

Sidney, Nebraska, January 11, 2022 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 11, 2022 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Sherman, Radcliffe and Olsen. Absent: Arterburn Others present: City Manager Scott, City Clerk Borchert, City Attorney Leef. 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 asked for a motion to approve the absence of Arterburn. Radcliffe moved, Olsen seconded, "That Councilman Arterburn's absence be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Mayor Gallaway asked for a motion to approve the minutes from December 14, 2021. Sherman moved, Radcliffe seconded, "That the minutes of the December 14, 2021 meeting be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Mayor Gallaway announced that a Public Hearing would be held at 6:17 p.m., regarding the Class CK Liquor License application of Beans & Steams Coffee House, LLC and manager application. Kiersten Richards was present to represent. Richards purchased the already established business from Pat Keane. There were no comments by the public. Gallaway closed the Public Hearing at 6:18 p.m.

Gallaway asked for a motion to approved Resolution No. 20220101. Radcliffe moved, Sherman seconded, "That Resolution No. 20220101 be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Resolution No. 20220101

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

That the Manager Application of Kiersten Richards, for Beans & Steams Coffee House, LLC, dba Beans & Steams Coffee House, 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 a Public Hearing would be held at 6:19 p.m., regarding the Class "CK" Liquor License application of MSW Liquor, LLC, dba MSW Liquor and manager application. Paul Strommen was present to represent. Strommen stated that the business was previously TWO J's Liquor Store. There were no comments by the public. Gallaway closed the Public Hearing at 6:20 p.m.

Gallaway asked for a motion to approve Resolution No. 20220102. Sherman moved, Radcliffe seconded, "That Resolution No. 20220102 be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Resolution No. 20220102

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 "CK" Liquor License Application of MSW Liquor, LLC dba MSW Liquor, located at 1500 Illinois Street, Sidney, Cheyenne County, Nebraska; and

That the Manager Application of MSW Liquor, LLC, located at 1500 Illinois Street, Sidney, Cheyenne County,

Nebraska be approved; and

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

Mayor Gallaway announced that a Public Hearing would be held at 6:21 p.m., regarding the rezoning of a parcel of land located in of the SE ¼ Section 30, Township 14 North, Range 49 West, of the 6th Principal Meridian, Cheyenne County, Nebraska, (Agricultural) to AR (Agricultural Residential). Tiffany Dye was present to represent. Dye stated that they planned to put a modular home on the property. The Dye family would like to move to Sidney to be closer to their doctor as they have a special needs child. There were no comments by the public. Gallaway closed the Public Hearing at 6:23 p.m. Gallaway asked for a motion to designate the Ordinance 1828. Motion by Sherman, seconded by Olsen, "That Ordinance 1828 be designated." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed. Gallaway asked the clerk to read the ordinance by title. Clerk Borchert read the ordinance by title. Gallaway asked for consideration of suspending three readings. Attorney Leef stated that three readings are mandatory on a zoning. Leef stated that the third reading would be the second Tuesday of February. Dye asked if she had to be present for each meeting as she has a 40-mile drive to attend. Gallaway stated that she did not unless problems were encountered, which Gallaway did not foresee. The second reading will be held on January 25, 2022.

Mayor Gallaway announced that a Public Hearing would be held at 6:27 p.m., regarding the rezoning of a parcel of land located in part of the South ½ of section 36, Township 14 North, Range 50 West of the 6th Principal Meridian, Cheyenne Co, Nebraska; from A (Agricultural) to AR (Agricultural Residential). Brian Raffelson was present to represent. Raffelson stated he wanted to keep his farming separate from the house. Raffelson owns the property. The current structure that was on the property has been demolished. There were no comments by the public. Gallaway closed the Public Hearing at 6:28 p.m. Gallaway asked for a motion to designate the Ordinance 1829. Motion by Radcliffe, seconded by Sherman "That Ordinance 1829 be designated." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed. Gallaway asked the clerk to read the ordinance by title. Clerk Borchert read the ordinance by title. Gallaway stated that this is the first reading. The second reading will be held on January 25, 2022.

Tom VonSeggern, Parks Director, asked for consideration of a herbicide and fertilizer seasonal services contract between Cranmore Lawn & Land Service and the City of Sidney. The RFP was advertised in the paper and on social media with one contractor returning the bid, Cranmore Lawn & Land. The previous contract was approved by Council. Seasonal payments will total \$71,135.60. VonSeggern stated that there were 171 acres being serviced last year and 55 acres were added to the contract, totaling 226 acres. Attorney Leef will review the contract. Mayor Gallaway asked for a motion to approve, pending Attorney Leef's review of the contract. Olsen moved, Sherman seconded, "That the contract with Cranmore Lawn & Land and the City of Sidney be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

David Scott, City Manager, stated that the City was approached by Jim Hansen, Sandhills Global, to purchase city owned property by the old recycling facility, to construct a new Table of Grace facility. Scott stated that Sandhills Global would purchase the property at fair market value. Electric and water are easily accessible, but the facility will need to get a septic system approved by the Planning Commission. There would be several steps the City would need to sell and convey city real estate as per ordinance. Pass ordinance, publish ordinance, publish sale and terms for three weeks. A 30-day waiting period is required from date of published to see if remonstrance is filed. Scott also stated that the only financial request is that the city split the cost of the surveying, approximately \$2000 total cost. Gallaway stated that Sandhills is very committed to Sidney. Gallaway also said, the facility will include warehousing space, refrigeration facilities, office space, conference space. This would not be a shelter. Gallaway asked Council if there was enough interest to pursue subdivision. Leef stated a contract would be put in place. Motion by Radcliffe, seconded by Sherman, "That the City of Sidney proceed with the Table of Grace land subdivision." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Mayor Gallaway asked to approve the December 2021 claims. Motion by Radcliffe, Second by Olsen. Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

That the following claims for December 2021, are hereby approved and should be paid as provided by law out of the

respective funds in the city treasury.” (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)

23E Electrical eq 1362.12; Absolute Solutions su 111.21; Accelerate Receivables se 452.60; American Environmental se 900.00; American Legal se 1191.63; Arnold Pool su 524.25; ASCAP du 390.00; Barker Cleaners se 30.00; Beacon Athletics eq 452.00; Black Hills Energy ut 757.94, 1335.70, 207.93, 378.53, 32.52, 716.64, 103.98, 1034.60, 103.98; BOKF ct 8994.79; Bomgaars su 185.91, 43.35, 42.65, 229.98; Border States su 37945.35; Brauer & Kampfe re 403.15; Busted Knuckle se 234.76; Capital Counseling se 1900.00; Capital One su 224.28; Cardmember se 3986.73, 345.53, 474.90, 405.99, 93.59, 487.92; Caselle se 1694.00; CenturyLink se 193.77, 193.77; Charter se 114.98, 17.78, 104.98; Cheyenne Co Community Cntr ct 9000.00; Cheyenne Co Court se 34.00; Cheyenne Co Emergency Comm Center ut 29792.69; Cheyenne Co Treasurer tx 72730.42; 15169.08; City of Sidney bd ex re se su 181.29, 14333.33, 16416.67, 92.50, 1000.00, 431.56, 159.41, 1228004.00, 33625.00, 21265.00, 143.29; sa 92300.48, 23102.47, 84865.72, 11974.12, 4796.35, 10943.42, 14554.92, 4394.01, 12810.17, 22084.13, 7129.23, 22012.87, 10385.02, 2946.41, 8746.68, 8676.11, 3034.09, 8277.09; in 5536.24, 9439.06, 860.01, 1788.03, 857.83, 2298.38, 1257.59, 2173.61, 575.23, 570.73, 588.72, 1493.76; ut 4492.30, 211.37, 1061.51, 1169.51, 185.80, 8964.50, 11128.18; Consolidate Management se 268.69, 152.88; Cranmore Lawn & Land se 14216.82; Cranmore Pest Control se 90.00, 90.00, 90.00; Croell su 420.00, 712.50, 276.94; Culligan su 29.95, 7.50, 29.95; Curlee, Mike se 320.00, Day & Night se 1496.74; Deaver tire se 55.00, 40.00; Dept of Energy ut 15293.14; DHHS Accounting re 30.67; Dietrich su 858.00; Ditch Witch eq 83.38; DP Electronics su 2120.92, 5.99, 89.99; E&S Auto 682.98, 99.26, 372.90, 120.93, 532.91, 1609.70; Eakes su 402.74, 301.92; Eco Resource Solutions se 156.00; Enchanted Snoflake se 138.00; Enviro Service se 80.00, 80.00; Equipment Management eq 890.00; Finney’s su 902.04, 41.36, 137.81, 90.30; Five Rule su 2833.00; Floyd’s Truck eq 941.44, 3923.02, 77.19; Frenchman Valley su 1343.66, 2896.86, 1684.09, 5092.90, 967.04, 712.05, 268.23, 423.40; Galls eq 599.78, Golf & sport eq 1522.23, Arrowhead su 207.70, Dietrich su 606.39, High Plains su 890.15; Grainger eq 26.64, 232.88; Great plains su 969.75; Hach eq 611.51, 357.17; Hamilton se 160.20, 160.20, 49.95, 49.95, 49.95; Harper Industries su 781.18; Hometown Leasing ct 159.98, 135.13; Ideal se 272.68, 129.12; Interstate Batteries su 107.95; Ja Traffic eq 2799.58; Johnsen Corrosion se 1870.00; Kizzire, Lane re 2258.00; LL Johnson eq 2550.00; Landis & Gyr ct 754.88; Leal, Ron se 450.00; Live View GPS se 259.90; Lubrication Engineers eq 412.49; MacQueen Equipment eq 9399.21; McKenzie, Colton re 99.00; Midwest Labs su 13.00; MEAN ut 402543.58; Municipal Supply su 695.48, 6473.17; Munimetrix se 39.99; Murphy Tractor eq 123.55; NE Dept of Revenue tx 53973.46; NE law Enforcement Training Center tt 185.00; NE Public Health se 376.00, 196.00; NT&T se 1724.23, 161.22, 259.86, 340.68, 62.93, 96.88; NMX eq 740.85, 2275.82, 1618.00; Northwest Pipe eq 2546.21; NWEA du 20.00; One Call se 39.06, 39.05; PADD du 50.00; Palmer, Mike re 2196.00, 126.00; Panhandle Community Service se 24.49; Paytech Fee se 30.04, 47.02; Peltz Co eq 19692.19; Plummer Ins in 77919.00, 21239.00, 35655.00, 30593.00, 24603.00, 30443.00; Police Officer’s Asso du 335.00; Popp, Daniel se 274.29; Quadient leasing se 750.00; Reams eq 226.35; Rockmount Research se 304.07; Rood’s se 16.00, 98.00, 919.40, 9.50, 16.00; Sapp Bros. su 511.00; Segelke Janitorial se 780.00; Sidney Elks Lodge se 500.00; Sidney Glass su 78.92, 125.00; SRMC se 288.00; Sidney Sun Telegraph se 233.06, 13.62, 50.00; Simon Materials su 854.00, 262.30; Sonny’s su 27.35, 98.81; Splish Splash se 76.00, 192.76; Spring Creek Cleaning se 400.00; Swift su 1440.00; SymbolArts eq 1066.30, 1055.50; T&L Cleaning se 275.00; Tital Machinery eq 327.95; Triple O’s su 146.18, 24.95, 28.47, 33.44; United Laboratories eq 318.50; US Postal se 296.00; Verizon se 300.66, 835.31, 64.88, 41.02, 128.06, 41.02, 82.04; Vermeer High Plains eq 477.27; Viaero se 34.72, 64.86; Wesco eq 40933.86; Wheatbelt ut 11193.75; Whitebluffs ct 690.0; WIN 911 software se 660.00, Wyoming First Aid su 102.91, 105.26, 21.45; Elan Visa su 119.95; Eakes su 147.94; Star Herald se 353.60; Baker & Taylor se 2492.60; City of Sidney ut 684.20; Culligan se 19.95; Elan Visa su 824.37; Guideposts se 19.94; MidAmerica Books su 285.34; NT&T se 150.73; OPTK Networks se 36.00; Quill su 446.29; Sidney Sun Telegraph se 6.26; Verizon se 4.01; Spring Creek Cleaning se 400.00.

Lane Kizzire, Financial Director, presented the budget reports to Council. Mayor Gallaway asked for a motion to approve the reports. Motion by Sherman, seconded by Radcliffe, “That the budget reports for December 2021 be approved.” Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Absent: Arterburn Motion passed.

Scott reported that the new fire truck arrived on behalf of Sidney Volunteer Fire Department. Scott also noted that the Chamber banquet would be held on January 29, 2022. Kizzire stated that he had contacted Charter as per Mayor Gallaway’s request regarding internet/streaming service. Kizzire will have more information at the next meeting after speaking with the engineer for Charter. Sherman said Wednesday will be “Burger Night at the Elks”. Sherman also

stated that there will be upcoming fund-raisers for the holiday lights that are currently on the top of the buildings. There are about 5,000 bulbs on top of the buildings, many of them that need replaced. Sherman said, that labor and financial donations would be appreciated. Gallaway stated that it was nice to receive the fire truck. It was paid out of the City's reserve fund. There was also assistance from the NE Community Foundation, approximately \$43,000. Olsen asked what the shelf life on the fire truck was. Gallaway responded approximately 30 years. Gallaway also gave kudos to the City staff on the snow removal. Gallaway also reported that the City Awards Banquet was well attended.

Meeting adjourned at 7:02 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK