

**City of Scottsbluff, Nebraska**  
**Tuesday, February 20, 2018**  
**Regular Meeting**

**Item Consent1**

**Approve the minutes of the February 5, 2018 Regular Meeting.**

Staff Contact: Cindy Dickinson, City Clerk

The Scottsbluff City Council met in a regular meeting on February 5, 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 February 2, 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 February 2, 2018.

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, Mark McCarthy Raymond Gonzales, and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. Absent: Scott Shaver.

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 McCarthy, seconded by Council Member Colwell, that:

1. "The minutes of the January 16, 2018, Regular Meeting be approved,"
2. "A public hearing be set for February 20, 2018 at 6:00 p.m. to consider the LB840 Citizen Review Committee recommendation to expand the definition of a "Qualifying Business" in the City's Economic Development plan to allow Film Production," "YEAS", Colwell, Meininger, Gonzales and McCarthy, "NAYS", None. Absent: Shaver.

Moved by Mayor Meininger, seconded by Council Member McCarthy, "that the following claims be approved and paid as provided by law out of the respective funds designated in the list of claims dated February 5, 2018, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Meininger, Gonzales and McCarthy, "NAYS", None. Absent: Shaver.

#### CLAIMS

AGUALLO, PAUL, UNIFORMS & CLOTHING, 125; AHLERS BAKING INC, DEPT SUPPL-PD, 41.97; ALARM SECURITY TECHNICIANS, CONTRACTUAL-PD, 29.9; ALLO COMMUNICATIONS, LLC, LOCAL TELEPHONE CHARGES, 4451; AMERICAN LIBRARY ASSOCIATION, CONF., 115; AMERICAN PUBLIC WORKS ASSOCIATION, MEMBERSHIPS, 660; ANITA'S GREENSCAPING INC, CONTRACTUAL SVC, 1002.22; AUTOZONE STORES, INC, OIL & ANTIFREEZE, 189.43; B & H INVESTMENTS, INC, DEP. SUP.- LIBRARY, 233.5; BAIRD HOLM LLP, PROFESSIONAL SERVICES - RETIREMENT PLANS, 3675; BARCO MUNICIPAL PRODUCTS INC, WHITE, GREEN & TRANSPARENT ROLL GOODS, 1722.16; BLACK HILLS GAS DISTRIBUTION LLC, MONTHLY ENERGY BILL, 6779.43; BLUFFS SANITARY SUPPLY

INC.,JAN. SUP.,707.53; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL-PD,33; CARR-TRUMBULL LUMBER CO, INC.,DEPT SUP,9.32; CELLCO PARTNERSHIP,CELL PHONES-PD,607.27; CHILD SUPPORT,CHILD SUPPORT,12; CHRIS REYES,DEPT SUPPL-PD,325; CITIBANK N.A.,DEPT SUPP,574.91; CLARK PRINTING LLC,DEPT SUPPLIES,453.61; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,INSURANCE,48.7; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF-PD,477.81; CONTRACTORS MATERIALS INC., DEPT SUP,108.59; CORNHUSKER MARRIOTT HOTEL,SCHOOL & CONF,166; CRESCENT ELECT. SUPPLY COMP INC,EQUIP MAINT,31.63; CYNTHIA GREEN,DEPT SUPP,328.36; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,971.52; DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,162.81; DEMCO, INC,PRGRM. & DEP. SUP.,1994.87; DITCH-WITCH OF WEST TEXAS INC,EQUIP MAINT,273.96; DUANE E. WOHLERS,DISPOSAL FEES,900; ELLIOTT EQUIPMENT COMPANY INC.,DEPT SUPPLIES, 4060; ENERGY LABORATORIES, INC,SAMPLES,135; FASTENAL COMPANY,SUPP - HEX LAGS, FEND Z,65.07; FAT BOYS TIRE AND AUTO,EQUIP MTNC,16; FEDERAL EXPRESS CORPORATION,POSTAGE,223.57; FERGUSON SIGNS, INC,BLDG MAINT,142.5; FLIAM, TYLER,SCHOOLS & CONF-PD,65; FLOYD'S TRUCK CENTER, INC,EQUIP MTNC,41.7; GALLS INC,UNIFORMS-PD,819.63; GENERAL ELECTRIC CAPITAL CORPORATION,DEPT SUP,727.52; HAWKINS, INC.,CHEMICALS,2751.55; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,2789.74; HULLINGER GLASS & LOCKS INC.,BLDG MAINT-PD,374; HYDROTEX PARTNERS, LTD,POWER KLEEN & ESSENTIALUBE,1260.52; IDEAL LAUNDRY AND CLEANERS, INC.,SUPP - PAPER TOWELS,933.12; INGRAM LIBRARY SERVICES INC,BKS,794.45; INLAND TRUCK PARTS & SERVICE,EQUIP MTNC,109.71; INTERNAL REVENUE SERVICE,WITHHOLDINGS,63310.7; INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC,MEMBERSHIP-PD,150; INVENTIVE WIRELESS OF NEBRASKA L.L.C., ECONOMIC DEV AGREEMENT,150000; J G ELLIOTT CO.INC.,LEGAL,70; JOHN DEERE FINANCIAL,UNIFORMS,82.98; JOHN DEERE FINANCIAL,DEPT SUPP,123.94; JOHN DEERE FINANCIAL,EQUIP MAINT,585.57; JOHN E. REID & ASSOCIATES, INC.,SCHOOLS & CONF-PD,1725; KNOW HOW LLC,EQUIP MAINT,1938.02; KRIZ-DAVIS COMPANY,BLDG MAINT,111.53; LAWSON PRODUCTS, INC,DEPT SUPPLIES,374.99; LEAGUE ASSOCIATION OF RISK MANAGEMENT,WORK COMP,16381.23; LEAGUE OF NEBRASKA MUNICIPALITIES, CONFERENCE REGISTRATION - R. MEININGER,750; MAILFINANCE INC,CONT. SRVCS. - LIBRARY,514.76; MATHESON TRI-GAS INC,DEPT SUP,137.05; MENARDS, INC,GROUND MAINT,1870.96; MICHAEL B KEMBEL,BLDG MAINT-PD,70; MIDWEST CONNECT, LLC,DEPT SUPP,95; MONUMENT CAR WASH INC,VEH MAINT,52.28; MONUMENT PREVENTION COALITION,FUNDING (NOV 2017 - JAN 2018),2819.82; NAEM,NAEM CONFERENCE,135; NCMA,REGISTRATION - ANNUAL CONF.,145; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1841.18; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,151.02; NE DEPT OF ENVIRONMENTAL QUALITY,LICENSE/PERMITS,150; NE DEPT OF REVENUE, SALES TAX, 41054.31; NEBRASKA RURAL WATER ASSOCIATION, MEMBERSHIPS, 275; NEBRASKA CLERK INSTITUTE, 2018 NE CLERK INSTITUTE & ACADEMY - C.DICKINSON,223; NEBRASKA DIPLOMATS,2018 MEMBERSHIP DUES,350; NEBRASKA MACHINERY CO,CUTTING EDGE, END EDGE,NUTS, BOLTS FOR LOADER #452,592.7; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,24922.39; NEBRASKALAND

TIRE, INC,EQUIP MTNC,840.36; PANHANDLE AREA DEVELOPMENT DISTRICT,COST SHARE - 9/26/17 WNED HOUSING EVENT,191.34; PANHANDLE COOPERATIVE ASSOCIATION, GASOLINE,123.87; PANHANDLE ENVIRONMENTAL SERVICES INC, CONTRACTUAL SVC,405.5; PANHANDLE HUMANE SOCIETY,CONTRACTUAL,5174.59; PEACEFUL PRAIRIE NURSERY, INC,DOWNTOWN BULB-OUT PROJECT,4191; PLATTE VALLEY BANK,HEALTH SAVINGS ACCOUNT,15250.51; POSTMASTER,POSTAGE,987.5; PROTEX CENTRAL, INC., CONTRACTUAL, 198; QUILL CORPORATION,DEPT SUPP,390.11; REGANIS AUTO CENTER, INC, EQUIP MTNC, 844.9; REGIONAL CARE INC,CLAIMS,44302.48; REGIONAL WEST MEDICAL CENTER,KING AIRWAYS,85.65; REGIONAL WEST PHYSICIANS CLINIC, CONSULTING, 264.75; REGISTER OF DEEDS,LEGAL FEE,144; REPCO MARKETING, INC, EQUIP MAINT-PD,47.05; ROBERTA J BOYD,BSN. TRVL.,135; RODNEY CLEAYS,RE-IMBURSEMENT FOR CDL FOR RODNEY CLEAYS,57.5; ROOSEVELT PUBLIC POWER DISTRICT, ELECTRIC POWER,1965.33; ROTARY CLUB OF SCOTTSBLUFF/GERING,DUES - NATHAN JOHNSON,520; ROYAL MEDIA NETWORK INC,DEP. SUP.,290; RYAN R KUMM, FACILITY REPAIR,85; S M E C,EMPLOYEE DEDUCTION,174; SANDBERG IMPLEMENT, INC,EQUIP MAINT,2149.54; SCB COUNTY,2ND YEAR OF 2017 PICTOMETRY FLIGHT,3826.67; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCB TENT & AWNING,VEH MAINT,85; SCOTTIES POTTIES INC,CONTRACTUAL,850; SCOTTSBLUFF BODY & PAINT, DECAL REMOVAL,204; SCOTTSBLUFF MOTOR CO, INC,EQUIP MTNC,75.03; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,552; SCOTTSBLUFF/GERING CHAMBER OF COMMERCE,ANNUAL BANQUET TICKETS,250; SHERIFF'S OFFICE,LEGAL FEES-PD, 272.26; SHERWIN WILLIAMS,GROUND MAINT,52.65; SIMON CONTRACTORS,SNOW HAUL CHARGES,3078.9; SKILLPATH,REGISTRATION - BODE & KITE,1127.9; SNELL SERVICES INC.,GROUND MAINT, 2947.5; STATE HEALTH LAB, SAMPLES,285; STATE OF NE., CONTRACTUAL-PD, 630; SUPERIOR SIGNALS, INC,EQUIP MTNC,178.96; THE ABY MANUFACTURING GROUP, INC,UNIFORMS-PD,369; THE PEAVEY CORP,INVEST SUPPL-PD, 149.95; THE WESTERN SUGAR COOPERATIVE,EQUIP MAINT,324; THOMPSON NOELLE, BSN.TRVL., 95; TRAFFIC PARTS, INC,SIGNAL PARTS - PED LED 16",534; TRANS IOWA EQUIPMENT LLC, EQUIP MTNC, 16189.7; TYLER TECHNOLOGIES, INC, SOFTWARE MAINTENANCE 3/1/18 - 2/28/19,23862.05; UNION BANK & TRUST,RETIREMENT,35797.55; UNITED STATES WELDING,WELD. SUPP - ACETYLENE,107.96; US BANK,CHARGES FOR GAS & PARKING FOR UTILITY CONFERENCE,112.54; US BANK,SCHOOLS & CONF,2666.72; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,250; VERIZON WIRELESS-LERT B, CELL PHONES,156.27; WELLS FARGO BANK, N.A.,FEES - 4TH QTR 2017 GENERAL PENSION PLAN, 1625.67; WEST NEBRASKA ARTS CENTER,FY 17-18 BUDGET REQUEST,8000; WESTERN COOPERATIVE COMPANY,EQUIP MAINT,20.04; WESTERN LIBRARY SYSTEM, CONT. SRVCS.,23; WESTERN PLAINS BUSINESS FORMS INC,DEPT SUP, 312.75; WYOMING FIRST AID & SAFETY SUPPLY, LLC,DEPT SUPPLIES,79.77; WYOMING WATER DEVELOPMENT OFF, PAWS FEASIBILITY STUDY,3390.32; YOURMEMBERSHIP.COM INC,JOB POSTING - FIRE CHIEF,539; REFUNDS: ZAC RADA, 28.15; MARTINO LUCIO, 21.99; STORY LLC, 13.78.

Council reviewed the December Financial Report; Mr. Johnson explained that there is a net change in cash between 2016 and 2017 due to capital expenditures and debt service expenditures for the chip seal project and the Broadway water main. The Broadway water main project was paid by cash reserves.

Mr. Johnson presented the bids for the new sanitation truck and body for the Environmental Services Department, which he is recommending be rejected because the bids exceed the budget authority of \$200,000.00 for this truck. The truck bids called for a side pick up for the roll-out containers, which is more expensive rather than a rear end loader. For budget purposes, the cost of the rear end loader was used. The bids exceeded the budgeted amount by \$28,186.00. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to reject the bids for the new sanitation truck for Environmental Services," "YEAS", Colwell, Meininger, Gonzales and McCarthy, "NAYS", None. Absent: Shaver.

Mayor Meininger opened the public hearing at 6:05 p.m. to consider the Class CK and Class L Liquor License applications for Flyover Brewing Company, 1824 Broadway, Scottsbluff, NE. Andrea Margheim, Applicant, and Police Chief Kevin Spencer were sworn in to testify on the liquor license. Moved by Mayor Meininger, seconded by Council Member Colwell, "that the following exhibits, presented on behalf of the City Council, be entered into the record: 1) Flyover Brewing Company Class CK and Class L Liquor License applications; 2) City Council check list for section 53-132 cum supp 2016; 3) written statement of Police Chief Kevin Spencer dated February 2, 2018; 4) written statement of City Clerk dated January 30, 2018) written statement from the Development Services Department dated January 3, 2018; "YEAS", Meininger, Gonzales, Colwell, and McCarthy "NAYS" None. Absent: Shaver.

Ms. Margheim explained that Flyover Brewing Company will be a craft brewery business, and will be brewing their beer at the location downtown. All beer and brewing equipment will be on site. They will occasionally feature other specialty beers, wines and spirits. All products will be stored in a locking rail, locked cabinets and an overstock cabinet. All of their staff will take the TIPS training, and servers will check ID's of anyone appearing to be under the age of 40. If an employee serves to someone who is underage, they will be terminated and all staff will be re-trained.

They will also have a Cicerone Program for employees, in which they will be trained and knowledgeable about the variety of microbrews and craft beers being served. Ms. Margheim will oversee the limited inventory as well as a daytime manager. They plan to hire approximately 10-15 employees and will have some food service.

Chief Kevin Spencer explained that the Police Department conducts a very thorough investigation and background check to make sure everyone on the application is fit, willing and able to hold a liquor license. This application also includes a "Class L" license, which is only the second time the City has had this type of license, so it garners some special attention. The investigation found nothing in the background checks to disqualify the owners from obtaining a liquor license, by law. They have already obtained their Federal Permit, which is also required. Chief Spencer has looked at their plan, interviewed the owners, and stated they have a good process in place.

There were no comments from the public. Mayor Meininger closed the public hearing at 6:10 p.m. Moved by Council Member Colwell, seconded by Council Member Gonzales, "to forward a positive recommendation to the Nebraska Liquor Control Commission regarding the Class CK and Class L Liquor License Applications for Flyover Brewing Company, pursuant to Nebraska §53-132 (2)a, (2)b, (2)c, and (2)d," "YEAS", Meininger, Gonzales, McCarthy, and Colwell, "NAYS" None. Absent: Shaver.

**RESOLUTION NO. 18-02-01**

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

On February 5, 2018, the matter of the application of a Class CK and Class L liquor licenses for Flyover Brewing Company, 1824 Broadway, Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

1. Exhibit 1 - Application of Class CK and Class L liquor licenses for Flyover Brewing Company, 1824 Broadway, Scottsbluff, NE 69361  
Exhibit 2 - City Council Check List for Section 53-132 (Reissue 2016)  
Exhibit 3 - Written statement of Police Chief dated February 2, 2018  
Exhibit 4 - Written statement of City Clerk dated January 30, 2018  
Exhibit 5 - Written statement of Development Services Director dated January 3, 2018
2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Andrea Margheim. Police Chief Kevin Spencer spoke on behalf of the City.
3. Upon consideration of the evidence and the criterion to be considered by the City Council pursuant to law, the City Council finds as follows:
  - a. Applicant has demonstrated a fitness, willingness, and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act.
  - b. Applicant has met its burden with regard to the check list provided by Section 53-132 R.R.S. (2016) and demonstrates a willingness and ability to properly serve or sell liquor in conformance to the rules and regulations of the Nebraska Liquor Control Act and its management and control appears to be sufficient to insure compliance with such rules and regulations.
4. By reason of the above, the Applicant has met the burden of proof and persuasion in producing evidence pertaining to the criterion prescribed in the Nebraska Statutes.

Based on the above findings, the City Council approves the application and recommends to the Nebraska Liquor Control Commission that a Retail Class CK liquor license and Class L liquor license be issued to Flyover Brewing, at the premises described in the application.

5. The City Clerk shall transmit a copy of this Resolution to the Commission.
6. Cost of publication: \$15.27.

Passed and approved this 5<sup>th</sup> day of February 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk "seal"

Moved by Mayor Meininger, seconded by Council Member McCarthy, “to forward a positive recommendation naming Andrea Margheim as the Manager of Flyover Brewing Company Class CK and Class L Liquor Licenses” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

Mayor Meininger opened the public hearing at 6:10 p.m. to consider the 2018 One and Six Year Street Improvement Plan. Mark Bohl, Public Works Director, explained that the first project would be 42<sup>nd</sup> Street from Avenue I to 5<sup>th</sup> Avenue. The bid letting will begin in early March, with a summer start date for construction. Staff has met with the neighboring property owners to inform them of the project details.

The next three projects will all be connected to the Kosman Division housing development which is South of 42<sup>nd</sup> Street. This project has been let, the developer will pay for the streets, then they will become city streets. We are also looking at summer construction for this project. Council Member Colwell asked about Avenue B and if it could be moved up on the list. Mr. Bohl responded that he would also like to get that street repair project completed soon. It needs a mill overlay and is desperately in need of repair. They will take care of catch basins and storm drains to help alleviate some of the flooding issues when they work on Avenue B. Timing will depend on funding and bonding capacity.

There were no comments from the public on the One and Six Year Street Improvement Plan. Mayor Meininger closed the public hearing at 6:20 p.m. The Resolution will be considered at the February 20, 2018 Council Meeting.

City Manager Johnson presented the Fire Training Facility Use Agreement which is required for the recent grant application that was submitted for a fire training simulator. Included in this agreement are other agencies that will use the facility for training purposes. Moved by Council member McCarthy, seconded by Council Member Colwell, “to approve the Fire Training Facility Use Agreement and authorize the Mayor to execute the agreement,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

Mr. Johnson presented the Certificate of Compliance for maintenance of Highway 26, and Maintenance Agreement No. 22 for maintenance of Highway 26 within the Scottsbluff city limits for 2018. Moved by Council Member Gonzales, seconded by Council Member McCarthy, “to authorize the Mayor to sign the Certificate of Compliance and Agreement Renewal regarding Maintenance Agreement No. 22,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

City Manager Johnson presented Supplemental No. 3 Agreement for engineering services for the Scottsbluff Valley Pathway North project. This is the pathway project, which needs some additional design work north of Highway 26; this is an additional \$20,355.89 added to the project, which is an 80/20 split with the state paying 80%, city paying 20%. Council Member Gonzales asked how the pathway would go through Northwood Park. Mr. Bohl commented that this would be a new ten foot path, and will follow the sidewalk on Avenue I then along 33rd Street. This is a supplemental agreement to take care of the design changes. Moved by Mayor Meininger, seconded by Council Member Colwell, “to approve the Professional Service Agreement between the City and M.C. Schaff & Associates for the Scottsbluff Valley Pathway north project and approve Resolution No. 18-02-02,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

## **RESOLUTION**

### **PRELIMINARY ENGINEERING SERVICES AGREEMENT SUPPLEMENTAL AGREEMENT NO. 3 - B01231**

CITY OF SCOTTSBLUFF  
Resolution No. 18-02-02

**Whereas:** City of Scottsbluff and M.C. Schaff & Associates, Inc., have previously executed a Preliminary Engineering Services Agreement (B01231) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

**Whereas:** City of Scottsbluff understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

**Whereas:** City of Scottsbluff and M.C. Schaff & Associates, Inc. wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

**Be It Resolved:** by the City Council of the City of Lincoln, Nebraska that:

Randy Meininger, Mayor of City of Scottsbluff is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 3 between the City of Scottsbluff and M.C. Schaff & Associates, Inc.

NDOR Project Number: ENH-79(42)

NDOR Control Number: 51512

NDOR Project Description: Scottsbluff Valley Pathway North

Adopted this 5<sup>th</sup> day of February 2018 at Scottsbluff, Nebraska

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Mayor

Attest: \_\_\_\_\_

City Clerk

“Seal”

Regarding LB801, Mr. Johnson explained that the letter of support is for a Panhandle Day Treatment facility for area youth, as there has been a rise with mental health issues in our school system. Chief Spencer explained that there is definitely a gap in these services as we don't have the services we used to have. Council Member Colwell asked if this would be a partnership with ESU 13 1; Chief Spencer responded that they would provide educational services and day treatment. He added that the Police Department does get in involved when there is a youth in crisis and in the past they have had youth who needed treatment services. Moved by Council Member Colwell, seconded by Council Member McCarthy, “to authorize the Mayor to sign a letter of support for LB 801 and a proposal for a Panhandle Day Treatment Center for area youth,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

City Manager Johnson explained that at a recent LB840 meeting, members expressed concerns regarding the CenturyLink internet connection for some major local businesses and recommended sending a letter from the Mayor asking CenturyLink to address these issues. These businesses had contacted CenturyLink and have not received a solution. Council Member Colwell asked to amend the letter, asking CenturyLink to explain what is causing their service problems. Council Member Gonzales commented that there are other providers in our community if these businesses want to seek other companies. Moved by Council Member Colwell, seconded by Council Member Gonzales, “to authorize the Mayor to sign a letter to CenturyLink regarding issues with local service, with the amendment to the letter asking CenturyLink to explain what is causing the problem resulting in unreliable service,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

Mr. Johnson explained that the Regional Housing Study was forwarded to the Planning Commission at their January 22, 2018 meeting; at which time, the Planning Commission approved the adoption of the Housing Study as an addendum to the Scottsbluff Comprehensive Plan. Mayor Meininger commented that the inclusion of the Housing Study will allow us to apply for more grant opportunities and State Funds related to the LB840 Workforce Housing. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to adopt the Regional Housing Study and incorporate it into the City of Scottsbluff Comprehensive Plan,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

City Manager Johnson presented the one-year contract for landscaping at the Lied Scottsbluff Public Library with Anita’s Greenscaping. This contract was previously paid by the Library Foundation. If approved, it will be paid by the City of Scottsbluff General Fund because the building is a city owned building; the Foundation’s focus is books, etc. This will cover the special gardens around the library requiring specialized care. Moved by Mayor Meininger, seconded by Council Member McCarthy, “to approve the contract with Anita’s Greenscaping to maintain the landscape around the Lied Scottsbluff Public Library from March 2018 to November 2018, and authorize the Mayor to sign the contract,” “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

Mr. Johnson presented the Ordinance amending the requirements for Stormwater Management, post construction. He explained that everything in this Ordinance meets the requirements of the MS4 permit to comply with the National Pollutant Discharge Elimination System, by state statute. There are no additional fees or permits included in this Ordinance. There are many compliance issues with this permitting process. Mayor Meininger introduced the Ordinance which was read by title on first reading: **AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF, NEBRASKA ADDING ARTICLE 4 TO CHAPTER 24 RELATED TO POST-CONSTRUCTION DESIGN STANDARDS FOR STORM WATER AND STORM WATER POLLUTION CONTROL, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.**

City Manager Johnson explained that in November of 2016, the Cities of Scottsbluff and Gering approved an Interlocal Agreement to create a Regional Industrial Park. To solidify this partnership, the proposed Resolution will allocate up to \$1 million of LB840 Economic Development funds towards one or more qualifying businesses who purchase property in the Industrial Park. Mayor Meininger commented that this method seems to be a clean and fast way to market and get businesses in place in the Industrial Park. Mr. Johnson added that potential businesses would apply for LB840 funding, which would be reviewed by both cities LB840 Committees. This would streamline the process with advisory committees as businesses would only need to do one presentation. Gering will continue to own the land until parcels are sold. Moved by Council Member Gonzales, seconded by Council Member McCarthy, “to approve Resolution No. 18-02-03, regarding the City’s LB840 participation with the City of Gering Industrial Park development, “YEAS”, Meininger, Gonzales, McCarthy, Colwell, “NAYS” None. Absent: Shaver.

#### **RESOLUTION NO. 18-02-03**

**WHEREAS**, the City of Scottsbluff, Nebraska (“Scottsbluff”) and the City of Gering, Nebraska (“Gering”) support each other’s efforts in regard to the purchase and development of an industrial park by Gering (“Industrial Park”).

**WHEREAS**, Scottsbluff has publically declared its support of the development of an Industrial Park with Gering. As a gesture of continuing support and as an alternative to Scottsbluff contributing to the purchase price to acquire an undivided ownership interest in the real estate of the Industrial Park, Scottsbluff agrees to support the Industrial Park by allocating Economic Development Program Funds (“Funds”) for Qualified Businesses which purchase a parcel of real estate in the Industrial Park.

**WHEREAS**, Scottsbluff now declares its continuing support for the development of the Industrial Park and through this Resolution sets forth the contribution it agrees to make to develop the Industrial Park which will supersede and take the place of all prior motions and acts by Scottsbluff.

**NOW, THEREFORE**, the Mayor and the City Council of the City of Scottsbluff, by a majority vote, resolves the following:

1. As a sign of continuing support for the Industrial Park and as its contribution to the development of the Industrial Park, Scottsbluff now commits and allocates an amount of its Funds, up to \$1,000,000.00, to one or more Qualifying Businesses as defined in Scottsbluff's Economic Development Plan which purchases or proposes to purchase real estate in the Industrial Park.
2. A Qualifying Business which purchases or proposes to purchase all or a portion of the real estate located in the Industrial Park may apply for assistance from the Economic Development Program of Scottsbluff. It is intended that both, Gering and Scottsbluff, may hold joint meetings of their Citizen Advisory Committees to review and approve applications from a Qualifying Business. However, this would not preclude either City from acting solely in the event an application is received by one City. Scottsbluff will utilize its normal process and procedures to determine whether or not an applicant for Funds will be eligible as a Qualifying Business. Scottsbluff will utilize its Application Review Committee to review and determine the amount of grants and/or loans for assistance to those applicants. Review of the performance by the applicant shall be conducted independently by Scottsbluff through its Citizens Advisory Review Committee.
3. This action is being incorporated into a Resolution in order to send a copy to Gering memorializing the action taken and the Mayor of Scottsbluff is authorized by the City Council to sign this Resolution.

PASSED AND APPROVED this 5<sup>th</sup> day of February, 2018.

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Mayor

Attest:

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City Clerk

(Seal)

Under Council Reports, Council Member Gonzales reported that the PADD meeting is next Thursday; Mayor Meininger reported that the Senior Center meets next Tuesday.

Moved by Council Member Colwell, seconded by Council Member McCarthy, "to adjourn the meeting at 6:40 p.m.," "YEAS", Meininger, Gonzales, McCarthy, Colwell, "NAYS" None. Absent: Shaver.

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Mayor

Attest:

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City Clerk  
"SEAL"