

City of Scottsbluff, Nebraska

Monday, December 4, 2017

Regular Meeting

Item Consent1

Approve the minutes of the November 20, 2017 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on November 20, 2017 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 November 17, 2017, 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 November 17, 2017.

Mayor 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 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, Scott Shaver, Raymond Gonzales, Mark McCarthy and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. Absent: None.

Mayor Meininger asked if there were any changes to the agenda. There were no changes. 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 McCarthy that, "the minutes of the November 6, 2017 Regular Meeting be approved," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS". Absent: None.

Moved by Council Member McCarthy, seconded by Council Member Shaver, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated November 20, 2017, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,40.79; ACCU CUT,DEP. SUP.,115; ACTION COMMUNICATIONS INC.,RADIO REPAIRS XTL1500,194.01; AE SERVICES, LLC,BUILDING MTNC,407.85; ANDERSON-SHAW CONSTRUCTION, INC,BLDG. MAIN.,120; ANITA'S GREENSCAPING INC,BID CNTRCL SRVCS,1264.63; AUTOZONE STORES, INC,EQUIP MTNC,130.87; AXON ENTERPRISE INC,CIP-TASERS,33263.5; B & H INVESTMENTS, INC,DEP. SUP. - LIBRARY,71.5; B&C STEEL CORPORATION,DEPT SUPPLIES,24.87; BLUFFS SANITARY SUPPLY INC.,DEPT SUPPL,612.41; CAPITAL BUSINESS SYSTEMS INC.,CONT. SRVCS.,459.22; CARR- TRUMBULL LUMBER CO, INC.,SUPP - WASHERS,45.12; CELLCO PARTNERSHIP,CELL PHONES,182.52; CHARTER COMMUNICATIONS HOLDINGS LLC,TV BOX FIRE,7.81; CHILD SUPPORT,CHILD SUPPORT,12; CHRIS REYES,DEPT SUPPL,185; CITIBANK N.A.,DEPT SUPP, 208.94; CITIBANK, N.A.,GROUND MAINT,224; CITY OF

GERING, DISPOSAL FEES, 46311.16; CLARK PRINTING LLC, DEPT SUPP, 33; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY, LIFE INS, 48.7; COMPUTER CONNECTION INC, RENT-MACH, 44; CONSOLIDATED MANAGEMENT COMPANY, SCHOOLS & CONF, 170.22; CONTRACTORS MATERIALS INC., BLDG MAINT, 28.62; CREDIT BUREAU OF COUNCIL BLUFFS, CONTRACT - OCTOBER FEES, 50; CRESCENT ELECT. SUPPLY COMP INC, TRAFFIC SIGNAL CONTROLLER BOX HEATERS, 128.94; CROELL INC, DEPT SUP, 245.57; CYNTHIA GREEN, DEPT SUPP, 107.16; DEMCO, INC, DEP. SUP., 145.51; DUANE E. WOHLERS, DISPOSAL FEES, 450; ELECTRIC PUMP INC, EQUIPMENT, 22833; EMBLEM'S INC, UNIFORMS, 225; FAIRBANKS SCALES INC, EQUIP MTNC, 2635.63; FAT BOYS TIRE AND AUTO, EQUIP MAINT, 639.24; FEDERAL EXPRESS CORPORATION, POSTAGE, 379.27; FIRST PRESBYTERIAN CHURCH, TREE REBATE, 260; FLOYD'S TRUCK CENTER, INC, VEHICLE MTNC, 2789.46; FREMONT MOTOR SCOTTSBLUFF, LLC, EQUIP MTNC, 992.12; GALLS INC, UNIFORMS, 235.53; GENERAL ELECTRIC CAPITAL CORPORATION, CAR SEATS, 413.58; GI HOSPITALITY, SCHOOLS & CONF, 106.95; GRAY TELEVISION GROUP INC, CONTRACTUAL SVC, 695; GREAT LAKES HIGHER EDUCATION GUARANTY CORP, WAGE ATTACHMENT, 185.82; HAWKINS, INC., CHEMICALS, 2412.5; HULLINGER GLASS & LOCKS INC., BLDG MAINT, 1017.25; IDEAL LAUNDRY AND CLEANERS, INC., UNIFORMS, 848.1; INDEPENDENT PLUMBING AND HEATING, INC, GROUND MAINT, 22.14; INFINITY CONSTRUCTION, INC., STRUCTURES, 143330.42; INGRAM LIBRARY SERVICES INC, BKS., 2433.84; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 63696.66; INTRALINKS, INC, CONTRACT SERVICES - OCTOBER 2017, 3290.73; INVENTIVE WIRELESS OF NE, LLC, CONTRACTUAL, 9.95; ISOM, JOHN, COTC COMPOSTING CONF. EXPENSE, 151; J G ELLIOTT CO. INC., BOND RENEWAL - MEININGER, SHAVER & MCCARTHY, 300; JOHN DEERE FINANCIAL, UNIFORMS, 296.08; JOHN DEERE FINANCIAL, ENGINE REBUILD/REPLACE, 16608.44; KNOW HOW LLC, PALLET OF OIL DRY, 1294.11; KOIS BROTHERS EQUIPMENT CO INC, DEPT SUPPLIES, 52.18; KRIZ-DAVIS COMPANY, BUILDING MTNC, 13.24; LAWSON PRODUCTS, INC, DEPT SUPPLIES, 465.25; LEAGUE ASSOCIATION OF RISK MANAGEMENT, VEHICLE INSURANCE - 2018 FIRE TRUCK, 2788.04; LEXISNEXIS RISK DATA MANAGEMENT, CONSULTING, 100; M.C. SCHAFF & ASSOCIATES, INC, ENGINEERING, 20303; MARKETING CONSULTANTS, DEP. SUP., 132; MATHESON TRIGAS INC, DEPT SUPP, 185.81; MAXWELL PRODUCTS, INC, JOINT FILLING MATERIAL (MELTABLE BOXES), 11019.61; MENARDS, INC, GROUNDS MAINT, 817.12; MIDLANDS NEWSPAPERS, INC, LEGAL PUBLISHING, 894.72; MUNIMETRIX SYSTEMS CORP, CONTRACT - IMAGESILO (OCT 2017), 39.99; NE CHILD SUPPORT PAYMENT CENTER, NE CHILD SUPPORT PYBLE, 1717.43; NE DEPT OF REVENUE, TAX PYMT, 49704.46; NE LAW ENFORCEMENT TRAINING CENTER, SCHOOLS & CONF, 50; NEBRASKA MUNICIPAL CLERKS' ASSOCIATION, DUES - CINDY DICKINSON, 90; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 38742.71; NEBRASKALAND TIRE INC, EQUIP MAINT, 39.9; NEDA, TIF STUDY SUPPORT, 500; NEMNICH AUTOMOTIVE, EQUIP MTNC, 79.13; NEOPOST, POSTAGE, 1000; NEOPOST USA INC, RENT-MACH, 767.88; NETWORKFLEET, INC, GPS SERVICE, 18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF, GROUND

MAINT,70.76; OCLC ONLINE COMPUTER LIBRARY CENTER, INC,CONT. SRVCS.,351.32; OREGON TRAIL PLUMBING, HEATING & COOLING INC,CHECK HEATING UNITS IN SHOP,370; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,16615.52; PANHANDLE ENVIRONMENTAL SERVICES INC,SAMPLES,54; PATTLEN ENTERPRISE, INC,EQUIP MAINT, 305.11; PLATTE VALLEY BANK,HSA SAVINGS ACCT,14279.46; POSTMASTER, POSTAGE, 1150.17; POWERPLAN,EQUIP MTNC,20.65; PRO OVERHEAD DOOR,BUILDING MTNC,218; PROTEX CENTRAL, INC.,FIRE ALARM INSPECTION,99; QUILL CORPORATION,DEPT SUPP, 405.34; RAILROAD MANAGEMENT CO III, LLC,RENT- LAND,428.02; REGANIS AUTO CENTER, INC, EQUIP MTNC,4.42; REGION 1 BEHAVIORAL HEALTH AUTHORITES, CONTRACTUAL,819.33; REGIONAL CARE INC,CLAIMS,65754.93; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,264.75; REGISTER OF DEEDS,LEGAL,154; RYAN R KUMM, UNDERBODY TOOLBOX FOR SUPERVISOR'S PICKUP,210; S M E C,EMPL DEDUCTION,158.5; SANDBERG IMPLEMENT, INC,CONTRACTUAL,1935.02; SCB COUNTY, DEPT CNTRCL SRVCS,75.5; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCOTTS BLUFF COUNTY COURT,LEGAL FEES,119; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,750; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,552; SHERIFF'S OFFICE,LEGAL FEES,254.87; SHERWIN WILLIAMS,BLDG MAINT,224.09; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,14550.37; SIMON CONTRACTORS, CONCRETE FOR STREET REPAIR,4291.91; SIRSI CORPORATION,CONT. SRVCS., 13176.41; SNELL SERVICES INC.,BLDG MAIN.,890; STARR LEHL,CONF.EXPENSE - FABTECH TRADE SHOW,563.96; STATE OF NEBRASKA DEPT OF HEALTH,LICENSE/PERMITS,1955; SUHOR INDUSTRIES, INC.,DEPT SUPP,200; THE CHICAGO LUMBER COMPANY OF OMAHA INC,BUILDING MTNC,823.8; THOMPSON GLASS, INC,BLDG MAINT, 5209.2; TRANS IOWA EQUIPMENT LLC,EQUIP MTNC,1049.61; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,268.5; US BANK,CONF. EXPENSE - STARR LEHL, 2023.63; VAN PELT FENCING CO, INC,CHAIN LINK FENCING REPAIR,91.06; VANTAGEPOINT TRANSFER AGENTS-300793,DEF COMP,1934.23; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,506; VOGEL WEST, INC,SUPP - CLEANER,5.59; WELLS FARGO BANK, N.A.,RETIREMENT,33157.85; WESTERN COOPRTATIVE COMPANY,GROUND MAINT, 6858.81; WESTERN PATHOLOGY CONSULTANTS, INC,OCTOBER RANDOM DOT TESTING,228; WESTERN TRAVEL TERMINAL, LLC,VEH MAINT,292.65; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,62.23; REFUNDS: DOUG MADER 20.37; MIKE GREEN 10.48; CROWN WEST 4.88; JJB PROPERTIES 4.24; FRED KRIEG 87.84.

City Manager Nathan Johnson introduced Jeff Fuller and Bob Juve, with MC Schaff & Associates and Kevin Boyce with the Wyoming Water Development Office who are working on the Platte Alliance Water Supply (PAWS) project. Mr. Fuller gave an update on this Level II Study which will provide potable water to the communities along the North Platte River. Currently there are some significant detrimental constituents of nitrate, arsenic and uranium which are very difficult to treat. By gathering water upstream of the North Platte River, by Guernsey, treating and filtering it as it travels downstream via gravity to municipalities and rural water districts through Southeastern Wyoming and

Western Nebraska. This concept provides long term sustainability and it's economically viable by working with economies of scale.

The current state statutes allow Nebraska and Wyoming to develop a Regional Board, which is an efficient and viable way to address these water issues. This process doesn't use new water, but existing water sources and addresses water quality, not quantity. The water will be transferred without depleting the resource.

The PAWS organizers will be presenting this concept to other communities along the North Platte River to present an update and encourage additional participation in the process. This will involve both Nebraska and Wyoming Communities as far west as Guernsey. Another similar process in Cody Wyoming has been very successful. Mr. Kevin Boyce with the Wyoming Water Development Office will be the day to day manager for this project.

Mr. Anthony Mason, Executive Director for the Riverside Discovery Center (RDC) gave the Council a general update on the events and progress at the Zoo. They recently acquired two orphaned grizzly bear cubs, which has given them a great opportunity to expand the Zoo. They hope to have them on display mid-December, following their hospitalization time.

The American Zoological Association (AZA) had recommended that the RDC replace and refurbish some of their exhibits, so this is a great opportunity to begin this process. They are also working on a new marketing campaign with Western Plains Business Solutions to advertise the addition of the bears and other improvements. Mr. Mason added that they continue to look for additional funding sources, and expressed his gratitude to the City for the annual operating funds. To create some additional revenue streams, they have added some special holiday events.

He reported that they passed their AZA accreditation and plan to make additional improvements to sustain the accreditation. Council Member Colwell commended Mr. Mason and his staff for their hard work and continued enthusiasm to provide a quality facility.

City Manager Johnson presented the contract for ongoing Geographic Information System software support which is renewable each year. Moved by Council Member Shaver, seconded by Council Member Colwell, "to approve the quotation from ESRI for Geographic Information System software and authorize the Mayor to execute the renewal quotation," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

City Manager Johnson presented Resolution No. 17-11-02 declaring Blight Area No. 11 to be blighted and substandard and in need of redevelopment. He stated that no additional public comments have been received on this declaration. Council Member Shaver commented that his concern about this declaration is that a majority of the land is farmland with corn stalks still on the land. He understood that blight and substandard designation is not to be used on farmland. He agrees that the area should be designated as blighted and substandard, just not the farmland.

City Attorney Kent Hadenfeldt commented that based on the testimony at the hearing of the study, this property fits the statutory requirements. The farmland is reasonably necessary for unified development to make it attractive to developers.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve Resolution No. 17-11-02 to declare that real estate located within the general vicinity North and East of Burlington Northern Santa Fe (BNSF) Railroad, South of Highway 26, and West of Avenue I in the Northwestern portion of the community be declared to be blighted and substandard and in need of redevelopment," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS", Shaver. Absent: None.

RESOLUTION NO. 17-11-02

BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska:

RECITALS:

- a. It is necessary, desirable, advisable and in the best interest of the City of Scottsbluff, Nebraska (the "City"), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;
- b. The Community Development Law, Neb.Rev.Stat. §18-2101 et.seq., as amended, (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects;
- c. Section 18-2109 of the Act requires that, prior to the preparation of a redevelopment plan for a redevelopment project, the Mayor and City Council shall, by resolution, declare the area to be blighted and substandard;
- d. At its regular City Council meeting on November 6, 2017, the Mayor and the City Council of the City held a public hearing (the "Public Hearing") to determine whether the area more fully described on Attachment 1 (the "Redevelopment Area") should be declared blighted and substandard, and in need of redevelopment, as required by the Act;
- e. The City published and mailed notices of the Public Hearing regarding the consideration of declaring property to be blighted and substandard pursuant to §18-2115 of the Act;
- f. The Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Areas blighted and substandard and in need of redevelopment, and the Mayor and City Council reviewed and discussed a blight and substandard determination analysis as per Attachment 2 (the "Blight Study") prepared by M.C. Schaff & Associates;
- g. The Blight Study was forwarded to the Planning Commission of the City for its review and recommendation and the Mayor and City Council reviewed the recommendations received from the Planning Commission; and
- h. The Mayor and City Council desire to determine whether the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

BE IT RESOLVED THAT:

1. The Redevelopment Area is declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area for meeting the criteria set forth in §18-2103(10) of the Act, as described and set forth in the Blight Study. The Redevelopment Area is more particularly described on Attachment A and the inclusion of all of the property described

on Attachment A is reasonably necessary to create a unified Redevelopment Area sufficient to encourage developers.

2. The Redevelopment Area is further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in §18-2103(11) of the Act, as described and set forth in the Blight Study.
3. The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act and the elimination of the blighted and substandard conditions under the authority of the Act is found to be a public purpose and declared to be in the public interest.
4. The Redevelopment Area is in need of redevelopment and is or will be eligible for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect to the Redevelopment Area. The Redevelopment Area includes property that is reasonably necessary to create a unified Redevelopment Area sufficient to encourage developers.
5. This resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED this 20th day of November, 2017.

_____ Mayor

ATTEST: _____ City Clerk (seal)

Mr. Johnson presented the Annual Street Superintendent Certification as required to determine the Nebraska Department of Roads incentive payment. Moved by Council Member Shaver, seconded by Council Member McCarthy, “to approve the Certification identifying Philip Mark Bohl as the City of Scottsbluff Street Superintendent for determining incentive payment for 2017,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

Council reviewed the Resolution naming the Street Superintendent for 2018. Moved by Council Member McCarthy, seconded by Council Member Shaver, “to approve Resolution No. 17-11-03 naming Philip Mark Bohl as the City of Scottsbluff Street Superintendent for the 2018 calendar year,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

RESOLUTION NO. 17-11-03

WHEREAS, the State of Nebraska, through the Nebraska Department of Roads (“NDOR”) requires a licensed Street Superintendent be named each year for municipalities within the State of Nebraska; and

WHEREAS, the City of Scottsbluff (“City”) has an employee, Philip Mark Bohl, who is a licensed Street Superintendent; and

WHEREAS, the City has appointed and Philip Mark Bohl has agreed to be the City’s Street Superintendent for the 2018 calendar year.

NOW, THEREFORE, BE IT RESOLVED by the City Council and Mayor of the City of Scottsbluff, Nebraska that Philip Mark Bohl, Nebraska Street Superintendent #1103 is appointed as the Street Superintendent for the City of Scottsbluff.

This Resolution shall become effective upon its passage and approval.

PASSED and APPROVED on November 20, 2017.

Mayor

Attest:

City Clerk
“SEAL”

Mr. Johnson presented the recently completed Regional Housing Study prepared by Hanna Keelan for the Western Nebraska Economic Development committee. He commented that our LB840 plan was recently amended to include Workforce Housing. He would like to get a consensus from the Council on how to move forward with this study. Council Member Gonzales suggested that the Council adopt the plan and make it part of Comprehensive Plan.

Council Member Gonzales commented that he would like to see this study used to help develop more housing projects. Council Member Shaver added that he is hesitant to adopt it if he doesn’t know enough about it. Council Member Colwell stated that there is a lot of information, and they will need to identify goals and who will participate.

Starr Lehl, Economic Development Director, explained that LB 518 funds will soon be available for Workforce Housing, so we will need to have a plan in place. They would like to develop a Revolving Fund so the program is sustainable. Ms. Lehl is also currently working with banks for financing. The

funding is also available for housing rehabilitation. Staff will bring this plan back to Council at the next City Council Meeting for adoption as a part of the City's Comprehensive Plan.

Mr. Johnson gave a brief update on the East Overland Renovation plan; the City has allocated close to \$153,500.00 towards the East Overland façade program. Council Member Gonzales noted that one of the recommendations from the consultant was to make Broadway continuous, directing traffic to East Overland. He would like to use the recommendations from the consultant and keep the momentum going. Mayor Meininger commended Council Member Gonzales and staff members who worked hard on this plan and made it happen.

City Manager Johnson presented a lease with Scotts Bluff County for their radio communication equipment on the City of Scottsbluff Water Tower north of town. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to approve a lease with Scotts Bluff County to lease space on the hydro pillar Water Tower and authorize the Mayor to execute the agreement," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Mr. Johnson presented the Copier Service Contract for the Water and Wastewater Department. Mayor Meininger asked if all copier agreements could be grouped together in one contract. Mr. Johnson said we would work to consolidate these agreements. Moved by Council Member Shaver, seconded by Mayor Meininger, "to approve the Copier Service Contract renewal with /copier Connection, Inc. for the Water and Wastewater office copier and authorize the Mayor to sign the contract; and to look into consolidation of copier service contracts and update future agreements," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Under Council Reports, Council Member Shaver reported that Scottsbluff High School received a 3rd place in the Math Bowl.

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

Mayor

Attest:

City Clerk
"SEAL"