

Sidney, Nebraska, November 10, 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 November 10, 2020 in the Council Room. Present were: Mayor Gallaway and Council Members: Arterburn, Sherman, Radcliffe and Olsen. Others present: City Manager Scott and 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.

Mayor Gallaway noted that Councilman Radcliffe would be participating by teleconference as per Governor Ricketts Executive Order No. 20-34 which allows an elected official to participate virtually if under a quarantine order by a local public health agency.

Sherman moved, Radcliffe seconded "That the minutes of the October 27, 2020 meeting be approved as printed." Roll call vote: Yeas: All council members present.

Arterburn moved, Sherman seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, SETTING THE TIME FOR THE REGULAR MEETINGS OF THE CITY COUNCIL AND REPEALING ORDINANCE NO. 1001 OF THE CITY OF SIDNEY, NEBRASKA" be designated as Ordinance No. 1822. It was noted that passage of this Ordinance would change the council meeting start time from 7:15 p.m. to 6:15 p.m. Mayor Gallaway then asked for a motion to suspend the requirement that the Ordinance be read by title three times. Sherman moved "That the requirement that the Ordinance be read by title three time be suspended." There was no second to the motion. The Clerk read the Ordinance by title for the first time.

Mayor Gallaway announced that the Council would now consider the Manager Application of Pat J. Doering for Love's Travel Stop#625, located at 645 Chase Drive; and Resolution No. 20201101 re: same.

There being no questions or comments, Mayor Gallaway asked for a motion to approve Resolution 20201101 re: the Manager Application of Pat J. Doering for Love's Travel Stop #625, located at 645 Chase Drive.

Arterburn moved, Sherman seconded "That Resolution No. 20201101 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO 20201101

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 Pat J. Doering 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.

City Manager Scott presented a request for an engineering study regarding placing a traffic light at the intersection of Pole Creek Crossing and Fort Sidney Road. He noted that he had been contacted by several citizens as to why there was not a traffic light at this intersection. He estimated the cost of a traffic study at this location to be approximately \$3,000 to \$5,000.00. He further noted that if the study revealed that a traffic light is warranted at this location, it could cost between \$100,000 to \$200,000.00. If not, it would be well spent money for the information.

Police Chief Joe Aikens reported that his department had investigated eight accidents since 2016 at this location. If a Study were to be conducted, his department would count traffic, review accident causes and make a recommendation regarding a traffic light.

Street Superintendent Hank Radtke noted that there would not be any State funding available to the City for a project at this location, as they had turned the road over to the City of Sidney.

Olsen moved, Sherman seconded "That an engineering study be conducted regarding placing a traffic light at the intersection of Pole Creek Crossing and Fort Sidney Road." Roll call vote: Yeas: All council members present.

City Manager Scott reviewed the Bond Refinancing and Final Closing of Bonds 2020A and 2020B; and Resolution No. 20201102 re: same.

Sherman moved, Olsen seconded "That Resolution No. 20201102 re: Final Closing of 2020A and 2020B bond refinancing be approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20201102

Section 1. The Mayor and Council of the City of Sidney, Nebraska (the "City") hereby find and determine that it is necessary and appropriate that Resolution Nos. 20200804, 20200805 and 20200806 (collectively, the "Resolutions") and Ordinance No. 1820 (the "Ordinance") passed and approved by the Mayor and City Council of the City at a meeting of said Mayor and City Council held on August 25, 2020 for the purpose of (a) calling for redemption the City's outstanding (i) General Obligation Various Purpose Bonds, Series 2014, dated August 12, 2014, in the outstanding amount of \$750,000, (ii) General Obligation Various Purpose Bonds, Series 2016, dated December 15, 2016, in the outstanding amount of \$7,645,000 and (iii) General Obligation Various Purpose Bonds, Series 2017, dated February 15, 2017, in the outstanding amount of \$3,550,000 (collectively, the "Outstanding Bonds") and (b) authorizing the issuance by the City of General Obligation Various Purpose Refunding Bonds in the principal amount of not to exceed \$14,000,000 (the "Bonds"), and the issuance of the Bonds thereunder on November 10, 2020, and all other actions taken at the meeting of the Mayor and Council of the City on August 25, 2020, be ratified, confirmed and approved.

Section 2. The Resolutions, the calling of the Outstanding Bonds for redemption, the Ordinance and the issuance of the Bonds thereunder, and all other actions taken at the meeting of the Mayor and Council of the City on August 25, 2020, are ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 10th day of November, 2020.

Sherman moved, Arterburn seconded "That the following claims for October 2020, 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)

21st Century eq 346.96, 13.96, 192.91; 3E Electrical eq 796.12 3M Co su 262.28; 911 Custom se 325.00; A&E Signs eq 605.00; A-1 Sports se 88.00; Abernathy, Kayla re 73.70; Accelerated Receivables se 355.93; Adidas su 70.19; Alsco su 165.93, 169.08; Altec eq 369.35; American Environmental se 695.63; Anthony's HVAC se 80.00; APG of the Rockies se 128.00; Baker & Taylor su 1356.46, 24.04; Barker Cleaners se 30.00; Black Hills ut 590.98, 2015, 31.30, 33.65, 80.63, 10.08, 138.97; BOKF ct 9231.04; Bomgaars su 136.86, 72.53, 32.27, 118.39; Brenntag ut 4933.54; Cardmember su 1561.96, 89.39, 10.60, 212.09; Carolina Software ct 200.00; Caselle ct 1644.00; Charter se 416.22, 17.78, 99.98; Cheyenne Co Community Center ct 9000.00; Cheyenne Co Court se 17.00; Cheyenne Co Emergency Center ct 30620.57; City of Sidney bd se ex se 518.20, 50.00, 10204.72, 14333.33, 16416.67, 1000.00, 2140.38, 3.47, 21821.64 sa 92933.94, 92495.07, 13214.30, 13155.44, 15549.84, 15507.20, 23801.29, 23441.20, 10017.31, 9147.74, 7695.06, 7811.46 in 5732.25, 64117.95, 959.84, 11520.97, 909.50, 13184.05, 3236.78, 20437.85, 299.96, 4452.83, 487.20, 5957.39 ut 2122.99, 34.39, 154.02, 350.49, 94.96, 736.26, 115.47; Civic Plus ct 4217.07; Contractors Materials eq 329.00; Cranmore Fire se 514.00; Croell su 551.00; Culligan su 20.90, 29.95, 29.95; Day & Night se 80.76, 122.75; Demco su 102.28, 9.95; Department of Energy ut 17088.78; DP Electronics se 115.00, 5.99; Eakes su 452.48, 1144.03, 54.24, 13.47; Elan Visa su 132.15, 20.00, 16.46, 495.00, 62.36, 34.85, 61.17; Engineering Unlimited eq 1479.39; Enviro Service se 40.00, 84.00; Finney's su 56.91, 10.57; Floyd's se 129.43; Frenchman Valley se 39.96, 5650.74, 5511.99, 1137.82, 587.67, 623.88; Gordon's Body Shop se 1725.00; Guideposts su 45.85, 11.97; Hach eq 860.28; Harker, Aaron re 78.80; Harper Industries su 943.55; Hometown Leasing ct 159.98; Independent Plumbing se 85.00; Interstate Batteries su 130.95; Journal Office su 43.88; Kevin's Electric su 19.50; KISST su 500.00; Landis & Gyr ct 750.00; Leal, Ron se 450.00; Leef Law ct 5018.50; MC Schaff se 27654.50; MEAN su 420426.59; Municipal Supply su 474.94; Munimetrix su 39.99; NDEQ su 2492.06; NE Dept of Revenue tx 74411.63; NE Law Enforcement Training du 20.00; NE Safety/Fire eq 345.00; NT&T se 1688.84, 151.93, 250.80, 331.23, 59.06, 90.98, 219.06; Newman Traffic su 68.34; NMC eq 302.92; Northwest Pipe eq 12.73; NSA/POAN du 126.00; OCLC su 243.76; O'Keefe Elevator Co se 343.20; One Call se 22.88, 22.87; POTK Networks se 36.00; Panhandle Auto su 36.36; Panhandle Regional Development se 50.00; Peeley Irrigation se 4400.00; Points West Ins se 76698.00, 23633.00, 33987.00, 2264.00, 32762.00, 23727.00, 30704.00; Quill su 94.14, 1253.47, 141.05; R7T Excavating se 3636.68; Roods Tire su 1066.12; Sidney Regional se 950.06; Sidney Sun Telegraph se 8.84, 1835.05; Smart Apple Media su 147.73; Sonny's su 308.13; Splish Splash su 195.64; Steffens, Deloris se 15.00; Stone, Eloise rt 400.00; Swire Coca Cola su 75.60; T&L Cleaning se 275.00; Time Clock Plus se 384.00; Triple O's su 14.99; United Laboratories su 504.00; USA Bluebook su 11.70, 235.79; Verizon se 40.01, 756.31; Viero se 34.70, 64.82; Walmart su 248.92; Wheatbelt se 11131.24; Whitebluffs ct 530.00; Woods & Aitken se 300.00; WPCI se 199.00; Wyoming First Aid su 119.90. "

City Manager Scott reviewed the budget reports for all City departments pointing out the new category for State/Federal reimbursement due to COVID relief that is being tracked separately. He was hopeful that the City will receive a reimbursement for public safety salaries from the CARES Act.

Radcliffe moved, Olsen seconded "That the Budget Reports for October, 2020 be approved as presented." Roll call vote: Yeas: All council members present.

City Manager/Staff Report: City Manager Scott 1) Noted that there is still a position

open on the Planning Commission and Board of Adjustment; **2)** Highlighted changes to the Governor's mandate regarding COVID 19. He noted that we may have to check into permission to hold Zoom meetings if a crowd is expected at future meetings, as the WNCC rooms are no longer available for outside use. Councilman Arterburn recommended speaking to the Governor on our behalf regarding this matter so he is aware of our level of comfort. Mayor Gallaway will send an email to Lynn Rex at the League of Nebraska Municipalities requesting a community survey on this issue with results in two weeks.

Mayor and Council Comments: Mayor Gallaway **1)** Thanked participants at all levels for their contributions during the elections; **2)** Stated that the Governor's latest DHM would be available on the Governor's website, as well as the City's website, on Wednesday, November 12th; **3)** Noted that due to COVID 19 there would not be a traditional Veteran's Day Program at the schools. However, he encouraged everyone to honor all Veterans on Veterans Day. **Councilman Arterburn** thanked voters for exercising their right to vote; **Councilman Olsen** congratulated Councilmen Radcliffe and Arterburn on their re-election to the Council and Loren Hoekema for running for the position.

Mayor Gallaway stated that he would entertain a motion to go into closed session for the protection of the public interest to consider Personnel Matters. Olsen moved, Arterburn seconded "That the City Council adjourn to closed session for the purpose of consideration of Personnel Matters." Roll call vote: Yeas: All council members present. Mayor Gallaway announced that the City Council will now go into closed session at 7:58 p.m. Upon Council's return from the closed session, Radcliffe moved, Sherman seconded "That the closed session end and that the Council has come out of the closed session at 10:04 p.m." Roll call vote: Yeas: All council members present

The meeting adjourned at 10:05 p.m.

/s/ ROGER GALLAWAY, MAYOR

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

