

Sidney, Nebraska, February 12, 2019 A Fair Housing City

A meeting of the Mayor and Council of the City of Sidney, Nebraska, was convened in open and public session at 7:15 P.M. on February 12, 2019 in the Council Room. Present were: Mayor Gallaway and Council Members: Arterburn, Sherman, Radcliffe, and Olsen. Others present: City Manager Sadler, City Attorney Leef and Deputy City Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in *The Sidney Sun Telegraph*, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the members of the City Council and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the City Council. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Mayor Gallaway informed the public of the location of the posted Open Meetings Act.

Radcliffe moved, Olsen seconded "That the minutes of the January 22, 2019 meeting be approved as printed." Roll call vote: Yeas: All council members present. Abstain: Arterburn.

Deputy City Clerk Heilbrun read Ordinance No. 1802 for the third reading as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF A 3.73 ACRE PARCEL OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 13 NORTH, RANGE 49, EAST OF THE HIGHWAY LANDS INSIDE SIDNEY, MORE PARTICULARLY KNOWN AS 2525 11<sup>TH</sup> AVENUE, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-1A (RURAL RESIDENTIAL ESTATE) ZONE; AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1049 OF THE CITY OF SIDNEY, NEBRASKA, WHICH IS NOW CODIFIED AS TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, TO SO PROVIDE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN DIRECT CONFLICT HEREWITH." Discussion was held including: City Attorney Leef pointing out the differences between R-1 and R-1a zone; public concerns brought to Councilman Arterburn regarding spot-zoning and irreversible nuisances to neighborhood; speculation as to how the current zoning was assigned to the property; and what zone is a fit with the existing structures and size of property. Sherman moved, Olsen seconded "That Ordinance No. 1802 be finally passed." Roll call vote: Yeas: Sherman, Gallaway and Olsen. Nays: Arterburn. Abstain: Radcliffe. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Sherman moved, Olsen seconded "That Ordinance No. 1802 be published in the Sidney Sun Telegraph." Roll call vote: Yeas: Sherman, Gallaway, and Olsen. Nays: Arterburn. Abstain: Radcliffe.

Mike Palmer, Electric Distribution Superintendent, presented a request for the purchase of a Horizontal Directional Drill (HDD) using a Sourcewell procurement contract. He gave a report on the overhead conversion project, estimating that there is 75% of the City left to be done. The purchase of this equipment will alleviate some of the overhead for outside contractors on this project, as well as being able to repair water lines without having to dig up streets and alleys. He noted that the cost of the HDD machine was approved in the current year's budget. The expected delivery date was estimated at April 1, 2019. Present to answer questions were Dusty Klein and Justin Cure of High Plains Vermeer. Olsen moved, Sherman seconded "That the purchase of a Horizontal Directional Drill (HDD) for the Electric Distribution Department be approved as presented." Roll call vote: Yeas: All council members present.

Rob Rauner and his staff of Rauner & Associates, presented a power point on the audited Financial Statements for Fiscal Year 2017-2018, giving a clean opinion. He thanked city staff for their assistance during preparation of the audit. Arterburn moved, Radcliffe seconded “That the Fiscal Year Audit for 2017-2018 be accepted as presented.” Roll call vote: Yeas: All council members present.

Dave Doty, Transportation Superintendent, presented a report on the 5311 Funding Application for Public Transportation Assistance and Resolution No. 20190201 Authorizing Federal Funds for a two year time frame from July 1, 2019 through June 30, 2021. He noted that the Cheyenne County Visitors Committee, who had been contributing \$25,000 for annual sponsorship, would no longer be contributing this as of January 1, 2019. Various ideas to generate the additional money were a deviated fixed route, i.e. changing stops that are “unproductive”, different hours, soliciting businesses that are on the route for advertisement, etc. Doty noted that with the passenger trend count they are experiencing, he would recommend not making changes in the two-bus system.

Arterburn moved, Olsen seconded “That Resolution No. 20190201 be passed and adopted.” Roll call vote: Yeas: All council members present.

**RESOLUTION NO. 20190201**  
**Authorization for Federal Funds for 5311 Funding Application for**  
**the City of Sidney Transportation Operating Assistance**

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the City of Sidney Pubic Transportation Project desires to apply for said funds for Operating Assistance to provide general public transportation for the City of Sidney service area, for the two year time frame of July1, 2019 through June 30, 2021, and

WHEREAS, the estimated cost of the Project by source funds are \$437,010 in federal funds, \$86,145 in state funds and \$86,145 in local funds from the City of Sidney,

NOW THEREFORE BE IT RESOLVED, That Roger Gallaway, Mayor for the City of Sidney, hereby instructs the City of Sidney to apply for said funds immediately after the passage of this Resolution.

Mayor Gallaway stated that a public hearing regarding the City of Sidney 2010 One Year and Six Year Street Improvement Plan would now be held. The hearing was opened at 8:45 p.m. Sidney Street Superintendent Hank Radtke presented a power point of the State regulations for municipalities, as well as projects slated for both the 2019 One-Year and Six-Year Plan. He noted that the One-Year plan was budgeted as Maintenance. The Six-Year plan will include an upcoming project on L17J which the City will be required to pay 20%. The cost due the City could delay slated projects such as 13<sup>th</sup> Avenue. City Manager Sadler discussed the possibility of asking for a delay in the L-17J project, bonding it, changing priorities, etc. These items will need to be discussed moving forward. The public hearing was closed at 9:14 p.m.

Radcliff moved, Sherman seconded “That Resolution No. 20190202 be passed and approved.” Roll call vote: Yeas: All council members present.

**RESOLUTION NO. 20190202**

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

That the 2019 One Year and Six Year Street Improvement Plan has been presented to the Council of said City and that said Council deems it in the best interest of the City to adopt said plan as presented and said Plan be and hereby is approved and adopted.

Melissa Norgard, Economic Development Director, asked the Council to approve the City Manager's appointment of Victoria Loghry for a 3-year term on the Historic Preservation Board. Radcliffe moved, Arterburn seconded "That Victoria Loghry be appointed to a 3-year term on the Historic Preservation Board." Roll call vote: Yeas: All council members present.

Melissa Norgard, Economic Development Director, explained that John Phillips has asked the Historic Preservation Board for funding to replace all the lights on downtown buildings. The project is eligible for the downtown portion of LB840 funds not to exceed \$5,000. Phillips noted that the request will be for the purchase of the bulbs only, not labor to install and maintain. He noted that the lowest bid for the bulbs came from Finney's, which was below the \$5,000 estimate. He stated that in order to avoid the hail season the lights would be installed in August and ready to turn on before Oktoberfest. Council thanked Phillips for his efforts in promoting a positive image for Sidney.

Olsen moved, Sherman seconded "That the request of John Phillips for \$5,000 from the LB840 funds to replace the lights on downtown businesses be approved." Roll call vote: Yeas: All council members present.

Radcliffe moved, Sherman seconded "That the following claims for January 2019, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call vote: Yeas: All council members present. (Abbreviation for claims: bd bond, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tt travel/training, tx tax, ut utilities)

21<sup>st</sup> Century eq 5.02, 178.00; 3E Electrical Engineering eq 1285.01; Absolute Solutions se 396.64; Accelerated Receivables se 142.27; Acco Brans su 169.36; ALS Group se 1120.00; Altec su 172.26; American Environmental su 11462.99; American Legal se 3130.80; ASCAP du 357.00; Baker & Tayler su 1623.01, 16.24; Barker Cleaners su 30.00; Bavco su 147.70; Best Plumbing se 1801.33; Black Hills ut 247.07, 3097.58, 567.58, 265.80, 35.55, 1171.35, 283.80, 1991.03; Bomgaars su 165.68, 14.98, 85.27, 134.24, 137.09, 58.21, 153.57, 65.09, 29.75, 50.36; Border States su 66.72; Cake & Creations su 65.00; Canon Financial se 96.00; Cardmember se 1922.87, 137.57, 228.03, 543.57; Carolina Software ct 200.00; Caselle ct 1644.00; CCL Supply eq 264.00; Cencon eq 11586.63; Charter su 622.87, 172.16, 87.99; Cheyenne Co Chamber ct su 5000.00, 2500.00, 925.00; Cheyenne Co Community Center se 10000.00; Cheyenne Co Court se 17.00; Cheyenne Co Emergency ct 29392.38; Cheyenne Co Treasurer se 10248.06; Cheyenne County Chamber of Commerce du 40.00; Chief su 246.50, 123.44; City of Sidney bd ct du ex re se su ut 1676.98, 103109.30, 20.00, 1.44, 3.35, 16.65, 20.00, 17750.00, 19750.00, 475.00, 1000.00, 617.17, 76.43, 191.20, 988.49, 168.32, 522.49, 4819.69, 211.76, 3387.71, 1445.27, 87.33, 8322.94, 97.73, 12892.98, 1044.31 sa 6224.37, 98046.28, 11593.10, 11162.29, 14833.42, 14684.32, 27882.83, 27533.11, 9540.41, 9620.37, 7003.04, 6719.25 in 60043.77, 1000.23, 10154.53, 10790.08, 19111.46, 3939.96, 868.35, 7999.74, 1886.03, 308.88, 814.29; Country Printer se 1265.00; Cranmore Pest Control se 90.00; Culligan se 19.95, 41.95, 10.00, 29.95; Darin's Auto se 990.87, 930.18; Day & Night se 240.00, 80.00; Demco se 76.80, 9.95; Department of Energy ut 15821.64; Dept of Revenue tx 61318.29; Design Solutions se 481.41; DP Electronics su se 638.56, 1697.44; E&S Auto se 264.93, 394.25, 220.28, 919.65, 40.13,

77.94, 165.80; Eakes su 809.21, 154.16; Elan Visa su 23.60, 25.22, 2.60, 829.64, 51.30, 384.81; Endurance Flag su 87.00; Enviro se 120.00, 40.00; Farris Engineering se 625.00; Fedex se 159.82; Finneys su 11.98, 270.10, 418.12, 47.19, 346.36, 112.50; First Nat'l Bank ct 450.00; Floyd's Truck su 17.18; Fremont Nat'l Bank ct 26155.05; Frenchman Valley su 91.43, 5472.86, 1773.80, 7964.50, 987.86, 429.48, 452.42; Fyrtek su 187.45; GCSAA du 380.00; Guideposts su 27.90, 7.98; Hall, Dale tt 36.00; Hamilton se 239.76, 49.95, 49.95; Hawkins eq 3645.64; Henderson Products eq 78535.00; Holly Energy Partners se 20.00; Holmes, Jim tt 15.00; Holtz Industries eq 215.00; Hometown Leasing se 159.98; Horizon West su 22.68; Huber & Asso se 656.00, 1872.00; Ideal Linen se 36.81, 23.59, 114.40, 117.83, 119.48; Johnsen Corrosion Engineering se 1780.00; Jorunal Office su 40.00; Kelly Supply su 173.56; Kevin's Electric su 217.50, 191.00, 32.25, 204.00; KISST organics su 738.00; KSID se 228.00, 35.00; Kuhns, Robert tt 15.00; LL Johnson eq 2346.44; Landis & Gyr du 750.00, 750.00; Leal, Ron ct 450.00; Luft eq 819.53; Media Logic Radio se 550.00; Mid States Organized Crime du 150.00; Midwest Laboratories se 633.30; Miller Office su 1045.35, 54.98, 47.34, 78.44, 24.58; Miller, Randy ct 2327.82; Municipal Chemical Supply su 1850.00; MEAN ut 502335.81; Municipal Supply su 605.24; MWC su 544.58; NACO fu 30.00; Napa su 246.54; NDEQ du 150.00, 2131.25; NE Dept of Transportation du 5952.00; NE Municipal Clerk du 90.00; NE Public Health du 64.00; NE Safety Fire su 374.50; NT&T se 1385.25, 125.54, 210.82, 304.34, 49.61, 116.85, 174.56; NE Tire se 15.50, 662.04; NMC eq 283.98; Northwest Pipe eq 712.18; NT Building se 123.04; OCLC se 234.95; ODB su 776.15; Olsson Asso se 2054.67; Panhandle Auto se 22.04, 112.29; Panhandle Clerk du 80.00; Panhandle Public Health du 275.00; Quill su 143.95, 316.50; R&T Exacavating se 205.00; RDJ Specialties se 23.50; Reams Sprinkler su 135.77; Ritec su 390.00; Rood's se 17.00, 298.48; RT se 1300.12; Sandberg Implement eq 1514.63; Sauders su 899.23; Scott Merriman se 810.00; Scotties Potties se 560.00; Segelke Janitorial se 2580.00; SRMC se 30.00; Sidney Sun Telegraph se 7.36, 257.71, 64.00; Sidney Vison su 200.00; Simon Materials su 2583.00, 198.48; sonntage, Goodwin & Leef ce 5006.72; Splish Splash se 122.39; Sterling, Dean tt 36.00; Stone, Eloise rt 400.00; Summit Supply su 392.75; Thomas Oilfield se 100.00; Titleist eq 907.83; Triple O's su 19.02, 330.02, 41.82; US Foods su 212.61; USA Bluebook su 1478.96, 443.66; Verizon su 218.54, 502.84, 67.10, 33.55, 195.24, 33.55, 67.10; Vermeer su 42.48; 2141.92; Vittles & Tipples se 1702.25; Walmart su 164.40; Watchorn, Kelsey re 18.56; Wateronics eq 187.93; Wheatbelt ut 11817.42; Whitebluffs ct 715.00; Wolf Auto se 23.43; Wolford, Marie rt 916.47; WPCI se 29.00.

Finance Director David Scott presented the January, 2019 Budget Reports for all City Departments. Sherman moved, Radcliffe seconded "That the January, 2019 Budget Reports for all City Departments be approved." Roll call vote: Yeas: All council members present.

Meeting adjourned at 9:34 p.m.

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/s/ROGER GALLAWAY, MAYOR

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ATTEST: /s/ CYNTHIA K. HEILBRUN, DEPUTY CITY CLERK







