

City of Scottsbluff, Nebraska

Monday, March 16, 2015

Regular Meeting

Item Consent1

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

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on Monday, March 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 February 27, 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 February 27, 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 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, Jordan Colwell, Randy Meininger, Liz Hilyard and Scott Shaver. Absent: None.

Mayor Meininger asked if there were any changes to the agenda. There were none. Mayor Meininger asked if any citizens with business not scheduled on the agenda wished to include an item providing the City Council determines the item requires emergency action. There were none.

Moved by Council Member Shaver, seconded by Council Member Colwell that,

1. "The minutes of the February 17, 2015 Regular Meeting be approved,"
2. "A personal property claim from Luke Weighner for \$445.28 be acknowledged and forwarded to the city's insurance carrier,"
3. "Bid specifications for a new rear loader refuse truck for Environmental Services be approved and authorize the City Clerk to advertise for bids to be received by March 24, 2015 at 2:00 p.m.," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

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

CLAIMS

ALAMAR CORP, UNIFORMS, 388.16; AMAZON.COM HEADQUARTERS, BKS, 710.6; BIRUTA D. WALTON, VEHICLE MTNC, 167.5; BLUFFS SANITARY SUPPLY INC., SUPP, 514.81; CARR TRUMBULL LBR INC., DEPT SUP, 8.97; CELLCO PARTNERSHIP, PHONE, 482.48; CEMENTER'S INC, DEPT SUP, 240.76; CITIBANK N.A., DEPARTMENT SUPPLIES, 380.19; CITY OF SCB, INVEST SUPPL, 27.58; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY, SUPP INS, 48.7; COMFORT INN, DEV SRVCS CNFRNC LDNG, 449.75; CONTRACTORS MATERIALS INC., DEPT SUP, 634.03; CREDIT MANAGEMENT SERVICES INC., WAGE ATTACH, 413.3; CYNTHIA GREEN, GIS SUP, 118.74; D AND K MAST, LLC, 24 SCBA BOTTLE TEST, 720; DALE'S TIRE & RETREADING, INC., NEW TIRES FOR LOADER, 6571.02; DANA F. COLE & CO., LLP, FY 14 AUDIT FEES, 12000; DEPT OF HLTH & HUMAN SVCS, LIC PER, 40; DUANE E.

WOHLERS, DISPOSAL FEES, 800; EAGLEMED, LLC, ECON DEV, 70000; ENERGY LABORATORIES, INC, SAMPLES, 178; FASTENAL COMPANY, EQUIP MAINT, 1.45; FAT BOYS TIRE AND AUTO, TIRES FOR MOTOR GRADER, 215.55; FEDERAL EXPRESS CORPORATION, SHIPPING FEES, 564.57; GENE STEFFY CHRYSLER CENTER INC, VEHICLE, 25247; GENERAL ELECTRIC CAPITAL CORPORATION, DEPARTMENT SUPPLIES, 132.9; H D SUPPLY WATERWORKS LTD, METERS, 2278.8; HAWKINS, INC., CHEMICALS, 2616.6; HD SUPPLY FACILITIES MAINTENANCE LTD, DEPT SUP, 499.7; HEILBRUN'S INC., EQUIPMENT REPAIRS, 768.13; HOLIDAY INN - KEARNEY, STAFF ROOMS KEARNEY CONFERENCE, 182; HOME TEAM REALTY, INC, SERVICES, 22500; ICMA RETIREMENT TRUST-457, DEF COMP, 1325.14; IDEAL LAUNDRY AND CLEANERS, INC., SUPP, 429.81; INDEPENDENT PLUMBING AND HEATING, INC, CONTRACT, 3265.72; INGRAM LIBRARY SERVICES INC, BKS, 943.91; INTERNAL REVENUE SERVICE, W/H TAXES, 61431.17; INTERSTATE INDUSTRIAL SERVICE, CONTRACTUAL SVC, 133.91; INVENTIVE WIRELESS OF NE, LLC, DEP SUP, 8; J G ELLIOTT CO. INC., DEPT BONDS, 100; JOHN DEERE FINANCIAL, EQP MTC, 1524.99; JOHN DEERE FINANCIAL, DEP SUP, 85.45; JOHN DEERE FINANCIAL, EQP MTC, 93.87; KRIZ-DAVIS COMPANY, DEPT SUPPLIES, 213.94; KUCKKAHN, RICK, CONF, 48; LEAGUE ASSOCIATION OF RISK MANAGEMENT, AUTO INS., 332.29; LOGAN CONTRACTORS SUPPLY INC, PARTS, 580.02; M.C. SCHAFF & ASSOCIATES, INC, WATER MAIN PROJECT, 31131; MAIN STREET APPLIANCE, APPLIANCE REPAIR, 140; MARIE'S EMBROIDERY, UNIFORMS, 286.88; MATHESON TRI-GAS INC, DEP SUP, 67.11; MENARDS, INC, DEPT SUPPLIES, 860.88; MUNICIPAL PIPE TOOL CO, LLC, EQUIP MAINT, 2564.56; MUNICIPAL SUPPLY INC. OF NEBRASKA, DEPT SUP, 1677.01; NATIONAL ASSOCIATION OF SCHOOL RESOURCE OFFICERS, INC, MEMBERSHIP, 40; NE CEMETERY ASSOC., MEM SHP, 40; NE CHILD SUPPORT PAYMENT CENTER, NE CHILD SUPPORT PYBLE, 2218.31; NE DEPT OF REVENUE, SALES & USE TAX, 14768.35; NE LIBRARY ASSOC, CONF., 120; NEBRASKA SAFETY & FIRE EQUIPEMENT INC., CON SRV, 51; NEBRASKA MACHINERY CO, SUPP - CUTTING EDGES, 869.05; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 22171.22; NEBRASKA RURAL RADIO ASSOCIATION, STRM WTR CNTRCL SRVCS, 400; NELSON ELECTRIC MOTOR SERVICE, INC, EQUIP MAINT, 238.69; NEOPOST, POSTAGE, 100.21; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF, BLD MTC, 10.07; OCLC ONLINE COMPUTER LIBRARY CENTER, INC, CONT. SRVCS, 300.85; PANHANDLE COOPERATIVE ASSOCIATION, UNLEADED GASOLINE, 15688.16; PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 234; PANHANDLE HUMANE SOCIETY, CONTRACT, 4964.31; PANHANDLE LIBRARY SYSTEM, EQUIP. MAIN, 17.25; PAUL REED, CRUSHED CONCRETE FOR ALLEYS, 1410.36; PELCO CORP, SERVICE AWARDS, 417.25; PLATTE VALLEY BANK, HSA, 13342.73; POSTMASTER, POSTAGE, 796.26; POWERPLAN, EQP MTC, 3115.87; PRO OVERHEAD DOOR, CONTRACTUAL SVC, 699.75; QUILL CORP, DEP SUPP, 108.03; REGION I OFFICE OF HUMAN DEVELOPMENT, CONTRACTUAL SERVICES, 825; REGIONAL CARE INC, HEALTH INS. PREMIUM, 68239.00; RENAE L GRIFFITHS, CONF, 386.29; ROOSEVELT PUBLIC POWER DISTRICT, ELECTRIC, 1782.96; S M E C, EMP DEDUCTIONS, 238; SANDBERG IMPLEMENT, INC, DEP SUP, 2171.64; SATUR, JACK, SCHOOLS/CONF, 59; SCB FIREFIGHTERS UNION LOCAL 1454, FIRE EE DUES, 225; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES, 624; SCOTTSBLUFF PUB SCHOOLS, HEATING FUEL, 8053.84; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC, UNIFORM LETTERING, 240; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE, RECOGNITION DINNER- CERTIFICATES, 400; SHERIFF'S OFFICE, LEGAL FEES, 291.26; SLAFTER OIL CO INC., EQUIP MAINT, 93.4; SNELL SERVICES INC., EQUIP MAIN, 3730.8; STATE OF NE., CONTRACTUAL, 315; SUPERIOR SIGNALS, INC, SUPP - STROBE LITES, 178.96; SWANK MOTION PICTURES INC, DEP SUP, 24; SWI INDUSTRIAL SOLUTIONS, INC, SPC EVT, 809.22; TERRY D SCOTT, VEH MTC, 224.95; THE ABY MANUFACTURING GROUP, INC, UNIFORMS, 199.5; TOYOTA MOTOR CREDIT CORPORATION, HIDTA CAR LEASE, 383.99; TRANS IOWA EQUIPMENT LLC, NEW SWEEPER, 152458.35; TWIN CITIES DEVELOPMENT ASSOC, INC, FY15 2ND QTR

PAYMENT,25000; TYLER TECHNOLOGIES, INC,SOFTWARE MAINTENANCE,14567.1; US BANK,ADMIN FEES - HWY ALLOC.2012 BONDS,350; US BANK,SCH CON,265.75; WELLS FARGO BANK, N.A.,RETIREMENT,30124.68; WEST NEBRASKA ARTS CENTER,FY15 FUNDING,8000; WHITING SIGNS,DEPT SUPPLIES,86; REFUNDS: BECKY ESTRADA 6.90; KATIE SEGELKE 2.95; ELI HUEFTLE .05; DOROTHY JOHNSON 6.26; RICHARD PETERSON 4.39; DALE RYDER 6.26; ALVENA HUGHES 82.62.

Vickie Martinez, Assistant Manager of Walgreens explained that since the previous store manager is no longer with Walgreens, she has been asked to be the manager of the liquor license. She has been with Walgreens for fifteen years and in Scottsbluff for thirteen years. She has taken the alcohol server training through the Nebraska State Patrol. Council Member Shaver asked why the current store manager is not taking this responsibility. Ms. Martinez explained that the store manager is not planning on staying in Scottsbluff. Chief Kevin Spencer explained that he interviewed Ms. Martinez and found her to be very well qualified for this position and there were no reasons to not recommend her as Manager of the liquor license to the Nebraska Liquor Control Commission. Moved by Council Member Shaver, seconded by Council Member Hilyard, "to approve the recommendation of Vickie Martinez as manager of the Walgreen's Liquor License to the Nebraska Liquor Control Commission," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

Council introduced Ordinance No. 4145, text change limiting the areas that may be subdivided without improvements which was read by title on third 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.** Moved by Mayor Meininger, seconded by Council Member Gonzales, "to adopt Ordinance No. 4145 dealing with subdivisions and improvements required," "YEAS", Gonzales, Colwell, Meininger, Shaver, and Hilyard. "NAYS" None. Absent: None.

City Planner Annie Folck presented the resolution required to make changes to the Comprehensive Development map to include large lot development. Some adjustments were made to the map, as they originally had three areas outside of the corporate limits where large lot developments were acceptable. Staff had looked at the location of our well fields, but had not taken the location of Gering's well field into consideration. Staff decided to eliminate the third development location as it was in the middle of Gering's well field. The area on the east side was expanded, however it is on the edge of a smaller well. Staff will make sure that anything that is platted won't divide a lot and the well and septic will be away from the well. Ms. Folck added that a consideration for the large lot development is the distance from utilities. One area is actually closer to utilities as they extended the southwest area to the extraterritorial boundary. Mayor Meininger added that this resolution will be a living document and part of the Comprehensive Plan. Moved by Council Member Gonzales, seconded by Council Member Hilyard, "to adopt Resolution No. 15-03-01, including a map showing allowable areas for large lot development into the Comprehensive Plan.

RESOLUTION 15-03-01

WHEREAS, Chapter 21, Article 1 of the Scottsbluff Municipal Code requires certain improvements to be constructed within subdivisions that are proposed or when an application for approval of the subdivision has been submitted to the City of Scottsbluff ("City").

WHEREAS, §21-1-27 of the Scottsbluff Municipal Code states the Comprehensive Plan will have a map which designates areas outside of the City's corporate limits where some or all of the improvements required for a subdivision to be approved are not applicable;

WHEREAS, the map attached to and part of the Comprehensive Plan has now been completed and is submitted for the City Council's approval.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska that the map, marked as Exhibit A, attached hereto and incorporated by this reference shall become a part of the City's Comprehensive Plan, is now approved. The map of the designated areas, within the City's Comprehensive Plan and extra territorial zoning jurisdiction, where some or all improvements under Chapter 21, Article 1 of the Scottsbluff Municipal Code may not be required before approval of an application for subdivision is granted by the Planning and Development Department for the City and the City Council for the City of Scottsbluff, Nebraska.

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

Mayor

ATTEST:

City Clerk
(Seal)

Mayor Meininger opened the public hearing at 6:10 p.m. as set for this date to consider an Ordinance Amendment Change to Chapter 25, clarifying definitions relating to Floodways within the City of Scottsbluff and its Extra Territorial Jurisdiction. City Planner Folck, explained that FEMA reviewed our Ordinance dealing with floodways and made some minor changes for clarification and added definitions. These changes won't change our process dealing with floodways. Mayor Meininger closed the public hearing at 6:12 p.m. There were no comments from the public. Mayor Meininger introduced Ordinance No. 4146 which read by title: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 25, ARTICLE 19 RELATING TO FLOODWAYS, TO AMEND SECTION 25-19-18(2), TO AMEND SECTION 25-19-29(2), AND TO ADD DEFINITIONS TO THE DEFINITIONS SECTION AT 25-19-51.1, 25-19-66.1 AND 25-19-77 TO CLARIFY DEFINITIONS FOR THE FLOODWAYS ARTICLE, TO REPEAL PRIOR SECTIONS AND TO PROVIDE FOR AN EFFECTIVE DATE.**

Moved by Mayor Meininger, seconded by Council Member Hilyard "That the statutory rule requiring the Ordinance to be read by title on three different days be suspended." "YEAS" Meininger, Gonzales, Shaver, Colwell, and Hilyard, "NAYS" None. Absent: None. The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Shaver, seconded by Mayor Meininger, "That Ordinance No. 4146 be adopted," "YEAS", Meininger, Shaver, Gonzales, Colwell and Hilyard, "NAYS" None. Absent: None.

Mayor Meininger opened the public hearing at 6:13p.m. as set for this date to consider an Ordinance change regarding the Gateway Greenway Overlay zoning district located within the entryways/corridors of the City of Scottsbluff. City Planner Folck explained that this Ordinance was initially passed ten years ago for the purpose of giving our community a better appearance. This is very important for the economic development plan to encourage people to locate their business in Scottsbluff. Some changes included signage, to include one wall sign per building; clarification on landscaping, working with local landscapers and the Nebraska Statewide Arboretum to provide more flexibility with landscaping design, including changes with the species list; also changes to Section H which supports enforcement of the code for new development and the redevelopment of properties. Any building permit over \$100,000.00 will require the owner to spend 3% of the redevelopment cost to bring their landscaping up to code to comply with the gateway green zone. If for some reason the owner can not comply and use these funds for their property, they can pay their 3% into a special fund with the city to use to for improvements to the business corridor. The revised code also includes an expanded tree list. Planning

Commission recommended approval of the Ordinance. There were no comments from the public. Mayor Meininger closed the public hearing at 6:20 p.m.

Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA DEALING WITH THE GATEWAY/GREEN OVERLAY ZONE, REPEALING PRIOR §25-3-22.01 OF THE SCOTTSBLUFF MUNICIPAL CODE AND REPLACING THE ENTIRE SECTION, REPEALING ALL PRIOR ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Meininger opened the public hearing at 6:21 p.m. as set for this date to consider an Ordinance revision relating to principle permitted uses and special permit uses for parking requirements and off street parking in the C-1 zoning district, located on Broadway from 14th St. north to 20th Street.

Annie Folck, City Planner, explained that we are beginning to see a lot of second story, residential apartments development downtown, which is a permitted use by right. Some owners are wanting to split the properties into condominiums so they can be sold separately. This should be an allowable use for three units or fewer. Four or more units would require additional parking and common space by state statute, so staff is recommending limiting the condominiums to three. This ordinance will allow for this development and parking for residential use. There were no comments from the public. Mayor Meininger closed the public hearing at 6:23 p.m.

Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF, NEBRASKA, RELATING TO ZONING , AND REVISING §25-3-13, RELATING TO PRINCIPLE PERMITTED USES AND SPECIAL PERMIT USES, §25-5-2 RELATING TO PARKING REQUIREMENTS FOR RESIDENTIAL USES AND §25-7-38 RELATING TO OFF STREET PARKING REQUIREMENTS AND EXCEPTING CONDOMINIUM USES IN CENTRAL BUSINESS DISTRICT, REPEALING ALL PRIOR ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.**

Nathan Johnson, Assistant City Manager, presented the agreement with Baker and Associates for Paving District 311 Engineering Services. This will include the creating of streets in the Five Oaks Subdivision to include Five Oaks Drive, Sagebrush Drive and begin Pine Circle. Moved by Council Member Shaver, seconded by Council Member Hilyard, “to approve the agreement with Baker and Associates for engineering services for Paving District 311 and authorize the Mayor to execute the agreement,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Regarding the bid for construction of Paving District 311, Mr. Johnson explained that after creation of the paving district, bids were received, which were in excess of the engineer’s estimate of \$298,237.00. The engineer negotiated this bid amount and received a bid from Infinity Construction in the amount of \$265,280.00. The City did not receive any grievances during the creation of the district. The contractors plan to begin construction by April 2015. Deputy City Attorney Kent Hadenfeldt added that the City initially advertised for bids after creation of the District, which were above the engineer’s estimate, therefore the City is permitted to negotiate with other contractors for this project. Moved by Council Member Shaver, seconded by Mayor Meininger, “to approve the contract with Infinity Construction for Paving District 311 in the amount of \$265,280.00 and authorize the Mayor to execute the contract,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Assistant City Manager Johnson presented the following bids for Water District 105: Midwest Underground Inc. \$69,495.00 and Infinity Construction Inc. \$58,870.00. The engineer’s estimate for this project was \$86,260.00. Moved by Mayor Meininger, seconded by Council Member Colwell, “to award the bid to Infinity Construction for Water District 105 in the amount of \$58,870.00,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Mr. Johnson presented the agreement with M.C. Schaff and Associates for continued services for improvements to the Compost Facility. This phase is for improvements relating to the scale and office building. Moved by Council Member Shaver, seconded by Council Member Colwell, “to approve the agreement with M.C. Schaff & Associates, Inc. for engineering services for improvements relating to the

installation of a scale and scale building at the Compost Facility,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

City Manager Kuckkahn presented the retainer agreement with Thomas P. Miller and Associates (TPMA), which will be paid for with LB840 funds. This agreement will enable us to kick start the Economic Development process and begin the Site Preparedness services. TPMA will implement the oversight committee and facilitate the joint meeting on March 30, 2015 with the surrounding communities and Scotts Bluff County. They will also begin working on the Business Attraction Assistance, working in conjunction with Twin Cities Development (TCD). The LB840 process will remain the same, working with potential businesses and the City. TPMA will feed into TCD as they are able to identify potential business sites. The City will be able to use some of the components of the TPMA agreement along with TCD’s contract. Moved by Council Member Hilyard, seconded by Council Member Gonzales, “to approve the agreement with Thomas P. Miller and Associates for Retainer Services and authorize the Mayor to execute the agreement,” “YEAS”, Gonzales, Colwell, Meininger, and Hilyard. “NAYS” Shaver. Absent: None.

City Manager Kuckkahn explained to the Council that regarding the general fund shortfall, he wants to make it clear that the city’s reserve is in excellent financial shape with \$3 million. We are still closely monitoring sales tax and looking at increases, although it is still lower than previous years. We have compartmentalized city financing and the general fund is primarily funded by sales tax and fees from NPPD. The revenue for the general fund is different than other funds in the City such as the utility budget and LB840 fund, which are both very healthy. We cannot mix funds or take from one fund to help another one, which is the reason it is important to make sure all funds are balanced. Council received a sample explaining the 3% cuts from all departments. Many departments were able to use salary lapse between losing an employee to hiring a replacement to meet this 3%. This is a temporary situation, however we may need to look at permanent cuts if necessary.

Mayor Meininger asked for an explanation of why the city can approve the economic development projects, yet have a short fall in the general budget. Mr. Kuckkahn explained, for instance, the LB840 fund which is from a portion of the sales tax collected, can only be used for Economic Development. The same for the street department fund, which is funded mainly through the State, can only be used for street projects. These two funds are not a part of the General Fund.

Mayor Meininger added that according to state statute, the City Council’s primary responsibility is to balance the budget. Midway through the year it is important to check the budget and make sure we are on track. Mayor Meininger commented that due to Economic Development activity we have the potential of increased sales tax revenue. The other option is to take funds from the reserve for the general fund, which is not the most desirable solution, however we don’t want to jeopardize any quality of life issues.

Mayor Meininger commented that the departments have done an excellent job and he understands how difficult it is to cut 3% from each department. Council Member Hilyard asked if this would cause a burden on the remaining staff. Mr. Kuckkahn explained that these are positions that are currently vacant, and departments haven’t filled these empty positions. Staff has talked about over-hiring in the Police Department, which we haven’t been able to fill. These positions will remain, we will just take longer to fill to provide for the salary lapse. Mayor Meininger commented that he would like to continue to look at replacing police officers.

Council Member Colwell stated that he would hope the City Council is more responsible at the next budget cycle and doesn’t want to consider cuts again because we assumed we had a revenue source in the lodging tax that we did not receive. Council Member Hilyard added that she doesn’t want to use cash reserve to balance budget unless there is an emergency. Council Member Gonzales added that we built the budget based on zero growth in sales tax, but didn’t anticipate that it would drop like it did.

Moved by Mayor Meininger, seconded by Council Member Shaver, “to direct staff to use the existing salary lapse, then look at the reserve to balance the FY 2014-2015 budget,” “YEAS”, Gonzales, Colwell, Meininger, Shaver, and Hilyard. “NAYS” None. Absent: None.

Mayor Meininger explained that the City Manager’s evaluation is the first meeting in March every year. In the past, the Council has used the ICMA evaluation. Mayor Meininger has researched

360 direct reports, having the Department Heads complete an evaluation on the City Manager, which is then compiled as an aggregate.

Maunette Loeks, Star Herald, asked if the evaluations would be available to the public. Deputy City Attorney Kent Hadenfeldt commented that he believes the aggregate report would be available to the public, but not the individual evaluations. Legal will research and get back to staff and the Council.

Council Member Gonzales commented that he is comfortable with the present system of having the Council perform the City Manager's evaluation. Mayor Meininger added that with a City Manager form of government, the department heads can't approach the Council, and this would give them an opportunity to offer input. Mr. Kuckkahn stated that according to his contract, the Council is to do his evaluation. He, however, does not object to having the Department Heads conduct an evaluation also.

Mayor Meininger directed City Clerk Dickinson to provide the Council with an evaluation form for the Council to fill out and one for the Department Heads to fill out. The City Council will review and give input prior to proceeding with the 360 evaluation process.

Under the Comment Section, students from Gering High School, Mark Montague, Carlos Perez, Brady Gross explained that they were attending the Council Meeting as a requirement of their American Government class.

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

Mayor

ATTEST:

City Clerk