

Sidney, Nebraska, April 9, 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 April 9, 2019 in the Council Room. Present were: Vice-Mayor Arterburn and Council Members: Sherman, Radcliffe and Olsen. Absent: Mayor Gallaway. Others present: City Manager Sadler, City Attorney Leef and City Clerk Anthony. 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.

Vice-Mayor Arterburn informed the public of the location of the posted Open Meetings Act.

Olsen moved, Sherman seconded "That Mayor Gallaway be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Gallaway.

Radcliffe moved, Sherman seconded "That the minutes of the March 26, 2019 meeting be approved as printed." Roll call vote: Yeas: All council members present. Absent: Gallaway.

Rob Robinson representing Points West Insurance reported that EMC has reimbursed the City \$127,146.61 as a dividend on their workers' compensation policy with the City.

Pursuant to the publicized notice that the Mayor and Council would hold a public hearing at this time and place for the purpose of purchasing 812 13<sup>TH</sup> and the parking lot south on 14<sup>TH</sup> & Illinois from Cabela's LLC, a subsidiary of Bass Pro Shops Group. Vice-Mayor Arterburn called the Public Hearing to order at 7:19 P.M. and parties of interest would be heard as advertised. The following filed written comments: None. City Manager Ed Sadler reviewed the purchase proposal. It was emphasized that the building will not be used for City departments. Economic Development Director Melissa Norgard reported on the current tenant of 812-13<sup>th</sup>, UST Global who has leased three floors and have expectations to expand. UST Global is responsible for operating costs associated with the building, including utilities, property taxes and basic maintenance. All Council members present gave their opinions of the purchase and asked questions about UST Global. Public comments were made by: Kendra Strommen regarding nonrenewal of the lease and what would happen then? Bruce Tillotsen was nervous about a municipality owning the property. Loren Hoekema, as a homeowner & property owner, did not approve of the proposal, the risk potential and why do we have a million dollars. Wayne Sparks felt the City doesn't need to be in the real estate business. Larry Nelson felt the property should stay with a private owner and questioned being good stewards with willingness to pare City costs. Rodney Samuelson asked why someone else hasn't wanted this good deal. David Lafler thought the buildings should be left with Bass Pro. The Mayor closed the hearing at 7:57 P.M. The City Council had pro and con questions re: UST Global, LB840, Electric funds and taking Sidney's future into our own hands.

Sherman moved, Arterburn seconded "That Resolution 20190401 regarding the property purchase be passed and adopted." Roll call vote: Yeas: Arterburn and Sherman. Nays: Radcliffe and Olsen. Absent: Gallaway. Tie Vote. Motion did not pass.

Sherman moved, Radcliffe seconded “That Bob Olsen be appointed to the Sidney Housing Authority as the City of Sidney’s representative.” Roll call vote: Yeas: All council members present. Absent: Gallaway.

Park Superintendent Tom Von Seggern read the Arbor Day Proclamation and the Mayor will sign same. He also announced that the City Tree Give-A-Way will be on April 27, 2019. Council Member Burke Radcliffe volunteered to be the City’s representative at the Tree Give-A-Way.

Radcliffe moved, Olson seconded “That Don Ogle be re-appointed to the Sidney Tree Board.” Roll call vote: Yeas: All council members present. Absent: Gallaway.

Golf Director Patrick Kilbride recommended that the low bid for a turf utility vehicle be accepted as 21<sup>st</sup> Century was able to fit the bed /cart to fit the large sprayer and be wired for use in the amount of \$15,236.82. Sherman moved, Olson seconded “That the low bid from 21<sup>st</sup> Century be awarded for the turf utility vehicle.” Roll call vote: Yeas: All council members present. Absent: Gallaway.

Golf Director Patrick Kilbride’s recommendations for the “Adopt a Tee Program were as follows: “I would like to limit the scope of the beautification program for this first year. I will have volunteers only be able to beautify around the actual stone hole signs in a maximum of 4-foot diameter. Adopt a Tee Participants would be responsible for their tee from the opening of the golf course season to the closing of the golf course for the winter. Should Adopt a Tee Areas grow weeds, are in disrepair, or are neglected, the golf course maintenance department shall bring tee area up to a presentable situation at the Adopt a Tee Volunteer expense. There is a limit of the plants that can be used around the tee signs by height, future growth, and needs for appropriate sun and water. Adopt a Tee Volunteers would be able to use approved edging materials and mulch bed materials that would need to be common around all hole tee signs. Hillside will purchase the plants and edging materials for the Adopt a Tee Volunteers and will pass the costs on to them. By doing this Hillside will ensure that the plants are acceptable quality, height, and control cost. Adopt a Tee Participants will be given approval on yearly basis by the Golf Operations Director prior to December 31<sup>st</sup> for the next year’s season.” Olsen moved, Radcliffe seconded “that the Adopt a Tee Box Program be approved along with the Directors guidelines.” Roll call vote: Yeas: All council members present. Absent: Gallaway.

Sherman moved, Radcliffe seconded “that RESOLUTION NO. 20190402 be passed and approved.” Roll call vote: Yeas: All council members present. Absent: Gallaway.

## **RESOLUTION NO. 20190402**

### **Member Resolutions for Appointments**

#### ***Director and/or Alternate Director to MEAN Board of Directors***

BE IT RESOLVED that this is to certify that the City Council of the City of Sidney, State of Nebraska duly appointed Mike Palmer to serve as **director** to represent the City of Sidney on the Board of Directors of the Municipal Energy Agency of Nebraska. The appointment will run for a term of three (3) years with the powers and duties incident to such office. This certificate is issued in compliance with the Municipal Cooperative Financing Act contained in the Nebraska Revised Statutes §18-2401 et seq. (1987); AND

That this is to certify that the City Council of the City of Sidney, State of Nebraska duly appointed Ed Sadler to serve as **alternate director** to represent the City of Sidney on the Board of Directors of the Municipal Energy Agency of Nebraska. The appointment will run for a term

of three (3) years with the powers and duties incident to such office. This certificate is issued in compliance with the Municipal Cooperative Financing Act contained in the Nebraska Revised Statutes §18-2401 et seq. (1987).

***Representative and/or Alternate Representative to MEAN Management Committee***

WHEREAS, the City of Sidney, State of Nebraska, is a party to the Electrical Resource Pooling Agreement and, pursuant to the terms of such Agreement, it is the responsibility of the City of Sidney to designate a representative and alternate representative to the Municipal Energy Agency of Nebraska Management Committee provided for under the terms of said Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sidney, State of Nebraska, that:

1. The City Clerk is hereby directed to give written notice to the Municipal Energy Agency of Nebraska of the appointment of Mike Palmer as **representative to said MEAN Management Committee.**
2. The City Clerk is hereby directed to give written notice to the Municipal Energy Agency of Nebraska of the appointment of Ed Sadler as **alternate representative to said MEAN Management Committee.**

***Representative and/or Alternate Representative to NMPP Members Council***

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIDNEY, STATE OF NEBRASKA; that

1. Such City be and hereby is a member of the Nebraska Municipal Power Pool.
2. The City Council of the City of Sidney, State of Nebraska, do hereby appoint Mike Palmer as **representative of the NMPP Members Council** and that Ed Sadler is hereby appointed as **Alternate Representative to the NMPP Members Council.**

***Director and/or Alternate Director to ACE Board of Directors***

WHEREAS, the City of Sidney, State of Nebraska, is a party to the Interlocal Agreement creating the Public Alliance for Community Energy and, pursuant to the terms of said Agreement, it is the responsibility of the City to designate a representative of the City of Sidney to the Public Alliance for Community Energy Board of Directors provided for under the terms of said Agreement.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sidney, that:

1. The City Clerk is hereby directed to give written notice to the Public Alliance for Community Energy of the appointment of Mike Palmer as **the City's representative to said Board of Directors.**
2. The City Clerk is hereby directed to give written notice to the Public Alliance for Community Energy of the appointment of Ed Sadler as **the City's alternate representative to said Board of Directors.**

This is to certify that the appointments set out above were approved by the City Council of the City of Sidney, State of Nebraska, at their meeting on April 9, 2019.

(SEAL)

/s/ G.F. ANTHONY, CITY CLERK

It was announced that three Planning Commission Member's terms expire on June 1<sup>st</sup> and that advertising to fill same will take place.

It was announced that a Special Council Meeting will be held at 12:00 Noon on April 23, 2019 in the basement conference room of Security First Bank.

Sherman moved, Olsen seconded “That the following claims for March 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. Absent: Galloway. (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 103.90; 3E Electrical eq 347.97; Accelerated Receivables se 416.39; American Environmental se 7088.14; Andrew, Keith tt 82.00; APG of the Rockies se 106.00; Arrowhead su 240.55; Bank of the West se 29.80; Barker Cleaners se 30.00; Black Hills Energy ut 3498.12, 717.11, 312.27, 17.42, 1120.92, 358.56, 2249.39; Bomgaars eq 118.58, 533.46, 68.80, 206.78, 387.33, 189.86, 107.95, 38.67, 31.69, 33.98, 159.49, 27.68; Bug Off se 540.00; Busted Knuckle se 110.67; Canon eq 1252.89; Cardmember su 1641.56, 61.95, 79.24, 261.17, 368.86, 147.28, 61.95, 96.74; Caselle ct 1644.00; Charter se 364.50, 325.37, 92.99; Cheyenne Co Chamber se 200.00, 40.00, 40.00, 40.00, 40.00; Cheyenne Co Community Center se 10000.00; Cheyenne County Court se 34.00; Cheyenne Co Emergency Comm Center se 28557.33; Chief su 187.49; City of Sidney bd ct du eq ex re se 17750.00, 19750.00, 1000.00, 141.20, 339.28, 3750.00, 3750.00, 3000.00, 2000.00, 68744.10, 495558.60, 67900.63, 58854.85, 49250.00, 127100.75, 38625.00, 26250.00, 144.42, 250.00, sa 101302.56, 98007.29, 1435.87, 11119.33, 14837.79, 161487.70, 28046.21, 27829.21, 9513.83, 9909.26, 6808.12, 6877.55, in 60159.15, 6339.75, 60159.15, 1138.68, 12439.12, 814.29, 10790.08, 1886.03, 19111.46, 308.88, 3939.96, 868.35, 7999.74, ut 2347.74, 3024.60, 191.52, 16.30, 3269.50, 1637.31, 192.64, 2240.46, 8354.33, 139.03, 12548.66; Claimfox se 76.15; Clothes Hamper se 45.00; Cranmore Pest Control se 90.00; Croell su 151.92; Culligan se 41.95, 7.50, 29.95; Department of Energy ut 14401.30; Dietrich su 69.15; Direct Parts eq 219.22, 233.32; DP Electronics eq 1405.00, 84.99, 24.99; E&S eq 600.35, 141.94, 754.02, 161.01, 487.71, 560.81; Eakes ct 173.54; Enviro se 120.00, 80.00; Finneys su 116.01, 43.24, 435.04, 135.21; Fremont Nat’l ct 25697.07; Frenchman Valley su 4311.75, 1227.65, 6206.55, 1209.23, 438.54, 395.15; Fyrtek eq 54.18; Galloway, Roger tt 515.54; Hach su 647.43; Hamilton se 196.70, 49.95, 49.95; High Plains Budweiser su 118.00; Holtz Industries eq 2808.00; Hometown Leasing ct 159.98; Horizon West eq 868.34, 7.97; Ideal Linen se 258.52, 116.05, 75.80, 119.48; Interstate Batteries su 119.95; Jacks Uniforms su 202.99; Kevin’s Electric su 20.43; KSID se 25.00; LL Johnson eq 3370.40; Landis+Gyr ct 750.00; League of NE du 1157.00; Leal, Ron ct 450.00; Live View GPS se 958.80; Mail Finance ct 750.00; Marriott- Lincoln tt 220.00; Matt Friend Truck Equipment eq 391.38; Midwest Lab su 516.00; Miller Office su 623.71, 504.75, 3388.79, 2700.77, 493.77; Municipal Automation se 466.62; MEAN ut 487971.89; Municipal Supply su 2995.39, 745.73; Munimetrix eq 499.00; MWC Acquisition eq 1697.30; Napa su 101.06, 14.28; NE Central Equipment eq 429.36; NE Code Official du 225.00; NE Dept of Revenue tx 68758.43; NE Diplomats du 350.00; NE Municipal Power Pool du 575.00, 1150.00; NE Panhandle Golf du 100.00; NE Safety/Fire s 362.08; NT&T se 1409.39, 126.61, 213.02, 315.29, 315.29, 49.61, 73.79; NEDA du 150.00; NMC eq 1142.32, 121.63; Northwest Pipe su 106.91, 2045.34; NSG eq 7178.15; Olsen, Bob tt 651.97; One Call se 11.71, 11.70; Palmer, Mike tt 114.00; Perfection Door se 121.96; Points West in 61488.00, 20728.300, 32380.00, 22668.00, 20391.00, 25982.00; Prairie Mountain Media se 189.72; Radar Shop su 301.00; Rhomar Industries eq 542.40; Rood’s Tire su 625.88, 1434.83, 37.00; RT Service se 458.95; Rucker, Aaron tt 192.00; Sandberg Implement se 289.50; Scotties

Potties se 560.00; Segelke Janitorial se 2580.00; SRMC se 60.00; Sidney Sun Telegraph se 550.11, 10.31, 28.37; Smith, Austin tt 263.00; Sonntag, Goodwin & Leef ct 5083.00; Sonny's su 40.63; Splish Splash se 14.86; Sterling, Dean tt 173.00; Stern Oil su 1300.75; Stone, Eloise rt 400.00; Swire Coca-Cola su 98.88; Sysco su 816.11, 1247.93; TDS Media se 242.00; Time Clock Plus su 43.00; Titleist su 464.10; Triple O's su 11.75; USA Bluebook su 130.24; Utility Service se 22155.74; Verizon Wireless se 218.79, 502.88, 67.22, 33.61, 288.21, 33.61, 67.22; Viaero se 35.13, 65.68; Walmart su 87.99; Waterloo Tent eq 1402.42; Wesco eq 36555.38; Wheatbelt ut 12157.69; Whitebluffs ct 800.00; Wolff, Dewayne tt 173.00; Wolford, Marie rt 916.47; Elan Visa su 896.65, 555.04; Baker & Taylor su 2775.23; City of Sidney se 2044.68; Frenchman Valley su 70.35; Guideposts su 55.82; Culligan su 19.95; Ideal Linen su 36.81; Journal Office su 40.00; KSID Radio se 35.00; MidAmerica Books su 131.67; NT&T se 177.84; OCLC su 234.95; Sidney Sun Telegraph su 7.36; Quill su 217.96; Sonny's su 9.55; NE Link su 72.00.

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

**City Manager Comments:** Easter Weekend Closure on April 19<sup>th</sup>. Trash pickup cancelled for Thursday. Four weekends for Downtown Sounds has been requested by Cheyenne Counter Chamber of Commerce. Melissa shared that the WNCC Entrepreneurship Opening on April 17<sup>th</sup> with Ribbon cutting at 11 a.m. and lunch at 11:30 a.m. Mike reminded everyone that Choice Gas starts on Friday, the 12<sup>th</sup> of April. His department is busy taking down poles.

Meeting adjourned at 8:42 p.m.

/s/JOE ARTERBURN, VICE-MAYOR

ATTEST: /s/ G.F. ANTHONY, CITY CLERK





