

Sidney, Nebraska, January 12, 2021 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 6:15 P.M. on January 12, 2021 in the Council Room. Present in person or by electronic means were: Mayor Gallaway and Council Members: Arterburn, Sherman, 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*, 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 noted that Governor Ricketts Executive Order No. 20-36 allows governing bodies to meet by electronic communications from December 1, 2020 through April 30, 2021, as long as such meeting access is available to members of the public and members of the media.

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

Arterburn moved, Sherman seconded "That the minutes of the December 8, 2020 meeting be approved as printed. Roll call vote: Yeas: All council members present.

Ricky Osborn and Anita Rahl presented options for a dog park in an open area located near Boothill Cemetery that would be solely funded and maintained by individuals, not by the City. They were advised to present a proposal as an item to be considered by City Council at a future meeting if they wished to pursue this idea.

Mayor Gallaway stated that Item No. 7 - Wendall Gaston re: Nebraska Community Foundation Grant would be moved up on the agenda and considered at this time.

Wendall Gaston, representing the Sidney Community Donor Advised Fund, a part of the Nebraska Community Foundation, stated that he had submitted a grant request in the amount of \$43,436.35 from the Foundation to cover the remaining balance of a new fire truck being purchased by the City this year. Due to the outstanding representation of the Sidney Volunteer Fire Department in 2020 the request was granted and the City will no longer need to cover the remaining cost of the new fire engine. Gaston noted that the main objective of the Foundation is helping people, and helping finish off buying a fire truck not only helps the fire department, it helps them do their job-which is helping people.

Sidney Volunteer Fire Department Chief Laverne Bown thanked the Foundation for their generosity as well as all the members of the department for their time and dedication over the past year. He noted that 2020 was the busiest year for the 31-member department who put in over 1,200 man-hours responding to calls.

Mayor Gallaway thanked Wendall for his time and contribution in making this possible.

Mayor Gallaway opened the public hearing for the One & Six-Year Street Improvement Plan – 2020 Report; and consideration of Resolution No. 20210101 re: same at 6:28 p.m.

Street Superintendent Radtke reviewed the NDOR funding requirements for FY 2020 in a power point presentation. The One-Year Summary of Cost for 2020 was (Maintenance Only). The Two-Year to

Six Year Cost Summary was estimated at \$13,426,000.00 which includes 13th Ave. Illinois to BNRR, Elm Street 13<sup>th</sup> to 17<sup>th</sup>, and the Link 17J project.

City Manager Scott gave updates on the three projects, noting that bids for the projects could be put out as early as middle or late February. He noted that Paulsen has been awarded the bid for the Link 17J project and is looking at an April or May start date. The City's 20% portion of the project is estimated at \$2.5 million. Scott noted that items such as colored/stamped concrete in the median will be discussed at the spring meeting, and that 100% of this cost would be the City's financial responsibility if we chose to do so. Other items discussed were a turn lane to the Hospital and "Quiet Crossing" signage.

Mayor Gallaway closed the public hearing at 6:43 p.m.

Olsen moved, Radcliffe seconded "That Resolution No. 20210101 be approved." Roll call vote: Yeas: All council members present.

#### RESOLUTION NO. 20210101

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

That the 2020 One Year and Six Year Street Improvement Plan has been presented to the Council of said City and that said Council deems it in the best interest of the City to adopt said plan as presented and said Plan be and hereby is approved and adopted.

Passed and approved this 12<sup>th</sup> day of January, 2021.

Library Director, Richard Sandstrom presented three names for appointment to the Library Board as follows: Shannon Smelley, Jennifer Ramsey and Jane Holechek. He noted that Ramsey and Holechek have completed one term on the Board and applied to serve a second term. Board members are allowed to serve only two consecutive terms.

Arterburn moved, Radcliffe seconded "That Shannon Smelley, Jennifer Ramsey, and Jane Holechek be appointed to a four-year term to the Library Board." Roll call vote: Yeas: All council members present.

City Manager Scott presented a recommendation to reappoint Randy Hobson to a three-year term on the Board of Adjustment.

Radcliffe moved, Arterburn seconded "That Randy Hobson be reappointed to a three-year term on the Board of Adjustment. Roll call vote: Yeas: All council members present.

Solid Waste Superintendent Dean Sterling presented bids for a Solid Waste side-load refuse collection truck received on December 31, 2020 as follows: Floyds/Southwest \$199,517 (DD8 Engine) or \$229,773 (DD13 Engine); and Floyds/KANN \$204,394 (DD8 Engine). He noted that both bids were lower than the budgeted amount of \$210,000. Sterling pointed out the advantages of the DD13 engine versus the DD8, including being able to fix a DD13 engine vs. replacing the DD8 should something happen internally to the block. The DD13 would require less maintenance, have more horsepower, better performance and fuel consumption, and more efficient labor hours per route. City Manager Scott explained that although the bid specified a DD8 engine the engine spec can be changed because the chassis dealer (Floyds) is the same for both bids. The City could ask for a second price from the bidder of choice for a cost estimate on the larger DD13 engine. Although the bid for the DD13 is more than the amount in our equipment reserve account, Sterling felt he could absorb the additional \$16,773 from the operating budget and still stay within the overall budgeted expenses.

Olsen moved, Radcliffe seconded "That the bid for a Solid Waste side load refuse collection truck

with a DD13 engine be awarded to Floyds/Southwest in the amount of \$229,773.00.” Roll call vote: Yeas: All council members present.

Patrick Kilbride, Golf Operations Director, presented a proposal for a Golf Simulator for the Hillside Bar and Grille to generate a revenue stream for the off-season at the course, as well as year-round revenue. He noted that the closest set-up of this type is located in Kearney, NE. It was the consensus of the Council that Kilbride and staff survey golf membership for interest, provide costs and options for the simulator/setup, pricing options for membership, etc., and bring back for consideration at a future council meeting.

City Manager Scott presented a letter from the Nebraska Department of Revenue re: Notice of Approved Sales Tax Refund in the amount of \$275,177.84. He explained the State’s Economic Development Tool, which allows new or expanding businesses to utilize the local option sales tax refund to recapture sales tax for a period of time, which is what this amount represents. The City has the option to have the refund deducted as a lump sum from their monthly sales tax reimbursement on February 2021 or in 12 equal monthly installments beginning February 2021. Scott recommended the payment plan option for repayment which was agreed on by the Council.

Scott noted that Sidney does not have a designated representative who can review the documents, so cannot appeal the amount. He noted that if Council appointed him as the City’s designated representative, he would be able to travel to Lincoln and review the documents, which would give a better picture of who had received the refunds. It would also be a tool to help the City better budget for upcoming refunds. On a positive note, Scott pointed out that the amount is a good sign that the City is doing well with new businesses.

Olsen moved, Radcliffe seconded “That David Scott be appointed as the Nebraska Department of Revenue representative for the City of Sidney.” Roll call vote: Yeas: All council members present.

City Manager Scott gave an update on the Dorwart Land transfer, stating that the contract has been finalized and the deed from the Dorwart family should be coming soon. City Attorney Leef will do a final review of the documents before everything is finalized.

Arterburn moved, Radcliffe seconded “That the following claims for December 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)

21<sup>st</sup> Century eq 149.47, 3E eq 2140.70, 144.35; A-1 se 72.00; Accelerated Receivables se 78.63; ALSCO su 90.00; American Environmental se 1100.75; Atco Int’l su 184.00, 168.45; Barco eq 2572.32; Barker Cleaners se 30.00; Hydraulics su 145.27; Best Plumbing se 642.25; Black Hills ut 152.83, 1944.12, 178.37; 237.73, 313.26, 33.68, 945.15, 118.88, 1028.19, 1415.01; BOKF ct 9231.04; Bomgaars su 149.87; Border States eq 713.54; Brown Pump se 300.00; Brown, Craig re 30.00; Busted Knuckle se 303.67; Cardmember su 1549.42, 10.56, 429.96, 1080.37, 443.99; Carte’ Graph System eq 2242.24; Caselle su 1644.00; Charter se 209.96, 329.02, 99.98; Cheyenne Co Chamber se 1150.00, 65.00; Cheyenne Co Clerk se 697.68; Cheyenne Co Community Center ct 12126.00; Cheyenne Co Emergency Comm Cntr 26640.61; Cheyenne Co Treasurer tx 85354.72, 9202.30; City of Sidney bd ex re se 50.00, 14333.33, 16416.67, 1000.00, 311.65, 7.25, 49440.00, 124652.00, 38625.00, 26265.00, 52.23, sa 96416.31, 27441.56, 93.157.83, 13225.68, 5085.86, 13597.14, 15711.28, 4608.31, 15461.28, 22442.45, 9132.81, 26749.47, 10263.70, 2522.62, 10056.18, 9362.33, 2729.56, 9029.35, in 5732.25, 66702.45, 959.84, 11520.97, 909.50, 13184.05, 4457.30, 17316.82, 230.74, 4402.83, 556.42, 6905.02, ut 2543.95, 2203.68, 20.30, 195.15, 1031.47, 90.87, 1323.58, 6103.14, 1646.33, 10098.49, 141.35; Cranmore Lawn ct 14080.62; Cranmore Pest se 90.00, 90.00; Culligan se 29.95, 10.00, 29.95; Danko Emergency su

25.69; Deaver Tire su 105.00; Dept of Energy ut 15293.14; Design Solutions se 31000.00; DP Electronics su 1004.90, 50.00, 523.10; DP Media se 778.00; E&S Auto su 619.99, 575.96, 809.57, 2060.67, 6.43, 45.79; Eakes su 205.23, 532.86, 10.98, 125.43, 3.85; Elliott Equipment eq 586.03; Enviro se 40.00, 80.00; Filsinger se 100.00; Finney's su 113.03, 402.31, 29.16, 8.59, 56.18, 984.15, 71.26; Floyd's Truck eq 669.81; Franklin Planner su 87.72, 38.32; Frenchman Valley su 1934.48, 583.85, 1680.16, 3997.72, 483.54, 258.47, 153.73, 429.13; Galeton Gloves su 493.16; Galls eq 1006.26; GLEC se 1750.00; Golden West eq 221.06; Grainger su 35.73; Hamilton se 171.92, 49.95, 49.95; Hometown Leasing ct 159.98; Houk, Jason re 16.00; Huber & Asso se 1341.00; Ideal se 374.46, 161.40; Interstate Batteries su 50.95; Kevin's Electric su 437.25; Kois eq 2586.03; KSID se 60.00; LL Johnson su 29.66; Landis & Gyr ct 750.00, 750.00; Lawson Products su 170.27; Leal, Ron ct 450.00; Lubrication Engineers su 234.53; MacQueen Equipment su 95.28; Midwest Connect su 46.00, 290.00; Miller & sons eq 826.02; Miller, Randy re 3597.36; Municipal Energy ut 415779.48; Municipal supply su 2905.71; Munimetrix su 39.99; NE Dept of Revenue tx 54363.32; NE Public Health se 285.00; NE Rural Water du 275.00, 225.00; NT&T se 1594.06, 151.93, 348.81, 326.10, 59.06, 90.98; NEDA du 150.00; Norther Safety su 192.64; NSG su 11017.56; One Call se 23.04, 23.03; Palmer Sales se 1600.00; Panhandle Auto se 84.70; Paytech Fees se 30.09; PCAN se 50.00; Perfection Door se 1402.00, 94.00, 195.91; Pins & Needles se 97.69; Police Officer's Asso du 195.00; Quadient Leasing se 750.00; R7T Excavating se 1411.67; Reams su 827.85; Rebeiro, Christopher re 82.00; Rood's se 16.00, 68.50, 95.80; Russell Industries se 982.40; Sandberg Implement se 19.62; Scotties Potties su 1680.00; Segelke Janitorial se 780.00; Sidney Foundry su 1666.00; Sidney Glass su 59.38; SRMC se 232.00; Sidney Sun Telegraph se 635.98; Simon Materials su 156.98; Spic & Span Cleaners su 1696.00; Splish Splash se 62.56; Stone, Eloise rt 400.00; Sukup, Todd re 16.00; Swift Co su 1200.00; T&L Cleaning se 275.00; Titan Machinery su 22.00; Titleist su 10.21; Triple O's su 1.99; US Postal se 274.00; USGA du 150.00; Verizon 890.74, 758.98, 45.97, 28.06, 120.09, 23.91, 54.92; Vessco eq 1773.75; Viaero su 64.82, 34.70; Walmart su 244.46; Wesco su 4135.65; Western United Elec Supply su 474.52; Wheatbelt ut 9218.05; Whitebluffs su 555.00; Woods & Aitken se 600.00; WPCI su 29.50; Wyoming first Aid su 171.34; Baker & Taylor su 1040.38; Demco su 229.68; Finneys su 12.99 Independent Plumbing se 255.40; Quill su 4.99; Triple C se 227.76; Elan Visa su 283.62; Baker & Taylor su 1386.84; City of Sidney se 722.90; Color Concepts su 98.00; Elan Visa su 1159.78; Finneys su 23.99; Guideposts su 39.88; Journal Office su 40.00; NT&T se 152.39; OPTK networks su 36.00; Culligan su 19.95; OCLC su 243.76; Quill su 1171.35; Sidney Sun Telegraph se 7.00; Verizon se 40.00; Cenage Learning su 101.56; Sonny's su 6.38.

Radcliffe moved, Olsen seconded "That the Budget Reports for December, 2020 for all City Departments be approved as presented by Finance Director Lane Kizzire." Roll call vote: Yeas: All council members present.

**City Manager/Staff Report: City Manager** Scott reported that there is still one open position on the Planning Commission and urged interested parties to submit an application; 2) Thanked the Street Dept and employees from other departments on the snow removal following the recent snow storm; 3) Thanked Jo Houser, who retired on January 8<sup>th</sup>, for her 30 years of service. **SVFD Chief LaVerne Bown** reported that the department had 110 calls within the city limits in 2019, resulting in a total of 1,259-man hours. The 31-member department represents 414 total years of service. He thanked them for all the time they donate for this community cause.

**Street Supt. Hank Radtke** thanked all his staff, as well as employees from the Solid Waste, Water and Electric Departments, who helped with the recent snow removal. **Library Director Richard Sandstrom** was happy to announce that the Sidney Public Library is open to the public again.

**City Council comments: Mayor Gallaway and Councilmen Arterburn, Sherman, Olsen and Radcliffe** congratulated Jo Houser on her recent retirement, thanking her for her 30 years of service to the City. **Mayor Gallaway** thanked the Fire Dept. on a record setting year and thanked all who helped with snow removal following the recent snowstorm.

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, Gallaway 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 7:45 p.m. Upon Council's return from the closed session, Olsen moved, Arterburn seconded "That the closed session end and that the Council has come out of the closed session

at 7:59 p.m.” Roll call vote: Yeas: All council members present.

Meeting adjourned at 8:00 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK

