

Sidney, Nebraska, February 11, 2014 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 7:15 P.M. on February 11, 2014 in the Council Room. Present were: Mayor Gaston and Council Members: Gallaway, Nienhueser, Gay and Arterburn. 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.

The City Clerk read Ordinance No. 1717 by title (ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, VACATING A PORTION OF THE STREET AS RECORDED ON THE PLAT OF OBERFELDER ADDITION TO THE CITY OF SIDNEY, CHEYENNE COUNTY, NEBRASKA, AS DESCRIBED; AND PROVIDING CERTIFICATION AND RECORDING OF THE ORDINANCE) for the third time. Gallaway moved, Nienhueser seconded "That Ordinance No. 1717 be finally passed." Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Nienhueser seconded "That Ordinance No. 1717 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

In compliance with Section 39-2119, R.R.S. Nebraska 1943, notice has been published that the Mayor and Council would hold a hearing at this time and place for the purpose of hearing support, criticism, suggestions, or observations relating to the City of Sidney, Nebraska 2014 One Year & Six Year Street Improvement Plan. The Mayor then stated that the Council was in session for such purpose and all persons would be heard. Hank Radtke, Street Superintendent, presented the One Year & Six Year Street Improvement Plan via a power point format and answered questions regarding the Plans. The following appeared and were heard: None. After all persons had been heard, Mayor Gaston closed the public hearing.

Gallaway moved, Arterburn seconded "That Resolution No. 20140201 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20140201

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA: That the 2014 One Year and Six Year Street Improvement Plan has been presented to the Council of said City and that said Council deems it in the best interest of the City to adopt said plan as presented and said Plan be and hereby is approved and adopted.

Whereupon Mayor Gaston announced that the Planning Commission of the City of Sidney, NE has submitted to the City Council its final report recommending approval of proposed Ordinances Nos. 1718, 1719, 1720, 1721, 1722 and recent changes to the building regulations under Chapters 1226, 1240, 1261, 1264, and 1270 and that a public hearing would now be held and parties in interest would be heard as advertised. The following filed written comments: None. The following appeared in person or by agent or by attorney and were heard: Pat Maher, representative for Cabelas reviewed the requested changes and how they affected their housing project. All persons having been heard, Mayor Gaston closed the public hearing. Council Member Nienhueser stated that after a consultation with City Attorney Leef, it was her legal opinion that Council Member Nienhueser could vote on each of these ordinances as they are proposed for the future development of all of the City of Sidney. Before each proposed ordinance, City Attorney Leef explained in detail how each ordinance affected the current City Code.

Gay moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1264 AREA AND HEIGHT RESTRICTIONS, SECTION 1264.10 SETBACKS ON RECORDED PLATS, OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO ALLOW SETBACKS LESS THAN THOSE REQUIRED BY THE ZONING CODE ON A RECORDED PLAT APPROVED BY COUNCIL; TO REPEAL ANY ORDINANCE OR PART OF

ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE" be designated as Ordinance No. 1718." Roll call vote: Yeas: All council members present.

Gay moved, Gallaway seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Arterburn moved, Gay seconded “That Ordinance No. 1718 be finally passed.” Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Gallaway moved, Arterburn seconded “That Ordinance No. 1718 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present.

Gay moved, Arterburn seconded “That the Ordinance entitled “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1264 AREA AND HEIGHT RESTRICTIONS, SECTION 1264.16 REDUCTION OF LOT DIMENSIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO ALLOW REDUCTION OF LOT DIMENSIONS FROM THOSE REQUIRED BY THE ZONING CODE IF REVIEWED BY THE PLANNING COMMISSION AND APPROVED BY COUNCIL; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE” be designated as Ordinance No. 1719.” Roll call vote: Yeas: All council members present. Gay moved, Arterburn seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Gay moved, Nienhueser seconded “That Ordinance No. 1719 be finally passed.” Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Nienhueser seconded “That Ordinance No. 1718 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present.

Gallaway moved, Gay seconded “That the Ordinance entitled “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1226 DESIGN STANDARDS, SECTION 1226.02 LOTS, SUBSECTION (C) DIMENSIONS; SEWAGE; PARKING; OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO DECREASE THE MINIMUM WIDTH RESTRICTION FOR RESIDENTIAL LOTS AT THE BUILDING LINES; TO REMOVE PROVISIONS REGARDING DECREASING MINIMUM WIDTH RESTRICTIONS FOR GIFTING LAND FOR PUBLIC USE; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE” be designated as Ordinance No. 1720.” Roll call vote: Yeas: All council members present. Gay moved, Nienhueser seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Nienhueser moved, Arterburn seconded “That Ordinance No. 1720 be finally passed.” Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Gallaway moved, Nienhueser seconded “That Ordinance No. 1720 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present.

Gay moved, Arterburn seconded “That the Ordinance entitled “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1264 AREA AND HEIGHT RESTRICTIONS, SECTION 1264.01 GRAPHICAL DISPLAY OF REGULATIONS, SUBSECTION (B) OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO DECREASE THE MINIMUM WIDTH RESTRICTION FOR RESIDENTIAL LOTS AT THE BUILDING LINES; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE” be designated as Ordinance No. 1721.” Roll call vote: Yeas: All council members present. Nienhueser moved, Gallaway seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory

requirement suspended. The Clerk then read the Ordinance by number. Nienhueser moved, Gallaway seconded “That Ordinance No. 1721 be finally passed.” Roll call vote: Yeas: All council members present.

The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Gallaway moved, Gay seconded "That Ordinance No. 1721 be published in pamphlet form." Roll call vote: Yeas: All council members present.

Arterburn moved, Gay seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1264 AREA AND HEIGHT RESTRICTIONS, SECTION 1264.02 SPECIAL REQUIREMENT, SUBSECTION (A) OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO REMOVE THE MAXIMUM FRONT YARD SET BACK RESTRICTION; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE" be designated as Ordinance No. 1722." Roll call vote: Yeas: All council members present. Gallaway moved, Gay seconded "That the Statutory requirement requiring the ordinance to be read by title three different days be suspended." Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Gallaway moved, Nienhueser seconded "That Ordinance No. 1722 be finally passed." Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Nienhueser seconded "That Ordinance No. 1722 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Gay moved, Nienhueser seconded "That the Statutory requirement requiring the ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 618 ANIMALS; SECTION 618.24 VACCINATION AGAINST RABIES; SUBSECTION (f) IMPOUNDMENT OF RABIES SUSPECTS; OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO PROVIDE FOR IMPOUNDMENT OR RESTRAINT OF ANY ANIMAL WHO CREATES AN ABRASION OR BITE ON A PERSON OR ANOTHER ANIMAL; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE" to be read by title three different days be suspended." Roll call vote: Yeas: All council members present. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Arterburn moved, Gay seconded "That Ordinance No. 1723 be finally passed." Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Gallaway moved, Gay seconded "That Ordinance No. 1723 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Public Service Director John Hehnke and Street Superintendent Hank Radtke presented the bid for one used tractor and one new three point as received on 2-6-14. Gallaway moved, Arterburn seconded "That the bid for one used tractor and one new -three point be awarded to the only bidder, Alliance Tractor & Implement, Alliance, NE in the amount of \$92,000 for the tractor, \$3,200 for the blade, -\$7,200 for trade-in, for a total bid of \$88,000." Roll call vote: Yeas: All council members present.

Nienhueser moved, Gallaway seconded "That RESOLUTION NO. 20140202 be passed and adopted." Roll call vote: Yeas: All council members present.

#### RESOLUTION NO. 20140202

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

That the City Council of the City of Sidney, Nebraska, does hereby approve the Final Plat of REGANIS COMMERCIAL CENTER SUBDIVISION in the City of Sidney, Cheyenne County, Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the subdivider's agreement for the foregoing Final Plat.

Agenda Item #11 was tabled until the next meeting.

Nienhueser moved, Gallaway seconded "That Resolution No. 20140203 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20140203

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, Baker & Associates have performed the work for engineering of Street Improvement Districts #53 & #54, Sanitary Sewer Extension District #21, and Water Extension District #21 as follows:

STREET IMPROVEMENT DISTRICT #53 - ENGINEER'S PAY REQUEST NUMBER 1 - \$7,286.50 (Invoice #26234) AND PAY REQUEST #2 - \$2,550.00 (Invoice #26289) FOR A TOTAL OF \$9,836.50. A warrant in the amount now due the engineer is hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Accounts; and

STREET IMPROVEMENT DISTRICT #54 - ENGINEER'S PAY REQUEST NUMBER 1 - \$5,079.00 (Invoice #26235) AND PAY REQUEST #2 - \$1,435.00 (Invoice #26290) FOR A TOTAL OF \$6,514.00. A warrant in the amount now due the engineer is hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Accounts; and

SANITARY SEWER EXTENSION DISTRICT #21 - ENGINEER'S PAY REQUEST NUMBER 1 - \$2,909.00 (Invoice #26236) AND PAY REQUEST #2 - \$1,115.00 (Invoice #26291) FOR A TOTAL OF \$4,024.00. A warrant in the amount now due the engineer is hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Accounts; and

WATER EXTENSION DISTRICT #21 - ENGINEER'S PAY REQUEST NUMBER 1 - \$2,156.50 (Invoice #26237) AND PAY REQUEST #2 - \$1,115.00 (Invoice #26292) FOR A TOTAL OF \$3,271.50. A warrant in the amount now due the engineer is hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Accounts.

Gay moved, Gallaway seconded "That the following claims for January 2014, are here by approved and should be paid as provided by law out of the respective funds in the city treasury." (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) Roll call vote: Yeas: All council member present. Abstain: Nienhueser. Cabela's re 158.69

Gay moved, Gallaway seconded "That the following claims for January 2014, are here by approved and should be paid as provided by law out of the respective funds in the city treasury." (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) Roll call vote: Yeas: All council member present. Abstain: Nienhueser. Hillside Ventures re 158.69

Gay moved, Gallaway seconded "That the following claims for January 2014, are here by approved and should be paid as provided by law out of the respective funds in the city treasury." (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) Roll call vote: Yeas: All council member present. 21<sup>st</sup> Century Equipment su 115.96, 240.45; Accelerated Receivables se 226.03; Adamson, Christopher re 36.44; ALS Group se 1120.00; AlSCO su 132.60; Altec Industries eq 645.69; American Environmental se 12159.54, 8374.32; American Legal Publishing su 2861.60; American Machine su 48.00; Andrew, Keith tt 59.77; Anthony, Geri tt 51.00; ASCAP du 330.00; Bader's Highway se 21569.00; Baird Holm Attorneys se 3040.00; Barker Cleaners se 45.00; Beehive se 4300.00, 4000.00; Board of Examiners du 25.00; Bomgaars su 109.94, 53.07, 47.98, 109.09, 323.48, 222.40, 218.32, 661.10; Borgmann, Chad tt 241.50; Brestel, Gerald rt 570.28; Bush, Jim tt 341.50; Busted Knuckle se 228.55; Cardmember su 766.39; Carolina Software su 200.00; Carte Graph Systems se 1480.300; Caselle ct 1080.33; Cashwa su 68.75; CGI Fencing su 446.90; Charter se 62.99; Cheyenne Co Chamber se 1786.67; Cheyenne Co Comm Center se 10416.00, 250.00; Cheyenne Co Emergency Comm Cntr se 18109.24; Chief su 40.58, 370.19; City of Sidney sa in 93916.94,

13214.78, 17710.72, 24083.72, 12941.04, 6757.98, 47968.20, 8636.64, 10806.38, 12936.25, 9602.54, 4223.37, 2819.84, 524.71, 489.57, 1088.96, 1088.96, 410.79, 2794.92, 1088.96, 92234.43, 11780.20, 17594.48, 25063.41, 12422.58, 6737.33, 88705.84, 25232.64, 524.71, 489.57, 456.62, 433.86, 11658.02, 17967.05, 12080.14, 6649.63, ex rt tx bd 8.53, 5.44, 6707.54, 19682.08, 1000.00, 103.82, 103.00, 99.75, 112.85, ut

3747.32, 120.21, 223.68, 4254.45, 1232.89, 110.78, 7554.04, 10739.32; Clothes Hamper se 50.00; Community Publishers su 316.00; Country Printer su 220.00; Coyote Caller su 16.00; Cranmore Pest/Fire se 42.00, 85.00, 48.00, 254.00; Crescent Electric se 241.88; Cummins Central Power su 145.83; Danko eq 11529.56; Darin's Auto se 595.00, 1691.51; Day & Night se 166.62, 65.12, 129.12; Department of Energy ut 20911.06; Design Solutions se 2405.60, 28556.30; DHHS su 382.00; Dick's Flooring se 534.00; DP Electronics su 299.97, 70.00, 13.99, 83.85; Duininck se 321041.01; Dutton Lainson su 317.13; E&S Auto su 561.78, 1567.60, 1226.23, 229.28, 211.89, 24.99, 102.45; Eakes Office su 1256.65; Enviro Service se 192.00, 45.00; Falcon Labs su 316.70; Fedex su 33.95; Finneys su 1052.31, 29.99, 27.24, 329.74, 281.66, 159.00; Floyd's Truck se 883.78, 232.81, 675.21; Foland Farm su 85.16; Foster Lumber su 2570.22, 34.99, 18.95, 16.10, 135.40; Fremont Nat'l ct 13224.17; Frenchman su 7581.72, 64.25, 1914.98, 7381.18, 2015.15, 2805.37, 634.61; GCSAA du 125.00; General Traffic Controls su 10856.43; Golden West su 1079.34; Gordon's Body Shop su 484.60; Grainger su 2043.40, 92.82; GraybaR su 250.26; Hach su 335.67; Hamilton se 378.70, 99.90, 49.95; Harding & Shultz se 820.00; Heilbrun, Cindy tt 51.00; Heilbruns Farm se 124.50; Hofrock, Curtis tt 316.15; Holtz Industries su 404.50; Hometown Leasing ct 978.32; Horizon West su 123.93, 31.67; Huber & Asso se 132.00; IACP du 120.00; Ideal Linen su 581.18, 87.24, 51.10, 85.27, 118.24; Interstate Batteries su 208.90, 221.90, 114.95; Jenkins, Greg re 801.43; JJ Keller & Asso se 1449.00; Johnsen Corrosion se 1598.00; Johnson, Kris tt 182.56; Kantor, Kasey re 57.50; Keep Sidney Beautiful su 7.51; Kemira Chemicals su 1355.46; Kevin's Electric su 41.66, 1187.82; Kimball Midwest su 1529.27; Kriz Davis eq 8486.85; KSID su 8486.85; L&P Financial su 688.95; Lawson Products su 132.94; League of NE/NCMA du 408.66; League of NE Utilities du 75.00; Leal, Ron se 450.00; Lincoln Winwater Works su 484.38, 195.00; Matthes, Joan se 625.00; Matthew Bender su 186.50; McCaslin Consulting se 5700.00; Merchant JT&S se 650.00; Mid America Golf se 61839.00; Mid States Organized Crime du 150.00; Mid Iowa Solid Waste eq 1621.95; Midwest Labs se 834.08; Milestone se 155.76; Miller & Sons se 632.84; Miller Office su 929.54, 27.00, 28.95, 138.29, 95.40, 68.67; Miller, Randy re 2806.01; Miracle Recreation eq 5398.40; MEAN ut 371377.68; Municipal Supply su 18737.07; MWC Enterprises su 2000.00; Napa su 295.35, 6.34; NDEQ su 2793.75; NE Chamber of Commerce du 325.00; NE Dept of Environmental Quality du 150.00; NE Dept of Roads su 9723.00, 96334.58; NE Environmental Products su 243.00; NE Municipal Clerks du 446.00; NE Safety/Fire se 37.50; NT&T se 1512.22, 123.53, 191.54, 297.20, 50.45, 111.21; Neland Tire se 98.50; Newman Traffic se 1168.80; Nienhueser Const se 2241.88; NE Machinery su 521.22, 332.20, 49.85, 772.51; Northwest Pipe su 2001.13; Old Dominion Brush su 760.74; Olsen, Eleanor su 275.00; Olsson Asso se 8037.37; One Call se 12.40, 12.40; Panhandle Public Health su 380.00; Pittam Body Shop su 56.50; Plainsman Electric se 614.03, 800.00; Police Chiefs Asso se 75.00; Pollardwater.com se 96.52; Prairie States Communication su 142.95, 286.25, 77.50; Randy's Auto su 49.61; Ray's Auto se 345.90; Reganis Motors su 369.07, 55.00; Regional West Medical se 5860.75; Reliable Power Consultants se 935.48; Respond First Aid su 161.83, 24.57; Ritec su 1250.00; Rob's Lock se 60.00; Rood's Tire se 1180.72, 8.00, 62.25, 39.00, 15.00; Sapp Bros su 60.10, 494.94; Sargent Drilling su 3053.71, Scotties Potties su 630.00; Scottsdale Ins su 1123.94; Segelke, Carla se 1050.00; Severson Communications se 275.00; Shirt Tales su 255.00; Short Elliott Hendrickson su 46852.00; Sidney Glass su 129.24; Sidney Public Schools se 50.00; Sidney Rehabilitation se 250.00; Sidney Soft Water su 49.00; Sidney Sun Telegraph se 1337.31, 100.36, 58.53; Source Gas su 1550.24, 2380.48, 530.56, 363.16, 68.71, 896.96, 265.28, 2277.19; Spic & Span se 770.00; Splish Splash se 74.00, 80.20, 5.20; Stone, Eloise rt 400.00; Sukup, Todd tt 119.00; Telford, Todd re 9.52; To Golf su 579.00; Triple O's su 1614.14, 1083.98, 15.75, 67.68, 343.85, .54; Us Postal se 941.82; US Welding su 339.30; USA Bluebook su 2769.50; Verizon su 142.19, 40.01, 70.31, 33.16, 152.68, 66.34, 33.16; Vermeer Equip su 45.84; Viaero su 385.54; Walmart su 49.80, 50.46; Water Technology su 14234.47; Wesco su 2043.70, 1670.11; Western Pathology se 336.60; Wheatbelt ut 10020.25; Whitebluffs se 650.30; Win 911 Software su 395.00; Wolford, Marie rt 814.36; Zep su 340.87; Brideport News se 24.00; Baker & Taylor su 829.84, 16.66; City of Sidney se 1611.89; Cheyenne County se 220.00; Day & Night se 108.44; Elan Visa su 474.42; Finney's su 19.45; Frenchman Valley su 249.06; Gale su 220.55; Garlord Bros su 120.41; Culligan su 19.95; Ideal Linen su 57.38; Journal Office su 42.11; Nebraska Link su 36.00; OCLC su 28.87; Quill su 538.38; Quality Books su 1947.51; Reliable Office su 252.01; Showcases su 260.82; Sidney Sun Telegeraph su 203.89; Sidney Glass su 2746.45; Segeleke Janitorial su 1050.00; NESupreme Ct 2.00; U Store It se 60.00.

Gallaway moved, Nienhueser seconded "That the Treasurer's Reports for all City Department Budgets for January, 2014 be approved. Roll call vote: Yeas: All council members present.

Arterburn moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 58 OF THE CITY OF SIDNEY, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESCRIBING THE STREETS TO BE IMPROVED; AND DETERMINING THE IMPROVEMENTS TO BE OF GENERAL BENEFIT" be designated as Ordinance No. 1730." Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Gay moved, Gallaway seconded "That the Statutory requirement requiring the ordinance to be read by title

three different days be suspended.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Gay moved, Gallaway seconded “That Ordinance No. 1730 be finally passed.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Gallaway seconded “That Ordinance No. 1730 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser.

Arterburn moved, Gay seconded “That the Ordinance entitled “AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 59 OF THE CITY OF SIDNEY, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESCRIBING THE STREETS TO BE IMPROVED; AND DETERMINING THE IMPROVEMENTS TO BE OF GENERAL BENEFIT” be designated as Ordinance No. 1731.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Gay moved, Gallaway seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Gallaway moved, Gay seconded “That Ordinance No. 1731 be finally passed.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Gallaway seconded “That Ordinance No. 1731 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present. Abstain: Nienhueser.

#### RESOLUTION NO. 20140204

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

That the detailed specifications including the general stipulations thereto attached for the construction of street improvements and all other necessary incidental improvements thereto, as applicable, for Street Improvement District No. 58 (Greenwood Drive) and Street Improvement District No. 59 (Toledo Street Extended), as prepared by M.C. Schaff & Associates, engineers employed by the City to prepare same, and filed in the office of the City Clerk on February 6, 2014 be and the same are hereby accepted.

RESOLVED FURTHER, that all bids for the construction of said improvements shall be subject to said specifications and general stipulations and the instructions to bidders set forth in specifications on file.

RESOLVED FURTHER, that the City Clerk be and she is hereby authorized and empowered and directed, for and on behalf of the City of Sidney to advertise for bids for said construction on February 13, February 20 and February 27, 2014 with the bid opening being set for March 6, 2014 at 2:00 P.M.

City Manager’s Report included recent and upcoming meetings and events; i.e. Interviews for the Electric Master Plan, 2-25-to Council-Addendum to the Golf Project; 2-18 Planning Commission different date, JESWA; 2-12-Electric Master Plan interviews, every Monday morning-conference call w/League re: legislative matters; Team Mates banquet 2-11, Chamber Banquet 2-12, Historic Preservation workshop 2-11, several possible economic development project, etc. Public Services Director Hehnke announced Saturday open Landfill for 26 weeks starting last Saturday in March.

Council Member Gallaway expressed his appreciation to staff and the Planning Commission for their work on the City Code issues. Council Member Nienhueser thanked the Police Department for their success in bringing the recent burglary issues to an end. Council Member Arterburn thanked whoever was responsible for cleaning up the alley behind West Elementary.

Gallaway moved, Gay seconded “That the Council go into closed session for the purpose of real estate negotiation discussions. The closed session started at 9:53 P.M. At 10:16 P.M. the Mayor called the council meeting back in open session.

Council adjourned at 10:18 p.m.

/s/ WENDALL GASTON, MAYOR

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



