

A meeting of the Mayor and Council of the City of Sidney, Nebraska, was convened in open and public session at 7:15 P.M. on August 13, 2013 in the Council Room. Present were: Mayor Gaston and Council Members: Gallaway, Gay and Arterburn. Absent: Nienhueser Others present: City Manager Person, City Attorney Leef and City Clerk Anthony. 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.

Mayor Gaston informed the public of the location of the posted Open Meetings Act.

Arterburn moved, Gay seconded "That Council Member Nienhueser be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Nienhueser

Arterburn moved, Gallaway seconded "That the minutes of the July 23, 2013, August 5, 2013 a corrected, and August 6, 2013 meetings be approved." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Randy Meininger representing Emergency Response Care presented a report for 2012-13 for the ambulance service that they provide in Cheyenne County. The City's subsidy for the coming year will increase by the CPI ending 2/2013 of 2.2%.

Glenna Phelps Aurich presented the 2013 Annual report for the Cheyenne County Chamber of Commerce and the High Plains Compass. She thanked the City of Sidney for their past and continued support for both entities in the amount of \$15,000 for the Chamber and \$5,000 for the Compass.

Mike Palmer representing Gold Rush Days Committee reported on the 2013 celebration. He thanked the Council for their support and presented a request for funds for 2014 in the amount of \$5,000.

Mike Namuth representing the Cheyenne County Community Center reported on the 2012-13 recreational programs and their plans for the future which did not include an attached pool at this time.

Discussion was held on the Sidney Airport Authority's request for an allocation from the City's levy authority for FY2013-14. Gallaway moved, Gay seconded "That RESOLUTION NO. 20130801 be passed and adopted as corrected." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

RESOLUTION NO. 20130801

WHEREAS, pursuant to Section 77-3443 of the Nebraska Revised Statutes, the Airport Authority of the City of Sidney, Nebraska, may be allocated property taxes as authorized by law which are authorized by the City and are counted in the City levy limit provided by section 77-3442, Nebraska Revised Statutes, which limitation does not apply to property tax levies for judgments, preexisting lease-purchase contracts approved prior to July 1, 1998, for bonded indebtedness approved according to law and secured by a levy on property, and repayment of interest-free loans from Department of Aeronautics in the amount of \$25,320.00 and \$9,099.96; and

WHEREAS, the Airport Authority submitted a preliminary request for levy allocation to the City Council in the amount of \$163,136.42 for the fiscal year beginning on October 1, 2013; and

WHEREAS, the City Council has reviewed the levy request for purposes of determining a final allocation of levy authority for the Airport Authority.

NOW, THEREFORE, the City Council of the City of Sidney, Nebraska, resolves that the Airport Authority is allocated levy authority in the amount of \$163,136.42 for the fiscal year beginning October 1, 2013.

Gay moved, Gallaway seconded "That RESOLUTION NO. 20130802 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

RESOLUTION NO. 20130802

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA:

That the Mayor and Council hereby find and determine that pursuant to a contract heretofore made, M.C. Schaff & Associates, the engineer and Paul Reed Construction & Supply have performed the work for engineering STREET IMPROVEMENT DISTRICT #52; and construction of street improvements in Street Improvement District No. 52 of this city and the engineer has filed with the City Clerk certificates showing the performance of said contract as follows: STREET IMPROVEMENT DISTRICT #52: ENGINEERING APPLICATION FOR PAYMENT NUMBER 2 - AMOUNT DUE ENGINEER \$2,892.50 and CONTRACTOR'S APPLICATION FOR PAYMENT NUMBER 1 - 161,881.91. Warrants in the amount now due the engineer and the contractor are hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.5% per annum and be held by the City of Sidney Investment Account.

Arterburn moved, Gay seconded "That the membership for FY2013-14 in the Panhandle Area Development District be approved and that Gary Person and Megan McGown be re-appointed as the City's representatives to PADD." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

The third reading of Ordinance No. 1699 re: Storm Water Development Policy was tabled per the request of City Attorney Leef.

The proposed ordinance re: the International Energy Conservation Code was tabled indefinitely. However, City Attorney Leef will prepare a synopsis of said Code.

Galloway moved, Arterburn seconded "That a special meeting be called of the City Council to meet jointly with the Planning Commission on August 19, 2013 at 7:30 p.m. in the Community Meeting Room of the Security First Bank." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Public Services Director John Hehnke presented a request that needs to be submitted to the State of Nebraska Department of Roads for the closure of Illinois Street (Highway 30) for the Oktoberfest Parade. The closure would be on October 5, 2013 from 9:00 a.m. and reopen to traffic at 1:00 p.m. The closure will be between the intersection of 23<sup>rd</sup> Avenue and Highway 30 and the intersection of Fort Sidney Road and Highway 30. The City of Sidney accepts the duties as set form in subsection (2) of Nebraska Revised Statutes 39-1359 and agrees to indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event. The City staff will place all required barricades and detour signage in order to have all streets accessing Highway 30 closed for the parade and will follow directly behind the parade removing all barricades and opening Highway 30 back to normal traffic. Most intersections along the parade route will have barricades closing them. However, certain intersections along the parade route will have police officers manning them to allow traffic to cross Highway 30 until the start of the parade. Once the barricades have been placed, anyone wishing to cross Highway 30 will have to use one of the intersections manned with a police officer.

Arterburn moved, Galloway seconded "That the City Council approve the request to the State of Nebraska Department of Roads for the closure of Illinois Street (Highway 30) for the Oktoberfest Parade on October 5, 2013 from 9:00 a.m. to 1:00 p.m. as per the aforementioned plans and procedures as outlined by Public Services Director John Hehnke." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Galloway moved, Gay seconded "That the following claims for July 2013, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call vote: Yeas: All council members present. Absent: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, ut utilities, tx tax, tr transfer, eq equipment, tt travel/training, mt maintenance) Cabela's su 276.73, 333.72.

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Arterburn moved, Gallaway seconded "That the following claims for July 2013, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call vote: Yeas: All council members present. Absent: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, ut utilities, tx tax, tr transfer, eq equipment, du dues, tt travel/training, mt maintenance, in insurance, aw awards, bd bond, ct contract) 21<sup>st</sup> Century Equipment su 21.30, 1458.91; Absolute Natural Resources se 643.38; Accelerated Receivables se 297.57; Advanced Services se 1056.69, 1148.40; Alamar Uniforms su 89.93; Altec Industries su 771.52; American Environmental su 871.50; Anglin, Chance re 150.00; Barker Cleaners se 30.00; Berg, Stewart se 35.00; Black Hills Chemical su 272.48; Blane Canada su 1075.00; Bomgaars su 116.28, 386.46, 89.17, 42.98, 77.76; Brestel, Gerald rt 570.28; Bug Off Pest Control se 65.00, 50.00; C&M Golf su 1942.88; Champion, Barrow & Asso se 395.00; Cardmember su 700.24, 62.00; Carolina Software se 200.00; Century Link se 95.90; Charter Communications se 62.99; Cheyenne Co Chamber se 1250.00, 100.00; Cheyenne Co Community Center se 10037.66; Cheyenne Co Emergency Cntr se 15238.42; Cheyenne Co Treasurer tx 2989.46; City of Sidney bd se rt tx 14301.49, 23833.83, 17979.91, 275.00, 1000.00, 3388.69, 1244.36, 103.00, 103492.50, 95.62, 1935.69, 19550.80, 11.94, sa 102007.36, 10518.17, 12260.31, 12194.48, 538.24, 17823.12, 17625.19, 22583.67, 22336.79, 10748.53, 10978.23, 7819.47, 8099.47, in 43810.62, 2797.16, 8602.18, 12112.48, 687.44, 12336.48, 1022.52, 7942.12, 409.18, 5908.82, 490.58; ut 6381.34, 78.00, 159.49, 814.12, 320.17, 9402.32, 7272.63; Clothes Hamper se 60.00, 90.00; Cobitco su 988.84, 538.08; Compressed Air Solutions su 171.46; Contractor Materials su 137.00; Country Printer su 13.00; Cranmore Pest se 206.00, 206.00, 85.00, 190.00; Cummins Central Power su 1495.47; Day & Night se 158.50, 6350.80, 144.43; Department of Energy se 25462.96; DHHS du 97.00; DP Electronics su 479.96, 646.27; Dutton Lainson su 735.60; E&S su 231.85, 157.52, 239.55, 79.87, 121.40, 85.43; Eakes su 852.44; Elliott Equip eq 442.89; Enviro Service se 111.00; Ermar Golf Cars su 830.00; ESRI du 1500.00; Falcon Labs se 341.02, 621.77; Fastenal su 46.98, 23.12; Finneys su 460.57, 792.68, 50.75, 310.39, 380.94, 104.03; Floyd's eq 591.23, 306.66; Foster's se 640.58, 1198.23, 67.89, 250.62; Fremont Nat'l Bank & Trust ct 13399.17; Frenchman Valley su 9851.93, 5856.48, 2586.63, 7507.37, 1991.07, 1523.98, 871.66; Fyrtek su 1600.00; Galls su 69.21; Gemplers su 394.50; Gneil su 726.74; Golf & Sport su 350.28; Hach su 382.69; Hamilton se 308.75, 104.90, 99.90, 49.95; Hampton Inn su 477.00; Hight Plains Compass se 5000.00; Hire Right su 49.00; Holtz Industries su 1030.00; Hometown Leasing ct 1956.64; Horizon West su 173.10; Houser, Jodene re 36.89; Huber & Asso se 33.00; Huss, Alyssa re 20.00; Ideal su 300.00, 390.49, 79.70, 21.65; Interstate Batteries su 114.95, 114.95, 90.95, 96.95; Int'l Code Council se 31.57; IPMA HR tt 149.00; Jack's Uniforms & Equipment su 3164.00; Jacobsen, Austin re 150.00; Jirdon su 1840.35, 195.28; JMK Sports su 536.40; Hohanson Hardware su 35.00; Johnson, Kris re 243.55; Kevin's Electric su 232.00, 1709.00; Kimball Midwest su 268.93; Kinder Morgan se 20.00; Kriz Davis su 7218.25, 2078.16; KSID su 358.00; L&P Financial se 2445.28; Lakeland Engineering Equip eq 185.99; Langley Trucking se 450.36; League of NE du 833.00; Leal, Ron se 450.00; Lincoln Industrial su 375.00; Lubrication Engineers se 322.05; MC Schaff & Asso se 33035.00; Masek Golf Cars su 117.46; Matthes, Joan se 450.00; McCaslin Consulting su 1600.00; Midwest Labs su 831.18; Milestone su 651.67, 153.13; Miller & Sons su 267.00; Miller Office su 1169.69, 98.96, 46.02, 38.13; Mitchell, Kathy su 60.00; Mizuno su 832.09; Municipal Chemical su 230.00; Municipal Supply su 10493.56; Nat'l Patent Analytical se 126.96; NDEQ se 2490.00, 150.00; NE Housing Developers Asso se 250.00; NE law Enforcement Training se 100.00; NE Statewide Arboretum su 45.00; NT&T su 1411.90, 121.77, 186.84, 300.23, 160.34; Neland Tire su 516.96; NE Machinery su 249.90; Northwest Pipe eq 278.45; Olsen, Eleanor se 275.00; Olsson Asso se 9000.73; One Call se 44.10, 44.10; Panhandle Concrete su 2520.00; Perfection Door eq 1054.19; Points West in 55530.50, 850.00, 20343.00, 28239.00, 23832.00, 17830.00, 14803.00; Prairie Mountain Publishing se 180.00; Prairie States Communication su 208.00, 902.17; Prestige Flag su 1115.80, 1767.06; Project One su 1200.00; Ramada Inn tt 300.00; Rancher's Market su 58.78; RCIS se 388.00; Reams eq 130.44, 1549.57; RWMC ct 5860.75; Reliable Power se 87.00; Respond First Aid su 64.62, 29.31; Ritec Industrial su 365.00; Rood's Tire su 968.98, 122.45, 319.90, 15.00, 54.50, 30.00; Roseberry, Mike re 12.22; Sandberg Implement su 101.03; Sargent Drilling se 2600.00; Sauder Auto su 478.00; Scotties Potties se 630.00; Scottsdale Ins su 1167.50; Segelke, Carla se 1050.00; Sid Dillon Commercial Fleet eq 42478.00; Sidney Glass se 142.06, 45.56, 498.00; SRMC se 250.00; Sidney Rehabilitation se 250.00; Sidney Soft Water su 207.85, 12.25, 3.50; Sidney Sun Telegraph se 2979.10; Sidney Volunteer Fire Dept re 3112.09, 250.00; Sonntag, Goodwin & Leef se 7386.64; Source Gas su 109.51, 3040.97, 32.15, 24.81, 61.12, 57.76, 16.09, 78.09; Southwestern Equipment su 892.16; Spic & Span su 978.00; SPL Int'l se 800.97, 97.81; Splish Splash se 351.80, 13.60, 4.80; Staples Golf su 54505.00; State of NE tx 49.10, 57090.35; Steffens, Deloris se 51.00, 52.00; Sterling Journal Advocate su 143.74; Stone, Eloise rt 400.00; Stone, Keith re 42.92; T&R Electric su 3768.00; Tatems PCHelp su 177.00; Thompson Co su 582.47, 325.13; Triple O's su 646.44, 161.12; USA Bluebook su 1024.95; Valley Ambulance se 245.00; Van Diest su 1507.60; Verizon se

103.36, 40.01, 72.18, 33.10, 152.74, 99.30, 761.29; WS Darley su 498.95; Walmart su 220.68; Wesco eq 625.95; Western Enterprises su 8500.00; Western Pathology su 141.20; Wheatbelt su 10916.97; Whitecarver Consulting se 424.00; Wilkinson, Byron re 1095.68; Wolford, Marie rt 814.36; Panhandle Library su 15.00; Baker & Taylor su 1042.84; Book Corner su 280.97; Cheyenne County se 25.00; City of Sidney se ut 719.88; Day & Night su 732.00; Dee Daugherty su 20.00; Doris Jensen tt 80.23; EBSCO se 2326.63; Finneys su 15.84; Frenchman Valley su 204.21; Elan Visa su 546.31; Gale su 222.52; Guideposts su 35.48; Ideal Linen su 26.33; Journal Office su 53.97; NE Link su 36.00; NT&T se 151.70; OCLC se 122.13; Quill su 851.27; Segelke Janitorial se 1050.00; Showcases su 1019.52; Taste of Home su 31.98; Sidney Sun Telegraph se 5.56; Stephanie Mike re 47.46; U Store It se 60.00; Winning Tradition su 169.94; Culligan su 19.95.

Gallaway moved, Gay seconded “That the Budget Reports for all City Departments for July, 2013 be approved.” Roll call vote: Yeas: All council members present. Absent: Nienhueser.

City Manager’s report consisted of updates of some recent and upcoming meetings and/or events including bond anticipation notes for upcoming projects, districts that needed to be created for same, the Police Chief’s first days and that the police facility feasibility study would be resurrected soon, *Nebraska Life* editor visiting Sidney, the State Historic Preservation in town to review projects, League Legislative Committee meetings started, Gov. Heinemann’s tax modernization efforts, the change in providers for the city employee retirement plan, 30% increase from Coventry for employee health insurance and the Employee Insurance Committee’s decision to have the City go to self funded insurance to keep the cost down, the visit by the National Guard Commander, PRT committee meets 8-14, Communication Center to set their budgets on 8-19, golf project to be rebid 9-4, JESWA meets 8-22, North Sidney paving bids 8-29, etc.

Mayor Gaston gave information about a new program called “Take Care & Be Aware” re: put your phones down as school about to begin. Watch out for the kids!

Continuation of the budget discussions resulted in instructions for the staff to balance the budgets as needed and they would all be reviewed on August 27<sup>th</sup> after the receipt of the assessed valuation is received from the County Assessor.

The meeting adjourned at 8:56 p.m.

/s/ WENDALL GASTON, MAYOR

ATTEST: /S/ G.F. ANTHONY, CITY CLERK













