CITY OF SCOTTSBLUFF
Scottsbluff City Council Chambers
2525 Circle Drive, Scottsbluff, NE 69361
CITY COUNCIL AGENDA

Regular Meeting
May 6, 2013
8:00 PM

1. Roll Call
2. Pledge of Alliance
3. **For public information, a copy of the Nebraska Open Meetings Act is posted in the back of the room on the west wall.**
4. Notice of changes in the agenda by the city clerk (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under Item 4 of this agenda.)
5. Citizens with business not scheduled on the agenda (As required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
6. Consent Calendar:
   a) Approve April 15, 2013 Regular Minutes
   b) Set Public Hearing for May 20, 2013 at 6:05 p.m. - Ordinance Text changes regarding towers
7. Public Comments: The purpose of this agenda item is to allow for public comment of items for potential discussion at a future Council Meeting. Comments brought to the Council are for information only. The Council will not take any action on the item except for referring it to staff to address or placement on a future Council Agenda. This comment period will be limited to three (3) minutes per person.
8. Council reports (informational only):
9. Scottsbluff Youth Council Representative report (informational only):
10. Executive Session:

Following passage of motion to enter into executive session, presiding officer must state purpose of executive session.

11. Action Items:
12. Adjournment

City of Scottsbluff, Nebraska

Monday, May 6, 2013

Regular Meeting

Item Consent1

Approve April 15, 2013 Regular Minutes

Staff Contact: Cindy

Regular Meeting
April 15, 2013

The Scottsbluff City Council met in a regular meeting on Monday, April 15, 2013 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 April 12, 2013, 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 accommodation 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 delivered to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television stations KSTF and KDUH, and the Star Herald. The notice was also available on the City's website on April 12, 2013. An agenda kept continuously current was available for public inspection at the office of the city clerk at all times from publication of the notice to the time of the meeting.

Mayor Randy Meininger presided and City Clerk Dickinson recorded the proceedings. 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: David Boeckner, Raymond Gonzales, Randy Meininger, Mike Deibert, and Scott Shaver. Absent: None.

The Pledge of Allegiance was recited. Mayor Meininger asked for a moment of silence in honor of the victims of the Boston Marathon bombing which occurred today.

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

Mayor Meininger requested item 6c dealing with the sewer back up claims be considered separately from the Consent Calendar.

Moved by Council Member Boeckner, seconded by Council Member Deibert, that:

1. "The minutes of the April 1, 2013 Regular Meeting be approved,"
2. "The April 29, 2013 Regular Council meeting be canceled as two regular meetings will have already been held in the month of April," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Moved by Council Member Boeckner, seconded by Council Member Deibert, "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 April 15, 2013, as on file with the City Clerk and submitted to the City Council," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

CLAIMS

PAYROLL $55,985.57 W/H; REGIONAL CARE $87,308.57 INS CLAIMS; WELLS FARGO $25,612.16 RETIREMENT; PVNB-HEALTH SAVINGS $11,858.46 EMP DED; STATE OF NE $0 PAYROLL TAX; NEBRASKA CHILD SUPPORT PAYMENT CENTER $2,228.54; ACSI $141.79 WAGE ATTACH; ACTION COMM $79.69 RENT; ADAMS ELECTRIC SERVICES $323.91 CH

REMODEL; AIRGAS USA, LLC $99.55 SUPP; ALAMAR UNIFORMS $532.19 UNIF; ALLIANCE WIRELESS TECHNOLOGIES $105.15 SUPP; ALLO COMMUNICATIONS $4,615.39 PHONE; AM BACKFLOW PREV ASSOC $60.00 MBERSHIP; ANITAS GREENSCAPING $110.00 MAINT; AQUA PRODUCT KC $481.53 PARTS; ASHBROOK CORP $22,400.00 REPAIRS; ASSURITY LIFE INSURANCE CO $73.43 INS; AULICK IND TRUCK & TRAILER $2,146.14 PARTS; AUTO ZONE $13.57 PARTS; B&C STEEL $5,824.29 REPAIRS; BAKER & TAYLOR $34.56 BOOK; BAKER & TAYLOR $180.75 BOOK; GARY BATT $32.30 PHONE; BEST WESTERN INN $585.00 TRNG CONF; BEST WESTERN WEST HILLS INN $77.00 TRNG; BLUFFS SAN SUPPLY $158.23 SUPP; BRUNZ, BRANDI $69.00 BUS TRVL; BUD'S RADIATOR SHOP $696.97 REPAIRS; DEBRA CARLSON $116.23 BOOKS; CARR TRUMBULL LBR $264.28 SUPP; STEPHANIE CARRADINE $75.32 REFUND; CEMENTERS $69.82 SUPP; CENTURY LUMBER CENTER $25.03 SUPP; CITY OF GERING $26,114.55 CONTRACTUAL; CITY OF SCOTTSBLUFF $165,412.35 PAYROLL; CONNECTING POINT $176.00 MAINT; CORNHUSKER HOTEL $794.00 CONFERENCE; CREDIT MANAGEMENT SERVICES INC $324.62 WAGE ATTACH; CRESCENT ELECT SUPPLY $294.21 SUPP; CUES $54.97 PARTS; CULLIGAN $180.50 MAINT; DALES TIRE & RETREAD $5,577.53 REPAIRS; RICK DEEDS $60.00 BUS TRVL; R.A. DORAN & ASSOCIATES $415.00 TRNG; DUHAMEL BROADCASTING ENT. $375.00 PUB ED; J G ELLIOTT $100.00 BOND; ELLIOTT EQUIP $444.09 REPAIRS; JET ELLIS $31.81 REFUND; ENGINEERED SYSTEMS, INC $1,448.60 RPAIRS; ENVIRO SERV $105.00 SAMPLES; ENV. RESOURCE ASSN $932.92 STUDY; FEDERAL EXPRESS $140.02 SHPNG EXP; FELSBURG, HOLT & ULLEVIG $3,028.76 CONTRACTUAL; FLOYDS SALES & SERV $1,981.86 REPAIRS; FRANK IMP $51,312.21 REPAIRS; FREMONT MOTOR COMPANY $1,012.53 MAINT; FYR-TEK $566.00 SUPP; GERING VALLEY PLUMBING & HTG. $3,900.00 RPAIRS; JOSH J GUERUE $33.30 REFUND; HEILBRUN FARM IND SUPP $2,837.19 PARTS; JERRY HIGEL $1,600.00 MAINT; HOME DEPOT CREDIT SERVICES $21.94 EQUIP; HOWTON, WILLIAM $245.00 BUS TRVL; HULLINGER GLASS & LOCKS $783.00 SUPP; HWM $425.00 MAINT; INT'L ASSOC OF CHIEFS OF POLIC $120.00 DUES; ICMA RETIREMENT TRUST $1,114.97 RETIREMENT; IDEAL LINEN $1,980.33 SUPP; IND PLMBG & HTG $242.18 PARTS; INFINITE GRAPHICS $240.00 SIGNS; INLAND TRUCK PARTS $245.44 REPAIRS; INTRALINKS $1,975.40 TECH SUPP; SAMUEL M ISABELL $112.22 REFUND; MARLIN JOHNSON $179.89 BUS TRVL; LARRY KESSLER CONTRUCTION, LLC $16,860.60 HAIL STORM REPAIRS; LANCE KITE $1,051.75 ADV TRVL; AARON KLEENSANG $165.00 BUS TRVL; BOBBI KUHLMAN $465.00 BUS TRVL; LEAGUE OF NE MUNICIPALIT $331.20 MBERSHIP; LOGAN CONTRACT SUPPLY $18,501.62 PARTS; LOGOZ LLC $129.50 UNIFORMS; MADISON NATIONAL LIFE $2,117.20 INS; HASLER FINANCIAL SVC,LLC $153.09 LEASE; MATHESON TRI-GAS INC $32.04 EQUIP; IAN MCPHERSON $294.00 BUS TRVL; MENARDS $712.63 SUPP; MICRON METERS, INC $4,526.72 PARTS; MIKES STORE $338.40 AWARDS; MONEY WISE OFFICE SUPPLIES $126.95 SUPP; MONUMENT CAR WASH $157.36 CAR WASH; MOORE BUSINES FORMS $246.58 FORMS; SCOTT MURDOCK $95.44 REFUND; NAEM $50.00 MBERSHP; NE LIBRARY COMMISSION $10.00 REFERENCE MAT; NEBR MACHINERY $803.14 COMPOSTING; NE MOSQUITO & VECTOR CONTROL A $95.00 TRNG WKSHP; NE MUNICIPAL POWER POOL $4,302.25 MBERSHP DUES; NEBRASKA ONLINE $15.00 DRIVERS LIC; NEBR ENVIRONMENTAL PRODUCTS $224.12 SUPP; NEW VICTORIAN INNS $118.00 BUS TRVL; NEW WORLD INN $195.00 BUS TRVL; NW PIPE FITTINGS $356.08 PARTS; NPPD $64,062.10 UTILITIES; OCLC $289.11 CONTRACTUAL; UPSTART ENTERPRISES, LLC $30.25 SUPP; ONE CALL CONCEPTS $139.20 LOCATES; OREGON TRAIL PLBG & HTG $2,256.00 SUPP; PANHANDLE COOP $27,901.10 FUEL; PANHANDLE HUMANE SOC $4,776.24 CONTRACTUAL; ELISEO PEREZ $4,000.00 RECYCLING; PLATTE VALLEY NATL BANK $216,462.31 PROP PURCH FLOODWAY MIT; POSTMASTER $378.80 POSTAGE; PRO TIRE $1,383.45 MAINT; Q A BALANCE SERVICE $175.00 SCALE CALIB; QUILL CORP $203.94 SUPP; RAILROAD MANAGEMENT CO III,LLC $132.87 WATER LINE CROSSING; RGN 1 OFC HUMAN DVLPMNT

$825.00 RECYCLING CONT; JOSEPH ROHRER $296.00 BUS TRVL; SMEC $274.50 UNITED WAY; SCOTTSBLUFF BODY & PAINT $665.00 TOW SERVICE; SCB FIREFIGHTERS UNION LOCAL 1 $210.00 DUES; SCB POLICE OFFICERS ASS'N $396.00 DUES; MC SCHAFF $15,625.00 CONTRACTUAL; APRIL SEARS $93.81 REFUND; SHERWIN WILLIAMS $114.94 SUPP; SIMON CONT $2,598.75 REPAIRS; SLAFTER OIL $1,798.60 SUPP; SPECIAL INVESTIGATIONS $350.00 COMPLIANCE; STAPLES $298.85 SUPP; STAR HERALD $5,946.73 LGL NOTICES; STATE OF NE $4.63 PHONE; THE STEEL GRILL $1,581.00 RECOG DINNER; TEAM CHEV $15.00 SUPP; TETRA TECH, INC $3,772.85 STUDY; THOMMY JOHNNYS $1,265.00 CONTRACTUAL; TOTAL FUNDS BY HASLER $1,800.00 POSTAGE; TOYOTA FINANCIAL SVCS $383.99 LEASE; US BANK-CPS $1,625.37 MAINT, SUPP, TRNG; VERIZON WIRELESS $309.49 PHONE; VIAERO WIRELESS $36.22 LOCATES; WALMART $468.70 SUPP; BRIAN WASSON $250.00 COMPLIANCE CKS; WESTERN PATHOLOGY $228.00 SCREENING; ABBIGAIL YELLMAN $89.69 SUPP; YMCA $1,609.80 FITNESS; ZMLUMBER $20.07 PARTS.

Annie Folck, Stormwater Specialist, presented the Community Enhancement Award from the Nebraska Forest Service to the City Council. This award is based on development of green space in the community in 2012. These awards offer well deserved recognition and will help with future grant applications. Mayor Meininger also added that the City received the Tree City USA recognition for 2012.

Regarding the sewer back up claims received by the City, Howard Olsen, City Attorney, commented that for years we tried to convince our insurance company to appeal these types of cases to test the theory of inverse condemnation. The City of Columbus appealed a similar case and the Supreme Court determined that inverse condemnation did not apply, although this left the door open if a residence or business had repetitive circumstances. Mr. Olsen advised the Council to keep this case in mind during the investigation of these claims. The Council officially acknowledged receipt of the sewer back up claims from residents located at 1501 Ave. P and 1507 Ave. P.

Mayor Meininger opened the public hearing at 6:05 p.m. as scheduled for this date, to consider a zone change in Adams Addition. City Manager Kuckkahn explained that these three lots, which are currently zoned R-1A Single Family Residential are located northwest of the Maverik Store on 36th Street. They are next to properties zoned C-3 Heavy Commercial, so the rezone would fit in the neighborhood. The Planning Commission forwarded a positive recommendation to the City Council at the April 8, 2013 meeting.

Mr. Neal Smith, one of the current owners of the lots being considered, approached the Council asking for approval of this zone change at tonight's meeting. There is currently a sale pending this approval with an anticipated closing date the following day. Kathy Birch representing VanNewkirk Realty also approached the Council stating that a change to C-3 would be the appropriate zoning for this property.

Mayor Meininger closed the public hearing at 6:10 p.m. Marlin Johnson, Planner, explained that C-3 Zoning is the appropriate commercial zoning for this area. Mr. Kuckkahn added that C-3 is the most permissive commercial zoning allowed. Council Member Deibert asked if this would increase the traffic for semi-trucks. Mr. Johnson explained that there are plans for an access road to continue the commercial corridor.

Council Member Boeckner introduced Ordinance No. 4098 which was read by title: AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT LOTS 4, 5 AND 6, BLOCK 2, ADAMS ADDITION REPLAT, SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED R-1A, WILL NOW BE INCLUDED AS C-3 HEAVY COMMERCIAL, AND REPEALING PRIOR SECTION 25-1-4.

Moved by Council Member Boeckner, seconded by Council Member Deibert, “That the statutory rule requiring the Ordinance to be read by title on three different days be suspended.” “YEAS”, Gonzales, Boeckner, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Boeckner, seconded by Council Member Gonzales, “That Ordinance No. 4098 be adopted,” “YEAS”, Gonzales, Boeckner, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

Mayor Meininger opened the public hearing at 6:15 p.m. which was scheduled for this date to consider a zone change to the Panhandle Cooperative Addition. Mr. Kuckkahn explained that this is an extension of the M-1 zoning which is next this this parcel. This zone change basically cleans up the property so the zoning is consistent. The Planning Commission forwarded a positive recommendation to the City Council at their April 8, 2013 meeting.

Mayor Meininger closed the public hearing at 6:17 p.m. Council Member Shaver asked why the zoning is M-1 light Manufacturing and Industrial, when the current use is not manufacturing. Marlin Johnson, Planner, explained that changing it to commercial zoning wasn’t considered since the existing zoning in the surrounding area is M-1.

Council Member Boeckner introduced Ordinance No. 4099 by title: AN ORDINANCE DEALING WITH ZONING, AMENDING SECTION 25-1-4 BY UPDATING THE OFFICIAL ZONING DISTRICT MAP TO SHOW THAT PART OF BLOCK 6A, PANHANDLE COOPERATIVE ADDITION REPLAT, SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED C-2, WILL NOW BE INCLUDED AS M-l LIGHT MANUFACTURING AND INDUSTRIAL.

Moved by Council Member Boeckner, seconded by Council Member Deibert, “That the statutory rule requiring the Ordinance to be read by title on three different days be suspended.” “YEAS”, Gonzales, Boeckner, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Boeckner, seconded by Council Member Gonzales, “That Ordinance No. 4099 be adopted,” “YEAS”, Gonzales, Boeckner, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

Council reviewed the following bids received for a new truck for the transportation department: Floyds Truck Center - $122,402.00 and an alternate bid of $122,512.00; Peterbilt of Norfolk $129,156.00. Staff reviewed the bids and recommended awarding the bid to Floyds Truck Center. Council Member Shaver asked if we looked at the state bids. Public Works Director Mark Bohl commented that the trucks available through the state bids would need to be modified, so we did not look at those bids. Moved by Council Member Boeckner, seconded by Council Member Gonzales, “to award the bid for one, new truck with dump body and snow plow for the Transportation Department to Floyd’s Truck Center for $122,402.00,” “YEAS”, Gonzales, Boeckner, Deibert, and Meininger, “NAYS” Shaver. Absent: None.

Council reviewed the bid received for Police Tow Services from Scottsbluff Towing. This service is bid every three years. The amounts have not changed from the previous bid. Gering is aware of the bid amount and may choose to join with us for this service. Moved by Council Member Deibert, seconded by Council Member Gonzales, “to award the bid for Police Tow Services to Scottsbluff Towing,” “YEAS”, Gonzales, Boeckner, Deibert, Shaver and Meininger, “NAYS” None. Absent: None.

City Manager Kuckkahn presented the KENO requests for the Parks Department. These requests are for KENO funds which have been allocated to park projects. Moved by Council Member Boeckner, seconded by Council Member Deibert, “to approve KENO request from the Parks Department in the amount of $2000.00 for trees and mulch at Fairview Cemetery,” “YEAS”, Gonzales, Boeckner, Deibert, and Meininger, “NAYS” Shaver. Absent: None.

Moved by Council Member Boeckner, seconded by Council Member Deibert, “to approve the KENO request for landscaping clean-up of Broadway and East Overland in the amount of $1600.00,” “YEAS”, Gonzales, Boeckner, Deibert, and Meininger, “NAYS” Shaver. Absent: None.

Mr. Kuckkahn presented the annual federal grant program to retain an investigator to work with the WING taskforce in the amount of $59,122.00. We have had this grant for the past 10 years or more. It is a very valuable program and we have dedicated a position for this specific purpose. Moved by Council Member Boeckner seconded by Mayor Meininger, "to approve the High Intensity Drug Trafficking Area (HIDTA) Continuation Grant and authorize the Mayor to execute the agreement," "YEAS", Gonzales, Boeckner, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

City Manager Kuckkahn presented Individual Retirement Account rollover option for Police Officers. The Police Retirement Committee met and made a positive recommendation to use the new Total IRA Program for unresponsive terminated participants with account balances between $1000.00 and $5,000.00. This program will not cost the City a processing fee, whereas, if we maintain the current plan, there will be a $25.00 fee for each account. Moved by Council Member Gonzales, seconded by Council Member Boeckner, "to approve the Wells Fargo Automatic Total IRA Rollover program for the Police pension," "YEAS", Gonzales, Boeckner, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Mark Overman, Scotts Bluff County Sheriff, presented the following overview of a merged Police Services Proposal:

In February of 2013, the Mayors of Gering, Scottsbluff, and Terrytown, and the Scotts Bluff County Board chairman asked the Scotts Bluff Sheriff s Office (SBSO) to develop a plan that would coordinate law enforcement efforts between the three entities under the Sheriff's Department. To develop the plan, we consulted with the executives of five different Nebraska law enforcement agencies, both municipal and county, that are similar in size to the proposed new entity. State law allows this proposal under Nebraska Revised Statute 19-3801:

19-3801. Contract with county board for police services; **sheriff; powers; duties.** Any city of the first or second class or any village may, under the provisions of the Interlocal Cooperation Act or Joint Public Agency Act, enter into a contract with the county board of its county for police services to be provided by the county sheriff. The county board shall enter into such a contract when requested by a village to do so. Whenever any such contract has been entered into, the sheriff shall, in addition to his or her other powers and duties, have all the powers and duties of peace officers within and for the city or village so contracting.

Overview of the merged department:

1. 62 sworn officers instead of 64 now, intentionally excluding both chief positions.
2. More officers on the street and two supervisors assigned to each shift-sufficient to have a supervisor on duty at all times. County residents will see 24 hour instead of 20-hour coverage.
3. Co-location of criminal investigators and varied shifts, greatly increasing availability without having to call them in. Investigators would work 8-hour shifts, with staggered days off and both a day and evening shift. This greatly enhances the availability of investigators over what any agency is doing now. Co-location, a single supervisor, and a clerk would greatly enhance communication and cooperation among investigators.
4. A single centralized records system rather than several merged systems. Centralized records should provide for more effective policing, especially in investigations.
5. A single centralized evidence tracking and storage system with a full time trained civilian evidence technician.
6. Comprehensive training of personnel.
7. Should see salary savings with the elimination of two chiefs and two captain's positions.
8. Should see a reduction in overtime with sufficient numbers of personnel scheduled.
9. May eventually see a reduction in clerical staff, as centralized records and evidence is implemented.

Implementation (subject to Merit Commission rules & statutes)

1. All sworn personnel from merging agencies sworn in as Deputy Sheriffs.
2. Incoming personnel would have to pass SBSO physical agility test before making probation (one year), and pass background investigation.
3. All current Sheriffs personnel retain current rank and seniority.
4. Temporary appointments to supervisory positions from the ranks of all employees.
5. Formal testing procedure to fill supervisory positions from the ranks of all employees that meet standards (experience outside the Sheriff's office would count).
6. Transfer of all law enforcement equipment to the new entity.
7. The attached salary schedule and budget is based on merging the salary schedules of the three departments, and a current salary survey.
8. Strict adherence to the beat system, enforced by supervisors.
9. Installation of GPS in marked units and mapping with the ability to know where units are at any given time, and to produce reports when necessary. Cost is not included in the proposed budget. Assume $900 per car with an ongoing cost of $44 per month per car.
10. Use of all existing law enforcement facilities with all expenses paid by the entities that pay for them now. No one has sufficient space for an agency of this size. Preliminarily we envision administration in one facility, patrol in another, investigations in another. However, it is preferable to eventually house the agency in a single facility.

Other considerations

a) Cities lose control of their police departments and must trust that the sheriff (whoever he or she may be) will do a good job.
b) The salary schedule is a proposal but needs to be decided by the entities involved.
c) Cost to equip new deputies is not included in the budget. Cost is approximately $2300 each assuming they bring a handgun, taser, body armor, flashlights, gun belt and equipment, and a portable radio. Without those items the price is over $6000/deputy.
d) Vehicles. SBSO and Gering have a one-man one-car (OMOC) program. Scottsbluff does not. The entities need to decide if they are going to continue OMOC or go to fleet vehicles. OMOC greatly enhances police visibility within the community. We estimate the cost to purchase and fully equip a marked police car at over $39,000.
e) Morale issues. Expect that officers adversely affected will strongly oppose the effort.
f) Comparability: Currently, the county is compared to counties with similar populations within the state. Should this continue, the existing pay scales are probably very close to comparable. However, we believe that the union will take the stance and the CIR would likely agree that the department is unique and not comparable to sheriff's offices in similar sized counties. Instead, it would be comparable to municipal police departments with similar populations.

And finally

- We believe that the agencies involved should set some timeline, perhaps several years in the future, to do an evaluation of the effectiveness of the effort. Otherwise, every time something goes awry, there will be a move by that organization to withdraw.
- We recommend that the entities form an advisory committee made up of members of each board to advise and assist with this project, and report directly to their boards.

Sheriff Overman suggested that the City Council establish an advisory committee to discuss the proposal and offer any additional recommendations. Deputy Sheriff Jim Gaspers presented the proposed budget and organizational chart. This scenario assumes that everyone will come in to the organization as a level 1. The savings between all departments initially, would be $400,000.00, based on the assumptions. The scheduling would provide two more officers on the streets, however, there would be 2 less officers. All officers would come in as a Junior Deputy staff and would establish seniority based on their current jobs.

Mayor Meininger commended Sheriff Overman on the amount of work he put into the proposal. He noted that this proposal would follow the Joint Public Agency Act. To move forward on the proposal, it will require good input from the City Councils and constituents.

Mr. Tom Perkins approached the Council and offered comments as a citizen of Scottsbluff, not representing the Scottsbluff Civil Service Commission, of which he is a member. He is opposed to this type of structure and feels it is unfortunate to be discussing it at this time, while the City of Scottsbluff is searching for a new Police Chief.

Some of Mr. Perkins' concerns include the different leadership style between a political position of an elected Sheriff and a Police Chief who is tested and interviewed. In addition, in the case of unreasonable conduct, a Police Chief can be removed from the position, but a Sheriff would require a recall procedure. Every four years a Sheriff would be up for re-election, so essentially, one year of the term, the Sheriff would spend additional time campaigning. Mr. Perkins offered a solution to provide enhanced police service, which would be an inter-local agreement with all interested communities to provide shared services.

Mayor Meininger commented that the Council would look at the Joint Public Agency Act and work on forming an advisory committee. Council agreed that the process has begun and we need to continue with the process to find the best structure for the Police Departments.

Chris Perales, Terrytown City Council Member, addressed the Council. He is also a Police Officer in Gering and explained that his honest opinion is to not continue with the merger of the police departments. He feels it's an insult to have the sheriff's department oversee officers who have worked more years and have more experience.

Brad Van Pelt, Terrytown City Council Member, also addressed the Council and reminded Council to keep the initial goals of the consolidation in mind when considering any changes.

Kent Greenwalt, Terrytown Mayor, commented that under the current system, the Scottsbluff Police Department has done a great job policing Terrytown. As the smallest town, they are willing to look at all options that will work the best for Police coverage in our area.

Nathan Johnson, Assistant City Manager, presented the agreement to sell city owned property located at 615 South Beltline East to 21st Century for $400,000.00. The agreement includes a commitment for economic development and the payment of commission in the amount of 6% to be paid by the City. The closing is conditional upon no remonstrance against the sale. Moved by Council Member Boeckner, seconded by Council Member Deibert, "to approve the agreement for the sale of city-owned property located at 615 South Beltline East in the amount of $400,000.00 and authorize the Mayor to execute the agreement," "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Council Member Boeckner introduced Ordinance No. 4100 which was read by title: AN ORDINANCE AUTHORIZING THE SALE OF LOT 3, WEST NEBRASKA EXPRESS SUBDIVISION, A SUBDIVISION OF PART OF THE SW ¼ NW ¼ OF SECTION 25, TOWNSHIP 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, MORE COMMONLY KNOWN AS 615 SOUTH BELTLINE HIGHWAY EAST, SCOTTSBLUFF, NE.

Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That the statutory rule requiring the Ordinance to be read by title on three different days be suspended." "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That Ordinance No. 4100 be adopted," "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

City Manager Kuckkahn presented a lease purchase agreement to provide financing for equipment that has been budgeted for and purchased. The equipment includes mowers and a truck for the Parks Department and copiers for the Library and Administration. Moved by Council Member Boeckner, seconded by Mayor Meininger, "to approve the lease purchase agreement for equipment financing and authorize the Mayor to execute the agreement," "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Council Member Boeckner introduced Ordinance No 4101 which was read by title: AN ORDINANCE APPROVED THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH FIRST STATE BANK FOR ACQUISITION OF PROPERTY.

Council Member Shaver declared a conflict of interest regarding his involvement with First State Bank. Moved by Council Member Boeckner, seconded by Council Member Gonzales, "to excuse Council Member Shaver from discussing or voting on the lease purchase ordinance involving First State Bank," "YEAS", Gonzales, Boeckner, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That the statutory rule requiring the Ordinance to be read by title on three different days be suspended." "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" None. Absent: None. Abstain: Shaver.

The motion carried having been approved by three-fourths of the Council Members. Moved by Council Member Boeckner, seconded by Council Member Gonzales, "That Ordinance No. 4101 be adopted," "YEAS", Gonzales, Boeckner, Deibert, and Meininger, "NAYS" None. Absent: None. Abstain: Shaver.

Under Council Reports, Council Member Deibert will attend a meeting with the Senior Center board this week.

Moved by Council Member Boeckner, seconded by Council Member Deibert, "to adjourn the meeting at 7:25 p.m.," "YEAS", Boeckner, Deibert, Shaver and Meininger, "NAYS" Gonzales. Absent: None.

____

Mayor

ATTEST:

____

City Clerk

"SEAL"

A g e n d a   S t a t e m e n t

Item No.

For meeting of: May 6, 2013

AGENDA TITLE: Set Public Hearing for May 20, 2013 at 6:05 p.m. to discuss a text change addition Chapter 25 Zoning code regarding Wireless Communication Facilities.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Set Public hearing for zone change addition of guidelines and requirements for Wireless Communication Facilities in several zoning districts.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION:

EXHIBITS

Resolution   Ordinance   Contract   Minutes   Plan/Map

Other (specify) ☐ ______________________________

NOTIFICATION LIST: Yes   No ☐   Further Instructions ☐   Neil Smith

APPROVAL FOR SUBMITTAL: ___________________________
City Manager

Rev 3/1/99CClerk

SPECIFICATIONS & INSTRUCTIONS
ENVIRONMENTAL SERVICES-RECYCLED MATERIALS HAULER

Hauler will agree to provide one over the road semi-truck sufficient enough to pull a 53' semi van trailer owned by the City of Scottsbluff Environmental Services, and a driver to the City of Scottsbluff Environmental Services to transport recycled materials to the recycling facility designated by the Environmental Services Department.

All loads will be available for pickup at the Environmental Services building located at 609 E. 2nd Street, Scottsbluff, NE and will be delivered to a Denver, CO location.

Hauler will agree to hold a Commercial Driver's License (CDL). No other endorsements are required at this time.

Materials being hauled include but are not limited to: Plastic #1 and #2, glass, newspaper, magazines, tin, aluminum, white office paper, colored paper, hard back books, trash paper which consists of paper board materials, junk mail, soft back books, and papers with staples &/or paper clips.

The City of Scottsbluff Environmental Services does not guarantee a specific day of the week or a specific number of loads per week. This is an on-call basis and you will be contacted by the department when a load is ready. Hauler will agree to haul the load within 24 hours of notification.

Hauler will agree to provide one backup driver if regular driver is unable to meet schedule.

Hauler will agree to inspect van semi-trailer before leaving the Environmental Service Yard and again before leaving the recycling drop location, noting any damage to the trailer.

The City requires that successful bidders provide an indemnification that will indemnify and hold harmless the City from and against any and all loss, damage, suits, liability and expenses (including but not limited to reasonable investigation and legal expenses) arising out of any claim for loss of or damage to property, including the City's property, and injuries to or death to persons, including employees of successful bidder and the City, to the extent caused by or resulting from the negligence or willful misconduct of successful bidder, its employees or agents. The City requires that the successful bidder provide proof of liability insurance of no less than $1,000,000.00 and that the City is named as an additional insured on the policy.

Hauler will be required to turn in a receipt stating the agreed amount upon completion of each haul. The hauler will be paid twice a month, after the council meetings, which are held on the first and third Monday of each month.

Agreement is for a period of two (2) years. Thirty days prior to the expiration of agreement both parties will discuss the renewal of agreement. There will be quarterly reviews done with both parties for fuel cost reviews.

Sealed bid amounts must be submitted to: City Clerk, City of Scottsbluff, 2525 Circle Drive, Scottsbluff, NE 69361 by 11:00 a.m., local time, May 27, 2013.

City of Scottsbluff, Nebraska

Monday, May 6, 2013

Regular Meeting

Item Consent2

Set Public Hearing for May 20, 2013 at 6:05 p.m. - Ordinance Text changes regarding towers

Staff Contact: Marlin

Agenda Statement

Item No.

For meeting of: May 6, 2013

AGENDA TITLE: Set Public Hearing for May 20, 2013 at 6:05 p.m. to discuss a text change addition Chapter 25 Zoning code regarding Wireless Communication Facilities.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Set Public hearing for zone change addition of guidelines and requirements for Wireless Communication Facilities in several zoning districts.

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION:

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map

Other (specify) ☐ ____________________

NOTIFICATION LIST: Yes No ☐ Further Instructions ☐ Neil Smith

APPROVAL FOR SUBMITTAL: ____________________
City Manager

Rev 3/1/99CClerk