

**CITY OF TERRYTOWN**  
**February 4<sup>th</sup>, 2021**  
**Regular Meeting Minutes**

The City of Terrytown Council met on Thursday, February 4<sup>th</sup>, 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, posted at Terry and Hazeldeane Carpenter Intergenerational Center, Western Nebraska Community Room and Patriot Park local office 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 6:31 p.m. by Mayor Chris Perales. Council Members present in person were: Tyler Feil, Jerry Green, and Mike Minzey. City Clerk, Jeni Mattern, 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 available to council members and for the public.

At the November meeting, the council discussed and decided to waive late fees for residents due to COVID. Perales clarified that this only be for residents affected by COVID who are unable to get out and pay their bills, and will not apply to residents who are consistently late every month.

Discussion was had regarding excusal of Jerry Green from the December 7<sup>th</sup>, 2020 Regular meeting due to COVID-19 quarantine and Marcia Sherlock from the January 7<sup>th</sup>, 2021 Regular meeting due to illness. Feil moved to excuse Jerry Green from the December 7<sup>th</sup>, 2020 Regular meeting due to COVID-19 quarantine and Marcia Sherlock from the January 7<sup>th</sup>, 2021 Regular meeting due to illness. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

There were no changes or additions to the minutes, nor any emergency items.

After reviewing the meeting minutes from the January 7<sup>th</sup>, 2021 meeting, Feil moved to approve the meeting minutes from the January 7<sup>th</sup>, 2021 regular meeting. Green seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

January 7<sup>th</sup>, 2021 through February 3<sup>rd</sup>, 2021 claim were presented to the council. Following the review of the claims Feil moved to approve payment of claim from January 7<sup>th</sup>, 2021 through February 3<sup>rd</sup>, 2021. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

**Payment of Claims**

**KENO:** .012; **GENERAL:** .000 Hugo Chairez, \$490.96; Jennifer Mattern, \$431.37; Robert Blanco, \$515.89; Anne Reker, \$112.90; EFTPS, \$3420.21; Sales and Use Tax, \$2685.54; Hugo Chairez, \$1530.24; Robert Blanco, \$1000.01; Nebraska Child Support Payment, \$235.40; Star Herald, \$318.11; Visa, \$80.03; Simmons, Olsen Law Firm, \$3270.00; Logoz LLC, \$142.52; Frank Parts, \$54.78; Cyclone Express, \$60.51; Tim Schuldies DBA Tim's Electric, \$100.00; Team Chevrolet, \$821.97; Nebraska Public Power, \$355.76; Farm Plan, \$51.37; \$50.00; NMPP, \$537.00; Platte Valley Bank, \$10,000.00; University Of Nebraska Omaha, \$393.00; UI Connect, \$550.02; Jennifer Mattern, \$58.35; Robert Blanco, \$900.38; Hugo Chairez, \$1446.08; Anne Reker, \$1055.98; Nebraska Child Support Payment, \$235.40; Jennifer Mattern,

\$1484.38; Verizon Wireless, \$388.80; One call Concepts, \$23.81; Schaff And Associates, M.C., \$40.00; Pro Overhead Doors, \$540.00; Police Department, \$10,833.33; Staples, \$42.53; Region 21 Emergency Management, \$442.33; Pitney Bowes Global Financial Services, \$159.63; PLIC-SBD Grand Island, \$89.76; Panhandle Human Society, \$600.00; Guardian Insurance, \$37.87; Century Business Solutions, \$179.94; Carpenter Center, \$1211.84; Cyclone Express, \$71.63; Allo Communications, \$237.68; Judy Hoatson CPA LLC., \$1400.00; ABC Blinds, \$300.00; Tyler Feil, \$83.11; Jerry Green, \$83.11; Michael Minzey, \$83.11; Christopher Perales, \$230.87; Marcia Sherlock, \$83.11; Frank Parts Company, \$95.12; **WATER:** .041 Independent Plumbing & Heating INC., \$330.20; City of Gering, \$37.84; Northwest Pipe Fittings INC., \$11.20; Nebraska Public Power, \$272.03; Hennings Construction, \$40,129.61; Schaff And Associates, M.C., \$250.00; City of Gering, \$31.25; Terry Carpenter Inc., \$438.00; Nebraska Public Power, \$188.95; Enviro Service, Inc., \$40.00; **SEWER:** .042 Tim Schuldies DBA Tim's Electric, \$70.00; Terry Carpenter Inc. \$150.00; Nebraska Public Power, \$387.66; Enviro Service Inc., \$173.00; Waste Connections, \$7100.28; Franks Parts Company, \$179.26; **STREET:** .011 City of Scottsbluff, \$10,881.62; Nebraska Public Power, \$2089.89; Waste Connections, \$7044.72; Nebraska Public Power, \$282.53.

City Engineer, Jeff Wolfe, updated the council on the Water Project. He reminded the Council they would be reviewing the rates ordinance later in the meeting. The final segment of the project is the removal of the water tower. He will be presenting removal bids at the March 2021 Regular Council meeting.

The 3<sup>rd</sup> reading of potential Ordinance No. 458: No Parking on Portions of Barbara Lane, Woodley Park Road, and Gary Street. Mayor Perales opened the floor for discussion. Doug/Sherry Weimer of 97 Barbara Lane addressed the council stating that this would create no parking in front their residence, he stated that in front of his house he uses as part of his residence and that his taxes pay for him to be able to use that section of the street. Krea Hannaford, another resident from Barbara Lane, stated she had a petition signed by residents that were opposed to the ordinance said petition was presented to Mayor Perales and the council. The petition was signed by 34 persons all presented with addresses, 1 from Scottsbluff and approximately 4 from property not affected by the Ordinance. The Mayor shared the petition with the council. Weimer stated that he didn't feel the Ordinance made any sense as residents will be parking in front of other peoples houses, and the garbage trucks will not be able to get to the cans. Weimer stated he doesn't believe it makes any sense and that he felt the cities was playing favorites to specific residents. Perales reiterated that one resident requested the no parking in front of their house, the council decided to add the additional in one ordinance. Hannaford stated that Lt Burnackie, another Barbara Lane resident, was away and could not attend the meeting. On his behalf, he thought that it made more sense to have no parking on the side with the fire hydrant. Karen Thrasher, a Barbara Lane resident stated she came to the council requesting no parking in front of her residence as when she backs out of her driveway, she is not able to see around the curve if cars are parked there. After much discussion, City Attorney, Libby Stobel, asked for direction regarding the Ordinance. Feil recommended no action be taken on this Ordinance. Minzey also wanted no action. After 3 readings, no action will be taken on this ordinance.

Ordinance No. [460]: No Parking on Portions of Gary Street was presented for reading number 1. It was stated by Hannaford that there were signatures of residents on Gary Street from the original petition that bare opposed to the prior no parking ordinance. Wolfe handed out a color map of the requested area. It was reviewed by council of the affected houses. No action was taken.

Reading number one took place on potential Ordinance No. [461] An Ordinance of the City of Terrytown, Nebraska Owned Water and Sewer Utilities, Repealing Prior Ordinances and Providing for Effective Date. No action was taken.

A new Keno agreement was presented to the council. Small Computer Solutions is planning to purchase Lucky One. Small Computer Solutions was represented and addressed the council. He stated that he has worked for Lucky One and has been a Keno Operator, so is well versed in the industry. He reassured the council that the operation would continue to run smoothly. Feil moved to accept the Lucky One/Small Computer Solutions Terrytown Agreement and authorizes Mayor, Chris Perales to be signer on the 51C form. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

Council reviewed Resolution 21-[2] RE: 41 Chinoe Road, past due utility bills. Stobel explained that this resolution was similar to resolutions passed a couple of months ago. Wherein, a resident moved out of a residence and didn't pay their utility bill. Feil asked if the resident was represented, no reply from the attending public. Feil moved to pass Resolution 21-2 RE: 41 Chinoe Road, past due Utility Bills. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

Resolution 21-[3] RE: 124 Woodley Park Road, unpaid service bill. Stobel explained this was for an unpaid service bill for clean up efforts at the residence that violated code. Code Enforcement Officer, Anne Reker, explained that the resident was given adequate warnings and after vast effort for the resident to take care of their property, after a specific amount of time the City takes, the responsibility and cleans it up at the owners expense. Feil moved to approve Resolution No 21-3 RE: 124 Woodley Park Road, unpaid service bill with needed corrections. Green seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

Stobel addressed the council regarding utility deposits. This comes about per Code 7-103, which was included in the council packet. Stobel suggested that the City can require a deposit for utilities. This would ONLY include new applicants, i.e. tenants, not home owners. The "tenant" would be required to show proof of twelve months of on-time payments or would require a deposit. This can also apply to those with continuous past due tenants to require a deposit. Stobel is looking for direction as to what the deposit charge should be. Some research has been done and neighboring cities appear to require a \$100 deposit. Feil moved to make the deposit requirement be \$100.00. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

At the January meeting Feil and Mattern were appointed to the ACE Board of Directors, Resolution 21-[4] is a formal resolution that needed signed for the Ace Board. Minzey moved to approve Resolution 21-4 RE: Appointment of ACE Directors designees be Feil and alternate Mattern. Feil seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

Mattern explained to the council the need for two laptops to be purchased for the City Shop. Due to necessary classes and data input, Mattern researched and found Laptops from Wal-mart at the purchase price of \$299.00 each. Feil moved to approve the purchase of 2 laptops for the City Shop at the \$299.00 purchase price. Green seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

The current late fee is 10% of what is owed on a utility bill. Mattern suggested it be raised to \$25.00 across all late payments. In hopes to lessen the number of late payments and less paperwork for the office as it is time consuming and is costing the city. The council agreed that this is necessary to happen. Stobel will incorporate this in the Deposit proposal.

City Administrator/Treasurer, Mike Scow presented Financials for November and December 2020. He explained that the large differences in numbers can be related directly to the water project. Some to

expenses others to grant disbursements. It appears the maintenance costs are up due unexpected vehicle expenses.

There was no update from Panhandle Humane Society.

Scottsbluff Police Chief, Kevin Spencer updated the council as to changes in the police department. He noted that Lance Kite has been promoted to Captain and there are 3 internal candidates for Sargent. During the meeting, Spencer heard concern from residents regarding speeding on Woodley Park Road. He stated he would be getting the speed trailer out in the area. He said this not only makes the residents aware of their speed, but also collects specific data that can help assist in the area. He also talked about being busy with Panhandle Public Health District and COVID vaccines. He asked that if anyone has the opportunity to reach out and thank Paulette Schnell, she has done an amazing job with organizing the vaccine clinics.

Wolfe was requested to prepare an estimate for an upgrade to the sewer line at Monument View Trailer Park:

Main Replacement/Upsizing

Item	Description	Quantity	Unit Price	Extension	
1	Mobilization	1 LS	\$12,000.00 / LS	\$12,000.00	
2	8" Sanitary Sewer Main	1,300 LF	\$50.00 / LF	\$65,000.00	
3	Standard Sanitary Sewer Manhole	4 EA	\$5,000.00 / EA	\$20,000.00	
4	Tie into Existing Manhole	1 EA	\$1,000.00 / EA	\$1,000.00	
5	Restore Gravel Surfacing	1,300 LF	\$5.00 / LF	\$6,500.00	
6	Reclamation of Subgrade	900 CY	\$35.00 / CY	\$31,500.00	
				Construction Cost	\$136,000.00
				Engineering and Inspection	\$27,200.00
				10% Contingency	\$13,600.00
				<b>Total Estimated Construction Cost</b>	<b>\$176,800.00</b>

Service Replacement (Assuming 80 LF service line per mobile home)

Item	Description	Quantity	Unit Price	Extension	
1	Mobilization	1 LS	\$18,000.00 / LS	\$18,000.00	
2	4" Sanitary Sewer Service	2,800 LF	\$30.00 / LF	\$84,000.00	
3	Service Connection	35 EA	\$800.00 / EA	\$28,000.00	
4	Seeding	1 LS	\$9,000.00 / LS	\$9,000.00	
5	Reclamation of Subgrade	1,800 CY	\$35.00 / CY	\$63,000.00	
				Construction Cost	\$202,000.00
				Engineering and Inspection	\$40,400.00
				10% Contingency	\$20,200.00
				<b>Total Estimated Construction Cost</b>	<b>\$262,600.00</b>

Green asked about how this comes to play with the agreement of 2004. Stobel stated she would dispute the definition of "Service lines". Stobel stated that there are ordinances in place that would state the City is not responsible for service lines even after the 2004 agreement. Feil recommended going into closed Session.

Feil moved to adjourn the closed session at 8:30 p.m. Minzey seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

Feil moved to authorize Jeff Wolfe and Libby Stobel to enter into negotiations to amend and revise the previous agreement with Western Equities and/or their representatives based on the liabilities and conversations to coincide more effectively with current City Ordinances from the executive session. Green seconded the motion. Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

At 8:33 p.m. Green moved to adjourn the Regular Council meeting, Feil seconded the motion, Ayes: Feil, Green, and Minzey. Nays: none. Absent: Marcia Sherlock.

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Mayor, City of Terrytown

ATTEST:

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City Clerk