

Sidney, Nebraska, March 9, 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 March 9, 2021 in the Council Room. Present in person 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 February 23, 2021 meeting be approved as printed. Roll call vote: Yeas: All council members present.

Mayor Gallaway announced that a public hearing would now be held at 6:16 p.m. regarding the Retail Class I Liquor License Application of Beans & Steams Coffee House, LLC, located at 610 Glover Rd. Suite #10, Sidney, and Manager Application of Patrick J. Keane; and RESOLUTION NO. 20210301 making a recommendation to the Nebraska Liquor Control Commission.

Patrick Keane stated that the original plan for "Beans and Steams" included the sale of high-end wines and craft beers. When COVID restrictions went into effect they decided to wait on this aspect of the business as they were unable to have public inside the premises. He noted that there would not be a "bar" in the establishment and that the hours would only be extended to 6:00 or 7:00 p.m. depending on customer feedback. Their intent is to provide a quiet place for people to gather and enjoy a beverage.

There were no public comments regarding the application and the Chief of Police had no objections to the request.

Mayor Gallaway closed the public hearing at 6:18 p.m., and asked for a motion on the request.

Radcliffe moved, Arterburn seconded "That Resolution No. 20210301 be approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO 20210301

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 Retail Class "I" Liquor License Application of Beans & Steams Coffee House, LLC, located at 610 Glover Rd. Suite #10, Sidney, Cheyenne County, Nebraska; and

That the Manager Application of Patrick J. Keane, for Beans & Steams Coffee House, LLC, located at 610 Glover Rd. Suite #10, Sidney, Cheyenne County, Nebraska, be approved; and

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

Mayor Gallaway announced that the Council would now consider the Manager Application of Angelica Carrillo for Margaritas Family Mexican Restaurant, 3070 Silverberg Drive, Sidney, Cheyenne

County, Nebraska; and Resolution No. 20210302 making a recommendation to the Nebraska Liquor Control Commission re: same.

Ms. Carrillo was unable to attend the meeting.

There being no questions or comments, Mayor Gallaway asked for a motion to approve Resolution 20210302 re: the Manager Application of Angelica Carrillo for Margaritas Family Mexican Restaurant, 3070 Silverberg Drive, Sidney, Cheyenne County, Nebraska.

Sherman moved, Radcliffe seconded "That Resolution No. 20210302 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO 20210302

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 Angelica Carrillo for Margaritas Family Mexican Restaurant, 3070 Silverberg Dr. Unit A, Sidney, Cheyenne County, Nebraska; and

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

City Street Superintendent Hank Radtke presented the bids for Crack Sealing as received on February 24, 2021 as follows: Hein Construction Co., Fairbury, NE \$.26 per lineal foot, and Bader's Hwy & Street Maint., Norfolk, NE \$.39 per lineal foot. He noted that Hein had performed this service last year at the same cost/lineal foot. It was his recommendation that the bid be awarded to the low bidder, Hein Construction.

Olsen moved, Sherman seconded "That the bid for Crack Sealing be awarded to Hein Construction Co. in the amount of \$.26 per lineal foot." Roll call vote: Yeas: All Council members present.

City Parks Superintendent Tom VonSeggern presented a proposal from the parent group, Sidney's Mothers of Preschoolers (MOPS) for the installation of a "Free Little Library" structure which would be located between the playground and the pond in Legion Park. The books would be donated and available for anyone to read in the park or take home. Reading material would range from children to adult books. He explained that the MOPS Group would sponsor the project, paying for materials and construction costs. The Parks Dept. will have labor and time spent installing the Library Box, but no ongoing costs after the installation. Bridgett Godding was present on behalf of MOPS stating that the group has one "Free Little Library" planned for this year, but hopes to have more in the future.

Olsen moved, Radcliffe seconded "That the request for a "Free Little Library" in Sidney's Legion Park be approved." Roll call vote: Yeas: All council members present.

City Street Superintendent Hank Radtke presented alternatives for the Fort Sidney Rd and Pole Creek Crossing Intersection. He noted that after a study was performed by M.C. Schaff & Associates it was determined that a traffic light or four-way stop signs were not warranted.

He proposed the installation of new stop signs and posts equipped with flashing beacons on both Pole Creek Crossing and Fort Sidney Road which he felt may help get driver's attention. The costs for electric powered beacons and poles were estimated at approximately \$5,300 vs. solar powered at approximately \$10,950.00.

Mayor Gallaway suggested painting the crosswalks to make them more visible to traffic first before spending the money on beacons. It was the consensus of Council and Staff to try this option as the cost for paint would be minimal.

City Manager Scott presented costs for red stamped brick in the Link 17J project medians as requested by the Mayor. The additional cost for this would be \$141,155.10. The annual maintenance costs for the enhanced

median would be around \$30,000 every two years for power washing and sealing. He pointed out that if the City decided to do this, the total cost would be the City's responsibility, adding to their share of the L17J paving project.

Scott went on to explain that the State is requiring the City to pay 20% of the Link 17J project coming into town at about \$2,500,000.00. He further explained that the only way to pay for this is to use about 20-25% of our street allocation funding, and the only way to make up that loss is to raise the General funds levy. The Governor's proposed legislative bill, LB408, would cap growth in the General Fund mil levy at 3%, which would make this an issue for the City. Scott noted that he is pushing for an exemption that would make State and Federal mandated matches exempt from this. He noted that the League is also opposed to this legislation and is working to defeat the bill. He encouraged everyone to reach out to Senator Erdman to vote to request the above exception to the bill.

Mayor Gallaway gave examples of other cities and towns that have used stamped concrete and other enhancements to draw travel into their communities. He felt that adding the stamped concrete to L17J would pull travel into the downtown corridor and would be an asset to promote business, from the Industrial Park all the way down main street and beyond. Councilmen Arterburn, Olsen and Radcliffe questioned the expense vs. necessity.

After discussion it was the consensus of the Council that the item be tabled and an item be added to the March 23rd agenda seeking Public Input re: the L17J Project Medians. The media was asked for help in getting the word out to the public regarding this.

Sherman moved, Radcliffe seconded "That the following claims for February 2021, 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 3523.19, 118.45, 20.52, 19.79, 38.63; Accelerated Receivables se 631.86; ALSCO su 90.00; American Environmental se 9377.00; B & C Steel Corporation su 57.85; Baker & Taylor su 1185.60, 11.85; Barker Cleaners se 30.00; Black Hills ut 2755.06, 416.70, 2957.78, 33.97, 870.45, 208.35, 208.34; BOKF ct 9231.04; Bomgaars su 228.42, 469.99, 175.36, 421.73; Borchert, Lori re 24.19; Brenntag Great Lakes LLC se 3818.77; Cardmember Service su 5653.02, 1402.38, 1539.63, 335.00, 1918.58, 84.59; Caselle su 1644.00; CGI Fence se 4519.00; Charter se 209.96, 329.02, 99.98; Cheyenne Co Chamber se 6250.00; Cheyenne Co Community Center ct 9000.00; Cheyenne Co Court se 34.00; Cheyenne Co Emergency Comm Cntr 36034.86; City of Sidney bd ex re 1239.30, 11000.00, 28000.00, 12400.00, 7000.00, bd 14333.33, 16416.67 ex 3087.50, re 1000.00 se 79.02, 71.18, sa 5995.93, 677002.91, 846.15, 960.66, 496.76, 556.42, 92898.70, 104884.40, 13029.24, 10235.39, 15576.39, 15493.14, 20262.30, 20792.48, 9838.46, 9861.59, 9162.11, 9080.34, 8867.23, 14028.04, 2698.97, 15054.92, 4595.13, 6905.02 re 173.10, ut 2420.89, 2542.74, 20.30, 185.69, 1257.22, 86.47, 1596.55, 7138.90, 2430.41, 11734.68, 137.95; Companion se 1617.60, 32.25; Container Components Inc su 586.83; Country Printer se 115.00, 310.00; Cranmore Pest se 90.00; Culligan se 29.95, 10.00, 29.95; Darin's Auto Repair se 196.93; Day & Night Plumbing se 70.36; Deaver Tire se 35.00, 45.00, 45.69; Design Solutions se 20500.00; DHHS Licensure Unit se 80.00; DP Electronics su 49.99, 199.36, 3.99, 40.00, 67.92, 4042.67, 34.99; Dynamic Brands su 804.11; E&S Auto su 804.11, 360.50, 1016.43, 152.16, 1.04, 31.56; Eakes su 713.29, 447.37, 185.47, 128.44; Easy Kleen se 3775.00; Elan Visa su 31.21, 428.90, 10.98, 470.84 Electric Reliability Services se 8878.00; Elliott Equipment eq 368.16; Enviro se 160.00, 40.00; Fastenal su 57.84; Finney's su 992.57, 94.49, 442.66, 65.14; Floyd's Truck eq 11640.73, 564.40; Frenchman Valley su 3756.05, 24.50, 659.28, 1844.18, 7024.94, 840.48, 429.90, 578.47; Fyr Tek su 57.67; Gallaway, Roger re 389.76; General Traffic Control su 480.00; Grabill, Jordan re 813.53; Grainger su 120.12; Grimms Pump & Industry Supply su 533.14; Guideposts su 31.90, 7.98; Hamilton se 178.70, 49.95, 49.95; Henderson Products su 203.50; Holmes, Jim re 63.50; Hometown Leasing ct 159.98; Ideal se 129.12; Journal Office Supply su 40.00; Kevin's Electric su 73.11; Know Buddy Resources su 155.70; LL Johnson su 422.90; Landis & Gyr ct 750.00; Leal, Ron ct 450.00; Leaf Law se 5000.00; Logan Contractors Supply su 872.75; MacQueen Equipment su 354.06, 201.74; Mayson Rowan re 268.34; MC Schaff se 19335.25, 5674.50; Midwest Connect su 1181.00; Midwest Laboratories se 715.00; Municipal Chemical Supply su 6010.00; Municipal Energy ut 450964.73; Municipal Supply su 5488.59; Munimetrix su 39.99; Murphy Tractor & Equip su 1790.92; Napa Auto Parts su 21.97; NE Diplomats se 350.00; NE Law Enforcement Training Center tt 460.00; NE Municipal Clerks Association tt 45.00; NE Municipal Power Pool se 2695.00; NE Rural Water du 75.00; NT&T se 1632.41, 154.37, 260.92, 334.54, 59.55, 92.06; NE Dept of Revenue tx 63060.76; Nebraska Tech & Tele ut 192.16; Norgard, Melissa re 300.00; One Call se 14.80, 14.80; OPTK Network se 36.00; Palmer, Mike re

3400.00; Paytech Fees se 39.58; Perfection Door se 124.10, 523.74; Pinnacle Sewer & Drain se 559.32; Pins & Needles Embroidery se 35.00; Plummer Insurance se 486.00; Quill su 784.66; Rood's se 17.00, 30.00, 726.08; Sandberg Implement se 540.67, 150.17; Scotties Potties su 560.00; Segelke Janitorial se 780.00; Sewer Equipment eq 1913.21; Shirt Tales su 330.00; Sidney Glass se 57.75; SRMC se 462.00; Sidney Sun Telegraph se 7.00, 581.24, 10.31, 15.09; Sonny's Super Foods su 5.09; Splish Splash se 180.45; Stephanie Mika re 7.96; Stone, Eloise rt 400.00; Superior Outdoor Power su 1865.68; T&L Cleaning se 275.00; Talich, Joe re 63.50; Titleist su 234.97, 450.71; Tour Edge su 648.74; Triple O's su 277.02, 5.58, 12.44; US Postal se 3000.00, 5000.00, 3000.00, 3000.00; USA Bluebook su 132.72; USGA du 150.00; Verizon ut 40.01, 1180.73, 759.43, 65.06, 41.12, 128.36, 41.12, 82.24; Wesco su 1650.28; Western United Elec Supply su 29569.28; Wheatbelt ut 9790.69; Whitebluffs ct 540.00; Woodis Welding se 90.00; WPCI su 28.00; Wyoming first Aid su 144.12, 64.40, 50.53, 144.58, 52.29.

Finance Director Lane Kizzire presented the Budget Reports for February, 2021 for all City Departments. Radcliffe moved, Sherman seconded "That the Budget Reports for February, 2021 for all City Departments be approved." Roll call vote: Yeas: All council members present.

City Manager/Staff Report: City Manager Scott 1) reported that the City has received the deed for the Dorwart land, and that clean-up and mowing will begin when weather allows; **2)** He is still planning to go to Lincoln to review the Sales Tax Refund issue, noting that there is no statute of limitations on this. He will make the trip in the near future when weather allows; **3)** The City has had good response to the lawn waste pickup program. 250 containers were ordered. The pink containers will be picked up once a week on Wednesday for a cost of \$16/month. Residents may sign up for the service at City Hall; **Water Supt. Rob Kuhns** reported that they are in the second week of a SCADA upgrade, which is going well

City Council comments: Councilman Arterburn asked City Attorney to review the ramifications of the Council members participation at the State Legislative hearing re: the Game & Parks Commission's proposed move to Sidney. **City Attorney Leef** stated that if the State decides to enter into an agreement with the City there is an issue as a contract would need to be voted on by the Council. She noted that if this happens the City would need to talk to the League as to what procedure to follow; **2)** He congratulated the girls basketball team on their trip to the State tournament. **Councilman Sherman** thanked the City workers in advance as they prepare for the upcoming snow event.

Meeting adjourned at 7:57 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK