

Sidney, Nebraska, March 11, 2014 A Fair Housing City

A meeting of the Mayor & Council of the City of Sidney, Nebraska, was convened in open & public session at 7:15 P.M. on March 11, 2014 in the Council Room. Present were: Mayor Gaston & Council Members: Gallaway, Nienhueser, Gay & Arterburn. Others present: City Manager Person, City Attorney Leef, & 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. Advance notice of the meeting was also given to the members of the City Council. 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.

Gay moved, Gallaway seconded "That the minutes of the February 25, 2014 meeting be approved." Roll call: All Yeas. Abstain: Nienhueser and Arterburn.

Robert R. Rauner, Jr. of Rauner & Associates presented the audited financial statement that his firm had prepared for the City of Sidney's 2012-2013 Fiscal Year. He announced that there was no need for a Single Audit this year because of the small amount of Federal funds received. He also reported that this was what they considered a clean audit. A power point presentation was used to explain Governmental Activities, Business-Type Activities, Government-wide Statement of Activities, Revenues/Expenditures, Changes in Fund Balances, Changes in Net Position, Long-Term Liability Balances, etc. He also thanked the City Staff for their assistance throughout the audit activity. Gay moved, Gallaway seconded "That the Fiscal Year 2012-2013 Audit be accepted and approved." Roll call: All Yeas.

City Manager Person reviewed a proposed agreement with Staples Golf for an addition to the Hillside Golf Course irrigation system project in the amount of \$19,528, which included installation of grass hollows alongside Hole #5 and between Hole #7 and Hole #15. The scope of work package was also bid on by Mid-America, one of the contractors for the project. Their bid for this work was \$32,000. He noted that this does not increase the total project bid as the payment for the grass hollows addition to Staples' contract will be funded by Owner's Contingency portion of the original bid. He reported that he had met with the citizen who had voiced concerns regarding the removal of the deteriorating Cedar trees and had also shared the Hillside Golf Course Master Plan that had been adopted by the City Council a couple of years ago. He felt that this person now realizes the positive side of this change to the course. Council Member Arterburn expressed his concern regarding using the contingency vs. lowering the total amount spent. Council Member Nienhueser supported the change now before the irrigation system was in place rather than later due to the inevitable cost increase at a later date. City Attorney Leef questioned some typos on Page One and also a paragraph in Page Three re: interest being charged on late payments of 1.5 percent per month.

Nienhueser moved, Gay seconded "That the proposed agreement with Staples Golf for the installation of grass hollows in the Hillside Golf Course irrigation system project in the amount of \$19,528 be approved; that the error on Page One be corrected to reflect \$19,528 in the numbers and the words; and that the paragraph on Page Three, re: interest, be stricken." Roll call: Yeas: Gallaway, Nienhueser, Gaston & Gay. Nays: Arterburn.

City Clerk Anthony reported that Notice of Creation for Street Improvement District No. 55 (Gregory Drive in Lots 1 & 2, Block 1, Glover Business Park No. 2 - requested by John & Jacqueline Wieser) had been mailed to the property owners and published three times in the *Sidney Sun Telegraph*. No written objections have been received in the City Clerk's office within the required time to do so. Gallaway moved, Arterburn seconded "That the report of no objections to Street Improvement District No. 55 be acknowledged for the record." Roll call: All Yeas.

City Clerk Anthony reported that Notice of Creation for Street Improvement District No. 58 (Toledo Street) and No. 59 (Greenwood Road) had been certified mailed to the property owners and published three times in the *Sidney Sun Telegraph*. No written objections have been received in the City Clerk's office within the required time to do so. Gallaway moved, Gay seconded "That the report of no objections to Street Improvement District Nos. 58 and 59 be acknowledged for the record." Roll call: Yeas: Gallaway, Gaston, Gay & Arterburn. Nays: None. Abstain: Nienhueser.

Don Dye of M.C. Schaff & Associates, presented the bids that had been received on 3/6/14 for Toledo Street/Greenwood Road (Street Improvement District Nos. 58 & 59) Phase 1 as follows: Nienhueser Construction & Excavating Co., Sidney - \$3,575,616.65 and Paul Reed Construction & Supply, Gering - \$3,587,532.76. Engineer's Estimate was \$3,565,760.00. Engineer's recommendation was to award the contract to the low bidder. Gallaway moved, Arterburn seconded "That the bid for Toledo Street/Greenwood Road (Street Improvement District Nos. 58 & 59) Phase 1 be awarded to Nienhueser Construction & Excavating Co. in the amount of \$3,575,616.65." Roll call: Yeas: Gallaway, Gaston, Gay & Arterburn. Nays: None. Abstain: Nienhueser. Council Member Nienhueser stated for the record that he was abstaining due to his conflict of interest with The Ranch Subdivision and not because he had a conflict with Nienhueser

Construction.

Pat Maher, representing Cabela's Inc., presented the Final Plat for The Ranch. Gallaway moved, Gay seconded "That RESOLUTION NO. 20140301 be approved." Roll call: Yeas: Gallaway, Gaston, Gay & Arterburn. Nays: None. Abstain: Nienhueser.

RESOLUTION NO. 20140301

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

That the Final Plat of The Ranch for a 87.531 acre parcel of land situated in the East Half of Section 32 and the Northeast Quarter of Section 5, Township 14 North, Range 49 West of the Sixth Principal Meridian, in the City of Sidney, Cheyenne County, Nebraska, is hereby approved.

Public Service Director John Hehnke announced that a Member Distribution had been received for the City of Sidney from Public Alliance for Community Energy (ACE) in the amount of \$6,944.00. He presented a check for same to Mayor Gaston. He reported that this distribution has historically been earmarked for the Legion Park & Pond. Discussion was held on the possible uses for these funds; i.e. stocking of the fish for the Pond, benches along the pathways, and replacement of the Gazebo that had been destroyed by a summer storm.

Gay moved, Gallaway seconded "That the following claims for February 2014, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call: Yeas: Gallaway, Gaston, Gay & Arterburn. Nays: None. Abstain: 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) Cablea's Employee Foundation su 200.00.

Gay moved, Gallaway seconded "That the following claims for February 2014, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call: Yeas: Gallaway, Gaston, Gay & Arterburn. Nays: None. Abstain: 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) Hillside Ventures se 2501.54.

Nienhueser moved, Arterburn seconded "That the following claims for February 2014, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call: All Yeas. (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) 21st Century Equipment eq 3290.02, 363.39, 2954.00; A-1 Sports Repair se 120.00, 360.00; Absolute Natural Resources se 306.00; Accelerated Receivables se 658.55; Ag Teck Repair se 4325.00; American Environmental se 6243.33; Atco Int'l 906.35; B&C Steel eq 352.32, 412.32; Barco Municipal su 348.81; Barker Cleaners su 30.00; Bartling, Mitch tt 188.00; Beacon Athletics su 234.00; Bomgaars su 41.97, 1.98, 207.14, 40.39, 749.98; Brestel, Gerald rt 570.28; Busted Knuckle se 1208.73; Cardmember se 807.85, 638.54, 272.31; Carlson West Povondra eq 3285.00; Caselle se 2160.66; Centurylink se 96.89; Charter se 62.99; Cheyenne Co Chamber se 1666.67; Cheyenne Co Clerk su 38.00, 50.00; Cheyenne Co Community Cntr se 10471.00; Cheyenne Co Emergency Comm Cntr se 46879.51; Chief su 647.00; City of Sidney ex bd rt 9.00, 20.00, 50.00, 13.79, 19682.08, 225.00, 26.72, 206.20, 14.00, 103.00, 167.30, 300.00, sa 91019.45, 12095.24, 17740.48, 26106.31, 12362.04, 6904.99, 43937.23, 7591.93, 10092.89, 13005.86, 8652.72, 5158.87, 2794.92, 555.96, 489.57, 1112.95, 456.62, 433.86, 90360.21, 11695.38, 18306.60, 25966.65, 12128.96, 6887.33, ut 3881.57, 138.58, 242.54, 4545.93, 1176.90, 110.78, 7286.21, 10833.42; Clothes Hamper se 40.00; conney Safety su 513.57; ConServ Flad su 194.00; Contractor Materials su 52.43, 1458.00; Country Printer su 343.00; CPS se 63.00; Cranmore Pest/Fire se 85.00; Crouch Recreation se 1885.00; Darin's Auto su 207.15; David's Plumbing se 447.00; Day & Night Plumbing se 270.95; Days Inn se 338.04; Dayton, Benjamin re 77.39; Department of Energy se 20692.84; DHHS se 40.00; Dick's Flooring se 210.00; DP Electronics se 196.95, 578.98, 1187.89, 288.04, 159.99; Duinink Inc se 108149.53; E&S Auto se 782.07, 316.69, 7.29, 852.59, 252.19, 232.62, 511.86, 44.12, 700.63; Eakes su 99.07; Emblem Ent se 31.80; Endurance Flag su 240.10; Enviro se 60.00, 75.00; ESRI se 2150.00; Fairfield Inn se 91.39; Fastenal su 28.14; Fedex se 24.03, 58.86; Finneys su 404.08, 166.59, 135.81, 243.78, 251.82, 236.86, 82.17; Floyd's Truck Cntr mt 733.26, 496.46, 5.04; Foster Lumber su 904.54, 37.90; Fremont Nat'l ct 14124.16; Frenchman Valley su 6283.75, 1803.05, 4413.01, 1503.13, 1132.46, 551.91; Galls su 136.34; Gaston, Wendall tt 472.28; GCSAA du 365.00; GLEC se 277.10; Gordon's Body Shop se 952.81; Graninger WW se 61.45; Grandma Jo's se 52.41; Groundwater Foundation se 75.00; Hamilton se 275.32, 104.90, 99.90, 49.95; Harding & Shultz se 237.50; Harper Industries se 89.91; Holiday Inn se 166.00; Hometown Leasing ct 978.32; Horizon West eq 213.67; Huber & Asso se 33.00; Ideal Linen se 100.70, 87.24, 65.69, 68.61, 59.66; Inoutboard.com se 287.40; Internet Video & Imaging se 100.00; Interstate Batteries su 223.90, 114.95; Int'l Code Council ct 120.94; JAMAR se 812.07; John Deer Financial se 181.69; Johnson, Brian 209.97; Kriz Davis su 817.46; KSID se 687.50; LL Johnson su 4245.90; Lawson Products su 418.47; League of NE du 70.00; Leal, Ron se 450.00; Leef, J tt 87.00; Light & Siren se 395.79; Lubrication Engineers su 198.80; MC Schaff se 115917.50; Mail Finance ct 1821.00; Manufacturer's News se 319.48; Matheson Tri Gas su 2300.00; Matthes, Joan se 625.00; McGown, Megan re 85.88; Mid America Golf su 13500.00; Mid America Pump se 1364.78; Midwest Mailing su 935.90; Milestone su 205.33; Miller Office su 782.16, 55.23, 23.99, 285.86, 434.03, 50.50, 76.89; MEAN ut 387046.75; Municipal Supply su 6603.88; Murphy Tractor eq

10016.34; Nationwide Environmental su 557.69; NE Dept of Revenue tx 55251.31; NE Environmental su 137.77, 231.96; NE Law Enforcement Training Cntr se 400.00, 10.00; NE Planning & Zoning du 160.00; NE Public Health su 221.00; NE Safety/Fire eq 285.00; NT&T se 1480.74, 124.76, 192.86, 316.44, 51.76, 112.02; NE Turfgrass se 150.00; Neland Tire su 234.25, 11.56; Nienhueser Const se 4319.40; NE Machinery eq 649.95, 126.15, 833.07; Northwest Pipe eq 2267.61; NWEA du 150.00; Office Technology su 60.00; Olsen, Elanor se 275.00; One Call se 17.10, 17.10; Palmer, Mike tt 158.00; PDS, Inc su 1010.50; Perfection Door su 2180.50; Phillips, John tt 326.68; Points West in 363.00, 544.00; Prairie States Communication se 1278.95, 52.50; PSI Digital Imaging se 220.35; Ragan Communications se 29.95; Reganis Motors se 45.00; RWMCse 5860.75; Reliable Power Consultants se 87.00; Resource Action se 1395.60, 1000.00; Respond First Aid su 169.50, 46.60, 149.98; Revolution Wraps su 3360.62; Ritec su 320.00; Rocky Mt Pipeline su 20.00; Rood's Tire su 261.17, 119.33, 15.00, 71.03; Sauder Auto su 566.33, 3689.01, 132.20; Schilling, Jack tt 264.00; Scotties Potties su 630.00; Scottsdale Ins ex 244.12; Segelke, Carla se 1050.00; Sidney Glass su 7.89; Sidney Rehabilitation se 125.00; Sidney Soft Water se 55.00; Sidney Sun Telegraph se 2272.03, 22.71, 9.16; Sonntag, Goodwin & Leef su 10393.75; Source Gas ut 154.59, 3213.75, 646.27, 555.29, 68.49, 953.67, 323.15, 2556.65, 478.99; Splish Splash se 75.20, 6.20; Stone, Eloise rt 400.00; SWANA du 675.00; Triple O's su 277.73, 72.85, 224.97, 135.97; Urban Development se 3610.00; US Postal se 5000.00; USA Bluebook se 609.29, 196.37; Utility Service se 14847.25; Verizon se 148.91, 70.47, 33.24, 153.00, 67.00, 33.24; Viaero se 383.67; Walmart su 120.28; Wesco se 10486.00; Western Pathology se 112.20; Wheatbelt se 9944.29; Whitebluffs se 845.00; Wingate se 179.90; Wolford, Marie rt 814.36; Elan Visa su 14.74, 14.74, 379.92; NLS Paraprofessional se 25.00; Book and Coffee Corner su 293.36; Baker & Taylor su 1430.19; E Complete su 61.38; City of Sidney ut 1823.57; Culligan su 19.95; Demco su 282.80; Frenchman Valley su 156.09; Edward F Heibert su 23.98; Journal Office su 42.35; Lerner Publishing su 14.65; NE Link su 36.00; NT&T se 24.37; OCLC se 375.18; Quality Books su 221.45; Quill su 258.80; Raider Electric su 97.50; Regional Books su 1849.45; Scholastic su 828.10; Segelke Janitorial su 1050.00; Sidney Sun Telegraph su 5.89; U Store It su 60.00; World Chamber su 60.00.

Arterburn moved, Nienhueser seconded "That the Treasurer's Report for all City Department Budgets for February, 2014 be approved." Roll call: All Yeas.

Chief of Police B.J. Wilkinson provided copies of the Sidney Police Department Feasibility Study which will be presented in depth at the March 25, 2014 Council meeting.

City Manager's Report included recent and upcoming meetings and events.

Council Member Gallaway congratulated the Sidney Girls & Boys basketball teams for their successful season. He also asked about the property south of the Police Department and what was the status of the former trailer court and the new arrivals in said property. Staff will research the question.

Council adjourned at 8:53 p.m.

/s/ WENDALL GASTON, MAYOR

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

