

Sidney, Nebraska, July 14, 2015 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 July 14, 2015 in the Council Room. Present were: Mayor Nienhueser and Council Members: Gallaway, Gaston, and Arterburn. Absent: Gay. 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 Nienhueser informed the public of the location of the posted Open Meetings Act.

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

Gaston moved, Gallaway seconded "That the minutes of the June 23, 2015 meeting be approved as corrected." Roll call vote: Yeas: All council members present. Absent Gay.

Marc Munford of Ameritas Investment Corp presented the proposed ordinance for Bond Anticipation Notes Series 2015. He explained this is interim financing until the districts have been certified complete.

Gaston introduced, Gallaway seconded "That Ordinance No. 1765 entitled: "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES OF THE CITY OF SIDNEY, NEBRASKA, IN THE PRINCIPAL AMOUNT OF THREE MILLION THIRTY-FIVE THOUSAND DOLLARS (\$3,035,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR THE COSTS OF CONSTRUCTING STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 53, 54, 56, 58, 60, 61 AND 62, FOR THE COSTS OF CONSTRUCTING SANITARY SEWER IMPROVEMENTS IN SANITARY SEWER EXTENSION DISTRICT NOS. 21, 23 AND 24 AND WATER IMPROVEMENTS IN WATER EXTENSION DISTRICT NOS. 21, 22 AND 23 OF SAID CITY PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION VARIOUS PURPOSE BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE THE CITY'S GENERAL OBLIGATION VARIOUS PURPOSE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM".

Gaston moved "That the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended and that Ordinance No. 1765 be read by number only and placed on final passage." Gallaway seconded the motion to suspend the rules and upon roll vote on the motion the following Council Members vote: "AYE": Gallaway, Gaston, Nienhueser and Arterburn. The following voted "NAY": none. Absent: Gay. The motion to suspend the statutory rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said Ordinance No. 1765 was then read by number and thereafter Arterburn moved for final passage of said Ordinance. Gallaway seconded the motion. The roll was called and the following voted "AYE": Gallaway, Gaston, Nienhueser and Arterburn. The following voted "NAY": None. Absent: Gay. Motion carried.

Gaston moved, Arterburn seconded "That ORDINANCE NO. 1765 be published in pamphlet form." Roll call vote: Yeas: Gallaway, Gaston, Nienhueser, Arterburn. Nays: None. Absent: Gay.

Gallaway moved, Gaston seconded "That RESOLUTION NO. 20150701 be passed and adopted as amended." Roll call vote: Yeas: All Council Members present. Absent: Gay. Nicole Peralta was present to answer any questions for the Peralta Paradise Subdivision.

RESOLUTION NO. 20150701

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

That the City Council of the City of Sidney, Nebraska, has approved the preliminary plat application of Pedro Peralta to subdivide a tract of land located within the Northeast Quarter of Section 23, T14N, R50W of the 6th P.M. more particularly described as 2468 Road 109, into two residential tracts in Cheyenne County, Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the final plat of Tracts 1 and 2, Peralta Paradise Subdivision.

The City Clerk read Ordinance No. 1761 for the third time by title as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF TRACT 1, PERALTA'S PARADISE SUBDIVISION, TO THE CITY OF SIDNEY, NEBRASKA, FROM A (AGRICULTURAL) TO AR (AGRICULTURAL RESIDENTIAL) 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". Gallaway moved, Gaston seconded "That Ordinance No. 1761 be finally passed." Roll call vote: Yeas: All council members present. Absent: Gay. 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. 1761 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Absent: Gay.

The City Clerk read Ordinance No. 1762 for the third time by title as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF TRACT 2, PERALTA'S PARADISE SUBDIVISION, TO THE CITY OF SIDNEY, NEBRASKA, FROM A (AGRICULTURAL) TO R-1A (RURAL RESIDENTIAL ESTATE) 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". Gaston moved, Arterburn seconded "That Ordinance No. 1762 be finally passed." Roll call vote: Yeas: All council members present. Absent: Gay. 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. 1762 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Absent: Gay.

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 request of Matthew Snyder for Lots 1 & 2, Snyder Subdivision to rezone same from A (Agricultural) to AR (Agricultural Residential) Zone 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: None. All persons having been heard, Mayor Nienhueser closed the public hearing.

Gallaway moved, Gaston seconded "That the Ordinance entitled "AN ORDINANCE PROVIDING FOR THE REZONING OF LOTS 1 AND 2, BLOCK 1, SNYDER SUBDIVISION, TO THE CITY OF SIDNEY, NEBRASKA, FROM A (AGRICULTURAL) TO AR (AGRICULTURAL RESIDENTIAL) 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. 1763." Roll call vote: Yeas: All council members present. Absent: Gay. There being no motion to suspend the rule that the ordinance be read by title on three different days, the City Clerk read the ordinance by title.

Gaston moved, Arterburn seconded "That RESOLUTION NO. 20150702 be passed and adopted." Roll call vote: Yeas: All Council Members present. Absent: Gay.

RESOLUTION NO. 20150702

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, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Street Improvement District #58; and the contractor, Nienhueser Construction for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #58; PAYMENT NUMBER 11; AMOUNT DUE ENGINEER \$25,476.00; PAYMENT NUMBER 11; AMOUNT DUE CONTRACTOR \$253,325.66. STREET IMPROVEMENT DISTRICT #59: AMOUNT DUE CONTRACTOR \$10,261.72. 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; AND

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Street Improvement District #58 and #59; and the contractor, Perrett Construction Ltd. for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #58; PAYMENT NUMBER 1; AMOUNT DUE ENGINEER \$29,610.00; PAYMENT NUMBER 1; AMOUNT DUE CONTRACTOR \$397,962.01. 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.

Gaston moved, Gallaway seconded "That RESOLUTION NO. 20150703 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Gay.

RESOLUTION NO. 20150703

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, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Water Extension District #22; and Midwest Underground, Inc. has performed the work for construction of Water Extension District #22; and the engineer, M.C. Schaff & Associates has filed with the City Clerk certificates showing the performance of said contracts as follows: WATER EXTENSION DISTRICT #22; PAYMENT NUMBER 2; AMOUNT DUE ENGINEER \$2,703.00 and AMOUNT DUE CONTRACTOR \$35,666.59. A warrant in the amount now due the engineer and 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.

Gallaway moved, Arterburn seconded "That RESOLUTION NO. 20150704 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Gay.

RESOLUTION NO. 20150704

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

That the Mayor and Council hereby approve Change Order No. 1 for Sanitary Sewer Extension District No. 23 in the amount of \$1,358.00.

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Sanitary Sewer Extension District #23; and Midwest Underground, Inc. has performed the work for construction of Sanitary Sewer Extension District #23; and the engineer, M.C. Schaff & Associates has filed with the City Clerk certificates showing the performance of said contracts as follows: SANITARY SEWER EXTENSION DISTRICT #23; PAYMENT NUMBER 2; AMOUNT DUE ENGINEER \$6,708.00 and AMOUNT DUE CONTRACTOR \$56,024.21. A warrant in the amount now due the engineer and 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.

Arterburn moved, Gallaway seconded "That RESOLUTION NO. 20150707 be passed and adopted as amended." Roll call vote: Yeas: All council members present. Absent: Gay.

RESOLUTION NO. 20150707

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 Street Improvement District #53; and the contractor, Paul Reed Construction for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #53; PAYMENT NUMBER 4; AMOUNT DUE ENGINEER \$4,594.42; PAYMENT NUMBER 1; AMOUNT DUE CONTRACTOR \$141,018.65. 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 2015 Construction Fund; 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 Street Improvement District #54; and the contractor, Paul Reed Construction for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #54; PAYMENT NUMBER 8; AMOUNT DUE ENGINEER \$2,770.03; PAYMENT NUMBER 1; AMOUNT DUE CONTRACTOR \$27,430.37. 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 2015 Construction Fund;

Gallaway moved, Arterburn seconded "That RESOLUTION NO. 20150705 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Gay.

RESOLUTION NO. 20150705

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

1. The Council finds that Baker & Associates, the engineers in charge of the construction of improvements in Water Extension District No. 21 and Sanitary Sewer Extension District No. 21 of said City, have certified that the contract for the construction of said improvements have been fully performed by Van Kirk Bros. Contracting, the contractor to whom a contract was entered into by the City and that said improvements have been completed in accordance with said contract and said engineers have recommended the acceptance of the same by the City.

2. The certificate of the engineer has been approved and the Council finds that said improvements have been constructed according to the contract and have been completed and said improvements in said district are hereby accepted by the City.

3. The Council finds that in WATER EXTENSION DISTRICT NO. 21 the total cost of constructing said improvements in said district is \$169,272.87 of which there is no cost to adjacent real estate owned by the United States or the State of Nebraska; of which there is no cost to adjacent real estate owned by the City of Sidney; and the cost of constructing the improvements in said District to the abutting property is \$169,272.87.

4. The Council further finds that there has been paid Van Kirk Bros. Contracting, the contractor, for and on account of construction of said improvements \$143,248.50 for WATER EXTENSION DISTRICT NO. 21 for

which warrants were authorized and directed to be issued to said Van Kirk Bros. Contracting, the same being the full amount due said contract from the City for said improvements in said district.

5. The Council also finds that there has been paid Baker & Associates, engineers, \$17,963.76 for WATER EXTENSION DISTRICT NO. 21 for services performed as such engineers in the construction of said improvements pursuant to this contract and for which warrants were authorized and directed to be issued to said Baker & Associates. Contracting, the same being the full amount due said contract from the City for said improvements in said district.

6. The Council also finds that there is due the City of Sidney \$8,060.61 for Water Extension District No. 21 for advertising, legal fees, warrant interest and miscellaneous in conjunction with said improvements in said district and a warrant is hereby authorized and directed to be issued to said City of Sidney the same being the full amount due the City.

7. The Council finds that in SANITARY SEWER EXTENSION DISTRICT NO. 21 the total cost of constructing said improvements in said district is \$179,901.43 of which there is no cost to adjacent real estate owned by the United States or the State of Nebraska; of which there is no cost to adjacent real estate owned by the City of Sidney; and the cost of constructing the improvements in said District to the abutting property is \$171,334.70.

8. The Council further finds that there has been paid Van Kirk Bros. Contracting, the contractor, for and on account of construction of said improvements \$150,046.00 for SANITARY SEWER EXTENSION DISTRICT NO. 21 for which warrants were authorized and directed to be issued to said Van Kirk Bros. Contracting, the same being the full amount due said contract from the City for said improvements in said district.

9. The Council also finds that there has been paid Baker & Associates, engineers, \$21,288.70 for SANITARY SEWER EXTENSION DISTRICT NO. 21 for services performed as such engineers in the construction of said improvements pursuant to this contract and for which warrants were authorized and directed to be issued to said Baker & Associates, the same being the full amount due said contract from the City for said improvements in said district.

10. The Council also finds that there is due the City of Sidney \$8,566.73 for Sanitary Sewer District No. 21 for advertising, legal fees, warrant interest and miscellaneous in conjunction with said improvements in said district and a warrant is hereby authorized and directed to be issued to said City of Sidney the same being the full amount due the City.

11. The warrants hereinabove and previously issued shall be paid out of the proceeds of the sale of Various Purpose Bonds which the City shall cause to be issued; provided, however, before the Various Purpose bonds are issued, there shall be applied to the payment of said costs all moneys collected in cash from the special assessments levied on the property in said districts.

12. The Mayor and City Council shall meet as a Board of Equalization on the 28th day of July, 2015 at 7:15 o'clock P.M. in the regular meeting place in the Municipal Building for the purpose of equalizing all special assessments and levying special assessments for the construction of the improvements in WATER EXTENSION DISTRICT NO. 21 AND SANITARY SEWER EXTENSION DISTRICT NO. 21; and

BE IT FURTHER RESOLVED that the City Clerk be directed to give notice to all property owners in said District of the meeting of the Council as a Board of Equalization and the time and place thereof by publication of notice thereof at least ten (10) days prior to the date thereof in The Sidney Sun-Telegraph, a newspaper having general circulation in the City, and by mailing of copies of said notice to interested parties as provided by law.

Gaston moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, NAMING THE UNNAMED ROAD AS RECORDED ON THE PLATS OF CONESTOGA SUBDIVISION LOTS A1 AND A2, BLOCK 2; CONESTOGA SUBDIVISION LOT 2, BLOCK 2; CONESTOGA SUBDIVISION BLOCK 3; SMIKAHL'S SUBDIVISION LOT 1; A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 153 OF OFFICIAL RECORDS, PAGE 648 IN THE OFFICE OF THE COUNTY RECORDER OF CHEYENNE COUNTY, STATE OF NEBRASKA; A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 151 OF OFFICIAL RECORDS, PAGE 286 IN THE OFFICE OF THE COUNTY RECORDER OF CHEYENNE COUNTY, STATE OF NEBRASKA; A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 129 OF OFFICIAL RECORDS, PAGE 716 IN THE OFFICE OF THE COUNTY RECORDER OF CHEYENNE COUNTY, STATE OF NEBRASKA; AND A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED RECORDED IN BOOK 143 OF OFFICIAL RECORDS, PAGE 93 IN THE OFFICE OF THE COUNTY RECORDER OF CHEYENNE COUNTY, STATE OF NEBRASKA; AND PROVIDING CERTIFICATION AND RECORDING OF THE ORDINANCE" be designated as Ordinance No. 1764." Roll call vote: Yeas: All council members present. Absent: Gay. There being no motion to suspend the rule that the ordinance be read by title on three different days, the City Clerk read the ordinance by title.

Gaston moved, Gallaway seconded "That RESOLUTION NO. 20150706 be passed and adopted as amended." Roll call vote: Yeas: All council members present. Absent: Gay.

RESOLUTION NO. 20150706

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA: That in accordance with the power vested in them by Sections 424.01, 460.01, 460.02 and 460.13 of the codified Ordinances of the City of Sidney, 1977, the following traffic regulatory markings shall be placed as hereafter indicated and that all vehicles using the streets of the City comply with the regulations and prohibitions hereafter set forth:

STOP SIGNS

Stop signs shall be placed as follows:

- (a) At the southwest corner of the intersection of Greenwood Road and Cattail Drive. Said sign shall be placed facing eastbound traffic on Cattail Drive.
- (b) At the southwest corner of the intersection of Greenwood Road and Prairie Grass Drive. Said sign shall be placed facing eastbound traffic on Prairie Grass Drive.
- (c) At the northwest corner of Greenwood Road and Pole Creek Crossing. Said sign shall be placed facing southbound traffic on Greenwood Road.
- (d) At the northeast corner of Greenwood Road and Pole Creek Crossing. Said sign shall be placed facing westbound traffic on Pole Creek Crossing.
- (e) At the southeast corner of Greenwood Road and Pole Creek Crossing. Said sign shall be placed facing northbound traffic on Greenwood Road.
- (f) At the southwest corner of the intersection of Greenwood Road and Pole Creek Crossing. Said sign shall be placed facing eastbound traffic on Pole Creek Crossing.
- (g) At the northwest corner of the intersection of Pole Creek Crossing and Prairie Grass Drive. Said sign shall be placed facing southbound traffic on Prairie Grass Drive.
- (h) At the northwest corner of the intersection of Pole Creek Crossing and Creekside Drive. Said sign shall be placed facing southbound traffic on Creekside Drive

All markings and signs shall be placed in accordance to the "Manual on Uniform Traffic Control Devices" and the regulation and prohibitions of such signs and markings shall be effective twenty-four hours each day.

Gaston moved, Arterburn seconded "That the following claims for June 2015, 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, and Arterburn. Abstain: Nienhueser. Absent: Gay. (Abbreviation for claims: aw awards, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tr transfers, tt travel/training , tx tax, ut utilities) Cabela's eq 235.97

Gaston moved, Gallaway seconded "That the following claims for June 2015, 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, and Arterburn. Abstain: Nienhueser. Absent: Gay. (Abbreviation for claims: aw awards, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tr transfers, tt travel/training , tx tax, ut utilities) Hillside Ventures se 2420.00

Gallaway moved, Arterburn seconded "That the following claims for June 2015, 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: Gay. (Abbreviation for claims: aw awards, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tr transfers, tt travel/training , tx tax, ut utilities) 21st Century Equipment eq 12515.75, 315.84, 625.99, 53.70, 28.20; 4 Rivers Equipment eq 260.98; Accelerated Receivables se 48.09; Altec su 359.12; American Chamber of Commerce se 250.00; Arnold Pool eq 1152.45; ASCAP se 10.83; Atco eq 412.45; B&C Steel su 95.92; Baker & Asso se 1170.00; Barker Cleaners su 60.00; Barker Rinker Seacat Architecture se 108200.04; Beacon Athletics su 1030.97; Better Electric se 43351.72; Bobcat of Casper eq 204.48; Bomgaars su 233.42, 119.96, 47.27, 406.74, 58.47, 860.49, 87.17, 15.11, 11.86; Bresetel, Gerald ret 570.28; Bug Off se 55.00; Business & Legal se 233.95; Canon Financial se 112.90; Cardmember se 1775.07, 27.98; Caselle se 1080.33; Cashwa su 68.45; Centurylink se 96.89; Charter se 7.89, 67.99; Cheyenne Co Chamber se 480.00; Cheyenne Co Community Center 10000.00; Cheyenne Co Court se 17.00; Cheyenne Co Emergency Comm Cntr se 20291.65; Chief su 323.42; City of Sidney se 102.33, 5.76, 6.35, 675.00, 2801.77, 96.00, 150.98, 2283.16, 695.95, 300.00, bd 19750.00; sa in 27319.59, 1601.71, 11830.16, 932.88, 8197.68, 669.52, 12655.90, 862.13, 105281.36, 5079.04, 18027.49, 816.89, 102758.75, 12305.37, 17568.81, 26074.37, 12272.06, 7844.20, 64414.70, 10435.66, 12151.34, 21726.23, 13229.70, 7850.03, 5079.64, 815.98, 816.89, 1601.71, 932.88, 669.52, 102437.68, 10684.49, 17708.99, 26250.04, 11879.16, 7650.84, ut 4802.19, 29.40, 157.61, 1602.01, 515.55, 118.95, 5963.51, 10481.77; Civic Plus se 2000.00; Clothiers Hamper se 12.00, 48.00; Conserve Flag su 194.00, 143.00; Continental Divide Fence se 132.81; Contractor Materials se 812.40, 953.54; Country Printer se 603.00; CPS se 4000.00; Cranmore se 85.00, 192.00; Croelle Redi Mix 750.03, 67.60; Dan's Radiator su 80.00; Darins Auto 3364.78, 806.25; Day & Night se 1445.58, 120.25, 369.74, 270.16; Deaver Tire su 1565.76; Department of Energy su 23984.21; Department of HHS se 245.00; Digital Alley eq 810.00; Ditch Witch su 45.36; DP Electronics su 1978.51; 380.99, 39.98, 129.46, 39.99; Dutton Lainson su 4813.63; E&S Auto se 698.92, 201.65, 1003.63, 1256.93, 35.65, 140.83; Eakes su 133.00; Endurance Flag su

21.00; Engineering Unlimited su 1900.89; Enviro se 95.00, 108.00, 72.00; Falcon Labs su 349.42; Fastenal su 13.90; Finnys su 646.71, 67.81, 435.55, 356.65, 358.07, 127.54; Floyds eq 738.76; Foster Lumber su 42.14, 29.05, 194.02, 61.82; Fremont Nat'l ct13014.17; Frenchman su 8019.28, 1829.57, 4593.07, 1549.82, 840.33, 441.01; Galeton Gloves su 501.90; Galls su 206.35; Gempler's su 321.95, 148.80; GLEC eq 2330.95; H2 Golf eq 208.75; Hamilton se 264.80, 99.90, 49.95; Harper Industries su 549.02; Hire Right se 9.80; Holiday Inn se 1199.70; Hometown Leasing se 978.32; Horizon West eq 3.89, 8.80, 397.76; Houser, Jodene re 40.67; Huber & Asso se 81.00; Ideal Linen se 287.19, 83.08, 24.82, 236.79; Interstate Batteries eq 410.82; Johnson, Kris su 249.75; KAAQ-FM se 57.50; Kevin's Electric eq 743.00, 17.00, 20.00, 86.00, 190.00, 24.30; Kriz Davis su 55918.60, 23586.93; KSID su 653.10; LG Everist su 211.89, 449.33; Landis & Gyr eq 50192.50; Langley Trucking su 541.62, 1155.42; Leal, Ron se 450.00; Lee, Travis re 36.39; Lodgepole Valley Youth Camp re 3064.83; Lubrication Engineers su 322.05; M&S Drilling se 570.00; MC Schaff se 6643.25; Maddox Motors su 95.20; Matthes, Joan se 625.00; Mellen & Asso se 4118.74; MES su 193.56; Midwest Underground su 90927.69; Milestone su 141.75, 439.16, 5533.99, 203.18; Miller & Sons Golf Cars su 196.08, 11369.12; Miller Office su 513.47, 89.99, 21.49, 59.32, 97.74; Municipal Chemical Supply su 2165.00; MEAN ut 387925.80; Napa su 54.07, 16.00; NE Dept of Revenue tx 55450.95; NE Dept of Roads se 9121.51; NE Environmental Products su 98.76; NE Golf Asso du 2536.00; NE Public Health du 628.00, 80.00; NE Safety/Fire eq 686.00, 320.00; NT&T s 1604.86, 127.91, 195.79, 306.83, 168.69; Newman Traffic Signs se 1034.00; Nienhueser Const se 622.42, 51583.05; Nike 342.63; NMC se 1242.80, 4197.65; Northwest Pipe su 2845.18, 137.26; Olsen, Eleanor se 275.00; Olsson Asso se 200.24; Omaha Tractor eq 34074.35; One Call se 98.63, 98.62; Palmer, Mike tt 167.22; Panhandle Public Health se 24.00; Patel, Chhayaben re 41.19; Payment Tech se 30.25, 30.13; Pepsi se 118.80; Person, Gary tt 289.62; Points West Ins se 79874.00, 28251.00, 44312.00, 31162.00, 22863.00, 18428.00; Prairie States se 610.00; Prestige Flag su 3321.98, 781.89; PSAN du 160.00; Qtech Automation se 564.86; Raffelson Rock su 1633.50; Randy's Auto se 270.63, 572.95; Ray O'Heeron su 199.01, 115.65; Reams Sprinkler su 1079.07; Reganis Motors su 57.87; Region I OHD se 75.00; RWMC se 5948.66; Respond First Aid su 429.39, 63.91, 152.92; Rood's Tire su 35.25, 93.50, 822.86, 14.00; Rowley, Cody re 50.00; Russell Auto se 60.00; Sanitas Technologies se 295.00; Sauder auto se 1627.81; Scotties Potties su 630.00; Segelke, Carla se 1050.00; Sherwin Williams su 260.73; Sidney Feed su 55.98; Sidney Floral su 100.80, 981.47; Sidney Glass su 377.50; SRMC se 435.20; Sidney Rehabilitation se 360.00; Sidney Soft Water su 29.95, 5.00, 29.95, 1219.05, 5.00; Sidney Sun Telegraph se 1633.60; Sidney Swim Team re 2200.00; SOA Enterprises se 1190.00; Sonntag, Goodwin & Leef se 10192.16; Sonny's Super Foods su 181.76; Source Gas su 239.77, 3698.21, 106.56, 107.80, 195.49, 85.58, 53.29; Splish Splash su 9.80, 112.60; Steffens Home Interiors su 549.99; Stone, Eloise rt 400.00; Sweetser, Caleb re 40.00; Swire Coca-Cola su 395.52; Thompson Co su 85.00, 406.51; Top Promotional Products su 142.54; Total Funds by Hasler su 89.33; Triple O's su 181.94, 212.85, 47.36, 71.34; US Postal se 144.00; USA Bluebook su 1026.43, 1407.65; Utility Service Co su 8119.54; Utility Training se 2790.00; Verizon Wireless se 176.26, 16.46, 70.53, 33.27, 194.02, 99.81; Walmart su 214.97, Wesco Distribution su 5967.20, 8617.32; Western United su 187.76, 371.52; Wheatbelt su 8756.08; Whitebluffs se 980.00; Winkler Electric su 2900.0; WNCC Foundation su 850.00; Wolford, Marie rt 916.47; WPCI se 377.00; Wranglers 4H Club se 25.00; Baker & Taylor se 1525.68; Elan Visa su 522.21; Finney's su 11.98; Culligan su 19.95; Frenchman Valley se 94.15; Gale su 788.41; Guidepost su 17.74; Ideal Linen su 29.36; Journal Office su 35.00; LaVista Public Library su 54.99; NE Link se 36.00; OCLC su 193.76; Petty Cash su 2.70; Quill su 1145.25; Respond First Aid su 22.45; Andrew Sherman re 85.00; Segelke Janitorial se 1050.00; Showcases su 661.77; Sidney Sun Telegraph su 6.95; U Store It se 60.00; Western Library Systems se 15.00; City of Sidney se 846.00; Gale/Cengage su 138.69.

Gaston moved, Gallaway seconded "That the Budget Reports for all City Departments for June, 2015 be approved." Roll call vote: Yeas: All council members present. Absent: Gay.

Mayor Nienhueser announced that he would abstain from voting on Resolution No. 20150708. Gallaway moved, Gaston seconded "RESOLUTION NO. 20150708 be passed and adopted." Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Absent: Gay.

RESOLUTION NO. 20150708

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

That the City Council hereby find and determine that pursuant to contracts heretofore made, Martin/Martin, the engineer, has performed the engineering work for constructing of Sanitary Sewer Extension District #24; and the contractor, BSB Construction, Inc., have filed with the City Clerk certificates showing the performance of said contracts as follows: SANITARY SEWER EXTENSION DISTRICT #24; PAYMENT NUMBER 3; AMOUNT DUE CONTRACTOR \$248,166.10 AND Invoice #14.0138-00004 DUE THE ENGINEER in the amount of \$10,164.11. 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 2015 Construction Fund; AND

That the City Council hereby find and determine that pursuant to contracts heretofore made, Martin/Martin, the engineer, has performed the engineering work for constructing of Water Extension District #23; and the contractor, Nienhueser Construction & Excavation Co., Inc. have filed with the City Clerk certificates showing the performance of said contract as follows: WATER EXTENSION DISTRICT #23; PAYMENT NUMBER 3; AMOUNT DUE CONTRACTOR \$104,378.40 AND Invoice #14.0137-00004 DUE THE ENGINEER in the amount of \$2,142.00. Payments in the amount now due the engineer and the contractor are hereby authorized and charged to said district. Said payments shall be paid from the 2015 Construction Fund; AND;

That the City Council hereby find and determine that pursuant to contracts heretofore made, Martin/Martin, the engineer, has performed the work for engineering of Street Improvement District #60 for storm sewer

improvements; and the engineer, Martin/Martin and BSB Construction, Inc. have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #60 STORM SEWER; PAYMENT NUMBER 1 in the AMOUNT DUE CONTRACTOR \$48,741.65. Payments in the amount now due the engineer and contractor are hereby authorized and charged to said district. Said payments shall be paid from the 2015 Construction Fund; AND

That the City Council hereby find and determine that pursuant to contracts heretofore made, Martin/Martin, the engineer, has performed the work for engineering of Street Improvement District #61 for storm sewer improvements; and the engineer, Martin/Martin has filed with the City Clerk certificates showing the performance of said contract for the Contractor, BSB Construction, Inc. as follows: STREET IMPROVEMENT DISTRICT #61 STORM SEWER; PAYMENT NUMBER 1 in the AMOUNT DUE CONTRACTOR \$78,322.37. Payments in the amount now due the contractor are hereby authorized and charged to said districts. Said payments shall be paid from the 2015 Construction Fund; AND

That the City Council hereby find and determine that pursuant to contracts heretofore made, Martin/Martin, the engineer, has performed the work for engineering of Street Improvement District #61 for storm sewer improvements; and the engineer, Martin/Martin has filed for the contractor, BSB Construction, with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #62 STORM SEWER; PAYMENT NUMBER 1 in the AMOUNT DUE CONTRACTOR \$19,850.40. Payments in the amount now due the contractor are hereby authorized and charged to said districts. Said payments shall be paid from the 2015 Construction Fund.

Don Dye of M.C. Schaff & Associates presented the bids for Street Improvement District #56 as received on 6/17/15 and rejected from Paul Reed Construction & Supply. The following is the negotiated bid with Nienhueser Construction: Schedule A-\$772,149.00 and Schedule B-\$64,500.00 Total Bid – \$786,649.00. Engineer’s Estimate was \$786,649.00 for the Total Bid. Gaston moved, Arterburn seconded “That the one negotiated bid from Nienhueser Construction for Street Improvement District #56 be accepted in the amount of \$786,649.00.” Roll call vote: Yeas: All council members present. Absent: Gay.

City Manager Person thanked all the Volunteer Fire Department for the Fireworks Display for Independence Day. Internally discussions have been that the codes relating to fireworks and safety issues for same need to be modified. Water engineers want to meet with Council prior to the budgets being finalized. Easements or Eminent Domain need to be started soon. State Historical Association held its quarterly meeting in Sidney recently. Recent meetings, events, etc. – Historic Preservation Board 7/14; JESWA 7/15; 911 Board; Planning Commission 7/20 – public hearing on the industrial tract; Kiewit meeting with Mayor; Internal budget workshops 7/16, 22-24; Pool architects at next meeting; PRT 7/1 – letters going out to tire dealers; wished farmers well for wheat harvest; Chip sealing starts soon; County Fair 7/18; second concert in Hickory Square 7/17 as well as the Comedy Pit has a performance; etc. Discussion was held as to possible dates for budget workshops with the council. Public Service Director reported that a sample of the stone for input was available for the 11th/OPR corner.

All council members complemented and thanked the Volunteer Fire Department for the Fireworks Display. Council Member Gallaway previewed the new trail extensions and found them good. Council Member Arterburn had questions and comments re: the Verde Lane project with Mayor Nienhueser suggesting bio retention type of thing here.

Meeting adjourned at 8:25 p.m.

MARK NIENHUESER, MAYOR

ATTEST:

G.F. ANTHONY, CITY CLERK

