

Sidney, Nebraska, October 24, 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 October 24, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway and Gaston. Absent: Utley and Olsen. Others present: 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.

Gaston moved, Gallaway seconded "That Council Members Utley and Olsen be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

Comments by the Public: Tim Lindahl of Wheatbelt Public Power District, read a statement regarding their displeasure with the recently passed Sign Ordinance and the complaint filed against their property at 2103 Illinois Street due to this new Ordinance.

Gallaway moved, Gaston seconded "That the minutes of the October 10, 2017 meeting be approved as printed." Roll call vote: Yeas: Gallaway, Gaston and Arterburn. Absent: Utley and Olsen.

Library Director Andrew Sherman presented a Special Designated Liquor License for the Sidney Public Library Foundation for their New Makerspace event on December 5, 2017. Gaston moved, Gallaway seconded "That RESOLUTION NO. 20171001 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Utley & Olsen.

RESOLUTION 20171001

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

That the Special Designated License application for the Sidney Public Library Foundation to serve beer and wine for an Open House-New Makerspace Event at the Sidney Public Library, 1112 12th Avenue, Sidney, Nebraska on December 5, 2017 from 5:00 p.m. to 7:00 p.m. has been approved for consumption of alcohol on City Property and that the Special Designated License be recommended for approval to the Nebraska Liquor Control Commission.

Robert Kuhns, Water Superintendent, made a request to move forward with the purchase of a Bob Cat Mini Excavator as per the 2017-2018 Budget. Gaston moved, Gallaway seconded "That the request of the Water Department be approved for a Bob Cat Mini Excavator for \$39,396 plus sales tax." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

Kevin Kubo, City Inspector, reported on the Planning Commission's Final Report which denied the truck parking in a residential zone at 2210 Newton. The request was for parking on Newton Street. Gaston moved, Gallaway seconded "That RESOLUTION NO. 20171002 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

RESOLUTION NO. 20171002

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 denial of the Application of Don Mueller, 2210 Newton Street, for a Waiver for Truck Parking on Newton Street in a Residential Zone by a Part of Lots 7/8, Block 5, Simon-Hardy Addition to the City of Sidney, Cheyenne County, Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby deny the Application of Don Mueller, 2210 Newton Street, for a Waiver for Truck Parking on Newton Street in a Residential Zone by a Part of Lots 7/8, Block 5, Simon-Hardy Addition to the City of Sidney, Cheyenne County, Nebraska

Scott Saults of Lashley Land & Recreational Brokers presented the preliminary/final plat and rezoning requests of TOC, Inc. Gallaway moved, Gaston seconded "That RESOLUTION NO. 20171003 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

RESOLUTION NO. 20171003

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 preliminary and final plat application of Tract 1, TOC Subdivision, a subdivision of part of the Southwest Quarter of Section 34, T14N, R50W of the 6th P.M., Cheyenne County, Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the foregoing preliminary and final plat of Tract 1, TOC Subdivision, a subdivision of part of the Southwest Quarter of Section 34, T14N, R50W of the 6th P.M., Cheyenne County, Nebraska.

Gaston moved, Gallaway seconded "That RESOLUTION NO. 20171004 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

RESOLUTION NO. 20171004

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 rezoning request of TOC, Inc. for Tract 1, TOC Subdivision, a subdivision of part of the Southwest Quarter of Section 34, T14N, R50W of the 6th P.M., Cheyenne County, Nebraska, from A (Agricultural) to R-1a (Residential Estate) Zone; and

That the City Council of the City of Sidney proposes to consider said report; that a public hearing will be held thereon in the Municipal Building of the City of Sidney, Nebraska, at 7:15 o'clock P.M. on the 14th day of November, 2017 at which time and place parties in interest and citizens shall have an opportunity to be heard; and that the City Clerk is hereby directed to give the proper notice of said hearing in compliance with the law at least ten days prior to said hearing.

Melissa Norgard, Economic Development Director, recommended the appointment of Cathy Arterburn and Kiersten Richards for four year terms and re-appoint Mike Leininger and Carol Porter for four year terms to the Economic Development Citizen's Advisory Review Committee. Gaston moved, Gallaway seconded "That Mike Leininger, Carol Porter, and Kiersten Richards be appointed to four year

terms on the Economic Development Citizen's Advisory Review Committee." Roll call vote: Yeas: All council members present. Absent: Utley and Olsen.

City Manager's Report: A report of the progress meeting for the Hwy 30 Resurfacing Project was read from Assistant City Manager Dawn Martin by Council Member Gaston. City Clerk Anthony reported on the upcoming Trunk or Treat event in Hickory Square on October 31s from 3-6 p.m. City Attorney Leef reported that the NMPP law suit has been accepted by the Supreme Court.

Council Comments: Council Member Gallaway reminded everyone that the Highway 30 project is a State of Nebraska project.

Meeting adjourned at 7:47 p.m.

/s/ JOE ARTERBURN, MAYOR

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

