

City of Scottsbluff, Nebraska

Monday, June 18, 2018

Regular Meeting

Item Consent1

Approve the minutes of the June 4, 2018 Regular Meeting.

Staff Contact: Kim Wright, City Clerk

The Scottsbluff City Council met in a regular meeting on June 4, 2018 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 June 1, 2018, 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 emailed to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television stations KSTF and NBC Nebraska, and the Star Herald. The notice was also available on the city's website on June 1, 2018.

Mayor Meininger presided and Deputy Clerk Wright 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 who they are representing 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: Randy Meininger, Mark McCarthy, Scott Shaver, and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. Council Member Gonzales entered the meeting at 6:02 p.m.

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 Colwell seconded by Council Member McCarthy that,

1. "The minutes of the May 21, 2018 Regular Meeting be approved,"
2. "A public hearing be set for June 18, 2018 at 6:00 p.m. to consider a Class I Liquor License for 2627 Lodging LLC dba Fairfield Inn & Suites, 902 Winter Creek Dr., Scottsbluff,"
3. "A public hearing be set for June 18, 2018 at 6:00 p.m. to consider an Ordinance authorizing Mobile Food Vendors," "YEAS," Colwell, Meininger, McCarthy, and Gonzales. "NAYS," Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Mayor Meininger, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated June 4, 2018, as on file with the City Clerk and submitted to the City Council," "YEAS", Meininger, Shaver, McCarthy, Gonzales, and Colwell. "NAYS," None. Absent: None.

CLAIMS

ALARM SECURITY TECHNICIANS, CONTRACTUAL- PD, 14.95; ALLO COMMUNICATIONS, LLC, EQUIPMENT, 11297.28; AMAZON.COM HEADQUARTERS, MISC., 347.13; AUTOZONE STORES, INC,EQUIP MAINT,80.83; B & H INVESTMENTS, INC,DEP. SUP.,125.5; BALL MECON,CONTRACTUAL,72; BLACK HILLS GAS DISTRIBUTION LLC, MONTHLY ENERGY BILL,1813.2; BLUFFS SANITARY SUPPLY INC.,JAN. SUP.,236.44; BRASS SHELLY, SCHOOLS & CONF-PD,178; BRODERICK, MATTHEW,SCHOOLS & CONF-PD,178; BROWN, MATTHEW, SCHOOLS & CONF-PD,178; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL-PD,38; CARR- TRUMBULL LUMBER CO, INC.,DEPT SUP,68.44;CELLCO PARTNERSHIP,CELLPHONES-PD,363.09; CITIBANK N.A.,DEPT SUP,1052.1; CITIBANK, N.A.,DEPTSUP,3453.75;CITYOFSCB,PETTYCASH,186.69;COMPLETECAREFAMILYPRACTICE,

LLC, LB840 LOAN, 50000; CONSOLIDATED MANAGEMENT COMPANY, SCHOOLS & CONF PD, 173.8; CONTRACTORS MATERIALS INC., SUPP - ADA PANELS, SEALANT, STRAPS, 848.01; CORE & MAIN LP, DEPT SUP, 3692.5; CREDIT MANAGEMENT SERVICES INC., WAGE ATTACHMENT, 233.01; CRESCENT ELECT. SUPPLY COMP INC, ELECTRICAL MAINT, 436.33; CYNTHIA GREEN, DEPT SUPPL-PD, 125.29; D & H ELECTRONICS INC., DEPT SUPP, 6.34; DALE STIRE & RETREADING, INC., VEHICLE MTNC, 2250.26; DAS STATE ACCOUNTING CENTRAL FINANCE, MONTHLY LONG DISTANCE, 123.37; DAVID QUIJAS, CONTRACTUAL, 72; DAVIS LARRY, CONTRACTUAL, 1000; DUANE WOHLERS, DISPOSAL FEES, 900; ENGINEERED EQUIPMENT SOLUTIONS INC, EQUIP MAINT, 1401.82; FAT BOYS TIRE AND AUTO, EQUIP MTNC, 410.5; FEDERAL EXPRESS CORPORATION, POSTAGE, 21.19; FLOYD'S TRUCK CENTER, INC, VEHICLE MTNC, 809.78; GENERAL ELECTRIC CAPITAL CORPORATION, CAR SEATS-PD, 494.95; GRABERSDIESEL REPAIR OF CHEYENNE, EQUIP MAINT, 742.98; HAWKINS, INC., CHEMICALS, 1245.35; HIGHWAY MOTEL OF NEBRASKA, SCHOOLS & CONF, 736.9; HONEY WAGON EXPRESS, CONTRACTUAL, 180; HULLINGER GLASS & LOCKS INC., KEYS FOR MOBILE COMMAND, 32.15; HYDROTEX PARTNERS, LTD, OIL & ANTIFREEZE, 3138.04; IDEAL LAUNDRY AND CLEANERS, INC., SUPP - MATS, TOWELS, SOAP, ETC., 852.54; INDEPENDENT PLUMBING AND HEATING, INC, GROUND MAINT, 476.9; INFINITY CONSTRUCTION, INC., 42ND ST - AVE I TO 5TH AVE, 348328.39; INGRAM LIBRARY SERVICES INC, Bks., 497.24; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 61174.01; INTRALINKS, INC, REMOTE ACCESS, 327.48; INVENTIVE WIRELESS OF NE, LLC, CONTRACTUAL, 52.03; J G ELLIOTT CO. INC., NOTARY BLANKET RENEWAL PREM., 460; JACOB MCLAIN, CONTRACTUAL, 90; JADS TRUCKING, INC., LB840 GRANT/LOAN, 175000; JESSE LAURUHN, MEALS FOR STATE FIRESCHOOL, 98; JOHN DEERE FINANCIAL, DEPT SUPP, 531.89; JOHN DEERE FINANCIAL, DEPT SUPP, 114.27; JONATHAN PVANGALDER, CONTRACTUAL, 108; KIRK BERNHARDT, CONTRACTUAL, 990; KNOW HOW LLC, EQUIP MTNC, 1173.54; LEIS JORDAN, CONTRACTUAL, 162; M.C. SCHAFF & ASSOCIATES, INC, PROF. SERVICES 42ND ST (AVE I 5TH AVE), 35467; MAIL FINANCE INC, LEASE- POSTAGE MACHINE, 148.76; MATTHEW BEL, SCHOOLS & CONF-PD, 178; MENARDS, INC, DEPT SUPP, 607.62; MICHAEL B KEMBEL, BUILDING MTNC, 470.58; MILLENNIUM RESILIENT INTERNATIONAL INC, LB840 FUNDING, 60000; NEO COLORADO CELLULAR, INC, CONTRACTUAL SVC, 75.5; NE DEPT OF ENVIRONMENTAL QUALITY, SRF LOANS, 326838.42; NE DEPT OF REVENUE, WITHHOLDINGS, 29159.23; NEBRASKA SAFETY & FIRE EQUIPMENT INC., EQUIP MAINT-PD, 225; NEBRASKA MACHINERY CO, EQUIP MTNC, 914.2; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 22006.04; NEBRASKA LAND TIRE, INC, EQUIP MTNC, 765.92; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF, GROUND MAINT, 101.08; NWEA, SCHOOLS & CONF, 60; OBANNON BRIAN, TREE REBATE, 150; OREGON TRAIL PLUMBING, HEATING & COOLING INC, CONTRACTUAL SVC, 1077; O'REILLY AUTO ENTERPRISES, LLC, EQUIP MAINT, 30.96; PANHANDLE COOPERATIVE ASSOCIATION, DEPT SUP, 492.8; PANHANDLE ENVIRONMENTAL SERVICES INC, CONTRACTUAL SVC, 294.5; PANHANDLE HUMANESOCIETY, CONTRACTUAL, 5174.59; PAUL MENDOZA, CONTRACTUAL, 306; PEACEFUL PRAIRIE NURSERY, INC, DOWNTOWN BULB-OUT PROJECT SUPPLIES, 10982.93; PLATTE VALLEY BANK, HEALTH SAVINGS ACCT EE, 13738.2; POSTMASTER, POSTAGE, 665.47; POWERPLAN, EQUIP MTNC, 831.5; REGIONAL CARE INC, HEALTH INS. PREMIUM - JUNE 2018, 52282.75; REGIONAL WEST MEDICAL CENTER, CPR CARDS, 72; RICHARD P CASTILLO, CONTRACTUAL, 216; RIGGS RYAN, CONTRACTUAL, 36; ROOSEVELT PUBLIC POWER DISTRICT, ELECTRIC POWER, 1569.2; RR DONNELLEY, DEPT SUPPL-PD, 105.9; RYAN R KUMM, EQUIP MTNC, 2250; S M E C, EMP DEDUCTION, 173; SANDBERG IMPLEMENT, INC, NEW WEED TRIMMER, 1036.52; SCHOLASTIC INC., Bks., 10.5; SCOTTIES POTTIES INC, CONTRACTUAL, 675; SCOTTSBLUFF BODY & PAINT, TRAILER DECAL REMOVAL, 120; SCOTTSBLUFF LANDSCAPING INC, DOWNTOWN BULB-OUT IRRIGATION PROJ., 890; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC, DEPT SUP, 265; SHAW DAVID, CONTRACTUAL, 126; SHERWIN WILLIAMS, 320 GAL. RED LATEX PAINT, 4464;

SIMON CONTRACTORS, CONCRETE FOR STREET REPAIR, 8350.58; SPECIAL INVESTIGATIONS, CONTRACTUAL-PD, 158.55; SPENGLER MICHAEL, CONTRACTUAL, 108; STATE HEALTH LAB, SAMPLES, 524; STATE OF NE., CONTRACTUAL-PD, 420; TAMARA REICHERT, RETIREMENT - C. DICKINSON, 100; THOMPSON GLASS, INC, BLDG MAINT, 110; THOMPSON NOELLE, TUITION REIMBURSEMENT - MAY 2018, 600; TYLER TECHNOLOGIES, INC, FEE - UB ONLINE, 348; UNION BANK & TRUST, RETIREMENT, 35992.51; UNITED STATES WELDING, WELD. SUPP - ACETYLENE, 85.11; UNL TAX INSTITUTE, FED. & STATE TAX INSTITUTE (11/6-7/2017) HILYARD, 359.1; USBANK, GOUNDING KIT, 10496; US COMPOSTING COUNCIL, MEMBERSHIP, 300; VAN DIEST SUPPLY COMPANY, MOSQUITO SPRAY, 2819.8; WILLIAM TRUMBULL, TREE REBATE, 124.99; ZAMARRIPA, TOM, CONTRACTURAL SERVICES, 57.5; ZM LUMBER INC, DEPT SUPP, 20.63;

Mayor Meininger recognized Cindy Dickinson for her 30 years of service with the City by giving her a certificate appointing her as an Admiral in the Great Navy of the State of Nebraska. This honorary title is given and signed by Governor Pete Ricketts. All attending agreed Cindy is a huge asset to the City and will be greatly missed.

It was put into motion by Council Member Colwell, and seconded by Council Member Gonzales "to appoint Kim Wright as City Clerk," "YEAS," Shaver, McCarthy, Gonzales, Colwell, and Meininger. "Nays," None. Absent: None.

Police Chief Kevin Spencer introduced WNCC Police Department Intern Paige Ruff to the Council. Ms. Ruff is the third intern to complete the program and has received an Associate's Degree from WNCC, completing 180 hours. Ms. Ruff will be testing to be a Scottsbluff Police officer on July 13th.

Chad Leeling and Geno Bolger representing Shots Bar & Grill approached the Council about getting a Community Festival Permit to have the band Little Texas perform on 18th Street, June 30th. They would like to block off 18th Street and part of Broadway with the stage being set up towards the alley of 18th street. The plan is to have 30 security guards with 2 police officers and if the attendance goes above 600 they will ask for two more police officers. The reason for having this much security is because the event is centered on being a family oriented event. Council Member Gonzales asked about their non-compliance issue of selling alcohol to a minor. Mr. Leeling stated the employee did check the ID, but served the alcohol anyway and since has been terminated. It was put into motion by Council Member Shaver and seconded by Council Member Gonzales "to approve a Community Festival Permit for Shots Bar & Grill on Broadway and 18th Street including street closures, vendors, and noise permit for a Little Texas concert on June 30, 2018 at 6:00 p.m., "YEAS," McCarthy, Gonzales, Colwell, Meininger, and Shaver. "NAYS," None. Absent: None.

Regarding the Special Designated Liquor License for this event, alcohol will be served on 18th Street only and Chief Spencer stated he has no issues, as he has been working with Mr. Leeling and Mr. Bolger and feels comfortable with the venue. It was put into motion by Mayor Meininger, seconded by Council Member Gonzales "to approve a Special Designated Liquor License for Shots Bar & Grill to serve wine, beer, and distilled spirits at a Little Texas concert on Broadway and 18th Street, June 30, 2018 at 6:00 p.m., "YEAS" Gonzales, Colwell, Meininger, Shaver, and McCarthy. "NAYS," None. Absent: None.

Mayor Meininger introduced Ordinance No. 4230 for the rezone of Lots 1-8, Block 1, Dakota Preserve which was read by title on third reading: **AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT LOTS 1-8, BLOCK 1, DAKOTA PRESERVE, A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED AS A AGRICULTURE, WILL NOW BE INCLUDED IN R-1B RURAL RESIDENTIAL ESTATE ZONE, AND REPEALING PRIOR SECTION 25-1-4.**

Moved by Mayor Meininger, seconded by Council Member McCarthy "to approve Ordinance No. 4230 for final passage," "YEAS," Colwell, Meininger, Shaver, McCarthy, and Gonzales. "NAYS," None. Absent: None.

Moved by Mayor Meinger, seconded by Council Member Shaver “to remove from the table the consideration of the final plat of Lots 1-8, Block 1, Dakota Preserve and approve the Resolution,” “YEAS,” Meininger, Shaver, McCarthy, Gonzales, and Colwell. “NAYS,” None. Absent: None.

City Manager Johnson explained to the Council that the final plat of Lots 1-8 is approximately 32 acres and will be included in R1-B Residential Estate Zone. Council Member Shaver asked if there would be any restrictions on the streets. City Manager Johnson informed the Council that the streets are private with no restrictions. Council Member McCarthy, seconded by Council Member Gonzales made the motion “to approve a final plat of Lots 1-8 Dakota Preserve and Resolution No. 18-06-01. “YEAS,” Shaver, McCarthy, Gonzales, Colwell and Meininger. “NAYS,” None. Absent: None.

RESOLUTION NO. 18-06-01

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

WHEREAS, BE IT RESOLVED, the final plat of Lots 1-8, Block 1, Dakota Preserve, a subdivision of a part of the NE1/4 of Section 18, Township 22 North, Range 54 West of the 6th P.M., Scottsbluff, Scotts Bluff County, Nebraska, dated March 13, 2018, duly made, acknowledged and certified, is approved and the Mayor is authorized to sign the Plat on behalf of the City of Scottsbluff, Nebraska. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this _____ day of June, 2018.

Mayor

ATTEST:

City Clerk

Mayor Meininger introduced the Ordinance, adopting the 2003 Uniform Fire Code which is the current fire code adopted by the State of Nebraska (Title 153) and was read by title on the second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING AND REVISING THE SCOTTSBLUFF MUNICIPAL CODE AT CHAPTER 8, ARTICLE 1 SECTION 12, ADOPTING A VERSION OF THE NATIONAL FIRE PROTECTION ASSOCIATION UNIFORM FIRE CODE; WITH ADDITIONS AND EXEPTIONS, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Starr Lehl, Economic Development Director introduced Alicia Gonzales-Longoria, Sole Member of Elite Urgent Care and Family Health, LLC. Ms. Lehl told the Council the LB840 Application Review Committee has approved a loan in the amount of \$75,000.00 but the EDA agreement in front of the Council is amended because it is contingent on the approval of her SBA loan. Ms. Gonzales-Longoria told the council she saw a huge need in this community for health care and she will work collaboratively with other health clinics in the area. She mentioned the purpose of the loan is to open a full service health clinic and Urgent Care with lab and x-ray. Mayor Meininger made the motion, seconded by Council Member Shaver “to approve the Economic Development Application for Elite Urgent Care and Family Health, LLC,” ”YEAS,” Gonzales, Colwell, Meininger, Shaver, and McCarthy. “NAYS,” None. Absent: None.

Mr. Johnson explained to the council that he has received a request from Nex-Tech Wireless, Inc. to consider an addendum to a five year existing Lease Agreement that would allow for the installation of three more antennas and remote radio units on the water tower near 21st Avenue and East 15th Street. Rent under their existing agreement is \$300.00 per month and they are offering to increase this by \$100.00 a month for the additional equipment. Council Member Shaver asked if the contract was auto renewed. City Attorney Hadenfeldt said it is, but there is a 90 day clause after the first renewal period and contracts are looked at as they renew. Council Member Gonzales, seconded by Council Member McCarthy made a motion “to approve an addendum to an existing tower lease agreement with Nex-Tech Wireless, Inc. to add additional equipment to the tower located near 21st Avenue and East 15th Street and authorize the Mayor to execute the agreement,” “YEAS,” Colwell, Meininger, Shaver, McCarthy, and Gonzales. “NAYS,” None. Absent: None.

Mr. Johnson went over the sand volleyball coordinator agreement between the City and Jo Mikesell. The contract states they have games one night a week, playing three games per night. Total amount of contract is \$800.00 with two payments of \$400.00 each. Last year the program went very well with money received paying for the program with additional monies used to help defray the cost of repairs. Motion was made by Council Member Shaver, seconded by Council Member Colwell “to approve the sand volleyball coordinator agreement and authorize the Mayor to execute the agreement,” “YEAS,” Meininger, Shaver, McCarthy, Gonzales, and Colwell. “NAYS,” None. Absent: None.

Under Council Reports Mayor Meininger reported on the 911 Advisory Committee stating the Zuercher project is still on track and ahead of schedule. Also, the budget meeting is scheduled for June 6, 2018 at 8:00 a.m. Council Member Shaver reported for Youth Council commenting that school is out for the summer.

Mayor Meininger made a motion “to adjourn the meeting at 6:34 p.m.” Council Member McCarthy seconded, provided that “Admiral Dickinson” call the roll. “YEAS,” Gonzales, Colwell, Meininger, Shaver and McCarthy. “NAYS,” None. Absent: None.

Mayor

Attest:

City Clerk

“SEAL”