CITY OF SCOTTSBLUFF
Scottsbluff City Hall
2525 Circle Drive, Scottsbluff, NE
CITY COUNCIL AGENDA

Regular Meeting
April 15, 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 Minutes of the April 1, 2013 Regular Meeting
   b) Cancel the April 29, 2013 Regular Council meeting as two regular meetings will have already been held in the Month of April.
   c) Acknowlege sewer backup damage claims.
7. Claims:
   a) Regular Claims
8. Public Hearings:
   a) Rezone Block 6A Panhandle Cooperative Subdivision
      1. b) Council to conduct a Public Hearing as advertised for this date at 6:05 p.m. to consider a zone change request for Part of Block 6A, Panhandle Cooperative Subdivision Replat from C-2 Neighborhood & Retail Commercial to M-1 Light Manufacturing and Industrial (property located on Ave. B south and west of Bumper to Bumper) and approve the Ordinance.
   b) Rezone Block 2 Adams Addition
      1. Council to conduct a Public Hearing as advertised for this date at 6:05 p.m. to consider a zone change for Lots 4, 5, & 6, Block 2, Adams Addition Replat from R-1A Single Family Residential to C-3 Heavy Commercial (property located west of Ave. I on 36th St.) and approve the Ordinance.
9. 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.

10. Council reports (informational only):

11. Scottsbluff Youth Council Representative report (informational only):

12. Executive Session:

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

13. Action Items:

14. Adjournment

City of Scottsbluff, Nebraska

Monday, April 15, 2013

Regular Meeting

Item Consent1

Approve Minutes of the April 1, 2013 Regular Meeting

Minutes: April 1, 2013

Staff Contact: City Council

Regular Meeting
April 1, 2013

The Scottsbluff City Council met in a regular meeting on Monday, April 1, 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 March 29, 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 March 29, 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.

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

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

1. "The minutes of the March 18, 2013 Regular Meeting be approved,"
2. "A Public Hearing be set for April 15, 2013 at 6:05 p.m. to consider a zone change request for Lots 4, 5, & 6, Block 2, Adams Addition Replat from R-1A Single Family Residential to C-3 Heavy Commercial,"
3. "A Public Hearing be set for April 15, 2013 at 6:05 p.m. to consider a zone change request for Part of Block 6A, Panhandle Cooperative Subdivision Replat from C-2 Neighborhood & Retail Commercial to M-1 Light Manufacturing and Industrial," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Council Member Boeckner declared a conflict of interest regarding the payment to the Riverside Discovery Center due to his role as a board member. Moved by Mayor Meininger, seconded by Council Member Shaver, "to declare a conflict of interest for Council Member Boeckner regarding a payment to the Riverside Discovery Center in the amount of $87,500.00 and excuse him from voting on or discussing the item," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, 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 1, 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 $54,239.85 W/H; REGIONAL CARE $12,702.50 INS CLAIMS; WELLS FARGO $25,228.20 RETIREMENT; PVNB-HEALTH SAVINGS $11,880.96 EMP DED; STATE OF NE $18,750.25 PAYROLL TAX; NEBRASKA CHILD SUPPORT PAYMENT CENTER $2,228.54; ABC BLINDS $250.00 OFFICE REMODEL; ACSI $141.79 WAGE ATTACH; ADAMS ELECTRIC SERVICES $3,250.00 REPAIRS; ADVANCED AUTO PARTS $16.98 PARTS; VISIONARY SYSTEMS $1,290.00 TECH SUPP; PAUL AGUALLO $100.00 UNIFORMS; ALAMAR UNIFORMS $62.89 UNIFORMS; AMAZON.COM HDQRTRS $738.03 BOOKS; AUTO ZONE $25.98 PARTS; B&C STEEL $23,892.63 SUPP AND DNTN REVIT; BAKER & TAYLOR $91.35 BOOKS; BAKER & TAYLOR ENT $984.80 BOOKS; BLUFFS SAN SUPPLY $696.37 SUPP; FARM PLAN $446.99 SUPP; JERRY R. BRETTHAUER $126.00 BUS TRVL; BRUNZ, BRANDI $54.00 BUS TRVL; TRINITI BEDLAN $21.00 CONF FEE; BYLES COMPUTER $14,808.22 EQUIP; CAPITAL BUSINESS SYST $11,655.55 CONTRACTUAL; CARR TRUMBULL LBR $161.65 SUPP; CEMENTERS $139.64 SUPP; CENTRAL COMM COLLEGE $100.00 TRNG; HANNAH CHRISTIAN $82.90 REFUND; CITY OF GERING $6,681.58 OT REIMB; CITY OF SCOTTSBLUFF $163,189.65 PAYROLL; CNA SURETY $100.00 BOND; COLONIAL LIFE $48.70 INS; JAMES COMBS $15.00 MAINT; CONNECTING POINT $91.98 MAINT; CONTRACTORS MAT $209.03 PARTS; M JANE CORR $4.41 REFUND; CREATIVE SIGNS BY COZAD $5,500.00 DNTN REVIT; CREDIT MANAGEMENT SERVICES INC $324.62 WAGE ATTACH; CRESCENT ELECT SUPPLY $74.11 SUPP; CUES $2,456.08 SOFTWARE MTNC; CULLIGAN $40.50 MAINT; D & H ELECTRONICS $85.76 SUPP; DALES TIRE & RETREAD $1,501.61 REPAIRS; DANA F. COLE & CO., LLP $3,750.00 AUDIT SERV; DANKO EMERGENCY EQUIP CO $433.54 EQUIP; RICK DEEDS $101.58 CONF; CINDY DICKINSON $198.92 BUS TRVL; DAVID EADS $31.27 REFUND; ELLIOTT EQUIP $398.84 EQUIP; ENVIRO SERV $135.00 SAMPLES; NANCY ESCAMILLA $101.14 BUS TRVL; FASTENAL $18.67 PARTS; FLOYDS SALES & SERV $1,931.18 REPAIRS; ANDREA FREDRICKSON $148.26 BUS TRVL; FREMONT MOTOR COMPANY $1,153.10 REPAIRS; FRIENDS OF MIDWEST $3,136.87 GRANT REIMB; GERING CITIZEN $30.00 SUBSCPT ; JOSH E GOMEZ $800.00 CONTRACTUAL; DAN GUECK $178.00 REIMB; CHRIS HAUN $11.19 REFUND; HAWKINS $4,732.50 SUPP; HOBBS, CHAD $54.00 BUS TRVL; HOLIDAY INN - MID TOWN $434.12 CONF FEE; HOLIDAY INN EXPRESS $154.00 CONF FEE; HOME DEPOT CREDIT SERVICES $59.88 SUPP; HULLINGER GLASS & LOCKS $211.25 SUPP; MATTHEW M HUTT, PH-D $450.00 PRE-EMP; ICMA RETIREMENT TRUST $1,114.97 RETIRE; IND PLMBG & HTG $472.41 REPAIRS; INFINITY CONST $213,471.21 CONTRACTUAL; POLK DIRECTORIES $680.00 DIRECTORY; JOHN E REID & ASSOC $2,100.00 TRNG; KEMBEL SAND & GRAVEL $116.46 SUPP; KIMBALL MIDWEST $407.64 SUPP; KOIS BROS EQUIPMENT $119.63 REPAIRS; KRAMES STAYWELL, LLC $1,103.46 SUPP; GARY A LAMOTTE $102.03 REFUND; LEAGUE ASSOC OF RISK MGMT $833.00 INS; LYNN PEAVEY CO $95.76 SUPP; PERRY MADER $110.58 CONF FEE; MARIES EMBROIDERY $36.00 UNIFORMS; MAVERICK ARMS, INC $93.95 MAINT; STEVE L MCLEAN $6.09 REFUND; BRUCE MEIER $154.00 BUS TRVL; MENARDS $267.27 SUPP; MIKES STORE $27.50 SUPP; MURDOCHS RANCH & HOME SUPPLY $30.14 PARTS; MURPHY TRACTOR & EQUIP $1,239.95 REPAIRS; NE HAZARDOUS MATERIALS ASSOC $150.00 DUES; STATE OF NE $588.00 BLOOD TEST; NEBR MACHINERY $2,109.75 REPAIRS; NEBRASKA FOREST SERVICE $300.00 TRNG; NOCO F.O.O.L.S. $170.00 TRNG; NW PIPE FITTINGS $370.11 SUPP; OMAHA WORLD HERALD $268.84 SUBSCRIPT; PAUL REED CONST $49,039.39 CONTRACTUAL; POSTMASTER $174.22 POSTAGE; NICHOLAS POWERS $30.11 REFUND; PRAISE WINDOWS $620.00 MAINT; PRINT EXPRESS $274.30 EGG HUNT; PRO DOOR SERVICE $8.00 PARTS; QUILL CORP $216.52 MAINT; RCI $37,927.79 INS; WY FIRST AID/SAFETY $50.74 SUPP; RIVERSIDE DISCOVERY CENTER $87,500.00 CONTRACTUAL; ROOSEVELT PP DIST $1,810.46 UTILITIES; SMEC $274.50 UNITED WAY; SAFE HARBOR $200.00 QUITCLAIM; SANDBERG IMPLEMENT $95.34 PARTS; SCB FIREFIGHTERS UNION LOCAL 1 $210.00 DUES; SCB POLICE OFFICERS ASS'N $396.00 DUES; SCB SCREENPRINTING

$515.00 SUPP; MC SCHAFF $26,194.00 CONTRACTUAL; JAYCEES SENIOR CENTER $5,750.00 CONTRACTUAL; SHERIFFS OFFICE $2,845.49 OT & PAPERS SERVED; SHERWIN WILLIAMS $25,324.27 SUPP; SLAFTER OIL $90.80 SUPP; KN ENERGY $4,787.92 FUEL; STAPLES $1,058.49 SUPP; STATE OF NE $129.69 PHONE; STATE PATROL $2,631.66 OT REIMB; SUBWAY $27.50 EXAM EXP; TEAM CHEV $542.18 MAINT; THOMMY JOHNNYS $260.00 CONTRACTUAL; TWIN CITY DEV ASSN $33,612.31 QTRL PMT - GRANT REIMB; TWIN CITY AUTO $51.84 REPAIRS; UNITED CHAMBER OF COMMERCE $400.00 RECOG EVENT; UNIV OF NE $173.14 ED MAT; US BANK-CPS $1,444.01 TRNG, SUPP; USA BLUEBOOK $238.41 SUPP; VERIZON WIRELESS $566.07 PHONE; SKYBEAM $16.00 INTERNET; WALMART $563.24 SUPP; WATERWORKS INDUSTRIES, INC $349.00 PARTS; WESTERN PLAINS BUSINESS FORMS $4,595.90 MAILING EXP.

Moved by Mayor Meininger, seconded by Council Member Deibert, "to approve payment to the Riverside Discovery Center in the amount of $87,500.00 for their quarterly payment," "YEAS", Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None. Abstain: Boeckner.

Dayle Wallien, Executive Director, Western Nebraska Community College Foundation, and also Race Director, gave the Council some training tips for the WNCC Fall Frolic 5k and 10k walk/run. She expressed her appreciation for the Council's participation and challenge to the City of Gering and their commitment to making a statement regarding the importance of fitness in our community. All proceeds from the Fall Frolic will benefit the College. Along with the handouts, she informed the Council they could log onto wnccfoundation.org for additional training materials.

City Manager Kuckkahn presented the Ordinance rezoning the property in Riverside Tracts. The rezoning request was approved by the City Council on October 15, 2012, with conditions that included review and approval by the Nebraska Department of Environmental Quality and adequate reserve for an additional septic system. Both conditions have been met and this zoning is not inconsistent with surrounding properties. Council Member Boeckner introduced Ordinance No. 4097 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 TRACT 8A, RIVERSIDE TRACTS, A REPLAT OF TRACTS 7 AND 8, RIVERSIDE TRACTS, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED R-1B, WILL NOW BE INCLUDED AS R-1 SINGLE FAMILY ZONE, AND REPEALING PRIOR SECTION 25-1-4.

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. 4097 be adopted," "YEAS", Gonzales, Boeckner, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Mr. Kuckkahn presented the inter-local agreement with the City of Kimball and the Resolution authorizing Mark Bohl, Public Works Director, to assist with Kimball's underpass project. Council authorized the appointment at the March 18, 2013 meeting. Moved by Council Member Boeckner, seconded by council Member Deibert, "to approve the Inter-local Agreement and Resolution authorizing Mark Bohl to be the Responsible Charge for the City of Kimball underpass restoration project and authorize the Mayor to sign the documents," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Resolution No. 13-04-01

WHEREAS, Assisting LPA, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as "Responsible Charge" (RC); and

WHEREAS, Receiving LPA has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Assisting LPA for the services of a qualified "Responsible Charge" (RC) for a Federal-Aid project in Receiving LPA; and

WHEREAS, Receiving LPA and Assisting LPA; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that, Mark Bohl, Director of Public Works, is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in Receiving LPA.

NDOR Project No.: STPB-71-2(110)
NDOR Control No.: CN #51242

Project Name: Kimball Underpass Renovation Project
Motion made by Council Member Boeckner to adopt said resolution. Second by Council Member Deibert.
Roll Call: 5 Yes 0 Nay

PASSED AND APPROVED this 1st day of April, 2013.

____
Mayor Randy Meininger

Attest:

____
City Clerk

"Seal"

Annie Folck, Stormwater Program Specialist, and Susan Wiedeman with Panhandle Coop gave the Council a presentation on the Greener Nebraska Towns Initiative, which will provide education and trees in our community. The program will use only grant funds, no city funds are required. The Westmoor area was identified as an area needing additional trees, including Westmoor School. Panhandle Coop has partnered with the City on this project, as Westmoor Elementary is their adopt-a-school partner. A tree planting workshop will be open to the public on April 20th at 8:00 a.m. to educate the attendees about proper tree planting and care. In addition, there are smaller trees available for city residents for $15.00 each, to be planted in front yards only. Boy scouts will be available to plant trees if residents are unable to plant their own. Ms. Wiedeman encouraged the city leaders to attend.

City Manager Kuckkahn explained the CIP funds set aside for repairs to Westmoor Pool. The original estimate was $206,000.00 however, since we've had City crews make the repairs, the cost was only $25,000.00. The Parks Department would like to use the additional funds for maintenance needs and an additional water feature. Mayor Meininger suggested discussing this for the next budget year. Mr.

Kuckkahn reported that the attendance is at capacity at this pool, however, there is a concern with having lifeguards who can stay throughout the entire summer season. Mayor Meininger offered support of the repairs and the additional attraction, and would like staff to bring back solid estimates for these improvements. The Council is reviewing this because the proposed expenditure of the budgeted funds has changed. The priority is to make the repairs first and any additional features to the pool would be second.

Council reviewed a KENO request from the Parks Department for a new picnic structure at Carpenter Park, since the department removed the previous one. These funds have been allocated from the KENO fund for the Parks Department. Moved by Council Member Council "to approve the KENO request in the amount of $1000.00 for a new picnic shelter at Carpenter Park for the Parks Department," "YEAS", Boeckner, Gonzales, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Council reviewed another KENO request from the Parks Department to repair the existing Elks picnic shelter. The request is for $3600.00 which will be matched with the same amount from the Elks. Moved by Council Member Boeckner, seconded by Council Member Deibert, "to approve the KENO request from the Parks Department for repairs to the Elks picnic structure in Riverside Park in the amount of $3600.00," "YEAS", Boeckner, Gonzales, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Mr. Kuckkahn presented information regarding the contract for improvements to Riverside Campground. There was a large discrepancy in the bid amounts, so staff will talk with the lowest bidder, Oregon Trail Plumbing, so they better understand why their bid was so low. Moved by Mayor Meininger, seconded by Council Member Shaver, "to table the item dealing with the contract for improvements to Riverside Campground until an explanation from the lowest bidder is available," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Council reviewed the contract for the Umpire Coordinator and the new voucher system the legal department developed. This is a new contract for this position and new payment system for the umpires. Moved by Council Member Boeckner, seconded by Council Member Gonzales, "to approve the contract with Jamy Lawson as Umpire Coordinator and authorize the Mayor to execute the contract," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Regarding the existing contract for the library's copier maintenance agreement, it was moved by Council Member Boeckner, seconded by Council Member Deibert, "to approve the contract with Copier Connection for copier maintenance at the Library and authorize the Mayor to execute the contract," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Mr. Kuckkahn presented the follow-up agreement for the collection process at the Library and explained that there will be significant payments due by patrons for books that have not been returned. This process has been reviewed by the Library Board, who has generated this process. There is a trial period at the beginning of the program. Moved by Council Member Boeckner, seconded by Council Member Deibert, "to approve the agreement with Unique Management Services, Inc., for the book collection process at the Lied Scottsbluff Public Library and authorize the Mayor to sign the agreement," "YEAS", Boeckner, Gonzales, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

City Manager Kuckkahn explained that the Ports to Plains Alliance has asked the City of Scottsbluff to offer their support to the Keystone XL Pipeline project. Governor Heineman has signed off on the project and the Federal Government has approved the construction. The pipeline has been moved east of the Ogallala Aquifer, reducing the environmental issues regarding our major water source. Council noted that Gering previously sent a letter of support. The City of Chadron did not offer support. Council agreed that this is an emotional topic for people in Nebraska. Two letters asking the Council to not support the pipeline from Santana Tamarak and Jayne Sayre, were acknowledged. Moved by Council Member Boeckner, seconded by Mayor Meininger, "to submit a letter of support for the Keystone XL

Pipeline as a member of the Ports-to- Plains Alliance," "YEAS", Boeckner, Gonzales, and Meininger, "NAYS" Shaver, Deibert. Absent: None.

City Manager Kuckkahn presented the revised support agreements with Twin Cities Development (TCD), Panhandle Area Development District (PADD), and Scottsbluff County Consolidated Communications Center. The revised agreements include the performance measures and the reporting and auditing information request. These contracts will be renewed annually. There was discussion regarding the association of Western Nebraska Housing Opportunities (WNHO) with TCD. The Executive Director of TCD also serves as the director of WNHO and administers the grants. TCD has a separate board, and any details regarding the organization need to be directed to the board. The contract with the City and TCD is to specify deliverable results regarding economic development.

Moved by Council Member Boeckner, seconded by Council Member Gonzales, "to approve the Support Agreement with Twin Cities Development and authorize the Mayor to execute the agreement," "YEAS", Boeckner, Gonzales, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member Boeckner, "to approve the Support Agreement with Panhandle Area Development District and authorize the Mayor to execute the agreement," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Moved by Council Member Gonzales, seconded by Council Member Boeckner, "to approve the Support Agreement with Scottsbluff County Consolidated Communications Center and authorize the Mayor to execute the agreement," "YEAS", Boeckner, Gonzales, Deibert, Shaver and Meininger, "NAYS" None. Absent: None.

Regarding the plan to sell the property located at 120 5th Ave. which will be acquired for the floodway mitigation project, Mr. Kuckkahn recommended to Council that we distribute information about the property through the Scotts Bluff County Board of Realtors with the asking price and details about the property. We will be closing on this property the end of April, so we will put the Realtors on notice that we will be acquiring this soon. The property has recently been mitigated as it relates to the floodplain and is very useable. Mayor Meininger asked about splitting the west portion of the property so there is not a risk of possible excess storage on that part of the property. Mr. Kuckkahn suggested having a restrictive easement placed on the property to prevent any issues. Council Member Shaver asked about the existing 12 month lease the City has with the current owner. Mr. Kuckkahn noted that the lease will be disclosed in the listing information, which can be negotiated with any potential buyers. Mr. Kuckkahn also informed Council that all elevations have been verified by our engineers. Council directed Mr. Kuckkahn to proceed with distributing information to the Realtors with the additional information discussed.

Mr. Nathan Johnson, Assistant City Manager, presented the information to Council regarding the proposals to purchase the property located at 615 South Beltline Highway East, because City Manager Rick Kuckkahn and Deputy City Attorney Rick Ediger recused themselves from discussions regarding this issue due to conflicts of interest. The proposals were reviewed by the LB840 Application Review Committee. Mr. Johnson gave some information regarding the two proposals: Proposal A, which is a Trout Farm Company, would like to expand their business in Scottsbluff, which would include a store front, some manufacturing and trout farming; and Proposal B from 21st Century Equipment to provide a campus setting to expand their irrigation business. Following the LB 840 Executive Session, the committee, in open session, recommended approval of Proposal B from 21st Century. Mr. Johnson clarified that the LB840 committee reviewed the proposals as their area of expertise is economic development and the property is owned by the LB840 fund. He explained that 21st Century has a better salary and benefit package and projected growth with 15 jobs initially and a projected consistent increase.

Council Member Deibert commented that he did not want to lose site of the other company, and to offer assistance to the business that is not chosen, and help them locate in Scottsbluff also.

Mr. Jim Trumbull, Chairman of the LB840 Application Review Committee, addressed the Council and gave additional information regarding the two proposals.

The following criteria points were used in judging the proposals:

- Purchase price
- Past growth and anticipated sustainability
- Salary and hourly wages
- Impact to business and environment
- Enhance employment in the community and attract other business

Mr. Trumbull explained that both companies gave excellent presentations and have both been in business for more than 15 years. They both met the criteria regarding the purchase price. The wage and benefit package with 21st Century was outstanding. Both companies had a minimum impact to the environment and their businesses would enhance the city. As far as timing, the lease that 21st Century currently has in Gering will soon be expired, and they currently have a contractor in place at the west building to make any necessary improvements; whereas the timing with the food processing business can be very time-consuming with inspections. Regarding the attraction of other business, both companies would provide opportunities to attract other business to the area.

Both companies said they would move forward if they did not get the property in this process. The LB840 Committee offered any assistance possible to each business to provide for business development, utilizing resources from the City, Twin Cities Development and the LB840 funding. Council Member Shaver brought up a concern regarding the stipulations prohibiting the use of LB 840 funds to finance a company moving from one Nebraska community to another. While this is the case with 21st Century relocating from Gering to Scottsbluff, this transaction is different from an economic development grant.

Moved by Mayor Meininger, seconded by Council Member Boeckner, "to accept the proposal from 21st Century Equipment to purchase the property located at 615 South Beltline Highway East and advise staff to develop a purchase agreement to include price, taxes and real estate fees," "YEAS", Boeckner, Gonzales, Deibert, and Meininger, "NAYS" Shaver. Absent: None.

Under Council reports, Mayor Meininger reported that the Revenue Committee will meet on April 25th. In addition, there will be ICS 300 and 400 training classes April 15-19 at Fort Robinson. The Mayor's Prayer Breakfast is scheduled for May 2, 2013 at the Gering Civic Center.

Moved by Mayor Meininger, seconded by Council Member Boeckner, "to adjourn to executive session at 7:10 p.m. for the prevention of needless injury to an individual, if the individual has not requested a public meeting, to discuss contract negotiations with the City Manager to include the City Manager, City Attorney and the City Council," "YEAS", Gonzales, Boeckner, Deibert, Shaver, and Meininger, "NAYS" None. Absent: None.

Mayor Meininger stated that the City Council would now adjourn to executive session for the purpose of prevention of needless injury to an individual, if the individual has not requested a public meeting, to discuss contract negotiations with the City Manager.

Council reconvened out of executive session into regular session at 7:55 p.m. The following Council Members answered roll call: Gonzales, Boeckner, Deibert, Shaver and Meininger.

Moved by Mayor Meininger, seconded by Council Member Boeckner, "to extend the current contract with City Manager Rick Kuckkahn until September 30, 2013, at which time a new contract would be developed with the parameters of the existing contract to include the following additional deliverables: update the existing Comprehensive Plan; develop finance products and enhancement for business development in Scottsbluff; and mentorship with the Assistant City Manager and Planner, with an annual salary of $104,040.00 to begin October 1, 2013, " "YEAS", Gonzales, Boeckner, Deibert, Shaver, and Meininger, "NAYS" None. Absent: None.

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

____
Mayor

ATTEST:

____
City Clerk

"SEAL"

City of Scottsbluff, Nebraska

Monday, April 15, 2013

Regular Meeting

Item Consent2

Cancel the April 29, 2013 Regular Council meeting as two regular meetings will have already been held in the Month of April.

Staff Contact:

City of Scottsbluff, Nebraska
Monday, April 15, 2013
Regular Meeting

Item Consent3

Acknowlege sewer backup damage claims.

Staff Contact:

City of Scottsbluff, Nebraska

Monday, April 15, 2013

Regular Meeting

Item Claims1

Regular Claims

Staff Contact:

City of Scottsbluff, Nebraska

Monday, April 15, 2013

Regular Meeting

Item Pub. Hear.1

Rezone Block 6A Panhandle Cooperative Subdivision

b) Council to conduct a Public Hearing as advertised for this date at 6:05 p.m. to consider a zone change request for Part of Block 6A, Panhandle Cooperative Subdivision Replat from C-2 Neighborhood & Retail Commercial to M-1 Light Manufacturing and Industrial (property located on Ave. B south and west of Bumper to Bumper) and approve the Ordinance.

Staff Contact: Rick Kuckkahn

City of Scottsbluff, Nebraska

Monday, April 15, 2013

Regular Meeting

Item Pub. Hear.2

Rezone Block 2 Adams Addition

Council to conduct a Public Hearing as advertised for this date at 6:05 p.m. to consider a zone change for Lots 4, 5, & 6, Block 2, Adams Addition Replat from R-1A Single Family Residential to C-3 Heavy Commercial (property located west of Ave. I on 36th St.) and approve the Ordinance.

Staff Contact: Rick Kuckkahn

Agenda Statement

Item No.

For meeting of: April 15, 2013

AGENDA TITLE: Public Hearing for zone change request of Lots 4, 5, and 6, Block 2, Adams Addition Replat from R-1A single family residential to C-3 Heavy Commercial.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Rick Kuckkahn

SUMMARY EXPLANATION: Public hearing for zone change request from property owners, Western Terminal Storage (Paul Reed), D Bar B Farms, Inc. (David Baltensperger), and Oregon Trail Land & Aquatics Trust (Neil Smith). The applicants desire to rezone, respectively, Lot 6, Lot 5, and Lot 4 of Block 2 of Adams Addition to C-3 Heavy Commercial from R-1a Single Family Residential. The three parcels total approximately 2.5 acres.

Lot 5 has a commercial structure that was permitted with a variance and Lots 6 and 4 are undeveloped. C-3 Zoning exists along both sides of 36th Street in this vicinity with some parcels developed and others not. There is R-1a zoning to the north and Agricultural Zoning to the west. Most of these properties are developed with their respective uses.

The Comprehensive Plan Future Land Use Map designates these parcels as Employment Center, which generally matches Commercial. No concerns for this proposal were received from other departments or agencies. There have been no objections received from the public at the time of this Report; C-3 appears to be a reasonable and logical use of these properties.

BOARD/COMMISSION RECOMMENDATION: The Planning Commission at their regular meeting of April 8, 2013 made positive recommendation to City Council for the zone change request.

STAFF RECOMMENDATION: Staff recommends approval of the rezone of Lots 4, 5, & 6 of Block 2, Adams Addition to C-3 Heavy Commercial.

EXHIBITS

Resolution Ordinance X Contract Minutes x Plan/Map x

Other (specify) ☐ ______________________________

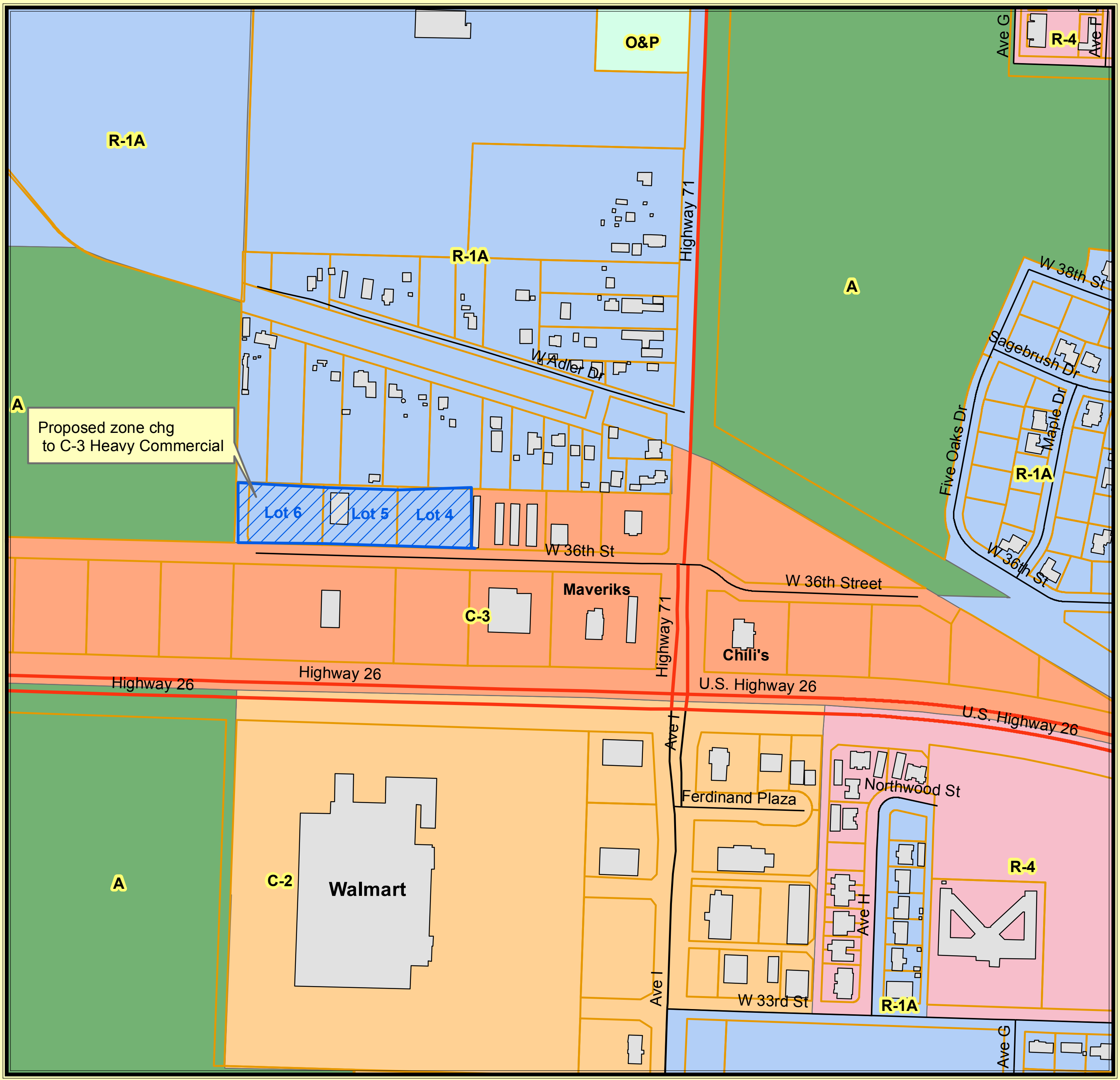
NOTIFICATION LIST: Yes X No ☐ Further Instructions ☐ Neil Smith

APPROVAL FOR SUBMITTAL: ______________________
City Manager

Rev 3/1/99CClerk

West 36th St. Rezone

R-1A to c-3



4/8/2013

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Map by A. Urdiales: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.