

Sidney, Nebraska, November 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 November 11, 2014 in the Council Room. Present were: Mayor Gaston and Council Members: Gallaway, Nienhueser, and Gay. Absent: Arterburn. Others present: City Manager Person, City Attorney Leef, and Deputy Clerk Heilbrun. 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.

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

Nienhueser moved, Gallaway seconded "That the minutes of the October 28, 2014 meeting be approved as amended." Roll call vote: Yeas: Gaston, Gallaway and Nienhueser. Abstain: Gay. Absent: Arterburn.

Mayor Gaston asked the Clerk to read Ordinance No. 1749, re: Home Occupations, by Number. There being no motion to suspend the Statutory requirement requiring the ordinance to be read by title on three different days, the rules were not suspended.

Mayor Gaston asked the Clerk to read Ordinance No. 1748, amending Chapter 1045 Sewers & Private Disposal Systems, etc., by Title for the second time. There being no motion to suspend the Statutory requirement requiring the ordinance to be read by title on three different days, Ordinance No. 1748 will be read by Title for the third time at the next meeting.

Gallaway moved, Nienhueser seconded, "That Resolution No. 20141101 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Arterburn.

RESOLUTION NO.20141101

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: APPLICATION FOR PAYMENT NUMBER 7; STREET IMPROVEMENT DISTRICT #58 & #59; AMOUNT TO ENGINEER \$28,763.00 (SID #58); AMOUNT DUE CONTRACTOR \$430,024.76 (SID58-\$429,055.76 & SID59-\$969.00). 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 Construction Fund.

Nienhueser moved, Gay seconded "That Resolution No. 20141102 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Arterburn.

RESOLUTION NO. 20141102

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, Van Kirk Bros. Contracting have performed the work for construction of SANITARY SEWER EXTENSION DISTRICT #21; and the engineer, Baker & Associates has filed with the City Clerk certificates showing the performance of said contract as follows: SANITARY SEWER EXTENSION DISTRICT #21: CONTRACTOR'S APPLICATION FOR PAYMENT NUMBER 1 - \$116,010.00 AND BAKER & ASSOCIATES \$6,504.85. Warrants in the amount now due the contractor are 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 Account.

Nienhueser moved, Galloway seconded "That Resolution 20141103 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Arterburn.

RESOLUTION NO. 20141103

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, the engineer, has performed the work for construction of Water Extension District #21, Street Improvement District #53, Street Improvement District #54, and Street Improvement #55; and the engineer, Baker & Associates, has filed with the City Clerk certificates showing the performance of said contracts as follows: APPLICATION FOR PAYMENT NUMBER 6 - WATER EXTENSION DISTRICT #21, AMOUNT TO ENGINEER \$1,891.50; APPLICATION FOR PAYMENT NUMBER 5 - STREET IMPROVEMENT DISTRICT NUMBER 53, AMOUNT TO ENGINEER \$6,034.50; APPLICATION FOR PAYMENT NUMBER 5 - STREET IMPROVEMENT DISTRICT NUMBER 54, AMOUNT TO ENGINEER \$3,696.95; and APPLICATION FOR PAYMENT NUMBER 4 - STREET IMPROVEMENT DISTRICT NUMBER 55, AMOUNT TO ENGINEER \$385.00. Warrants in the amount now due the contractor are hereby authorized and charged to said districts. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Account.

Discussion on alternative bidding for public projects under Design Build and Construction Management at Risk contracts was held. Gary and J gave scenarios where these types of bidding would prove advantageous, i.e. the new swimming pool project. Staff was instructed to prepare a resolution for consideration at the next council meeting.

Gay moved, Galloway seconded "That the following claims for October 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: Galloway, Gaston, and Gay Absent: 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) Cabela s su 179.99.

Galloway moved, Gay seconded "That the following claims for October 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: Galloway, Gaston, and Gay Absent: 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 2420.00.

Galloway moved, Gay seconded "That the following claims for October 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. Absent: Arterburn. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, aw awards, ct contract, bd bond, in insurance, ut utilities) 21st Century Equipment eq 1846.25, 127.50; A-1 Sports & Repair su 53.00; Accelerated Receivables se 5.63; Ahrens Ahrens, Joel aw 16.50; Aiwohi, James aw 165.00; Alexander, Larry aw 210.97; All Data se 1500.00; All Star Pro Golf su 116.99; Altec Industries, Inc eq 148.50; American Environmental Consult se 650.00; Andreas, Ashley aw 46.50; Andreas, Klint aw 327.42; Atco International eq 174.00; Barker Cleaners se 30.00; Beck, Jenna aw 55.80; Beier, Mark aw 40.00; Beier, Michelle aw 93.00; Birner, Tom aw 135.48; Bjerke, Matt aw 49.50; Blauret, Arnold aw 236.45; Blundell, Jeremi aw 16.50; Bomgaars eq 19.28, 25.94, 1043.95, 117.62, 83.97; Bondegard, Brandon aw 88.00; Bown, LaVerne aw 49.50; Bragg, Jenny aw 55.80; Brestel, Gerald rt 570.28; Burch, Dave aw 119.90; Burnett, Rob aw 155.48; Busted Knuckle Garage se 303.76; Butts, Greg aw 125.48; Campbell, Rob aw 105.48; Cardmember se 64.28, 9.32, 1475.58; Carlile, Matthew re 149.07; Carpenter, Justin se 155.48; Caselle ct 1080.33; Cashwa su 117.55; Centurylink se 96.89; Charter Communications se 62.99; Cheyenne Co Chamber se 1666.67; Cheyenne Co Community Center ct 10000.00; Cheyenne Co Emergency Comm Cnt ct 22003.09; Chief su 240.49; City of Sidney ex 597.07, 202.40, 1350.00, 1000.00, 365.52, 1179.46, 23179.11, 40.00, 12.15 bd 19750.00, 4331.74; rt 103.00; sa in 17258.56, 17509.35, 7223.99, 7107.39, 12385.43, 10895.57, 26045.49, 97417.99, 1529.24, 46.13, 981.37, 7807.05, 46.14, 13129.34, 23.07, 10443.79, 19187.80, 103.81, 674567.18, 138.40, 639.68, 816.59, 861.61, 1435.39, 4935.13, 12143.42, 10603.60, 25478.28, 92548.25 ut 1030.97, 10615.49, 101.87, 10840.89, 593.49, 160.53, 75.56, 401.47, 4858.15, 1837.31; Clark, Aaron aw 75.90; Clothes Hamper se

84.00; Conrad, Anthony aw 44.00; Contractor Materials su 159.99, 108.09; Country Printer se 60.00, 99.00; Cowan, Scott aw 119.90; Coyote Caller se 16.00; Cranmore Pest/Fire se 85.00, 190.00; Croell su 308.14; Danko se 1113.22; Day & Night se 506.11; Dellinger, Cal aw 170.97; Demasters, Dirk aw 170.97; Design Solutions se 6995.07; Dickinson, Jay aw 301.94; Domstead, Ken aw 70.00; Doyle Sean aw 75.48; DP Electronics su 75.24, 567.92, 64.99; Dutton Lainson se 2174.94; E&S Auto su 1029.20, 43.09, 368.56, 129.16, 848.79; Eagle Communications se 50.00; Eakes su 853.85; Easy Picker eq 2360.00, 97.32; Elliott Equipment eq 1127.13; Endurance Flag su 20.00; Engineering Unlimited su 193.96; Enviro Service se 381.00; Ernest, Suzy aw 25.00; Faessler, Terri aw 50.00; Falcon Laboratories, Inc eq 431.38; Finneys su 73.23, 161.26, 288.00, 109.30, 212.13, 443.11, 224.37; Fisher, Coy aw 44.00; Flohrs, Tim aw 110.00; Floyd's Truck su 2255.73; Foos, Mark aw 80.00; Foremost Promotions su 1978.03; Foster Lumber su 20.28, 47.96; Francone, Phil aw 327.42; Fremont Nat'l Bank ct 13014.17; Frenchman Valley se 6655.55, 377.05, 213.26, 1535.49, 1640.67, 2144.26, 347.30, 9909.63, 180.26; Frerichs, Trevor aw 30.00; Friends of Sidney Public Library eq 100.00; Fyrtek su 752.50, 145.31; Galls su 109.86; Gaston, Wendall aw 60.00; GLEC se 154.36; Gordon's Body Shop se 148.75; Grainger su 403.25; Gusman, Ryan aw 40.00; Haas, Kati aw 50.00; Hach su 94.79; Hajek, Brant aw 210.97; Hamby Young eq 1427.60; Hamilton se 99.90, 49.95, 394.70; Harmon, James su 49.50; Harshbarger, Karla aw 100.00; Haskell, Carrie aw 100.00; Heaton, Pat aw 89.10; Heckenlively, Sarah aw 102.00; Holechek, Jane aw 46.50; Holechek, Jim aw 30.00; Hometown Leasing se 978.32; Horizon West su 2.10; Houser, Jodene re 81.76; Huber & Asso se 81.00; Huck, Brandon aw 135.48; Huck, Kyle aw 210.97; Humphreys, Luke, aw 100.00; Hurt, Andy aw 135.48; : Hurt, John aw 236.45; Ideal Linen su 233.40, 51.15, 22.58, 519.82, 64.14; Ingmire, Nick aw 165.00; Inland Truck su 350.30; Interstate Batteries su 114.91; Jennings, Linson aw 44.00; Jirdon su 4218.26; Johnson Service Co se 4800.00; Johnson, Kris re 140.00; Jones, Jonathan aw 115.48; Jung, Jeff aw 210.97; Jurecki Sue aw 75.00; Karnik, Ben aw 177.10; Kevin's Electric su 196.00, 48.38, 62.00, 20.43; Kimball Midwest su 37.31; Knapp Electric su 2169.61; Kriz Davis su 362.74, 2324.61; KSID se 100.00; Kucera, David aw 20.00; Kuhns, Rick aw 50.00; LL Johnson su 2527.66; Laws, Ty aw 100.00; League of NE se 317.00; Leal, Ron se 450.00; Leininger, Mike aw 60.00; Luptak, Kenan aw 20.00; Maddox Motors su 7.40; Malzahn, Sarah aw 62.20; Mason, Mike aw 80.00; Matthes, Joan se 625.00; McGown, Megan tt 170.24; Midwest Labs su 146.50; Milestone su 98.36; Miller Office su 25.76, 65.54, 24.98, 8.59, 621.62, 39.08; Miller, Dixie aw 113.35; Miller, Tim aw 180.97; Miller, Tracy aw 62.20; Monacy, Jeff aw 136.00; Morrison, Judy aw 136.00; MEAN ut 492819.74; Municipal Supply su 45787.21; Namuth, Mike aw 125.48; Napa su 14.92; NDEQ se 2565.00; NE Dept of Revenue tx 67217.85; NE Dept of Roads ct 222381.22; NE Environmental su 2115.70, 55.59; NMPP su 1136.58; NE Public Health Environmental Lab se 197.00; NE Salt & Grain su 26995.64; NE Secretary of State se 30.00; NT&T se 196.79, 113.02, 52.07, 126.61, 316.20, 1521.62; Neland Tire su 335.23; Nesbitt, Jay aw 20.00; Nienhueser, Keith aw 30.00; Nienhueser, Mark aw 85.48; Nienhuser, Scott aw 50.00; NMC eq 1256.65, 285.09, 265.37' Northwest Pipe eq 74.61, 39524.09, 12329.10; NPZA du 100.00; O'Connell, Mike aw 206.45; O'Connell, Nancy aw 34.00; O'Connell, Peggy aw 113.35; O'Connell, Tim aw 75.48; O'Connell, Tom aw 180.97; Olsen, Eleanor se 275.00; Olsson Associates se 5321.10, 10318.41; One Call se 63.87, 63.88; Palmer, Mike re 60.05; Payment Tech Fees se 30.03, 30.16; Peckham, Dave aw 105.48; Peckham, Shelly aw 25.00; Pepsi su 107.30; Peralta, Padro aw 75.90; Person, Gary aw 60.00; Phillip, Colin aw 49.50; Phillips, Kim re 20.00; Pile, Julie aw 93.00; Pile, Tom aw 40.00; Pittam Body Shop se 218.00; Points West in 44358.00, 18329.00, 22863.00, 28252.00, 29665.00, 33227.00, 77987.00; Prairie States se 332.50; Primm, Paul aw 50.00; Quality Inn & Suites se 203.97; Raddatz, Mary Ann aw 156.54; Railroad Management ct 562.75, 146.16; RWMC ct 5948.66; Respond First Aid su 20.56, 52.82; Ritec Industrial su 523.00; Roberts, Janis aw 99.40; Robinson, Julie aw 46.50; Robinson, Lary aw 33.00; Robinson, Rob aw 60.00; Rood's se 228.95, 1636.62, 106.28, 143.40, 50.20; Ross, Mindy aw 75.00; Russell Industries su 4376.15; Schilz, Rob aw 177.10; Scotties Potties se 630.00; Scranton, Steve aw 301.94; Segelke, Carla se 1050.00; Sherwin-Williams su 114.80; SRMC se 203.72; Sidney Soft Water se 5.00, 29.95, 53.70; Sidney Sun Telegraph se 1063.60, 198.00; Sidney Volunteer Fire Dept re 245.99; Smith, Derald aw 30.00; Smith, Jeff aw 70.00; Smith, Roni aw 102.00; Sonntag, Goodwin & Leef se 5100.50; Source Gas se 36.00, 471.68, 25.38, 50.73, 72.70, 61.42, 440.37; South Platte NRD se 86.40; Southwestern Equipment eq 607.02; Spangler, Kenny aw 242.00; Spic & Span Cleaners se 1570.00; Splish Splash se 16.00, 92.40; Stark, Ray aw 50.00; Steele, Jeff aw 40.00; Steffens Home Interiors su 594.99; Steffens, Doug aw 85.48; Steffens, Ryan aw 110.00; Sterling Monument su 400.00; Sterling, Anne aw 136.00; Stewart, Jim aw 89.10; Stewart, Jolynn aw 116.25; Stitt, Trina aw 116.25; Stone, Eloise rt 400.00; Surh, Sean aw 20.00; Sukraw, Nathan aw 16.50; Sukup, Todd tt 1382.10; Superior Industries eq 6445.00; Sutton, Caleb aw 242.00; Tait's Electric se 3898.36; Taylor, Jesse aw 88.00; Thomas, Colton aw 206.45; Thorpe, Marsha aw 34.00; Triple O's su 29.00, 34.12; Tullah, Chris aw 16.50; USA Bluebook su 1056.47; Verizon se 33.19, 33.19, 66.38, 70.37, 183.10, 168.31, 498.50; Volkmer, Bob aw 30.00; WS Darley eq 1035.80; Walmart su 17.40; Walmsley, Jerry aw 135.48; Wamsley, Scott aw 30.00; Watchorn, Josh aw 115.48; Welch, Pat aw 46.50; Wesco Distribution eq 2178.49; Western Pathology se 166.40, 300.00; Wheatbelt ut 9180.48; Whitebluffs se

548.00; Wieser, Cheryl aw 99.40; Wieser, John/Jacqueline ct 4080.00; Wintholz, Steve aw 20.00; Witt, Ray aw 20.00; Witt, Tony aw 33.00; Wolford, Marie rt 814.36; Yahn, Jeff aw 40.00; Young's Plumbing se 80.00; Zett, Rowdy aw 44.00; Solid Oak Software se 532.00; American Library Asso se 175.00; Centurion Holdings se 50.00; City of Sidney ut 647.59; Culligan se 19.95; Baker & Taylor se 1127.84; Day & Night se 201.47; Demco su 164.90; Elan Visa su 745.94; Frenchman Valley su 100.43; Gaylord su 367.61; Gale/Cengage Learning su 359.65; Guideposts su 35.48; Houchen Bindery su 166.40; Ideal Linen se 58.08; Doris Jensen re 499.52; Journal Office su 32.23; Librarian's Choice su 591.57; McGraw Hill su 85.35; NE Library Commission se 250.30; NT&T se 155.51; Neutron Industries su 136.01; Sandra Nelson re 42.56; OCLC se 193.76; Penn Building se 105.00; Quill su 1028.22; Reliable Office su 117.44; Segelke Janitorial se 1050.00; Sidney Sun Telegraph se 10.64; Sonny's su 20.44; U Store It se 60.00

City Manager's Report included recent and upcoming meetings and events; i.e. Historical Preservation 11/12; Airport bids/Scott Day 11-13 & 14; Business After Hours – Teacher Appreciation 11/18; PADD 11/13; Water Master Plan meeting with staff; Lodgepole Creek Apts. ribbon cutting; League Legislative Meeting last week; Planning Commission meeting on 11/17 re: Love's expansion of boundaries; County Government Day in December; and upcoming special election for new grade school 2/10/15. Congratulated City Councilmen Gaston, Gallaway and Nienhueser upon reelection to the City Council.

All members of the Council expressed appreciation to all veterans for their service to our country and thanked citizens for voting in the recent election.

Council adjourned at 8:04 P.M.

WENDALL GASTON, MAYOR

ATTEST: _____
CYNTHIA K HEILBERUN, DEPUTY CITY CLERK

