ref,100; JOHN DEERE FINANCIAL,UNIFORM CLOTHING,121.96;JOHN DEERE FINANCIAL,EQP MTC,19.16; JOHN DEERE FINANCIAL,SUPP,11.96; KAWASAKI KORNER,EQP MTC,70.67; KRIZ-DAVIS COMPANY INC.,EQUIP MAINT,432.67; LOGAN CONTRACTORS SUPPLY INC,PARTS,59.09; LYNN PEAVEY CO INC,INVEST SUPPL,318.6; MAILFINANCE INC,Pstg mach rntl,345; MBKEM ENTERPRISE,BUILD MAIN,1312; MELISSA POHL,Reimb,10.54; MENARDS,DEPT SUP,1013.62; MES,staff trng,2473; MIKE'S SCREEN PRINTING,SUPPLIES,9; MONEY WISE OFFICE SUPPLIES,DEV SUP,89.61; MONUMENT PREVENTION COALITION,CONTRACTUAL,880; MOORE WALLACE NORTH AMERICA,

INC.,DEPT SUPPL,57.81; NE DEPT OF ENVIRONMENTAL QUALITY,LICENSE RENEWAL,150; NE DEPT OF REVENUE,W/H Tax,21505.7; NE DEPT OF ROADS,CITY SHARE BRDWAY, 14 - 20TH ST,18794.81; NEBRASKA CLERK INSTITUTE,CONFERENCE,223; NEBRASKA DEPT. OF REVENUE, SALES & USE TAX, 18,454.65; NEBRASKA MACHINERY COMPANY,EQUIP MAINT,2682.86; NORTHERN SAFETY COMPANY, INC.,DEPT SUP,261.57; NPPD,Electric,68761.39; OREGON TRAIL PLBG & HTG INC,FIREARMS RANGE,113; PANHANDLE COOP INC.,FUEL,982.79; PLATTE VALLEY BANK,HSA EE PYBLE,11709.71; POWERPLAN,equip mtnc,168.72; PRINT BROKER,DEPT SUPPL,316.17; PRINT EXPRESS,DEPT SUPPL,201; RCI,PREMIUM,51028.6; REGISTER OF DEEDS,LEG FEE,20; RICK DEEDS,TRL,12; ROOSEVELT P P DIST,Electric,1830.87; S M E C,EE CONTRIBUTION - BIWEEKLY,246; SANDBERG IMPLEMENT, INC,DEP SUP,1816.69; SCOTTS BLUFF COUNTY COURT,Court Costs,475.75; SCOTTSBLUFF SCREENPRINTING,uniforms,142.5; SHERIFF'S OFFICE,Papers Served,477.57; SLAFTER OIL CO INC.,supl,46.2; SOURCE GAS,Monthly Fuel,5277.13; SPIC & SPAN CLEANERS,GRD MTC,4440; SPRINGFIELD WORKSHOP INC,DEP SUP,1029.99; SS AUTOMOTIVE,VEH MAINT,1764.74; STAPLES,DEPT SUP,465.74; STATE HEALTH LAB,SAMPLES,247; STATE OF NE.,CONTRACTUAL,525; STATE OF NE.DEPT.OF LABOR,LIC,72; STATE OF NEBR-DEPT OF ADMIN SVC,Monthly Long Distance,117.36; STATE PATROL,HIDTA REIMB,4181.25; SUBWAY,SUPPLIES,30.75; THE SHERWIN-WILLIAMS CO,EQP MTC,17.96; TOTAL FUNDS BY HASLER,Pstge,500; TYLER TECHNOLOGIES, INC,COMP.CONVERSION,1937.5; U S WELDING,INC,WELD SUPP,35.25;UNITED CHAMBER OF COMMER,MEMBERSHIP,6577; US BANK,DEP SUP,407.91; USA BLUEBOOK,DEPT SUP,886.78; VERIZON WIRELESS,TELEPHONE,483.01; VIAERO WIRELESS,LOCATES,36.21; VISTABEAM,CON SRV,16; WALMART COMMUNITY/GEMB,INVEST SUPPL,311.12; WELLS FARGO BANK N.A.,TSA POLICE,29425.53; WESTERN NE COMMUNITY COLLEGE,books,216.

Mayor Meininger opened the Public Hearing at 6:05 p.m. as set for this date, to present the City of Scottsbluff One and Six Year Street Improvement Plan. Mr. Kuckkahn gave a brief explanation of the modifications of the One Year Plan which includes adding a turn lane at the intersection of West 27th Street and 2nd Ave. by the High School. The underpass on 5th Avenue which was added last year was removed from the One and Six Year Street Plan as there is currently no state funding for this \$6 million dollar project. The state may, however, provide funding for an overpass. This project is not time critical, so other options will be considered. The Planning Commission held a Public Hearing on January 27, 2014 and approved the Plan. There were no comments from the public. Mayor Meininger closed the Public Hearing at 6:09 p.m. and asked for comments from the Council.

Council Member Shaver asked why the City was paying for the streets at the Reganis development. Public Works Director Bohl explained that the City is not paying for the street construction, however, once the streets are built, they will become City streets, so the project needs to be added to the One and Six Year Plan. Council Member Gonzales talked about the underpass and the work involved in locating a site. Mayor Meininger suggested that Council review this during the 2014-2015 budget workshops.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve the 2014 One and Six Year Plan and Resolution No. 14-02-01," "YEAS", Gonzales, McCarthy, Meininger and Hilyard, "NAYS" Shaver. Absent: None.

RESOLUTION NO. 14-02-01

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

1. Section 39-2115 of the Nebraska Statutes requires each municipality to develop and file with the Board of Public Roads Classifications and Standards a long range, six year plan of highway, road and street improvements. Section 39-2119 of the Nebraska Statutes requires a similar plan for specific road or street improvements for the current year.
2. Attached to this Resolution is a copy of the "2014 Six Year Plan" which includes a "First Year Plan" for projects planned for 2014 ending December 31, 2014, and a "Second thru Six Year Plan" for projects planned for fiscal years 2015/2020 ending September 30, 2020.
3. A public hearing concerning the "2014 Six Year Plan" was held on February 3, 2014 as shown in this plan.
4. The "2014 Six Year Plan", as attached, is adopted to include the priority levels as shown in the plan.
5. The City Clerk is directed to file a copy of this Resolution with the attached "2014 Six Year Plan" with the Board of Public Roads Classifications and Standards on or before March 1, 2014.
6. This Resolution shall become effective following its passage and approval.

Passed and approved this 3rd day of February, 2014.

Mayor

ATTEST:

City Clerk

"seal"

Mayor Meininger opened the public hearing at 6:10 p.m. to consider the Zone Change for proposed Block 1A, Merrigan Subdivision from A - Agricultural to R-1B - Rural Residential Estate. Mr. Kuckkahn explained that this is a small parcel in our extraterritorial. The owners want to add a building to their homestead, which requires a zone change. There were no comments from the public. Mayor Meininger closed the Public Hearing at 6:12 p.m.

Mayor Meininger introduced the Ordinance on first reading which was read by title: AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT REAL ESTATE IN A tract of land situated in the East Half of the Southwest Quarter of Section 8, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, containing an area of 3.10 acres, more or less, WHICH IS CURRENTLY

ZONED AS A, WILL NOW BE INCLUDED IN THE R-1-b RURAL RESIDENTIAL ESTATE ZONE, AND REPEALING PRIOR SECTION 25-1-4.

Regarding the bids for the recycling equipment, Mr. Kuckkahn explained that when we received bids the first time, there was some concern regarding the bid specifications. The bid specifications were clarified and the equipment was re-bid. We only received one bid for all three pieces of equipment. Mayor Meininger commented that the equipment is required to comply with NDEQ requirements.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve the bid for a new slow speed, high torque power Shredder for the Environmental Services Department to Murphy Tractor & Equipment in the amount of \$322,499.00," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Moved by Council member Shaver, seconded by Council Member Hilyard, "to approve the bid for a new Compost Windrow Turner for the Wastewater Department to N40, LLC, in the amount of \$334,400.00," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Moved by Council Member McCarthy, seconded by Mayor Meininger, "to approve the bid for a new Compost and Mulch Portable Screening Unit for the Wastewater Department to Murphy Tractor & Equipment in the amount of \$251,199.00," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

City Manager Kuckkahn presented the information on the purchase of a columbarium for the cemetery. This is a Capital Improvement Plan purchase with a budgeted amount \$25,000.00. The lowest and best bid amount is \$14,850.00, the balance of the funds will be used for site preparation and landscaping. Moved by Council Member Gonzales, seconded by Council Member Shaver, "to approve the purchase of an 80 niche Columbarium from S.I. Memorials in the amount of \$14,850.00," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Mr. Kuckkahn presented the contracts for construction and engineering services with Baker and Associates for the Avenue I project. We are expecting to begin the project on April 1, 2014. Moved by Mayor Meininger, seconded by Council Member Hilyard, "to approve the agreements for construction engineering services with Baker & Associates for the Avenue I Street Improvement Project and approve Resolution No. 14-02-02," "YEAS", Gonzales, McCarthy, Meininger, and Hilyard, "NAYS" Shaver. Absent: None.

RESOLUTION NO. 14-02-02

WHEREAS, the City of Scottsbluff is developing a transportation project for which it intends to obtain Federal funds;

WHEREAS, the City of Scottsbluff, as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

WHEREAS, the City of Scottsbluff and Baker & Associates wish to enter into an Engineering Services Agreement to provide Construction Engineering Services for the Federal-aid project, No. URB-5703(2), Avenue I, South Beltline Highway to 27th Street.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA, that the Mayor is hereby authorized to sign the attached Construction Engineering Services Agreement between the City of Scottsbluff and Baker & Associates.

PASSED AND APPROVED THIS 3rd day of February, 2014.

Mayor

Attest:

City Clerk
"Seal"

Mr. Kuckkahn presented the addendum with Tyler Technologies, Inc. to include the online utility billing charge of \$1.25 per transaction, which will be paid by the City. This is a fee that was not anticipated when the original contract was approved. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the addendum to the Tyler Technologies, Inc. agreement regarding the online utility billing payments and authorize the Mayor to execute the addendum," "YEAS", Gonzales, McCarthy, Meininger, and Hilyard, "NAYS" Shaver. Absent: None.

Assistant City Manager Johnson reported on additional information regarding the current method of trash collection and suggestions to aid the process. Staff is recommending that residents move all roll outs to the street rather than placing them in the alley. We are currently working with the GIS department to develop maps with layers defining where the different collection methods are located in the city. We currently have approximately 4,000 brown roll out containers. If all of these brown roll-outs were placed on the street instead of the alley, the collection would be safer and more efficient.

Council Member Gonzales asked if this would allow us to reduce rates or staff. Mr. Kuckkahn responded that rather than reduce staff or rates, the added efficiency will allow us to expand our single stream recycle collection and offer additional services. As Council Member Shaver pointed out, some of the alleys are big enough to handle the alley dumpsters and they are preferred for aesthetics. Mr. Kuckkahn added that we need to be consistent and the size of the equipment makes it difficult to collect trash in all alleys, also having the dumpster in the alley promotes it as a dump for other large trash items. Mr. Johnson added that as the tan alley dumpsters wear out, staff will replace them with the roll-out containers, which in many cases has been requested by residents. The City plans to purchase the roll-outs for future use, which will be discussed at the next budget workshop.

Mark Bohl, Public Works Director, informed the council that the trucks are bigger, enabling us to make less trips to the Gering landfill. When asked by Council Member Shaver if this reduces our labor time, he responded it does not because we have added recycling pick up and yard waste. Mr. Kuckkahn added that if we remained stagnant with our collection methods, we would could reduce costs and time, however, we have become more aggressive with our recycling efforts, and have a broader range of service, which requires more staff time.

Mr. Kuckkahn added that the Council has been interested in expanding our recycling for some time. The staff's recommendation is to gradually begin changing out the large dumpsters. For now, staff is looking for direction regarding only the yard waste roll-out containers and requiring that they be rolled out to the curb. Moved by Mayor Meininger, seconded by Council Member Hilyard, "to require residents to take all yard waste roll-out containers to the street curb for pick up, not the alley," "YEAS", McCarthy, Meininger, and Hilyard, "NAYS" Gonzales, Shaver. Absent: None.

Mr. Johnson informed Council that we will begin picking up the yard waste at the curb in April, which will give us time to get the public relations information out. Mayor Meininger summarized that being more efficient with 1800 dumpsters, we can pick up another 3000 dumpsters for the same cost as we add to the yard waste and recycle collection.

Mr. Kuckkahn explained that we need to appoint a Council Member to the 911 Committee who will be a representative for the City of Scottsbluff. Moved by Council Member Gonzales, seconded by Council Member Hilyard, "to appoint Randy Meininger to the 911 Committee for the City of Scottsbluff," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: None.

City Manager Kuckkahn explained that the house previously occupied by the Doves Shelter at 716 West Overland is vacant, and the Doves Board would like to sell the structure and move it. The land is owned by the City and the Police Department would like to retain the property to use for a possible impound lot. A major cost of moving the structure is removal of the foundation and the tipping fees. Mr. Kuckkahn is proposing that we absorb those costs to assist with the project. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to retain the city-owned land located at 716 West Overland and pay the expenses of removing the foundation when the structure is moved," "YEAS", Gonzales, McCarthy, Meininger, and Hilyard, "NAYS" Shaver. Absent: None.

Council introduced Ordinance No. 4120 on third reading by title: AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF DEALING WITH WATER SERVICE LINES AND WATER METERS, AMENDING CHAPTER 23, ARTICLE I 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.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve Ordinance No. 4120 dealing with water service lines," "YEAS", Gonzales, McCarthy, Meininger, and Hilyard, "NAYS" Shaver. Absent: None.

Under the citizen comments, Sabrina Esparza, 713 E. 8th St., addressed the Council with the following concerns: 1. Additional improvements needed at the park on 9th Ave. – need basketball court, new slide and ADA approved equipment; 2. Speeding on 9th Ave. needs to be addressed; 3. Residents need to be updated on the status of the Quiet Zone; 4. Informed the Council that she will be organizing the 17th neighborhood clean up on May 3, 2014.

Under Council reports, Council Member Gonzales informed the Council that Linda Meininger, Scottsbluff High School Student Council Advisor, informed him that the students will be sending out surveys in March regarding student activities.

Abby Yellman, Library Director, informed the Council that the Lied Scottsbluff Public Library has received their Leed Certification.

Moved by Council Member McCarthy, seconded by Mayor Meininger, "to adjourn the meeting at 7:00 p.m.," "YEAS", Gonzales, McCarthy, Meininger, Shaver and Hilyard, "NAYS" None. Absent: None.

Mayor

ATTEST:

City Clerk

“SEAL”