

City of Scottsbluff, Nebraska

Monday, August 21, 2017

Regular Meeting

Item Consent1

Approve the minutes of the August 7, 2017, Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

Regular Meeting
August 7, 2017

The Scottsbluff City Council met in a regular meeting on August 7, 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 August 4, 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 August 4, 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, Raymond Gonzales and Jordan Colwell. Also present was City Manager Johnson and City Attorney Kent Hadenfeldt. Absent: Mark McCarthy.

Mayor Meininger asked if there were any changes to the agenda. City Clerk Dickinson informed the Council that Item No. 12 d - Economic Development Assistance Agreement with MR Housing, needs to be pulled from the agenda. Moved by Mayor Meininger, seconded by Council Member Shaver, "to delete item 12d - Council to consider an Economic Development Assistance Agreement with M R Housing and authorize the City Manager to execute the agreement as the Economic Development Program Administrator," "YEAS", Colwell, Meininger, Shaver and Gonzales, "NAYS", None. Absent: McCarthy.

Mayor Meininger asked if any citizens with business not scheduled on the agenda wished to include an item providing the City Council determines the item requires emergency action. There were none.

Moved by Mayor Meininger, seconded Council Member Shaver that:

1. "The minutes of the July 17, 2017, Regular Meeting be approved,"
2. "A public hearing be set for August 21, 2017, 6:05 p.m. to consider the Class D Liquor License application for AMSI, LLC dba Cheema's Gas and Liquor, 2002 Ave. I, Scottsbluff, NE,"
3. "Council set August 21, 2017 at 6:05 p.m. as the date for a Public Hearing for the FY 2017-2018 Budget," "YEAS", Colwell, Meininger, Shaver and Gonzales, "NAYS", None. Absent: McCarthy.

Moved by Council Member Shaver, seconded by Council Member Gonzales, "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 August 7, 2017, as on file with the City Clerk and submitted to the City Council," "YEAS", Colwell, Meininger, Shaver and Gonzales, "NAYS", None. Absent: McCarthy.

CLAIMS

3M COMPANY, PAVEMENT MARKING TAPE, 6821.55; ACTION COMMUNICATIONS INC., NEW TWO WAY RADIO FOR SUPERVISOR'S PICKUP, 769.98; AIRGAS USA, LLC, DEPT

SUPPLIES,27.48; ALLO COMMUNICATIONS, LLC,LOCAL TELEPHONE CHARGES,4348.03; AMAZON.COM HEADQUARTERS, MISC.,571.5; ANTHONY HARRIS, CONTRACTUAL SERVICES,20; B & H INVESTMENTS, INC,WATER FOR DRINKING,257.5; BIBEROS JOSEPH,CONTRACTUAL,126; BLACK HILLS GAS DISTRIBUTION LLC,MONTHLY ENERGY BILL,2866.91; BLUFFS SANITARY SUPPLY INC.,DEPT & JANIT SUPPL, 1304.43; BRANDT APPRAISAL CO INC,APPRAISAL SERVICES, 6000; CAPITAL BUSINESS SYSTEMS INC.,CONTRACTUAL, 33; CARR- TRUMBULL LUMBER CO, INC.,KENO, 1042.21; CASH WA DISTRIBUTING, CONCESSIONS, 515.5; CELCO PARTNERSHIP,CELL PHONES, 523.76; CHARTER COMMUNICATIONS HOLDINGS LLC,TV BOX FOR FIRE,7.81; CHILD SUPPORT,CHILD SUPPORT,37; CITIBANK N.A.,DEPT SUPP,15.07; CITIBANK, N.A.,DEPT SUPP,47.12; CITY OF GERING,GROUND MAINT,12.16; CLARK PRINTING LLC,DEPT SUPP,243.15; COLONIAL LIFE & ACCIDENT INSURANCE COMPANY,SUPPLEMENTAL INS, 48.7; CONSOLIDATED MANAGEMENT COMPANY,SCHOOLS & CONF,216; CONTRACTORS MATERIALS INC.,SUPP - PAINT, SCREED BOARD, GLOVES, SAFETY GLASSES,832.42; CREDIT BUREAU OF COUNCIL BLUFFS,CONTRACT SERVICES,60.5; CROELL INC,CONCRETE FOR STREET REPAIR,1477.57; CYNTHIA GREEN,DEP. SUP.,510.3; D & H ELECTRONICS INC., FAN FOR BELTLINE & AVE. I,30.16; DALE'S TIRE & RETREADING, INC.,EQUIP MAINT,215.99; DAS STATE ACCOUNTING-CENTRAL FINANCE, MONTHLY LONG DISTANCE, 142.79; DEAVER TYSON,CONTRACTUAL,54; DIGITAL HIGHWAY, INC, DATA ANTENNA FOR NEW RESCUE,210.75; DUANE E. WOHLERS,DISPOSAL FEES,1700; ELLIOTT EQUIPMENT COMPANY INC.,EQUIP MTNC,78.23; ENGINEERED EQUIPMENT SOLUTIONS INC,EQUIP MAINT,2007.5; ENVIRONMENTAL ANALYSIS SOUTH, INC,CONTRACTUAL SVC,750.6; FAT BOYS TIRE AND AUTO,EQUIP MTNC,329.49; FEDERAL EXPRESS CORPORATION,POSTAGE,396.4; FELSBURG HOLT & ULLEVIG, INC,CONTRACTUAL SVC,1250; FLOYD'S TRUCK CENTER, INC,VEHICLE MTNC,1535.22; FRANCISCO MAREZ,CONTRACTUAL,342; GALLS INC,UNIFORMS,164.97; GENERAL ELECTRIC CAPITAL CORPORATION,CAR SEATS,287.02; GENERAL TRAFFIC CONTROLS, INC,TRAFFIC SIGNAL SUPP - CABLE FOR BURYING,413.6; GILBERT CARRIZALES,CONTRACTUAL,198; GRACE CHAPEL,REFUND,50; GREAT LAKES HIGHER EDUCATION GUARANTY CORP,WAGE ATTACHMENT,185.82; HAWKINS, INC.,CHEMICALS,8581.8; HD SUPPLY FACILITIES MAINTENANCE LTD,DEPT SUP,153.19; HELENA CHEMICAL COMPANY,DEPT SUP,343.75; HOLIDAY INN - KEARNEY,SCHOOLS & CONF,199.9; HULLINGER GLASS & LOCKS INC.,BLDG MAINT,223; HYDROTEX PARTNERS, LTD,OIL & ANTIFREEZE,464.22; IDEAL LAUNDRY AND CLEANERS, INC.,DEPT SUPP,1137.49; INDEPENDENT PLUMBING AND HEATING, INC,GROUND MAINT,234.21; INFINITY CONSTRUCTION, INC.,PAYMENT 5 FOR BULB OUT PROJECT,72089.8; INGRAM LIBRARY SERVICES INC,BKS.,321.46; INTERNAL REVENUE SERVICE, WITHHOLDINGS, 62490.18; INTRALINKS, INC,SOFTWARE FOR NEW SERVER, 24721.46; INVENTIVE WIRELESS OF NE, LLC, CONTRACTUAL,54.95; JONATHAN P VAN GALDER, CONTRACTUAL,18; KIRK BERNHARDT, CONTRACTUAL,926; KNOW HOW LLC,EQUIP MAINT, 1042.66; KRIEG JACOB,TREE REBATE,134.98; LEAGUE OF NEBRASKA MUNICIPALITIES, 17-18 MEMBERSHIP DUES,30270; LOGOZ LLC, DEPT SUPP,180; M.C.

SCHAFF & ASSOCIATES, INC,ENGINEERING SERV. FOR BULB OUTS,17803.25; MAILFINANCE INC,CONT. SRVCS. - LIBRARY,514.76; MAIN STREET APPLIANCE,EQUIP MAINT,140; MARIO SOLORZANO III,CONTRACTUAL,270; MATHESON TRI-GAS INC,RENT MACHINES,98.78; M-B CO, INC,EQUIP MTNC,98.97; MENARDS, INC,GROUND MAINT, 922.41; MIDWEST FARM SERVICE-ALLIANCE,EQUIP MAINT,100.79; MIDWEST MOTOR SUPPLY CO INC,DEPT SUPPLIES,319.61; MONUMENT CAR WASH INC,VEH MAINT, 421.27; MONUMENT PREVENTION COALITION, CONTRACTUAL, 939.94; MUNICIPAL PIPE TOOL CO, LLC,EQUIP MAINT,398.39; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1536.18; NE COLORADO CELLULAR, INC,CONTRACTUAL SVC,75.48; NE DEPT OF REVENUE,SALE TAX,26470.87; NE LIBRARY COMMISSION,SUBSCRIP.,2237.5; NEBRASKA MACHINERY CO,EQUIP MTNC,30.71; NEBRASKA PUBLIC POWER DISTRICT,ELECTRIC,32793.36; NEBRASKA STATE HISTORICAL SOCIETY, SUBSCRP., 32; NEBRASKA STATEWIDE ARBORETUM, MEMBERSHIPS,45; NEBRASKALAND TIRE, INC,EQUIP MTNC, 137.02; NEMNICH AUTOMOTIVE,EQUIP MTNC,125.45; NEWMAN, TIMOTHY, TRAVEL MEALS, 36; NORTHWEST PIPE FITTINGS, INC. OF SCOTTSBLUFF,GROUND MAINT,44.42; ONE CALL CONCEPTS, INC, CONTRACTUAL,206.61; OREGON TRAIL PLUMBING, HEATING & COOLING INC, BLDG MAINT, 98; PANHANDLE AREA DEVELOPMENT DISTRICT, CONTRACT SERVICES,1500; PANHANDLE CARTAGE CO INC,ELECTRICAL EQUIPMENT,50; PANHANDLE COOPERATIVE ASSOCIATION,OTHER FUEL,18522.57; PANHANDLE ENVIRONMENTAL SERVICES INC, CONTRACTUAL SVC, 426.5; PANHANDLE HUMANE SOCIETY,CONTRACTUAL, 5023.88; PEPSI COLA OF WESTERN NEBRASKA, LLC,CONCESSIONS, 337.6; PIERCE, GERALD,REIMBURSEMENT - JURY DUTY MILEAGE, 6.42; PLATTE VALLEY BANK,HSA SAVINGS,14273.49; POLYDYNE INC,CHEMICALS, 5198; POSTMASTER,POSTAGE,1082.22; POWERPLAN,EQUIP MTNC,216.38; PRAISE WINDOWS INC, BLDG. MAIN., 420; QUILL CORPORATION,DEPT SUPP,214.25; REAMS SPRINKLER SUPPLY CO., GROUND MAINT,629.18; REGIONAL CARE INC,CLAIMS,129289.97; REGIONAL WEST PHYSICIANS CLINIC,CONSULTING,26; REGISTER OF DEEDS,LEGAL,68; RICHARD CELLI,REPAIRS TO SEA DOO,46.99; RICHARD P CASTILLO,CONTRACTUAL,216; RIGHT BRAIN UNLIMITED,GROUND MAINT, 373.2; ROBERT GOMEZ, CONTRACTUAL,180; ROOSEVELT PUBLIC POWER DISTRICT,ELECTRIC POWER, 2009.14; ROTARY CLUB OF SCOTTSBLUFF/GERING, DUES - NATHAN JOHNSON, 360; RUSCH'S GENERAL CONTRACTING, LLC,BLDG. MAIN.,2356; S M E C, EMPLOYEE DEDUCTION,188.5; SANDBERG IMPLEMENT, INC,EQUIP MAINT,605.46; SCB FIREFIGHTERS UNION LOCAL 1454, FIRE EE DUES, 225; SCOTTIES POTTIES INC,CONTRACTUAL,850; SCOTTS BLUFF COUNTY COURT,LEGAL FEES, 102; SCOTTSBLUFF BODY & PAINT,TOW SERVICE,1895; SCOTTSBLUFF POLICE OFFICERS ASSOCIATION, POLICE EE DUES,552; SCOTTSBLUFF WINSUPPLY COMPANY,GROUND MAINT, 2082.88; SHERIFF'S OFFICE,LEGAL FEES,104.7; SHERWIN WILLIAMS,DRUM FOR GRIND/LAZER,4950; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL,4167.18; SIMON CONTRACTORS,CONCRETE FOR STREET REPAIR, 5510.73; SIRCHIE ACQUISITION COMPANY, LLC,INVEST SUPPL,254.27; SNELL SERVICES INC.,ELECTRICAL,5270.9; STANDS ALEX,SCHOOLS & CONF,625; STATE HEALTH LAB, SAMPLES,38; STENSON

KELLY,REFUND,250; STOP STICK LTD,EQUIP MAINT,22; SWANK MOTION PICTURES INC,DEPT SUPP,413; SWBC,ANNUAL JOB CREDIT - LB840,50000; TEXAS PNEUDRAULIC INC,EQUIP MTNC,335.72; TOYOTA MOTOR CREDIT CORPORATION, HIDTA CAR LEASE,365.69; TRI-STATE SPRINKLER SYSTEMS, LLC,CONTRACTUAL SVC,373.19; TYLER TECHNOLOGIES, INC,UB TRANSACTION FEES,2164.25; US BANK, KENO, 3475.29; US COMPOSTING COUNCIL,MEMBERSHIPS,295; VANTAGEPOINT TRANSFER AGENTS-300793,DEF COMP,1420.38; VANTAGEPOINT TRANSFER AGENTS-705437,ROTH IRA,516; VERIZON WIRELESS-LERT B,INVEST SUPPL,50; VOGEL WEST, INC,SUPP - PAINT STRAINERS,52.5; W & R INC,ELECTRICAL MAINT,70; WELLS FARGO BANK, N.A.,RETIREMENT,30236.73; WESTERN COOPRTATIVE COMPANY,GROUND MAINT,84.75; WESTERN LIBRARY SYSTEM,CONT. SRVCS.,20.25; WESTERN TRAVEL TERMINAL, LLC, VEH MAINT, 122; WORLD TRADE PRESS,SUBSCRIP.,560; WYOMING WATER DEVELOPMENT OFF,PAWS FEASIBILITY STUDY, 2577.25; ZM LUMBER INC,GROUND MAINT,26.95; REFUNDS: OLIVIA BLANCO 23.86; JUSTIN SHADDICK 3.87; SCOTTSBLUFF PAR 5 LLC 10.80; WOODY WILLET 10.80; COLBY BOWER-SMITH 51.22; HENKELS MACHINE 20.36.

Mr. Sam Crouch, Cirrus House Transitional Age Program Coordinator, gave a presentation to the Council regarding their system of care program assisting youth. They have received a \$315,000 grant for their Nebraska Youth System of Care Initiative and are looking for sources of matching funds, which can include partnerships and time commitments from a variety of professionals, including government officials.

Ms. Cathy McDaniel, Panhandle Humane Society, gave the Council an update of their programs, fund raisers, budget, and future plans to phase out of their existing building into a new adoption facility. They currently have a lot of cats who need to be adopted and have provided some special promotions. Ms. McDaniel expressed her appreciation to the Council for their continued support of the Humane Society.

Mayor Meininger opened the public hearing at 6:20 p.m. to consider the Class I Liquor License application for Boozy Brushes, LLC, 2419 Ave. I, Scottsbluff, NE. Ms. Emily Pugmire, Applicant, and Police Captain Brian Wasson 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) Boozy Brushes Class I Liquor License application; 2) City Council check list for section 53-132 cum supp 2010; 3) written statement of Police Chief Kevin Spencer dated August 2, 2017; 4) written statement of City Clerk dated August 7, 2017; 5) written statement from the Development Services Department dated July 14, 2017; "YEAS", Meininger, Gonzales, Shaver, Colwell, "NAYS" None. Absent: McCarthy.

Ms. Emily Pugmire, owner, explained that her business will be a "paint and sip" for adults to paint and have the option of drinking an alcoholic beverage. She also plans to have classes for children and special events for parties, etc. The maximum number of people in each class will be approximately 30. Mayor Meininger asked Ms. Pugmire to explain how she would prevent minors from drinking alcohol in her business. She explained that she plans to issue wrist bands to those who are 21 or over, she will have a different color of cup for alcoholic beverages and will check ID's of all patrons. She will be the only person with a key to the alcohol storage and will do all ordering for her business. Ms. Pugmire has taken the responsible server training and will require all employees to also take the training. She has a personnel manual which contains a no-tolerance policy if employees serve minors. Captain Brian Wasson

reported on the Police Department's investigation and noted that there was nothing in the background check that would disqualify Ms. Pugmire from holding a liquor license. He encouraged her to add additional security equipment when she is able.

There were no comments from the public on this liquor license. Mayor Meininger closed the public hearing at 6:25 p.m. Moved by Council Member Colwell, seconded by Council Member Shaver, "to forward a positive recommendation to the Nebraska Liquor Control Commission regarding the Class I Liquor License for Boozy Brushes, LLC, pursuant to Nebraska §53-132 (2)a, (2)b, (2)c, and (2)d," "YEAS", Meininger, Gonzales, Shaver, Colwell, "NAYS" None. Absent: McCarthy.

Moved by Council Member Colwell, seconded by Council Member Shaver, "to forward a positive recommendation naming Emily Pugmire as the Manager of Boozy Brushes, LLC Class I Liquor License" "YEAS", Meininger, Gonzales, Shaver, Colwell, "NAYS" None. Absent: McCarthy.

RESOLUTION NO. 17-08-01

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

1. On August 7, 2017, the matter of the application of a Class I liquor license for Boozy Brushes, LLC, 2419 Ave. I, Scottsbluff, NE 69361 came on for consideration by the Council. The following exhibits were offered and received:

Exhibit 1 - Application of Class I liquor license for Boozy Brushes, LLC, 2419 Ave. I, Scottsbluff, NE 69361

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

Exhibit 3 - Written statement of Police Chief dated August 2, 2017

Exhibit 4 - Written statement of City Clerk dated August 7, 2017

Exhibit 5 - Written statement of Development Services Department dated July 14, 2017

2. Witnesses were sworn and testimony was received in support of the application at the public hearing on this date from Emily Pugmire, Owner; Police Captain Brian Wasson 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 I liquor license be issued to Class I liquor license for Boozy Brushes, LLC, 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: \$14.12.

Passed and approved this 7th day of August, 2017.

Mayor

ATTEST:

City Clerk

“seal”

Lanette Richards, Executive Director of the Monument Prevention Coalition, explained the mission of the organization. One of their many responsibilities includes filling in the gaps with the Nebraska State Patrol, training servers and volunteers. They also assist with compliance checks and provide educational awareness throughout the Panhandle. Ms. Richards expressed her appreciation for the funding from the City of Scottsbluff; funding from Panhandle cities provides for 52% of their budget, with the remaining funds coming from grants.

Marcia Schlichtemier, President of the Scottsbluff Senior Center, gave the Council an update on activities at the Senior Center. They serve 45-50 meals each day at the Center, and deliver 50-60 meals each day. The delivered meals are very important, as many of the people receiving these meals don't have any other contact with people, so it's an opportunity to have some socialization and make sure the recipients are okay. In addition, they offer many activities including exercise and dances. They have completed a number of updates at their location including accessibility improvements. They appreciate the assistance from the city, and are currently able to have some funds in reserves to continue with their five-year plan for renovations.

City Manager Johnson presented the Employee Assistance contract with the Continuum, explaining that this is a three-year contract for employee counseling and HelpNet services. The Continuum has actually agreed to reduce the yearly payment from \$5500 to \$5000 for the three year period. Moved by Council Member Shaver, seconded by Council Member Gonzales, “to approve renewing a three-year contract of the Employee Assistance Program to Continuum and authorize the Mayor to execute the contract,” “YEAS”, Meininger, Gonzales, Shaver, Colwell, “NAYS” None. Absent: McCarthy.

City Manager Johnson presented the letter of support for renovation to the 23 Club facility. He explained that the City would provide up to \$300,000 of in-kind support by City Staff for improvements to the 23 Club. Members of the 23 Club who were in the audience were agreeable to the support. Moved by Council Member Colwell, seconded by Council Member Shaver, “to approve the letter of support providing up to \$300,000 of in-kind support for the 23 Club Renovations and authorize the Mayor to sign the letter,” “YEAS”, Meininger, Gonzales, Shaver, Colwell, “NAYS” None. Absent: McCarthy.

Mr. Johnson presented the contract for a program coordinator for the City's fall kickball league. He explained that the Recreation Department has been encouraged to create more programs, and this one has received a lot of support. We anticipate that the fees for the league will off-set the \$1,000 contract amount. Moved by Council Member Colwell, seconded by Mayor Meininger, “to approve the contract with Jo Mikesell as program coordinator for the City's fall kickball league and authorize the Mayor to

execute the contract,” “YEAS”, Meininger, Gonzales, Shaver, Colwell, “NAYS” None. Absent: McCarthy.

Starr Lehl, Economic Development Director, presented the Economic Development Assistance Agreement with Flyover Brewery, explaining that the LB 840 Application Review Committee forwarded a positive recommendation for this application. Joe and Andrea Margheim and Peter Meyer are the applicants for this business which will be located at 1824 Broadway. This business fits the goals of downtown Scottsbluff, with the work that has taken place following the completion of the Downtown Renovation Grant.

Peter Meyer approached the Council and explained that the LB840 funds are only going to be used on the manufacturing portion of their business, which will include the brewing equipment. The amount of the loan, which is \$515,000, will only pay for the equipment. They anticipate that this business will be a destination, and will be listed on the Nebraska Passport program and included in tourism brochures. Following approval, they will begin ordering equipment, which is custom made. They anticipate opening Spring of 2018.

The Flyover Brewer owners anticipate creating 8 – 9 positions once they are up and running. Council Member Shaver asked if LB840 job credits are only eligible for the manufacturing portion of the business. City Manager Johnson explained that they will probably only claim two positions for the actual manufacturing process.

Moved by Council Member Gonzales, seconded by Mayor Meininger, “to approve the Economic Development Assistance Agreement with Flyover Brewery and authorize the City Manager to execute the agreement as the Economic Development Program Administrator,” “YEAS”, Meininger, Gonzales, Colwell, “NAYS” Shaver. Absent: McCarthy.

City Manager Johnson presented the amended Pay Resolution for fiscal year 2017-2018. He explained that many positions have been adjusted and streamlined through attrition. New positions have also been created to provide a succession plan of key positions. The new positions include the Deputy Public Works Director, Economic Development Director and Police Corporal. Salaries have been adjusted to add a 3% Cost of Living Adjustment (COLA) for Fire Department employees and 1% COLA for the Police Department employees following negotiations with both unions; and a 3% COLA for General Employees.

Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve amended Pay Resolution No. 17-08-02 for fiscal year 2017-2018,” “YEAS”, Meininger, Gonzales, Colwell, “NAYS” Shaver. Absent: McCarthy.

RESOLUTION NO. 17-08-02

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

1. That the following Pay Plan for officers and employees of the City of Scottsbluff, Nebraska employed in Classified Positions be approved August 7, 2017 and effective October 2, 2017.

PAY SCHEDULE

HOURLY RATES (Based on 40 hour work week)

<u>Grade</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>L1</u>	<u>L2</u>
2	8.90	9.35	9.82	10.31	10.83	11.37	11.94
3	9.35	9.82	10.31	10.83	11.37	11.94	12.54

4	9.82	10.31	10.83	11.37	11.94	12.54	13.17
5	10.31	10.83	11.37	11.94	12.54	13.17	13.83
6	10.83	11.37	11.94	12.54	13.17	13.83	14.52
7	11.37	11.94	12.54	13.17	13.83	14.52	15.25
8	11.94	12.54	13.17	13.83	14.52	15.25	16.01
9	12.54	13.17	13.83	14.52	15.25	16.01	16.81
10	13.17	13.83	14.52	15.25	16.01	16.81	17.65
11	13.83	14.52	15.25	16.01	16.81	17.65	18.53
12	14.52	15.25	16.01	16.81	17.65	18.53	19.46
13	15.25	16.01	16.81	17.65	18.53	19.46	20.43
14	16.01	16.81	17.65	18.53	19.46	20.43	21.45
15	16.81	17.65	18.53	19.46	20.43	21.45	22.52
16	17.65	18.53	19.46	20.43	21.45	22.52	23.65
17	18.53	19.46	20.43	21.45	22.52	23.65	24.83
18	19.46	20.43	21.45	22.52	23.65	24.83	26.07
19	20.43	21.45	22.52	23.65	24.83	26.07	27.37
20	21.45	22.52	23.65	24.83	26.07	27.37	28.74

BI-WEEKLY RATES

18	1553.73	1631.42	1712.99	1798.64	1888.57	1983.00	2082.15
19	1631.42	1712.99	1798.64	1888.57	1983.00	2082.15	2186.26
20	1712.99	1798.64	1888.57	1983.00	2082.15	2186.26	2295.57
21	1798.64	1888.57	1983.00	2082.15	2186.26	2295.57	2410.35
22	1888.57	1983.00	2082.15	2186.26	2295.57	2410.35	2530.87
23	1983.00	2082.15	2186.26	2295.57	2410.35	2530.87	2657.41
24	2082.15	2186.26	2295.57	2410.35	2530.87	2657.41	2790.28
25	2186.26	2295.57	2410.35	2530.87	2657.41	2790.28	2929.79
26	2295.57	2410.35	2530.87	2657.41	2790.28	2929.79	3076.28
27	2410.35	2530.87	2657.41	2790.28	2929.79	3076.28	3230.09
28	2530.87	2657.41	2790.28	2929.79	3076.28	3230.09	3391.60
29	2657.41	2790.28	2929.79	3076.28	3230.09	3391.60	3561.18
30	2790.28	2929.79	3076.28	3230.09	3391.60	3561.18	3739.24
31	2929.79	3076.28	3230.09	3391.60	3561.18	3739.24	3926.20

2. That the following positions in the Classification Plan are assigned to the following Class Grades:

HOURLY POSITIONS

<u>Grade</u>	<u>Class Titles</u>	<u>Grade</u>	<u>Class Titles</u>
7	Library Technician	14	Wastewater Plant Operator I
7	Waterpark Manager	14	Water System Operator I

9	Building & Grounds Custodian	14	Heavy Equipment Operator
9	Compliance Officer	14	Solid Waste Equip. Operator
10	Library Assistant	15	Crew leader
11	Record Technician	16	Maintenance Mechanic
11	Humane Officer	16	Fire Prevention Officer
12	Admin. Services Assistant	17	Wastewater Plant Operator II
12	Admin. Records Technician	17	Water System Operator II
13	Account Clerk	17	Construction-Locator Spec.
13	Administrative Assistant	18	Utilities Adm. Coordinator
13	Maintenance Worker	18	Lead Maintenance Mechanic
13	Motor Equipment Operator	18	Cemetery Supervisor
		19	Stormwater Program Specialist
		20	Code Administrator I

EXEMPT POSITIONS

Professional, Administrative and Executive

18	Librarian	24	City Clerk/Risk Manager
19	Recreation Supervisor	24	Library Director
20	GIS Analyst	24	Public Safety/Em Mgmt Dir
22	Transportation Supervisor	26	Police Captain
22	Water System Supervisor	26	Deputy Public Works Dir
22	Wastewater Plant Supervisor	27	Economic Develop. Director
22	Environmental Services Supervisor	27	Director of Human Resources
22	Code Administrator II	28	Director of Public Works
22	Planning Coordinator	29	Fire Chief
24	Administrative Services Coordinator	30	Police Chief
24	Park Supervisor	31	Director of Finance

3. That the following pay schedule for officers and employees in Unclassified Positions of the city is approved September 5, 2016 and effective October 3, 2016.

<u>Position</u>	<u>Salary Minimum</u>	<u>Salary Maximum</u>
City Manager	Established by City Council	

**Seasonal and Part-time
Hourly Rates**

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
School Crossing Guard	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Library Page	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Laborer	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
Field Mntc. Groundskeeper	\$9.40	\$9.90	\$10.40	\$10.60	\$10.80	\$11.00	\$11.20

Waterpark Aide	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80
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*Lifeguard	\$9.00	\$9.50	\$10.00	\$10.20	\$10.40	\$10.60	\$10.80

*Lifeguard with Nebraska Certified Pool Operator's License & assigned to the maintenance of the waterpark facility will receive an additional 30 cents per hour.

NOTE: Pay step increase may be given after one year of service from hire date, at the discretion of the Department Head.

- The Pay Schedule for the position of Firefighters and Fire Captains working a 56 hour week shall be the schedule approved in a Resolution adopted by the Mayor and City Council on August 7, 2017 and effective October 2, 2017.

<u>Class Title</u>	<u>Hourly Pay Schedule (56 hour week)</u>						
	1	2	3	4	5	6	7
Firefighter	13.95	14.65	15.38	16.15	16.96	17.81	18.70
Fire Captain	18.07	18.97	19.92	20.92	21.97	23.07	24.22

- That the Pay Schedule for the position of Patrol Officer, Corporal and Police Sergeant shall be the Schedule approved in a resolution approved by the Mayor and City Council on August 7, 2017 to be effective October 2, 2017.

<u>Class Title</u>	<u>Hourly Pay Schedule</u>						
	1	2	3	4	5	6	7
Patrol Officer	19.30	20.27	21.28	22.34	23.46	24.63	25.86
Police Corporal	20.91	21.96	23.06	24.21	25.42	26.69	28.03
Police Sergeant	23.06	24.21	25.42	26.69	28.03	29.43	30.90

6. Resolution No. 16-08-03 and all other resolutions in conflict with this resolution are repealed.

Passed and approved this 7th day of August, 2017.

Mayor

ATTEST:

City Clerk

City Manager Johnson presented a Resolution to rescind the Resolution authorizing the transfer of funds from the Industrial Sites Fund to the Community Development Block Grant Fund, which was approved at the previous meeting. Mr. Johnson explained that following meetings with the East Overland Revitalization Steering Committee, it was decided that these funds would be better used if we kept them in the General Fund to be used in the next phase of this project. City Staff, the Community Redevelopment Authority and the East Overland Steering Committee will work on this project, including researching other funding sources for the project and developing the criteria for the project. Mayor Meininger asked City Manager Johnson to bring the details of the criteria back to the Council for review. Moved by Mayor Meininger, seconded by Council Member Colwell, “to rescind Resolution No. 17-07-02 regarding the transfer of funds from the Industrial Sites Fund to the Community Development Block Grant Fund and approve Resolution No. 17-08-03,” “YEAS”, Meininger, Gonzales, Colwell, “NAYS” Shaver. Absent: McCarthy.

RESOLUTION NO. 17-08-03

WHEREAS, the City Council of the City of Scottsbluff, Nebraska (“**City**”) passed and approved Resolution 17-07-02 on July 17, 2017 with the intent to authorize the transfer of funds from the Industrial Sites Fund (“**Fund**”) to the Community Development Block Grant Fund for the purpose of using the funds for grant matching purposes.

WHEREAS, the City Council has now determined that it would not be in the best interest of the **City** to transfer the funds into the Community Development Block Grant and therefore now rescinds Resolution 17-07-02 and replace it with the following resolution:

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of

Scottsbluff, Nebraska:

The City Council of the City of Scottsbluff, Nebraska (“**City**”) has, pursuant to Ordinance #4060, created an Industrial Sites Fund (“**Fund**”) wherein the **City** committed sources of revenue from the sale of farm assets to the **Fund** for the purpose of paying the costs of operating the farm assets. The **City** has determined and now declares pursuant to Neb. Rev. Stat. §16-721 it would be unwise and impracticable to leave idle funds remaining in the **Fund** where the purpose of the **Fund** has been accomplished and there is no indebtedness incurred on account of the **Fund**.

BE IT RESOLVED by the City Council that a transfer from the **Fund** is hereby appropriated and directed as follows:

TRANSFER OF FUNDS:

Fund – transfer out	(\$153,500.00)
General Fund – transfer in	\$153,500.00

This Resolution shall become effective upon its passage and approval upon a three-fourths vote.

Passed and Approved on August 7, 2017.

Mayor

ATTEST:

City Clerk

City Manager Johnson presented the Resolution to extend the termination notice to the League Association of Risk Management (LARM) to the year 2020. This will extend our commitment, which allows us to receive a 5% discount. Moved by Council Member Shaver, seconded by Council Member Gonzales, “to approve Resolution No. 17-08-04 extending the date for written notice of termination in participation in the League Association of Risk Management (LARM) and consider the contribution credits for multi-year commitments,” “YEAS”, Meininger, Gonzales, Shaver, Colwell, “NAYS” None. Absent: McCarthy.

**League Association of Risk Management
2017 - 2018 Renewal Resolution**

RESOLUTION NO. 17-08-04

WHEREAS, The City of Scottsbluff is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League

Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Scottsbluff, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2020. **(180 day and 3 year commitment: 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2019. **(180 day and 2 year commitment: 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. **(180 day notice only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2020. **(90 day notice and 3 year commitment only: 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2019. **(2 year commitment only; 1%)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. **(90 day Notice only)**

Adopted this 7th day of August, 2017.

Signature: _____
Title: Mayor
ATTEST: _____
Title: City Clerk

Mayor Meininger introduced the Ordinance regarding the sale of approximately 365.34 acres of city-owned property to Croell, Inc., an Iowa Corporation which was read by title on second reading: **AN ORDINANCE AUTHORIZING THE SALE OF PART OF THE NE1/4, PART OF THE SE1/4, PART OF THE SW1/4 (NORTH OF THE CANAL) IN SECTION 34, TOWNSHIP 22 NORTH, RANGE 54 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA.**

Mayor Meininger opened the floor to those in attendance for comments regarding the sale of this property. The following attendees voiced opposition to the sale of the property to Croell, Inc. to develop a concrete plant: Louis West, Joan Koehler, Scot Mosher, Nathan Clark, Sam Crouch, Billy Estes, Dan Weitzel, Theresa Greenough, Lynn Kister and Becky McMillen. Beth Everett, owner of Meadowlark Hearth, expressed her concerns about locating a concrete plant across the street from her farm. She visited the plant in Torrington and does not have a problem with the concrete plant, but is opposed to an asphalt plant after doing extensive research.

The following attendees voiced support to the sale of city owned property to Croell, Inc.: Michael Ickowski and Brian Marchant.

Under Council Reports, Council Member Gonzales reported that there is a PADD meeting this Thursday; Mayor Meininger reported that the Senior Center meets this Tuesday; Captain Wasson reported on the CAD system which is ready to move forward with a joint agreement with all entities.

Moved by Council Member Shaver, seconded by Council Member Gonzales, "to adjourn the meeting at 8:00 p.m.," "YEAS", Meininger, Gonzales, Shaver, Colwell, "NAYS" None. Absent: McCarthy.

Mayor

Attest:

City Clerk
"SEAL"