

Sidney, Nebraska, August 25, 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 August 25, 2020 in the Council Room of City Hall. 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.

Radcliffe moved, Sherman seconded "That the minutes of August 11 be approved as printed." Roll call vote: Yeas: All council members present.

Sherman moved, Radcliffe seconded "That Resolution No. 20200802 re: Manager Application of Misty D. Beutler for Love's Travel Stop #625 be passed." Roll call vote: Yeas: All council members present.

RESOLUTION NO 20200802

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 Misty D. Beutler for Love's Travel Stop #625 located at 645 Chase Drive, Sidney, Cheyenne County, Nebraska; and

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

James Holmes appeared to request 4 diagonal parking spaces in front of his apartment building at 1440 12th Avenue. Street Superintendent Hank Radtke also advised that Day and Night Plumbing and Heating had requested diagonal parking at their location at 1400 Jackson Street which, after measuring, will result in 6 diagonal parking spaces if approved by Council.

Arterburn moved, Sherman seconded "That Resolution No. 20200803 re: Additions to Diagonal Street Parking be approved as recommended." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200803

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

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

James D. Holmes at 1440 12th Avenue-4 spaces in front of 1440 12th Avenue;

Day & Night Plumbing and Heating, LLC at 1400 Jackson Street-6 spaces on 14th 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 25th day of August, 2020, at Sidney, Nebraska.

A conference call was held with Paul Donna of Baird Holm re: General Obligation Various Purpose Refunding Bonds Series 2020. He explained that interest rates are at historical lows in the

municipal bond market and redemption of the City’s Series 2014, 2016, and 2017 bonds would result in a possible savings of \$1,235,000.00, which breaks down to an annual savings of approximately \$83,000 over the life of the bonds. He estimated that he could come back to Council in early October with final numbers for approval. He urged Council to move expediently to take advantage of this opportunity, stressing that we would want to be in the market before the election. With this in mind, City Manager Scott urged Council to consider waiving the three readings for the Ordinance.

Radcliffe moved, Sherman seconded “That Resolution No, 20200804 re: Redemption of City’s Outstanding General Obligation Various Purpose Bonds Series 2014 be approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200804

A RESOLUTION OF THE CITY OF SIDNEY, NEBRASKA, AUTHORIZING THE REDEMPTION OF THE CITY’S OUTSTANDING GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2014, DATED AUGUST 12, 2014.

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby authorized to be called for payment as provided in a Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Various Purpose Bonds, Series 2014, of the City of Sidney, Nebraska, date of original issue – August 12, 2014, in the total outstanding principal amount of \$750,000, numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due as follows:

<u>Principal Amount</u>	<u>Maturing December 15,</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$65,000	2020	1.800%	826061 MF7
70,000	2021	2.000	826061 MG5
70,000	2022	2.250	826061 MH3
70,000	2023	2.500	826061 MJ9
75,000	2024	2.700	826061 MK6
75,000	2025	2.900	826061 ML4
80,000	2026	3.100	826061 MM2
80,000	2027	3.200	826061 MN0
80,000	2028	3.300	826061 MP5
85,000	2029	3.400	826061 MQ3

Said bonds are hereinafter referred to as the “Refunded Bonds.”

Said Refunded Bonds are subject to redemption at any time on or after August 12, 2019, at the principal amount thereof plus accrued interest to date fixed for redemption, and said interest is payable semiannually.

Section 2. The Refunded Bonds are to be paid off at the office of the City Treasurer, in Sidney, Nebraska, as paying agent and registrar (the “Paying Agent and Registrar”).

Section 3. The Mayor or City Manager of the City (each, an “Authorized Officer”) are each individually hereby at any time on or after the date of this resolution authorized to direct the irrevocable call of the Refunded Bonds on behalf of the City and such direction, when made in writing (the “Direction for Call”), shall constitute the action of the City without further action of the Mayor or Council of the City. The redemption date included in the Direction for Call may be set for any date on or prior to June 30, 2021, after which time the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Paying Agent, together with an executed Direction for Call, which delivery of Direction for Call is necessary in order for the call of the Refunded Bonds to be effective hereunder. The Paying Agent is hereby instructed to mail notice to each registered owner of the Refunded Bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the issuance of the Refunded Bonds, and to take all other actions deemed necessary in connection with the redemption of the Refunded Bonds.

PASSED AND APPROVED this 25th day of August, 2020.

Olsen moved, Arterburn seconded “That Resolution No. 20200805 re: Redemption of City’s Outstanding General Obligation Various Purpose Bonds Series 2016 be approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200805

A RESOLUTION OF THE CITY OF SIDNEY, NEBRASKA, AUTHORIZING THE REDEMPTION OF THE CITY’S OUTSTANDING GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2016, DATED DECEMBER 15, 2016.

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby authorized to be called for payment as provided in a Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Various Purpose Bonds, Series 2016, of the City of Sidney, Nebraska, date of original issue – December 15, 2016, in the total outstanding principal amount of \$7,645,000, numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due as follows:

<u>Principal Amount</u>	<u>Maturing December 15,</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$420,000	2022	2.000%	826061 NH2
430,000	2023	2.000	826061 NJ8
435,000	2024	2.100	826061 NK5
445,000	2025	2.250	826061 NL3
455,000	2026	2.400	826061 NM1
470,000	2027	3.000	826061 NN9
485,000	2028	3.250	826061 NP4
500,000	2029	3.500	826061 NQ2
515,000	2030	3.500	826061 NR0
530,000	2031	3.500	826061 NS8
550,000	2032	3.500	826061 NT6
570,000	2033	3.750	826061 NU3
590,000	2034	4.000	826061 NV1
1,250,000	2036*	4.000	826061 NW9

*Term Bonds

Said bonds are hereinafter referred to as the “Refunded Bonds.”

Said Refunded Bonds are subject to redemption at any time on or after December 15, 2021, at the principal amount thereof plus accrued interest to date fixed for redemption, and said interest is payable semiannually.

Section 2. The Refunded Bonds are to be paid off at the office of BOKF, National Association, in Lincoln, Nebraska, as paying agent and registrar (the “Paying Agent and Registrar”).

Section 3. The Mayor or City Manager of the City (each, an “Authorized Officer”) are each individually hereby at any time on or after the date of this resolution authorized to direct the irrevocable call of the Refunded Bonds on behalf of the City and such direction, when made in writing (the “Direction for Call”), shall constitute the action of the City without further action of the Mayor or Council of the City. The redemption date included in the Direction for Call may be set for any date on or prior to December 31, 2021, after which time the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Paying Agent, together with an executed Direction for Call, which delivery of Direction for Call is necessary in order for the call of the Refunded Bonds to be effective hereunder. The Paying Agent is hereby instructed to mail notice to each registered owner of the Refunded Bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the issuance of the Refunded Bonds, and to take all other actions deemed necessary in connection with the redemption of the Refunded Bonds.

PASSED AND APPROVED this 25th day of August, 2020.

Sherman moved, Radcliffe seconded “That Resolution No. 20200806 re: Redemption of City’s Outstanding General Obligation Various Purpose Bonds Series 2017 be approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200806

A RESOLUTION OF THE CITY OF SIDNEY, NEBRASKA, AUTHORIZING THE REDEMPTION OF THE CITY’S OUTSTANDING GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2017, DATED FEBRUARY 15, 2017.

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby authorized to be called for payment as provided in a Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Various Purpose Bonds, Series 2017, of the City of Sidney, Nebraska, date of original issue – February 15, 2017, in the total outstanding principal amount of \$3,550,000, numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due as follows:

<u>Principal Amount</u>	<u>Maturing December 15,</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$200,000	2022	2.000%	826061 PC1
200,000	2023	2.000	826061 PD9
200,000	2024	3.000	826061 PE7
200,000	2025	2.200	826061 PF4
650,000	2028*	3.500	826061 PG2
475,000	2030*	3.500	826061 PH0
500,000	2032*	3.500	826061 PJ6
550,000	2034*	3.750	826061 PK3
575,000	2036*	4.000	826061 PL1

*Term Bonds

Said bonds are hereinafter referred to as the “Refunded Bonds.”

Said Refunded Bonds are subject to redemption at any time on or after December 15, 2021, at the principal amount thereof plus accrued interest to date fixed for redemption, and said interest is payable semiannually.

Section 2. The Refunded Bonds are to be paid off at the office of BOKF, National Association, in Lincoln, Nebraska, as paying agent and registrar (the “Paying Agent and Registrar”).

Section 3. The Mayor or City Manager of the City (each, an “Authorized Officer”) are each individually hereby at any time on or after the date of this resolution authorized to direct the irrevocable call of the Refunded Bonds on behalf of the City and such direction, when made in writing (the “Direction for Call”), shall constitute the action of the City without further action of the Mayor or Council of the City. The redemption date included in the Direction for Call may be set for any date on or prior to December 31, 2021, after which time the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A copy of this resolution shall be filed with the Paying Agent, together with an executed Direction for Call, which delivery of Direction for Call is necessary in order for the call of the Refunded Bonds to be effective hereunder. The Paying Agent is hereby instructed to mail notice to each registered owner of the Refunded Bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the issuance of the Refunded Bonds, and to take all other actions deemed necessary in connection with the redemption of the Refunded Bonds.

PASSED AND APPROVED this 25th day of August, 2020.

Radcliffe moved, Sherman seconded “That the Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, IN ONE OR MORE SERIES, OF THE CITY OF SIDNEY, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FOURTEEN MILLION DOLLARS (\$14,000,000) FOR THE PURPOSE OF REFUNDING OUTSTANDING INDEBTEDNESS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; AUTHORIZING OFFICERS OF THE CITY TO MAKE ARRANGEMENTS FOR THE SALE OF THE BONDS AND TO DESIGNATE THE FINAL TERMS, RATES AND MATURITY SCHEDULE FOR EACH SERIES OF SAID BONDS WITHIN STATED PARAMETERS; APPOINTING A PAYING AGENT AND REGISTRAR; APPROVING POST ISSUANCE COMPLIANCE POLICIES AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM” be designated as Ordinance No. 1820.” Roll call vote: Yeas: All council members present.

Mayor Gallaway asked for a motion to suspend the statutory rule requiring that the Ordinance be read on three different days. Sherman moved, Radcliffe seconded “That the statutory rule requiring reading of the ordinance on three different days be suspended”. Roll call vote: Yeas: All council members present.

Mayor Gallaway asked the Clerk to read the ordinance by title.

Olsen moved, Sherman seconded “That Ordinance No. 1820 be 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, Mayor Gallaway asked for a motion to publish Ordinance No. 1820 in pamphlet form. Sherman moved, Gallaway seconded “That Ordinance No. 1820 be published in pamphlet form.” Roll call vote: Yeas: All council members present.

City Manager Scott presented the Audit Engagement Letter from Rauner & Associates. He recommended the City move forward with the one-year extension for fiscal year 2019-2020 audit services from Rauner and Associates.

Arterburn moved, Olsen seconded "That the City of Sidney Audit Services contract for fiscal year 2019-2020 with Rauner and Associates be approved." Roll call vote: Yeas: All council members present.

Ken Halvorsen of Nebraska Rural Water Association gave a report on the initial financial-managerial assessment of the 2016 water project for the SRF loan the City had received. He stated that there are no issues with Sidney and no recommendations to do anything different.

City Manager Scott presented bids, as received on July 17, 2020, for a SCADA system upgrade for the Water Department. Three bids were received: Huffman Engineering \$626,000; HOA \$297,000, and DSI \$244,441. Jim Holmes, Lead Operator at the Water Dept. explained that the current system at the Water Dept. was installed by DSI several years ago, so they are familiar with the City's system. He noted that the new system will allow remote access to the system in Sidney eliminating travel and down time.

Arterburn moved, Olsen seconded "That the bid for a SCADA system upgrade at the Water Dept. be awarded to DSI in the amount of \$244,441.00." Roll call vote: Yeas: All council members present.

City Manager/Staff Report: City Manager Scott reminded everyone of the two meetings to be held on September 8: Regular Council meeting at 6:30 p.m. and Budget Hearing at 7:15 p.m.; **Police Chief Joe Aikens** reported that the City is looking into the possibility of reimbursement of law enforcement and emergency responders payroll from March 1, 2020 through May 31, 2020 through the CARES ACT; **Mike Palmer, Electric Supt.**, reported on the power outages earlier today that affected the core part of town, noting they are trying to keep system going through the heat; **Hank Radtke, Street Supt.** noted that the east side of Verde Lane will be blocked off for 14 days (beginning the 26th) for repairs.

Council Comments: Mayor Gallaway Requested a water assessment chart/monthly report. City Manager Scott will include this information in his quarterly report to Council. **Councilman Arterburn** had questions regarding how charges for towing services for Police Dept. are determined; **Councilman Radcliffe** stated that the bond refinancing was a great idea and thanked City Manager Scott for his work on this.

The meeting adjourned at 8:18 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK

