

Sidney, Nebraska, December 9, 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 December 9, 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.

Nienhueser moved, Gallaway seconded "That the minutes of the November 25, 2014 meeting be approved as printed." Roll call vote: Yeas: All council members present.

There being no further business, the Council adjourned sine die.

The newly elected members of the Council, Gaston, Nienhueser and Gallaway were sworn into office by City Attorney Leef.

City Attorney Leef, acting as temporary chairman, called for nominations for President of the Council (Mayor). Gay nominated Nienhueser. Gallaway nominated Gaston. Arterburn moved, Gay seconded "That nominations cease." Roll call vote: Yeas: All council members present. Council Member Arterburn asked the two nominees to give a statement of the vision for the future if they were elected Mayor. Each nominee presented their views for the future. Council Member Arterburn asked Council Member Nienhueser if he had the time to devote to the duties required by being the Mayor. Mr. Nienhueser stated, if elected, he would make the time needed. City Attorney Leef asked if the members wanted the vote to be by voice acclamation or by secret ballot. Consensus was to use secret ballot. A secret ballot vote was taken with the following results: Nienhueser 3 votes, Gaston 2 votes.

Ms. Leef declared Mr. Nienhueser as Mayor. Mayor Nienhueser then assumed the chair.

Mayor Nienhueser then called for nominations for vice-president. Gay nominated Gaston. Gay moved, Arterburn seconded "That nominations cease." Roll call vote: Yeas: All council members present. A voice vote was taken with the following results: Yeas: Gallaway, Nienhueser, Gaston, Gay and Arterburn. Nays: None. Gaston was declared Vice President of Council.

Arterburn moved, Gaston seconded "That Roger Gallaway be appointed as City Representative to the Sidney Housing Authority." Roll call vote: Yeas: All council members present.

Doris Jensen, Library Director, presented the names of Sandy White for appointment and Kelley Dible for re-appointment to the Sidney Library Board. Arterburn moved, Gaston seconded "That Kelley Dible be re-appointed and Sandy White be appointed to the Sidney Library Board." Roll call vote: Yeas: All council members present.

Barry Swanson of Baker & Associates presented the bids for the 11th Avenue Walking & Biking Trail as received on 12/1/14 as follows: Midwest Underground, Lincoln, NE - \$442,980.95 including Alternatives #1 & #2 and Paul Reed Construction, Gering, NE - \$492,928.38 including Alternatives #1 & #2. Engineer's recommendation was to award the low bid. Gaston moved, Gallaway seconded "That the bid for the 11th Avenue Walking & Biking Trail be awarded to Midwest Underground in the amount of \$442,980.95 including Alternatives #1 & #2." Roll call vote: Yeas: All council members present.

Don Dye of M.C. Schaff & Associates presented the bids for the 7th Avenue Storm Drain Improvement Project as received on 11/19/14 as follows: Nienhueser Construction, Sidney, NE - \$181,122.50 and Paul Reed Construction, Gering, NE - \$240,213.93. Engineer's recommendation was to award the low bid. Gallaway moved, Gay seconded "That the bid for the 7th Avenue Storm Drain Improvement Project be awarded to Nienhueser Construction in the amount of \$181,122.50." Roll call vote: Yeas: All council members present.

Whereupon Mayor Nienhueser announced that the Planning Commission of the City of Sidney, NE has submitted to the City Council its final report recommending approval of the rezoning requests of Love's Travel Stops & Country Stores, Inc. for Lot 1, Block 1, Love's Addition from Agricultural/C-3 to C-3 Zone, for Lot 1, Block 2, Love's Addition from Agricultural to C-3 Zone AND for Lot 2, Block 2 Love's Addition from Agricultural to R-3 Zone and that a public hearing would now be held at 7:45 p.m. 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: Love's representative, Dave Pierson of Gallaway Engineering reviewed the rezoning requests. All persons having been heard, Mayor Nienhueser closed the public hearing at 7:48 p.m.

Gallaway moved, Gaston seconded "That the Ordinance entitled "AN ORDINANCE PROVIDING FOR THE REZONING OF LOT 1, BLOCK 1, AND LOTS 1 & 2, BLOCK 2, LOVE'S ADDITION, SITUATED IN THE SOUTHWEST QUARTER (SW¼) OF SECTION NINE (9), TOWNSHIP THIRTEEN (13) NORTH, RANGE FORTY-NINE (49) WEST OF THE 6TH PRINCIPAL MERIDIAN, CHEYENNE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED IN SECTION ONE OF THIS ORDINANCE, FROM A (AGRICULTURAL) AND C-3 (HEAVY COMMERCIAL) TO C-3 (HEAVY COMMERCIAL) AND A (AGRICULTURAL) TO R-3 (HEAVY DENSITY MULTI-FAMILY) ZONE; AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1049 OF THE CITY OF SIDNEY, NEBRASKA, WHICH IS NOW CODIFIED AS TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, TO SO PROVIDE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN DIRECT CONFLICT HEREWITH" be designated as Ordinance No. 1751." Roll call vote: Yeas: All council members present. Gaston 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. Gay moved, Arterburn seconded "That Ordinance No. 1751 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. 1751 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Gay moved, Gallaway seconded "That RESOLUTION NO. 20141201 be passed and adopted." Roll call: Yeas: All council members present.

RESOLUTION NO. 20141201

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

That the Planning Commission of the City of Sidney, Nebraska has submitted to the City Council of the City of Sidney, Nebraska, its recommendation of approval of the preliminary plat application of Love's Travel Stops & Country Stores, Inc. for Lot 1, Block 1, and Lots 1 & 2, Block 2, Love's Addition, Sidney, Cheyenne County, Nebraska, and

That the City Council of the City of Sidney, Nebraska, does hereby approve the foregoing preliminary plat; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the Final Plat of Lot 1, Block 1, and Lots 1 & 2, Block 2, Love's Addition, Sidney, Cheyenne County, Nebraska.

Whereupon Mayor Nienhueser announced that the Planning Commission of the City of Sidney, NE has submitted to the City Council its final report recommending Annexation requests of Love's Travel Stops & Country Stores, Inc. for a 6.432 acre tract of land located within Section 9, T13N, R49W of the 6th P.M. more particularly described as Block 1, Love's Addition and for a 4.97 acre tract of land located within Section 9, T13N, R49W of the 6th P.M. more particularly described as Lots 1 & 2, Block 2, Love's Addition and the City's Plan for extending services to said properties; and that a public hearing would now be held at 8:00 p.m. 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: Love's representative, Dave Pierson and City Manager Person reviewed the annexation requests. All persons having been heard, Mayor Nienhueser closed the public hearing at 8:03 p.m.

Gallaway moved, Gay seconded "That the Ordinance entitled "AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF SIDNEY, NEBRASKA, PARCEL NOS. 1 and 2 AS PROPOSED BY THE CITY COUNCIL MORE

PARTICULARLY DESCRIBED HEREIN; TO PROVIDE FOR UTILITY AND OTHER CITY SERVICES FOR THE ANNEXED LAND BY THE CITY OF SIDNEY; TO REPEAL ANY CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE” be designated as Ordinance No. 1752.” Roll call vote: Yeas: All council members present. Due to statutory requirements, annexation ordinances must be read by title three different days. Therefore Ordinance No. 1752 was read by title for the first time.

Gay moved, Arterburn seconded “That RESOLUTION NO. 20141202 be passed and adopted.” Roll call: Yeas: All council members present.

RESOLUTION NO.20141202

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 8; STREET IMPROVEMENT DISTRICT #58 & #59; AMOUNT TO ENGINEER \$14,364.00 (SID #58); AMOUNT DUE CONTRACTOR \$173,583.10 (SID58-\$172,759.60 & SID59-\$712.50). 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.

City Attorney Leef reviewed the proposed Consultant Selection Policy. Gaston moved, Gallaway seconded “That RESOLUTION NO. 20141203 be passed and adopted.” Roll call: Yeas: All council members present.

RESOLUTION NO. 20141203

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY
OF SIDNEY, NEBRASKA TO APPROVE THE
CONSULTANT SELECTION POLICY

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA, that the Consultant Selection Policy, a copy of which is attached to this resolution, be and the same is hereby approved and ratified for future use by the City of Sidney. INTRODUCED BY COUNCIL MEMBER GASTON. PASSED AND ADOPTED THIS 9TH DAY OF DECEMBER, 2014

City Manager Person and City Attorney Leef reviewed an agreement with Barker, Rinker Seacat Architecture for the swimming pool project and how it can be in conjunction with the Consultant Selection Policy. The cost for a schematic design is \$67,725. Selection of a contractor after the schematic design is received was discussed as well as the \$4,000,000 budget. Gay moved, Gallaway seconded “That entering into a contract for a schematic design for a \$4,000,000 pool be authorized with Barker, Rinker, Seacat Architecture utilizing the construction-management at risk bidding process.” Roll call: Yeas: All council members present.

Gay moved, Arterburn seconded “That RESOLUTION NO. 20141204 be passed and adopted.” Roll call: Yeas: All council members present.

RESOLUTION NO. 20141204

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 contracts heretofore made, Baker & Associates, the engineer, has performed the work for engineering of Sanitary Sewer Extension District #21; and 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 contracts as follows: SANITARY SEWER EXTENSION DISTRICT #21; CONTRACTOR’S APPLICATION FOR PAYMENT NUMBER 2 - \$19,031.40; and AMOUNT DUE ENGINEER \$4,993.85. Warrants in the amount now due the contractor and engineer 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; AND

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, Baker & Associates, the engineer, has performed the work for engineering of Water Extension District #21; and Van Kirk

Bros. Contracting have performed the work for construction of Water Extension District #21; and the engineer, Baker & Associates has filed with the City Clerk certificates showing the performance of said contracts as follows: WATER EXTENSION DISTRICT #21; CONTRACTOR'S APPLICATION FOR PAYMENT NUMBER 1 - \$128,923.65; and AMOUNT DUE ENGINEER \$4,877.16. Warrants in the amount now due the contractor and the engineer are hereby authorized and charged to said district. Said warrant shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Account.

Mayor Nienhueser asked the Clerk to read Ordinance No. 1749, amending Chapter 1274 Home Occupations of the Codified Ordinances by Title for the second time.

Gaston moved, Arterburn seconded "That the next meeting for December be held at 7:15 on December 22, 2014." Roll call: Yeas: All council members present.

Gallaway moved, Gay seconded "That the following claims for November 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, ut utilities, tr transfers, tx tax, eq equipment, tt travel/training, mt maintenance, ct contract) Cabela's su 350.00.

Gay moved, Gallaway seconded "That the following claims for November 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, ut utilities, tr transfers, tx tax, eq equipment, tt travel/training, mt maintenance, ct contract) Hillside Ventures se 2420.00.

Arterburn moved, Gay seconded "That the following claims for November 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, Nienhueser, Gay and Arterburn. Nays: None. Abstain: Gaston. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, ut utilities, tr transfers, tx tax, eq equipment, tt travel/training, mt maintenance, ct contract) Safeway se 100.00.

Gallaway moved, Gay seconded "That the following claims for November 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, tr transfers, tx tax, eq equipment, tt travel/training, mt maintenance, ct contract) 21st Century Equipment eq 416.16, 259.56, 802.42, 604.06; Accelerated Receivables se 93.56; All Star Pro Golf eq 24.56; Altec Industries su 13021.10; American Environmental su 525.25; Aqua Aerobic su 149.37, 1041.32; Baker & Asso se 6551.50; Barker Cleaners se 30.00; Baum Hydraulics eq 744.66; BNSF su 100.00; Bomgaar su 23.54, 35.99, 21.76, 118.03, 18.66, 129.99; Brestel, Gerald rt 570.28; Busted Knuckle se 572.01, 533.32; Cardmember se 1302.43, 49.95, 447.08, 19.95; Carolina Software se 200.00; Caselle Inc ct 2160.66; Cashwa su 73.43, 96.30; Century Link se 96.89; Charter se 62.99; Cheyenne Co Chamber se 1666.67, 750.00; Cheyenne Co Community Center se 19373.00; Cheyenne Co Emergency Comm Cnt se 22589.86; City of Sidney se ex bd 59.52, 19750.00, 900.00, 1000.00, 818.84, 13.50, 403.28, 103.00, 532.50, 83.05, sa in 90239.72, 299.87, 14716.50, 4971.28, 10585.81, 10759.19, 17673.22, 92.26, 16806.71, 25122.24, 207.62, 26411.77, 12153.74, 46.14, 12261.08, 7436.69, 92.28, 7121.37, 21068.02, 67641.50, 86729.44, 10443.79, 861.61, 15336.37, 981.37, 1558.53, 13152.41, 816.59, 7853.19, 639.68, 99.15, ut 2574.74, 1772.66, 171.52, 968.73, 63.18, 434.57, 6394.52, 837.31, 9414.42, 108.67; Civic Plus ct 4366.95; Cleveland Golf eq 983.00; Clothes Hamper se 36.00; Connecting Point se 756.00; Consolidated Management su 83.50; Contractors Materials su 2137.50; Country Printer su 313.00; Cranmore Pest/Fire se 85.00; Croell su 91.50, 1947.75, 270.50; Cummins Central Power su 1498.75; Danfoss eq 7550.00; Darin's Auto su 701.67; Dept of Energy ut 20152.79; Dept of HHS se 934.00; DP Electronics su 50.97, 1379.97, 69.99, 1327.59; E&S Auto se 182.04, 21.73, 814.14, 644.53, 179.74, 179.24, 1110.22; Eakes Office su 184.62; EcoResource se 150.00; Eisinger Smith su 360.55; Elliott Equipment eq 349.55, 1169.94; Endurance Flag su 15.00, 18.00; Enviro se 90.00; Fairfield Inn su 94.82; Finney's su 546.84, 45.35, 35.83, 163.75, 26.83, 376.51;

Floyd's Truck su 442.40; Foland Farm Machinery su 45.38; Foster Lumber su 24.97; Fremont Nat'l ct 13014.17; Frenchman Valley Coop se 11181.43, 1280.29, 5331.74, 2054.35, 1314.74, 797.50; Galeton Gloves su 232.70; Golden West Industrial su 539.47; Grainger su 303.09; Hamilton se 394.70, 99.90, 49.95; Hehnke, John re 23.00; Holiday Inn se 461.37, 166.00; Holtz Industries su 84.00; Hometown Leasing su 978.32, Horizon West su 6.60; Ideal Linen su 320.25, 199.50, 64.05, 32.97, 69.13; Inland Truck su 363.00; Interactive Health su 543.00; Intermountain Sales su 24.17; Interstate Batteries su 97.93, 317.76; Int'l City/Cty Management du 850.00; Int'l Code Council se 47.63; JA Traffic su 1253.50; Johnson, Kris su 452.48; Kois Bros su 474.59; Kriz Davis su 14534.70; KSID se 50.00; LL Johnson su 24377.16; Laser This se 44.98; Leal, Ron se 450.00; Lincoln Winwater Works su 1260.00; Lordon Inc su 177.43; Luft su 34.05; Mail Finance su 1821.00; Marmon Utility eq 28659.94; Matheson Tri Gas su 80.48; Matthes, Joan se 625.00; McGown, Megan re 253.68; Miller Office su 760.40, 54.49, 9.47, 212.79, 85.54, 19.58; Mizuno eq 2084.10, Mosca se 1300.00; MEAN su 3779.67; Napa su 11.02; NAPC su 100.00; NCMA su 425.00; NE Chamber su 350.00; NE Dept of Revenue tx 53349.57; NMPP su 3960.00; NE Public Health se 237.00; NE Public Power su 146.08; NE Safety/Fire su 135.00; NT&T se 1458.01, 126.61, 198.56, 313.30, 52.07, 115.97; Neutron Industries su 258.41; Nienhueser Construction se 115.00; Nike su 862.67; NMC eq 1545.39, 247.08; Olsen, Eleanor rt 275.00; Olsson Asso se 6127.77, 8127.89; One Call se 75.70, 75.70; Palmer, Mike re 94.64; Panhandle Public Health se 14.00; Person, Gary tt 603.60; Points West su 108.00, 1092.00; Police Chiefs Asso du 75.00; Police Officer's Asso se 40.00, 367.50; Potter Lions Club se 149.00; Professional Software se 22.00; Radtke, Hank re 57.50; RWMC 5948.66; Renkoski Property Devel se 350.00; Respond First Aid se 41.89, 45.53; Roland, Debra re 8.69; Rood's se 8.00, 117.40, 15.00, 83.88, 78.50, 43.13; Roseberry, Mike re 57.50; Sauder Auto se 711.23; Scotties Potties se 630.00; Segelke, Carla se 1050.00; Shaw Builders re 32.56; Shirt Tales se 33.00; Short Elliott Hendrickson se 10391.80; Sidney Public Schools su 50.00; SRMC se 122.12; Sidney Rehabilitation se 1250.00; Sidney Soft Water se 95.50, 29.95; Sidney Sun Telegraph se 511.06, 270.00, 33.14; Sidney Troop 90 se 617.93; Snap On Tools eq 1073.93; Society for Human Resource Mgt se 190.00; Sonntag, Goodwin & Leef se 5000.00; Sonny's su 85.28; Source Gas su 843.27, 186.64, 89.24, 73.42, 93.33, 93.33; Southwestern Equip se 158.71; Spic & Span Cleaners se 2654.00; Splish Splash se 128.40, 4.80; Sterling Trailers se 5200.00; Stewart, Scott se 600.00; Stone, Eloise rt 400.00; Summit Supply su 104.00; Superior Outdoor Power se 5761.32; TDS Media Direct se 242.78; Tim O'Toole re 240.00; Triple O's su 3.59, 233.48; Tuzicka, Dennis su 78.02; USA Bluebook su 273.83, 552.56; Utility Service se 12539.81; Verizon se 162.91, 70.39, 33.20, 193.57, 66.40, 33.20; Volvo of Denver su 418.80; Walmart su 134.19, 73.83; Western United su 1223.95; Wheat Belt su 8215.05; WhiteBluff se 580.00; WIN 911 Software su 395.00; Wingate su 179.90; Wolff, Dewayne su 50.00; Wolford, Marie su 814.36; WPIC se 204.20, Zep su 352.36; Baker & Taylor se 725.81; City of Sidney ut 659.72; Elan Visa su 620.01; Frenchman Valley se 206.16; Guideposts se 35.48; Doris Jensen re 6.16; Know Buddy Resources su 134.70; Nebraska Link su 72.00; Sandra Nelson re 47.04; OCLC se 193.76; Petty Cash su 10.00; Quill su 122.18; Segelke Janitorial su 1050.00; Sentimental Productions su 125.00; SHS Yearbook se 30.00; Sidney Sun Telegraph se 4.91; U Store It se 60.00; Doris Jensen re 86.24; Culligan su 19.95; Ideal Linen su 29.04; Youth Sports su 128.79; Kevins Electric su 189.00

Gaston moved, Arterburn seconded "That the Budget Reports for all City Departments for November, 2014 be approved." Roll call: Yeas: All council members present.

Mark Nienhueser declared on the record that the creation of water and sewer districts to be discussed involved Cabela's Inc. and other Cabela's related entities; that he is an employee, officer and shareholder of one or more Cabela's related entities and thus could benefit financially from a proposed arrangement; that he would not vote on any matters relating to these districts, and that he will not act for the City or its governing body as to inspection or performance related to such actions.

Pat Maher representing Cabela's appeared to request water and sewer districts for The Ranch Subdivision. Gallaway moved, Gaston seconded "That the Ordinance entitled "AN ORDINANCE CREATING WATER EXTENSION DISTRICT NO. 23 OF THE CITY OF SIDNEY, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF THE WATER MAINS WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS

AND COST ESTIMATE AS PREPARED BY THE CITY'S ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK" be designated as Ordinance No. 1753." Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Gaston 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, Arterburn seconded "That Ordinance No. 1753 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. Gallaway moved, Gay seconded "That Ordinance No. 1753 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Abstain: Nienhueser.

Gay moved, Gallaway seconded "That RESOLUTION NO. 20141205 be passed and adopted." Roll call: Yeas: All council members present. Abstain: Nienhueser.

RESOLUTION NO. 20141205

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

That a contract be authorized for engineering services with Martin & Martin for Water Extension District No. 23; and

That the detailed specifications including the general stipulations thereto attached for the construction of water improvements and all other necessary incidental improvements thereto, as applicable, for Water Extension District No.23, as prepared by Martin & Martin, engineers employed by the City to prepare same, and filed in the office of the City Clerk on December 4, 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 December 16, 2014, January 6, 2015, and January 13, 2015 with the bid opening being set for January 20, 2015 at 2:00 P.M.

Gallaway moved, Arterburn seconded "That the Ordinance entitled "AN ORDINANCE CREATING SANITARY SEWER EXTENSION DISTRICT NO. 24 OF THE CITY OF SIDNEY, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF THE SEWER MAINS WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATE AS PREPARED BY THE CITY'S ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK" be designated as Ordinance No. 1754." Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Arterburn 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. Arterburn moved, Gallaway seconded "That Ordinance No. 1754 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. Gallaway moved, Gaston seconded "That Ordinance No. 1754 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Abstain: Nienhueser.

Gallaway moved, Gay seconded "That RESOLUTION NO. 20141206 be passed and adopted." Roll call: Yeas: All council members present. Abstain: Nienhueser.

RESOLUTION NO. 20141206

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

That a contract be authorized for engineering services with Martin & Martin Inc. for Sanitary Sewer Extension District No. 24; and

That the detailed specifications including the general stipulations thereto attached for the construction of sanitary sewer improvements and all other necessary incidental improvements thereto, as applicable, for Sanitary Sewer Extension District No.24, as prepared by Martin & Martin Inc., special engineers employed by the City to prepare same, and filed in the office of the City Clerk on December 4, 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 December 16, 2014, January 6, 2015, and January 13, 2015 with the bid opening being set for January 20, 2015 at 2:00 P.M.

Gay moved, Gaston seconded “That the appointment of Jake Vickery to the Historic Preservation Board by City Manager Person be ratified by the City Council.” Roll call vote: Yeas: All council members present.

City Manager’s Report consisted of reports on recent and upcoming meetings and events: i.e. JESWA 12-10, Historic Preservation 12-17 for designation of landmarks w/ City Council consideration of same in January, Rotary 12-8, County Commissioner’s McMillan and Winkleman retirement reception next week, Employee Awards banquet 12/5, etc. He congratulated the three council members that had been sworn in at this meeting. He also thanked the volunteers, Megan and the City Departments for the successfully Hickory Square activities.

Council Member Gallaway complemented the recent Hickory Square activities. They were very well run and well attended by the public. He inquired about the status of the Deadwood Trail project to which John Hehnke reported that due to the weather the work had been suspended. Council Member Arterburn thanked Wendall for his many years of service as Mayor and congratulated Mark on accepting the challenging office of Mayor. He also questioned whether there was any consideration of bringing back curbside recycling service to which Gary and John both felt that it wasn’t likely at this time. Council Member Gaston thanked the other Council members for letting him represent the City as Mayor over the last years and he gave his well wishes to Mark as new Mayor. Mayor Nienheuser thanked Wendall for his many years of service as Mayor.

Meeting adjourned at 9:05 p.m.

MAYOR

ATTEST: _____
CITY CLERK

