

Sidney, Nebraska, October 14, 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 6:30 P.M. on October 14, 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.

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

Gallaway moved, Nienhueser seconded "That the minutes of the September 23, 2014 meeting be approved as printed." Roll call vote: Yeas: All council members present. Abstain: Gaston.

Ken Fairchild, senior electrical consultant engineer with Olsson & Associates presented a Findings Report for the Electric Utility System Master Plan. The following points were discussed: 1. Load flow analysis completed for historical (2014) peak load and a 5 year projected load. 2. Load flow analysis provided distribution system performance for current and projected peak loads to determine system performance for current and projected loads. 3. System performance under current and contingency configuration has directed the development of necessary system improvements will be required to serve the loads and provide the greatest possible level of reliability. 4. System concerns identified by computer analysis: A. Low voltage at base (2014) peak load for a significant portion of the historic core (4.16 kV). B. Low voltage area at base year significantly reduced by voltage regulation adjustments with the conductor still over loaded on 11th Street – Railroad tracks south to Toledo. C. With 5 year load growth projection and spot loads added to peak, significant concerns were identified for the North and South Substations and the existing underground distribution for the I-80 interchange. D. Contingency runs for the 5 year load (2019 included loss of the North and South Substations. E. Loss of the radial feed 115 kV transmission system will cause the South and proposed substations to be out of service. 5. System improvements identified to meet identified system concerns: A. Adjustments to settings on existing voltage regulation equipment. B. Completion of the 13.2 kV conversion of the City's historic core. C. Putting into service the third 13.2 kV feeder now under construction of the North Substation. D. Converting on overhead, under-capacity, existing 13.2 kV feeder out of the South Substation to a higher capacity underground feeder and adding a new 13.2 kV underground feeder from the South Substation. E. Replacing the under-capacity underground distribution serving the I-80 interchange with new higher capacity underground distribution. 6. System improvements were identified to meet identified system concerns resulting from contingency analysis. Main priorities were the looping of the system and an additional substation. Possible locations for a new substation was discussed.

Direction is needed from the City Council in order to complete the study as to a location for a new substation and the alternate routes to loop the system either on the west or east side of Sidney. Also, they needed to know whether the city wanted wood or steel poles (wood was preferred at this time). Consensus was that the Council wanted information on looping on West as well as the East. Cost estimates on more than one location for the new substation was requested. Rate/financial study was suggested as something needed to complete the picture after the Study is finished.

Library Director Doris Jenson, City Attorney J. Leef and City Manager Gary Person presented the history behind the Library Bookmobile and the County's request for the City to own the bookmobile with the County contributing \$90,000 per year towards the Library/Bookmobile budget. Request was made that data be shared with the City Council as to what the Bookmobile is costing vs. the amount contributed by the County. Condition and age of the bookmobile was also requested. A proposed Inter-local agreement with the Library, County and City was presented. Arterburn moved, Nienhueser seconded "That the proposed Inter-local agreement with the Library, County and City be approved." Roll call vote: Yeas: All council members present.

Jack Baker of Baker & Associates presented information re: 11th Avenue Path Project. The easement with Wiederspon for the 11th Avenue path project is nearly completed so advertising for bids could begin. He asked if

the City Council would want to combine this project with the 11th & Old Post Road into one bid package. Discussion was held on whether to bid the construction and the landscaping pieces of these projects separate or altogether. Nienhueser moved, Gay seconded "That the 11th & Old Post and the 11th Avenue Path projects be bid together with the landscaping included as Alternates for each project's landscaping. Roll call vote: Yeas: All council members present.

Gallaway moved, Gay seconded "That RESOLUTION NO. 20141001 be passed and approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO.20141001

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, has performed the work for engineering of the Pole Creek Crossing/Greenwood Road Phase 1 projects in Street Improvement District #58 & #59; and NIENHUESER CONSTRUCTION, the contractor for the construction of the Pole Creek Crossing/Greenwood Road Phase 1 projects of Street Improvement District #58 & #59 of this city; and the engineer has filed with the City Clerk certificates showing the performance of said contracts as follows: 1. APPLICATION FOR PAYMENT NUMBER 6; STREET IMPROVEMENT DISTRICT #59; AMOUNT DUE ENGINEER \$17,544.54; AMOUNT DUE CONTRACTOR \$277,616.69. 2. APPLICATION FOR PAYMENT NUMBER 6; STREET IMPROVEMENT DISTRICT #58; AMOUNT TO ENGINEER \$16,194.96; AMOUNT DUE CONTRACTOR \$263,440.02. Payments in the amount now due the engineer and the contractor are hereby authorized and charged to said districts. Said payments shall be paid from the 2014 Bond Anticipation Notes fund; AND

That Change Order #2 for Pole Creek Crossing/Greenwood Phase I in the amount of +\$400 is hereby approved.

City Manager Person asked the Council to ratify his re-appointments of Kay Hicks and Scott Williams to the Historic Preservation Board. Arterburn move, Gallaway seconded "That the re-appointments of Kay Hicks and Scott Williams to the Historic Preservation Board be ratified." Roll call vote: Yeas: All council members present.

Gay moved, Gallaway seconded "That the following claims for September 2014 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Gallaway, Gaston, Gay and Arterburn. Nays: None. Abstain: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) Hillside Ventures se 2501.54.

Arterburn moved, Gay seconded "That the following claims for September 2014, 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. (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, iv investment) 21st Century eq 6120.34, 178.42; 4imprint su 992.00; A-1 Sports su 954.95; Accelerated Rec se 139.11; Administrative Professional du 89.00; Affordable Towing su 17497.00; Ag Teck Repair se 500.40; Alamar su 5475.00; Altec eq 1784.20, 187302.56; ASP Enterprises se 991.00; B&C Steel eq 998.20; Baker & Taylor su 6559.45, 16.60; Barco Municipal Products su 313.20; Barker Cleaners se 30.00; Bluffs Broadcasting su 500.00; Bomgaars su 34.99, 113.52, 212.50, 136.49, 21.99; Book & Coffee Corner su 11.18; Borchert, Lori tt 88.25; Brestel, Gerald rt 570.28; Bug Off se 110.00; Busted Knuckle su 465.80, 277.83; C&M Golf su 38.41; Cardmember su 2332.14, 39.68; Cashwa su 104.50, 80.21, Centurylink su 96.89; Charter Communications su 62.99; Cheyenne Co Chamber se 2116.66; Cheyenne Co Community Center se 10000.00; Cheyenne Co Emergency Comm Cntr se 26041.46; Cheyenne Co Treasurer tx 2227.50, 14000.46; Cheyenne Co Title & Escrow su 49104.53; Chief su 1526.71; City of Sidney se su 92.71, 22.25, 5.56, 528.48, 3.96, 140.65, 1435.03, 2938.47, 2340.00, 67.17, 1170.00, 225.00, 1000.00, 2562.68, 20.67, 30.58, 103.00, 238.09, 1531.67, 4070.75; bd 469536.00, 13428.37, 19682.08; sa in 95759.99, 10588.12, 10447.59, 18697.41, 18390.77, 26266.45, 25995.51, 12208.18, 12065.10, 7105.92, 8008.24, 68859.59, 2844.71, 11106.89, 524.71, 16019.65, 564.65, 20180.68, 1019.60, 13842.44, 456.62, 8172.29, 458.78; ut 4747.85, 2721.33, 162.03, 775.40, 87.09, 393.68, 11904.46, 607.36, 11101.46, 103.80; Cobitco su 545.31; Conserve Flag su 194.00; Cornhusker se 338.00; Country Printer su 87.00; Coyote Caller se 16.00; Cranmore Pest/Fire se 85.00; Croelle Redi Mix su 320.25, 785.25, 169.23; Culligan se 19.95; D&K Products su 323.36; Darin's Auto su 1562.20; Deaver Tire su 7164.00; Delta Star su 50437.90; Department of Energy su 25462.96; Dex Media se 1272.00; DHHS se 1056.00; Diamondback

Engineering se 6380.00, 1595.00; Ditch Witch of NE su 12156.02; Doty, Dave tt 291.28; DP Electronics su 175.00, 9832.23, 142.93, 1289.98; Dutton Lainson su 4570.31, 4041.37; E&S Auto su 774.16, 249.22, 1040.46, 586.98, 177.26, 30.90, 518.89; Eagle Communications su 270.00; EcoResource Solutions su 647.50; Ed Roehr su 668.50; Elan Visa su 405.09, 16.95; Electric Power Systems su 92792.00; Elliott Equipment su 6312.00; Emblem Enterprises su 277.73; Endurance Flag su 150.00; Enviro se 150.00; Falcon Labs su 515.64; Farwest Line su 2288.53; Finneys su 423.17, 42.96, 7.26, 167.30, 315.33, 2.68, 178.71, 29.88; Floyd's Truck eq 1981.38, 584.59; Foster Lumber su 128.74, 150.58, 711.94, 20.00; Fremont Nat'l ct 13014.16; Frenchman Valley su 198.30, 8709.04, 250.54, 3399.58, 7605.74, 2809.70, 2861.83, 1338.86; Front Range Training su 369.29; Fry & Asso eq 16409.00; Fyr Tek su 1054.73; Gabel, Betty re 56.43; Gale/Cengage su 87.65; Galetton Gloves su 604.70; Gaffs su 895.36, 18.03; GLEC su 208.25; Gledhill Road Machinery su 5583.87; Golden West su 333.84; Gordon's Body Shop su 460.00; Graff's Turf Farms su 648.00; Grainger su 1036.39; Hach su 239.54, 301.84; Hahn, Gary re 36.83; Hall's Safety eq 183.55; Hamilton se 394.70, 99.90, 49.95; Hammond, Kevin su 300.00; Harding & Shulz se 972.00; Harper Industries su 145.70; Holiday Inn se 82.00, 456.50; Holtz Industries su 169.81; Hometown Leasing se 978.32; Huber & Asso se 81.00, 81.00; IAPMO du 45.00; Ideal Linen su 28.93, 133.13, 191.41, 145.48, 22.58, 59.66; Inland Truck su 576.94; Intermountain Sales su 275.55; JJ Keller se 120.67; Jiridon Agri su 12161.91; JJ Plumbing eq 4799.06; Johnson, Kris re 182.00; Journal Office su 37.97; Kevin's Electric su 56.00, 620.00, 13.98, 145.00; Kriz Davis eq 13330.00, 135.45; LL Johnson su 2450.06, 303.49; League of NE 550.00; Leal, Ron se 450.00; Learning Zone Express su 226.04; Line Power/Federal Pacific eq 760.98; Lubrication Engineers se 322.05; Luft su 535.97; Matthes, Joan se 625.00; McGown, Megan re 482.16; Mc2 Inc su 250.72; Media Logic Radio su 125.00; Memorial Gardens se 652.37; Milestone su 289.50, 503.25, 990.00, 321.75; Miller Office su 812.39, 2660.61, 78.73, 426.98, 924.50, 2134.90, 93.57, 1300.28, 21.18, 426.98; Mizuno su 1001.99, 899.39; Municipal Chemical su 27800.00; MEAN ut 30878.97; Municipal Supply su 486075.66, 10764.54; Napa su 88.55; Nat'l Animal Control du 35.00; NDEQ se 7750.00; NE Department of Revenue tx 70885.31; NE Dept of Roads se 43456.27; NE Environmental su 20948.54 eq 20948.54, 994.67, 80000.00; NE Golf Asso du 4200.00; NE Library se 10.00; NE Life Publishing se 48.00; NE Link su 36.00; NMPP se 1500.00; NE Safety Council su 270.00; NE Safety & Fire se 207.00; NE State Treasurer su 92.15; NE Swana du 250.00; NT&T se 154.65, 1477.54, 129.93, 194.82, 313.19, 166.29; Neland Tire su 2223.29; Nienhueser Const se 50.64; NMC eq 34048.07, 5605.00, 1058.42, 5605.10; Northwest Pipe su 113.89, 973.03, 5455.50, 144.74; NWEA du 100.00; OCLC su 193.76; Olsen, Eleanor se 275.00; Olsson Asso se 8501.20, 8913.84, 1797.28; Palmer, Mike su 448.36; Palmore Masonry se 1600.00; PADD se 25.00; Panhandle Geotechnical se 570.00; Payment Tech se 30.04, 38.33; Pepsi su 1006.80; Perfection Door su 97.25; Person, Gary re 536.08, 234.76; Library Petty Cash re 24.00; Phillips, Kim tt 88.25; Plainsman Electric su 4375.00; Points West se 100.00; Prairie States se 18500.00; Preferred Roofing se 200.00; Prestige Flag su 269.90; PSI Digital Imaging su 1714.63; Quantum Spatial se 15605.00; Quill su 186.28, 168.89, 89.95; Raffelson Rock su 861.00; Randy's Auto se 83.27, 262.67; RCIS su 551.00; Reams su 94.46; Reganis eq 3.44, 29500.00; Region I OHD su 260.00; RWMC se 5948.66; Respond First Aid su 45.24, 68.40, 42.82, 23.40, Ritec su 306.00; Rood's su 334.31, 449.01, 29.25, 106.88, 19.15; Sandberg eq 3410.50, 8540.00; Scholastic seu 828.10; Scotties Potties se 630.00; Scotty's Constr se 2000.00; Segelke Janitorial se 1050.00, 1050.00; Sherwin Williams su 76.49, 19312.04; Shirt Tales su 849.13, 468.70; Showcases su 1937.52; Sidney Feed su 59.98; Sidney High School su 150.00; SRMC se 122.12; Sidney Rehabilitation se 3735.00, 2375.00; Sidney Soft Water se 69.00, 12.00, 165.45, 7.50; Sidney Sun Telegraph se 1018.26; Sidney Fire Dept re 2946.00; Skarshang Testing se 314.81; Sonntag, Goodwin & Leef se 5018.50; Sonny's su 261.76, 1000.32; Source Gas se 314.16, .63, 24.55, 68.49, 60.07, 67.53; Southwestern Equip eq 115.57; Spic & Span su 295.00; Splish Splash se 6.40, 223.00; Staples Golf su 1452.75; Star Herald se 275.00; State of NE Dept of Revenue du 25.00; Steffens Home Interiors se 613.42, 659.77; Stone, Eloise rt 400.00; Sukup, Todd tt 93.50; Superior Lamp su 515.03; SWANA du 250.00; Tait's Electric se 18000.00; Thompson Co su 469.66; Triple O's su 51.28, 227.57, 645.92; U Store It se 60.00, 648.00; US Postal se 7500.00; USA Bluebook su 7264.20, 1254.21; Utility Service se 22849.35; Utility Service Asso se 1519.00; Van Diest Supply su 1801.75; Verizon se 165.59, 433.83, 70.37, 33.19, 182.86, 99.57; Viaero se 59.00; Walmart su 155.24; Wesco eq 743.04; Western Pathology se 235.53; Western United Electric eq 235.53, 104548.05; Wheatbelt ut 10703.69; Whitebluffs su 404.00; WNCC se 1000.00; Wolford, Marie rt 814.36; Young's Plumbing se 7380.00.

Gay moved, Gallaway seconded "That the Treasurer's Report for all City Departments for September, 2014 be approved." Roll call vote: All council members present.

Discussion was held re: changing the date of the first meeting in November due to November 11th be a holiday. No motion was made to change the date. Therefore the first meeting in November will remain on the 11th.

Discussion was held re: a proposed agreement with LEEBRH for 1.44 acres on the far east end of the Sadona Subdivision Tract 3 property and permanent resolution of any alleged outstanding easement issues. Nienhueser moved, Gay seconded “That the proposed agreement with LEEBRH be approved.” Roll call vote: Yeas: Nienhueser, Gay and Arterburn. Nays: Gallaway and Gaston. Motion passed.

Amended Agenda Item #14 - Consideration of a request from Scott Stewart to construct a fence into the south right of way of Doe Court at 2390 Whitetail Drive was discussed. Council Member Arterburn explained why he had asked for this amendment to the Agenda; i.e. Mr. Stewart was not able to attend the council meeting when this had been on the agenda before; that Mr. Stewart had been given a building permit for the fence by the City’s Building Inspector; and that the project had been started by the time he was notified of no consideration of his request to place the fence in the City’s right of way easement. The Council asked if there had been an application made by Mr. Stewart prior to the Inspector issuing him a permit. Mr. Stewart only had his permit in hand. It was recommended that if the city did not have an application process in place, that one needed to be established. City Manager Person asked that this be tabled and that he be allowed to negotiate the cost with Mr. Stewart to have the posts taken out and that Mr. Stewart build his fence on his own property. As per the request, the agenda item was tabled.

Arterburn moved, Gallaway seconded “That Agenda Item #12 re: the LEEBRH 1.44 acre issue be reopened for further discussion.” Roll call vote: Yeas: All council members present. The proposed agreement was thoroughly reviewed, but no further action was taken.

City Manager’s Report included recent and upcoming meetings and events; i.e. JESWA 10/15; Chuck Schroeder meeting with Megan McGown, Gary and Connie Hancock; Historic Preservation 10/15; Sign the Beam at the Medical Center; Legislative hearing re: altering the redevelopment/tax increment financing statutes – letter in opposition sent to the Urban Affairs Committee; Planning Commission 10/20; Interactive Health wellness screenings 10/21-24; Legislative bills available soon; October 15—date for recreational vehicles, trailers, etc. to be off the street; Campaign signs cannot be placed in City right of way or they will be removed; October 18 Mayor’s Cup Golf Tournament. Gary welcomed Everett Johnson, new report for the Sidney Sun Telegraph and thanked all the volunteers for the Oktoberfest celebration.

Public Service Director John Hehnke reported on the street projects; i.e. Fort Sidney overlay 85% done, 10th open to traffic with minor work yet to be finished, Greenwood/Pole Creek Crossing making good progress, and the trails is about 30% finished.

All Council Members complemented the Fire Department on the recent event, the Oktoberfest Committee, and all events that weekend; i.e. car show, wiener races, etc. Council Member Gay informed the Council that he would be absent from the October 28th meeting. Mayor Gaston reported the swimming pool consultant will be at the 10/28 meeting.

Council adjourned at 9:04 P.M.

/s/WENDALL GASTON, MAYOR

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

