

City of Scottsbluff, Nebraska
Tuesday, February 17, 2015
Regular Meeting

Item Consent1

Approve the minutes of the February 2, 2015 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

Regular Meeting
February 2, 2015

The Scottsbluff City Council met in a regular meeting on Monday, February 2, 2015 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 30, 2015, 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 January 30, 2015. 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 Deputy City Clerk Burbach 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, Liz Hilyard and Scott Shaver. Absent: Jordan Colwell.

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 Gonzales, seconded by Council Member Hilyard that,

1. "The minutes of the January 20, 2015 Regular Meeting be approved,"
2. "Council Member Hilyard be excused from the December 15, 2014 Regular meeting,"
3. "A claim from John Ruff for personal property damage be acknowledged and forwarded to the city's insurance carrier,"
4. "A claim from Staci Harriger for personal property damage be acknowledged and forwarded to the city's insurance carrier,"
5. "Bid specifications for Water District No. 105, Reganis Subdivision be approved and authorize the City Clerk to advertise for bids to be received by February 24, 2015 at 2:00 p.m.," "YEAS", Meininger, Hilyard and Gonzales "NAYS" Shaver. Absent: Colwell.

Moved by Council Member Hilyard, seconded by Council Member Gonzales, "to approve the claim in the amount of \$350.00 to Trails West YMCA Camp for the City Recognition Dinner to be held on March 13, 2015 and authorize the Mayor to sign the contract," "YEAS", Meininger, Shaver, Hilyard and Gonzales "NAYS" None. Absent: Colwell.

Moved by Council Member Shaver, 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 2, 2015, as on file with the City Clerk and submitted to the City Council," "YEAS", Shaver, Hilyard, Gonzales and Meininger. "NAYS" None. Absent: Colwell.

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,Wage Attach,89.3; ACCURACY INC,FIREARMS SUPPL,642.42; ACTION COMMUNICATIONS INC.,PS FUNDS,360; AMAZON.COM HEADQUARTERS,DVDs,66.93; AMERICAN PUBLIC WORKS ASSOCIATION, MEMBERSHIP,600; ASSOCIATED SUPPLY CO, INC,BLD MTC,1125.71; AULICK LEASING CORP,vehicle mtn,175; AUTOZONE STORES, INC,supplies,82.34; BLUFFS SANITARY SUPPLY

INC.,Jan sup,76.97; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL,80.37; CARR TRUMBULL LBR INC.,SUPP,90.49; CELLCO PARTNERSHIP,CELL PHONES,482.48; CENTURY MFG,other fuels,569.51; CITIBANK N.A.,DEPT SUP,434.66; CITY OF GERING,GRD MTC,23.65; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,Supp Ins,48.7; CONNOR MCDOWELL,advance travel McDowell, 45; CONTRACTORS MATERIALS INC.,DEP SUP,239.26; COURT ADMINISTRATORS OFFICE, PUBLICATIONS, 105.25; COZY, INC,PUB SAFETY,650; CRESCENT ELECT. SUPPLY COMP INC,SUPP,452.29; CYNTHIA GREEN,INVEST SUPPL,217.62; DALE'S TIRE & RETREADING, INC.,EQP MTC,1355.46; DICKINSON, CINDY,Conf,85; DUANE E. WOHLERS,disposal fees,1500; ELLIOTT EQUIPMENT COMPANY INC.,dept supplies,2919; ENVISIONWARE, INC,Equip. main.,924.15; FEDERAL EXPRESS CORPORATION, POSTAGE,39.25; FIREFOX RESCUE EQUIPMENT, INC,Fire Truck,487802; FLOYD'S TRUCK CENTER, INC,PARTS - VALVES, SOLENOID,629.61; FREMONT MOTOR SCOTTSBLUFF, LLC,EQUIPMENT,24377.78; FYR-TEK INC,repairs,46.37; GAM & BSM INC.,VEH MTC,675; GENERAL ELECTRIC CAPITAL CORPORATION, dept supplies,475.54; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,377.88; HEILBRUN'S INC.,EQUIPMENT,2432.92; HOA SOLUTIONS, INC,EQUIP MAINT,835.8; HULLINGER GLASS & LOCKS INC.,Bldg Maint,120; ICMA RETIREMENT TRUST-457,Def Comp,1325.14; IDEAL LAUNDRY AND CLEANERS, INC.,SUPP - MATS, TOWELS, CVRLLS,367.14; INDEPENDENT PLUMBING AND HEATING, INC,Contr Svc,212.35; INGRAM LIBRARY SERVICES INC,Bks,75.86; INTERNAL REVENUE SERVICE,W/H taxes,60550.1; INVENTIVE WIRELESS OF NE, LLC,DEP SUP,8; JOHN DEERE FINANCIAL,dept supplies, 164.99; JOHN DEERE FINANCIAL,supplies,152.92; JOHN DEERE FINANCIAL,EQP MTC,171.58; JOHN DEERE FINANCIAL,SUPP,3.56; LCR INC,RECRUITMENT LUNCH,45.7; LEAGUE ASSOCIATION OF RISK MANAGEMENT,VEHICLE INS.,288.54; LOGAN CONTRACTORS SUPPLY INC,POTHOLE PATCH,735.6; M.C. SCHAFF & ASSOCIATES, INC,SEWER MAIN & SIPHON PROJECT,12760.5; MADER, PERRY,SCH CON,121.62; MAILFINANCE INC,Equip Lease,106.76; MATHESON TRI-GAS INC,DEP SUP,9.89; MENARDS, INC, SUPP, 905.75; MICHAEL B KEMBEL,overhead door repairs,361.15; MICHAEL SOUNDSLEEPER,DEP SUP,4299; MIDLANDS NEWSPAPERS, INC,PUBLICATIONS,145.6; MID-STATES ORGANIZED CRIME INFORMATION CENTER,MEMBERSHIP,200; MIDWEST MOTOR SUPPLY CO INC,SUPP - BULBS, FUSES, DRILL BITS, ETC., 357.62; NATHAN PARRISH,Travel advance for staff trng.,95; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,2218.31; NE DEPT OF REVENUE,W/H taxes,29592.03; NE LAW ENFORCEMENT TRAINING CENTER,SCHOOLS & CONF,10; NE LIBRARY COMMISSION,Schl,10; NE PLANNING & ZONING, DEPT CNFRNC,360; NEBRASKA RURAL WATER ASSOCIATION,SCHOOL & CONF,225; NEBRASKA PUBLIC POWER DISTRICT,Electric,68634.77; NEBRASKA SALT AND GRAIN CO,5 LOADS ICE SLICER,18208.4; NELSON ELECTRIC MOTOR SERVICE, INC,EQUIP MAINT,238.69; OREGON TRAIL COMMUNITY FOUNDATION, INC,FY15 MEMBERSHIP,5408.28; PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 216; PANHANDLE HUMANE SOCIETY,Cont Svc,4964.31; PELCO CORP,PLATE & ENGRAVING, 43.8; PLATTE VALLEY BANK,Health Savings,13397.73; POSTMASTER,Postage,288.88; PROTEX CENTRAL, INC.,Contr Svc,190; QUILL CORP,DEPT SUPPL,597.42; REGIONAL CARE INC,INS.PREMIUM,101489.08; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,197; REMOTEC, INC,EQUIP MAINT,259; RENAE L GRIFFITHS,TRAVEL EXPENSE,211.2; ROOSEVELT PUBLIC POWER DISTRICT,Electric,1796.61; ROSE DREW, INC,Dept sup,324.42; RR DONNELLEY,DEPT SUPPL,276.74; RUSCH'S GENERAL CONTRACTING, LLC,Bldg Maint,518.5; S M E C,Emp Deductions,238; SANDBERG IMPLEMENT, INC,DEP SUP,3548.13; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,210; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES,576; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE,ANNUAL BANQUET,75; SIMON CONTRACTORS,ASPHALT PATCH - COLD MIX,1176.1; SPENCER, KEVIN,SCHOOLS & CONF,48; STATE HEALTH LAB,SAMPLES,32; STATE OF NE., CONTRACTUAL, 735; STATE OF NEBR,Monthly Long Distance, 115.28; SUPERIOR SIGNALS, INC,VEH MTC,812.7; TERRY D

SCOTT,VEH MTC,44.2; THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA,SCH CON,132; TOTAL FUNDS BY HASLER,Pstge,500; TOYOTA MOTOR CREDIT CORPORATION,HIDTA,383.99; TRANS IOWA EQUIPMENT LLC,PARTS FOR SNOW BLOWER,1655.87; TRINITY BURGNER,SCH CON,39; TWIN CITY AUTO, INC,DEPT SUP,7753.27; UPSTART ENTERPRISES, LLC,DEPT SUPPL,298.43; US BANK,EQUIPMENT MAINT,2070.65; WELLS FARGO BANK, N.A.,Retirement,29710.47; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,RENT - EE RECOGNITION DINNER,350.

City Manager Kuckkahn presented the draft contract with Twin Cities Development (TCD), explaining that we have contractual agreements with all outside agencies that we help fund. Matt Larsen, TCD Board President, explained that they have developed a draft contract for the Council to review. They had previously shared information with the City Council from their Board Retreat, which included adding additional staff to accomplish some of the goals of the Economic Development Plan. They are also working on unification of services for better communication with other entities who are working on Economic Development projects. They anticipate that they will need to increase their revenue to accomplish the goals of the Economic Development plan.

Rawnda Pierce, TCD Executive Director, explained that the need for additional staff is based on the Economic Development study. They can't accomplish these goals with the staffing they currently have. She explained that they have been at the same level of funding from the City for the past 13 years. Their projected budget is based on three full-time and one part-time employee. This is down from five employees that they had two years ago.

The City's contribution is 23% of their total revenue sources, and they are trying to become less dependent on the City. TCD is in the process of looking at ways to increase outside revenue sources. They receive some grant funding and funding from Western Nebraska Housing Opportunities (WNHO) in addition to rental income from housing and office spaces. The construction is completed for the Masterminds office space and they will soon be opening the eCenter, which will assist entrepreneurs and small businesses. They are also working on adding Industry Focus Groups to bring like-minded industries together to look at ways to consolidate services. They hope to open by March or April of this year. Other programs they are currently working on is the corridor coalition and brownfield demolition projects; and working with the schools on their career academy program. The additional staff will help them look ahead at the Economic Development study and get a jump start.

Ms. Pierce explained that the contract they have presented to the City Council is a draft that identifies core services, and their plan to increase services.

Council Member Shaver asked if the additional \$15,000.00 in the contract for the eCenter operation is just for Scottsbluff. Ms. Pierce explained that the resources would be available regionally. The additional \$15,000.00 will help cover the increased utilities and overhead expenses.

Mayor Meininger suggested that the current contract be extended to give the Council and staff time to review and negotiate the contract with Twin Cities Development.

Mayor Meininger opened the Public Hearing at 6:15 p.m. as scheduled for this date for the One and Six Year Street Improvement Plan. The Planning Commission held a Public Hearing on the street plan on January 12, 2015, and approved the plan. Mark Bohl, Public Works Director explained that the One Year Plan will begin with the Reganis Commercial development at 12th Ave. and Wintercreek Drive, \$1,000,000; then 27th Street and 2nd Ave., installing a left turn lane \$150,000; projects 3 – 8 in the One Year Plan will be installation of residential streets in the Five Oaks Development, for a total of \$1,312,600. The total for the Two - Six Year Plan is \$3,450,000. The private development streets will become city streets after construction. There were no comments from the public. Mayor Meininger closed the Public Hearing at 6:18 p.m. Moved by Council Member Gonzales, seconded by Council Member Hilyard "to approve the 2015 One and Six Year Street Plan and approve Resolution No. 15-02-01," "YEAS", Shaver, Hilyard, Gonzales and Meininger. "NAYS" None. Absent: Colwell.

RESOLUTION NO. 15-02-01

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 "2015 Six Year Plan" which includes a "First Year Plan" for projects planned for 2015 ending December 31, 2015, and a "Second thru Six Year Plan" for projects planned for fiscal years 2016/2021 ending September 30, 2021.
3. A public hearing concerning the "2015 Six Year Plan" was held on February 2, 2015 as shown in this plan.
4. The "2015 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 "2015 Six Year Plan" with the Board of Public Roads Classifications and Standards on or before March 1, 2015.
6. This Resolution shall become effective following its passage and approval.

Passed and approved this 2nd day of February, 2015.

Mayor

ATTEST:

Deputy City Clerk

"seal"

Mayor Meininger opened the Public Hearing at 6:18 p.m. as scheduled for this date for the Ordinance Text Change limiting the areas that may be subdivided without improvements. Annie Folck, City Planner, explained that this issue was discussed previously regarding a large lot development. She explained that we need to be cautious with large acreage lot developments with private wells and septic systems because if these areas were annexed, the City would need to provide water and sewer at the City's expense. Looking at future growth, we need to be particularly careful about where we allow large lot development. We are limited to the majority of our growth to the north and it's important to keep areas open to development and future annexation. Ms. Folck talked to planners from surrounding areas who suggested not allowing too many areas to develop as large lot developments with private utilities.

The Planning Commission reviewed the comprehensive plan maps and noted areas appropriate for large lot development, where the City would be unlikely to annex. As a result, staff has developed some code changes to §21-1-21 which includes all future street extensions; §21-1-27 deals with improvements at the time of the subdivision development, the Comprehensive Plan will designate areas

where improvements can be waived; and § 21-1-34 stating that any waiver by the City Planner must be limited to the areas designated in the comprehensive plan. Staff is comfortable with these changes, which will provide guidance for developers even before they consider buying a piece of property for development.

There were no comments from the public. Mayor Meininger closed the public hearing at 6:25 p.m. Mayor Meininger introduced the Ordinance which was read by title on first reading: AN ORDINANCE AMENDING CHAPTER 21, ARTICLE 1 OF THE SCOTTSBLUFF MUNICIPAL CODE IN DEALING WITH SUBDIVISIONS AND IMPROVEMENTS REQUIRED, AMENDING §21-1-21, §21-1-27, and §21-1-34, REPEALING ALL PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Meininger opened the public hearing at 6:25 p.m. which was advertised for this date to consider a Resolution adopting a map showing allowable areas for large lot development into the Comprehensive Plan. City Planner, Annie Folck noted that the Planning Commission recommended that this map be added to the comprehensive plan. This map will be a part of the new comprehensive plan when it is completed and adopted. Mr. Kuckkahn added that the entire comprehensive plan is in the process of being updated and as the plan is completed, the map may be adjusted.

Mr. Loren Gutwein approached the Council and commented that he would like the City to consider additional and get more public participation before adopting the comprehensive development map and resolution. Council Member Shaver added that we need to consider where water and sewer lines can go and is concerned about how long it will take to complete the study. Staff will solicit more public input and bring the map back to Council at the February 17, 2015 meeting, which will tie in with readings of the Ordinance dealing with subdivisions and required improvements.

There were no further comments from the public. Mayor Meininger closed the public hearing at 6:30 p.m. and asked staff to bring back the Resolution with additional public input recommendations.

Mr. Jim Carney, St. Agnes Catholic Church, approached the Council regarding the request for three Special Designated Liquor Licenses for their annual fish fry events. He explained that St. Agnes has been holding these events for the past 10 years. The designated bar tenders are the only ones with access to the beer and wine. The proceeds from these events help raise funds for the school. Moved by Council Member Gonzales, seconded by Council Member Shaver, "to approve the applications from St. Agnes Catholic Church, 2314 Third Ave., Scottsbluff, for three special designated liquor licenses to serve beer and wine at three fish fry events on February 20, 2015; March 6, 2015 and March 27, 2015 from 5:00 p.m. to 9:00 p.m. each day," "YEAS," Gonzales, Meininger, Shaver, Hilyard, "NAYS," None, ABSENT: Colwell.

Mayor Meininger introduced the Lodging Tax Ordinance which was read on third reading: AN ORDINANCE PROVIDING FOR AN OCCUPATION TAX ON HOTEL ACCOMMODATIONS; REPEALING PRIOR SECTIONS LOCATED IN CHAPTER 6, ARTICLE 6 AND CHAPTER 11, ARTICLE 2 OF THE SCOTTSBLUFF MUNICIPAL CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Meininger recommended that Council wait on voting on this Ordinance until we have the meeting with the Economic Development Consultant to get a better idea of how tourism is a part of the economic development picture. However, depending on the sales tax revenue, this may cause an issue with the current budget. Council Member Shaver added that it appears this industry is being taxed heavily by the County and the State and he is in favor of waiting for other solutions to help our revenue. Mayor Meininger agreed that we may be ahead of ourselves with this type of tax.

Assistant City Manager Nathan Johnson presented the Resolution to change the Softball League fees. The rate study actually showed that our Men's League is more than the normal rate, so the recommendation is to lower this fee, and increase the Co-Ed League fees. Hopefully this will attract more leagues to our Softball Program.

When asked by Mayor Meininger about the influence of these leagues on the hotel businesses, Charlie McDermott, Holiday Inn Express, commented that they appreciate the business associated with leagues, however, the majority of their business is from business travel. He also noted that the Hotel Managers have appointed Clarence Gealy to be spokesperson for lodging tax information.

Moved by Council Member Shaver, seconded by Mayor Meininger, "to approve Resolution No. 15-02-02, changing the league fees for the Softball Leagues," "YEAS", Meininger, Hilyard, Shaver and Gonzales "NAYS" None. Absent: Colwell.

RESOLUTION 15-02-02

WHEREAS, each year, the City of Scottsbluff Parks and Recreation Department reviews and determines the fees required to cover the costs for certain recreational activities within the City; and

WHEREAS, after reviewing the costs and incidentals needed to put on softball leagues within the City, the Parks and Recreation Department has determined that fees for men's league and co-ed league should be set at a different rate this year than previous years.

NOW, THEREFORE, BE IT RESOLVED THAT the fees for men's softball league and co-ed softball league for 2015 and until further amended shall be as follows:

Men's League will be \$550.00

Co-ed League will be \$400.00

PASSED AND APPROVED this 2nd day of February, 2015.

Mayor

Attest:

Deputy City Clerk
"Seal"

Under Public comments, Daniel Bennett with Panhandle Area Development District (PADD) explained that they have been working with City Planner Annie Folck on the City's Comprehensive Plan, working with focus groups, and the steering committee. Mr. Kuckkahn commended Mr. Bennett and Ms. Folck for their hard work on updating the comprehensive plan.

Ryan Baker, Bluffs Broadcasting, asked the Council about talking points regarding information about a packing plant in the area and if something could be included on the agenda addressing this issue. Mayor Meininger informed him that they have no information regarding this issue and nothing to add on the agenda.

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

Mayor

ATTEST:

Deputy City Clerk