

Sidney, Nebraska, July 28, 2020 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 July 28, 2020 in Room 116 of Western Nebraska Community College, 371 College Drive. Present were: Mayor Gallaway and Council Members: Sherman, Arterburn, Radcliffe and Olsen. Others present: City Manager Scott, City Attorney Leef, and City Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in the Sidney Sun Telegraph, a 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 that the meeting was being conducted in accordance with the Open Meetings Act, posted at the rear of the room.

Arterburn moved, Sherman seconded "That the minutes of July 14 be approved as printed." Roll call vote: Yeas: All council members present.

Curtis Hofrock, Sports Director at the Cheyenne County Community Center, appeared during comments by the public to give an overview of the upcoming Cal Ripkin 12 and under State Baseball Tournament to be held in Legion Park from July 30th through August 2nd. The tournament will consist of 27 games on 3 fields in 3 days. He thanked all those involved in helping organize and prepare the ballfields for the tournament. He noted that COVID 19 guidelines will be followed during the tournament, including social distancing and sanitizing dugouts between games. The semi-final games on Saturday and championship games on Sunday will be televised on News Channel Nebraska.com for those wishing to watch from home.

Heidi Gillespie, Director of the Cheyenne County Communication Center, gave an annual report on 911 services for Cheyenne County, including updates to the 911 system. She invited everyone to come and tour the Communications Center.

Kevin Kubo, Chief Building Official, gave a report on the Planning Commission's recommendation for diagonal street parking at six churches and one business location in Sidney. He noted that all were approved as originally requested with the exception of the Catholic Church which was revised to allow diagonal parking on only one side of 14th Avenue and not on 13th Avenue. This exception was based on measurements and a recommendation by Street Superintendent Hank Radtke. City Attorney Leef explained that the new angle parking recommendations were being added to the previous angle parking Resolution (20200201) in order to keep all of them in one location of the Code, and that future areas would be incorporated into this Resolution in a similar manner.

Radcliffe moved, Sherman seconded "That Resolution No. 20200703 be approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200703

WHEREAS, the City Council of the City of Sidney, Nebraska has the authority under City Ordinances to designate certain portions of streets in the City upon which vehicles shall be parked at an angle of approximately forty-five degrees from the curb or pavement; and

WHEREAS, designating areas where angle parking may occur promotes the orderly flow of traffic in the City of Sidney;

NOW, THEREFORE, be it resolved by the City Council of the City of Sidney, Nebraska, that the following streets, when marked by angle striping, shall be designated as permitting angled parking:

From Illinois to Hickory on 18th, 17th, 16th, 15th, 14th, 12th, 11th, and 9th
From Jackson to Illinois on 20th, 18th, 12th, 11th, 9th, and 8th
From King to Jackson on 11th and 9th
From Linden to King on 11th and 12th
On Jackson from 12th to 13th and 19th to 21st
On Linden from 19th to 22nd

and the following locations, when marked by angle striping, shall be designated as angled parking:

The Well Church at 432 20th Avenue-7 spaces on 20th Avenue;
Christ Episcopal Church at 1205 10th Avenue-9 spaces on Linden Street;
The Catholic Church at 1020 13th Avenue-21 spaces on King Street and 14 spaces on 14th Avenue;
St. Paul's Lutheran Church at 1424 Maple Street-10 spaces on 15th Avenue and 8 spaces on Maple Street;
St. Paul's Educational Building at 1432 15th Avenue-8 spaces on 15th Avenue;
New Heart Fellowship Church at 1545 King Street-3 spaces on King Street and 8 space on 16th Avenue;
Light Memorial Presbyterian Church at 1345 Linden Street-10 spaces on 14th Avenue and 6 spaces on Linden Street;
Best Plumbing and Heating at 2044 Illinois Street-8 spaces on 21st Avenue

Pursuant to 460.02 of the Codified Ordinances of the City of Sidney, Nebraska, no person shall park a vehicle in any manner other than parallel with and adjacent to the curb or pavement except where designated by this resolution. The City Clerk shall cause signs to be erected or the streets to be marked indicating the areas so designated as angled parking.

Adopted this 28th day of July, 2020, at Sidney, Nebraska.

City Manager Scott presented Resolution No. 20200702 adjusting the Master Fee Schedule authorized in Chapter 202 Administrative Code, Section 202.95. He explained that two years ago the City had started the process of combining all fees together under one resolution for consideration once a year prior to passage of the budget. He noted that there is nothing significant in his recommendations for the upcoming year and that changes could be found in the comparison chart provided.

Sherman moved, Olsen seconded "That Resolution No. 20200702 be approved." Roll call vote:
Yeas: All council members present.

RESOLUTION NO. 20200702

WHEREAS, the City Council deems it necessary from time to time to adjust various fees as set out in the Master Fee Schedule authorized in Chapter 202 Administrative Code, Section 202.95 Master Fee Schedule of the Codified Ordinances of the City of Sidney; and

WHEREAS, after recommendations from City departments, it is the desire of the City Council at this time to make adjustments to the various fees as set out below;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sidney, Nebraska that the following listed charges/fees are hereby approved and adopted and shall be in effect as of October, 1, 2020, and remain in place until lawfully changed by the City Council.

AQUATIC Adult Daily \$5.50 Adult Annual \$99.00 Youth Daily \$4.50 Youth Annual \$68.00 5 and under Daily \$3.50 5 and under annual \$52.00 Senior Daily \$3.50 Senior Annual \$52.00 Family Annual \$164.00 Swimming lessons (5) \$50.00 Water Fitness Class (with season pass or daily pass) \$40.00 Aquatic Center Rental for events \$140.00 **GOLF** Annual junior tickets (17 & under) \$165.00 Annual college ticket (full time student 21 & under) \$205.00 Annual single membership \$590.00 Annual couple membership \$775.00 Annual senior membership (62 & older) \$499.00 Annual senior couple membership (62 & older) \$625.00 Annual family membership (children through 21) \$925.00 Green fees general (9 holes) \$21.00 Green fees seniors (62 & older) (9 holes) \$16.00 Green fees youth (14 and under) (9 holes) \$12.00 Green fees (league) (9 holes) \$16.00 Green fees general (18 holes) \$32.00 Green fees seniors (62 & older) (18 holes) \$27.00 Green fees youth (14 and under) (18 holes) \$17.00 Annual cart rental (individual) \$345.00 Annual cart rental (family) \$595.00 9 holes cart rental per person \$10.00 18 holes cart rental per person \$17.00 Cart storage - City buildings \$369.00 Cart storage - Clubhouse \$499.00 Trail fees only - daily \$9.00 Trail fees only - annual \$190.00 annual range pass (single) \$155.00 annual range pass (family) \$235.00 **CEMETERY & PREPETUAL CARE FUND** Single Adult Grave Space \$475.00 Baby land Section Only Grave Space \$185.00 Cremation \$265.00 Block J Grave Space \$175.00 Cemetery Deed \$5.00 Transfer of Deed \$5.00 Interment Adult \$500.00 Interment Infant \$230.00 Interment Cremation \$225.00 Disinterment Adult \$575.00 Disinterment Infant \$315.00 Disinterment Cremation \$315.00 Saturday Morning Interment \$425.00 Saturday Morning Interment Late Notice \$525.00 **PUBLIC SAFETY** DVD/Flash Drive Copy of report \$1.00 per CD/DVD, and \$10 per 8 gb flashdrive Accident Report paper copy \$2.00 All other report copies - per page \$1.00 Pictures-per page 2 Abandon Vehicle Title Fee \$20.00 Notice of "Ban and Bar Fee" \$15.00 Dog Impounding, 1st occurrence, one day \$45.00 Dog Impounding, 1st occurrence, additional days \$20.00 Dog Impounding, 2nd occurrence, one day \$50.00 Dog Impounding, 2nd occurrence, additional days \$20.00 Dog Impounding, 3rd occurrence, one day \$75.00 Dog Impounding, 3rd occurrence, additional days \$20.00 Improper parking \$20.00 Parking in a Handicap Zone \$50.00 Parking too Close to a Fire Hydrant \$25.00 Failure to Provide Proper Supports \$100.00 Parking generally \$200.00 All-Terrain Vehicle Insurance Sticker Violation Registration \$25.00 After work hours cost for Police employees per hour-Minimum 2 hrs \$50.00 **ADMINISTRATION** Manufacturer of alcohol/spirits per year \$1,000.00 Manufacturer of alcohol/beer, wine per year \$500.00 Alcohol wholesaler except farm produced beer/wine \$750.00 Beer wholesaler \$500.00 Class A beer retailers \$200.00 Class B beer retailers \$200.00 Class C alcoholic liquor beverages \$600.00 Class D alcoholic liquor beverages \$400.00 Class I alcoholic liquor beverages \$500.00 Special designated license \$40.00 Catering permit \$200.00 Recreational Campgrounds permit \$7.00 Itinerant merchants/vendors License Fee \$30.00 Sidewalk café permit \$30.00 Sexually Oriented Business license \$700.00 Sexually Oriented Business investigation fee \$700.00 Fire Insurance Co. Annual Fee \$7.00 Tele Co. annual Percentage Fee 3% Voluntary sales tax 1% Business occupation tax lodging 2% Business occupation penalty lodging 10% Business occupation penalty lodging-Fraud 50% Occupation Tax penalty not otherwise stated \$200.00 Arborist License - Annual \$50.00 Xpress BillPay fee non-utility, Minimum \$1.00 3% Admin copies - B/W \$0.50 Admin copies - Color \$0.75 Admin copies - Large scanner \$7.00 Non - Profit within city limits 20' X 20' Tent Rental \$400.00 Non - Profit within city limits 20' X 40' Tent Rental \$500.00 Non - Profit outside city limits 20' X 20' Tent Rental - plus mileage \$400.00 Non - Profit outside city limits 20' X 40' Tent Rental - plus mileage \$500.00 For - Profit within city limits 20' X 20' Tent Rental \$500.00 For - Profit within city limits 20' X 40' Tent Rental \$600.00 For - Profit outside city limits 20' X 20' Tent Rental - plus mileage \$500.00 For - Profit outside city limits 20' X 40' Tent Rental - plus mileage \$600.00 **LIBRARY** Library use by non-Cheyenne county Households \$30.00 Black & White Copies per page \$0.10 Color copies per page \$0.25 3D Printing per print job \$5.00 Banner/Poster printing on HP Plotter per foot \$3.00 Faxing documents per page \$1.00 Use of the Maker Space equipment per day \$5.00 Use of the Maker Space equipment per month \$25.00

INSPECTION Building Permit Fees \$1.00-\$1,000 \$40.00 Additional amount per \$1,000 for \$1,001-\$50,000 \$6.00 Additional amount per \$1,000 for \$50,001-\$150,000 \$3.50 Additional amount per \$1,000 over \$150,001 \$3.50 Roofing insurance licensing fee - New \$100.00 Roofing insurance licensing fee - Renewal \$75.00 Building Moving fee Term of 7 days \$75.00 Building Moving fee Term of 5 mo \$75.00 Building Moving fee Term of 1 year \$200.00 Demo of Bldg Permit Commercial \$50.00 Demo of Bldg Permit Residential \$50.00 Plumbing Contractor fee 1st year \$100.00 Plumbing Contractor fee 2nd year \$75.00 Plumbing Contractor penalty \$100.00 Plumbing License fee (Master) \$75.00 Plumbing License fee (Journey) \$50.00 Plumbing License fee (Apprentice) \$25.00 Plumber Gasfitter exam fee \$35.00 Water softener/Filter License \$25.00 **PLUMBING PERMIT & INSPECTION FEES** For each fixture or trap \$4.00 For each building or trailer park sewer \$6.00 For rain water systems \$3.00 For private sewage disposal system \$20.00 For water heater / vent \$6.00 For each gas piping system \$4.00 For each industrial waste pre-treatment intercept \$10.00 For installation, alteration, repair of water piping \$4.00 For alteration of drainage or vent piping \$4.00 **PLUMBING PERMIT & INSPECTION FEES** For each water sprinkler system \$6.00 For vacuum breakers or backflow protect devices 1-4 \$5.00 For vacuum breakers or backflow protect devices 5+ \$1.00 **ELECTRICAL PERMITS ADDITIONS AND ALTERATIONS** Gas fitter License yr 1 \$0.00 Gas fitter License additional yrs \$25.00 Plumber/Gasfitter License yr 1 \$0.00 Plumber/Gasfitter License additional yrs \$25.00 Mechanical Permit issuance \$30.00 **FURNACES UNIT FEE SCHEDULE** Furnace up to and including 100,000 Btu/h (29.3 Kw) \$5.00 Furnace over 100,000 Btu/h (29.3 Kw) \$6.00 Floor Furnace & Vent \$4.00 Suspended, wall, or floor mounted heater unit \$4.00 Wood burning / Pellet Stove \$10.00 **AIR REFRIGERATION COMPRESSOR SYSTEMS FEE SCHEDULE** Air Conditioning system up to & including 3 ton \$5.00 Air Conditioning system 3-5 ton \$8.00 Air Conditioning system over 5 ton \$15.00 Appliance vents \$5.00 **BOILERS/ABSORPTION & AIR HANDLING SYSTEMS FEE SCHEDULE** Up to 3 HP (10.6 Kw) or 100,000 Btu/h (29.3 Kw) \$5.00 For 3HP(10.6 Kw) to 15 HP (52.7 Kw) or 100,000 Btu/h \$7.50 (29.3 Kw) to 500,000 Btu/h (146.6 Kw) For 15HP(52.7 Kw) to 30HP (105.5 Kw) or 500,000 \$10.00 Btu/h (146.6 Kw) to 1,000,000 Btu/h (146.6 Kw) to 1,000,000 Btu/h (293.1 Kw) For 30HP(105.5 Kw) to 50HP (176.0 Kw) or 1,000,000 \$12.00 Btu/h (293.1 Kw) to 1,750,000 Btu/h (512.9 Kw) For over 50HP (176.0 Kw) or for 1,750.000 Btu/h (512.9 Kw) \$15.00 Air handlers up to 10,000 cubic ft per min (4270 L/s) \$5.00 Air handlers over 10,000 cubic ft per min (4270 L/s) \$10.00 For each single duct vent fan \$5.00 For each ventilation system \$5.00 For each mech exhaust hood \$5.00 Incinerators \$6.00 Misc. \$5.00 **LIQUIFIED PETROLEUL FUEL TANKS** From 25-125 gallons \$5.00 From 125-500 gallons \$7.00 From 501-2000 gallons \$7.00 Over -2001 gallons \$15.00 **PARKS** Refundable Shelter house deposit \$50.00 Refundable Gazebo deposit \$50.00 Refundable Pavilion-Picnic deposit \$50.00 Youth camp fee - lodge, per day \$75.00 Youth camp fee – multi-purpose bldg, per day \$25.00 Youth camp fee - cabins, per day \$30.00 After work hours cost for Parks employees per hour-Minimum 2 hrs \$45.00 **PLANNING & ZONING** Admin enforcement & penalty subdivisions \$100 is the maximum \$100.00 Prelim plat procedure fee less than 2 tracts \$100.00 Prelim plat procedure fee 3 or more tracts \$750.00 Admin enforcement & penalty nuisances \$100 is the maximum \$100.00 Board of adjustment variance notice fee \$200.00 Special use permits \$100.00 Amendments (petition for change) \$100.00 Special permits residential planned unit dev \$250.00 **PUBLIC SERVICES** Storm water mnngt fee residential \$200.00 Storm water mnngt fee commercial \$1,000.00 Right of way paving, curb, sidewalk, permits \$30.00 **STREETS** After work hours cost for City employees per hour-Minimum 2 hrs \$45.00 **TRANSPORTATION** Dial-a-ride per one trip \$1.25 Dial-a-ride, 11 ride punch card \$12.50 Stage line rate per one way downtown & residential \$1.25 Stage line rate per one way I-80 area \$2.25 **TRANSPORTATION ADVERTISING** Stage line drivers side 2X4 advertising sign plus sign costs \$800.00 Stage line drivers side 2X3 advertising sign plus sign costs \$600.00 Stage line drivers side 1.5X3 advertising sign plus sign costs \$450.00 Stage line passenger side 2X3 advertising sign plus sign costs

\$800.00 Stage line passenger side 1.5X3 advertising sign plus sign costs \$450.00 Stage line back side 2X3 advertising sign plus sign costs \$800.00 Stage line inside 3X9 advertising sign plus sign costs \$225.00 **ELECTRIC DEPARTMENT** Residential service deposit \$100.00 Sm single phase service deposit 200 Amps and below \$150.00 Sm single phase/large 3 phase service deposit 201-400Amp \$350.00 Sm single phase/large 3 phase service deposit 401-600Amp \$600.00 Sm single phase/large 3 phase service deposit 601-800Amp \$800.00 Sm single phase/large 3 phase service deposit 801-1000Amp \$1,000.00 Sm single phase/large 3 phase service deposit 1001Amp & up \$1,500.00 Landlord service deposit per rental house \$100.00 Landlord service deposit per apartment complex plus \$20 per unit \$100.00 deposit for customers that left without paying 2 times dep Con/discon fee during working hours other than repairs \$20.00 Con/discon fee during working hours due to delinquency \$85.00 Con/discon fee during non-working hours due to delinquency \$145.00 Meter testing fee if no adj is deemed necessary by the city \$20.00 Temporary construction deposit \$100.00 Interconnection application fee 25 Kw \$250.00 Interconnection application fee 26-100 Kw \$500.00 Avoided cost reference fee **ELECTRIC SERVICE NEW CONSTRUCTION COST RECOVERY** Residential Electric 1 Phase New/upgraded meter fee \$500.00 Less than 200Amp \$1,000.00 Each additional amp \$5.00 Excess of 150' underground service charge/per foot \$4.50 Residential Electric 3 Phase - Commercial Rates Apply Commercial Electric 1 Phase Less than 200Amp \$1,500.00 Each additional amp \$5.00 Excess of 300' underground service charge/per foot \$4.50 Above 600 Amps - 3 Phase Rates Apply Commercial Electric 3 Phase Less than 200 Amp \$3,500.00 201 - 400 Amp \$5,000.00 401 - 600 Amp \$5,500.00 601 - 800 Amp \$6,000.00 801 - 1000 Amp \$7,000.00 1001 - 1500 Amp \$8,500.00 1501 - 2000 Amp \$10,000.00 Above 2000 Amp - Negotiated Excess of 300' underground service charge/per foot \$12.50 Boring Services minimum charge \$1,200 Per foot 4"back ream \$10.00 Per foot 6"back ream \$13.00 Per foot 8"back ream \$15.00 Per foot 10"back ream \$17.00 Per foot 12"back ream \$20.00 After work hours cost for Elec employees per hour-Minimum 2 hrs \$70.00 **LANDFILL** Out of city limit trash deposit \$50.00 Out of city limit delinquent dumpster retrieval fee \$75.00 After work hours cost for Landfill employees per hour-Minimum 2 hrs \$45.00 **SEWER** Tap fee residential \$175.00 Tap fee commercial \$275.00 Tap fee industrial \$375.00 **WWTF** Private hauler portable waste dumping fee-per 500 gl increment \$30.00 After work hours cost for WWTF employees per hour-Minimum 2 hrs \$40.00 **WATER** service ONLY deposit \$50.00 Tap fee in city Cost + 10% disconnect - reconnect fees \$15.00 disconnect - reconnect fees due to delinquency \$25.00 Residential Construction Cost Recovery Fee Meter Pit, Main Tap, & Service Line to Property Line 5/8 X 3/4, or 1 Inch \$1,800.00 2 Inch \$2,350.00 Commercial Construction Cost Recovery Fee 5/8 X 3/4, or 1 Inch \$2,300.00 2 Inch \$2,850.00 Tap only fee \$700.00 Other Taps 4, 6, 8, 10, 12 Cost + 10% After work hours cost for water employees per hour-Minimum 2 hrs \$45.00

Adopted this 28th day of July, 2020, at Sidney, Nebraska.

Melissa Norgard, Economic Development Director, presented the Cheyenne County Chamber of Commerce revised contract which includes conducting an electronic county-wide survey to gain a better understanding of types of retail and business services to recruit, with results submitted to Council. She recommended monthly meetings between herself and the Chamber Director which will help to produce measurable results moving forward. She also noted that the performance of the Chamber is evaluated quarterly which can also reflect in the amount the City contributes to the Chamber of Commerce in the Fiscal Year.

Sherman moved, Radcliffe seconded "That the City of Sidney Contract with Cheyenne County Chamber of Commerce for fiscal year 2020-2021 be approved." Roll call vote: Yeas: All council members present.

Melissa Norgard, Economic Development Director, presented an LB840 Agreement with New Freedom Yurt Structures unanimously recommended for approval by the Economic Development Citizen's Advisory Review Committee. She explained the financial implications of the agreement, which would be \$112,500 payable after the business meets the payroll creation amount of \$450,000 and job creation requirements of 10 new jobs. She clarified that because this company was newly formed on June 30, 2020, employees who previously worked for Freedom Yurt Structures (the old company) could be counted in the number of employees needed to meet the job creation requirements under "retention and creation of jobs." There are currently 6 full-time and 4 part-time employees. Councilman Olsen suggested that the agreement should read "new and retained jobs" in order to clarify job creation requirements and avoid future problems with meeting requirements.

Ken Sawyer, New Freedom Yurt Structures, and Josh Watchorn, CFO of Adams Industries, explained that a partnership between New Freedom Yurt Structures and Adams Industries had been formed to manufacture and market the yurt structures which are manufactured in Sidney and sold worldwide. Watchorn noted that Adam's Industries will offer administrative functions including invoicing, payroll and marketing of the product. Sawyer described production and assembly of the yurts, estimating that 150 cabins had been sold worldwide to date. Under the new partnership with Adams Industries he hopes to double sales within one year, which will in turn double the number of employees.

Sherman moved, Arterburn seconded "That the LB840 Agreement with New Freedom Yurt Structures be approved." Roll call vote: Yeas: All council members present.

City Manager Scott asked for Council feedback regarding scheduling of a Budget Workshop around the third week in August. Council was instructed to send Jo Houser dates they cannot attend a workshop prior to scheduling.

City Manager/Staff Report: City Manager Scott reported that **1)** three bids had been received for the Water department SCADA system and, following evaluation as to which best fits the needs of the City, a recommendation will be brought to Council for approval; **2)** that the City of Sidney had been asked by the League of Nebraska Municipalities to send a letter in opposition to LB1222 re: Municipal Police Oversight Act. The bill was introduced by Senator Wayne of Omaha and would require communities of 5,000 or more to put together an oversight committee comprised of 7 civilians, with no ties to law enforcement, to investigate complaints made against a city's police department. Mayor Gallaway noted that the bill is strongly opposed by the League as passage of it would make it a state mandate that would put an incredible burden on cities. Scott explained that the deadline for submitting the letter of opposition is this Friday, July 31st, so he, Mayor Gallaway and Police Chief Aikens had collaborated on it and sent it to the League in order to meet the deadline; **3)** Engineering work is being done on the Elm Street and 13th Avenue projects. Once this is completed the projects will be put out for bids.

Council Comments: Mayor Gallaway stated that he is looking forward to the opportunity to showcase Sidney this weekend while hosting the Cal Ripkin State Baseball tournament, and urged everyone to go out and enjoy some baseball.

The meeting adjourned at 8:26 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK

