

CITY OF TERRYTOWN
January 7th, 2021
Regular Meeting Minutes

The City of Terrytown Council met on Thursday, January 7th, 2021, at 6:30 PM, for their regular monthly meeting at the Housing Partners of Western Nebraska Community Room, at 89A Woodley Park Road in the City of Terrytown. Notice of said meeting was published in the Scottsbluff Star-Herald according and council members were notified of said meeting. Zoom information was available on the calendar invitation, the City of Terrytown Website and the City of Terrytown Facebook page. The meeting was called to order at 6:38 p.m. by Mayor Chris Perales. Council Members present in person were: Tyler Feil, Jerry Green, and Mike Minzey. Marcia Sherlock was absent. City Attorney, Libby Stobel, was present and took minutes.

The Pledge of Allegiance was recited by those in attendance. Mayor Perales pointed out the location of the poster for the Open Meetings Act which is also available on the City of Terrytown website, a copy was also given to each council member and additional copies for the public.

Council Member, Jerry Green recited the oath of office. (Sherlock was absent)

Scotts Bluff County Public Health Vaccine Press Release was received and reviewed by council.

Owners of Western Equities, LLC, DBA Monument View Trailer Park, Ken & Barb Walker were present with their attorney, Robert Brenner. There was discussion regarding the payment for any necessary sewer line upgrade for the Trailer Park. Walkers position is that they (Western Equities) are not responsible for the costs of maintaining and repairing portions of the Sewer for Monument View, to include replacement. Pursuant to a 2004 Agreement, the City of Terrytown agreed to maintain/repair the same, but the question is whether this extends to replacement. The language grants the rights to repair and maintain the same, and the City will do so. Per discussion there are specific issues with interpretation of the agreement, as far as what is main as opposed to service line, which typically runs from the dwelling to the main, as the mains were deeded to the City in 2004. Issues are as follows: (1) Per City Engineer, Jeff Wolfe, according to the State of Nebraska a main is defined as 8" or larger; the current 4" lines function as mains and will be treated accordingly. The Agreement provides that the water and sewer services shall be delivered to Monument View at the point or points as they existed in 2004 and at such other points as agreed to from time-to-time. Stobel will research into what the delivery point was in 2004. (2) Replacement will be necessary at some point in the future, as these 8" lines do not meet state standards. In order to do so, this needs to be requested by the owners, but is not currently budgeted for the fiscal year 2020-2021. No one has formally requested and is not doing so now, parties just want to know who will be financially responsible when the time comes per proposed buyer, Jefferson Lilly of Park Avenue Partners. (3) if/when the request is made, who will pay for the same? Options for the City would be, cash reserves, bonds, or a special assessment using a sanitary improvement district. Ken Walker, stated that after the water main was replaced as part of the water project, he thought the sewer was going to be replaced the following summer and the gravel road repaired. Dodi Osburn, Realtor for the property, would like assurances in writing as the City's position. The City will put this issue be on the February agenda and directed MC Schaff create a proposed budget for the project so that the City is aware of potential costs.

Twin City Development Director, Rwanda Pierce, discussed the Rural Workforce Housing Funds with matching grants to non-profit development organization administering workforce housing investment funds. These funds could be utilized as a low interest rate loan for contractors to improve housing throughout the panhandle. The application for matching funds from the State of Nebraska is due at the end of January. Pierce believed that per the League of Nebraska Municipalities keno funds can be used for this project, but another village attorney was concerned, so Stobel will review further; TCD is looking for a \$25,000 commitment from Terrytown. If commitment is made now, this could be matched by the state for a total of \$50,000. Once the money has been repaid by a contractor, contractors with other projects in Terrytown can ask for more funding perpetually. TCD has a goal of \$250,000 in local funds matched by NIFA. Minzey would be interested in rehabbing projects; would like to have a special meeting to discuss use of City or Keno funds for such a project between now and January 28th, 2021 so it can be on the agenda.

Feil moved to approve the regular Meeting Minutes from the December 3rd, 2020. Green seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

Feil moved to approve the payment of claims for December 3rd, 2020 through January 6th, 2021. Minzey seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

KENO: .012 Carpenter Center,\$250.00; **GENERAL:** .000 Robert Blanco,\$791.15; Hugo Chairez, \$1259.11; Jennifer Mattern, \$1410.51; Dennis McLaughlin, \$545.37; Anne Reker, \$1025.29; Fremont Ford, \$500.00; Simmons, Olsen Law Firm, \$1410.00; Bluffs Facility Solutions, \$72.61; Blue Cross Blue Shield, \$3,406.44; Dana Cole & Company, \$6050.00; Farm Plan, \$205.00; NPPD, \$227.31; Scottsbluff/Gering Chamber of Commerce, \$100.00; Star Herald, \$30.57; Verizon, \$676.66; Visa, \$371.23; Fremont Ford, \$13,500.00; Nebraska Child Support Payment, \$246.94; Robert Blanco, \$779.09; Hugo Chairez, \$1391.58; Dennis McLaughlin, \$775.31; Anne Reker, \$996.17; Jennifer Mattern, \$1306.19; Anne Reker, \$39.97; Jennifer Mattern, \$87.43; Nebraska Liquor Control, \$300.00; One Call Concept, \$38.40; Verizon, \$384.85; Schaff And Associates, M.C., \$472.50; Reganis Auto Center, \$734.24; L.A.R.M., \$153.17; Blue Cross Blue Shield, \$3406.44; Cyclone Express, \$137.06; Carpenter Center, \$1211.84; Johnson Cashway Lumber Co., \$171.45; Intralinks Inc., \$179.00; Matheson, \$151.94; Pitney Bowes Inc., \$500.00; Print Express, \$43.00; Guardian Insurance Col., \$48.44; PLIC SBD Grand Island, \$78.54; Panhandle Human Society, \$600.00; Scottsbluff Police Department, \$10,833.33; Marcia Sherlock, \$69.26; Tyler Feil, \$69.26; Jerry Green, \$69.26; Michael Minzey, \$69.26; Christopher Perales, \$230.87; City of Gering, \$31.11; Power Manager Software, \$2013.00; Robert Blanco, \$806.09; Hugo Chairez, \$1496.77; Jennifer Mattern,\$1316.82; Anne Reker, \$987.75; Dennis McLaughlin, \$818.52; Nebraska Child Support Payment, \$235.40; Gering Public Schools, \$300.00; Robert Blanco, \$92.35; Hugo Chairez, \$92.35; Jennifer Mattern, \$92.31; Anne Reker, \$92.40; Nebraska Dept. of Revenue, \$1048.10; Nebraska Public Power, \$336.49; Heartland Expressway Association, \$417.60; Visa, \$627.32; Hi Performance Car Wash, \$27.00; Allo Communications, \$237.36; Judy Hoatson CPA, \$850.00; Robert J Blanco, \$761.71; Hugo Chairez, \$1401.14; Anne Reker, \$928.79; Jennifer I Mattern, \$1237.74; Nebraska Child Support Payment, \$235.40; Scotts Bluff County Treasurer Fund, \$10.00; Robert j Blanco, \$819.56; Hugo Chairez, \$1442.25; Jennifer L Mattern, \$1222.82; Anne M Reker, \$929.94; Nebraska Child Support Payment, \$235.40; Tyler P Feil,\$69.26; Jerry L Green, \$69.26; Michael A Minzey, \$69.26; Christopher Perales, \$230.87; Marcia L Sherlock, \$69.26; Verizon, \$384.85; Allo, \$239.22; Nebraska Municipal Clerks Association,\$35.00; Barco Municipal Products Inc., \$78.30; Terry & Hazeldeane Carpenter Intergenerational Center, \$1211.84; Intralink, \$179.00; Print Express, \$856.55; Pitney Bowes Inc., \$500.00; Simmons, Olsen Law Firm, \$2190.00; SCB Gering Chamber of

Commerce, \$461.00; Star Herald, \$158.54; Wyoming First Aid & Safety, \$73.88; Pitney Bowes Global Financial Services, \$159.63; Schaff And Associates, M.C., \$380.00; Panhandle Human Society, \$600.00; Police Department, \$10,833.00; **WATER:** 041 NPPD, \$166.17; Contractors Material, \$159.45; Enviro Service Inc., \$40.00; NPPD, \$190.58; Nebraska Department of Environment & Energy, \$9634.90; Nebraska Public Health Environmental, \$248.00; Terry Carpenter Inc., \$438.00; Nebraska Public Power, \$235.77; Enviro Service Inc., \$40.00; Nebraska Public Power, \$190.11; Pipe Works Plumbing, \$150.00; City Of Gering, \$2823.25; Schaff And Associates.,M.C., \$1574.06; One Call Concepts, \$50.33; Terry Carpenter Inc., \$438.00; **SEWER:** .042 City of Scottsbluff, \$10,542.50; Enviro Service Inc. \$175.00; NPPD, \$319.82; Terry Carpenter Inc., \$150.00; Waste Connection, \$7058.61; Johnson Cashway Lumber CO., \$129.16; Enviro Service Inc., \$173.00; Pipe Works Plumbing, \$120.38; Enviro Service Inc., \$346.00; Nebraska Public Power, \$349.17; City of Scottsbluff, \$9765.76; City of Scottsbluff, \$8774.68; City of Scottsbluff, \$182.55; Terry Carpenter Inc., \$150.00; **STREET:** .011 NPPD, \$2089.66; NPPD, \$282.53; Nebraska Public Power, \$2089.89; Visa, \$69.17; Nebraska Public Power, \$257.53; City Of Scottsbluff, \$1834.25

The Final Change Order and Pay App were discussed for Hennings Construction. The Final Change order resulted in \$30,083.76 in savings to the City. Minzey moved to pay the Final Pay App to Hennings Construction in the amount of \$40,129.61. Feil seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

For the Water Project, the City is ready begin taking bids for the removal of the water tower. Bidding will close on February 23rd, 2021 and will be presented at the March meeting. Feil moved to move forward with bidding. Green seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

Reading number three of Ordinance No [458]: No Parking Ordinance on Portions of Barbara Lane, Woodley Park Road, and Gary Street. Discussion was had regarding more people are affected on the side without the fire hydrant was the reason for prohibiting parking on the opposite side. J.P. Biernacki, who lives on Barbara lane and is with the Scotts Bluff Rural Fire Department said he visited with Scotts Bluff Rural and parking does not currently present a problem. He asked whether there were any wrecks in the area. Per Bernacki the Scotts Bluff Rural Fire Department Chief believes that blocking off the south side is just attempting to appease an individual family; and if you wanted to rectify the issue you should paint on the north side of the street. Karen Thrasher, who requested no parking in front of her home, said its fine to the council could reduce parking to only the Thrasher's property. Bernacki stated the options are the other (south) side of the street or one-way streets. The council voiced no interest in one-way streets based on a history of issues involving a previous change at Woodley Park Road.

The council reviewed the revised terminology for the Contract for the Tri-City Stormwater. The changes were made in wording to reflect out of pocket expensed of \$6,000 maximum for the City between contribution and supplies. Feil moved to approve the Contract. Minzey seconded the motion. Aye's; Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

Review proposed water rates: ¾" meters \$28.00/month; 1" meters \$36.75/month; 1.5" meters \$80.25/month; 2" meters \$108.00/month and \$1.25/1,000 gallons of water used.

Wolfe finally suggested these tiered rates, so that larger water users are billed accordingly. These numbers reflect the costs of the water to this City based on NRWA & the City's calculations. There is a difference of \$120k between NRWA estimate and City Budget. NRWA's O&M costs are estimates per

Randy Hellbusch; and believes the budgeted amount is high. This is likely true, as the budget is designed to reflect the max amount. Wolfe stated that there will need to be an ordinance for passage as well as for determine how long grace period will last, this is doable with an effective date for ordinance. Residents will pay close to their current rates in non-irrigation months, because the City has purposely raised rates over the past several years so there is not sticker shock to utility customers. Wolfe does not recommend a base amount of water for the flat fee, as this does not encourage water conservation, which was the purpose of the water project, but rather Wolfe suggests a rate per every 1000 gallons. Feil suggested that they put new rates into effect on July 1, 2021, so that utility customers can see June usage, and have a realistic idea of what their payments will be.

Feil moved to approve Resolution 21-1 RE: Recommendation of Masks and 3 c's. Minzey seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

RESOLUTION 20-1

A RESOLUTION OF THE CITY OF TERRYTOWN RELATED TO COVID-19 AND URGING THE USE OF COMMUNITY PREVENTION STRATEGIES TO SLOW THE SPREAD OF COVID-19 AND PRESERVE HOSPITAL CAPACITY IN PARTNERSHIP WITH PANHANDLE PUBLIC HEALTH DISTRICT, HEREAFTER PPHD.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Terrytown, Nebraska emphatically urges all persons at all worksites, faith-based institutions, health care and educational settings; at retail businesses, salons, restaurants and bars; at sporting, civic and social events; and in meetings or gatherings small and large, formal or informal, family or professional; to practice the following:

- Avoid the Three Cs:
 - Avoid Crowded Places — Avoid gathering in groups where you cannot maintain 6-feet of distance from others
 - Avoid Close Contact— Wear a mask over your nose and mouth or maintain 6-foot distance when you are spending more than 15 total minutes with people you don't live with
 - Avoid Confined Spaces Avoid enclosed spaces with poor ventilation

WHEREAS, it is recommended to use community prevention strategies such as: social distancing, facial coverings, staying home when sick, washing hands frequently, and cleaning and disinfecting frequently-touched surfaces and objects to reduce the spread of COVID- 19; and

WHEREAS, according to UNMC Global Center for Health Security, studies demonstrate that countries which mandated facial coverings to decrease infection by blocking the spread of respiratory droplets saw a significantly lower per capita mortality rate associated with COVID-19 infection and states and counties in the United States which adopted mask mandates saw significantly lower case rate increases associated with COVID-19 compared to those without mask mandates; and

WHEREAS, hospitalizations related to COVID-19 have increased significantly in the area and are nearing capacity. We ask that the public to take these critical prevention steps to preserve hospital capacity and for the safety and protection of healthcare workers; and

WHEREAS, exposure to COVID-19 presents a risk of death or serious long-term disabilities to any person; the exposure is widespread and poses a significant risk of harm to people in the general population; there is a particular subset of the population that is more vulnerable to the threat and thus at increased risk; and the threat is from a novel (new) infectious disease; and

WHEREAS, the City of Terrytown is committed to schools being open and students learning with in-person instruction and while schools are working to adhere to the key mitigation strategies including consistent and correct use of masks, social distancing to the extent possible, hand hygiene and respiratory etiquette, cleaning and disinfection, and contact tracing in collaboration with local health department, the severe level of coronavirus transmission in the community will continue to impact the ability of schools to stay open due to staff and student exposures in the community; and

WHEREAS, PPHD is authorized to investigate reportable diseases and to protect the public using evidence-based measures appropriate to the disease or condition, including investigation of new emerging diseases and epidemics of any health problem (71-1628.04 Core Public Health Functions; Title 173, Communicable Diseases); and

WHEREAS, for COVID-19, PPHD is further authorized by the State-directed health measures to investigate COVID-19 and to protect the public using isolation and quarantine measures and other evidence-based prevention interventions; and

If you test positive for COVID-19, continue self-isolating, answer calls from the health department, cooperate with the health department's public health professionals and follow isolation instructions to protect others from spread of coronavirus that causes COVID-19.

If you are identified as a close contact to someone who has tested positive for COVID-19, answer calls, cooperate with the health department's public health professionals and follow quarantine instructions to protect others from spread of the coronavirus that causes COVID-19.

Get a flu shot. Flu shots will protect people from influenza this season and will keep people safe from the potential compounding complications of having flu and COVID-19.

Rethink planning events. Work with PPHD to plan a COVID-19-safe event for your guests or patrons. Event safety plans are required by the State-DHM for venues with capacity of 500 or more people, but PPHD will provide assistance and guidance for any size event.

Rethink attending events. Ask yourself how being exposed to COVID-19 might affect you (are you at higher risk of severe illness?), or might affect your job, your family, and those around you who are at higher risk of severe illness.

Plan ahead and choose safe, creative alternatives for traditional holiday celebrations. Get tips for celebrating the holidays from the CDC or PPHD websites.

WHEREAS, this public health emergency requires the public to be caring citizens and to contribute to the solution for the sake of our communities and those we love; and,

WHEREAS, as individuals and as communities we have the power to choose our actions in the COVID-19 response and recovery process, and we can again reverse the trends if everyone comes together to take important steps in our daily lives to protect our communities;

Feil moved to approve the request for a second Power Manager software License in the amount of \$500. Green seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

Council reviewed the need for PADD Board Member Designation for 2020-21; Feil moved for Minzey to serve on the board and Feil as an alternate. Green seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

The review and determination of utility deposits for a Resolution pursuant 7-103 was tabled until next meeting.

Minzey moved to approve Early Bird registration for the 2021 Nebraska Clerks Institute Academy from March 14 – March 19, 2021 at the cost of \$393. Feil seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

Feil moved for Feil to be the Designee on the NMPP Board with Jeni Matter, City Clerk as the alternate. Minzey seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.

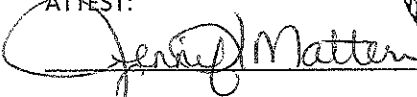
Minzey moved to waive three (3) readings of Ordinance No. 459 RE: Employee and Council Member Salaries. Green seconded the motion. Aye's: Green, Minzey, and Perales. Nay's: Feil. Absent: Sherlock. Minzey moved to Approve Ordinance No. 459 RE: Employee and Council Member Salaries. Feil seconded the motion. Aye's: Feil, Green and Minzey. Nay's: none. Absent: Sherlock.

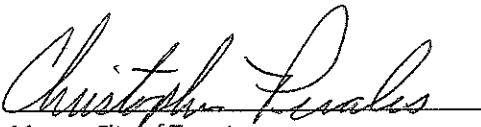
Feil moved to approve the payment of \$2500 into each full-time employees Health Savings Account. Minzey seconded the motion. Aye's: Feil, Green, Minzey. Nay's: none. Absent: Sherlock.

Police Chief, Kevin Spencer talked about the animal calls in Terrytown. They are being addressed and police will field all abuse/neglect animal calls in Terrytown. There were 31 animal calls handled in 2020; Spencer says that the Scottsbluff PD will respond to those calls.

Feil moved to adjourn at 8:53 p.m. until January 21st, 2021 at 6:30 pm for a special meeting. Green seconded the motion. Aye's: Feil, Green, and Minzey. Nay's: none. Absent: Sherlock.



ATTEST:

City Clerk


Mayor, City of Terrytown