

Sidney, Nebraska, September 10, 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 September 10, 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 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.

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

Olsen moved, Sherman seconded "That the minutes of the August 27, 2019 meeting be approved as corrected and that the minutes of the special meeting on September 4, 2019 be approved as printed." Roll call vote: Yeas: All council members present.

Arterburn moved, Radcliffe seconded "That RESOLUTION NO. 20190901 be passed and adopted." Roll call vote: Yeas: All council members present.

#### **RESOLUTION NO 20190901**

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

That the Mayor and Council of the City of Sidney, Nebraska hereby recommends approval of the manager application of James Riewe for the Mid Plains Food & Lodging, Inc. dba Fat Dogs (License #D-044366) at 3070 Silverberg Drive, Sidney, Cheyenne County, Nebraska; and

That the Nebraska Liquor Control Commission be notified of said recommendation.

City Manager Sadler spoke to the agreement with the Nebraska Department of Transportation re: Project #STP-L17J(107). Due to the floods in eastern Nebraska, Sidney's funds for this project have been postponed temporarily. Olsen moved, Sherman seconded "That the agreement with the Nebraska Department of Transportation re: Project #STP-L17J(107) be approved and the Mayor be authorized to sign same." Roll call vote: Yeas: All council members present.

Mayor Gallaway announced that a public hearing would now be held at 7:26 p.m., for the purpose of hearing support, opposition, criticism, suggestions, or observations relating to the 2019-2020 proposed budget statement for all City departments and setting property tax different than last fiscal year. Input from the public was: Josh Goding who asked questions regarding the Emergency Funds in the Utilities when the available cash is substantial. City Manager Sadler satisfactorily answered Mr. Goding's question in that the same amount of funds is budgeted each year as a roll over from the previous year. The funds are budgeted so that in the case of an emergency, staff can move forward in repairing damages. Mayor Gallaway closed the public hearing at 7:40 p.m. Radcliffe moved, Sherman seconded "That RESOLUTION NO. 20190902 be passed and adopted." Roll call vote: Yeas: All council members present.

#### **RESOLUTION NO. 20190902**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Sidney passes, by a majority vote, a

resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Sidney that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the City Council of the City of Sidney, Nebraska, by a majority vote resolves that:

1. The 2019-2020 property tax request be set at \$2,399,056.00 (\$1,216,423.00 (\$1,192,670.00 plus \$23,753.00 1% collection fee) for the General/Street and \$1,182,633 for Debt Service)
2. The total assessed value of property differs from last year's total assessed value by -11.54 %
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.599093 per \$100 of assessed value.
4. The City of Sidney Nebraska proposes to adopt a property tax request that will cause its tax rate to be \$0.586371 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Sidney Nebraska will exceed last year's by -1%.
6. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2019.

Arterburn moved, Radcliffe seconded "That the City Council approve a 1% increase in restricted funds for the tax levy lid calculations for Fiscal Year 2019-2020." Roll call vote: Yeas: All council members present.

Radcliffe moved, Sherman seconded "That the Ordinance entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL, TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR THE ALL PURPOSE LEVY FOR ALL OBJECTS OR PURPOSES; TO PROVIDE FOR FILING OF COPIES OF THE BUDGET DOCUMENT WITH THE AUDITOR OF PUBLIC ACCOUNTS AND THE CHEYENNE COUNTY CLERK; AND TO PROVIDE FOR AN EFFECTIVE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT" be designated as Ordinance No. 1812." Roll call vote: Yeas: All council members present. Olsen moved, Sherman seconded "That the Statutory requirement requiring the ordinance to be read by title three different days be suspended." Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The City Clerk then read the Ordinance by number. Sherman moved, Radcliff seconded "That Ordinance No. 1812 be finally passed." Roll call vote: Yeas: All Council members present. 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, Radcliff seconded "That Ordinance No. 1812 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Hope Feeny of the Cheyenne County Chamber of Commerce reported on the application for a grant from the Nebraska Game & Parks Commission. Sherman moved, Olsen seconded "That RESOLUTION NO. 20190903 be passed and adopted." Roll call vote: Yeas: All council members present.

#### RESOLUTION NO 20190903

#### RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR OUTDOOR RECREATION

The City of Sidney, Nebraska proposes to support the Cheyenne County Chamber of Commerce's application for federal assistance from the Land and Water Conservation Fund program for the purpose of the creation of a downtown plaza.

The Mayor is authorized to sign documents to obtain financial assistance, including a Project Agreement with the State of Nebraska and the National Park Service.

The Cheyenne County Chamber of Commerce will, within thirty (30) days following approval, obtain the necessary consultant or appraisal service for this project as directed and as required by Nebraska Game and Parks Commission staff.

The City of Sidney, Nebraska has budgeted or currently has available its 50 percent match of the proposed total project funds and will allocate these funds toward this project upon project approval by the Nebraska Game and Parks Commission.

The Cheyenne County Chamber of Commerce has the financial capability to operate and maintain the completed project and park property in a safe, attractive and sanitary manner.

The Cheyenne County Chamber of Commerce will not discriminate against any person on the basis of race, color, age, religion, disability, sex or national origin in the use of any property or facility acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to other than public outdoor recreation use. And, such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such conditions as deemed necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

The City of Sidney, Nebraska will replace the land in the event of a conversion in use in accordance with Section 6(f)(3) of the Land and Water Conservation Fund act of 1965, as amended.

The Cheyenne County Chamber of Commerce agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

This is to certify that this resolution is a true copy of the original document that was adopted and passed by the City of Sidney, Nebraska at a duly advertised public meeting held this 10<sup>th</sup> day of September, 2019.

Economic Development Director Melissa Norgard presented an update of overall and current projects:

- UST Global/Xpanxion Update
- UST Global Leadership Summit in Sidney, September 26 & 27
- MMP Enterprises will not proceed as anticipated.
- October Job Seeker Event and Career Fair
- Western Nebraska Regional Talent Recruitment
- Overall Job Creation Update and Outlook
- Continued Business Recruitment Efforts
- Information re: Job Created, Jobs Projected, and LB840 Incentive received

City Manager Sadler reviewed the 2019-2020 Membership Dues for PADD and PRC&D for information purposes. They will be run thru the bill paying process. Melissa and Ed will continue to be representatives and alternates on each of these organizations.

Olsen moved, Sherman seconded "That the following claims for August 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 ex 244.86, 1062.04, 96.77, 39.70; 308AG SU 192.50; A-1 Sports su 28.00; Accelerated Receivables se 149.27; Adidas su 1040.44; Ag Teck Repair se 24.50; American Environmental se 1467.38; Arnold Pool su 455.91; Arrowhead Distributing su 385.65, 227.85, 101.85; B&C Steel su 29.71; Baird Holm se 1250.00; Baker & Taylor su 1809.32, 18.09; Baker Cleaners se 30.00; Best Plumbing se 598.88, 142.50; Black Hills Energy ut 36.93, 568.76, 63.62, 32.91, 34.31, 81.54, 31.81, 152.14; Bomgaars su 37.03, 55.21, 341.38, 217.07, 158.86, 30.98; Border States eq 2464.99; Brite eq 17672.00; Cardmember su 3712.10, 376.24, 704.29, 47.92; Caselle ct 3288.00; Cashwa su 268.08, 162.83, 64.80; CCL Supply su 98.00; Centurylink se 345.06; CFS Inspections se 300.00, 1161.75, 2160.00; Charter se 522.34, 116.12, 92.99; Cheyenne Co Chamber ct 2000.00, 500.00; Cheyenne Co Community Center se 10000.00; Cheyenne Co Court se 17.00; Cheyenne Co Emergency Comm Center ct 29858.22; Chief su 256.34; City of Sidney bd ct ex se tx 46.98, 543.78, 15003.82, 14062.04, 17750.00, 19750.00, 925.00, 1000.00, 5706.85, 41.64, 1504.17, in 868.35, 6478.20, 814.29, 18333.01, 4756.57, 122533.80, 59098.58, 1138.68, 12439.12, 10790.08, 1886.03, 355.02, 7999.74 sa 112331.73, 12229.82, 12166.77, 14906.82, 27811.81, 27012.70, 10857.75, 10951.86, 6870.61, 6733.80, ut 13781.03, 110.00, 465.50, 37.56, 973.85, 590.49, 87.33, 15099.40, 11751.15; Clothes Hamper se 45.00; Colorado Paint su 2419.76, 1625.00; Contractors Materials su 42.50, 325.00; Cranmore Pest se 90.00; Croell su 45.00, 1775.81, 47.48; Culligan se 19.95, 29.95, 29.95; Darin's Auto se 3059.03, 199.91; Department of Energy ut 21305.23; Dietrich su 100.55, 110.50, 192.90, 159.45; Ditch Witch eq 174.44; DP Electronics su 818.00, 85.99, 45.00, 752.49; E&S Auto su 186.86, 3362.19, 1422.07, 221.45, 345.73; Eakes su 537.14, 180.19, 172.92, 1.94; Eco Resource se 1139.50; Elan Visa su 159.44, 20.00, 428.33, 303.00, 31.99, 65.91; Endurance Flag su 9.50; Enviro se 196.00, 80.00; Everclear Window Cleaning se 330.00; Finney's su 1128.57, 4.99, 206.98, 309.32, 79.90; Floyd's Truck se 226.88; Fremont Nat'l ct 24279.70; Frenchman Valley su 9798.13, 3005.81, 6386.15, 1828.29, 629.32, 653.42; Gempler's eq 376.90; Gold Rush Committee ct 5000.00; Golf & Sport Solutions eq 1444.44; Grainger su 123.05; Guideposts su 43.85, 11.97; Hamilton se 223.65, 49.95, 49.95; Hardy Pro Air eq 4744.58; Hawkins eq 2857.10; High Plains Budweiser su 710.85, 869.70, 178.70; Hometown Leasing ct 159.98; Huber & Asso se 5904.00; Ideal Linen su 36.81, 458.18, 642.58, 313.72; Inland Truck eq 116.06; IPMA du 149.00; Jackson Hirsh su 95.21; Journal Office su 55.27; JT Heating se 555.00, 810.00; Keith County News se 67.00; Kevin's Electric su 45.00, 563.90, 46.80; KSID se 35.00; LL Johnson eq 2459.12; Laclede eq 178.06; Landis & Gyr ct 750.00, 750.00; Leal, Ron se 450.00; Lincoln Journal se 204.00; Marsau's su 24.55; MEAN ut 483476.25; Napa su 64.18; NE Environmental su 220.88; NMPP su 500.00; NE Public Health se 267.00; NE Safety/Fire su 212.08, 360.00, 90.00; NE State Fire Marshal su 60.00; NT&T se 1563.07, 136.70, 229.59, 320.53, 139.12, 189.92; NE Link se 36.00; NE Tire se 23.18; NMC eq 368.28; Northwest Pipe su 165.60; Nossaman, Susan re 174.39; NT Building Supply su 143.34; NuCO2 su 88.88; OCLC Inc su 243.76; ODB su 530.88; One Call se 30.34, 30.34; Panhandle Auto se 154.00; Pepsi su 157.00, 212.80; Pittam Body su 81.49; Quill su 83.97, 471.73, 115.96; Railroad Management se 235.41, 652.38; Reams su 730.73; Respond First Aid su 102.93, 51.52; Roods se 17.00, 352.35, 16.00, 701.92, 82.50, 37.00; Sandberg Implement eq 111.78, 114.41; Sargent Drilling eq 1675.90, 2700.00; Scotties Potties se 560.00; SD Myers eq 1926.00; Segelke Janitorial se 2580.00; Shirt

Tales su 65.00; Sidney Glass su 275.61; SRMC se 30.00, 102.00, 86.00; Sidney Sun Telegraph se 8.09, 731.96, 13.99; Simon Materials eq 6332.11; Sonntag, Goodwin & Leef se 5006.80; Sonny's su 63.89; Spic & Span su 1865.00; State of NE tx 79040.32; Stone, Eloise rt 400.00; Swire Coca Cola su 71.52; Sysco su 681.39; Cleaner Bros se 933.00; Time Clock Plus se 40.00; Titleist su 155.14, 869.54; Toro co eq 248.18; Triple O's su 78.54, 174.03, 119.48, 31.05; United Laboratories su 390.00; US Foods su 380.87; VanDiest su 1058.10; Verizon se 726.59, 505.82, 68.20, 34.10, 197.34, 34.05, 68.15; Vermeer eq 763.88; Viaer se 34.68, 64.78; Walmart su 183.97, 128.65; Wesco su 3870.00; Wheat Belt ut 12816.36; Whitebluffs ct 1196.00; Wolford, Marie rt 916.47; Woodis Welding se 1304.00; Woodis, Jennifer tt 214.00; WPCI se 85.50; Youngs Plumbing se 192.50.

Finance Director David Scott gave his report on the Budget Reports for August 2019 for all departments. Radcliffe moved, Sherman seconded "That the Budget Reports for August for all city departments be approved." Roll call vote: Yeas: All council members present.

**City Manager/Staff Report:** City Manager Sadler reminded everyone that school is back in session so watch for children. Oktoberfest approaching fast. He was also grateful that the budgets were done. Library Director Sherman said that the Fall schedules for the Bookmobile are set. Electric Distribution Superintendent Mike Palmer gave an update on the Bass Pro job.

Meeting adjourned at 8:26 p.m.

/s/ ROGER GALLAWAY, MAYOR

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







