

Sidney, Nebraska, February 14, 2023 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 7:00 p.m. on February 14, 2023 in the Council Room. Present in person were: Mayor Sherman and Council Members: Strommen, Gallaway, Radcliffe and Bondegard. Others present: City Manager Scott, City Clerk Borchert, 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 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 Sherman informed the public of the location of the posted Open Meetings Act.

Mayor Sherman asked for approval of the minutes for January 24 and January 25, 2023. Radcliffe moved, Strommen seconded, "That the minutes for January 24 and January 25, 2023 be approved." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Motion passed.

On behalf of Rauner & Associates, Trevor Schuessler, presented a power point on the audited City of Sidney financial statements for fiscal year 2021-2022. Also present were Julie Peetz and Jeff Jung from Rauner & Associates. Schuessler reported that there were no major concerns found in the audit. Schuessler focused two items. The sewer fund exceeded expenditures in the amount of \$36,000. The second point was the verbiage regarding the accounting staff, which is standard audit language for independent purposes. Schuessler stated that upon approval the audit will be submitted to the State Auditor's Office by the deadline of March 31, 2023. Sherman asked for a motion to approve the audit. Bondegard moved, Gallaway seconded, "That the Fiscal Year Audit for 2021-2022 be approved as presented." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Mike Palmer, Electric Superintendent, presented to Council the Wind Energy Agreement that has been terminated and replaced with a Green Energy Program, effective April 1, 2023. Palmer said that the Green Energy Rate shall be equal to the Energy charge rate plus 5%. Per MEAN's Schedule of Rates and Charges, the kilowatt-hour rate for 2023/2024 is set at \$0.04274. Based upon our current subscription of 1,257,300 kWh the additional cost to purchase this energy will be \$2,564.89. Palmer stated that the City would need to notify MEAN of intention to continue to receive the current subscription of wind energy or lower the amount, before March 31, 2023. Mayor Sherman asked for a motion to designate **Ordinance 1843**, authorizing execution of the Green Energy Program. Radcliffe moved, Gallaway seconded, "That Ordinance 1843 be designated." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Sherman asked the Clerk to read by title. Borchert read, "*An Ordinance authorizing and directing execution of the Green Energy Program subscription confirmation by the City of Sidney, Nebraska, with the Municipal Energy Agency of Nebraska; to prescribe the time when this ordinance shall be in full force and effect.*" Sherman asked for a motion to waive future readings. Radcliffe moved, Strommen seconded, "That the readings be waived." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Sherman asked to pass the ordinance. Bondegard moved, Radcliffe seconded, "That Ordinance 1843 be passed." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Sherman asked the clerk to read by number. Borchert read, "1843". Sherman asked for a motion to publish. Gallaway moved, Strommen seconded, "That Ordinance 1843 be published." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Palmer informed Council that Sidney will receive a check in the amount of \$16,825.00 which represents the community's share of the ACE distribution for Fiscal Year 2022-2023. Palmer said that to date, ACE has returned \$257,959.84 back to the City of Sidney.

City Manager Scott stated at the last Council meeting it was discussed that the City would like to do its own Economic Impact Study regarding the impact of the Global Based Strategic Deterrent (GBSD) Project, which may help to show the need when asking for funding through LB712 or any other possible funding channels. Scott included a proposal from Goss & Associates in the amount of \$16,000 to move forward with the study. Mayor Sherman asked if there is potential for other Bills offering funding. Scott stated that this is the only one that he is aware of that sets funds aside for communities. Sherman asked for a motion to move forward with the study. Gallaway moved, Bondegard seconded, "That the City of Sidney moves forward with the Economic Impact Study of the Global Based Strategic Deterrent." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Heidi Gillespie, Director of the Cheyenne County Emergency Communication Center (CCECC), came before Council seeking to upgrade the Communication Center system. Gillespie stated that the current radio consoles are "non-public safety rated."

Gillespie said it was installed in 2013 and is no longer supported by Motorola. Gillespie added that because the City, Cheyenne County and Deuel County are all part of this agreement, there is some responsibility from each entity to upgrade this equipment. Gillespie also said that the current system is having issues, nearing the end of life and it is necessary to replace this system as they have no functional backup radio system. Gillespie continued, that the current bid on this equipment is for \$542,080. The CCECC has total reserve funds of \$150,000 that they intend to use on the project, bringing the total cost to \$392,080 to be split between the City, Cheyenne County and Deuel County. That bid is subject to change, as Motorola has discretion to change the bid based on market prices and a 12% increase has already been built into that bid. This would make this City's portion of the Motorola consoles \$239,169. Gillespie stated that this is an expense that would be eligible to use ARPA funds, and any grants applied for to help offset the costs, would have to be distributed on a reimbursement basis. Gillespie has met with the Cheyenne County Commissioners and will be meeting with Deuel County Commissioners next week regarding funding to help offset the costs. City Manager Scott commended Gillespie on her hard work doing all the research. Scott also stated that the CCECC is updating the current equipment for a cost of \$6,800 from their budget in order to buy time to see if a grant comes through. If not, the City could pay for our share out of either ARPA dollars or from the General Fund, with Council approval. Gallaway asked the timeline on the grants. Gillespie responded the first week of July, money released in September, distributed once a year in September over a three-year period. No action was taken.

City Manager Scott presented Council with three proposals to use the local option sales tax, which was approved in the November 2022 election. Scott suggested potential concrete projects for the park, pool and golf course, to include parking lots and additional trails and sidewalks. Scott proposed that all three projects be done at the same time to save a significant amount of money. Gallaway stated that when the ½ cent sales tax was initially started it was to supplement the City for big projects, the golf course being the first and the streets being the second of the projects. Gallaway is afraid that by using these funds for smaller projects, the City won't have the money for larger projects that the citizens of Sidney deserve. Gallaway stated that these are great smaller projects, but would like to see the park tax funds utilized for a bigger project, such as the splash pad. Gallaway said he would hate to see the funds go towards a parking lot, if funding could come out of something else, whether it be from the streets ½ cent sales tax or grant funds. Scott stated he believes the most important part is tying in the pool to the trails. Scott also said that he would also like to see the revamping of the northside park and a splash pad done as well. Gallaway stated that he would like to see different features at each of the parks that complement each other with a lot of diversity and amenities for the community. Scott stated that he will check on the cost of the parking lots and trails.

Mayor Sherman asked for a motion for the claims. Radcliffe moved, Gallaway seconded, "That the claims for January 2023 be approved." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

That the following claims for January 2023, 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, tr transfers, tx tax, ut utilities)

21st Century eq 380.02, 52.70, 20.64; 3E Electrical eq 1261.38; Accelerated Receivables se 37.85; Acushsnet su 509.85; Aguilar, Guillermo re 70.00; Allo Communications se 4040.00; ALS Group eq 1345.00; American Environmental se 2534.98; ASCAP se 420.00; Baker & Taylor su 2015.28, 20.16; Barker Cleaners se 33.00; Bavco su 171.50; Bedsaul, Tiffany re 53.07; Black Hills su 4546.46, 916.61, 1367.55, 37.68, 1252.97, 458.32, 458.32; BOKF ct 9385.21; Bomgaars su 95.19, 792.80, 85.11, 14.56, 200.64, 538.05, 128.93, 64.48, 22.46, 47.74; Capital One su 218.21; Cardmember su 7451.25, 65.35, 716.28, 863.92, 2116.75; Carolina Software se 200.00; Caselle ct 1828.00; Cengage su 103.96; CenturyLink se 192.78; Charter su 911.33, 18.07, 109.98; Cheyenne Co Chamber ct se 6250.00, 400.00, 160.00; Cheyenne Co Community Center ct 9500.00; Cheyenne Co Emergency Comm Center se 26099.51; Cheyenne Co Treasurer se 187.27; City of Sidney se bd su 1679.18, 20.00, 7687.23, 750.00, 1000.00, 168.99, 58.67, sa 23512.91, 9803.36, 10457.76, 16497.81, 100430.33, 12597.14, 100314.58, 103162.49, 13372.54, 15260.26, 16562.88, 12103.12, 22942.65, 24984.45, 10173.39, 9468.28, 10451.82, 10696.53, in 1235.39, 575.24, 514.88, 739.74, 605.65, 670.33, 5912.69, 68049.60, 739.74, 8536.88, 670.33, 10698.29, 1235.39, 12158.06, 575.24, 5618.30, 514.88, 10425.63, ut 2287.77, 12067.81, 20.30, 204.42, 3513.98, 78.21, 1948.38, 9146.37, 3103.08, 10704.93, 45.77, 102.21; Civic Plus ct 464931; Country Printer su 644.00, 158.00; Cranmore Fire se 223.00, 821.00; Cranmore Pest se 100.00; Culligan se 19.95, 29.95, 29.95; Day & Night se 800.71; Deaver Auto se 18.00, 94.39; Department of Energy ct 15821.64; DHHS 570.00; DP Electronics su 364.99, 2619.31, 85.98; E&S Auto su 19.19, 523.20, 521.99, 578.74, 21.89, 1814.70, 190.94, 20.51; Eakes su 397.48, 44.16, 113.14, 1378.63; EJS Supply eq 19260.00; Elan Visa su 111.14, 85.05, 31.48, 20.00; Enviro se 150.00, 100.00; Exclusive Investment su 30.09; Exponential Engineering eq 5254.00; Fair Manufacturing eq 1372.38; Faris Plumbing eq 4766.51; FBINAA du 130.00; Finneys su 346.80, 120.54, 189.96, 162.57, 88.12; Flex Express se 250.00; Flood Communications se 250.00; Floyd's Truck eq se 646.01, 1718.26; Frenchman Valley su 260.11, 4261.49 2108.39, 7565.61, 2462.06, 1186.39, 1198.39, 1314.43; Galetton Gloves su 471.70; Grainger su 133.72; HW Hettomer si 478.06; Hamilton se 165.15, 99.90, 49.95; Herbel, Barri re 61.06; Hometown Leasing ct 159.98, 136.21; Humdinger se 979.49; IACP du 190.00; Ideal su 227.40, 163.72; Johnson Corrosion su 1964.00; Just Like That Kreations su 195.00; Kansas Municipal Utilities se 600.00, 800.00; LL Johnson eq 778.84, 788.61; Landis & Gyr se 795.64, 795.64; Leal, Ron ct 450.00; Leef Law ct 5000.00; Lubrication Engineers su 459.30;

Maddox Motors su 499.63; Matt Mason re 38.00; Mid States Organized Crime du 150.00; Midwest Connect su 305.00; Mizuno su 1353.76; MEAN ut 475447.64; Municipal Supply su 1297.83, 40.79; Munimetrix se 39.99; Murphy Tractor eq 6086.56; Napa su 24.69; NDEE du 2297.50; NE Dept of Energy du 115.00, 150.00; NE Dept of Revenue tx 55835.73; NE Municipal Power Pool du 2948.00; NE Secretary of State du 30.00; NT&T se 1873.38, 175.21, 289.31, 373.34, 70.65, 105.46, 212.87; NMC eq 623.33; Northwest Pipe eq 136.59, 102.68; NE Salt & Grain su 11381.57; One Call se 76.44, 76.44; POTK Networks se 36.00; Palmer, Mike tt 97.00; Panhandle Auto su 46.89; Paytech Fee se 30.00, 30.00; Peetz Farmers Coop su 5913.12; Perfection Door se 133.00, 133.23; Pittam Body Shop se 313.40, Popp Daniel se 400.00, 200.00; Prestige Flag su 1814.38; RDG Planning se 8000.00; Redlund su 301.78; Rood's se su 224.06, 2153.92, 519.95, 975.40; RT Service se 1136.19; Sandberg Implement eq 616.14; 241.73, 80.94; Scotties Potties su 1540.00, 490.00; Segelke Janitorial se 780.00; Sidney Glass su 162.36; Sidney Regional se 90.00; Sidney Sun Telegraph se 16.26, 484.77, 50.00; Simon Materials su 17.70; Sonny's su 37.22; Splish Splash se 22.00; Spring Creek Cleaning ct 412.00, 434.42; Srison eq 2189.70; Swim Harmony se 500.00; T&L Cleaning ct 275.00; TCTC eq 425.70; Titan Machinery eq 358.99; TKE Elevator se 365.07; Triple O's su 2164.40, 168.42, 803.03, 73.76; United Commercial Upholstery se 4334.92; United Laboratories se 341.29; USA Bluebook su 457.90; Utility Service se 25454.01; Vansickle, Joseph re 70.00; Verizon se 40.01, 376.90, 813.87, 85.52, 42.76, 141.61, 42.76, 85.52; Vessco su 597.00; Viaero se 34.59, 32.44; Walker, Jaclyn re 82.18; Western United Elec Supply eq 16340.00; Westman, Michael tt 64.00; Wheatbelt ut 314.89, 11975.70; White Bluffs ct 955.00, WPCI se 122.00

Lane Kizzire, Finance Director, presented the January budget report to Council. Mayor Sherman asked for a motion to approve the budget. Radcliffe moved, Gallaway seconded, "That the budget for January 2023 be approved." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Mayor Sherman opened a public hearing at 8:46 p.m. Attorney Leef stated that the Resolution 20230205 would need to be moved for approval after closed session, if it is passed. Leef stated that the appraisal, the purchase agreement and the lease agreement were all public and could be discussed during the hearing. City Manager Scott stated that the appraisal of the building at 1040 Jackson Street (Elk's building) came in at \$174,000. Cindy Bartling, Elk Secretary, stated that next Monday, the Elks will vote on the purchase agreement and they are reviewing the lease agreement. Leef stated that the attorney for the Elks has reviewed the lease agreement and has given his approval on the terms. Gallaway stated that both the City and the Elks would get together to discuss the terms of the lease once there is an agreement on a purchase. Leef stated that there needs to be a signed purchase agreement before moving forward. Anita Pennel, Elk Trustee, stated that there was a question on the purchase price offered by the City by the Grand Lodge. Pennel also said that they (Elks) want to do the best for their lodge and the community. Pennel said that there is also some items on the lease that are questionable. Pennel said that she does not feel comfortable signing a purchase agreement until she is comfortable with an agreement with a lease. Leef asked if Pennel has spoken with the Elks attorney. Pennel stated that she had and that the Elks are negotiating with him. Sherman stated that there are several vested parties in this purchase trying to do everything they can to make this work. Sherman thanked the Elks for coming to the meetings and for their time. Gallaway added that we are all working towards the same goal. Sherman closed the hearing at 9:04 p.m.

City Manager Scott reported that Jamie Weingart should have the packets from the Strategic Planning Session done by the end of the week. Scott thanked the Council members that attended the Chamber Banquet. Scott also thanked Jason Nelke and staff for getting the Planning Grant Safe Streets for All. Scott said the Table of Grace land purchase will tentatively close on Wednesday. Scott stated the we are applying for funds through the Rural Workforce Housing Trust Fund and are looking for a Council member to be on the committee. Paul Strommen volunteered to serve. Scott reported that he attended the Civic Leaders Tour which was a fantastic event.

Autumn Ramirez, Human Resources, reported that the City employees had a Chili Cook-off with the General Administration taking home the trophy for the best chili.

Radcliffe asked Palmer about the generator purchase. Palmer stated that they are scheduled to be delivered sometime in February.

Strommen stated that he and Sherman went to Lincoln for the LB397, relocating the Game and Parks office to Sidney. Sherman said that it went well. Gallaway stated that 62 voters were in favor, 5 against, 1 neutral.

Gallaway thanked the Chamber for the banquet. Gallaway attended Jimmy L's after hours and the Allo ribbon cutting. Gallaway thanked the committee of the Safe Street Planning Grant. Gallaway also attended the meeting for the Sidney Endowment Plan. Gallaway also congratulated the High School youth for state wrestling.

Sherman commended the Chamber on the "Escape Room" at the banquet. Sherman stated it was his second year going to Lincoln for the Game and Parks and was a great experience. Sherman stated the Lighting Committee will have their meeting next Wednesday at the Elks. Sherman spoke with Carla Brauer about the "Hope Squad", kids taking care of kids, with February 16 being their annual Hope Squad Day.

Sherman asked for a motion for closed session. Gallaway moved, Bondegard seconded, "That a closed session be held for the purpose of real estate negotiations and personnel." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Closed session began at 9:33 p.m.

Sherman asked for a motion to end closed session. Gallaway moved, Bondegard seconded, "That closed session ends." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed. Closed session ended at 10:33 p.m.

Sherman asked for a motion to approve **Resolution 20230205**. Gallaway moved, Bondegard seconded, "That Resolution 20230205, *A Resolution of the City of Sidney, Nebraska, to authorize City staff to enter into negotiation for the purchase of the City Auditorium*, be approved." Roll call vote: Yeas: Strommen, Gallaway, Sherman, Radcliffe, Bondegard. Nays: None. Motion passed.

Meeting adjourned at 10:35 p.m.

/s/BRAD SHERMAN, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK