

Sidney, Nebraska, March 27, 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 March 27, 2012 in the Council Room. Present were: Vice Mayor Hiett and Council Members: Weiderspon, Nienhueser, and Van Vleet. Absent: Mayor Gaston. Others present: City Manager Person 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.

Vice Mayor Hiett informed the public of the location of the posted Open Meetings Act.

Weiderspon moved, Nienhueser seconded "That Mayor Gaston be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Gaston.

Van Vleet moved, Weiderspon seconded "That the minutes of the March 13, 2012 meeting be approved." Roll call vote: Yeas: All council members present. Abstain: Nienhueser. Absent: Gaston.

Pursuant to the publicized notice that the Mayor and Council would hold a public hearing at this time and place for the purpose of discussing the application for funds thru Nebraska Public Transportation Assistance program for Section 5311 of the Federal Transit Act for Fiscal Year 2012-2013, the Vice Mayor called the public hearing to order. The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Les Larson, Transportation Grant Coordinator for the City of Sidney reviewed the application. He also announced that the State will be in Sidney on May 2 for a ribbon cutting for the Transportation Building. Donna Taylor presented a petition from 20 residents of Western Heritage requesting a stop for the Stage Bus at Western Heritage. All persons having been heard, Vice Mayor Hiett closed the public hearing.

Nienhueser moved, Weiderspon seconded "That RESOLUTION NO. 20120305 be passed and adopted." Roll all vote: Yeas: Nienhueser, Weiderspon, and Hiett. Nays: Van Vleet. Absent: Gaston. Motion carried.

RESOLUTION NO. 20120305

WHEREAS, there are FY 2012-2013 Federal and State funds are available under Section 5311 of the Federal Transit Act and the Nebraska Public Transportation Assistance Program, and

WHEREAS, the City of Sidney, Nebraska, desires to apply for said funds to provide public transportation in Cheyenne County with special emphasis on meeting the needs of the elderly and disabled of Cheyenne County, and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Sidney, Nebraska, hereby instructs the City Manager to apply for the above-mentioned funds. Said funds are to be used for the City of Sidney Transportation System's operations in the FY2012-2013 Application for Public Transportation Assistance.

Doris Jensen, Library Director, introduced Lori Joseph to the Council with the recommendation that Lori be appointed to fill the unexpired term of Amy Hackleman on the Library Board. Weiderspon moved, Van Vleet seconded "That Lori Joseph be appointed to the Sidney Library Board to fill the unexpired term of Amy Hackleman." Roll call vote: Yeas: All council members present. Absent: Gaston.

Upon request of Vice Mayor Hiett, the City Clerk read Ordinance No. 1674 by title as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF LOT 8, BLOCK 3, WELLNER'S ADDITION TO THE CITY OF SIDNEY, CHEYENNE COUNTY, NEBRASKA, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R2 (MULTI-FAMILY 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". Weiderspon moved, Van Vleet 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. Absent: Gaston. 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. Van Vleet moved, Weiderspon seconded "That Ordinance No. 1674 be finally passed." Roll call vote: Yeas: All council members present. Absent: Gaston. 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 Vice-Mayor in the presence of the City Council signed and affixed his signature thereto. Van Vleet moved, Weiderspon seconded "That Ordinance No. 1674 be published in the Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Absent: Gaston.

Julie Peetz, Lisa Carter and Rob Rauner of Rauner & Associates presented an in-depth explanation of the 2010-2011 Financial Statements that their firm had written for the City of Sidney. Van Vleet moved, Neinhueser seconded "That the 2010-2011 Financial Statements as prepared by Rauner & Associates be accepted." Roll call vote: Yeas: All council members present. Absent: Gaston.

City Manager Person presented a proposed contract that the Sidney Convention Center Committee had recommended from Hunden Strategic Partners of Chicago to perform a feasibility study. The Scope of Work involves 11 different tasks to be performed (1. Kickoff, project orientation, interviews; 2. Economic, demographic and tourism analysis; 3. Conference industry analysis and trends; 4. Interviews and survey work; 5. Meetings market analysis, including competitive facilities; 6. Hotel market analysis; 7. Comparable meeting facilities case studies; 8. Recommendations; 9. Demand and financial projections; 10. Ownership and Governance; 11. Return on investment and financing options analysis. Optional Phase II is Task 12 - Economic, fiscal and employment impact analysis. Nienhueser moved, Weiderspon moved "That the contract for the Sidney Convention Center Feasibility be approved and that the Mayor be authorized to sign same." Roll call vote: Yeas: Weiderspon, Nienhueser and Hiatt. Nays: Van Vleet. Absent: Gaston.

Nienhueser moved, Weiderspon seconded "That RESOLUTION NO. 20120306 be passed and adopted." Roll call vote: Yeas: Weiderspon, Nienhueser, and Hiatt. Nays: None. Abstain: Van Vleet. Absent: Gaston.

RESOLUTION NO. 20120306

Whereas, on March 27, 2012, the following motion was made and approved by the City Council of the City of Sidney, Nebraska: "That the proposal to expand the eligibility boundaries for the City of Sidney's LB840 Incentive Program for the historic restoration in the downtown area to include all commercial properties in the area from Ball Street east and south to the BNSF Railroad embankment and a strip 600 feet wide south of Hwy 30 at Greenwood Road east to the City Limits be approved."; and

Whereas, it is proposed that the boundaries be expanded to include all commercial properties south of Hwy 30 extending south and east from Ball Street to the BNSF Railroad embankment and all commercial property located within a strip 600 feet wide south of Hwy 30 at Greenwood Road east to the City Limits boundary.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA: That the proposal to expand the eligibility boundaries for the City of Sidney's LB840 Incentive Program for historic restoration in the downtown area to include all commercial properties south of Hwy 30 extending south and east from Ball Street to the BNSF Railroad embankment and all commercial property located within a strip 600 feet wide south of Hwy 30 at Greenwood Road east to the City Limits boundary be approved.

Nienhueser moved, Van Vleet seconded "That Jonathon Mueller be appointed to fill the unexpired term of Jeff Campbell on the Sidney Planning Commission." Roll call vote: Yeas: All council members present. Absent: Gaston.

Nienhueser moved, Van Vleet seconded “That Dr. Clint Dorwart as the Sidney Physician appointee and Jennifer Brockhaus as the Citizen-at-Large appointee be appointed to Sidney Board of Health.” Roll call vote: Yeas: All council members present. Absent: Gaston.

Nienhueser moved, Hiett seconded “That the Ordinance entitled “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 660“SAFETY, SANITATION AND HEALTH” SECTION 660.02 “STORAGE OF UNLICENSED VEHICLES OR PARTS” OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO PROVIDE FOR ABATEMENT AND CRIMINAL PENALTIES RELATED TO VEHICLES UNLICENSED MORE THAN FOUR MONTHS, TO PROVIDE ADDITIONAL MEANS OF SERVICE; 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. 1675.” Roll call vote: Yeas: All council members present. Absent: Gaston. 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: Nienhueser and Hiett. Nays: Weiderspon and Van Vleet Absent: Gaston. The motion having not been concurred in by three-fourths of the Council, the statutory requirement was not suspended. The Clerk then read the Ordinance by title.

City Manager’s Report consisted of updates of recent and upcoming meetings and/or events; i.e. Planning & Zoning Conference this week attended by City Attorney Leef, City Inspector Pelster and Planning Commission member Don Egging; Cheyenne County Leadership 3/14-Government Day and Economic Development in April; last 10 days of the Legislative session; SPNRD meetings re: allocations & 3-year plan with City representatives providing testimony as well as upcoming meetings re: southeast drainage problems; etc. Public Services Director Hehnke reported on Landfill open Saturdays, visit by the Corp of Engineers in April for flood channel inspection, NDOR projects update, weather spotter meetings 4/4; siren testing starting 3-28, etc.

The meeting adjourned at 8:42 p.m.

/s/ DALAN HIETT, VICE-MAYOR

/s/ G.F. ANTHONY, CITY CLERK

