

City of Scottsbluff, Nebraska

Monday, October 20, 2014

Regular Meeting

Item Consent1

Approve the minutes of the October 6, 2014 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, October 6, 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 October 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 accommodations 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 3, 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, Liz Hilyard, Randy Meininger, and Scott Shaver. Absent: None.

Mayor Meininger asked if there were any changes to the agenda. City Clerk Dickinson informed the Council of the following changes: Under Consent Calendar, the Regular Minutes need to be voted on separately and moved to item 7b. Also item 6e – specifications for the purchase of a new sweeper needs to be removed and bid later in the year when the state bid is available. In addition, Items 11b and 11c regarding the zip line event during Harvest Night need to be pulled as the feature has been cancelled due to insurance issues. Moved by Mayor Meininger, seconded by Council Member Shaver, "to make the following changes to the agenda: Move the Regular Minutes, which have been amended, from Consent Calendar to item 7b; pull item 6e Sweeper Specifications and authorization to bid; and remove items 11b and 11c dealing with the zip line event," "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 McCarthy, that:

- a) "Liz Hilyard be excused from the September 15, 2014 Regular Meeting,"
- b) "A public hearing be set for October 20, 2014 to consider a Class C Liquor License for Soft-tail Hospitality Co. LLC dba Dented Fender Bar and Grille,"
- c) "The City Managers appointments to various boards and commissions be approved,"
"YEAS", Gonzales, McCarthy, Meininger and Hilyard, "NAYS" Shaver. Absent: None.

Moved by Council Member Shaver, 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 6, 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.,EQUIP MAINT,119; ADVANCE AUTO PARTS,EQP MTC,32.56; ALAMAR CORP,EQUIP MAINT,1154.31; ALLO COMMUNICATIONS,LLC,LOCAL TELEPHONE CHARGES,4771.05; AMAZON.COM HEADQUARTERS,DEP SUP,205.45; ANITA'S GREENSCAPING INC,DEPT CNTRCL SRVCS,175; BAKER & ASSOCIATES INC,RADIOLOGICAL CONTAM STUDY,11944.13; BARNES & NOBLE BOOKSELLERS,BKS,1491.17; BECHTOLD, JANIE,LEGAL FEES,20; BLUFFS SANITARY SUPPLY INC.,JAN SUP,463.16; BRETT HERBST 4190.00, SPECIAL EVENT-HARVEST NIGHT; CARLSON, DEBRA,DEP SUP,73.72; CARR TRUMBULL LBR INC.,EQUIP MTNC,5.99; CEMENTER'S INC,CONCRETE,549.46; CENTRAL TECHNICAL COMMUNITY,CLASS FEES,250; CENTURY MFG,OTHER FUEL,568.44; CITIBANK N.A.,SUPP - PHONE,465.39; CITY OF SCB,PETTY CASH,166.3; CLARK PRINTING LLC,DEP SUP,343.65; CLAUSSEN, JOSHUA,LEGAL FEES,23.26; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,SUPP INS,48.7; COMMUNITY HEALTH-RWMC,CONSULTING,87; COMPUTER CONNECTION INC,SUPPLIES,213; CONSOLIDATED MANAGEMENT,SCHOOLS & CONF,540; CONTRACTORS MATERIALS INC.,SUPP - PLATE COMPACTOR,2903.61; CREDIT MANAGEMENT SERVICES INC.,WAGE ATT,306.06; CULLIGAN OF SCOTTSBLUFF,BLDG MAINT,56.7; CYNTHIA GREEN,DEPT SUPPL,3536.17; D & H ELECTRONICS,BUILDING SUPPL,12.93; DALE A HOPKINS,CMP RFD,60; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,3045.14; DINGES, WILLIAM,LEGAL FEES,23.26; DOUG KENT,TREE REBATE,279.95; ED. ROEHR AUTO RADIO CO INC,FIREARMS SUPPLY,206.34; ELLIOTT EQUIPMENT COMPANY INC.,VEHICLE MTNC,1537.07; ENNIS, SEAN,LEGAL FEES,20; FASTENAL COMPANY,DEPT SUP,28.73; FAT BOYS TIRE AND AUTO,TIRES FOR GRADER,5401; FEDERAL EXPRESS CORPORATION,SHIPPING FEES,218.93; FELSBURG HOLT & ULLEVIG, INC,DEPT CNTRCL SRVCS,398.06; FERRER, DANIEL,LEGAL FEES,32.32; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,225; FRANK IMPLEMENT CO,EQP MTC,59.09; FRED PRYOR SEMINARS,SEMINAR,159; FREMONT MOTOR SCOTTSBLUFF,LLC,PARTS FOR PICKUP,119.6; FYR-TEK,TRUCK REPAIRS,49.24; GARTON, LYNN,CONFERENCE,1151.75; GENERAL ELECTRIC CAPITAL CORPORATION,AV,2503.66; H D SUPPLY WATERWORKS LTD,METERS,930.51; HANSEN, JOSH,SCHOOLS & CONF,72; HAWKINS, INC.,CHEMICALS,4984.8; HEILBRUN'S INC.,PARTS,783.75; HENWIL CORPORATION,CHEMICALS,5198; HIGH PLAINS SCUBA,FOUR WET SUITS,1000; HOA SOLUTIONS, INC,EQUIP MAINT,2128.12; HOLIDAY INN-DOWNTOWN LINCOLN,ROOMS FOR MURPHY,328; HOME DEPOT CREDIT SERVICES,DEPT SUP,123.79; HONEY WAGON EXPRESS,CON SRV,310; HYDRONIC WATER MANAGEMENT,EQUIP MAIN,425; HYDROTEX,OIL,1993.18; ICMA RETIREMENT TRUST-457,DEF COMP,1325.14; IDEAL LAUNDRY AND CLEANERS, INC.,SUPP,869.88; INFRARED SYSTEMS GROUP,ISG PART,45; INGRAM LIBRARY SERVICES INC,BKS,1918.47; INLAND TRUCK PARTS,REPAIRS,76.24; INTERNAL REVENUE SERVICE,PYRL W/H,68914.37; INVENTIVE WIRELESS OF NE, LLC,DEP SUP,62.95; J G ELLIOTT CO.INC.,BOND,945; JEFF JOPLIN,TREE REBATE,109.98; JOHN DEERE FINANCIAL,DEP SUP,477.9; JOHN DEERE FINANCIAL,DEPT SUP,131.9; JOHN DEERE FINANCIAL,GRD MTC,128.9; JOHN DEERE FINANCIAL,SUPP,19.98; JOHN DEERE FINANCIAL,DEP SUP,5.53; KIMBALL MIDWEST,SUPP,246.08; KING, TONY,RE-IMBURSEMENT FOR CDL,57.5; KRIZ-DAVIS COMPANY,DEPT SUPPLIES,33.72; LAMONT, SKYLER,LEGAL FEES,23.26; LLOYD A WARNER,BK,14; M.C. SCHAFF & ASSOCIATES,

INC, CONTRACTUAL SVC, 24414.75; MADER, PERRY, SCH CON, 117.52; MAILFINANCE
 INC, EQUIP LEASE, 106.76; MARKETING CONSULTANTS, DEPT SUP, 104; MENARDS, INC, DEP
 SUP, 1718.87; MICHAEL B KEMBEL, DOOR REPRS, 120; MUNICIPAL PIPE TOOL CO,
 LLC, EQUIP MAINT, 450.73; NATHAN JOHNSON, CONF, 980.5; NAT'L LEAGUE OF
 CITIES, DUES, 1489; NE CHILD SUPPORT PAYMENT CENTER, NE CHILD SUPPORT
 PYBLE, 2137.81; NE COLORADO CELLULAR, INC, CONTRACTUAL SVC, 36.2; NE DEPT OF
 REVENUE, SALES & USE TAX, 21552.34; NEBRASKA SAFETY & FIRE EQUIPEMENT
 INC., BLDG MAIN., 443; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 29334.96;
 NEBRASKALAND TIRE, VEH MAINT, 14.5; NORTHWEST PIPE FITTINGS, INC. OF
 SCOTTSBLUFF, DEP SUP, 44.54; PANHANDLE CONCRETE PRODUCTS, INC, DEPT SUP, 704.75;
 PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 195; PANHANDLE HUMANE
 SOCIETY, CONTRCTL SVC, 4964.31; PLATTE VALLEY BANK, DEBT SERVICE, 48888.63;
 POSTMASTER, POSTAGE, 1005.56; POWERPLAN, EQP MTC, 1577.77; PRO OVERHEAD
 DOOR, BLD MTC, 968; PROTEX CENTRAL, INC., CONTRACTUAL SVC, 571.29; QUALITY INN &
 SUITES, CONF, 67.99; QUILL CORP, INVEST SUPPL, 135.88; QUIROZ, MARIA, LEGAL
 FEES, 23.26; REAMS SPRINKLER SUPPLY CO., GRD MTC, 1380.58; REGION I OFFICE OF
 HUMAN DEVELOPMENT, CONTRACTUAL SERVICES, 825; REGIONAL CARE INC, HEALTH
 INS. PREM., 92141.48; RICHARD CELLI, DEP SUP, 39.95; RICHARD JOHNSON, CON SRV, 800;
 RIVERSIDE ZOOLOGICAL FOUNDATION, CONTRCTL SVC, 87500; ROBERTA J BOYD, PSTG
 REIM, 6.57; ROOSEVELT PUBLIC POWER DISTRICT, ELECTRIC, 1815.98; RS VENTURES
 LLC, VEH MAINT, 384.46; S M E C, SMEC EE DEDUCTION, 226; SABRINA SOSA, LEGAL
 FEES, 31.2; SANDBERG IMPLEMENT, INC, CONTRACTUAL SVC, 303.92; SARGENT
 IRRIGATION INC., MONITORING WELLS, 37604; SCB FIREFIGHTERS UNION LOCAL
 1454, FIRE EE DUES, 210; SCHLEUNING, BILL, TREE REBATE, 144.98; SCHOOL-TECH,
 INC, DEPT SUPPL, 187.08; SCOTTSBLUFF BODY & PAINT, INC, VEH MAINT, 1015;
 SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES, 396; SCOTTSBLUFF
 SCREENPRINTING & EMBROIDERY, LLC, DEPT SUPPL, 10; SCOTTSBLUFF SENIOR
 CENTER, CONTRACT, 5750; SCOTTSBLUFF WINNELSON COMPANY, BUILDING MAIN, 319;
 SEEDLINGS BRAILLE BOOKS FOR CHILDREN, BKS, 357; SHERIFF'S OFFICE, LEGAL FEES, 355;
 SHERWIN WILLIAMS, PAINT BEADS, 1060; SIMON CONTRACTORS, CONCRETE, 13319.07;
 SNELL SERVICES INC., BLDG MAIN, 70; SOURCE GAS, MONTHLY ENERGY FUEL, 743.75;
 SOURCE ONE ENVIRONMENTAL, DEPT SUP, 568; SPENCER MCMURTRY, SUPPLIES, 1400;
 STATE HEALTH LAB, SAMPLES, 1659; STATE OF NE., CONTRACTUAL, 630; STATE OF NEBR-
 DEPT OF ADMIN SVC, MONTHLY LONG DISTANCE, 126.8; STATE OF WYOMING, SCHOOLS &
 CONF, 1000; STERKEL, LEE, RE-IMBURSEMENT FOR CDL, 57.5; SUHOR INDUSTRIES,
 INC., SML CPT, 9900; TERRY D SCOTT, VEH MAINT, 431.05; THE CHICAGO LUMBER
 COMPANY OF OMAHA INC, GRD MTC, 8.78; THE PEAVEY CORP, INVEST SUPPL, 82.2;
 THOMAS P MILLER & ASSOC, LLC, CONTRCTL SVC, 16633.35; TOMMY'S JOHNNYS INC, CON
 SRV, 1305; TOTAL FUNDS BY HASLER, PSTGE, 800; TOTAL LANDSCAPE CONCEPTS, DEPT
 SUP, 9459.57; TRAFFIC SAFETY CORPORATION, DEPT SUP, 5233; TRI-STATE SPRINKLER
 SYSTEMS, LLC, CONTRACTUAL SVC, 6537.57; TWIN CITY AUTO, INC, SNOW PLOW, 6195.5;
 TWIN CITY ROOFING & SHEETMETAL, INC, SERVICES, 70568; TYLER TECHNOLOGIES,
 INC, FEES, 348; UPSTART ENTERPRISES, LLC, DEPT SUPPL, 182.18; US BANK, SPC
 EVT, 2379.87; VAN PELT FENCING CO, INC, COMPOST FACILITY UPGRADE, 68130; VERIZON
 WIRELESS, CELL PHONES, 712.92; VOGEL WEST, INC, SUPP - PUMPS, 23.35; WELLS FARGO

BANK N.A.,RETIREMENT,31839.81; WESTERN SURETY COMPANY,BOND,875; WHOLESALE MOTIVE SERVICE INC.,DEP SUP,91.77; WTG MIDWEST, INC,DEPT SUP,1550.34; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPP,55.62; YELLMAN, ABBIGAIL,REIM,24.93; UTILITY REFUNDS: KOREY SPENCER, 6.57; JERRY DARNELL 8.01; JERRY L. DARNES 1.46; CHRIS & TIFFANY GEARY, 7.14; FRED & JACOB KRIEG, .21; RICK KUCKKAHN, 8.12; PLATTE VALLEY BANK, 104.40; RICHARD RODRIGUEZ, 87.83; DORIS SCHANEMAN, 6.24; DIANE VANDENBERGE, 2.18; SHARON METCALF, 2.20.

Moved by Mayor Meininger, seconded by Council Member Shaver “to approve the September 15, 2014 Regular minutes as amended,” “YEAS”, Gonzales, McCarthy, Meininger, Shaver and Hilyard, “NAYS” None. Absent: None.

Council reviewed the August 2014 Financial Report.

Mayor Meininger opened the Public Hearing at 6:05 p.m. as scheduled for this date to consider proposed text changes to zoning districts C-2, PBC, R-1B, and R-4, regarding height requirements. City Planner, Annie Folck, explained that there were some discrepancies in our current code regarding the maximum height of buildings in the C-2 zones. Our current code has a maximum height of 25’ for C-2 zones, and the Planning Commission recommended changing this to 35’ to match the residential code and include a maximum height of 45’ for hotels and apartments. She explained that many hotels now are requiring a minimum of three stories, with a special exception for hotels and apartments up to 45’. Anything higher than 45’ will require a special use permit. In addition, the proposed Ordinance includes corrections to clean up the code and make it more user friendly. There were no public comments. The public hearing closed at 6:12 p.m.

Council Member Shaver commented that he would like to require all hotels get a special permit so that surrounding neighborhoods have a chance to comment on the effect of the development on their views.

Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING AND REVISING CHAPTER 25, ARTICLE 3 OF THE SCOTTSBLUFF MUNICIPAL CODE AND CHAPTER 25, ARTICLE 3 PART OF THE SCOTTSBLUFF ZONING CODE TO REVISE AND AMEND SECTIONS 25-3-4, RURAL RESIDENTIAL ESTATE ZONING (R-1b), SECTION 25-3-7, HEAVY DENSITY MULTIPLE FAMILY DISTRICT (R-4), SECTION 25-3-12, PLANNED BUSINESS CENTER DISTRICT (PBC), AND SECTION 25-3-14, NEIGHBORHOOD COMMERCIAL DISTRICT (C-2), ALL RELATING TO HEIGHT LIMITATIONS BY ADDING NEW HEIGHT LIMITATIONS AND CORRECTING HEIGHT LIMITATIONS IN THE ABOVE NAMED DISTRICTS, REPEALING ALL PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.** Council agreed that this Ordinance should have additional readings.

Mayor Meininger opened the public hearing at 6:12 p.m. as advertised for this date to consider a zone change request for proposed Lots 1 - 9, Block 1; & Lots 1 -3, Block 2, Premier Estates Subdivision, 40.9 acres, from A - Agricultural to R-1B Rural Residential. Annie Folck, Planner, explained that this area is located northwest of the Scottsbluff Country Club. The development will be divided into large lots with their own wells and septic systems. The owners have submitted a preliminary plat, and the Planning Commission made a positive recommendation of the zone change at their September 8, 2014 meeting. There were no comments from the public. Mayor Meininger closed the Public Hearing at 6:16 p.m.

Ms. Folck explained that this development is in line with the Comprehensive Master Plan and it makes sense to have septic systems in this area, as it would be difficult to extend city sewer to this area.

Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE**

OFFICIAL ZONING DISTRICT MAP TO SHOW THAT REAL ESTATE PROPOSED TO BE DESCRIBED LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 1, AND LOTS 1, 2 AND 3, PREMIER ESTATES ADDITION CONTAINING AN AREA OF 40.9 ACRES, MORE OR LESS, WHICH IS CURRENTLY ZONED AS AGRICULTURAL (A), WILL NOW BE INCLUDED IN THE RURAL RESIDENTIAL ESTATE ZONE (R-1b) , AND REPEALING PRIOR SECTION 25-1-4. Council agreed that this Ordinance should have additional readings.

Mayor Meininger opened the Public Hearing at 6:15 p.m. to consider a Class C liquor license application from Racks Sports Bar, LLC dba Backaracks Bar & Grill. Robert Scriptor and Tom Watson, owners, and Police Captain Brian Wasson were sworn in to testify on the liquor license. Moved by Council Member McCarthy, seconded by Council Member Gonzales, "That the following exhibits, presented on behalf of the City Council, be entered into the record: 1) Liquor License Application for Racks Sports Bar, LLC dba Backaracks Bar & Grill; 2) City Council Check List for Section 53-132 (Reissue 2010); 3) Written Statement of Police Chief Kevin Spencer; 4) Written Statement of City Clerk Dickinson; 5) Written Statement of Planning Administrator Urdiales," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Mr. Scriptor explained that they have developed an LLC for the business and are separating the liquor licenses so the Liquor Store and the Bar and Grille have separate licenses. They explained that only the owners will have access to the inventory. They currently have a no-tolerance policy regarding the sale of alcohol to minors, and will result in termination. All employees have a 60 day period to complete their alcohol training course either through the State Patrol or on-line. City Attorney Howard Olsen asked Mr. Watson about any previous licenses he has held. He has a license at his business in Morrill. He explained that approximately a year ago there was a violation at his business, and the employee who sold to a minor was terminated. His experience in serving alcohol includes the past year he has worked at Racks. He has taken the server training classes.

Captain Wasson explained to the Council that the Police Department's investigation did not show any issues that would prevent a positive recommendation regarding the liquor license. He explained that they have received calls from the owners when there were issues with customers, which the Police Department encourages. The owners have been very good to work with in the past. There were no additional comments from the public .

Mayor Meininger closed the public hearing at 6:22 p.m. Moved by Council Member Shaver, seconded by Council Member Gonzales, "to forward a positive recommendation to the Nebraska Liquor License Commission regarding the Class C liquor license application from Racks Sports Bar, LLC dba Backaracks Bar & Grill, 1402 East 20th Street, Suite B," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

RESOLUTION NO. 14-10-01

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

1. On October 6, 2014 the matter of the application of Kimberly & Robert Scriptor and Tom Watson, doing business as "Racks Sports Bar, LLC dba Backaracks Bar & Grill" for a Retail Class C liquor license at 1402 East 20th St., Scottsbluff, Nebraska, came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Kimberly & Robert Scriptor and Tom Watson, doing business as "Backaracks Bar & Grill, C 108552"

Exhibit 2 - City Council Check List for Section 53-132 R.R.S. (1984)

Exhibit 3 - Written statement of Police Chief dated October 3, 2014

Exhibit 4 - Written statement of City Clerk dated October 1, 2014

Exhibit 5 - Written statement of Planning Administrator dated September 16, 2014

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from proposed managers and partners in the partnership Robert Scripter and Tom Watson, Chief Kevin Spencer spoke on behalf of the City of Scottsbluff.
3. Upon consideration of the evidence and the criterion to be considered by the City Council pursuant to law, the City Council finds as follows:
 - a. Applicant has demonstrated a fitness, willingness, and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act.
 - b. Applicant has met its burden with regard to the check list provided by Section 53-132 R.R.S. (Reissue 2010) and demonstrates a willingness and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act and its management and control appears to be sufficient to insure compliance with such rules and regulations.
4. By reason of the above, the Applicant has met the burden of proof and persuasion in producing evidence pertaining to the criterion prescribed in the Nebraska Statutes.
5. Based on the above findings, the City Council approves the application and recommends to the Nebraska Liquor Control Commission that a Retail Class C liquor license be issued to Kimberly & Robert Scripter and Tom Watson, doing business as "Backaracks Bar & Grill" at the premises described in the application.
6. The City Clerk shall transmit a copy of this Resolution to the Commission.
7. Cost of publication: \$16.41.

Passed and approved this 6th day of October 2014.

Mayor

ATTEST:

City Clerk

"seal"

Moved by Mayor Meininger, seconded by Council Member McCarthy, "to forward a positive recommendation to the Nebraska Liquor License Commission naming Robert Scripter as Manager of the Racks Sports Bar, LLC dba Backaracks Bar & Grill, 1402 East 20th Street, Suite B, Liquor License," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member Shaver, "to approve the deletion of the Backaracks Sports Bar, 1402 East 20th St., Suite B, portion of the Racks Wine and Spirits Liquor License, 1402 East 20th St., Suite A, and submit this recommendation to the Nebraska Liquor License Commission," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

The item regarding the addition to the Silver Saddle Lounge Class C Liquor License was not discussed as the owner and license manager was not present. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to table the item considering an addition to the Silver Saddle Lounge Class

C Liquor License,” “YEAS”, Gonzales, Shaver, McCarthy, Meininger and Hilyard, “NAYS” None. Absent: None.

Eleanor McNight, FT Express #459 Manager, approached the Council regarding her appointment as liquor license manager at the store located at 121 West 27th St., Scottsbluff. She explained that she has been in this type of business since the 1980’s. She has received all alcohol server training classes and said all employees will have the same training. They have 60 days to complete the training after they are hired. The policy regarding sales to minors is no-tolerance and employees are terminated. Mr. Olsen, City Attorney, asked about any liquor sales violations since she has been at FT Express. Ms. McNight said there was one at this location previous to her employment. Her philosophy is no ID, no sales. Moved by Council Member Gonzales, seconded by Council Member Hilyard, “to approve the Liquor License Manager appointment of Eleanor McKnight as the manager of the FT Express #459 liquor license, 121 West 27th St., Scottsbluff, and submit a positive recommendation to the Nebraska Liquor Commission,” “YEAS”, Gonzales, Shaver, McCarthy, Meininger and Hilyard, “NAYS” None. Absent: None.

Mayor Meininger asked that the item supporting the Scottsbluff Public Schools Bond issue be placed on the agenda. During his time as the Mayor of Scottsbluff, he has made sure that we work in conjunction with other cities and the school districts. He feels very strongly that the Career Academy is the future of the education component portion of the Economic Development report. The Career Academy building meets the need of this goal. Mayor Meininger said he feels it is time for the Council to support the Scottsbluff Public School District bond efforts. Moved by Mayor Meininger, “to support the Scottsbluff Public School District bond efforts for improvements and addition to the Scottsbluff High School,” “YEAS”, Gonzales, McCarthy, Meininger and Hilyard, “NAYS” Shaver. Absent: None.

Mark Bohl, Public Works Director, gave Council a report on a few changes regarding the snow removal process. Broadway will be cleared from the curb to the center of the road, then all snow removed from the center. In order to accomplish this, the pedestrian crossing signs will need to be removed. The nodes and landscaping which will soon be added to Broadway will also change the snow collection method on Broadway. They would like businesses on Broadway to clear the sidewalk into the street, prior to the snow plow clearing the road. The department has purchased new equipment which will help clear the snow more efficiently. Mr. Kuckkahn added that, hopefully, the driving habits on Broadway have changed with the removal of the traffic lights, so we can feel comfortable about taking out the median pedestrian crossing signs.

Captain Wasson reported on the two digital signs which were purchased by the Business Improvement District, which will hopefully deter speeding downtown. Since the signs flash, it serves as a reminder to other drivers to follow the speed limit. These signs can also generate reports which track traffic counts and speeds. Mayor Meininger expressed his appreciation to the BID for taking the lead on this project.

Regarding the installation of LED lighting, City Manager Kuckkahn reported on the continuation of energy efficiency of our community for the present and the long term. While LED lighting is more expensive initially, the long term cost of installing LED lighting in the new development of 12th Avenue will be less. The plan is to start with the new subdivision on 12th Avenue and test the efficiency and illumination. The cost is \$2880 for fifteen lights, which is about twice that of sodium. Council Member Shaver commented about the halo effect of LED lights. He added that this was an economical way to test the effects and the efficiency. Mr. Bohl added that these lights should go in around spring of 2015 once grading of new road is complete. Mayor Meininger said he’s met with NPPD many times to discuss replacing the existing street lighting with LED. They have an LED product that fits into the housing of existing lights. He has asked them to replace the sodium lights when they go out with the LED.

Moved by Council Member Shaver, seconded by Council Member Hilyard, “to approve the installation of LED lighting on the new portion of 12th Ave.,” “YEAS”, Gonzales, Shaver, McCarthy, Meininger and Hilyard, “NAYS” None. Absent: None.

Captain Wasson presented the Memorandum of Agreement to allow the Police Department to conduct tobacco compliance checks. Moved by Council Member McCarthy, seconded by Council Member Hilyard, "to approve the Memorandum of Agreement between Panhandle Public Health District and the Scottsbluff Police Department to provide tobacco compliance checks and authorize the Mayor to execute the Agreement," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

City Manager Kuckkahn reported on the Economic Development Report. The Steering Committee has been reviewing the reports over the past several months and discussing any changes with the consultant. They felt the report was solid and provided the conceptual guidance we needed. There were some concerns regarding the time frame and recommended that we slow the process a little rather than rush to complete the report. The report should be ready to review by October 17th, with meetings in November to review and finalize. It was suggested that the Steering Committee expand to include representatives from the School District, Chamber of Commerce and Western Nebraska Community College.

On November 21st, consultants will be here to reveal the report to the community. Mr. Kuckkahn suggested the need for a "bridge contract" which will enable the consultants to enhance parts of the report to include charts, etc. to provide a user friendly document. This contract will be presented at the next City Council meeting for consideration.

Mayor Meininger commended City Manager Kuckkahn on the progress of the report and emphasized how important it is to not lose the momentum of this project. He feels strongly that Mr. Kuckkahn needs to take the lead to make sure this report doesn't sit on the shelf. Moved by Mayor Meininger, seconded by Council Member Gonzales that "City Manager Rick Kuckkahn be directed to take the lead implementing the Economic Development Plan and coordinating with the other entities affected by the plan," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Council Member Shaver asked what changes were made to the report. Mr. Kuckkahn responded that they generalized the agency assignment rather than listing specific agencies. Council Member Hilyard commented that they also added reports dealing with oil and gas sustainability and the excellent access to the railroad. There were no substantive changes to the report.

Council Member Gonzales commented that Mr. Kuckkahn was an important part of this process, and his extensive Economic Development background will be captured and utilized so the City can take a larger role in Economic Development.

Under Council Reports, Mayor Meininger reported that representatives from the Federal Reserve will be at the Civic Center Wednesday night at 5:30 p.m. Mr. Kuckkahn reported that vendors are receiving their payments electronically, however some don't realize their payments have been received, one of which is the Senior Center. Staff will help vendors with this new process. Council Member Shaver reported on the emergency table top exercise he attended and commended the excellent emergency response staff.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "to adjourn the meeting at 6:55 p.m.," "YEAS", Gonzales, Shaver, McCarthy, Meininger and Hilyard, "NAYS" None. Absent: None.

Mayor

ATTEST:

City Clerk
"SEAL"