

Sidney, Nebraska, January 10, 2017 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 January 10, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway, Gaston, Utley and Nienhueser. Others present: City Manager Sadler, City Attorney Sonntag 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 Arterburn informed the public of the location of the posted Open Meetings Act.

Nienhueser moved, Gaston seconded "That the minutes of the December 13, 2016 meeting be approved as printed." Roll call vote: Yeas: All council members present.

During Comments by the Public: 1. Presentation by a Sidney Robotics Team which is through 4-H and First Lego League (Grace, Caitlyn, Cooper, Nicole, Ty, Ben, Camden, Kieran). They asked that the website that they have created about deer crossing signs be linked to the City's website. 2. Larry Nelson, 841 10th Street, had three topics of concern: 1. The nuisance at 14th & Linden both on the property and on the street. 2. When will the City have 10th open to the public? 3. Why were the trees taken out around the Veteran's Memorial in Legion Park? City Manager Sadler will look into Mr. Nelson's concerns.

Mayor Arterburn opened a Board of Equalization hearing re: setting special assessments for Water Extension District #22, Sanitary Sewer Extension District #23, and Street Improvement District No. 56 for The Reganis Commercial Center subdivision, and invited questions or comments regarding the schedule of assessments as set forth in Resolution No. 20170101. The Mayor closed the public hearing and asked for a motion to approve the Resolution.

Nienhueser moved, Gallaway seconded "That RESOLUTION NO. 20170101 be passed and approved." Roll call vote: Yeas: All Council Members present.

RESOLUTION NO. 20170101

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

1. The Mayor and Council find and determine: The cost of the water, sewer and street improvements constructed are as follows: WATER EXTENSION DISTRICT NO. 22 IN THE AMOUNT OF \$165,665.52, SANITARY SEWER EXTENSION DISTRICT NO. 23 IN THE AMOUNT OF \$93,549.30, AND STREET IMPROVEMENT DISTRICT NO. 56 IN THE AMOUNT OF \$895,340.50. The council has heretofore designated this time and place for considering and levying special assessments upon the property specially benefitted by said improvements to pay the cost of constructing the same; that notice of the time and place of holding that meeting for said purpose has been duly given as provided by statute by publication in *The Sidney Sun Telegraph*, a legal newspaper of general circulation in this City, at least ten days prior to the time designated for the holding of the meeting, said publication being made on the 10th day of January, 2017; and by the mailing of copies of said notice to interested parties as provided by law; the Mayor and members of the Council have each personally inspected said improvements and the real estate abutting on and adjacent thereto; the Mayor and Council have heard all persons who desired to be heard in reference to the valuation of each lot to be assessed and the special benefits or damages thereto by reason of the construction of said improvements.

2. The Mayor and Council find and determine that no lot or parcel of land in said districts has been damaged by the construction of said improvements, that the valuation of the lots and parcels of land, taking into account the benefits derived or injuries sustained in consequence of said improvements, is the amount set out in the schedule

hereafter included in this resolution opposite the description of said respective lots and parcels of land in the column headed "Valuation"; that the amount of benefits specially accruing to each lot and parcel of land in said District by reason of the construction of improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of said improvement.

3. There is hereby levied and assessed upon the several lots and parcels of land in said Districts special assessments to pay the cost of construction of said improvements in the amount in dollars and cents set out in the schedule below in the column headed "Special Assessments". Said schedule referred to in this resolution is as follows:

WATER EXTENSION DISTRICT NO. 22

NAME	LOT	BLOCK	ADDITION	VALUATION	SPECIAL ASSESSMENT
Tim & Virginia Reganis	1		1 Reganis Commercial Ctr.	\$1.00	\$33,849.32
Tim & Virginia Reganis	2		1 Reganis Commercial Ctr.	\$1.00	\$33,849.32
Tim & Virginia Reganis	3	1	Reganis Commercial Ctr.	\$1.00	\$33,849.32
Tim & Virginia Reganis	4		1 Reganis Commercial Ctr.	\$1.00	\$33,849.32
Cabela's Inc.	1	2	Reganis Commercial Ctr.	\$1.00	\$ 7,567.06
Cabela's Inc.	2	2	Reganis Commercial Ctr.	\$1.00	\$ 7,567.06
Cabela's Inc.	3	2	Reganis Commercial Ctr.	\$1.00	\$ 7,567.06
Cabela's Inc.	4	2	Reganis Commercial Ctr.	\$1.00	\$ 7,567.06
WATER EXTENSION DISTRICT NO. 22 TOTAL					\$165,665.52

SANITARY SEWER EXTENSION DISTRICT NO. 23

NAME	LOT	BLOCK	ADDITION	VALUATION	SPECIAL ASSESSMENT
Tim & Virginia Reganis	1	1	Reganis Commercial Ctr.	\$1.00	\$23,387.33
Tim & Virginia Reganis	2		1 Reganis Commercial Ctr.	\$1.00	\$23,387.33
Tim & Virginia Reganis	3	1	Reganis Commercial Ctr.	\$1.00	\$23,387.32
Tim & Virginia Reganis	4		1 Reganis Commercial Ctr.	\$1.00	\$23,387.32
SANITARY SEWER EXTENSION DISTRICT NO. 23 TOTAL					\$93,549.30

STREET IMPROVEMENT DISTRICT NO.56

NAME	LOT	BLOCK	ADDITION	VALUATION	SPECIAL ASSESSMENT
Tim & Virginia Reganis \$166,774.32	1		1 Reganis Commercial Ctr.	\$1.00	
Tim & Virginia Reganis \$166,774.32	2		1 Reganis Commercial Ctr.	\$1.00	
Tim & Virginia Reganis	3	1	Reganis Commercial Ctr.	\$1.00	\$166,774.32
Tim & Virginia Reganis \$166,774.32	4		1 Reganis Commercial Ctr.	\$1.00	
Cabela's Inc.	1	2	Reganis Commercial Ctr.	\$1.00	\$ 43,136.66
Cabela's Inc.	2	2	Reganis Commercial Ctr.	\$1.00	\$ 43,136.66
Cabela's Inc.	3	2	Reganis Commercial Ctr.	\$1.00	\$ 43,136.66
Cabela's Inc.	4	2	Reganis Commercial Ctr.	\$1.00	\$ 43,136.65
STREET IMPROVEMENT DISTRICT NO. 56 TOTAL					\$895,340.50

4. That the assessment upon each lot and parcel of land is not in excess of benefits thereto specially accruing from the construction of said improvements and the special assessments have been apportioned among the lots and parcels of land subject to assessment in proportion to the special benefits accruing to said lots and parcels of land respectively from such improvements.

5. Said special assessments shall be a lien on the property on which they are levied from the date of the passage of this resolution and shall be certified by the City Clerk to the Treasurer of this city for collection;

said assessments shall be payable to the City Treasurer and shall thereafter be collected by the City Treasurer.

6. Said assessments are payable in twenty equal installments of which the first shall become delinquent fifty (50) days after the date of passage of this resolution and the subsequent installments shall become delinquent in one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen and nineteen years respectively from the date of the passage of this resolution; each of said installments except the first shall draw interest from date of passage of this resolution at the rate of six percent per annum, payable annually until the same become delinquent and after the same become delinquent at a rate equal to the maximum rate of interest allowed per annum under Section 45-104.01, R.R.S. 1943, as such rate may from time to time be adjusted by the Legislature, shall be paid thereon.

7. All of said assessments and the interest thereon constitute a sinking fund for the payment of the warrants and/or bond issue of the City issued to pay the improvement in said District.

Police Chief Joe Aikens and City Manager Ed Sadler presented proposed changes to the City Code which would allow for liquor consumption on City-owned property. Discussion of the changes was held. An appeal process was discussed as well as a red-lined version to point out the changes. Nienhueser moved, Gaston second that the ordinance entitled **“AN ORDINANCE TO AMEND CHAPTER 612 ALCOHOLIC BEVERAGES SECTIONS 612.01 THROUGH 612.99 OF THE SIDNEY MUNICIPAL CODE IN ITS ENTIRETY ; TO REPEAL SUCH SECTIONS AS HERETOFORE EXISTING, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE”** be designated as ORDINANCE NO. 1784.” Roll call vote: Yeas: All council members present. The City Clerk then read the Ordinance by title for the first time.

As per Library Director Andrew Sherman’s recommendations, Gallaway moved, Gaston seconded “That Lisa Davis be appointed to fill the unexpired term of Kelley Dible; that Jennifer Ramsey and Amy Riggs be appointed to their first complete terms; and that Elizabaeth Soucie be re-appointed to a final term.” Roll call vote: Yeas: All council members present.

Gaston moved, Gallaway seconded “That RESOLUTION NO. 20170102 be passed and approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20170102

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

That Baker & Associates has submitted PAYMENT NOS. 2 AND 3 for Project #066-156-16 Jennifer Lane Hiway Access in Street Improvement District No. 54 in the amount of \$99,606.11 and \$76,227.35 respectively; and

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, the contractor, Adams Civil Resources, LLC for constructing same has filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT NO. 54; PAYMENT NO. 2 AND 3, AMOUNT DUE CONTRACTOR **\$99,606.11, AND \$76,227.35 respectively for a total of \$175,833.46.** A Warrant in the amount now due the contractor is 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.

Dawn Martin, Assistant City Manager, presented the NJPA bid for a road grader for the Street Department. Gallaway moved, Nienhueser seconded “That the bid from Nebaska Machinery’s 2017 CAT 120M2 Grader in the amount of \$162,225 be awarded for the Sidney Street Department.” Roll call vote: Yeas: All council members present.

Gaston moved, Utley seconded “That RESOLUTION NO. 20170103 be passed and approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20170103

BE IT RESOLVED, that the American National Bank, the Security First Bank, and the Points West Bank, of Sidney, Nebraska, as designated depositories of this municipality are hereby requested, authorized, and directed to honor checks, drafts or other orders for the payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signers thereof, when bearing or purporting to bear the facsimile signatures of any two of the following persons:

<u>NAME</u>	<u>TITLE</u>	<u>FACSIMILE SIGNATURE</u>
Joe Arterburn	Mayor	
G.F. Anthony	Treasurer	

BE IT FURTHER RESOLVED that the Banks shall be entitled to honor and to charge the City for such checks, drafts, or other orders, regardless of by whom or by what means the actual purported facsimile signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimens duly certified to the Bank by the Clerk of this City herein or in any similar, subsequent certificate delivered by the Clerk to the Banks.

BE IT FURTHER RESOLVED that the City shall deliver to the Banks documents containing copies of the facsimile signatures certified above, and that the powers and authorities set forth herein and on such documents shall continue in full force and effect until written notice to the contrary has been delivered to the Banks.

Tim Feemster of Foremost Quality Logistics (FQL) along with Dean Barber of Barber Business Advisors, LLC and Alan Brown and Valorie Battle of Modalgistics presented the Target Market Strategy Study for the City of Sidney, Nebraska. The goal and mission of the Study was to identify ways and means by which new job creation has the potential to take place in Sidney. This Study serves as a road map using Sidney's strengths, weaknesses, opportunities, and threats to target the future. Target industries are agribusiness/food processing/specialty-ancient grains, small light manufacturing/fabricated metal, data centers, warehouse/distribution/transportation, and tourism. Three recommended ways to facilitate job creation and capital investments are: 1. Growth/expansion of existing firms (business retention and expansion). 2. Creation of new firms (entrepreneurial development). 3. Attraction of external firms (business recruitment). Next Steps: 1. Review edits, updates, and revisions based on feedback from this meeting and generate final documents for the City. 2. City to generate a business plan for the Economic Development based on this input as well as new developments in Sidney as they evolve. 3. Collaborate with Cheyenne County Commissioners, the Cheyenne County Chamber of Commerce and Nebraska Economic Development Department to generate a "shared and common story" for Sidney.

Gallaway move, Utlely seconded AThat the following claims for December 2016, 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, Arterburn and Utlely. 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.

Gaston moved, Gallaway seconded AThat the following claims for December 2016, 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 Equipment eq 118.94, 593.05; A-1 Sports su 18.00; Accelerated Receivables se 852.91; Ady Advantage ct 15000.00; American Environmental se 563.06; Arnold Pool su 3418.20; Barco Municipal eq 2087.01; Barker Cleaners se 30.00; Beehive se 1450.00, 2900.00, 1450.00, 1450.00, 2900.00; Black Hills Energy ut 2308.58, 501.96, 180.70, 117.77, 636.47, 250.98, 2069.12; Bomgaars su 132.93, 39.14, 34.74, 24.72, 52.97, 29.90; Busted Knuckle se 93.15; Cabela=s su 220.47; Cardmember se 1053.98, 121.76, 682.04, 693.10, 50.74; Caselle ct 1594.00; CenCon of Kansas eq 9889.47; CenturyLink se 99.89; Channing Bete su 369.51; Charter se 15.85, 164.40, 87.99; Cheyenne Co Chamber se 7550.00, 2500.00; Cheyenne Co Community Center ct 10000.00; Cheyenne Cty Court se 17.00; Cheyenne Co Emergency Comm Cntr ct 36880.44; Cheyenne Co Treasurer tx 11675.62; Chief su 58.00; City of Sidney bd se re ex 11779.28, 19750.00, 900.00, 1000.00, 249.53, 475.09, 26.26, 84.52, 22541.15, 103492.50, 147.96; sa in 31894.24, 12000.59, 7188.56, 12754.72, 87107.10, 16792.86, 25319.04, 6888.82, 5241.01, 56642.58, 9985.50, 85983.14, 24571.41, 12976.66, 4860.66, 16758.71, 3956.61, 32546.12, 9475.44, 11965.66, 4687.91, 6908.47, 2923.12, 99209.38, 5521.05, 996.73, 904.51, 2349.95, 533.54, 661.86; ut 2510.75, 2857.15, 27.35, 172.43, 2833.89, 107.55, 114.23, 848.13, 6375.15, 1401.97, 13058.91, 120.03; Clothes Hamper se 168.00; Coast to Coast Solutions se 245.07; Colorado Bureau of Investigation du 300.00; Contractor Materials su 68.30, 46.20, 81.00, 411.50; Country Printer su 115.00; Cranmore Pest Control se 90.00; Croell su 904.73, 247.79, 214.46; Culligan su 41.95, 12.50, 29.95; Cummins Central Power se 257.17; Darin=s Auto se 2652.69, 215.63; Day & Night se 66.20, 611.86; Deaver Tire su 1578.72; Department of Energy ut 20152.79; DHHS du 115.00; Digital Alley su 505.00; Ditch Witch eq 669.71; DP Electronics su 167.43, 704.98, 279.99, 1626.33, 126.82, 1289.96; Dutton Lainson eq 3588.24; E&S Auto se 158.73, 538.03, 984.03, 58.39, 91.87, 294.58; Eakes Office su 540.95, 22.32; Endurance Flag su 30.00, 30.00; Enviro Service se 108.00, 72.00; Farwest Line su 395.00; Finney=s su 497.05, 107.39, 46.23, 231.63, 859.52, 169.56, 41.43; Floyd=s Truck se 215.52, 73.94, 73.60, 252.75; Foster Lumber su 241.31, 89.33, 41.83, 24.47, 78.70, 72.93; Fraser Stryker ct 7669.75; Fremont Nat=l Bank ct 9118.54; Frenchman Valley su 4399.96, 1357.01, 2674.02, 962.69, 636.94, 282.17; Frerichs, Don su 1000.00; Fritz, David re 12.50; Galls su 185.19; Grainger eq 212.05; GraybaR eq 3888.44; Hamilton se 166.85, 99.90, 49.95; Harmon, James aw 30.00; Hofrock, Curtis tt 102.00; Holiday Inn tt 455.00; Hometown Leasing ct 978.32; Horizon West eq 62.60; Ideal Linen su 137.55, 229.56, 76.98, 256.57; Inland Truck su 116.94; Interstate Batteries su 107.55, 325.36, 325.36; Kevin=s Electric su 4.00, 20.00, 1223.00, 225.15; Knappen, Tony tt 102.00; Kriz Davis eq 1370.24; KSID SE 50.00; LL Johnson su 106.54; Landis & Gyr du 850.00, 850.00; Langley Trucking su 478.56; Leal, Ron ct 450.00; Maddox Motor su 151.20; Mail Finance ct 750.00; Martin, Dawn re 1810.08; Matthes, Joan ct 625.00; McAtee, Mitchell re 30.83; Melchior Contracting se 1175.00; Miller Office su 208.94, 6.09, 24.71, 359.36, 185.34, 106.96; Minnesota Grain su 8.98; MEAN se ut 3779.67, 461464.79; Municipal Supply su 633.18; Napa su 16.63, 21.69; NCMA du 452.00; NE Dept of Revenue tx 57203.71; NE Public Health se 157.00; NE Salt & Grain se 970.00; NE Supreme Court se 137.50; NT&T se 1331.02, 120.30, 197.79, 283.44, 48.35, 111.36; NE Turfgrass Asso du 150.00; NE Tire eq 581.58, 2359.38, 120.86, 14.63; Nemo Locksmith se 443.00; Nike su 1278.93; NMC eq 256.64, 321.74, 61.84; Northeast Community College se 31.20; Northern Safety su 171.70; Northwest Pipe su 73.01; Olsen, Eleanor ct 275.00; Olsson Asso se 14470.66; Omaha World Herald se 114.75; One Call se 52.05, 52.05; Panhandle Auto su 14.96; Perfection Door se 232.90; Points West Ins se 71001.00, 26355.00, 34703.00, 28441.00, 24959.00, 17740.00; Precision Concrete se 2170.11; Public Safety Center se 51.88; RWMC ct 5948.66; Respond First Aid su 234.72; Ried, David re 25.00; Ri-Tech su 1170.00; Rood=s su 84.00, 20.25, 33.00, 57.00; RT Service se 578.30; Scotties Potties se 700.00; Segelke, Carla ct 1050.00; Sidney Public Schools se 220.00; Sidney Rehabilitation se 125.00; Sidney Sun Telegraph se 836.62, 83.25, 4.42, 11.87, 8.98; Skill Path Seminars tt 149.00; Sonntag, Goodwin & Leef ct 5003.00; Spic & Span su 1028.00; Splish Splash se 166.11, 17.34; Stone, Eloise rt 400.00; SWANA du

212.00; Denver Post se 274.00; The Post su 368.95; Thompson Co su 40.94; Triple O=s su 61.54, 26.84, 22.17, 6.12, 34.87; US Postal du 262.00; USA Bluebook su 35016, 28.49, 469.21; Utility Service se 30470.31; Verizon se 217.57, 415.95, 70.65, 33.33, 194.30, 33.33, 66.66, 32.44, 97.32, 32.44; Walmart su 171.83; Wesco eq 3677.22; Western United Electric eq 74454.02; Wheatbelt ut 9019.47; Whitebluffs ct 670.00; Wieser Const se 358.41; Wolf Auto se 380.00; Wolford, Marie rt 916.47; Woodis Welding se 40.00; Wods & Aitken se 327.00; WPCI se 81.30; XC2 Software se 650.00; Verizon se 41.36; Baker & Taylor se 1631.73; City of Sidney se 1284.82, 387.12; Culligan se 19.95; Elan Visa su 1030.02; Finneys su 4.99; Frenchman Valley su 147.43; Gale/Cengage Learning se 136.31; Guideposts se 17.74; Ideal Linen se 27.83; Journal Office su 35.00; Michael Frederick se 64.00; NE Link se 36.00; NT&T se 121.54; OCLC se 207.88; Quill su 54.95; Segelke Janitorial ct 1050.00; Sidney Public Schools se 50.00; University of NE se 15.00.

Gaston moved, Nienhueser seconded "That the Budget Reports for all City Departments for December, 2016 be approved." Roll call vote: Yeas: All council members present.

City Manager Sadler reported that he was requesting that the Council set a date for a work session to review utility rates, streets, mowing, etc. It was determined that if the agenda for 1/24/17 is short that the work session be put on that agenda. If it is not short, they will meet at 5:00 p.m. on 1/25/17.

City Manager's Report: Ed apologized for not answering emails in recent days but his computer was having problems. The Awards Banquet was a good time despite the dancing.

Council Comments: **Mayor Arterburn:** Commented on the banquet being good and that Hank and Geri had received awards for 30 & 50 years of employment. Governor Ricketts 1/18 State of State. **Other Council Member's Comments:** Roger requested that additional outlets be installed on the Council bench in order to facilitate the computers used for the agenda packets. Wendall commented that the Targeting presentation was good.

Meeting adjourned at 9:26 p.m.

/s/JOE ARTERBURN, MAYOR

ATTEST: /s/ G.F. ANTHONY, CITY CLERK

