

Sidney, Nebraska, February

14, 2012 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 February 14, 2012 in the Council Room. Present were: Mayor Gaston and Council Members: Weiderspon, Nienhueser, Hiett, and Van Vleet. 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.

Hiett moved, Nienhueser seconded "That the minutes of the January 24, 2012 meeting be approved." Roll call vote: Yeas: All council members present.

Angela Graves representing the Sidney Jaycees read and Mayor Gaston proclaimed Jaycee Week in Sidney February 20-24, 2012.

Whereupon the Mayor announced that the Planning Commission of the City of Sidney, NE has submitted to the City Council its final report recommending approval of the Comprehensive Plan 2012; and that a public hearing would now be held and parties in interest would be heard as advertised. The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Jarrod Haberman of PADD. All persons having been heard, Mayor Gaston closed the public hearing.

Hiett moved, Nienhueser seconded "That Resolution No. 20120201 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20120201

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 final report recommending approval of the City of Sidney Comprehensive Plan 2012; and

That the Council of the City of Sidney hereby accepts said report and adopts the City of Sidney Comprehensive Plan 2012.

Ordinance No. 1672 amending Part Twelve of the Planning & Zoning Code re: General Provisions and Definitions was read by title for the third time. Nienhueser moved, Hiett seconded "That Ordinance No. 1672 be finally passed." Roll call vote: Yeas: Weiderspon, Nienhueser, Gaston, and Hiett. Nays: Van Vleet. 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. Nienhueser moved, Weiderspon seconded "That Ordinance No. 1672 be published in pamphlet form and that a notice be published in The Sun-Telegraph announcing the passage of said Ordinance." Roll call vote: Yeas: All council members present.

Nienhueser moved, Hiett seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 860.03(b) TO CONFORM TO THE RENEWAL DATE IN CHAPTER 882.02 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, CHEYENNE COUNTY NEBRASKA; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE" be designated as Ordinance No. 1673." Roll call vote: Yeas: All council members

present. Nienhueser moved, Hiett 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. Nienhueser moved, Weiderspon seconded "That Ordinance No. 1673 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. Nienhueser moved, Hiett seconded "That Ordinance No. 1673 be published in the Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Nienhueser moved, Hiett seconded "That RESOLUTION NO. 20120202 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO.20120202

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, McCaslin Consulting, the engineer have performed the work for engineering of sanitary sewer improvements in Sanitary Sewer Extension District No. 20 of this city and the engineer has filed with the City Clerk certificates showing the performance of said contract as follows: ENGINEERING PHASE ESTIMATE NUMBER 2; SANITARY SEWER EXTENSION DISTRICT #20; AMOUNT DUE ENGINEER \$3,150.00. A warrant in the amount now due the engineer is 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.

Weiderspon moved, Nienhueser seconded "That the next Council meeting be scheduled for February 29, 2012 instead of February 28 due to scheduling conflict with the League of Nebraska Municipalities' Mid-Winter conference." Roll call vote: Yeas: All council members present.

Van Vleet moved, Weiderspon seconded "That the following claims for January 2012 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Weiderspon, Gaston, Van Vleet and Hiett. 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 35.98, 667.30.

Hiett moved, Weiderspon seconded "That the following claims for January 2012 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Weiderspon, Gaston, and Hiett. Nays: Van Vleet. 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 2388.08.

Van Vleet moved, Nienhueser seconded "That the following claims for January 2012 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Nienhueser, Gaston, Hiett and Van Vleet. Nays: None. Abstain: Weiderspon. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) White Bluffs 448.00.

Nienhueser moved, Van Vleet seconded "That the following claims for January 2012 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, tr transfers, tx tax, co capital outlay) 21st Century su 22.67, 573.77; 3F Chimica su 705.75; A-1 Sports se 26.70; Absolute Natural Resources su 147.00; Accelerated Rec se 573.32; Adden, Chris re 57.50; AlSCO su 300.21, 89.71, 87.37, 23.20; American Environmental se 3836.41; Anthony, Geri ex 51.00; B&C Steel su 470.21, 110.97; Bomgaars su 83.98, 75.13; Botach Tactical su 47.96; Brestel, Gerald su 570.28; BSN Sports su 498.35; Burco Promotional Printing su 1568.54; C&M Golf su 1196.28; California Contractors su 214.80; Cardm ember se 75.00, 603.06, 471.48; Carolina Software su 200.00; Cashwa su 118.70; CentruyLink se 97.08; Cheyenne Co Chamber se 1250.00; Cheyenne Co Comm Center se 10000.00; Cheyenne Co Emergency Comm Center se 16613.75; Chief su 76.99; Chuck's Saw Filing se 224.38; City Directory se 1035.00; City of Sidney ex

rt re sa se su tr tx co 17888.91, 32869.25, 1000.00, 526.34, 32.84, 103.00, 12762.85, 16215.19, 8031.38, 7457.96, 9107.37, 8390.22, 24854.56, 81499.83, 8361.38, 9488.99, 5214.44, 6401.06, 5111.38, 13066.80, 44164.76, 522.97, 426.76, 429.21, 331.21, 1093.10, 2936.70, 16682.44, 9095.55, 24209.05, 83272.90, 511.70, 2159.49, 9872.64, 6662.38, 195.66, 1117.41, 102.41, 3566.83; Cleveland Golf su 2106.24; Clothes Hamper se 35.00; Commercial Air su 1446.64; Contractors Materials su 460.35; Country Printer su 25.00, 55.00, 443.00; Cranmore Pest se 80.00, 268.00, 264.00, 92.00; Darin's Auto se 425.91; David's Plumbing se 94.00; Day & Night se 83.08, 72.00, 559.13; Dead Short Broadcasting se 20.00, 66.00; Department of Energy se 20911.06; Digital Alley su 107.50; DP Electronics su 143.96, 177.98, 83.43, 853.91, 374.49; E&S Auto su 1974.84, 156.65, 102.33, 337.93, 1156.20, 166.64, 6.38; Enduring Stitches se 639.00; Enviro Service su 112.00, 60.00; FC Organization Prod su 39.83, 79.95, 67.88, 27.99, 32.83, 117.96, 275.40, 79.95; Fedex su 24.40, Finney's su 40.91, 65.46, 174.76, 163.78, 435.13; Floyd's Truck Center se 1373.85, 98.45; Foland Farm su 83.24; Foster's su 141.68, 58.45, 107.91, 26.75, 245.27, 63.38; Fremont Nat'l se 13116.67; Frenchman Valley su 8471.73, 473.14, 1092.69, 1831.26, 1658.08, 6537.40; Front Range Training se 750.00; Galls su 135.69; GCSAA se 100.00; Grandma Jo's su 70.35, 382.70; Great Plains se 10.01, 10.01; Hamilton se 99.90, 49.95, 468.60; Harding & Shultz se 50.01; Heilbrun, Cindy ex 51.00; Horizon West su 13.44, 39.49; Ideal su 57.00, 174.08, 21.65, 705.68; Inoutboard.com su 287.40; Interstate Batteries su 106.95; Jirdon su 673.76; Johnson, Kris se 72.42, 106.00; Kevin's Electric su 4845.98, 486.60, 3927.00; Kriz Davis su 721.95, 220.70; League of NE se 75.00; Leal, Ron se 450.00; Lincoln Nat'l Insurance se 203.85; Linweld su 142.82; Long, Kyle ex 75.50; Lynn Peavey su 39.90; Maddox Motor su 53.75; Marsau's su 94.01; Matthes, Joan se 450.00; Memorial Health Center se 122.12; Mid States Organized Crime se 150.00; Milestone su 278.75, 198.00, 363.76; Miller & Sons se 78.50; Miller Office su 65.03, 117.70, 7.50, 60.57, 1672.72; Miller, Randy re 2023.52; Municipal Chemical Supply su 560.00; MEAN se 281360.80; Municipal Supply su 903.93; Napa su 56.67, 16.69, 14.13; NDEQ se 1952.50, 150.00; NE Dept of Revenue tx 48852.31; NE Public Health su 168.00; NE Rural Water su 275.00; NE Safety su 100.00, 24.99; NE State Library su 65.40; NT&T se 232.14, 98.61, 50.25, 120.29, 283.00, 1343.08; NE Turfgrass su 150.00; Neland Tire su 538.54, 4638.00; NEC Financial su 329.65; Nienhueser Construction se 2036.15; NE Machinery su 493.67; Northwest Pipe su 462.31; Olsen, Eleanor se 275.00; Palmer, Mike ex 369.50; Panhandle Concrete su 1542.00; Perfection Door se 68.00; Power Systems su 1195.00; Prestige Flag su 2734.18; Price, Adam ex 253.00; Radtke, Hank ex 135.80; Randy's Auto se 366.58; Reganis su 6.48, 23.59; Regional West se 5567.56; Respond First Aid su 49.05, 135.25, 52.06, 54.86; Ritec su 463.62; Robinson, Lary ex 75.00; Rocks ETC su 82.80; Rood's su 25.00, 35.25, 895.13, 20.00; RSC Equipment Rental su 8440.00; Sandberg Implement su 44.54; Sargent Drilling su 15351.50; Sauder Auto su 961.74, 2342.51, 989.35; Sayler, Jeff se 405.00; Scotties Potties se 630.00; Segelke, Carla se 1050.00; Sidney Soft Water se 2.50, 35.00; Sidney Sun Telegraph se 13.09, 240.00, 1105.64; Sirchie Figner Print Lab se 107.15; Smith Wholesale se 31.48; Snap On Tools su 2999.00; Sonny's su 66.99; Source Gas su 778.96, 2317.02, 152.06, 304.12, 484.75, 2408.49; Splish Splash su 4.20, 94.00; Sterling, Anne re 75.18; Stone, Eloise rt 400.00; Sukup, Todd ex 119.00; Superior Signals su 320.88; TDS Media su 223.00; To Golf su 900.00; Triple O's su 105.91, 109.99; Universal Publications su 195.00; University of NE se 200.00, 446.00, 140.00; US Postal se 850.24, 8000.00; US Welding se 79.00, 79.00; USGA se 110.00; Verizon Wireless se 33.82, 33.82, 67.64, 67.64, 155.61, 101.46; Viaero se 415.14; VonSeggern, Tom ex 99.00, 101.00; WS Darley su 256.29; Walmart su 23.10, 58.17; Wester Pathology su 87.00; Wheatbelt su 4800.13; Wieser Const se 11868.01; Witte, Tony ex 75.00; Wolford, Marie rt 814.36; Woodis Welding se 35.00; Baker & Taylor su 447.93; Barker Cleaners su 12.00; Charter se 113.99; City of Sidney se 1640.42; DP Electronics su 17.50; Culligan su 18.00; Elan Visa su 203.40; Frenchman Valley su 163.20; Guidepost su 17.74; Ideal su 155.92; NT&T se 135.40; OCLC se 119.05; Ominigraphics su 187.78; Quill su 412.60; Segelke Janitorial su 1050.00; Showcases su 3371.20; Sidney Sun Telegraph su 6.54; Thomas Bouregy su 139.50; U Store It se 60.00

Nienhueser moved, Hiatt seconded "That the Budget Reports for January, 2012 be approved." Roll call vote: Yeas: All council members present.

City Manager's Report consisted of a legislative update and a thank you to the Planning Commission for their work on the Comprehensive Plan. Public Services Director Hehnke reported on the Pathway project, the Underground Conversion project, the Link Road project, the 10th and Ft. Sidney Road projects, and the Verde Lane drainage project.

Mayor Gaston also thanked the Planning Commission and the Jaycees for their attendance to this meeting.

The meeting adjourned at 9:06 p.m.

WENDALL GASTON, MAYOR

ATTEST:

G.F. ANTHONY, CITY CLERK

