

Amended Minutes
Sidney, Nebraska, July 26, 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 July 12, 2022 in the Council Room. Present in person were: Vice Mayor Olsen and Council Members: Ellwanger, Sherman and Radcliffe. Absent: Mayor Gallaway. Others present: City Manager Scott, Administrative Assistant Mowery, 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.

Vice Mayor Olsen informed the public of the location of the posted Open Meetings Act.

Vice Mayor Olsen asked for a motion to approve the absence of Mayor Gallaway. Radcliffe moved, Ellwanger seconded, "That Mayor Gallaway's absence be approved." Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway

Olsen asked for a motion to approve minutes from the previous City of Sidney Council meeting. Sherman moved, Ellwanger seconded, "That the minutes from the City of Sidney Council meeting held on July 12, 2022 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

Jason Nelke of Keep Sidney Beautiful came before Council to present **Resolution 20220704**, approval of Keep Sidney Beautiful trails and grants partnership. The City Mayor and City Council will assemble a multi organizational and jurisdictional steering committee to apply for funding through the U.S. Department of Transportation Safe Streets for All program to assist in the design of a comprehensive action plan. Nelke said it would align Sidney as a small rural town with the overall plans of the Federal Highway Administration. City Manager Scott added that this would not negate the other construction or implementation grants we applied for with different agencies. Olsen asked for a motion to approve the resolution. Sherman moved, Radcliffe seconded, "That **Resolution 20220704**, Keep Sidney Beautiful trails and grants partnership be approved." Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed. (***)A copy of the full resolution can be viewed at 1115 13th Avenue/City Clerk.)

Ron Meyer, Chairman of the Airport Authority, presented to council **Resolution 20220703**, approval of the Airport Authority's request for allocation from the City's Levy Authority. George Lapaseotes was also present on behalf of the Airport Authority. The Airport Authority is requesting \$196,755.00 for FY22/23 which is a decrease of \$933 from FY21/22. Lapaseotes gave a report on services and purchases for FY21/22 and plans for FY22/23. Olsen asked for a motion to approve the resolution. Sherman moved, Ellwanger seconded, "That **Resolution 20220703**, Airport Authority request for allocation from the City's Levy Authority be approved." Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed. (***)A copy of the full resolution can be viewed at 1115 13th Avenue/City Clerk.)

Bobbi Pettit, Five Rule Rural Planning, stated that there would be three separate public hearings for the three blight areas, A, B & C. Pettit stated that publications were published in the newspaper to allow the public to be informed as required by law. A map of the three blight areas and the full resolution can be viewed at 1115 13th Avenue/City Clerk office.

Olsen opened the public hearing for Redevelopment A at 6:33 p.m. Pettit stated that in no event can a city of a first class designate more than thirty-five percent of the city as blighted. Area A encompasses 379 acres. Area A met four out of six substandard factors - deterioration; age/obsolescence; conditions that endanger life or property by fire and other causes; inadequate provision for ventilation, light, air, sanitation or open spaces. Area A also met six subjective blight factors – substantial number of deteriorated or deteriorating structures; existence of defective or inadequate street layout; improper subdivision or obsolete platting; insanitary or unsafe conditions; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; existence of conditions that endanger life or property by fire and other causes; and one blight objective factor – area had either stable or decreasing population based on the last two decennial censuses. Pettit stated that due to the substandard determination and the blight factors present, the area needs redevelopment projects that should be completed and encouraged by the Planning commission, City Council and Community Redevelopment Authority. There were no further comments. Olsen closed the public hearing at 6:48 p.m.

Olsen opened the public hearing for Redevelopment B at 6:48 p.m. Pettit said Area B encompasses 9 acres. Area B met five out of six substandard factors – Dilapidation; deterioration; age/obsolescence; conditions that endanger life or property by fire and other causes; inadequate provision for ventilation, light, air, sanitation, or open spaces. Area B met four subjective blight factors - substantial number of deteriorated or deteriorating structures; deterioration of site or other improvements; insanitary or

unsafe conditions; existence of conditions that endanger life or property by fire and other causes; and three blight objective factors – The average age of the residential or commercial units in the area is at least forty years; more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; area has had either stable or decreasing population based on the last two decennial censuses. Pettit stated that due to the substandard determination and the blight factors present, the area needs redevelopment projects that should be completed and encouraged by the Planning commission, City Council and Community Redevelopment Authority. There were no further comments. Olsen closed the public hearing at 6:56 p.m.

Olsen opened the public hearing for Redevelopment C at 6:56 p.m. Pettit stated that Area C encompasses 1,076 acres. Area C met five out of six substandard factors – Dilapidation; deterioration, age/obsolescence, conditions that endanger life or property by fire and other causes; inadequate provision for ventilation, light, air, sanitation or open spaces. Area C met four blight subjective factors – Substantial number of deteriorated or deteriorating structures; deterioration of site or other improvements; faulty lot layout in relation to size adequacy, accessibility, or usefulness; existence of conditions that endanger life or property by fire and other causes; and one blight objective factor – more than half of the platted and subdivided property in an area in unimproved land that has been within the city for forty years and has remained unimproved during that time. Pettit stated that due to the substandard determination and the blight factors present, the area needs redevelopment projects that should be completed and encouraged by the Planning commission, City Council and Community Redevelopment Authority. There were no further comments. Olsen closed the public hearing at 7:06 p.m.

Olsen asked for a motion to approve the Blight Study. Radcliffe moved, Sherman seconded, “That **Resolution 20220702**; the City of Sidney Redevelopment Area Substandard/Blight Area A, B & C be approved.” Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

Mike Palmer, Electric Superintendent, reported to Council the consideration to approve the Solar PV Installations Interconnection Agreement. Staff has negotiated contracts of the Power Purchase Power Agreement (PPA) and ground lease with Sandhills Energy, LLC. and has identified land at the old landfill facility on East Elm Street to install the solar facility. Per the agreement the City would be obligated to purchase all the energy generated from the facility but the developer would own and be responsible for the maintenance of the installation. Olsen asked for a motion to approve the agreement. Sherman moved, Radcliffe seconded, “That the Solar PV Installations Interconnection Agreement be approved.” Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

Palmer then reported to Council, the Electric Generation Assessment Report and proposal to purchase generator engines from PowerTech. Staff has solicited Exponential Engineering Company to complete a generation assessment for the City. The 2019 Master Plan identified two potential projects to improve system reliability. The System Improvement Analysis completed in April 2022 recommended the City continue analyzing the distributed generation project for improved system reliability. Since April, Staff and Exponential Engineering Company have studied various options for distributed generation that would be most beneficial to the City of Sidney. Exponential Engineering Company recommends installing (3) 2.5MW 2008 CAT3516C-HD generator engines from PowerTech. The generators cost would be \$326,400 each, or \$979,200 total, requiring a 10% nonrefundable deposit to secure the units. PowerTech proposal for equipment and labor to install the generators is \$1,987,432 making the total estimated cost to purchase and commission the generating units \$2,966,632. Palmer added the building would be built big enough to house (4) generating units for future expansion. After further discussion, it was proposed to purchase (4) generating units. This would ensure that all (4) units would come from the same factory and keep the initial cost down. Palmer said the cost would most likely increase to purchase and commission the fourth generating unit at a later date. Olsen asked for a motion to approve the purchase and commission of (4) generator engines from PowerTech. Radcliffe moved, Ellwanger seconded, “That (4) 2.5MW 2008 CAT3516C-HD generating units totaling \$1,305,600 with 10% deposit be purchased from PowerTech and we enter a design-build contract with Exponential Engineering Company and PowerTech for the generator implementation.” Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

Palmer also presented on the request from MEAN to install mobile generation. MEAN has requested Sidney's assistance in locating and support for the installation of mobile generators that MEAN could dispatch for their needs. Staff has worked with MEAN and Exponential Engineering Company to see if we could accommodate their needs. Three potential sites were discussed; South Substation, Hickory Street Substation and Haskell Hill. Mean would compensate the City \$5,000 per month to place the units on an agreed upon location. MEAN would also compensate the City \$2,400 per month for known personal time. MEAN would pay for maintenance and fuel cost for the generators and would cover the cost of support for the initial installation, de-mobilization. Palmer felt Hickory Street Substation would allow for the easiest installation to our system but would require the temporary closing and fencing of half of the City parking lot on 12th and Hickory Street. Palmer recommended that Council approve staff to continue to pursue this project with the assistance of Exponential Engineering Company to enter into a contract with MEAN. Olsen asked for a motion to continue to pursue the request from MEAN to install mobile generation. Radcliffe moved, Sherman seconded, “That Staff continue to pursue the request from MEAN for assistance in providing a location and support for installing mobile generators.” Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

David Scott, City Manager, presented to Council an updated Historic Preservation Board Design Guidelines. The updates include extending the time frame to start a project from 3 months to 6 months and the time frame to complete the project from 12 months to 18 months. Olsen asked for a motion. Ellwanger moved, Sherman seconded, "That the timeframes for the Historic Preservation Board Design Guidelines be approved and adopted." Roll call vote: Yeas: Ellwanger, Sherman, Olsen, Radcliffe Nays: None Absent: Gallaway Motion passed.

Scott mentioned the City hosted an employee picnic in the park last Saturday which was well attended. The Sidney Park Project celebration is on Monday, August 1st and the City received tickets to the event. The ribbon cutting will then be on Tuesday, August 2nd from 8 a.m. – 10 a.m. and is open to the public. Also on Tuesday August 2nd is the Nebraska Community Foundation meeting at the Elks from 6:30 p.m. – 8:00 p.m. Joe Aikens, Chief of Police, stated National Night Out at the Aquatic Center will be on Tuesday, August 2nd from 6:00 p.m. – 8:00 p.m. as well. Rob Kuhns, Water/Sewer Superintendent, announced that this was his final meeting as he has submitted his resignation.

Meeting adjourned at 8:14 p.m.

/s/BOB OLSEN/VICE MAYOR

ATTEST: /s/KELLIE MOWERY/ADMINISTRATIVE ASSISTANT