

Sidney, Nebraska November 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 5:30 p.m. on November 14, 2023 in the Council Room. Present in person were: Mayor Sherman and Council Members: Buckner, 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.

Sherman asked for a motion to approve the absence of Councilman Strommen. Bondegard moved, Buckner seconded, "That Councilman Strommen's absence be approved." Roll call: Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Absent: Strommen. Motion passed.

Sherman asked for a motion to approve the October 24, 2023 minutes. Radcliffe moved, Bondegard seconded, "That the minutes for October 24, 2023 Council Meeting be approved." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Buckner. Nays: None. Absent: Strommen. Motion passed.

David Scott, City Manager, stated that the Joint East Sidney Watershed Association (JESWA) was formed in 2012 by the SPNRD and City Council. Scott continued, that In August of 2022, the Sidney Watershed Coalition (SWC) was created by the SPNRD and the City Council. At that time a formal agreement was entered into to continue to make the JESWA project SRF loan C317945 payments in an 80/20 percent split. The 80% City and 20% SPNRD. Now that the SWC has its work plan and is looking at future projects we still must maintain the JESWA project. Scott stated that this will include seeding, fertilizing, and fixing possible washout areas of concern. This amendment would make that as a responsibility of the SWC at the same 80/20 split as the JESWA project construction. Scott said that the financial implications would be that the city agrees to split small annual maintenance items under \$6,000 per year at the 80/20 split between the city and the SPNRD. If something larger comes up it is to be brought to the two parent boards of the SPNRD and the City Council. The funds would come from the stormwater portion of the sale's additional half-cent sales tax. Sherman asked for a motion. Radcliffe moved, Buckner seconded, "That the amendment to inter-local agreement for JESWA project maintenance be approved." Roll call: Yeas: Radcliffe, Bondegard, Buckner, Sherman. Nays: None. Absent: Strommen. Motion passed.

Hank Radtke, Street Superintendent, asked Council for approval for a state bid on, 2024 Ford F-150, replacing a 2002 Chevy ¾ ton pickup with over 120,000 miles. Council previously approved \$50,000 in the 2023-2024 budget. Radcliffe asked if there were any local bids. Radtke stated that we do not have a local Ford dealership. Sherman asked for a motion. Buckner moved, Bondegard seconded, "That the State bid for \$48,083 for a Ford F-150 from Anderson Ford be approved." Roll call: Yeas: Bondegard, Buckner, Sherman, Radcliffe. Nays: None. Absent: Strommen. Motion passed.

Joe Aikens, Chief of Police, asked Council for approval for a state bid to purchase two Ford F150 pickups for \$137,500.00. This was previously approved by Council in the 2023-2024 budget. This will replace a 2011 Tahoe and a 2012 Dodge Charger with over 100,000 miles on each. Sherman asked for a motion. Bondegard moved, Radcliffe seconded, "That the State bid for two Ford F150 pickups from Anderson Ford and equipment for \$123,088 be approved." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Absent: Strommen. Motion passed.

Scott stated that the Environmental Quality Council (EQC) will be considering changes to Title 117 – Nebraska Surface Water Quality Standards during their meeting on November 17, 2023. Title 117 comprises the standards required by the Nebraska Environmental Protection Act (NEPA) and also makes up Nebraska water quality standards required by the Federal Clean Water Act (CWA). A letter received from the Nebraska Department of Environment and Energy (NDEE) dated October 3, 2023, indicated that our wastewater treatment facility may be affected by changes being proposed to Title 117. The proposed changes include adding the Primary Contact Recreation (PCR) designation to Subbasin SP2-10000 (Lodgepole Creek) which states all water must be fishable and swimmable. Scott stated that this would affect twelve wastewater treatment facilities throughout the state. The City of Sidney, along with our neighboring community of Kimball would be required to comply with this mandate. The estimated cost of these improvements is from \$103,851 for the smallest project to \$1,009,033 for the largest project. Staff has conducted a survey of the SP2 -10000 segment and has taken exception to the NDEE not completing a Use Attainability Analysis (UAA) study. Information provided by the South Platte Natural Resources District (SPNRD) indicates that only 86.66 miles of the entire 172.84 miles of Lodgepole Creek flowing in Nebraska has surface water present, based upon their fall 2023 survey. Scott continued, that Mike Palmer, Electric Superintendent and Todd Sukup, Wastewater Treatment Superintendent will be attending the EQC public hearing on November 17 to give testimony regarding this proposal, along with Kimball representatives. Scott stated that he feels this is an unnecessary change and would like Council's support. Scott stated that he drafted a letter in opposition to the proposed standards. Sherman asked if this was a state-wide change. Scott responded that it was and will affect smaller communities with wastewater treatment facilities similar to ours. Buckner asked if our argument is stating that what we have is a creek and not recreational. Scott stated that almost all of it is underground water and surface water is minimal. Buckner asked if we would have to fund this ourselves. Scott replied that the treatment plan would have to eat the cost with a bond and hopefully not raise costs to residents. Council agreed and gave their support to the opposition to Title 117.

Sherman asked for approval of the October 2023 claims. Buckner moved, Bondegard seconded, "That the October 2023 claims be approved." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Buckner. Nays: None. Absent: Strommen. Motion passed.

That the following claims for October 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, tr transfer, tt travel/training, tx tax, ut utilities, ff franchise fees)

21st Century Equipment eq 237.07, 10.75, 1417.56; 3E Electrical se 185.21; Acushnet eq 6048.62, 3136.83; Allo se 199.50; ALSCO eq 291.96, 65.42; American Environmental se 514.50; American Library Asso du 183.00; Arrowhead su 409.60; Asco Power se 16721.39; Atlas Automation se 1104.00; Baker & Taylor su 1936.23; Barker Cleaners se 33.00; Bayne, Blake tt 13.00; Black Hills ut 44.37, 631.88, 35.66, 38.60, 41.49, 118.23, 17.83, 280.18; BOKF ct 9299.79; Bomgaars su 57.05; Carolina Software ct 200.00; Caselle ct 1828.00, 2160.00, 6750.00; Cashwa su 763.73, 582.90; Cengage Learning se 25.59; Centurylink se 192.96; Charter se 119.98, 109.98; Cheyenne Co Community Center ct 9500.00, 300.00; Cheyenne Co Emergency Center ct 25171.83; City of Sidney bd ex re se su tr tx 203.32, 386.06, 914.20, 1750.00, 3000.00, 511.16, 21821.64, 1.13, 424.00, 5389.64, sa 110715.30, 111380.06, 1405.91, 12596.58, 12416.26, 17661.88, 18193.54, 27936.54, 27770.67, 11246.83, 10875.61, 10140.83, 9961.02 in 53268.53, 658.97, 6396.39, 859.51, 10091.25, 1270.00, 11770.67, 489.86, 2924.78, 284.13, 3623.22, ut 9465.81, 2636.71, 21.60, 151.43, 1089.01, 65.74, 775.14, 14449.92, 794.89, 10965.29, 113.68; Contractor Materials su 528.00; Correll Refrigeration se 585.00; Country Printer su 115.00; Cranmore Pest ct 100.00, 100.00; Crossroads Tech se su 299.99, 349.36, 1805.99, 69.99; Culligan su 19.95, 63.40, 12.50, 29.95; Day & Night se 420.00; Deaver Tire su 1915.00; Deeds, Ashley re 75.00; eere Credit eq 15830.94; Department of Energy ut 19907.52; Design Solutions se 1144.68; Dietrich su 61.90, 314.75; E&S Auto su 21.78, 5.31, 120.80, 21.44, 376.10; Eakes su 15.25, 1526.95, 230.91, Elan su tt 6827.43, 142.96, 346.50, 7.28, 878.90; Enviro se 100.00, 100.00, 37.00; Finney’s 39.97, 643.86, First Citizens Bank eq 10737.03; Floyd’s Truck se su 1889.45, 86.54; Frenchman Valley su 258.71, 8764.98, 1508.92, 498.05, 90.00, 2303.73, 913.55, 979.63; Frerichs, Chase re 54.00; Fyr-Tek su 197.86; Golden West su 298.18; Grainger su 622.04, 219.23; Hall, Marshall tt 260.25; Hamilton se 165.15, 99.90, 49.95; Harmon, James tt 15.00; High Plains su 189.65; Hometown Leasing ct 274.81, 137.39; ICMA du 729.95; Ideal se 236.48; Johnson Controls su 882.80; K4K re 21.37, 99.60; Kampfe, Paul se 400.00; Kansas Municipal Utilities ut 1700.00; Kantor, Kasey tt 134.00; Kizzire, Lane tt 333.32; LL Johnson eq 16088.23, 3328.11; Landis+Gyr ct 835.42; Leal, Ron ct 450.00; Lubrication Engineers eq 488.59; Maverik Wex Bank se 2323.24; MCK Photography ct 4000.00; MES se 629.00; Miller & Sons Golf se 294.67; Mizuno eq 1519.27, 1868.85; Municipal Supply su 5703.03; Munimetrix ct 39.99; NDEE du 2928.50; NE Dept of Revenue tx 64465.43; NE Forest du 15.00; NE Rural Water du 550.00; NE Safety/Fire se 375.00; NE State Treasurer re 65.85; NT&T se 1534.30, 129.02, 232.15, 382.45, 137.39, 107.00, 218.79; Nebraska Life se 52.00; NE Tire se su 1017.48; NMC eq 1791.66; NMVCA du 50.00; Norgard, Melissa se 800.00; Northwest Pipe eq 3032.81, 87.64; NT Building su 562.15; One Call se 71.76; Optk Network se 36.00; Palmer, Mike tt 97.00; Panhandle Auto 39.84; Panhandle Regional Development du 50.00; Pay Tech Fees 30.00, 30.00; Phillips, Kim re 32.20; Pins & Needles se 335.38; Prestige Flag se 3751.20; Resco eq 47133.41; Roderick, Charles tt 270.00.69.00; Roderick, Rob tt 15.00; Rood’s Tire se 50.00, 300.65; Roseberry, Mike re 200.00; Royal Flush se 700.00; Scott, David tt 333.32; Sidney Glass se 125.68; Sidney Public Schools re 600.00; SRMC ct 120.00; Sidney Sun Telegraph se 8.25, 131.87; Simon Materials se 120.75; Sonny’s su 23.89, 158.44; Spic & Span su 8883.00; Splish Splash se 44.00; Spring Creek Cleaning se 412.00, 434.42; Sterling, Dean tt 132.00; Stone, Keith re 78.76; Stotz Equipment eq 1527.78; Systemview du 650.00; T&L Cleaning ct 275.00; TaylorMade eq 3964.79; Titan Machinery eq 57.00, 110.00; TKE Elevator se 377.85; Triple O’s su 76.09; Twin City Roofing se su 10891.00; United Laboratories su 320.00; USA Bluebook su 1010.15; Verizon se 31.04, 377.22, 1483.04, 85.68, 42.84, 178.53, 42.84, 85.68, 34.60; Waller, Steven tt 15.00; Wheatbelt ut 8432.40; White Bluffs ct 973.20; Wolff, Dewayne tt 132.00; WPCI se 822.00; Wyoming First Aid su 98.97, 24.21, 114.85, 95.09, 77.87

Kegan Carwin, Finance Director, presented the October 2023 budget reports to Council. Sherman asked for a motion. Radcliffe moved, Buckner seconded, “That the October 2023 budget reports be approved.” Roll call: Yeas: Radcliffe, Bondegard, Buckner, Sherman. Nays: None. Absent: Strommen. Motion passed.

Sherman asked for a motion to move to closed session for possible litigation. Radcliffe moved, Bondegard seconded, “That Council moves to closed session for possible litigation.” Roll call: Yeas: Bondegard, Buckner, Sherman, Radcliffe. Nays: None. Absent: Strommen. Motion passed. Closed session began at 6:03 pm.

Sherman asked for a motion to come out of closed session. Bondegard moved, Buckner seconded, “That closed session ends.” Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Absent: Strommen. Motion passed. Closed session ended at 6:13 pm.

Scott updated Council on 812 13th Avenue building. Inspections have been conducted and it is in the hands of the title companies. Holiday in Hickory will be on December 2. The event starts at 5:00 pm. There will be a chili feed, a photo booth by Charlotte and Emerson, Sidney Regional Medical Center will be providing hot chocolate, the Library will be providing ornament kits, hay rides by 21st Century, Smores by Pedalers Corner, Museum Tours by the Historical Society, the Parade of Lights beginning at 6:00 pm and the lighting of the tree by Santa. There will be shopping events. Scott said anyone wanting to have a float in the parade can contact Christine Radtke at 308-254-4441.

Aikens reported that the police department in conjunction with Shop with a Cop, is partnering with the Fox Theatre to host a matinee on December 3. The first 150 kids will receive a snack pack. Doors open at 1:00 pm and matinee starts at 2:00 pm.

Autumn Ramirez, Human Resources, added that on December 2, the Fox Theatre will be hosting a concert after the festivities at Hickory Square. Cash prizes will be raffled off.

Radtke stated that at 5:00 pm on December 2, the road will be blocked off on 10th Avenue and Illinois Street to Jackson Street to accommodate the parade. Radtke said he added two employees and they are now fully staffed.

Amanda Eastin, Library Director, stated the Library will donate ornament craft kits for Santa to give out on December 2 as well as provide music at Hickory Square. The Library will be providing cider and cocoa, at the December 3 Vendor Fair, at the Community Center. The holiday open house will be held on December 13 at the Library.

Scott stated that City staff will be delivering meals on November 21.

Sandra Buckner, Keep Sidney Beautiful, reported that there will be a poetry night at Beans & Steams on November 15 at 5:30 pm.

Bondegard congratulated the Sidney Raider Football team.

Radcliffe echoed Bondegard’s sentiments. Radcliffe stated the turnout from Sidney at Wahoo was great.

Buckner stated that there are always things to do in Sidney. Buckner stated that "Just because it's cold, we don't stop!" Sidney continues to reach out.

Sherman stated that he was in contact with an eighth grader from Georgia who chose Sidney as a place that he wanted to visit. The Georgia youth put his finger on the map and it landed on Sidney. Sherman provided the youth with information about Sidney. Sherman can be contacted at 308-254-2321 to talk about anything.

Meeting adjourned at 6:36 pm.

ATTEST: /s/BRAD SHERMAN, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK