

City of Scottsbluff, Nebraska

Monday, December 18, 2017

Regular Meeting

Item Consent1

Approve the minutes of the December 4, 2017 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on December 4, 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 December 1, 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 December 1, 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. Moved by Mayor Meininger, seconded by Council Member Shaver, "to move item 7b 'Council to approve bid specifications for the purchase and installation of two (2) electronic, radio controlled, community outdoor warning sirens, and authorize the City Clerk to advertise for bids to be received by December 28, 2017, 10:00 a.m. local time' from consent agenda to regular agenda item 8b," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "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 Gonzales that, "the minutes of the November 20, 2017 Regular Meeting be approved," "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 December 4, 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,16 - MINITOR 6 PAGERS/BATTERIES AND WARRANTY,40.79; ACTION COMMUNICATIONS INC.,BUILDING MTNC,9482; AE SERVICES, LLC,DEP. SUP. & BKS.,166.37; AMAZON.COM HEADQUARTERS,CONTRACTUAL SVC,183.59; ANITA'S GREENSCAPING INC,NFA MEALS DURING TRAVEL - AM,311.09; ANTHONY J MURPHY,DEPT SUPPLIES,66; AUTOZONE STORES, INC,DEP. SUP. - LIBRARY,201.42; B & H INVESTMENTS, INC,MONTHLY ENERGY BILL,166.5; BLACK HILLS GAS DISTRIBUTION LLC,JAN. SUP.,2632.58; BLUFFS SANITARY SUPPLY INC.,SCHOOLS & CONF,275.48; BROWN,

MATTHEW,SCHOOLS & CONF,370; BRUNZ, BRANDI,CELL PHONES,55; CELLCO PARTNERSHIP,CONTRACTUAL SVC,549.92; CENCON, LLC,DEPT SUP,910; CITIBANK N.A.,CONTRACTUAL,752.44; CITIBANK, N.A.,PETTY CASH,150; CITY OF SCB,CONTRACTUAL SVC,144.45; COMPUTER CONNECTION INC,SCHOOLS & CONF,374.5; CONSOLIDATED MANAGEMENT COMPANY,DEP. SUP.,145.36; CRESCENT ELECT. SUPPLY COMP INC,DEPT SUP,192.33; CROELL INC,DEP. SUP.,392.04; CYNTHIA GREEN,MONTHLY LONG DISTANCE,218.61; DAS STATE ACCOUNTING-CENTRAL FINANCE,DISPOSAL FEES,136.52; DUANE E. WOHLERS,GIS & DEV S.,450; ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC,TWO SCBA BRACKETS,10800; FYR-TEK INC,WATER SERV,104.42; GALINDO HUMBERTO/GONZALES LESLIE,UNIFORMS,1040; GALLS INC,SCHOOLS & CONF,164.97; GARTON, LYNN,DEP. SUP & PRGM.,6.7; GENERAL ELECTRIC CAPITAL CORPORATION,SCHOOLS & CONF,218.64; GENOWAYS NATHAN,MEMBERSHIP - CHRIS BURBACH,91; GFOA,WAGE ATTACHMENT,150; GREAT LAKES HIGHER EDUCATION GUARANTY CORP,SCHOOLS & CONF,185.82; HANSEN, JOSH,OIL & ANTIFREEZE,105; HYDROTEX PARTNERS, LTD,JAN. SUP.,2948.68; IDEAL LAUNDRY AND CLEANERS, INC.,GROUND MAINT,350.33; INDEPENDENT PLUMBING AND HEATING, INC,BKS & AV,14.7; INGRAM LIBRARY SERVICES INC,WITHHOLDINGS,477.34; INTERNAL REVENUE SERVICE,DEPT SUP,66987.86; JOHN DEERE FINANCIAL,UNIFORMS & CLOTHING,149.96; JOHN DEERE FINANCIAL,DEPT SUPPLIES,59.99; KNOW HOW LLC,BLDG MAINT,1016.02; KRIZ-DAVIS COMPANY,VEHICLE INSURANCE - MOBILE COMMAND UNIT,54.79; LEAGUE ASSOCIATION OF RISK MANAGEMENT,SCHOOLS & CONF,34.14; LOPEZ STEVE,SCHOOLS & CONF,180; LUCKINBILL BENJAMIN,MONTHLY LEASE,91; MAILFINANCE INC,DEPT SUP,148.76; MENARDS, INC,CONTRACTUAL,496.25; MIDWEST SPECIAL SVC INC,DEPT SUP,1078.5; MUNICIPAL SUPPLY INC. OF NEBRASKA,MEMBERSHIP - N.JOHNSON,14182.19; NCMA,CONTRACTUAL SVC,412; NE COLORADO CELLULAR, INC,LOAN PAYMENTS,75.5; NE DEPT OF ENVIRONMENTAL QUALITY,SCHOOLS & CONF,327704.71; NE LAW ENFORCEMENT TRAINING CENTER,GROUND MAINT,50; NEBRASKA MACHINERY CO,ELECTRICITY,492.93; NEBRASKA PUBLIC POWER DISTRICT,1 LOAD ICE SLICER,19825.27; NEBRASKA SALT AND GRAIN CO,DEPT SUP,4225.08; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,CONTRACTUAL SVC,182.15; PANHANDLE ENVIRONMENTAL SERVICES INC,CONTRACTUAL,274.5; PANHANDLE HUMANE SOCIETY,HSA SAVINGS,5174.59; PLATTE VALLEY BANK,POSTAGE,13010.71; POSTMASTER,DEPT SUPPL,596.01; QUILL CORPORATION,CLAIMS,1005.6; REGIONAL CARE INC,MONUMENT MALL TIF,213852.14; ROCKSTEP SCOTTSBLUFF LLC,ELECTRIC POWER,14491.38; ROOSEVELT PUBLIC POWER DISTRICT,EMP DEDUCTION,2065.17; S M E C,EQUIP MAINT,158.5; SANDBERG IMPLEMENT, INC,FY17-18 FIXED ROUTE CONTRIBUTION,1418.77; SCOTTS BLUFF COUNTY PUBLIC TRANSIT,DOWNTOWN BULB-OUT IRRIGATION PROJECT,13736; SCOTTSBLUFF LANDSCAPING INC,GROUND MAINT,3500; SCOTTSBLUFF WINSUPPLY COMPANY,PRECRUSHED MATERIAL,79.84; SIMON CONTRACTORS,INVEST SUPPL,183.1; SIRCHIE ACQUISITION COMPANY, LLC,SAMPLES,85.84; STATE HEALTH LAB,INVEST SUPPL,32; THE PEAVEY CORP,HIDTA CAR LEASE,226.55; TOYOTA MOTOR CREDIT CORPORATION,EQUIP MAINT,365.69; TRANS IOWA EQUIPMENT LLC,UB ONLINE FEE 12/1/17 - 12/31/17,2616.24; TYLER TECHNOLOGIES, INC,DEPT SUPPLIES,348; UNITED STATES WELDING,TWO DESK RISERS,68.19; US BANK,GROUND MAINT,2497.01; VAN PELT FENCING CO, INC,DEF COMP,3631.07; VANTAGEPOINT TRANSFER AGENTS-300793,IRA,1934.23; VANTAGEPOINT TRANSFER AGENTS-705437,RETIREMENT,506; WELLS FARGO BANK, N.A.,POLICY UPDATES FOR 2018 -

DOT TESTING,34603.31; WESTERN PATHOLOGY CONSULTANTS, INC,STRIPING FOR RESCUE TRUCK,75; WHOLESALE MOTIVE SERVICE INC.,SCHOOLS & CONF,76.19; WIN INVESTMENTS INC,DEPT SUPPLIES,428.28; WYOMING FIRST AID & SAFETY SUPPLY, LLC,18.97; REFUNDS: MELISSA COLLINS 34.40; TIM LANDRUN 46.45; LAUREN NELSON 23.12; SHELDON BALTZELL 100; JAMIE BATTERMAN 7.78; CARRIE CHAPMAN 100; DUGAN-KRAMER FUNERAL HOME 5.06; JOSE FRANCO 100; KRISTEN GONZALES 100;JOHN GUTIERREZ 100; MARCELINO HERNANDEZ 100; HENRY HUBER 100; GREGORY KATEN 10.60; STUART KISSICK 100; GREG LONG 100; EDGAR RUSSELL 100; SUSAN SALAZAR 100; CARLEY SCHULTZ 100; EVA SIFUENTES 100; JILL TORSKE 100; WESTERN NE REGIONAL AIRPORT 11.48; WESTERN NE REGIONAL AIRPORT 3.42.

City Manager Johnson explained the details of the bid specifications for the outdoor warning sirens. These two sirens will be purchased through funding from the Federal Emergency Management Agency (FEMA) Hazardous Mitigation funds, which requires a 25% City match. Council Member Shaver asked about the siren purchase that was discussed about a month ago. Mr. Johnson explained that this is the same purchase that was discussed previously; we have been waiting for additional funding approval from NEMA and FEMA before proceeding with the bidding process. Originally we were planning on purchasing one voice controlled siren; the additional funding will assist in purchasing two traditional sirens, rather than one. The two sirens will have more impact throughout the community rather than one. This will help expedite the replacement process for these sirens as we have some rather outdated sirens.

Police Chief Spencer added that we currently have four to five sirens that are over 50 years old, so we definitely need to replace these sirens as soon as possible. Mayor Meininger added that we currently have one voice control siren, however, it has never been used. The siren is designed to warn the people who are outside, to go inside. Chief Spencer recommended soliciting bids on two sirens rather than the one siren.

Nathan Green, citizen, talked about the Council meeting on 3/22/2016 when a yearly replacement schedule was discussed. He wanted a clarification of why it took longer to request bids and why the bid specifications had changed. Mayor Meininger explained that with federal funding, we're never completely sure what is available until the end. Once we found out there were more funds available, we decided to get bids on two sirens.

Moved by Mayor Meininger, seconded by Council Member Colwell, "to approve bid specifications for the purchase and installation of two (2) electronic, radio controlled, community outdoor warning sirens, and authorize the City Clerk to advertise for bids to be received by December 28, 2017, 10:00 a.m. local time," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS" Shaver. Absent: None.

Council reviewed the September Financial Report. Mr. Johnson explained that we have one department that is over budget and we are working with them to get in line. We are currently in great financial shape for the upcoming year. Staff is currently getting ready for the audit in December and January.

Council Member Shaver asked about the proceeds from the recent sale of farm land; Mr. Johnson explained that it is being used for the East Overland Grants. Mr. Johnson explained the LB840 Budget, which generates approximately \$1 million per year; however, we hope that increases with increasing sales tax revenue. We've awarded more grants this year, so the report shows more activity in that fund.

City Manager Johnson explained that at a previous meeting, the City Council began the process of replatting the Agricultural Estate Dwelling Site (AEDS) that is before us tonight, however, the Register of Deeds informed us that the property has not been platted, therefore we are unable to replat the property. This property will need to be vacated in order for a new AEDS to be filed on the property. The Planning

Commission gave a positive recommendation for the creation of this AEDS located at 190439 County Road J at their November 13, 2017 meeting. The property currently consists of 6.05 acres, which will be reduced to 4.143 acres. The minimum lot size for AEDS is 2 acres, so this is still well within the requirements. The other two acres will go back to agriculture. Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve Resolution No. 17-12-01 to vacate an Agricultural Estate Dwelling Site (AEDS) located in the NE ¼, NW ¼ of Section 16, Township 22 North, Range 55 West of the 6th P.M. which will allow the owner to apply for a new AEDS," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

RESOLUTION NO. 17-12-01

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

WHEREAS, an application has been filed by the owners to vacate a prior agricultural estate dwelling site (AEDS) approved by the City of Scottsbluff described as follows:

A tract of land situated in the NE ¼ NW ¼ of Section 16, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows: With reference to the northeast corner of said NE ¼ NW ¼ thence S 89°22'03" W on the north line of said NE ¼ NW ¼ a distance of 20.00 feet to the POINT OF BEGINNING of this description; thence S 00°22'33" E, parallel with the east line of said NE ¼ NW ¼ a distance of 827.03 feet; thence 1181.56 feet on a non-tangent curve to the left, said curve having a radius of 1394.22 feet an included angle of 48°33'22", and a long chord bearing of N 46°47'58" W for a distance of 1146.51 feet to a point on the southerly right of way of County Road "J", thence N 00°37'57" W, perpendicular to said north line, a distance of 33.00 feet to a point on said north line; thence N 89°22'03" E on said north line a distance of 830.61 feet to the point of beginning, containing 6.055 acres, more or less ("real estate").

The Planning Commission of the City of Scottsbluff has recommended the City Council approve the vacation of the AEDS which will allow the owners to apply for a new AEDS.

IT IS **NOW RESOLVED**, the AEDS for the above described real estate is now vacated and the Mayor is authorized to sign this Resolution on behalf of the City of Scottsbluff, Nebraska.

Passed and approved this 4th day of December, 2017.

Mayor _____

Attest: _____

City Clerk

Mr. Johnson explained the Certificate for Recording for the property located at 190439 County Road J, owned by Henry Huber and Larry Reisig, which is required to record the Agricultural Estate Dwelling Site. Moved by Council Member Gonzales, seconded by Council Member McCarthy, “to approve the Certificate for Recording the Agricultural Estate Dwelling Site for property owned by Henry Huber and Larry Reisig, described as 190439 County Road, “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

City Manager Johnson presented another Certificate for Recording an Agricultural Estate Dwelling Site owned by Jeffrey Pickering, located East of Sugar Factory Road on 42nd Street. Moved by Council Member Shaver, seconded by Council Member McCarthy, “to approve the Certificate for Recording the Agricultural Estate Dwelling Site for property owned by Jeffrey L. Pickering, located in the W ½ SE ¼ of Section 7, Township 22 North, Range 53 West of the 6th P.M.,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

Mr. Johnson discussed the procedure that city staff will use following large events such as the Annual Downtown Holiday Parade. This year’s parade had one of the largest attendances, which was wonderful, but also created more litter than in past years. Staff will take the following steps to clean areas following these large events: purchase of permanent trash containers, temporary roll outs for special events; flex hours to provide adequate staff to clean up; provide blowers to the Parks Department to move trash to the street, followed by the street sweeper, to make sure everything is clean by the next day. Mayor Meininger noted that this was one of the biggest parades we’ve had in the community. Council Member Shaver heard citizen complaints regarding the lack of parking since the side streets were closed.

Regarding the Western Nebraska Regional Housing Study, City Manager Johnson highlighted the goals within the housing study.

1. **Regional Housing Development Initiative.** Implement a **housing development initiative** for Scotts Bluff, Morrill and Kimball Counties and each Community, as a primary economic development activity. **A core activity of this Housing Development Initiative will be the development of a “Western Nebraska Housing Resources Network”** to monitor and encourage housing development throughout each County and Community. **New Housing Developments** in the Region should address the needs of both owner and renter households of all age and income sectors, with varied, affordable price products.
2. **Continue to Expand and develop housing/living opportunities in the Downtowns of Gering, Scottsbluff and Kimball.**
3. **Rehabilitation/Preservation of Existing Owner and Rental Housing Stock.** Housing rehabilitation programs and activities in each County and Community should strive to protect and preserve the existing housing stock of the Communities.
4. **Financing Activities for Housing Development in Scotts Bluff, Morrill and Kimball Counties.** Housing developers should consider both public and private funding sources when constructing new housing stock.
5. **Impediments to Fair Housing Choice.** The Communities of Scotts Bluff, Morrill and Kimball Counties will need to identify and establish a plan to eliminate **all barriers and impediments to fair housing choice.** Both public and private sectors of each County should play a role in this process.

6. **Plan Maintenance and Implementation.** Maintain current and modern Comprehensive Plans, as well as Zoning and Subdivision Regulation documents, for each County and Community, in an effort to continue efficient, sustainable housing development.

Council Member Shaver questioned the purchase prices quoted as high demand and asked where the data is coming from for this report, as he feels the amounts are too high. Mayor Meininger suggested that we take the housing study to the Planning Commission for their input.

Mr. Mark Harris, resident and owner of A & L Incorporated and Spaces, approached the Council regarding his opinion of the recent study. He compared this study with previous studies, which have remained very similar over the past years. Housing is a supply and demand business. People simply can afford housing based on their income and interest rates. The study won't change the housing demand; jobs and income levels are the key elements which make the housing market happen. He wants to encourage housing, but we can't change the basics of interest rates and wages. There are some benefits to including funding sources through LB 840, however, government can't be the fix-all. He does not feel we are currently in a crisis situation for housing. "Affordable" is subjective, which he feels means that someone wants more of a house than they can afford. Mr. Harris added that he doesn't want this study to get us out of touch with reality. He wants to be sure we don't create an unfair playing field with government run programs competing with the private sector. Mr. Harris is not a proponent of the housing study, and thinks it says we need more housing than we actually need. Currently our rental vacancy rates are higher than in the past. Economic conditions need to change before we need more housing.

Mayor Meininger commented that the Housing Study is setting us up to receive Federal and State funds. It would be beneficial if we could partner to create infrastructure without actually getting into housing development.

Council Member Shaver commented that the Housing Study has the "if you build it they will come" mentality. Council Member Gonzales noted that the study pointed out that we still have a lot of housing in poor condition, so we need to consider how to address this; with CDBG grants or LB518. Council will need to discuss our involvement to address these issues. Mayor Meininger added, that LB518 will require matching funds, so we will need the Housing Study to assist with these requests.

Mayor Meininger recommended that we have the Planning Commission review the Regional Housing Study and provide input, and give Starr Lehl, Economic Development Director, guidance to move forward with funding options. The City Council concurred with referring the Housing Study to the Planning Commission for review and recommendation.

Under public comments, Nathan Green shared survey information with the City Council that he received via a telephone call and asked if the City was soliciting this information. The Council informed him that the City is not conducting this survey.

Under Council reports, Mayor Meininger reported that the 911 task force met and agreed to proceed with the Zuercher Contract, which is actually less than originally anticipated.

Council Member Shaver asked how to add items to the agenda. He is interested in beginning a process to update Ordinances.

Council Member Colwell shared information about a potential for the Balloon Federation of America to locate their event in our area, which would be a three year commitment.

Council Member Gonzales informed the Council that PADD will meet next Thursday.

Erin Willats, Scottsbluff Youth Council Representative, gave a report on many activities at Scottsbluff High School including the Inaugural Student Advisory Committee, DECA, Art Club, Visual Arts, Educator Rising, Cheerleaders, One-Acts, and HOSA.

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

Mayor

Attest:

City Clerk
“SEAL”