

Sidney, Nebraska, July 25, 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 July 25, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway, Gaston, Utley, and Olsen. Others present: City Manager Sadler, 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 Arterburn informed the public of the location of the posted Open Meetings Act.

Comments by the Public: None.

Olsen moved, Gallaway seconded "That the minutes of the July 11, 2017 meetings be approved as corrected." Roll call vote: Yeas: All council members present. Abstain: 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 trade of City land for Cabela's land for the JESWA stormwater project. Mayor Arterburn called the Public Hearing to order at 7:18 P.M. and parties of 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: City Manager Ed Sadler explained the process for trading City land for Cabela land. There being no further comments, the Mayor closed the hearing at 7:30 P.M.

Gaston moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, AUTHORIZING THE SALE OF ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SIDNEY, NEBRASKA, IN AND TO A TRACT OF LAND LEGALLY DESCRIBED AS A PORTION OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 49 WEST OF THE 6<sup>TH</sup> P.M., CONSISTING OF APPROXIMATELY 3.14 ACRES; AND SPECIFYING THE TERMS OF SUCH SALE IN SECTION TWO BELOW" be designated as Ordinance No. 1791." Roll call vote: Yeas: All council members present. Gaston moved, Gallaway seconded "That the rules that mandate the Ordinance be read by Title on three different days be suspended." Roll call vote: Yeas: Gallaway and Gaston. Nays: Arterburn, Utley and Olsen. Motion failed. The Clerk then read the Ordinance by Title for the first time.

The Planning Commission's Final Report re: approval with stipulations of a Truck Parking Waiver Application of Corey Strodman at 1145 14<sup>th</sup> Avenue was presented by staff with input by Angel Howington representing the owner. The Planning Commission put limitations on the time allowed for completion of curb removal as determined by the City Council. Gallaway moved, Gaston seconded "That RESOLUTION NO. 20170702 be passed and adopted as per the limitations mentioned above." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20170702

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 recommendation of approval of the Application of Corey Strodman, 1145 14th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lots 5 and 6, Block 45, Original Town to the City of Sidney, Cheyenne County, Nebraska with time limitations to complete the curb removal to be determined by Council; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the Application of Corey Strodman, 1145 14th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lots 5

and 6, Block 45, Original Town to the City of Sidney, Cheyenne County, Nebraska, with time limitations to complete the curb removal to be determined by staff.

The Planning Commission's Final Report re: approval of a Truck Parking Waiver Application of Loretta Broberg at 2476 11<sup>th</sup> Avenue was presented by staff with input by Bob Poppen, the landlord representing the owner, and Kevin Kubo, City Inspector. Utley moved, Olsen seconded "That RESOLUTION NO. 20170703 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20170703

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 recommendation of approval of the Application of Loretta Broberg, 2476 11th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lot 15, Block 11, Grabill Subdivision to the City of Sidney, Cheyenne County, Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the Application of Loretta Broberg, 2476 11th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lot 15, Block 11, Grabill Subdivision to the City of Sidney, Cheyenne County, Nebraska.

Gallaway moved, Utley seconded "That Robert England and Robert Long be re-appointed to the Sidney Planning Commission and that Doug Loghry be appointed for three-year term expiring June 1, 2020." Roll call vote: Yeas: All council members present.

Council was notified of a vacancy on the Airport Authority. Advertisement of this vacancy will be made.

City Manager Ed Sadler and Electric Distribution Superintendent presented their reports re: the NMPP rate study review and the proposed ordinance for Sidney's electric rates. Utley moved, Gaston seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, RELATING TO ELECTRICAL RATES, EFFECTIVE DATE OF RATES, AMENDING SECTIONS 1048.04, 1048.05, 1048.06, 1048.065, 1048.11 AND 1048.13 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA; AND PROVIDING FOR PUBLICATION" be designated as Ordinance No. 1792." Roll call vote: Yeas: All council members present. No motion was made to suspend the rules that mandate the Ordinance be read by Title on three different days. The Clerk then read the Ordinance by Title for the first time.

**City Manager's Report:** City Manager Sadler reported on the progress of the budgets, the Whistle Stop by the Governor on August 5 at 11:30 a.m. – 1:30 p.m., final organizational meeting for the 150th Celebration will be August 2, plans for the solar eclipse, the Farmer's Market is going well, the Dash for the Splash and triathlon is July 29<sup>th</sup>. City Attorney Leef gave an update on the NMPP's appeal. Chief of Police Joe Aikens reported the Police Auction had received in \$30,000+. Finance Director David Scott reported that the budgets have been his main priority. Ben Dayton thanked the Council for getting the Planning Commission's appointments made. City Inspector Kevin Kubo gave information regarding building permits. Library Director Andrew Sherman said the Library will be receiving a \$300,000 grant.

**Council Comments:** Council Member Gallaway reminded everyone of the need to fill the vacancy on the Housing Authority. Council Member Gaston asked for Highway 30 information which staff did. Council Member Olsen said there was a light out in the UPRR overpass.

Meeting adjourned at 8:19 p.m.

/s/JOE ARTERBURN, MAYOR

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









