

# **City of Scottsbluff, Nebraska**

**Monday, July 3, 2017**

**Regular Meeting**

## **Item Consent1**

**Approve the minutes of the June 19, 2017 Regular Meeting.**

**Staff Contact: Cindy Dickinson, City Clerk**

The Scottsbluff City Council met in a regular meeting on June 19, 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 June 16, 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 June 16, 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, Scott Shaver, Mark McCarthy, Raymond Gonzales 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 McCarthy seconded by Council Member Colwell that:

1. "The minutes of the June 5, 2017, Regular Meeting be approved,"
2. "The absence of Council Member Gonzales from the June 5, 2017 Regular Meeting be approved," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS", Shaver. Absent: None.

Moved by Council Member McCarthy, seconded by Council Member Shaver, "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 June 19, 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

ACCU CUT,DEP. SUP.,64; ACTION COMMUNICATIONS INC.,INTERNET SERVICE (6/1/17 - 6/30/17),55; ADVERTISING SPECIALTIES LLC,DEP. SUP.,420.37; AIRGAS USA, LLC,DEPT SUPPLIES,20.4; ALARM SECURITY TECHNICIANS,BUILDING MTNC,5082.36; ALLO COMMUNICATIONS,LLC,CIP PATROL CARS,3330.93; ANITA'S GREENSCAPING INC,BID PRKNG LOTS, 1261.11; AUTOZONE STORES, INC,EQUIP MTNC,572.88; B & H INVESTMENTS, INC,SUPP - WATER,257.5; B&C STEEL CORPORATION,EQUIP MAINT,5.72; BATT COREY E,EQUIP MAINT,462; BIBEROS JOSEPH,CONTRACTUAL,90; BIBLIOTHECA LLC,EQUIP. MAIN.,1075; BLUFFS SANITARY SUPPLY INC.,DEPT SUPP,785.98; CAPITAL BUSINESS

SYSTEMS INC.,CONT. SRVCS.,546.65; CARR- TRUMBULL LUMBER CO, INC.,DEPT SUP,91.75; CASH WA DISTRIBUTING,CONCESSIONS,2955.45; CELLCO PARTNERSHIP,CELL PHONES, 156.8; CHANDLER BRIAN,TREE REBATE,150; CHILD SUPPORT,CHILD SUPPORT, 37; CITIBANK N.A.,EQUIP MAINT,398.9; CITY OF GERING, DISPOSAL FEES,49250.6; CLARK PRINTING LLC,LABELS FOR FIRE MARSHAL, 423.85; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,INSURANCE,48.7; CONSOLIDATED MANAGEMENT COMPANY SCHOOLS/CONF,95.39; CONTRACTORS MATERIALS INC.,SUPP - BROOM HEADS, RAKE, MARKERS,226.54; CREDIT BUREAU OF COUNCIL BLUFFS,FEE,150; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,119.63; CROELL INC,CONCRETE FOR STREET REPAIR,2339.24; CYNTHIA GREEN,DEP. SUP.,33.06; D & H ELECTRONICS INC.,EQUIPMENT REPAIRS,6.95; DALE'S TIRE & RETREADING, INC.,EQUIP MAINT,280.59; DILLMAN NANCY,DEP. SUP.,85.44; DOOLEY OIL INC,OIL & ANTIFREEZE,42.03; DUANE E. WOHLERS, DISPOSAL FEES,450; EBSCO INDUSTRIES, INC,SUBSCR.,1080; ELLIOTT EQUIPMENT COMPANY INC.,DEPT SUPPLIES,6947.75; FASTENAL COMPANY,EQUIP MTNC,9; FAT BOYS TIRE AND AUTO,EQUIP MTNC,1416; FLOYD'S TRUCK CENTER, INC,EQUIPMENT,173158.98; FRANCISCO MAREZ,CONTRACTUAL,270; FREMONT MOTOR SCOTTSBLUFF, LLC,EQUIP MTNC,381.21; GALE/CENGAGE LEARNING,SUBSCR.,1678.56; GARTON, LYNN,SCHOOL & CONF,104; GENERAL ELECTRIC CAPITAL CORPORATION,EQUIP MAINT,1148.93; GILBERT CARRIZALES,CONTRACTUAL,162; GLOBAL EQUIPMENT COMPANY INC,KENO,4358.54; GRAY TELEVISION GROUP INC,CONTRACTUAL SVC,695; GREAT LAKES HIGHER EDUCATION GUARANTY CORP,WAGE ATTACHEMENT,185.82; HAWKINS, INC., CHEMICALS,4268.9; HELENA CHEMICAL COMPANY,CONTRACTUAL SVC,4596.86; HOLIDAY INN - KEARNEY,SCHOOLS/CONF,189.9; IDEAL LAUNDRY AND CLEANERS, INC., DEPT SUPP,1650.3; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT,311.66; INGRAM LIBRARY SERVICES INC,BKS.,1350.6; INTERNAL REVENUE SERVICE,WITHHOLDINGS, 65176.54; INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION-HR, EXAM MATERIALS - POLICE OFFICER,284; INTRALINKS, INC, CONTRACT SERVICES - MAY 2017, 1987.5; INVENTIVE WIRELESS OF NE, LLC,CONTRATUAL, 54.95; JACOB MCLAIN,CONTRACTUAL,54; JACOBS AUTO GLASS,NEW WINDSHIELD FOR 2000 FORD EXPLORER,175; JEROLD E. HIGEL,TRAFFIC SIGNAL & CONTROLLER SERVICE,3077; JOHN DEERE FINANCIAL,DEPT SUP,67.9; KAMAN CHERYL,CONTRACTUAL,1000; KEMBEL SAND & GRAVEL COMPANY,DEPT SUPP,34.23; KIRK BERNHARDT,CONTRACTUAL,72; KNOW HOW LLC,EQUIP MTNC,989.87; KRIZ-DAVIS COMPANY, EQUIP MAINT,243.86; KUSTOM SIGNALS, INC,EQUIP MAINT,258.73; LEXISNEXIS RISK DATA MANAGEMENT,CONTRACTUAL,100; LINDAL & CAROL LULF,TREE REBATE, 95; M.C. SCHAFF & ASSOCIATES, INC,DEV CNTRCL SRVCS,3720.5; MARIO SOLORZANO III, CONTRACTUAL,90; MATHESON TRI-GAS INC,RENT MACHINES, 46.67; MENARDS, INC,ELECTRICAL MAINT,453.99; MIDLANDS NEWSPAPERS, INC,LEGAL PUBLISHING,829.15; MIDWEST MOTOR SUPPLY CO INC,DEPT SUPPLIES,169; MIKESSELL L JO,CONTRACTUAL,400; MILLER TERRY OR BARBARA,TREE REBATE,150; MONUMENT PREVENTION COALITION,CONTRACT,1879.88; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1536.18; NE DEPT OF REVENUE,WITHHOLDINGS,17577.12; NEBRASKA MACHINERY CO,DEPT SUP,11.68; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC, 37341.87; NEMNICH AUTOMOTIVE,EQUIP MTNC,158.26; NEOPOST, POSTAGE, 1000; NETWORKFLEET, INC,SUPP - GPS SERVICE,18.95; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,DEPT SUPP,90.84; NWEA,SCHOOL & CONF,60; OCLC ONLINE COMPUTER LIBRARY CENTER, INC, CONT. SRVCS.,339.44; OREGON TRAIL

PLUMBING, HEATING & COOLING INC, EQUIP MAINT,2285; PANHANDLE COOPERATIVE ASSOCIATION, OTHER FUEL, 20128.73; PANHANDLE ENVIRONMENTAL SERVICES INC, CONTRACTUAL SVC,144.5; PATRICK & KRISTIN MAAG,SPECIAL EVENTS,800; PAUL REED CONSTRUCTION & SUPPLY, INC,DEPT SUPP,90; PEPSI COLA OF WESTERN NEBRASKA, LLC,CONCESSION,1391.6; PLATTE VALLEY BANK,HEALTH SAVINGS ACCT,14644.74; POSTMASTER,POSTAGE,655.04; POWERPLAN,EQUIP MTNC,2279.74; QUILL CORPORATION, DEPT SUPPLIES, 1068.4; RAILROAD MANAGEMENT CO III, LLC, LICENSE FEES, 194.55; RAMIREZ G EUGENE, CONTRATUAL,108; REGIONAL CARE INC,CLAIMS,60380.62; RICHARD P CASTILLO,CONTRACTUAL,108; ROBERT GOMEZ,CONTRACTUAL,126; S M E C,DEDUCTION, 188.5; SANDBERG IMPLEMENT, INC, EQUIP MAINT, 214.37; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,225; SCOTTIES POTTIES INC,CONTRACTUAL, 1190; SCOTTS BLUFF COUNTY COURT,LEGAL FEES,255; SCOTTSBLUFF BODY & PAINT,CONTRACT,1710; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES,552; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY, LLC,UNIFORMS, 75; SCOTTSBLUFF WINSUPPLY COMPANY,GROUND MAINT,83.08; SHERWIN WILLIAMS, HANDICAP BLUE LATEX PAINT,225.56; SHRADDHA, LLC,ROOM FOR FELTES FIRE SCHOOL GRAND ISLAND,208; SIMMONS OLSEN LAW FIRM, P.C., CONTRACTUAL SERVICES, 8363.11; SIMON CONTRACTORS, CONCRETE FOR STREET REPAIR, 3813.7; STUDIOINSITE LLC,PROFESSIONAL SERVICES - CDBG GRANT 17-015,24888; THE CHICAGO LUMBER COMPANY OF OMAHA INC,SUPP - HEM FIR,69.12; TRANS IOWA EQUIPMENT LLC, EQUIP MTNC,2715.55; TUREK MELISA,REFUND,187.5; TWIN CITIES DEVELOPMENT ASSOC, INC,ECENTER AGREEMENT APRIL 2017,10000; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVCS.,232.7; UPSTART ENTERPRISES, LLC,DEPT SUPP,60.57; US BANK,NLA CONF.,2197.06; VANTAGEPOINT TRANSFER AGENTS-300793, DEF COMP, 1345.38; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,516; VERIZON WIRELESS-LERT B,CELL PHONE FOR ON CALL,16.49; VOGEL WEST, INC,EQUIP MTNC,91.67; WELLS FARGO BANK, N.A.,RETIREMENT,32148.13; WESTERN COOPERATIVE COMPANY,DEPT SUPPLIES,196.62; WESTERN PATHOLOGY CONSULTANTS, INC,RANDOM DOT TESTING MAY 2017,76; WYOMING FIRST AID & SAFETY SUPPLY, LLC,FIRST AID KIT SUPPLIES,84.97; ZM LUMBER INC,GROUND MAINT,7.92; REFUNDS: R. WARFIELD 56.17; J. FALTISKO 26.56; B. SULLIVAN 12.39; A. HARDER 64.10; RAND K LLC 10.60; M. BAZEMORE 9.38; R. GONZALES 15.01; C. GEALY 16.33; T. KING 10.79; CROWN WEST 8.93.

City Manager Johnson reported that \$434,000.00 had been budgeted for the Airport Industrial Tracts Drainage project. Four bids were received by the following companies: Infinity Construction \$283,864.00; Eric Reichert Insulation & Construction \$295,898.30; K.L. Wood and Co. \$299,767.50; and Paul Reed Construction \$324,727.01. The Engineer's estimate for this project was \$346,050.00. Staff recommended awarding the bid to Infinity Construction as the best and lowest bid. Council Member Shaver asked if there were sub-contractors listed with Infinity Construction. City Engineer Dave Schaff responded that the contractors are internal employees of Infinity Construction. Moved by Mayor Meininger, seconded by Council Member McCarthy, "to award the bid for the Airport Industrial Tracts Drainage Improvement Project to Infinity Construction in the amount of \$283,864.00 as the lowest, most responsible bid," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Mr. Johnson presented a change order for the City Hall Security project with a deduction in material costs due to a different supplier. He explained that the \$13,000.00 savings for this project will be used to repair the windows in City Hall. Moved by Council Member Shaver, seconded by Mayor

Meininger, “to approve the change order deduction of \$13,421.00 for the City Hall Secure entrance project,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

Mayor Meininger opened the public hearing at 6:05 p.m., which was scheduled for this date to consider a Class C liquor license application from Peggy McVay, dba A Lil Bit of Everything, 1610 Broadway, Scottsbluff. Peggy McVay, owner, and Police Chief Kevin Spencer were sworn in to testify on the liquor license. Moved by Mayor Meininger, seconded by Council Member Shaver, “that the following exhibits, presented on behalf of the City Council, be entered into the record: 1) Lil Bit of Everything Liquor License application; 2) City Council check list for section 53-132 cum supp 2010; 3) written statement of Police Chief Kevin Spencer dated June 13, 2017 ; 4) written statement of City Clerk dated June 19, 2017; 5) written statement of Development Services Department dated June 19, 2017; “YEAS”, Meininger, Colwell, Gonzales, Shaver and McCarthy, “NAYS” None. Absent: None.

Ms. McVay explained that she has owned the business for two years and would like to have wine available for customers to add to the baskets and gift items she carries in her store. She currently does not have any employees. She has taken the Nebraska State Patrol Responsible server training. She has purchased an Identification Clock and will check everyone’s identification. She plans to have some wine tastings in the future. In the future, if she hires additional employees, they will be required to take the State Patrol training, and if employees sell to minors, they will be terminated.

Chief Spencer reported to the Council that the Police Department conducted a very extensive background check and found no reasons to not recommend Peggy McVay for a liquor license. He also informed the Council that the Liquor License Investigatory Board recommended approval of the liquor license at their last meeting. There were no comments from the public.

Mayor Meininger closed the public hearing at 6:10 p.m. Moved by Council Member McCarthy, seconded by Council Member Colwell, “to forward a favorable recommendation to the Nebraska Liquor Control Commission for Peggy McVay dba A Lil Bit of Everything Class C liquor license pursuant to Nebraska §53-132 (2)a, (2)b, (2)c, and (2)d,” “YEAS”, Meininger, Gonzales, Colwell, Shaver, and McCarthy. “NAYS” None. Absent: None.

#### **RESOLUTION NO. 17-06-01**

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

1. On June 19, 2017, the matter of the application of a Class C liquor license for Peggy McVay, dba A Lil Bit of Everything, 1610 Broadway, Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class C liquor license for A Lil Bit of Everything, 1610 Broadway, Scottsbluff, NE 69361

Exhibit 2 - City Council Check List for Section 53-132 (Reissue 2010)

Exhibit 3 - Written statement of Police Chief dated June 13, 2017

Exhibit 4 - Written statement of City Clerk dated June 19, 2017

Exhibit 5 - Written statement of Development Services Department dated June 19, 2017

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Peggy McVay; 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. (2010) 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 C liquor license be issued to Peggy McVay dba A Lil Bit of Everything, 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: \$14.51.

Passed and approved this 19<sup>th</sup> day of June, 2017.

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Mayor

ATTEST:

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City Clerk

“seal”

Anthony Mason, Riverside Discovery Center Director, gave the City Council a report on the current status of the Zoo. Mr. Mason was previously an employee at the Riverside Zoo and after working at other zoos throughout the country, he has returned to serve as the Executive Director. His goal is to improve the esthetics of the zoo and improve customer service. He has received a grant from the Nebraska Environmental Trust for recycling efforts at the Zoo. His main priorities are to provide education, recreation, and economic development. They have increased the number of events at the zoo and are partnering with other organizations and agencies in the area. They have developed a very active intern program with seven interns from outside of the area currently working at the Zoo. Their attendance and revenue is increasing and they plan to continue programing throughout the fall and winter months. The City Council was very pleased with the positive growth of the Zoo and enthusiastic management.

City Manager Johnson presented information regarding the LB 840 Economic Development Assistance application received from Walther Farms for a \$250,000.00 loan to assist with construction of

a storage facility close to Lisco, NE. The Loan may be repaid with job credits. Mr. Josh Reeves with the Walther Farms Company approached the Council and presented a power point explaining their potato farming operation. The Walther Family Farms have been in business for 71 years. Their newest facility is centrally located for their potato growers. They will create 15 additional full-time positions, which include benefits. Their principal source of income is from processing, storage, transport and sale of goods or commodities in interstate commerce. Many of their major suppliers are businesses located in Scottsbluff. They are adding more than 700 acres of potatoes in 2017, doubling the supply purchases in our area. They anticipate increasing their production by another 500 acres in 2019.

Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve the Economic Development Assistance Agreement with Walther Farms for a \$250,000.00 loan, and authorize execution of related documents," "YEAS", Colwell, Meininger, McCarthy, and Gonzales, "NAYS", Shaver. Absent: None.

Mr. Johnson presented the Supplemental Agreement with Menard Inc. The cost, paid by Menards, will not exceed \$214,767.50. Council Member Shaver asked if the overlay will take care of the paving problem. Mr. Johnson said that the specifications meet and exceed the requirements to repair and reconstruct Delta Drive.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "to approve the Second Supplemental Agreement for public improvements with Menard, Inc. and authorize the Mayor to execute the agreement," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Katie Bradshaw, representative for the Active Living Advisory Committee gave the Council a presentation on the committee goals and request for the City of Scottsbluff to have an active buy-in by approving the Resolution appointing members to the committee. This is a cooperative public health effort with the Panhandle Public Health District, and cities of Gering, Terrytown, and Scottsbluff.

Their goal is to improve public health, safety, and make our community more attractive and more accessible for all people. Jessica Davies with the Panhandle Public Health District explained that they cover 11 counties, and this initial effort will provide a good model.

Moved by Council Member Colwell, seconded by Mayor Meininger, "to approve Resolution No. 17-06-02 to establish the Active Living Advisory Committee," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

## **RESOLUTION NO. 17-06-02**

### **A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:**

#### **Establishment of Active Living Advisory Committee**

#### **PURPOSE:**

To provide a forum for community collaboration and input to the tri-cities of Scottsbluff, Gering, and Terrytown: Public Works, Parks and Recreation Departments, Law Enforcement, other city staff, and Elected Officials about "active living" community development and design principles. Active living is a way of life and a community culture that integrates physical activity into daily routines through transportation, recreation, and neighborhood choices that support walking, biking, active play, and healthy options for all abilities and ages. The committee supports the tri-city's ongoing efforts to improve sidewalks and intersections, calm traffic, and expand the network of bike routes and walking trails and

stands ready to serve as a resource and liaison among all groups seeking input and diversified group representation.

**POLICY:**

It is the policy of the Scottsbluff, Gering, and Terrytown communities to seek community input into policies and projects that support healthy and active behaviors and lifestyles. To that end, this Active Living Advisory Committee is commissioned by the tri-cities to provide community input and recommendations as to City development and design that promote active living.

**SELECTION AND TERM OF COMMISSION MEMBERS:**

Committee will consist of members representing broad segments of the community with expertise and interest in active living community design, public health, health care, and multi-modal transportation, including biking, walking, and transit. Geographically diversified community representatives will be appointed by each of the three city councils for a total of eight-an ideal makeup of three from Scottsbluff, three from Gering, and two from Terrytown, with the allowance that this combination may not always be possible. A representative from City Planning, Public Works, Parks and Recreation, Public Safety, or Law Enforcement shall serve on the Committee. The Committee shall establish such bylaws, rules, procedures, terms, offices, and reporting as are necessary for the Committee to serve the function identified.

**EFFECTIVE DATE:**

The Active Living Advisory Committee shall be effective on the signing of this resolution.

**OVERSIGHT:**

- The City Planning Departments will have responsibility for oversight and support of this committee with Panhandle Public Health District charged with the overall coordination of the meetings and meeting minutes. Meeting minutes will be provided to each of the city councils reporting continuous committee progress.

Regularly Scheduled Meetings: Monthly, dates and times to be determined by the group

**Responsibilities Include:**

- Active Living Advisory Committee members are appointed by city council members from Scottsbluff, Gering, and Terrytown communities to serve as advocates and advisors to the tri-cities on projects and programs that help citizens safely incorporate physical activity into their daily routines.
- The committee is charged with:
  - Moving the Action Planning work product strategies to fruition:
    - Safe Active Transportation on All Travel Ways
    - Creating Collaborative Community Ownership
    - Complete Streets: Planning for a Safer, More Connected, Healthier Community
    - Seeking Funding Opportunities
  - Assisting city staff with public education and outreach activities that promote active transportation and an active lifestyle



- Supporting wellness and health promotion in workplaces, schools, and other institutions
- Assisting city staff with outreach to specific user groups, such as seniors, teens, the physically disabled, vulnerable and diverse populations to encourage an active lifestyle

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF JUNE, 2017.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Dave Schaff, MC Schaff and Associates, presented information regarding the Wyoming Water Development Commission’s Platte Alliance Water Supply Project (PAWS). MC Schaff is the consultant for the PAWS project; he reported that the level II study of the project is progressing well. They have been working on water quality sampling and meeting with the advisory groups. The completion date for this project is September 2018. One of the steps is to develop a Governance Council within the PAWS region. They are looking for support from the 14 Nebraska communities and 12 Wyoming communities, and asking each entity to appoint a representative.

Moved by Council Member Shaver, seconded by Council Member Colwell, “to approve Resolution No. 17-06-03 supporting the Wyoming Water Development Commission (PAWS) Level II study,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”,None. Absent: None.

**RESOLUTION No. 17-06-03**

A RESOLUTION SUPPORTING THE WYOMING WATER DEVELOPMENT COMMISSION LEVEL II STUDY OF THE PLATTE ALLIANCE WATER SUPPLY (PAWS) PROJECT AND THE FORMATION OF GOVERNANCE FOR A REGIONAL WATER SYSTEM.

WITNESSETH

**WHEREAS**, the City Council of the City of Scottsbluff, Nebraska recognizes that communities in the North Platte River Basin in western Nebraska and southeast Wyoming are experiencing deteriorating water quality and it is becoming increasingly difficult and costly to meet public water quality standards;

**WHEREAS**, the Council recognizes that this trend toward a lack of dependable water quality, if allowed to persist, will limit the ability of the region to sustain current and future growth and economic vitality;

**WHEREAS**, the Council is aware that in addition to the deteriorating water quality, through the National Safe Water Drinking Act the Environmental Protection Agency (EPA) is requiring monitoring of additional water quality constituents and placing limits on the levels of these constituents in public water systems that will continue to increase the cost of public water supplies;

**WHEREAS**, the Council recognizes that the best long-term solution for potable water supply in the Basin is a regional system approach, and that centralized water treatment will assist to off-set the long term cost increases impacting individual communities;

**WHEREAS**, the Council recognizes that a regional solution to domestic water supply will include an upstream water source(s), upstream water treatment, a potable water pipeline, and the wholesale selling of water to each community in lieu of each community attempting to solve the quality issues on their own at a higher cost; and

**WHEREAS**, the Council understands that a regional system will require the formation of an organization to operate the system.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SCOTTSBLUFF, NEBRASKA**, that the Council hereby reiterates their support for completion of the Level II Study of the Platte Alliance Water Supply (PAWS) Project, and the Council hereby expresses their full support for the formation of Governance for a regional water system and their intent to participate in the process and system, and hereby encourage participation from all eligible communities in the Basin.

PASSED, APPROVED AND ADOPTED THIS 19<sup>th</sup> day of June, 2017.

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Randy Meininger, Mayor  
City of Scottsbluff, Nebraska

Attest: \_\_\_\_\_  
Cindy Dickinson, CMC  
City Clerk

City Manager Johnson presented the Ordinance to annex the remaining land in the SE ¼ SE ¼ OF Section 15, Township 22 North, Range 55 West of the 6<sup>TH</sup> P.M., Scotts Bluff County, Nebraska, owned by the Frank Family. The area adjacent to this parcel was previously annexed, and this Ordinance will include the land included in an additional Deed. This annexation is a request from the Frank Family, owners of the property.

The Ordinance was introduced by Mayor Meininger, which was read by title on first reading: AN ORDINANCE OF THE CITY OF SCOTTSBUFF, NEBRASKA, ANNEXING A TRACT OF LAND

KNOWN AS PART OF THE SE ¼ SE ¼ OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M., SCOTTS BLUFF COUNTY, NEBRASKA AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Moved by Mayor Meininger, seconded by Council Member Colwell, “to remove from the table the item regarding the Ordinance amending the Scottsbluff Economic Development Plan to provide for additional qualifying businesses,” “YEAS”, Colwell, Meininger, McCarthy, Shaver and Gonzales, “NAYS”, None. Absent: None.

Ordinance No. 4213 was introduced by Mayor Meininger, which was read by title on third reading: **AN ORDINANCE AMENDING THE SCOTTSBLUFF ECONOMIC DEVELOPMENT PLAN TO PROVIDE FOR ADDITIONAL QUALIFYING BUSINESSES.**

Council Member Shaver expressed his concern of including additional businesses to the plan; he feels the existing plan is sufficient. Council Member Gonzales commented that the partnership with Western Nebraska Economic Development committee has provided for the completion of the housing study by Hanna Keelan, which provides a valuable tool for housing development. Council Member Shaver asked what checks and balances would be in place to make sure the proper housing is developed. Council Member Gonzales responded that the LB840 Application Review Committee will track the development, which will then come back to the City Council.

Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve Ordinance 4213 amending the Scottsbluff Economic Development Plan to provide for additional qualifying businesses,” “YEAS”, Colwell, Meininger, McCarthy, and Gonzales, “NAYS”, Shaver. Absent: None.

Regarding the Ordinance amending sewer user fees, Mayor Meininger introduced the Ordinance which was read by title on second reading: **AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING SEWER USER FEES AT CHAPTER 6 ARTICLE 6, INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS, AMENDING AND CHANGING THE SOLID WASTE COLLECTION FEES AT CHAPTER 6 ARTICLE 6, AND WATER SERVICE FEES AT CHAPTER 6 ARTICLE 6, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

Regarding the Ordinance amending the cemetery fees, Mayor Meininger introduced the Ordinance which was read by title on second reading: **AN ORDINANCE FOR THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE IN REGARD TO EXEMPTION FEES AT CHAPTER 5, ARTICLE 1, AND CEMETERY FEES AT CHAPTER 6, ARTICLE 6, ADDING FEES FOR MAUSOLEUM AND COLUMBARIUM, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.**

Regarding prior Ordinance 4060 regarding committed funds for specific uses for purposes of the Governmental Accounting Standards Board Statement No. 54; Mayor Meininger introduced the Ordinance which was read by title on second reading: **AN ORDINANCE AMENDING PRIOR ORDINANCE NO. 4060 RELATED TO COMMITTED FUNDS FOR SPECIFIC USES, INCLUDING CATEGORIZING FUNDS AS COMMITTED FUNDS FOR PURPOSES OF THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54; REPEALING ANY AND ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

City Manager Johnson reported that the State of Nebraska formally approved the National Electrical Code in May of 2017 and it will go into effect August 1, 2017. To remain in compliance, staff is recommending approval of the Ordinance adopting the 2017 National Electrical Code.

Council Member Shaver voiced his concern over passing it before any material issues have been worked through. In addition, he was interested in finding out what other Nebraska cities have adopted the code. Mayor Meininger suggested holding off on adopting the code until we have a chance to get input from local Electrical Contractors; Council concurred. The Ordinance was not introduced, and will be brought back at a later date.

At 7:10 p.m. Moved by Mayor Meininger, seconded by Council Member Shaver, "to adjourn to closed session to include City Council, City Manager, and City Attorney, for Protection of the Public Interest - Subject Matter is Real Estate Purchase; Reason is Discussion of strategy in purchasing a parcel of land for future landfill," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Mayor Meininger announced that the City Council will adjourn at 7:10 p.m. to closed session for Protection of the Public Interest - Subject Matter is Real Estate Purchase; Reason is - Discussion of strategy in purchasing a parcel of land for future landfill.

At 7:25 p.m., moved by Mayor Meininger, seconded by Council Member Shaver, "to reconvene in regular session," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Shaver, "to direct City Manager Johnson to continue to negotiate with the City of Gering on the purchase of property to be used for a future landfill," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

Under Council Reports, Mayor Meininger reported that the 911 Advisory Task Force will meet on June 20, 2017; Council Member Shaver reported that Scottsbluff Public Schools will offer free lunches during the week to children throughout the summer at Roosevelt Elementary and the Junior High School; Council Member Gonzales reported that WNED met and are organizing an open house to initiate the Hanna Keelan Housing Study which will be July 20, 2017 at the Gering Civic Center. WNED will also host the Nebraska Diplomats in Bridgeport in September, with industry tours. Chief Spencer reported on the MMA Fights which were held downtown this past weekend; there were some issues after the fights, so Mr. Leeling, owner of Shots, closed the beer garden early to eliminate additional issues. Basically, it went well, with approximately 500 in attendance.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "to adjourn the meeting at 7:30 p.m.," "YEAS", Colwell, Meininger, McCarthy, Shaver and Gonzales, "NAYS", None. Absent: None.

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Mayor

Attest:

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City Clerk  
"SEAL"