

Sidney, Nebraska, March 8, 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 March 8, 2022 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Ellwanger, Sherman, Radcliffe and Olsen. 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 stated that Councilman Olsen was running late and would be attending the meeting so he would not need to be excused. Gallaway asked for a motion to approve the Planning Session & Workshop and the City Council minutes from the February 22, 2022 meetings. Sherman moved, Radcliffe seconded, "That both minutes of the February 22, 2022 meetings be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe. Nays: None. Absent: Olsen Abstain: Ellwanger Motion passed.

Mayor Gallaway asked if there were any comments by the public. Michael Palmer, Ace Representative, stated that the city has submitted the Field Four Lighting as the ACE project of the year. Palmer encourages residents to "love" the project on the Ace Energy Face Book page for Sidney to be eligible to win a \$200 donation, by Ace, for the project. An open house will be held on behalf of ACE on Tuesday, March 29 from 9:00 a.m. to 11:00 a.m., to answer any questions the public may have.

Clerk Borchert asked for approval of an annual ordinance approving the editing and inclusion of certain ordinances that have been previously approved by Council and submitted to American Legal to update the codified ordinances of the city. Gallaway asked for a motion to designate the ordinance. Radcliffe moved, Sherman seconded, "That Ordinance 1830 be designated." Roll call vote: Yeas: Gallaway, Radcliffe, Ellwanger, Sherman Nays: None Absent: Olsen Motion passed. Gallaway asked for a motion to suspend the readings requiring the ordinance to be read by title on three different days. Sherman moved, Radcliffe seconded, "That the three readings be suspended." Roll call vote: Yeas: Radcliffe, Ellwanger, Sherman, Gallaway Nays: None Absent: Olsen Gallaway declared that the motion has been passed and adopted and said statutory requirements are suspended. Gallaway asked Clerk Borchert to read the ordinance by number. Borchert read the ordinance by number. Gallaway asked to pass Ordinance 1830. Radcliffe moved, Sherman seconded, "That Ordinance 1830 be passed." Roll call vote: Ellwanger, Sherman, Gallaway, Radcliffe. Nays: None Absent: Olsen Gallaway asked for a motion to publish Ordinance 1830. Sherman moved, Radcliffe seconded, "That Ordinance 1830 be published." Roll call vote: Sherman, Gallaway, Radcliffe, Ellwanger. Nays: None Absent: Olsen Motion passed.

Lesli Baker requested a waiver to park one semi and trailer on their property at 604 16th Avenue. Baker stated that the truck would be parked on their lot and not on the street. Clerk Borchert stated that residents within 300 feet had been notified and there were no responses. Gallaway stated that this request was previously approved through the Planning Commission. Mayor Gallaway asked for a motion to approve Resolution 20220301 for the waiver. Sherman moved, Radcliffe seconded, "That Resolution 20220301 for the waiver to park one semi-truck and trailer on the Baker lot at 604 16th Avenue be approved." Roll call vote: Yeas: Gallaway, Radcliffe, Ellwanger, Sherman Nays: None Absent: Olsen Motion passed.

David Scott, City Manager, gave an update on the Inland Port Authority (IPA). Adams Industry was not present to represent. Scott stated at the February 8 Council meeting, Kim Matthews (Adam Industries), gave a power point showing what the Inland Port Authority was and how it would work. Matthews asked if the Council and County would pass a resolution creating an IPA and enter into an interlocal agreement with the county. City Council was on board with moving forward on a resolution creating the IPA but wanted legal to be involved with any interlocal agreement. Scott stated he did research on LB40, LB156 and LB998. Scott had originally drafted a resolution to bring to Council to propose to create an IPA. Scott sent that resolution to Tim Craig and Matthews, both of Adam Industries. Scott stated he got a distressed response from Matthews, indicated that Adams Industries was working with Twin City Development, Scottsbluff. Scott reached out to Twin City Development and found out that they also had a similar resolution in their meeting packet. With that conflict, Scott reached out to Craig. It was decided that both the City of Sidney and Twin City Development remove their resolutions, due to the miscommunication. Craig stated in an email on behalf of Adams Industries, "That they are working diligently to determine the best possible strategy to make this a successful project for City and Cheyenne County." Adams Industries respectfully requested that the City table any resolutions until they could come back with more accurate information. Scott feels strongly that the IPA would be great for the City and the County. Gallaway stated that after speaking with Craig, a lot of things need to be clarified and communication needs to be better going forward. Gallaway stated that

there is nothing to decide at this point and the City would stay in communication with Adams Industries.

Councilman Olsen arrived at 6:40 p.m.

Scott updated the legalities of Rick Heckenlively's Economic Development Citizen's Advisory Review Committee application. Scott clarified that all members shall be registered voters of the City.

Scott asked for consideration of the Economic Development Citizen's Advisory Review Committee application of Mark Mazour. Mazour is a resident and registered voter of Sidney. Scott stated there are currently two openings available. Mayor Gallaway asked for motion to approve the application. Radcliffe moved, Ellwanger seconded, "That the application of Mark Mazour for Economic Development Citizen's Advisory Review Committee be approved." Roll call vote: Yeas: Radcliffe, Olsen, Ellwanger, Sherman, Gallaway. Nays: None Absent: None

John Phillips, Sidney Lighting Committee, asked for Council approval of funds granted by the Historic Preservation Board. Phillips stated that the Lighting Committee's intention is to replace all existing lights and make repairs to sockets and wiring as needed. The money will be used to replace 7000 bulbs at \$.79 cents each to be purchased at Finney's and \$1470 in supplies needed to make repairs, totaling \$7000. The labor will be volunteer. Mayor Gallaway asked for a motion to approve the funds granted. Olsen moved, Radcliffe seconded, "That the funds granted by the Historic Preservation Board Sidney Lighting Committee be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Nays: None Absent: None

Rob Kuhns, Water/Sewer Superintendent, asked for approval to move forward with the RFP for design and engineering of the Sky Road water line. Kuhns stated that the water line will be a secondary line to feed the Sky Manor water system. Kuhns reported that this will curb maintenance on the line and provide a back-up line in case of emergency. Kuhns added that they intend to use the American Recovery Plan Act funds to pay for the engineering and construction of this project. Mayor Gallaway asked for a motion to approve moving forward with the RFP for design and engineering. Radcliffe moved, Olsen seconded, "That the request to move forward with the RFP for design and engineering be approved for the Sky Road water line." Roll call vote: Yeas: Radcliffe, Olsen, Ellwanger, Sherman, Gallaway. Nays: None Absent: None

Hank Radtke, Street Superintendent, asked for approval to accept the bid from Hein Construction for crack sealing. Radtke stated that a notice for proposals for crack sealing was publish in the Sidney Sun Telegraph, KSID Radio, the City website and City of Sidney Face Book page. Two proposals were received from Hein Construction and Bader's Highway & Street. Hein Construction was the lower bid at \$.27 verses Bader's at \$.40 per linear foot. Radtke recommends accepting the lower bid from Hein Construction. Radtke stated that the budget was for \$75,000 and as many streets would be covered until the budget was depleted. Mayor Gallaway asked for a motion to accept the bid from Hein Construction. Radcliffe moved, Sherman seconded, "That the bid from Hein Construction be accepted for crack sealing for 2022." Roll call vote: Yeas: Radcliffe, Olsen, Ellwanger, Sherman, Gallaway. Nays: None Absent: None

Mayor Gallaway asked for approval of the February 2022 claims. Sherman moved, Olsen seconded, "That the claims for February 2022 be approved." Roll call vote: Yeas: Radcliffe, Olsen, Ellwanger, Sherman, Gallaway. Nays: None Absent: None

That the following claims for February 2022, 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)

21st Century Equipment eq 664.70, 13.45; 3E Electrical eq 663.57; 4imprint su 251.23; Accent Wire Tire su 4205.26; Acco Brands su 132.41; Acushnet su 67.10; American Environmental se 1963.50; Aqua Aerobic su 1198.58; Baker & Taylor su 881.07, 8.97; Barker Cleaners se 45.00; Best Plumbing se 175.00, 135.00; Black Hills ut 2751.85, 417.30, 764.20, 37.28, 903.14, 208.66, 1584.79; BOKF, NA ct 8994.79; Bomgaars su 133.18, 131.51, 108.01, 252.92, 248.96, 298.64, 11.81, 62.18, 21.97; Borchert, Lori tt 382.44; Borgmann, Chad tt 819.00; Capital One su 111.99; Cardmember su 5041.39, 20.43, 1746.36, 1006.36, 705.02, 85.00; Carolann Siders re 45.48; Caselle ct 1774.00; CenturyLink se 189.12, 189.12; Charter se 17.78, 104.98; Cheyenne Chamber of Commerce ct 6250.00; Cheyenne Co Community Center ct 9000.00; Cheyenne Co Emergency Comm Center ct 30664.32; City of Sidney bd ex se su tx 2850.00, 275.00, 9000.00, 1432.10, 15.00, 14333.33, 16416.67, 475.00, 1000.00, 340.84, 10060.00, 77106.60, 465927.30, 78846.05, 55773.50, sa 24338.63, 10041.83, 9571.01, 12136.02, 85190.62, 13673.13, 83978.16, 82096.90, 12029.30, 11981.06, 12191.56, 12142.97, 23956.44, 24602.72, 9742.57, 9792.67, 9397.55, 9517.66, in 5586.77, 68761.01, 786.55, 9532.80, 820.91, 13096.90, 1264.27, 14261.81, 575.23, 6223.66, 588.72, 9392.20, ut 3159.40, 2084.78, 25.50, 174.32, 145.45, 83.31, 1770.92, 7561.18, 2635.39, 12032.27, 132.94; Cleveland Golf su 481.79; ConServ Flag su 131.00, 739.00; Consolidated Management su 177.74, 165.31; Contractors Materials su 140.00; Country Printer su 120.00; Cranmore Fire se 56.00, 109.00; Cranmore Lawn se 47355.62; Cranmore Pest se 90.00; Culligan se 19.95, 41.95, 7.50, 29.95; Danko eq 50.02; Day & Night se 1324.72; Dept of Energy ut 15656.49; Dollar

General re 15.00; DP Electronics su 1027.93, 89.99, 483.96, 1021.24; E&S Auto su 1209.27, 1028.45, 1704.09, 808.74, 33.64, 124.55; East West Books su 166.92, 10.00; Elan Visa su 636.73, 63.54, 20.00; Enviro se 276.00, 140.00; Estate of Mike Sellers re 46.20; Exprolink/Madvac eq 26670.00; Finneys su 2788.52, 41.30, 290.09, .79; Flood Communications se 200.00; Floyd's Truck se 3252.16; Frenchman Valley su 6696.78, 3666.19, 9742.41, 1903.58, 846.54, 662.16; Gall's eq 224.88, 315.51; Gledhill Road Machinery eq 7509.70; Golden West eq 620.04; Grainger su 222.88, 162.26, 75.11; Great Plains Uniforms su 2019.00; Guidepost su 15.95, 3.99; Gworks se 612.00; Hall's Safety Equip su 265.00; Hamilton se 160.20, 49.95, 49.95; Hardy Pro Air eq 7266.62; Holmes, Jim tt 40.00; Hometown Leasing eq 159.98, 135.13; Huber & Asso se 1015.00; Humdinger eq 1085.26; Hutcheson Engineering se 3573.70; Ideal Linen su 476.83, 143.40; Inland Truck su 330.00; Interstate Batteries su 133.95, 126.95; JC Golf su 477.68; JMK Sports su 793.65; Jung, Shannon se 160.00; Kaiser, Shirley re 66.85; Kevin's Electric su 43.00; LL Johnson eq 5743.66; Landis & Gyr ct 754.88, 754.88; League of NE du 110.00; Leal, Ron ct 450.00; Leef Law ct 5000.00; Lloyd, Derek re 60.98; Lubrication Engineers su 264.11; Matt Friend Truck eq 340.41; McDaniel, Scott re 242.00; Midwest Connect se 1417.00; Miller & Sons Golf se 1480.92; MEAN ut 452821.02; Munimatrix ct 39.99; NDEE du 80.00; NE Law Enforcement du 175.00; NE Panhandle Golf du 100.00; NE Safety/Fire eq 291.00; NE Supreme Court su 257.50; NT&T se 1717.29, 157.52, 337.16, 61.43, 99.26, 220.88; Northwest Pipe eq 1819.72, 217.20; NE Salt & Grain su 3850.74; O'Keefe Elevator se 343.20; One Call se 28.53, 28.53; OPTK Networks su 36.00; Palmer, Mike tt 111.00; Panhandle Auto eq 37254.00; Paytech Fee 45.34; Pins & Needles su 682.44; Police Officer's Asso du 60.00; Popp, Daniel se 177.19; Power Screening su 832.45; Prairie States Communication se 733.40; Prestige Flag su 1863.95; Ramirez, Autumn re 99.74; Rood's Tire su 33.00, 13.00, 40.00; Sandberg Implement su 92.44; Sargent Drill eq 16803.70; Schilz, Dalton re 189.00; Scotties Potties se 350.00; Segelke Janitorial se 780.00; Severson Communication se 180.00; Sidney Elks Lodge su 1878.00; SRMC se 60.00, 60.00; Sidney Sun Telegraph se 6.26, 742.72; Sidney Vision su 200.00; Sirchie Acquisition Co su 88.94; Slate rock su 2996.56; Sonny's su 74.86, 178.61, 14.28; Southern Glazer's su 708.00; Splish Splash se 81.53; Spring Creek Cleaning se 400.00, 400.00; T&L Cleaning se 275.00; Talich, Joe tt 40.00; Titan Machinery eq 50.50; tKE Elevator se 353.49; Tour Edge su 652.50; Triple O's su 21.99, 284.70, 333.54; USA Bluebook su 380.66; Verizon se 40.01, 308.05, 814.44, 68.60, 42.84, 133.52, 42.84, 85.68; Vessco eq 5243.70; Viaero se 34.69, 64.80; VonSeggern, Tom re 699.99; Western United su 127.30; Wheatbelt ut 10186.99; Whitebluffs ct 515.00; Woodis Welding se 285.00; Woods & Aitken se 1012.80; WPCI se 57.50; Wyoming First Aid su 102.99, 66.21, 84.93

City Manager Scott welcomed Marshall Hall as the Chief Building Inspector for the City of Sidney. Hall stated that he was pleased to be with the City. Scott reported that there was a meeting with Allo. The project with Allo will start around April 4. Scott also reported that he spoke with Air Force Lt. Terry Higgins as a follow up with the SGBD Programmatic meeting he attended in Cheyenne. In late April, Higgins would like to meet with different groups and leaders to get to know some of the players as Scott spoke about during the Workshop meeting held on February 8. Scott also declared a Snow Emergency effective Tuesday, March 8 at 5:00 p.m. until further notice.

Mike Palmer, Electric Superintendent, reported that ACE gives a donation to community clean up. If anyone wants to perform city clean up for Sidney, contact Palmer and he will get it set up. Palmer also reported that city poles are being removed in the Valley View area.

Sherman welcomed Marshall Hall.

Gallaway welcomed Hall. Gallaway also stated that the track season has started and school has been cancelled for Wednesday. He also reminded the public that the Elks will host a breakfast buffet on Sunday, March 13 from 7:00 a.m. to 1:00 p.m. Proceeds go to the Elks renovation.

Meeting adjourned at 7:17 p.m.

ATTEST: /s/ROGER GALLAWAY, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK/TREASURER