

Sidney, Nebraska, October 13, 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 October 13, 2015 in the Council Room. Present were: Mayor Nienhueser and Council Members: Gallaway, Gaston, Gay, and Arterburn. Others Present: Interim City Manager/City Clerk Anthony and City Attorney Leef. 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.

Gay moved, Arterburn seconded "That the minutes of the September 22, 2015 meeting be approved as printed." Roll call vote: Yeas: All council members present.

During comments by the public the following spoke in support of Police Chief B.J. Wilkinson: Larry Nelson, Amanda Popp and her daughter, Rev. Tom Roddell of the Light Memorial Presbyterian Church, Ross Wilson of Litchfield, Illinois, and Randy of the Fort Sidney Apartments.

John Enochs of Diamondback Engineering and Water Superintendent Bill Taylor presented the bids that had been received on 10/01/15 for the East Booster Pump Station Improvements and the Water Distribution Piping Project as follows: PIPELINE – Midlands Contracting \$842,545; Nienhueser Construction \$1,005,099.45; Van Kirk Brothers Construction \$998,752; Midwest Underground \$1,321,310; and Velocity Constructors \$1,239,092.75. BOOSTER PUMP STATION – Hydro Construction \$1,306,317 and Velocity Constructors \$1,155,133. Gallaway moved, Gay seconded "That the East Booster Pump Station Improvements bid be awarded to Velocity Constructors in the amount of \$1,155,133; and the Water Distribution Piping Project be awarded to Midland Contracting in the amount of \$842,545." Roll call vote: Yeas: All council members present.

Arterburn moved, Gaston seconded "That Resolution 20151001 be passed and approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20151001

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, 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 5 (FINAL); AMOUNT DUE CONTRACTOR (includes Change Order #1) \$26,281.45 AND Invoice #14.0138-00007 DUE THE ENGINEER in the amount of **\$11,545.00**. 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 2015 Construction Fund; AND

That the Mayor and 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 5; AMOUNT DUE CONTRACTOR (includes Change Order #1) \$44,841.80 AND

Invoice #14.0137-00008 DUE THE ENGINEER in the amount of \$6,371.27 AND Invoice #14.0137.00009 in the amount of \$12,045.00. 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 Mayor and 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 4 in the AMOUNT DUE CONTRACTOR \$21,358.85. Payments in the amount now due the contractor is hereby authorized and charged to said district. 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, Martin/Martin, the engineer, has performed the work for engineering of Street Improvement District #60 for road improvements; and Paul Reed Construction have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #60 ROAD; PAYMENT NUMBER 3 in the AMOUNT DUE CONTRACTOR \$20,902.36, AND Invoice #14.0136-00008 in the amount of 6,902.28 AND Invoice #140136-00009 \$16,376.82 and Invoice #140136-00008 \$4,250.00 DUE THE ENGINEER. 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 Mayor and 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 AND BSB Construction, Inc., have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #61 STORM SEWER; PAYMENT NUMBER 3 in the AMOUNT DUE CONTRACTOR \$88,736.65. Payments in the amount now due the contractor and the engineer 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, Martin/Martin, the engineer, has performed the work for engineering of Street Improvement District #61 for road improvements; and Paul Reed Construction have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #61 ROAD; PAYMENT NUMBER 1 in the AMOUNT DUE CONTRACTOR \$145,025.44, AND Invoice #14.0136-00008 in the amount of 7,420.54 AND Invoice #140136-00009 \$16,376.82 and Invoice #140136-00008 \$8,820.00 DUE THE ENGINEER. 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 Mayor and 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 #62 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 4 in the AMOUNT DUE CONTRACTOR \$17,875.00. 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.

That the Mayor and 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 #62 for road improvements; and Paul Reed Construction have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #62 ROAD; PAYMENT NUMBER 2 in the AMOUNT DUE CONTRACTOR \$284,422.35; AMOUNT DUE THE ENGINEER Invoice #14.0136-00008 in the amount of 4,250.00 AND Invoice #140136-00009 AMOUNT DUE THE ENGINEER \$7,500.00 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.

Gay moved, Galloway seconded "That Resolution No. 20151002 be approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20151002

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 #59; 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 #59; PAYMENT NUMBER 14; AMOUNT DUE ENGINEER \$16,285.00; PAYMENT NUMBER 14; AMOUNT DUE CONTRACTOR \$104,233.60. 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 2014/15 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 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 14; PAYMENT # 14; AMOUNT DUE CONTRACTOR \$97,866.38. 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 2014/15 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 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 4; AMOUNT DUE ENGINEER \$38,884.00; PAYMENT NUMBER 4; AMOUNT DUE CONTRACTOR \$745,338.32. 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 accepts the Engineer's Certification of Completion for Street Improvement District No. 59 which is Greenwood Road.

Brett Meyer of Baker & Associates presented change orders for the Water (\$7,995.00) and the Sewer (\$5,462.00) projects in the Sidney Business Park. Gaston moved, Galloway seconded "That the change orders for the Water and Sewer projects in the Sidney Business Park be approved." Roll call vote: Yeas: Galloway, Gaston, Nienhueser and Gay. Nays: Arterburn.

Kim Phillips appeared to request "No Parking During Theatre Hours" signs which would replace the Fire Zone No Parking signs. After a discussion, the matter was tabled in order to get information from the City Fire Chief and the State Fire Marshall.

The City Clerk read Ordinance No. 1770 by Title for the third time as follows: "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A GENERAL OBLIGATION FLOOD CONTROL BOND OF THE CITY OF SIDNEY, NEBRASKA, IN THE PRINCIPAL AMOUNT OF UP TO ONE MILLION EIGHT HUNDRED NINETY-TWO THOUSAND DOLLARS (\$1,892,000) IN THE FORM OF A SINGLE PROMISSORY NOTE ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY ("NDEQ") FOR THE PURPOSE OF PAYING COSTS OF CERTAIN FLOOD CONTROL IMPROVEMENTS; APPROVING THE FORM OF SAID BOND AND RELATED LOAN CONTRACT; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BOND; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; AUTHORIZING THE DELIVERY OF THE BOND TO NDEQ; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM." Galloway moved, Gay seconded "That Ordinance No. 1770 be passed and approved." Roll call vote: Yeas: All council members present. The

passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto. Gaston moved, Gallaway seconded "That Ordinance No. 1770 be published in pamphlet form." Roll call vote: Yeas: All council members present.

Human Resource Officer Jodene Houser presented the information received for the RFP's for executive recruitment services. Only one bid was received which appeared quite thorough. Gay moved, Gallaway seconded "That Mayor Nienhueser, HRO – Jodene Houser, and Interim Geri Anthony evaluate the bid that was received and attempt to negotiate a better time frame as well as price." Roll call vote: Yeas: All council members present.

Gaston moved, Gay seconded "That the following claims for September 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, Gay and Arterburn. Nays: None. Abstain: Nienhueser. (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

Gay moved, Gallaway seconded "That the following claims for September 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. (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 eq 623.61, 726.33; Absolute Solutions eq 279.39, 2161.00; Accelerated Receivables se 236.43; Ag Tech Repair se 500.40; Aikens, Joe tt 34.50; Alamar Uniforms eq 6390.00, 77.98; Alexander, Tim se 130.00; American Environmental se 1359.75, 1374.50; American Legal du 495.00; American Machine su 58.00; Anderson Auto eq 46840.00; Animal Health se 2332.26; Antigua Group se 948.47; APWA du 100.00; Aqua Aerobic eq 735.00; ASUCRP du 350.00, 350.00; Badger Daylighting su 342.00; Baker & Asso se 878.00; Baker & Taylor se 1469.55, 26.97; Barker Cleaners se 30.00; Barker Rinker Seacat Architecture se 4381.48; Best Excavating se 7550.00; Better Electric se 8270.00, 1780.00; Bomgaars su 29.98, 89.13, 158.13, 26.86, 56.94; Borchert, Lori tt 186.75; Borgmann, Chad tt 226.00; Brandt Appraisal se 800.00; Brooks Brother Trailers eq 29414.00; Bug Off se 110.00; Burco Promotional Printing se 685.00; Busted Knuckle se 415.27; Cabela's Retail su 64.45; Canon Financial se 122.90, 122.90; Cardmember se 1198.47, 49.95, 49.95, 69.90, 49.95, 49.95; Caselle se 1080.33; Cement Products eq 56689.69; Century Tool su 1354.00; CenturyLink se 97.89; Charter se 7.89, 67.99; Cheyenne Co Chamber su 1716.08; Cheyenne Co Community Center se 10000.00, Cheyenne Co Emergency Cnt se 25057.75; Cheyenne Co Treasurer se 723.00, 8839.45; Cheyenne County Highway Dept se 168.00; Chief su 552.60, 226.95; City of Sidney sa in 207588.57, 11768.93, 14334.00, 23617.47, 12047.14, 8115.84, 6039.09, 1023.69, 1043.84, 2114.98, 909.83, 900.30, 86495.10, 32005.85, 11581.52, 15180.86, 4843.67, 23896.14, 12522.18, 4586.58, 7394.79, 4733.57, 6796.52, 13246.88, 14144.30, 24721.41, 10701.73, 9493.41, ex 685.19, 56.24, 450.00, 1000.00, se 2164.30, 19.20, 162.44, 103492.50, 1288.17, 974.50, 89.09, bd 124275.94, 7093.68 19750.00, ut 169.50, 160.24, 1053.19, 424.48, 117.54, 17443.62, 11838.50; Clothes Hamper se 60.00, 48.00; Cobitco su 558.20; Contractors Materials su 411.55, 85.00; Cornhusker Int'l Trucks eq 82766.00; Country Printer su 1420.00, 258.00; Courtyard Lincoln Downtown/Haymarket tt 415.83; Coyote Caller se 16.00; CPS HR Consulting se 383.90; Cranmore Pest/Fire su 170.00; Croell Redi Mix su 316.50, 231.75; Culligan su 19.95, 107.95, 7.50, 29.95, 1219.05; Danko Emergency Equip eq 459.84; Darin's Auto Repair se 161.25; Day & Night se 440.51, 199.30, 84.05; Deere & Co eq 53352.07; Department of Energy ut 25388.19; Dex se 106.00, 1079.00; DHHS se 7600.00; DP Electronics su 484.94, 1101.95, 52.63, 1935.00; Dutton Lainson eq 6030.21, 16780.32; E&S Auto eq 214.73, 3807.36, 993.04, 45.80, 13.91, 1698.78; Eagle Communications se 80.00; Ed Roehr Safety Products su 9389.05; Elan Visa su 167.07, 122.98, 11.97, 402.64, 16.95, 85.00; Electric Power Systems eq 24495.00; Elliott Equipment eq 43660.00; Endurance Flag su 48.00, 42.00; Enviro Service se 108.00, 72.00; Falcon Labs se 501.75; Fedex se 41.05; Finney's su 1115.49, 95.39, 45.31, 128.58, 359.61, 150.59; Floyd's Truck su 299.50; Fortres Grand Corporative su 369.92; Foster's eq 82.55, 4451.20, 60.62, 116.87, 50.59, 77.99; Fremont

Nat'l Bank ct 13175.83; Frenchman Valley su 153.97, 10144.35, 2712.15, 4145.46, 1317.25, 922.78, 1071.39; Fyr Tek eq 9441.72, 5675.86; Gale/Cengage se 1036.27; Gaston, Wendall tt 462.10; GLEC du 174.30; Golf & Sport Solutions su 433.77; GT Distributors eq 1917.45; Guideposts su 41.85, 11.37; Halls Safety Equip su 12.93; Hamilton se 264.80, 99.90, 49.95; Heilbrun, Cindy tt 136.75; Hinrichs, Mike tt 74.00; Hochwender, Tina tt 87.40, 660.00; Hofrock, Curtis tt 161.00; Hometown Leasing ct 9783.20; Horizon West eq 56.66, 138.34, 66.50, 10494.56, 25.92; Houser, Jodene re 245.47; Huber & Asso se 81.00; Husker Auto eq 40992.00; Ideal Linen se 29.36, 864.73, 52.84, 24.82, 207.90; Ingram Electric eq 451.50; Inland Truck eq 389.43; Interstate Batteries su 233.00, JC golf Accessories su 110.94; Jerry Haupt Constr se 3450.00; JES Restaurant Equip eq 2062.99; Jirton su 9686.58, 4411.52; Johnson, Kris tt 246.30; Journal Office su 35.00; Kevin's se 174.00, 230.00; Koehn, Darrell tt 34.00; Kriz Davis eq 39254.84, 60011.74; KSID se 492.20; L&P Financial su 419.90; LL Johnson eq 976.06, 775.90; Landis & Gyr eq 39850.00; Lawson Products su 159.42; Leal, Ron se 450.00; Lloyd, Derek re 100.00; Loghry, Justin tt 161.00; Matt Friend Truck eq 12519.86; Matthes, Joan se 625.00; Memorial Gardens re 332.25; Mid Iowa Solid Waste eq 1590.60; Midwest Connect eq 3073.27; Midwest Lab se 1007.00; Miller Office su 2407.90, 967.83, 36.99, 447.71, 55.86, 2683.11, 67.69, 1343.11, 63.97, 447.71; Monument Inn tt 166.00; Mosca Design se 1392.34; MEAN ut 498863.95; Murphy Tractor eq 475.02; Napa su 31.11, 46.74; NDEQ ct 7750.00; NE Dept of Revenue tx 81101.48; NE Environmental Products su 860.69; NE Golf Asso du 1188.00; NE Housing Developers Asso se 250.00; NE Life se 24.00; NE Public Health se 64.00; NE Safety Council du 350.00; NE Safety/Fire se 135.00, 87.00; NE Statewide Arboretum du 45.00; NT&T se 1485.03, 128.81, 196.94, 308.16, 166.74, 93.79; NE Link se 36.00; NE Tire su 157.50, 935.94; Nienhueser Construction se 1387.50; Nienhueser, Joel se 3300.0; NMC eq 783.18, 4748.47; Northwest Pipe eq 6553.97, 70.60; OCLC su 200.71; Olsen, Eleanor se 275.00; Olsson Asso se 15099.68, 1800.00; One Call se 89.72, 89.73; Oriental Trading su 1012.29; Palmer, Mike tt 267.56; PADD se 5237.29; Panhandle Auto eq 529.29; Panhandle RC & D se 300.00; Payment Tech ct 30.02, 30.20; Pepsi su 307.30; Perfection Door se 75.00; Preferred Roofing su 11650.00; Quality Const se 2404.00; Quill su 104.97, 17.98, 143.96; R&R Products su 510.00; Radtke, Hank tt 117.50; Randy's su 82.11; Ray O'Heeron su 304.21; RCIS su 342.00; Reams su 213.00; Region I OHD se 375.00; RWMC se 5948.66; Reliance Label Solutions se 184.75, 12.47; Renner Sports Surfaces ct 25724.00; Respond First Aid su 34.47, 38.14, 89.32, 64.48; Rick Tanquary se 2800.00; Ritec su 390.00, 208.00; Robert Nation eq 18533.70; Rob's Lock se 53.00; Rodewald, Ashley tt 508.24; Rood's su 941.40, 34.25, 154.30, 226.80, 1741.55, 14.00, 20.25; Roseberry, Mike tt 57.50; RT Service & Repair se 1355.91; Sandberg Implement su 284.43, 46.53; Sapp Bros su 80.50; Sargent Drilling su 3149.65; Scholastic su 152.10; Scotties Potties se 630.00; Scottsdale Ins in 2946.90; SDSUDDL Tap du 170.00; Segelke Janitorial se 1050.00; Sherwin Williams su 240.54; Shirt Tales su 864.12, 79.51; SRMC se 81.60; Sidney Rehabilitation se 125.00; Sidney Sun Telegraph se 5.73, 1248.89, 536.11, 9.82; Sidney Volunteer Fire Dept su 2590.00; Simmons Olsen Law se 8107.13; Simon Contractors su 2146.25, 945.47, 732.88; Sinclair, Deb re 20.15; Slate Rock su 3598.10, Sonntag, Goodwin & Leef se 5655.50; Source Gas se 32.18, 303.40, 44.98, 27.27, 28.25, 88.90, 63.89, 22.49, 84.64, 22.49; Spic & Span su 1770.00; Splish Splash se 72.00, 14.20; State of NE Dept of Revenue 25.00; Steffens Home Interiors se 8598.99; Stewart, Vicky re 75.00; Stone, Eloise rt 400.00; Sukup, Todd tt 189.55; Superior Industries su 1594.75; Superior Lam p su 643.79; Swire Coca Cola su 201.12; Taits se 217.50; Talich, Joe tt 34.00; Thompson Co se 249.51; Thomson Reuters se 200.00; To Golf su 605.00; Triple O's su 476.56, 49.14, 35.97, 26.66; U Store It se 60.00; University of NE at Omaha se 142.00; US Postal se 688.00; US Welding su 304.60; USA Bluebook su 2165.85; Utility Service se 25362.78; Utility Training se 2700.00; Van Diest su 2040.40; Verizon se 761.66, 1083.41, 72.58, 33.30, 194.14, 99.90; WS Darley su 1792.30; Walmart su 45.51, 13.55; Wesco su 2141.41, 105032.21; Western Drug su 7.89; Western United eq 128556.26; Wheatbelt ut 8262.67; Whitebluff se 1359.50; Wiemers, Lea re 28.08; Wieser Const se 18378.00; Wolf Auto se 64.56; Wolford, Marie rt 916.47; Woodis Welding se 6800.00; Woods & Aitken se 1017.50; WPCI se 85.10

Interim City Manager Anthony reported on the Aquatic Center Groundbreaking and thanked all that came and helped make it a success. She also invited the Council Members to attend the weekly pool meeting on Tuesdays at 8:30 with the contractor. Thanks for all the volunteers who make the Oktoberfest a great event. PRT meets 10/14; JESWA meets 10/15 and a Cornerstone will be laid at the new hospital on 10/16. Economic Development Director Tina Hochwender reported on Activate Sidney for 10/14, Rural Futures Opportunities

conference 10/21-23, Historic Preservation Committee met 10/13 to learn about investment credits, Western Nebraska Planning & Zoning conference, etc.

Andrew Sherman from the Library thanked Runza for their donation to a Children's Book fund in the amount of \$465.

Council comments included appreciation to the Oktoberfest Committee and particularly Judy Harris, a long-time member of same. Council Member Gaston reported on his attendance at the Annual Conference of the League of Nebraska Municipalities. Mayor Nienhueser reported on the Aquatic Center funding drive for matching of the Kiewit grant.

Mayor Nienhueser stated that he would entertain a motion to go into closed session for the protection of the public interest to discuss real estate contract negotiations. Gallaway moved, Gay seconded AThat the Council go into closed session for the protection of the public interest to discuss real estate contract negotiations.@ Roll call vote: Yeas: All council members present. Mayor Nienhueser announced that the City Council will now go into closed session at 8:23 p.m. Upon the Council=s return from the closed session, Gallaway moved, Gay seconded AThat the Closed session end and the Open session be reconvened.@ Roll call vote: Yeas: All council members present. Mayor Nienhueser announced that the Council has come out of the closed session at 8:54 p.m.

Meeting adjourned at 8:54 p.m.

MARK NIENHUESER, MAYOR

ATTEST:

G.F. ANTHONY, CITY CLERK

