

City of Scottsbluff, Nebraska

Tuesday, May 30, 2017

Regular Meeting

Item Consent1

Approve the minutes of the May 15, 2017, Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

Regular Meeting
May 15, 2017

The Scottsbluff City Council met in a regular meeting on May 15, 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 May 12, 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 May 12, 2017.

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: Randy Meininger, Raymond Gonzales, Scott Shaver, 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 Gonzales seconded by Mayor Meininger that:

1. "The minutes of the May 1, 2017, Regular Meeting be approved,"
2. "A public hearing be set for May 30, 2017, 6:05 p.m. to consider the Class D Liquor License application for Carol D. Singh, dba Cheema's Gas & Liquor, 2002 Ave. I, Scottsbluff, NE,"
3. "The plans and specifications for the Airport Industrial Tracts Drainage Improvement Project be approved and authorize the city clerk to advertise for bids to be received by 2:00 p.m. June 7, 2017," "YEAS", Meininger, Colwell, McCarthy and Gonzales "NAYS" Shaver. Absent: None.

Mayor Meininger declared a conflict of interest regarding the payment to Regional West Medical Center in the amount of \$148,725.00. Moved by Council Member Shaver, seconded by Council Member McCarthy, "to recognize Mayor Meininger's conflict of interest for the claim to Regional West Medical Center and excuse him from discussion or voting on this item," "YEAS", Meininger, Colwell, Shaver, McCarthy and Gonzales, "NAYS" None. Absent: None.

Moved by Council Member McCarthy, 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 May 15, 2017, as on file with the City Clerk and submitted to the City Council,"

CLAIMS

ACCELERATED RECEIVABLES SOLUTIONS,WAGE ATTACHMENT,519.82; ACCURACY INC, FIREARMS SUPPL,1759.49; ACTION COMMUNICATIONS INC.,EQUIP MAINT,140; ALLO COMMUNICATIONS, LLC,LOCAL TELEPHONE CHARGES,4479.57; ANITA'S GREENSCAPING

INC, BID CNTRCL SRVCS,1261.11; ANTHONY J MURPHY,MEALS CAD TRIP TO GILLETTE-MURPHY, 39; ASSURITY LIFE INSURANCE CO,LIFE INS,32.95; AUTOZONE STORES, INC,EQUIP MAINT, 88.97; B & H INVESTMENTS, INC,SUPP - WATER FOR TRANS,200.5; B&C STEEL CORPORATION, SUPP - REBAR,5.72; BLUFFS SANITARY SUPPLY INC.,DEPT SUPP,1191.97; BROADWAY CARWASH,VEH MAINT,35; BRODERICK, MATTHEW,SCHOOLS & CONF,84; CAPITAL BUSINESS SYSTEMS INC.,CIP-PO COPIER,6053.43; CARR- TRUMBULL LUMBER CO, INC.,DEPT SUP,6.2; CELLCO PARTNERSHIP,MONTHLY CELLS FIRE,372.3; CENCON, LLC,CONTRACTUAL SVC,750; CHILD SUPPORT,NE CHILD SUPPORT,37; CITIBANK N.A.,DEPT SUP,215.34; CITY OF GERING, DISPOSAL FEES,43645.87; CITY OF SCB,PETTY CASH,113.2; CLARK PRINTING LLC,DEPT SUPP, 853.21; COMPUTER CONNECTION INC,RENT-MACH,44; CONSOLIDATED MANAGEMENT COMPANY, SCHOOLS & CONF,112.87; CONTRACTORS MATERIALS INC.,SUPP - BANDING FOR SIGNS, 261.66; CRESCENT ELECT. SUPPLY COMP INC,ELECTRICAL MAINT,158.17; CYNTHIA GREEN, DEPT SUP,29.51; DALE'S TIRE & RETREADING, INC.,VEHICLE MTNC,689.18; DAS STATE ACCOUNTING-CENTRAL FINANCE,MONTHLY LONG DISTANCE,164.81; DAVID M GLENN JR., SCHOOLS & CONF,84; DILLMAN NANCY, PRGRM,71.76; DOOLEY OIL INC,OIL & ANTIFREEZE, 117.94; DOUBLE TREE BY HILTON HOTEL- LAWRENCE,SCHOOL & CONF,305.55; DUANE E. WOHLERS, DISPOSAL FEES,900; ENERGY LABORATORIES, INC,SAMPLES,135; FASTENAL COMPANY,SUPP - NUTS & BOLTS FOR SIGNING,27.57; FAT BOYS TIRE AND AUTO, TIRE MOUNT/DISMOUNT ON DUMP TRUCK,36; FEDERAL EXPRESS CORPORATION, POSTAGE, 576.39; FERGUSON SIGNS, INC,DEPT SUPP,875; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC, 594.1; FRANCISCO MAREZ,CONTRACTUAL,126; FREMONT MOTOR SCOTTSBLUFF, LLC,EQUIP MTNC, 9.44; FYR-TEK INC, BUNKER GEAR - LAURUHN AND GABIS,4094.4; GALLS INC, UNIFORMS, 254.94; GENERAL ELECTRIC CAPITAL CORPORATION,CAR SEAT GRANT,483.28; GILBERT CARRIZALES,CONTRACTUAL,108; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC, 695; H D SUPPLY WATERWORKS LTD,METERS,754.33; HAWKINS, INC., CHEMICALS, 3762.25; HD SUPPLY FACILITIES MAINTENANCE LTD, DEPT SUP, 712.24; HENWIL CORPORATION, CHEMICALS,5290.54; HIRERITE LLC,CONTRACT SERVICES,150; HOA SOLUTIONS, INC,EQUIP MAINT,1242; HULLINGER GLASS & LOCKS INC.,DEPT SUPP,117; IDEAL LAUNDRY AND CLEANERS, INC.,JANITORIAL SUPP,1210.39; INDEPENDENT PLUMBING AND HEATING, INC,BLDG MAINT,250.64; INGRAM LIBRARY SERVICES INC,BKS,1021.78; INTERNAL REVENUE SERVICE,WITHHOLDINGS,58689.99; INTRALINKS, INC,CONTRACT SERVICES, 2547.08; INVENTIVE WIRELESS OF NE, LLC,CONTRACTUAL,54.95; IOWA PUMP WORKS INC, EQUIP MAINT,3545; JACOB MCLAIN,CONTRACTUAL,90; JOHN DEERE FINANCIAL,DEPT SUPP, 91.98; JOHN DEERE FINANCIAL,EQUIP MAINT,184.25; KAMAN CHERYL,CONTRACTUAL,1000; KING WILLIAM,FIREARMS RANGE SUPPL,41.93; KIRK BERNHARDT,CONTRACTUAL,18; KNOW HOW LLC,EQUIP MTNC,1968.72; KRIZ-DAVIS COMPANY,SUPP - BALLAST,56.55; LEAGUE OF NEBRASKA MUNICIPALITIES,NCMA CONFERENCE REGISTRATION,105; LODGING OPPORTUNITY FUND II LLLP,SCHOOL & CONF,118.74; M.C. SCHAFF & ASSOCIATES, INC,PROFESSIONAL SERVICES - 42ND ST,42984.75; MADISON NATIONAL LIFE,LIFE INS,2008.05; MAILFINANCE INC,CONT. SRVCS.,514.76; MARIE'S EMBROIDERY,UNIFORMS,9; MARIO SOLORZANO III,CONTRACTUAL,18; MATHESON TRI-GAS INC,RENT - MACHINES,45.58; MATTHEW

BENDER & COMPANY INC,PUBLICATIONS,316.56; MENARDS, INC,BLDG MAINT,658.12; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,5161.41; MIDWEST AUTO SUPPLY INC,VEH MAINT,185; NATHAN PARRISH,NATHAN PARRISH MEAL FOR CAR SEAT CLASS TRAVEL,15; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE, 1536.18; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,75.5; NE DEPT OF REVENUE, WITHHOLDINGS,17458.66; NEBRASKA INTERACTIVE, LLC,RECORDS REQUEST,33; NEBRASKA MACHINERY CO,NEW BACKHOE INDUSTRIAL LOADER,75256.39; NEBRASKA PUBLIC POWER DISTRICT, ELECTRIC, 38457.55; NELSON TRENT,DEPT SUPPLIES,200.85; NEOPOST USA INC, CONTRACTUAL,1726.52; NETWORKFLEET, INC,SUPP - MONTHLY GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUP, 273.96; OCLC ONLINE COMPUTER LIBRARY CENTER, INC, CONT. SRVCS.,339.44; ONE CALL CONCEPTS, INC, CONTRACTUAL, 156.96; OPEN DOOR COUNSELING LLC,ECONOMIC DEVELOPMENT ASSISTANCE, 20000; OREGON TRAIL PLUMBING, HEATING & COOLING INC,FACILITY REPAIR, 2432; PANHANDLE CONCRETE PRODUCTS, INC,DEPT SUP,765; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,15564.74; PANHANDLE ENVIRONMENTAL SERVICES INC, SAMPLES, 126; PAUL REED CONSTRUCTION & SUPPLY, INC,STRUCTURE,24842.18; PLATTE VALLEY BANK, HSA,15167.99; POSTMASTER,POSTAGE,899.66; QUICK CARE MEDICAL SERVICES, PHYSICAL FOR VOLUNTEER SCHAUB,125; REGIONAL CARE INC,CLAIMS,38103.56; REPCO MARKETING, INC,EQUIP MAINT,44.25; RICHARD P CASTILLO,CONTRACTUAL,72; ROBERT GARCIA,CONTRACTUAL,108; S M E C,EMP DEDUCTION,194.5; SANDBERG IMPLEMENT, INC,BLADE FOR KILPHER,204.05; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCOTTIES POTTIES INC,CONTRACTUAL,850; SCOTTSBLUFF BODY & PAINT,TOWING,385; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION,POLICE EE DUES,552; SHERWIN WILLIAMS,SUPP - PAINT STRAINERS,20.48; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,12486.79; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR,6730.75; SNELL SERVICES INC.,BLDG MAINT,304.85; SONNY'S TOWING,TOWING,300; STUDIOINSITE LLC, PROFESSIONAL SERVICES - CDBG GRANT 17-015,19944; THE CHICAGO LUMBER COMPANY OF OMAHA INC,GROUND MAINT,240.84; TORRINGTON SOD FARMS,GROUND MAINT,345.6; TOYOTA MOTOR CREDIT CORPORATION,HIDTA CAR LEASE,365.69; TRI-STATE SPRINKLER SYSTEMS, LLC,BID CNTRCL SRVCS,360; UNITED STATES WELDING, INC,DEPT SUPPLIES,37.74; US BANK,EXENSE - HEARTLAND EXPRESSWAY,1617.99; VANTAGEPOINT TRANSFER AGENTS-300793,DE COMP,695; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,530; VERIZON WIRELESS-LERT B,CELL PHONE FOR ON CALL,16.27; WELLS FARGO BANK, N.A.,RETIREMENT,31484.94; WESTERN COOPERATIVE COMPANY,DEPT SUP,119.15; WESTERN LIBRARY SYSTEM,MTG FEE,18; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TESTING,247.5; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,263.78; YOUNG MEN'S CHRISTIAN ASSOCIATION OF SCOTTSBLUFF, NE,YMCA,1692.5; REFUNDS: GABRIELA RUBIO 89.05; JTAM PROPERTIES LLC 14.73.

Moved by Council Member McCarthy, seconded by Council Member Colwell, “to approve the payment to Regional West Medical Center, in the amount of \$148,725.00 from the LB840 fund for Economic Development,” “YEAS”, Colwell, Shaver, McCarthy and Gonzales, “NAYS” None. Abstain: Meininger.

Absent: None.

Council introduced Ordinance No. 4210 providing for an occupational tax on hotel accommodations which was read by title on third reading: **AN ORDINANCE PROVIDING FOR A NEW OCCUPATION TAX ON HOTEL ACCOMMODATIONS; REPEALING PRIOR SECTIONS LOCATED IN CHAPTER 6, ARTICLE 6 AND CHAPTER 11, ARTICLE 2 OF THE SCOTTSBLUFF MUNICIPAL CODE, AND PROVIDING PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE.**

Council Member Colwell asked if we have a plan in place to also collect the occupational tax from accommodations such as Airbnb and campgrounds. City Manager Johnson explained that we do have a plan and will be sending letters to these types of facilities. Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve adoption of Ordinance No. 4210, providing for an occupational tax on hotel accommodations," "YEAS", Colwell, Shaver, McCarthy and Gonzales, "NAYS" Meininger. Absent: None.

Council introduced Ordinance No. 4211 annexing land located West of Ave. I, North of 27th Street and South of Highway 26 which was read by title on third reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, ANNEXING TRACTS OF LAND KNOWN AS BLOCK 1, ALF ADDITION, AN ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF AND THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2 SE1/4) OF SECTION FIFTEEN, TOWNSHIP TWENTY-TWO (22) NORTH, RANGE FIFTY-FIVE (55) WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.**

Mr. Johnson explained that this annexation fits in with the Five-Year Annexation plan, which has been provided to all Council Members. Moved by Council Member Colwell, seconded by Mayor Meininger, "to approve adoption of Ordinance No. 4211, annexing land located West of Ave. I, North of 27th Street and South of Highway 26," "YEAS", Meininger, Colwell, McCarthy and Gonzales "NAYS" Shaver. Absent: None.

Council introduced the Ordinance amending the Scottsbluff Economic Development Plan to provide for additional qualifying businesses which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE TO PROVIDE FOR THE POWERS OF THE COMMUNITY REDEVELOPMENT AUTHORITY.**

Mayor Meininger opened the public hearing as scheduled for this date to consider Annexation by Plat of Hilltop Estates, situated South of 42nd Street and East of Fairview Cemetery. City Manager Johnson explained that as part of the final plat of Hilltop Estates, the owners have requested that this development with 41 residential lots, be annexed into the City. The Planning Commission gave this request a positive recommendation at their April 24, 2017 meeting. There were no comments from the public. Mayor Meininger closed the public hearing at 6:11 p.m. Moved by Council Member Gonzales, seconded by Council Member McCarthy, "to approve Resolution No. 17-05-04 approving the Annexation by Plat of Hilltop Estates," "YEAS", Meininger, Colwell, McCarthy and Gonzales "NAYS" Shaver. Absent: None.

RESOLUTION 17-05-04

WHEREAS, a request has been submitted by Kosman, Inc., a Wyoming corporation and Kosman Investments, LLC, a Nebraska Limited Liability Company, as the owners for the inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a tract of land situated in the NW3 of Section 13, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

A PARCEL OF LAND CONTAINING 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 22 NORTH,

RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHENCE NORTH QUARTER BEARS SOUTH 88°08'36" EAST, A DISTANCE OF 2661.46 FEET, THENCE SOUTH 88°08'36" EAST, A DISTANCE OF 1491.48 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND THE PROPERTY DESCRIBED AT INSTRUMENT NUMBER 2016-3789 OF THE SCOTTS BLUFF COUNTY RECORDS, THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF THE PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789, SOUTH 02°16'11" WEST, A DISTANCE OF 1066.20 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789 AND TO A RECORD CORNER SHOWN ON RECORD OF SURVEY COMPLETED BY LS 476 ON APRIL 21, 1992 OF THE FAIRVIEW CEMETERY;

THENCE CONTINUING ALONG SAID RECORD OF SURVEY THE FOLLOWING COURSES (3) THREE COURSES:

1. SOUTH 02°16'11" WEST, A DISTANCE OF 3.00 FEET;
2. THENCE SOUTH 55°32'59" EAST, A DISTANCE OF 65.80 FEET;
3. THENCE SOUTH 40°29'00" EAST, A DISTANCE OF 242.48 FEET (MEASURED) TO A POINT ON THE NORTH LINE OF BLOCK 6 MCKINLEY FOURTH ADDITION RECORDED AT BOOK 120, PAGE 144 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG SAID NORTH LINE OF SAID BLOCK 6, SOUTH 88°14'16" EAST, A DISTANCE OF 953.09 FEET TO A POINT AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AT INSTRUMENT NUMBER 2006-1130 OF THE SCOTTS BLUFF COUNTY RECORDS AND BEING ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 13;

THENCE ALONG SAID NORTH-SOUTH CENTERLINE OF SECTION 13 NORTH 02°07'24" EAST, A DISTANCE OF 842.76 FEET TO A POINT AT THE SOUTHEAST CORNER OF HILLTOP ESTATES BLOCK 2 RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 2, NORTH 88°16'38" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH WEST CORNER OF SAID BLOCK 2;

THENCE ALONG THE WEST LINE OF SAID BLOCK 2, NORTH 02°07'23" EAST, A DISTANCE OF 440.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 42ND STREET AS PLATTED THE HILLTOP ESTATES SUBDIVISION RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE NORTH 88°08'36" WEST, A DISTANCE OF 569.69 FEET;

THENCE NORTH 01°51'03" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, NORTH 88°08'36" WEST, A DISTANCE OF 400.05 FEET;

THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS.

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on April 24, 2017 on the approval of a plat and inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits and recommend the Scottsbluff City Council approve the plat and request to include within the corporate limits; and

WHEREAS, said request to include the land within the corporate limits was duly signed by the owners of the real estate affected with the express intent of platting the real estate as Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; and

WHEREAS, a public hearing was held by the Scottsbluff City Council relating to the request on May 15, 2017, to approve the plat and deem the addition to be included within the corporate limits as it was advantageous to and in the best interests of the City of Scottsbluff.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska that the plat of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, pursuant to Section 19-916 of the Nebraska Revised Statutes and Section 21-1-61 of the Scottsbluff Municipal Code shall be included within the corporate limits for the City of Scottsbluff, Scotts Bluff County, Nebraska shall be and become a part of said City for all purposes whatsoever, that the inhabitants of said addition shall be entitled to all the rights and privileges, and shall be subject to all of the laws, ordinances, rules and regulations of the City of Scottsbluff, Nebraska.

BE IT FURTHER RESOLVED that the inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5, Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits of the City of Scottsbluff, Nebraska is subject to the final plat being filed with the Scotts Bluff County Register of Deeds.

PASSED AND APPROVED this 15th day of May, 2017.

Mayor

ATTEST:

Mr. Johnson presented the Developers Agreement for the Hilltop Development, Kosman Investments, LLC. He pointed out the Stormwater Fee of \$1.50 per square foot, which is part of the new State requirement. The developers have also agreed to the requirements in the agreement. Moved by Council Member McCarthy, seconded by Council Member Gonzales, "to approve the Developer's Agreement for Hilltop Estates and authorize the Mayor to execute the agreement," "YEAS", Meininger, Colwell, Shaver, McCarthy and Gonzales, "NAYS" None. Absent: None.

Mr. Johnson presented the Final Plat for Hilltop Estates for 41 residential lots; this plat meets all city requirements. Moved by Mayor Meininger, seconded by Council Member Shaver, "to approve the Final Plat for Hilltop Estates, situated South of 42nd Street and East of Fairview Cemetery and approve Resolution No. 17-05-05," "YEAS", Meininger, Colwell, Shaver, McCarthy and Gonzales, "NAYS" None. Absent: None.

RESOLUTION 17-05-05

WHEREAS, a request has been submitted by Kosman, Inc., a Wyoming corporation and Kosman Investments, LLC, a Nebraska Limited Liability Company, as the owners for the inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5 Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits and boundaries of the City of Scottsbluff, Nebraska, and said real estate being described as a tract of land located in the NW3 of Section 13, Township 22 North, Range 55 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows:

A PARCEL OF LAND CONTAINING 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS, IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST, OF THE 6TH PRINCIPAL MERIDIAN, IN SCOTTS BLUFF COUNTY, NEBRASKA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHENCE NORTH QUARTER BEARS SOUTH 88°08'36" EAST, A DISTANCE OF 2661.46 FEET, THENCE SOUTH 88°08'36" EAST, A DISTANCE OF 1491.48 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND THE PROPERTY DESCRIBED AT INSTRUMENT NUMBER 2016-3789 OF THE SCOTTS BLUFF COUNTY RECORDS, THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF THE PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789, SOUTH 02°16'11" WEST, A DISTANCE OF 1066.20 FEET TO THE SOUTHWEST CORNER OF SAID PROPERTY DESCRIBED AT SAID INSTRUMENT NUMBER 2016-3789 AND TO A RECORD CORNER SHOWN ON RECORD OF SURVEY COMPLETED BY LS 476 ON APRIL 21, 1992 OF THE FAIRVIEW CEMETERY;

THENCE CONTINUING ALONG SAID RECORD OF SURVEY THE FOLLOWING COURSES (3) THREE COURSES:

1. SOUTH 02°16'11" WEST, A DISTANCE OF 3.00 FEET;
2. THENCE SOUTH 55°32'59" EAST, A DISTANCE OF 65.80 FEET;
3. THENCE SOUTH 40°29'00" EAST, A DISTANCE OF 242.48 FEET (MEASURED) TO A POINT ON THE NORTH LINE OF BLOCK 6 MCKINLEY FOURTH ADDITION RECORDED AT BOOK 120, PAGE 144 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG SAID NORTH LINE OF SAID BLOCK 6, SOUTH 88°14'16" EAST, A DISTANCE OF 953.09 FEET TO A POINT AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AT INSTRUMENT NUMBER 2006-1130 OF THE SCOTTS BLUFF COUNTY RECORDS AND BEING ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 13;

THENCE ALONG SAID NORTH-SOUTH CENTERLINE OF SECTION 13 NORTH 02°07'24" EAST, A DISTANCE OF 842.76 FEET TO A POINT AT THE SOUTHEAST CORNER OF HILLTOP ESTATES BLOCK 2 RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID BLOCK 2, NORTH 88°16'38" WEST, A DISTANCE OF 200.00 FEET TO THE SOUTH WEST CORNER OF SAID BLOCK 2;

THENCE ALONG THE WEST LINE OF SAID BLOCK 2, NORTH 02°07'23" EAST, A DISTANCE OF 440.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF 42ND STREET AS PLATTED THE HILLTOP ESTATES SUBDIVISION RECORDED AT BOOK 125, PAGE 312 OF THE SCOTTS BLUFF COUNTY RECORDS;

THENCE NORTH 88°08'36" WEST, A DISTANCE OF 569.69 FEET;

THENCE NORTH 01°51'03" EAST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, NORTH 88°08'36" WEST, A DISTANCE OF 400.05 FEET;

THENCE SOUTH 02°16'11" WEST, A DISTANCE OF 50.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1,409,935 SQ. FT. (32.37 ACRES), MORE OR LESS.

WHEREAS, the Scottsbluff City Planning Commission has received a request and held a public hearing on April 24, 2017 on the approval of a plat and inclusion of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5 Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision within the corporate limits and recommend the Scottsbluff City Council approve the plat and request to include within the corporate limits; and

WHEREAS, said request to include the land within the corporate limits was duly signed by the owners of the real estate affected with the express intent of platting the real estate as Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5 Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska; and

WHEREAS, a public hearing was held by the Scottsbluff City Council relating to the request on May 15, 2017, to approve the plat and deem the addition to be included within the corporate limits as it was advantageous to and in the best interests of the City of Scottsbluff.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Scottsbluff, Nebraska that the plat of Lots 1-13, Block 3, Lots 1-8, Block 4, Lots 1-5 Block 5 and Lots 1-3, Block 6, Lots 1-12 and Tracts B & C, Block 7, Hilltop Estates Subdivision, an Addition to the City of Scottsbluff, Scotts Bluff County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved and that the Mayor of the City of Scottsbluff, Nebraska shall be and is authorized and directed to execute the final plat on behalf of the City of Scottsbluff, Nebraska.

PASSED AND APPROVED this 15TH day of May, 2017.

Mayor

ATTEST:

City Clerk (Seal)

Regarding the Business Promotional Event for Legion Combat Sports and Shots Bar and Grill, which was initially presented at the May 1, 2017 meeting, City Manager Johnson explained that city staff, including Transportation and Public Safety officials, have met with the organizers of the event. They have worked out many of the concerns voiced at the May 1st meeting. The organizers are preparing tickets for 3,000 attendees to this event; they will provide 32 security guards and our Police Department will provide 4 additional officers, which will be paid by the organizers. Staff feels it's a worthwhile event, and will utilize the downtown facilities which have been renovated.

Mayor Meininger declared a potential conflict of interest, as staff from his business, Valley Ambulance, will be working during the event. Moved by Council Member Shaver, seconded by Council Member Colwell, "to recognize Mayor Meininger's conflict of interest regarding the Business Promotional Event for Legion Combat Sports and Shots Bar and Grill, and excuse him from discussion or voting on this item," "YEAS", Meininger, Colwell, Shaver, McCarthy and Gonzales, "NAYS" None. Absent: None.

Geno Bolger with Legion Combat Sports explained that they have worked on exit routes with the Fire Marshal and feel they will be able to handle up to 3,000 attendees. Chad Leeling with Shots Bar and Grill added that they are confining the alcohol sales to a designated area. Chief Kevin Spencer commented that the Police Department has been working with the organizers and have ironed out many of their concerns, however, noted that there is still potential for noise complaints. Council Member Colwell asked about liability insurance for the event and surrounding area. Mr. Bolger informed the Council that his company has a \$1.5 million liability insurance policy, in addition to the insurance that covers the fighters. He added that he contacted the downtown business owners and the majority of them were excited about the event.

Public Works Director Mark Bohl said the street project is going good and they hope to be done with the 18th Street Intersection soon, weather permitting. Mr. Billy Estes, Midwest Theater, was concerned about traffic on Broadway, as there is a movie planned for that evening. The street will be coned, with a provision for parking. Mr. Leeling also added that they will not serve alcohol after 12:30 a.m.

Moved by Council Member Shaver, seconded by Council Member Gonzales, "to approve the Business Promotional Event Permit for Legion Combat Sports / Shots Bar and Grill, for MMA Fights and

Street Dance on Broadway between 17th and 19th Street and 18th Street on June 17, 2017 from 5:00 p.m. to 1:00 a.m.,” “YEAS”, Colwell, Shaver, McCarthy and Gonzales, “NAYS” None. Abstain: Meininger. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, “to approve a Special Designated Liquor License for SHOTS Bar and Grill for a beer garden at the MMA Fights on June 17, 2017 from 2:00 p.m. to 1:00 a.m.,” “YEAS”, Colwell, Shaver, McCarthy and Gonzales, “NAYS” None. Abstain: Meininger. Absent: None.

Mr. Johnson presented his contract for Council’s consideration. Council Member Gonzales asked the City Manager to bring back a set of goals for the upcoming year. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve the City Manager’s Contract, including an addendum with goals for the 2017-2018 year,” “YEAS”, Meininger, Colwell, Shaver, McCarthy and Gonzales, “NAYS” None. Absent: None.

2017-2018 Budget Workshop

City Manager Johnson began the FY2017-2018 Budget Workshop by thanking staff for their help during the budget process. All employees have helped with issues faced over the last fiscal year. Finance Director Liz Hilyard has done an excellent job working on the budget and he noted she is one of the best Finance Directors in the state.

The following items were discussed for FY 2017-2018

- Increase to Health Insurance – 4%
- Predictions show a 5% increase in property, liability and workers compensation insurance
Staff is working on potential savings from increased deductible and removal of over-insured vehicles and equipment.
- Potential utility rate increases:
 - Environmental Services 3%
 - Stormwater Surcharge 25%
 - Wastewater 3%
 - Water 3%

This equates to an estimated total monthly increase of \$1.85.

Council direction last year was to pay cash for projects in the utility fund, which now requires increases in utilities to replace this cash and continue paying cash for projects.

Two of these projects are 42nd Street; and the Broadway water main, of which 25% will be paid in the current Fiscal Year and 75% next Fiscal Year.

- Compost facility –We are paying cash for the improvements to the compost facility to make a Grade A compost facility. We need to consider an increase in rates to maintain the current yard waste container expense.
- Debt service options –42nd Street will require a \$3.8 million bond, after paying \$1 million in cash from wastewater and \$.5 million in cash from Stormwater. Staff’s recommendation is to proceed with a 7 year note to pay off this bond. The Bond rate is a 3% tiered rate.
Council concurred with staff’s recommendation and directed staff to move forward with 42nd Street.
- Mr. Johnson reviewed all Utility Fund Capital Improvement Projects (CIP); General Fund CIP’s were all pushed back or moved to other special revenue funds if available.
- Staff is recommending the following Cost of Living Adjustment (COLA) increases for general employees. For the second year in a row, wages have been negotiated and verbally agreed upon prior to the Budget Workshop.
Fire Union negotiations agreed to a 3% COLA.
Police Union negotiations agreed to a 1% COLA

Due to statutory requirements with the Court of Industrial Relations (CIR) the goal is to have both Police and Fire Unions within 98% - 102% of the array with comparable communities. Staff is recommending a General Employee COLA of 3% to get employees in line with comparable communities. Through attrition, the City is increasing employee efficiencies and combining jobs, resulting in a savings for the City.

Management has included the addition of a corporal level position, providing for advancement and retention within the Police Department.

- Based on predictions, we will be \$874,000 under-budget this fiscal year of due to efficiencies and creativity, which is substantial for our current year budget.
- Finance Director Hilyard has researched the expenses in the general fund which can be paid by other funds to improve the general fund balance. This will result in changes to our Ordinances with Council direction. Staff is also making adjustments to the Cemetery Fund Fee Ordinance, as there continues to be a shortfall in this fund.
Council agreed to have staff bring those Ordinances back for consideration.
- Mr. Johnson has created a Grant Review Team to monitor activity and regulations of grants to help with fiscal plans relating to any matching funds.
Staff is working on a Resolution to transfer funds from the Industrial Site to use as matching funds for Phase 2 of the East Overland Project. Council concurred with this decision.
- Regarding Economic Development, Council is interested in pursuing an Economic Development Director, of which funds have been allocated.

Council Member Shaver asked for a budget projection without the \$1.85 utility increase. Council Member Gonzales asked staff to look at outside contracts and their impact. Staff will bring these items back to Council.

Under Public Comments – Nathan Green, resident, asked the public works department to look at the soggy streets due to Stormwater management issues to prevent problems in unposted areas.

Under Council Reports, Council Member Colwell commented that he attend the Public Private Partnerships Conference in San Diego. Mayor Meininger announced that the last 911 site visit is this week. Council Member Shaver commented on Scottsbluff High School Graduation.

Moved by Council Member Colwell, seconded by Mayor Meininger, “to adjourn the meeting at 7:55 p.m.,” “YEAS”, Meininger, Colwell, McCarthy and Gonzales, “NAYS” Shaver. Absent: None.

Mayor

Attest:

City Clerk
“SEAL”