

Sidney, Nebraska February 27, 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 27, 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. Bondegard moved, Strommen seconded, "That the Council minutes from February 13, 2024, be approved." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion approved.

Amanda Eastin, Library Director, gave thanks to Brad Sherman, Tim Baker, Marshall Hall, Kegan Carwin, and Tom VonSeggern for help moving Library equipment into the Library.

Sherman opened a public hearing at 5:34 pm for Resolution 20240204, Class CK Liquor License for Scow & Scow. Ken Steffens, representing Scow & Scow (Winners), requested approval of a class CK Liquor License and manager application for Jason Scow. Steffens stated that it was too late to transfer the liquor license from the prior address to the new location, so they needed to re-apply. Sherman asked if the square footage was the same. Steffens stated it was smaller, which would allow for fewer games, however, they were adding more pool tables. Buckner asked if Winners was going away from the gaming aspect into the pool hall aspect. Steffens said they were still looking for ways to acquire more square footage for gaming. Sherman closed the meeting at 5:41 pm. Sherman asked for a motion. Buckner moved, Bondegard seconded, "That Resolution 20240204, Class CK Liquor License for Scow & Scow, doing business as Winners and manager application for Jason Scow for the same." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved.

Michael Palmer, ACE Representative, stated the City will receive a check in the amount of \$29,304 which represents the community's share of the ACE distribution for the Fiscal Year 2023-2024. Palmer also reported that since forming in 1998, ACE has returned nearly \$4 million to its Nebraska member communities, including more than \$287,000 to Sidney. Funds have been used to help construction of the Legion Park Pond and keeping it stocked with fish, installation of new lights for baseball field 4, assisted with funding in the park playground project, and most recently to help replace the observation deck at Camp Lookout. ACE was formed more than 25 years ago by Nebraska communities to provide competition in the Nebraska Choice Gas program while retaining local control. The 2024 Nebraska Choice Gas program selection period will run from April 4 Through April 24. During this period, customers can choose a competitive rate and pricing option.

Marshall Hall, Chief Building Official, informed Council that the Chamber of Commerce building needs maintenance and repairs. Since the City is the owner of the building, the City is responsible for its upkeep. The cost of repairs is estimated to be upwards of \$30,000.

City Manager Scott came before Council to inform them of Safe Streets 4 all (SS4A) choice of design firm and asked for Council's approval to move forward with designing the city-wide SS4A plan. Two bids were received. One from MC Schaff and one from JEO Consulting. The SS4A committee reviewed the proposals and chose to award the bid to MC Schaff. Council previously approved moving forward in creating the SS4A committee and applying for grant funding to fund plan design and implementation to improve the functionality and aesthetics of the city's street and trail infrastructure. Since this was an informational presentation, Attorney Leef noted that no vote was needed. The Council unanimously agreed to move forward with the chosen firm and design plan.

Scott stated as part of the inter-local agreement between the City of Sidney and the South Platte Natural Resources District (SPNRD) that created the independent organization called Sidney Watershed Coalition (SWC), it is a requirement that the SWC create and keep current a work plan of projects that will improve dams, city drainage, and other important areas of concern. The SWC has identified the removal of sediment in the flood plain between 11th Avenue and 13th Avenue as a priority project. The SWC would like the City Council's blessing to move forward with bids for this project and to use funds that exist from the local option sales tax portion allocated to stormwater. Sherman asked for a motion. Strommen moved, Bondegard seconded, "That the Sidney Watershed Coalition move forward with the bidding process." Roll call: Yeas: Sherman, Radcliffe, Bondegard, Strommen, Buckner. Nays: None. Motion approved.

Scott stated that a local group of citizens have put together a proposal for a city dog park. The group plans to do the fundraising themselves, as well as applying for grants. The group is asking for Council to determine if this is something that would be of interest. Scott proposed a piece of land belonging to the City, between the aquatic center and the ballfields, and land owned by Flood Communications. The City land has adequate drainage but the City would be left without any viable land to expand. If the dog park were to be constructed on Flood Communications land there would be an annual lease, starting at \$21,800 annually with a 2.4% annual increase. There would also be additional costs to build up for drainage. Scott recommended leasing the land from Flood Communications on a long-term 30-year lease so that the City property land can still be used in future structures that would be more extensive. Bondegard asked if the contract was negotiable as the final payment would be around \$43,000, or \$941,000 (for the 30-year time span). Scott said he could counter if that is what Council directs him to do. Leef stated that the City might get an easement purchase. Scott responded that he did not think that Flood is interested in selling. Buckner asked why there was a 2.4% annual increase over 30 years. Scott responded that that was Flood's proposal. Buckner stated that we have free land that would be of no cost to the City. Buckner said that we would solve the

problem of getting a dog park without the unnecessary expense of a lease. We have a plot of land, that had no plan for it and now we have a plan. Tom VonSeggern, Parks Superintendent, stated that the location by the ballparks is the current snow drop-off. Buckner stated to give the people what they want, without implicating finances to the City. There would be no payments or an escalator of 2.4% over 30 years. Discussion was held about the possibility of another snow drop-off location. Sherman asked Scott if the committee was looking for permission to move forward. Scott stated that it was the intention of the committee before they put a lot of effort into it and applying for grants. Sherman stated he was in support of the dog park. Scott said he would let the committee know to move forward and come back at a later date to hash out the location. Buckner asked if the committee cared where the location of the dog park would be. Scott responded that he did not believe so. The Council agreed that there was interest in a dog park.

Scott stated that the State of NE sent a grant agreement to the Mayor for a signature with a discrepancy. It said it was for \$435,000 and in another place, it said \$415,000. The State intends to award the City \$435,000 once this amendment is approved and a new agreement is signed. The purpose of the proposed project is to revitalize the downtown area of Sidney by addressing the identified conditions of building facades and overall revitalization of dilapidated commercial. Scott asked to approve the CDGB grant agreement revision Procurement Procedures and Code of Conduct with the State of NE and the administration services with PADD. Sherman asked for a motion. Bondegard moved, Buckner seconded, "That Council approves the letter to request an increase in the proposed budget for the Downtown Revitalization Project." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved. Radcliffe moved, Strommen seconded "To approve the Procurement Procedures and Code of Conduct." Roll call: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion approved. Leef stated the Professional Services Agreement needed to be approved as amended. Radcliffe moved, Bondegard seconded, "That the Professional Services Agreement be approved as amended." Roll call: Yeas: Strommen, Buckner, Sherman, Radcliffe, Bondegard. Nays: None. Motion approved.

Scott stated that this is a multi-faceted project that includes items that the public voted for when the half-cent infrastructure sales tax was voted on in the 2022 election. It will repair washed-out areas of parking lots at Memorial Gardens and the Golf Course as well as finish the paving of the Aquatic Center parking lot. It will address stormwater concerns at 14th and Jackson Street. It will connect the Aquatic Center to the trail system and sidewalks to adjoining neighborhoods. This project will be funded with a bond issue to be paid with the half-cent infrastructure sales tax proceeds allocated for streets, parks, pool and golf course. Sherman asked for a motion to designate **Ordinance 1861**. Buckner moved, Radcliffe seconded, "That Ordinance 1861 be designated." Roll call: Yeas: Buckner, Sherman, Radcliffe, Bondegard, Strommen. Nays: None. Motion approved. Sherman asked the Clerk to read the title. Borchert read, "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2024, OF THE CITY OF SIDNEY, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE PURPOSE OF PAYING THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS AND TO PAY COSTS OF ISSUANCE OF THE BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; AUTHORIZING OFFICERS OF THE CITY TO MAKE ARRANGEMENTS FOR THE SALE OF THE BONDS AND TO DESIGNATE THE FINAL TERMS, RATES, AND MATURITY SCHEDULE FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR A PAYING AGENT AND REGISTRAR; APPROVING POST ISSUANCE COMPLIANCE POLICIES AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM." 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, Strommen seconded, "That Ordinance 1861 be passed." Roll call: Yeas: Radcliffe, Bondegard, Strommen, Buckner, Sherman. Nays: None. Motion approved. Sherman asked the Clerk to read by number. Borchert read, "1861." Sherman asked for a motion to publish in pamphlet form. Radcliffe moved, Bondegard seconded, "That Ordinance 1861 be published in pamphlet form." Roll call: Yeas: Bondegard, Strommen, Buckner, Sherman, Radcliffe. Nays: None. Motion approved.

Scott reminded Council of the Strategic Planning meeting on March 6 at 11:00 am. Scott also stated that the NE Municipal Leagues Mid-Winter Conference was very useful.

Autumn Ramirez, Human Resources, stated they have three people testing for police officer.

Palmer stated that there will be an open house in March for ACE.

Kegan Carwin stated that YouTube (Council Meeting) was up and running and had 9 viewers. Sherman stated that this service is provided to the public but it is not required by law.

Eastin invited patrons to Dr. Suess's birthday bash on March 7. The CA Story Foundation provided a grant to the library in which they received a computer, a smart board, new headphones, a scanner, paint for the library, and funds for the bookmobile.

Bondegard and Strommen said the conference was informative.

Buckner gave praise to the community. Buckner echoed the sentiment of Bondegard and Strommen on the conference. Buckner also stated that the continuity of the council moves together for the greater good of the community.

Sherman stated that the citizens of Sidney voted to give Council the ability to use the half-cent to improve the City's infrastructure.

Meeting adjourned at 6:57 pm.

ATTEST: /s/BRAD SHERMAN, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK