

Sidney, Nebraska, May 11, 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 May 11, 2021 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Arterburn, Sherman, and Olsen. Absent: Radcliffe. 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 informed the public of the location of the posted Open Meetings Act.

Sherman moved, Olsen seconded "That Councilman Radcliffe be excused from the meeting." Roll call vote: Yeas: All council members present. Absent: Radcliffe.

Arterburn moved, Sherman seconded "That the minutes of the April 27, 2021 meeting be approved as printed. Roll call vote: Yeas: All council members present. Absent: Radcliffe.

Paul Donna, of R.W. Baird & Co., presented a slide presentation regarding bonding of the L17J Improvement Project. He gave a breakdown of sources and uses of funds being requested in the amount of \$2,560,000.00. His timetable assumed three readings of the Ordinance with closing in mid- August.

Arterburn moved, Olsen seconded "That the Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY OF SIDNEY, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000) FOR THE PURPOSE OF PROVIDING FUNDS FOR HIGHWAY IMPROVEMENTS IN 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 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. 1823. Mayor Gallaway then asked for a motion to suspend the requirement that the Ordinance be read by title three times. There was no motion to suspend the three readings. The Clerk read the Ordinance by title for the first time.

Mayor Gallaway read the Proclamation proclaiming May 11, 2021, as 98.7 BIG BOY DAY in Sidney, Nebraska. Hunter Arterburn and staff were present with information regarding the new format of the station.

Dan Schoening presented an update on the Alan Hartzler basketball court, noting that all the funding had been raised and they plan to break ground later this month. He added that the Hartzler family extends heartfelt thanks to all who made this project possible.

City Manager Scott presented an annual in-kind cost summary of the Cheyenne County Emergency Communications Center, as requested by Council at the last meeting, and recommended approval of the Agreement between the City of Sidney and The Cheyenne County Communications

Center for dispatch services.

Arterburn moved, Olsen seconded “That the Agreement with the Cheyenne County Communications Center for dispatch services be approved and the Mayor be directed to sign same on behalf of the City of Sidney.” Roll call vote Yeas: All council members present. Absent: Radcliffe.

Items No. 8 and 9 were moved to the end of the agenda following the closed session as they pertained to matters being discussed in the closed session.

Sherman moved, Arterburn seconded “That the following claims for April 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. Absent: Radcliffe. (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 46.95; Absolute Solutions se 274.92; Accelerated Receivables se 251.13; Acushnet Co su 554.73; ALSCO su 253.62, 365.53; Alti Source se 22.66; American Environmental se 1868.31; Arrowhead Distributing su 336.95; Bailey Nurseries su 1571.00; Baker & Taylor su 1778.38, 17.80; Baker Cleaners se 45.00; Black Hills ut 1868.25, 233.69, 547.75, 32.65, 329.04, 116.86, 1345.93; BOKF ct 9231.04; Bomgaars su 46.90, 21.96, 123.91, 116.90, 78.92, 60.32; Cardmember su 7553.32, 1728.74, 404.43, 221.68, 192.33, 179.28; Carolina Software ct 200.00; Caselle ct 1694.00; Cashwa su 51.30; Charter se 209.96, 368.71, 99.98; Cheyenne Co Chamber su 280.00, 40.00, 40.00; Cheyenne Co Community Center ct 9000.00; Cheyenne Co Emergency Comm Cnt ct 26918.44; City of Sidney se su tx bd 844.50, 14333.33, 16416.67, 237.50, 1000.00, 2113.71, 4.50, 35.40, 77489.70, 473793.30, 73872.40, 55394.05, 49440.00, 124652.00, 38625.00, 26265.00, 1764.87, sa 94572.80, 88543.23, 1167.48, 11608.76, 15705.63, 15485.70, 23329.90, 23051.15, 9912.64, 9485.95, 9267.34, 9128.86, in 5923.13, 66817.20, 846.15, 8867.23, 960.66, 14028.04, 1198.97, 13554.92, 496.76, 4595.13, 556.42, 6905.02, ut 2280.89, 2339.37, 20.30, 205.48, 1146.83, 81.77, 959.08, 6611.52, 2060.00, 11310.53, 146.14; Cobitco su 138.60; Contractors Materials su 108.00; Cornhusker Int’l su 166.98; Country Printer su 110.00; Cranmore Fire se 56.00, 42.00; Cranmore Pest se 90.00, 90.00; Culligan su 19.95; 29.95, 5.00, 29.95; Cummins su 1571.55; Danko su 272.01; Day & Night se 270.42; Deaver Tire su 15.00, 32.25; Department of Energy ut 44888.51; Design Solutions se 12631.00, 52203.12; Dietrich su 147.20; Digital Alley su 35.00, 35.00; DP Electronics su 1476.83, 37.63, 215.00; Dynamic Brands su 754.47; E&S Auto su 2349.00, 183.12, 157.91, 3359.43, 179.30, 151.32, 384.82; Eakes su 596.90, 33.72, 1127.97, 31.38, 25.98; EcoResource Solutions su 654.75; Elan Visa su 31.21, 9.99, 592.65, 268.61, 677.39, 20.00; Elliott Equipment eq 1250.49; Enviro Service se 100.00, 80.00; Filsinger Excavating se 285.00, 475.00; Finney’s su 1065.94, 135.66, 69.86, 83.23, 20.19, 379.85, 106.55; Floyd’s se 430.08, 87.44; Frenchman Valley su 142.87, 903.27, 5481.30, 2247.26, 5476.23, 1621.63, 712.77, 917.71; Fyrtek eq 1518.68; Galls su 56.69; Golden West su 254.05; Golf & Sport eq 1440.12, 1412.75; Guideposts su 31.90, 7.98; Hamilton se 148.95, 49.95, 49.95; Heairet, Michel re 36.95; Henderson Products su 129.53; High Plains Budweiser su 602.00, 318.25; Hometown Leasing ct 159.98; Humdinger eq 2105.00; Ideal Linen su 89.20, 122.00, 161.40; Interstate Batteries su 99.95; JMK Sports su 216.25; Kadie, Steffen re 275.00; Kevin’s Electric se 18.00, 5.00; KSID se 50.00; LL Johnson su 391.23; Leal, Ron se 450.00; Leef Law se 14986.00; Lojek, Brad se 2219.73; MacQueen Equipment eq 1012.34; McMaster, Jared re 19.78; Moreno, Selena re 133.51; MEAN ut 429292.01; Municipal Supply su 665.37; Munimetrix se 39.99; Napa su 62.12, 26.88; NDEE se 2122.38; NE Dept of Revenue tx 62686.13; NE Golf Asso se 537.00; NMPP du 3215.23; NE Safety & Fire se 279.00, 129.00; NE State Fire Marshall se 122.00; NE State Patrol se 823.50; NE Supreme Court su 260.45; NT&T se 1639.87, 154.84, 386.99, 334.04, 152.13, 226.85; NMC eq 424.09; NMVCA du 55.00; Northwest Pipe eq 1096.46; NWGA du 30.00; One Call se 132.53, 132.53; OPTK Networks su 36.00; Payment Tech Fee se 30.11, 66.47; Pepsi su 206.41; Quill su 292.42; R&T Excavating se 5400.00; Range Golf su 194.00; Richman su 2943.82; Rood’s su 17.00; Scotties Potties su 560.00; Segelke Janitorial se 780.00; Sidney Glass su 45.00; SRMC se 505.00; Sidney Sun Telegraph se 7.00, 1030.05, 13.25; Silver State Consulting se 385.00; Simon Materials su 148.49; Smart Apple Media su 129.78; Sonny’s su 51.88; Spic & Span su 4834.50, 294.00; Splish Splash se 74.20; Stone, Eloise rt 400.00; Sukup, Todd tt 16.00; SymbolArts su 136.00; Sysco su 30.92; T&L Cleaning se 275.00; TaylorMade su 224.34; TCIC ins se 640.70; Titleist su 117.38; Triple O’s su 74.13, 314.58, 2.23; United Laboratories su 212.40; USA Bluebook su 471.94, 1191.20, 152.87; Utility Service se 10004.08; Verizon se 40.05, 321.69, 974.45, 65.06, 65.06, 41.12, 128.62, 41.12, 82.24; Vessco eq 604722; Viaero se 34.75, 64.92; Walmart su 53.68; Wesco eq 4257.00; Wheatbelt ut 10889.14; Whitebluffs se 580.00; WPCI se 411.50, Wyoming First Aid su 21.67.

Finance Director Kizzire and City Manager Scott gave an update on the American Rescue Plan stating that settlement amounts should be disbursed next week, but were unsure as to what they can be used for as guidelines are very restrictive. Cities have four years to spend the allocations. More research will be done on this.

Sherman moved, Arterburn seconded "That the Budget Reports for April, 2021 be approved as presented." Roll call vote: Yeas: All council members present. Absent: Radcliffe.

City Manager/Staff Report: City Manager Scott 1) Reported that he had gone to Lincoln on May 3rd to review the City's sales tax returns, noting that he was encouraged that the new start-ups in Sidney are bringing in positive revenues; 2) The Street projects are going well with demo on the L17J project wrapping up next week, the 13th Avenue project moving along, and a pre-construction meeting held today on the Elm St project with construction to start June 1st; 3) Thanked everyone for participating in the Keep Sidney Beautiful Clean-up last Saturday; 4) Lt. Governor Foley was in Sidney for the day on May 4th, touring various businesses. He was impressed with how we handle our LB840 money and asked for our model. **Police Chief Joe Aikens** reported that the City Auction held on May 8th had generated \$29,800.00, which will be divided between contributing departments. Library Director Richard Sandstrom reported that the Summer Reading program will begin on June 5th with hotdogs served from 11 a.m. to 1 p.m.

City Council comments: Councilman Olsen reported that the Downtown Business Association has compiled stats but decided to wait until the new directors of the Chamber of Commerce and City Economic Development are hired to hold a meeting on the results. **Councilman Arterburn, Sherman, Olsen and Mayor Gallaway** congratulated City Clerk Cindy Heilbrun on her upcoming retirement and thanked her for her 38 years of service to the City of Sidney. **Mayor Gallaway** noted that the Sidney Track Team will be competing in districts this Thursday in Ogallala and wished them well. He noted that the mask mandate had been lifted at Sidney Public Schools.

Olsen moved, Sherman seconded "That a closed session be held at 7:19 p.m. re: Contractual Matter for Personnel Matters." Roll call vote: Yeas: All council members present. Absent: Radcliffe.

Arterburn moved, Sherman seconded "That the Council come out of closed session at 7:51 p.m." Roll call vote: Yeas: All council members present. Absent: Sherman.

Arterburn moved, Olsen seconded "That Resolution no 20210502 be approved as amended: changing wording on #2 to reflect "Pay will be negotiated by contract between the parties involved." Roll call vote: Yeas: All council members present. Absent: Radcliffe.

RESOLUTION NO. 20210502

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

1. That Lori A. Borchert be appointed as City Clerk-Treasurer of the City of Sidney, Nebraska, effective the date of passage of this resolution;
2. Pay will be negotiated by contract between the parties involved.
3. That the City Clerk-Treasurer furnish a Surety Bond in the sum of \$100,000.00 with the premium of said bond to be paid by the City.

Sherman moved, Olsen seconded "That Resolution No. 20210501 be approved." Roll call vote:

Yeas: All council members present. Absent: Radcliffe.

RESOLUTION NO. 20210501

BE IT RESOLVED, that the Platte Valley Bank, the Security First Bank, and the Points West Bank, of Sidney, Nebraska, as designated depositories of this municipality are hereby requested, authorized, and directed to honor checks, drafts or other orders for the payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signers thereof, when bearing or purporting to bear the facsimile signatures of any two of the following persons:

<u>NAME</u>	<u>TITLE</u>	<u>FACSIMILE SIGNATURE</u>
Roger Gallaway	Mayor	
Lori Borchert	City Clerk/Treasurer	
Lane Kizzire	City Finance Director	
David Scott	City Manager	

BE IT FURTHER RESOLVED that the Banks shall be entitled to honor and to charge the City for such checks, drafts, or other orders, regardless of by whom or by what means the actual purported facsimile signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimens duly certified to the Bank by the Clerk of this City herein or in any similar, subsequent certificate delivered by the Clerk to the Banks.

BE IT FURTHER RESOLVED that the City shall deliver to the Banks documents containing copies of the facsimile signatures certified above, and that the powers and authorities set forth herein and, on such documents, shall continue in full force and effect until written notice to the contrary has been delivered to the Banks.

Meeting adjourned at 7:54 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK