

Sidney, Nebraska February 13, 2024 A Fair Housing City

A meeting of the Mayor and Council of the City of Sidney, Nebraska, was convened in an open and public session at 5:30 p.m. on February 13, 2024, in the Council Room. Present in person were: Mayor Sherman and Council Members: Strommen, 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 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 approval of the Council minutes. Strommen moved, Bondegard seconded, "That the Council minutes from January 23, 2024, be approved." Roll call: Yeas: Strommen, Sherman, Radcliffe, Bondegard. Nays: None. Abstain: Buckner. Motion approved.

Trevor Schuessler, Rauner & Associates, presented a PowerPoint on the audited financials of the City of Sidney for the fiscal year 2022-2023. Also present were Julie Peetz and Jeff Jung from Rauner & Associates. Schuessler stated that this is the last year for Rauner's to perform the audit as it needs to be bid out again. Schuessler reported that there were no major concerns found in the audit and the audit went smoothly. The city was slightly uncollateralized at one bank by \$12,000, which is not major. Schuessler stated that upon approval, the audit needs to be submitted to the State Auditor's office by the deadline of March 31, 2024. Sherman asked for a motion to approve the audit. Bondegard moved, Buckner seconded, "That the 2022-2023 audit by Rauner & Associates, be approved." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved.

Clerk Borchert asked Council for consideration to reappoint Randy Hobson to the Board of Adjustment. Hobson has served on the board since 2014. Sherman asked for a motion. Bondegard moved, Radcliffe seconded, "That Randy Hobson be reappointed to the Board of Adjustment for the term of three years." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None. Motion approved.

Kegan Carwin, Finance Director, presented the January 2024 budget. Sherman asked for a motion. Buckner moved, Radcliffe seconded, "That the January 2024 budget be approved." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved.

Sherman asked for a motion to approve the January claims. Radcliffe moved, Strommen seconded, "That the claims for January 2024, be approved." Roll call: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion approved.

"That the following claims for January 2024, 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, fu fuel, in insurance, re reimbursements, sa salaries, se service, su supplies, tt travel/training, tr transfers, tx tax, ut utilities)

21st Century eq 2409.20, 3008.94, 1607.50, 124.86; Absolute Solution se 87.78; Accelerated Receivables se 107.50; Acushnet su 701.88; Allo se 199.66; ALS eq 2227.00; American Environmental se 4066.40; ASCAP du 500.00; Atco su 71.60; Aulick Industries su 4726.67; Baker & Taylor su 1227.66, 389.86; Barker Cleaners se 33.00; Best Plumbing se 7.35; Black Hills ut 747.38, 4132.35, 567.45, 566.47, 41.66, 1276.99, 283.71, 283.71; Bobcat of the Rockies su 43.48; BOKF ct 9299.79; Bomgaars su 350.17, 473.68, 344.22, 446.67, 76.87, 151.33, 211.83, 1251.51, 270.88, 122.29; Bondegard, Brandon tt 108.00; Border States eq 336.25; Borgmann, Chad re 1471.00; Buckner, Brock tt 338.48; Capital One su 105.54; Carolina Software su 200.00; Carwin, Kegan tt 108.00; Caselle ct 1896.00; Cashwa su 113.20; Charter se 109.98; Cheyenne Co Chamber ct se 7130.00, 60.00, 60.00; Cheyenne Co Community Ctr ct 9500.00, 48.38; Cheyenne Co Emergency comm Ctr ct 30456.23; Cheyenne Co Treasurer tx 4677.76, 16359.60; City of Sidney ex re tr se 29214.00, 250.00, 6000.00, 196.38, 31940.00, 9299.79, 121304.25, 31125.00, 21265.00 sa 101647.86, 94742.22, 16029.74, 15714.26, 20491.46, 20364.62, 28091.57, 27064.52, 11429.61, 12016.21, 10066.42, 10049.80 in 4039.32, 41260.97, 921.34, 7924.33, 849.67, 9987.41, 1345.77, 11846.44, 555.25, 2663.24, 366.74, 3623.22 ut 4709.91, 3061.77, 21.60, 192.72, 1396.77, 346.92, 2045.87, 8502.59, 2098.83, 11881.39, 168.91; Country Printer su 298.00; Canmore Fire se 77.00, 672.00, 535.00; Cranmore lawn ct 749.44; Cranmore Pest se 150.00, 100.00; Creekside Animal Hospital se 324.50; Cross Canyon Engineering su 1000.75; Crossroad Tech Services se su 214.00, 149.99, 43.00; Culligan su 19.95, 75.40, 29.95 7.50; Day & Night se 141.10, 469.88; Deaver Tire su 651.50, 21.23, 127.50; Demco su 253.89; Dept of Energy ut 18431.21; DHHS re 53.60; Dietrich su 90.00; Digital Alley se 1010.00; Sitch Witch eq 363.48; DP Electronics se 199.95, 39.99, 39.99, 42.99, 85.98; E&S su 747.37, 15.79, 595.11, 1666.70, 134.63, 100.14; Eakes su 558.55, 670.43, 1676.54, 18.04; Elan su 9735.15, 317.17, 1477.02, 862.64, 644.37, 159.87, 1665.77; Enviro se 100.00, 100.00; Filsinger Excavating se 450.00; Finney's su 122.98, 1262.45, 2.00, 122.01, 209.03, 111.18; Flagship Publishing su 585.00; Flood Communications se 300.00; Floyds Truck Center se 120.00; Foxster su 10080.00; Frenchman Valley ut 3353.13, 3469.36, 2090.21, 875.21, 1569.92, 818.35; Frontier Access se 175.00; Furniture Leisure su 4053.03; Fyrtek eq 1739.44; Galetton Gloves su 311.34; Grainer eq 11.10, 519.08; Hach eq 247.07, 1014.00; Hamilton se 165.15, 99.90, 49.95; Heiman Fire su 838.58; Hometown Leasing ct 274.81, 137.39; Houk, Jason se 15.00; Huber & Asso se 805.00; IACP du 190.00; Ideal se su 236.48, 222.47; Imperial Pump eq 1135.40; Inland Truck su 441.38; Johnsen Corrosion se 1964.00; Jones Automotive su 153.40; Juelfs, Lance re 459.62; Kansas Municipal Utilities se 1200.00; LL Johnson eq 5978.23; League of NE du 2125.00; Leal, Ron ct 450.00; Leef Law ct 10000.00; Maddox Motors se 204.90; Maverik su 2745.96, 703.79; MC Schaff se 10302.00, 2528.00; MCK Photography ct 4000.00; Midwest Connect se 305.00; Midwest Laboratories se 937.17; Miller, Randy ex 6066.37; Mizuno eq 6004.94; Motorola Solutions se 105295.23; MEAN ut 435576.38; Munimetrix se 39.99; Murphy Tractor eq 238.12, 4704.39; Napa su 4.69; NDEE du 2572.16; NE Dept of Environment & Energy du 250.00, 495.00; NE Dept of Revenue tx 57233.92; NMPP du 1044.00; NT&T se 1592.15, 134.79, 239.03, 386.05, 143.96, 112.77, 439.94; NE Life se

30.00; NE Tire se su 763.00; NMC eq 326.50, 287.49, 239.00; Norgard, Melissa se 400.00; One Call se 24.89, 24.89; OPTK Networks se 36.00; Outlaw Meat Co se 2866.38; Palmer, Mike tt 82.00; Panhandle Partnership du 35.00, 35.00; Path Point Fees se 38.76, 55.22, 45.68, 69.71; Peetz Coop se 5641.25; Plummer Insurance se 87296.31, 19064.18, 40319.00, 27807.03, 22568.25, 29085.50; Police Officer's Asso du 180.00; Prairie States se 50.00; Quadient Leasing se 10000.00; Rinder Printing su 620.42, 1861.21, 1240.80, 413.60; Rood's se 16.00, 16.00; Royal Flush se 490.00; Sandberg Implement se 357.18; Segelke Janitorial se 825.00; Sherman, Brad tt 108.00; Sidney Glass su 346.69; SRMC se 222.00; Sidney Sun Telegraph se 17.66, 636.50; Sign Solutions se 216.83; Simon Materials su 822.92; Sonny's su 17.34; Splish Splash se 78.00; Spring Creek Cleaning se 424.36, 447.45; Strommen, Paul tt 338.48; Sukup, Todd tt 15.00; Swim Harmony se 500.00; T&L Cleaning se 275.00; TCIC Inc su 967.50; Tech Shop se 430.00; Titan Machinery su 15.60; Toro eq 2679.00; Triple O's su 19.24, 22.00, 19.33; USA Bluebook eq 330.76; Verizon se 71.07, 1167.31, 85.74, 42.87, 178.62, 42.87, 85.74; Viaero se 34.61; Wesco eq 4785.15; Wheatbelt ut 308.47, 9750.42; Whitebluffs ct 725.00; WPCI se 151.00.

City Manager Scott stated the half-cent infrastructure sales tax project is a multi-faceted project that included items that the public voted for when they passed the half-cent infrastructure sales tax in the 2022 election. It will repair washed-out areas of parking lots at Memorial Gardens and Hillside Golf Course and finish paving of the Aquatic Center parking lot. Scott said it will also address water concerns at 14th and Jackson Street as well as connecting the Aquatic Center to the trail system. In the January 9, 2024 meeting, Council instructed staff to move forward with the bidding process of the construction phase. The lowest bid was from Mark Chrisman of \$1,059,111, which was significantly less than the engineer's estimate of \$1,220,175. Scott addressed concerns that he has heard from the public. *Why did the City Manager propose this project to City Council?* Scott stated he did not propose this to Council, rather it was due to master planning, work sessions, budget sessions, and various other visions that Council had for the city. Council is doing their due diligence and putting together a plan for the city. *Why can't we use the sales tax money to do the pool and trails and do the rest in later years?* Scott said when the voters voted for the tax, the tax was specified for specific purposes. The largest portion, 50%, was for the street department. The city can't take money from the street and move it to the parks for the trails. This is not legal to do so. The funds have to be used for the purpose they were meant for. Don Dye, MC Schaff & Associates, stated that the city received three bids for these projects. After their review, MC Schaff recommends, Mark Chrisman Trucking, as they had the lowest bid. All three contractors are capable of completing the projects. Buckner asked if there were any local bids. Dye responded that there were none. Chrisman was also present. Sherman asked for a motion. Buckner moved, Bondegard seconded, "That the recommended bid from Mark Chrisman Trucking be accepted for the projects." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion approved.

Scott stated that the Forrest Street project was also discussed at the January 9, 2024 meeting. This project is a resurfacing project, Forrest Street from 17th to 21st and includes water line upgrades. As directed by Council, staff moved forward with the bidding process. This project is paid for using both the half-cent infrastructure sales tax and highway allocation reserves. Don Dye, MC Schaff & Associates, said that he has reviewed the four submitted bids and is recommending that Council award the contract to Eric Reichert Insulation and Construction for \$1,249,172.34, which is \$215,727.66 less than the engineer's cost estimate and the lowest bid. Sherman asked for a motion. Radcliffe moved, Strommen seconded, "That Eric Reichert Insulation and Construction be awarded the bid." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved.

Kasey Kantor, Transportation Director, requested approval from Council for **Resolution 20240201**, providing a local match for the purchase of two new buses. Kantor stated that the buses are 6 to 8 months out, and would like to get ahead of the game to get the buses ordered. Kantor stated that public use of the transport bus system continues to increase. Sherman asked for a motion. Radcliffe moved, Bondegard seconded, "That Resolution 20240201, providing a local match for the purchase of two new buses, be approved." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None. Motion approved.

Scott stated that the Rural Business Development Grant (RBDG) program presents a valuable opportunity for our City and County to support rural businesses and entrepreneurs, strengthen our local economy, and promote economic vitality in our community in Sidney and Cheyenne County. Scott continued, that Sidney and Cheyenne County have been participating in the E3 (Energizing Entrepreneurial Ecosystems) pilot program for the last 18 months. E3 is committed to making a meaningful impact on the economic landscape of our community by creating jobs and driving innovation-led growth. Scott recommends approving **Resolution 20240202** authorizing the City to apply for and administer the USDA RBDG Funds. Sara Sinnett and Melissa Norgard were present on behalf of E3. Sinnett stated that the biggest hurdle is business owners don't know how to write a business plan, they don't have time or skills, which is the biggest component of getting funding. This is a free resource to all businesses in Cheyenne County. Norgard stated that funding for this grant will not come out of the City's budget. It is 100% grant funded. Sherman asked for a motion to approve the memorandum. Radcliffe moved, Strommen seconded, "That the Memorandum of Understanding with E3 be approved." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved. Sherman asked for a motion to approve the resolution. Strommen moved, Buckner seconded, "That Resolution 20240202, authorizing the City to apply for and administer the USDA RBDG Funds, be approved." Roll call: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion approved.

Scott stated that several cities in Nebraska have come together to form the pooled cooperative investment system governed by a board of city and public utility administrators. Nebraska Cooperative Liquid Assets Securities Systems (CLASS) asked the city if they would be interested in joining. Scott stated that approving **Resolution 20240203**, would allow the city to join the investment pool. There is no cost to the city. This is an additional option for investment of the city's operating capital. Scott stated he will review their portfolio and talk with current members if Council decides to pass the resolution. Buckner stated that he would like to know which business they would be broken up into, over a 5 to 10-year span. Sherman asked for a motion. Bondegard moved, Radcliffe seconded, "That Resolution 20240203 be approved, the city moves forward with CLASS, and joins the investment pool." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion approved.

Scott asked Council to pass **Ordinance 1859**, allowing the city to transfer the vacated land to WTA. This was brought

before Council at the January 23, 2024 meeting where Council voted to vacate the property from a public use designation so it could be transferred to WTA. Attorney Leef added that this would be the last item to clear up the city property and transfer to WTA. Sherman asked for a motion to designate. Strommen moved, Bondegard seconded, "That Ordinance 1859 be designated." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved. Clerk Borchert read by title, "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, AUTHORIZING THE SALE OF ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SIDNEY, NEBRASKA, IN AND TO A TRACT OF LAND LEGALLY DESCRIBED AS A DEDICATED ONE HUNDRED FOOT (100') VACATED RIGHT-OF-WAY LOCATED IN BLOCK TWENTY-FOUR (24) OF THE ORIGINAL TOWN OF SIDNEY, MORE PARTICULARLY DESCRIBED AS THAT PORTION OF LAND BEGINNING AT THE NORTH LOT LINE OF LOTS ONE THROUGH ELEVEN, BLOCK TWENTY-FOUR (24) AND CONTINUING NORTH ONE HUNDRED FEET TO THE BEGINNING OF THE UNION PACIFIC RAILROAD PROPERTY; AND SPECIFYING THE TERMS OF SUCH SALE IN SECTION TWO BELOW." Sherman asked for a motion to waive the readings. Radcliffe moved, Strommen seconded, "That the three readings be waived." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None. Motion approved. Sherman asked for a motion to pass the ordinance. Bondegard moved, Buckner seconded, "That Ordinance 1859 be passed." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved. Sherman asked the clerk to read by number. Borchert read, "1859." Sherman asked for a motion to publish. Buckner moved, Radcliffe seconded, "That Ordinance 1859 be published." Roll call: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion approved.

Borchert stated that annually, Council approves the editing and inclusion of certain ordinances that have been previously approved and submitted to American Legal to update the codified ordinances of the city, which requires an ordinance. Sherman asked to designate the ordinance. Bondegard moved, Buckner seconded, "That Ordinance 1860 be designated." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion approved. Borchert read by title: "AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH." Sherman asked for a motion to waive the readings. Radcliffe moved, Strommen seconded, "That the three readings be waived." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved. Sherman asked to pass the ordinance. Bondegard moved, Radcliffe seconded, "That Ordinance 1860 be passed." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None. Motion approved. Sherman asked the clerk to read by number. Borchert read, "1860." Sherman asked for a motion to publish. Buckner moved, Bondegard seconded, "That Ordinance 1860 be published." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved.

Scott asked Council when they would like to have the quarterly Strategic Planning Session. Council decided on March 6, 2024 at 11:00 in the Council Room.

Scott stated that we had a visit from State of NE Economic Development KC Belitz and Dan Hoffman. There will be a SAGA Challenge Grant on March 13.

Hand Radtke, Street Superintendent, stated he is happy they are getting the projects done. Some of them have been on the books for twelve years. Radtke thanked the voters for voting for the tax to allow these street projects to be done.

Amanda Eastin, Library Director, reported the reading program is still going on for anyone interested. The library also has virtual reality headsets that just came in.

Dean Sterling, Solid Waste Superintendent, stated that he went to Lincoln and picked up the 6-yard roll-off truck.

Kantor gave thanks to the residents for their continued support for using the transportation system.

Buckner stated that the Auditor's report shows that the city continues to move in the right direction. Buckner echoed Radtke's sentiments on the half-cent sales tax. April will show where your tax dollars are being spent.

Sherman commended Leadership Cheyenne County for having a representative present. The City transit continues to grow. E3 continues with business opportunities. Residents can contact the Mayor at 308-249-2321. Sherman commends his fellow Councilmen. Radcliffe is running again for Council. Bondegard and Buckner are having a Barbeque and Derby. Strommen is running for District 47 Legislative seat. Sherman appreciates everyone for working together to make things happen.

Meeting adjourned at 7:27 pm.

ATTEST: /s/BRAD SHERMAN, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK