

Sidney, Nebraska, November 14, 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 November 14, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway, Gaston, Utley and Olsen. 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.

Gallaway moved, Gaston seconded AThat the minutes of the October 24, 2017 meeting be approved as printed.@ Roll call vote: Yeas: Gallaway, Gaston, and Arterburn. Nays: None. Abstain: Utley and Olsen.

Volunteer Fire Chief Keith Stone presented a proposed SPNRD Multi-Jurisdictional Hazard Mitigation Plan update in its entirety as governing body of the Sidney Volunteer Fire Department. Gaston moved, Gallaway seconded AThat RESOLUTION NO. 20171101 be passed and adopted.@ Roll call vote: Yeas: All council members present.

RESOLUTION NO: 20171101

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by the South Platte Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes the Sidney Volunteer Fire Department.

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Sidney Volunteer Fire Department and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards; and

WHEREAS, FEMA regulation require documentation that the plan has been formally adopted by the governing body of the Sidney Volunteer Fire Department in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the Sidney Volunteer Fire Department does herewith adopt the South Platte Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety; and

PASSED and APPROVED this 14th day of November, 2017.

Volunteer Fire Chief Keith Stone presented a resolution regarding the Volunteer Emergency Responders Incentive Act. Gaston moved, Gallaway second AThat RESOLUTION NO. 20171102 be passed and adopted.@ Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20171102

WHEREAS, the State of Nebraska has passed the Volunteer Emergency Responders Incentive Act as of July 21, 2016; and

WHEREAS, the Responders Incentive Act would give a \$250.00 tax break to volunteers who meet an annual service requirement; and

NOW THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF SIDNEY, NEBRASKA, that the Sidney Volunteer Fire Department be given approval to participate in the State of Nebraska Volunteer Incentive Act as spelled out in the Revised States of Nebraska Sections 77-3101-3105; AND

THEREOF IT IS CERTIFIED THAT the vice-president of the program, Mike Butts, will be the record keeper for this program.

The PUBLIC HEARING FOR THE Class C Liquor License for the OL= Pals dba THE SPORTS BAR & GRILL at 1540 10th Avenue with Angela Hartzler answering questions and the manager application for Jane Woodis was declared open by Mayor Arterburn at 7:26 p.m. and closed it at 7:32 p.m. Utley moved, Gallaway seconded AThat RESOLUTION NO. 20171103 be passed and adopted. Roll call vote: Yeas: All council members present.

RESOLUTION NO 20171103

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

That the Mayor and Council of the City of Sidney, Nebraska hereby recommends approval of the issuance of a Class C liquor license to OL= PALS dba THE ROCK SPORTS BAR & GRILL at 1540 10th Avenue, Sidney, Cheyenne County, Nebraska; and

That the Mayor and Council of the City of Sidney, Nebraska hereby recommends approval of the manager application of Jane Woodis for said license; and

That the Nebraska Liquor Control Commission be notified of said recommendations.

The Planning Commission=s Final Report re: approval for the rezoning application of TOC for a lot located at 2025 Link 17D (Hwy19) approximately 1.9 miles west of the City Limits from Agricultural Zone to R-1a Rural Residential Estate Zone was presented by staff with input of Scott Saltz representing the owner. The Public Hearing was called to order by Mayor Arterburn at 7:33 p.m. and closed at 7:34 p.m. Gaston moved, Gallaway seconded AThat the Ordinance entitled AAN ORDINANCE PROVIDING FOR THE REZONING OF TRACT 1, TOC SUBDIVISION LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH PM, MORE PARTICULARLY KNOWN AS 2025 LINK 17D, FROM A (AGRICULTURAL) TO R-1A (RURAL RESIDENTIAL ESTATE) 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@ be designated as Ordinance No. 1795.@ Roll call vote: Yeas: All council members present. Gallaway moved, Gaston seconded AThat 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 City Clerk then read the Ordinance by number. Gallaway moved, Gaston seconded AThat Ordinance No. 1795 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. Gaston moved,

Gallaway seconded AThat Ordinance No. 1795 be published in The Sidney Sun Telegraph.@ Roll call vote: Yeas: All council members present.

Denise Wilkinson, from the Cheyenne County Chamber of Commerce presented a request for application for a Special Designated License for the Annual Chamber Awards Banquet. Utley moved, Gaston seconded AThat Resolution No. 20171104 be passed and adopted.@ Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20171104

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

That the Special Designated License application for Cheyenne County Chamber of Commerce to serve beer and wine for the Awards Banquet held at Country Inn & Suites, 664 Chase Blvd, Sidney, Nebraska on February 10, 2017 from 5:00 p.m. to 11:30 p.m. be recommended for approval to the Nebraska Liquor Control Commission.

Galen Wittrock, Assistant Manager of South Platte Nebraska Resource District appeared to report on the progress with the East Sidney Watershed Project and that it will again move a little quicker now that easements have been acquired for the lands involved in the project. With the approved, easements, JESWA will consider approving the final project design at their next meeting. Once the design plans are approved the bid packages can be sent out sometime in December or early January.

Melissa Norgard, Economic Development Director, reported that the Economic Development Citizen=s Advisory Review Committee is set to consist of five to ten members. Advertising for these openings has been done. Melissa recommended appointing Cathy Arterburn to the Committee for a four year term. Gaston moved Olsen seconded AThat Cathy Arterburn be appointed to the Economic Development Citizen=s Advisory Review Committee for a four year term.@ Roll call vote: Yeas: All Council members present. Abstain: Mayor Joe Arterburn.

It was noted that there are two open position on the Planning Commission and advertising is needed again.

City Manager Ed Sadler reported that there was a opening on the Airport Authority. Jarrod Konz has resigned. The vacancy will be advertised as soon as possible.

Gallaway moved, Utley seconded AThat RESOLUTION NO. 20170902 be amended as passed and adopted.@ Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20170902

REVISED 11-14-2017

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Sidney passes, by a majority vote, a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Sidney that the property tax request for the current year be a different amount than the property tax request for the prior year. The total amount of tax collars was correct. However, there was a typo in the minutes re: the breakdown between General/Street and Bond;

NOW, THEREFORE, the City Council of the City of Sidney, Nebraska, by a majority vote resolves that:

1. The 2017-2018 property tax request be set at \$2,695,848.57 (\$1,425,880.57 for the General/Street and \$1,269,968 for Debt Service). A copy of this resolution be certified and forwarded to the County Clerk.

City Manager Sadler presented a revised Amendment to the Cheyenne County Emergency Communications Center Interlocal Corporation Agreement. Gaston moved, Gallaway seconded AThat the Interlocal Cooperation Agreement be approved and that the Mayor authorize the execution of same. Roll call vote: Yeas: All council members present.

Gaston moved, Olsen seconded AThat the following claims for October 2017, 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 Olson. Nays: None. Abstain: Utley. (Abbreviation for claims: 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) Sidney Regional Medical Center se 296.00

Gallaway moved, Olsen seconded AThat the following claims for October 2017, 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: 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 eq 106.08, 1.56; 3M su 277.35; Accelerated Rec se 237.17; American Environmental su 647.63; American Library Asso se 175.00; Andrew Sherman re 26.94; Axon su 35.96; Baker & Taylor su 901.99, 9.02; Barker Cleaners se 30.00; Barnhart, Greg re 45.00; Black Clover Enterprises su 3162.08; Black Hills Energy ut 748.18, 754.62, 120.38, 33.69, 138.35, 85.38, 60.20, 708.82; Bomgaars su 79.40, 11.57, 56.37, 204.22, 161.24; Busted Knuckle se 57.52; Canon Financial se 96.00; Cardmember se 4388.53, 1274.47, 247.62, 120.70, 271.08; Carolina Software se 200.00; Caselle ct 1644.00; CenCon eq 12492.85, 7490.07; Centurylink se 99.89; Charter se 105.40, 89.53, 87.99; Cheyenne Co Chamber se 900.00, 2500.00; Cheyenne Co Community Cntr ct 10000.00; Cheyenne Co Court se 70.25; Cheyenne Co Emergency Comm Center ct 34885.26; Chief su 264.42; City of Sidney se ex 120.02, 549.48, 450.00, 1000.00, 1598.66, 6.00, 153.09, 22222.18, 629.59, 280.00 bd 19750.00, sa 102430.53, 105207.32, 103701.41, 12521.08, 13408.40, 13049.91, 14748.06, 15533.18, 14706.52, 29000.42, 29815.40, 30008.21, 11541.84, 12598.73, 11721.51, 6859.43, 6842.14, 6936.45, in 6031.72, 66948.02, 6008.62, 986.51, 12245.89, 986.51, 791.22, 11994.09, 802.75, 2025.10, 22304.26, 2025.10, 509.53, 7017.84, 521.06, 710.66, 7121.89, 810.66; ut 9155.10, 2655.45, 166.43, 854.86, 545.50, 68.00, 14208.81, 12856.88; Contractor Materias su 125.00, 99.00; Convert A Ball su 77.78; Cornhusker tt 218.00; Country Printer su 256.00; Cranmore Fire se 114.00; Cranmore Pest 90.00; Croell su 1325.77; Culligan su 19.95, 43.93, 7.50, 29.95; Day & Night se 185.69; Demco su 156.03, 5.00; Department of Energy su 19869.14; Ditch Witch eq 84.82; E&S Auto su 293.71, 8.19, 212.47, 1136.78, 81.21, 9.09, 37.85; Elan Visa su 252.09, 66.88, 55.49, 1172.06, 44.91; Electrical Engineering eq 760.63, 698.86; Enviro Service se 72.00, 188.00; Fairfield Inn tt 465.00; Fastenal su 94.29; Finneys su 1361.13, 311.42, 26.46, 327.35, 359.47, 155.97, 127.51, 14.99; Flagship Publishing se 710.00; Floyd=s eq 38.10, 113.01, 1357.62; Foster Lumber su 54.07, 26.77, 109.96; Fraser Stryker se 6905.38; Fremont Nat=l Bank bd 9395.20; Frenchman Valley se 157.65, 10033.38, 1500.99, 6471.52, 1133.65, 522.25, 1392.10; Gale Cengage Learning se 261.40; Galls LLC eq 650.38; Gaston, Wendall tt 441.54; Gempler=s eq 248.94; Golden West su 539.07; Gordon=s Body Shop se 500.00; Grainger su 115.33; Hach su 712.83; Hamilton se 163.85, 49.95, 49.95; Hampton Inn tt 325.38; Harper Industries su 129.10; Hibbard, Alyson re 110.77; Hillside Bar & Grill su 950.00; Hillside Ventures ct 2420.00; Hoffman, Mabel re 92.11; Holz, Alvina re 118.26; Horizon West su 73.85, 11.43; Huber & Asso se 156.00, 156.00; Ideal Linen se 34.04, 377.08, 38.26, 214.39, 168.96, 122.88; Inland Truck eq 2758.89; JNJ Steamway se 90.00; JC Golf su 197.28; JJ Plumbing se 5000.00; Journal Office su 35.00; JT Heating se 105.00; Kevin=s Electric su 117.50, 522.50; Kriz Davis su 12.35; KSID se 35.00, 50.00; Kuhns, Rob tt 62.00; LL Johnson eq 483.28; Landis & Gyr ct 750.00; League of NE du 973.00, 1080.00; Leal, Ron se 450.00; Matthes, Joan se 625.00; Midwest Labs su 100.00; Miller & Sons se 45.25; Miller Office su

1553.95, 104.57, 30.13, 108.96; MEAN du ut 3779.67, 470405.12; Municipal Graphics su 274.92; Municipal Supply su 79.54, 3726.12, 1760.00; Napa Auto su 69.54; NDEQ ct 2226.30; NE Dept of Revenue tx 75650.34; NE Diplomats su 350.00; NE Golf Asso se 3488.40; NE Housing Developers Asso du 250.00; NE Law Enforcement du 20.00; NE Salt & Grain se 31386.70; NE State Volunteer Firefighters Asso du 800.00; NE Statewide Arboretum du 55.00; NT&T se 150.66, 1378.92, 122.65, 205.46, 288.29, 48.74, 112.72; NE Library Commission se 776.10; NE Life su 44.00; NE Tire su 38.20; Newman Traffic su 252.40; Nike su 114.56; NE Machinery su 242.99; Northern Safety su 162.81; Northwest Pipe Fittings su 1107.81, 4273.42; OCLC se 215.15; Olsen, Bob tt 407.57; One Call se 53.61, 53.61; Palmore Masonry se 100.00, 85.00; Panhandle Auto eq 533.54; Par West Turf se 686.00; Pepsi Cola su 20.80; Points West in 104172.00, 23295.00, 28700.00, 967.00, 29973.00, 658.00, 21494.00, 23616.00; Police Chiefs Asso du 50.00; Police Officers Asso du 131.25; Qtech Automation se 1347.01; Quill su 143.95, 390.98; R&T Excavation se 3450.00; Raffelson Rock su 80.00; RCIS se 286.54; Reams Sprinkler su 74.72; RWMC ct 5948.66; Reliance Label su 153.75, 14.28; Renkoski Property Dev se 6024.22; Resource Action se 1683.00; Respond First Aid su 243.38, 59.12, 50.15, 36.58, 33.65; Roods se 667.26, 123.24; Russell Industries su 886.22; Sadler, Ed tt 228.98, 460.88; Sandberg Implement su 731.69; Sapp Bros se 73.45; SASWA Landfill Closure ct 36601.00; Sauder Auto se 103.58; Scotties Potties se 840.00; Segelke Janitorial se 1050.00, 1050.00; Shirt Tales su 150.00; Sidney Fee su 67.98; Sidney Sun Telegraph su 6.63, 802.41, 56.00; Simon Contractors se 340.65, 104.81; Sonntag, Goodwin & Leef se 5175.00; Sonny=s su 13.96, 69.65; SPNRD se 56.00; Splish Splash se 88.00; Stone, Eloise rt 400.00; Sukup, Todd tt 73.00; Superior eq 653.33; Superior Outdoor Power eq 697.93; T&L Cleaning se 275.00; Time Clock Plus su 35.00; Triple O=s su 3.99, 54.65, 56.91, 275.55; USA Bluebook su 179.04, 372.94; Verizon se 40.01, 219.06, 497.55, 77.67, 33.36, 214.85, 63.85, 66.72; Viaero se 32.83, 32.83, 98.49, 32.83; WL Construction se 419.99; Walmart su 109.67; Wesco su 9352.50; Wheat Belt ut 13343.84; White Bluffs ct 1195.00, 591.44; Wolf Auto se 77.47; Wolford, Marie rt 916.47; WPCI se 203.00.

Utley moved, Gallaway seconded A>That the Budget Reports for all City Departments for October, 2017 be approved. Roll call vote: Yeas: All council members present.

City Manager=s Report: Ed displayed the new Christmas ornaments that had been received today. Melissa shared that she was going to start advertising in the Omaha and other papers and websites to drum up interest in jobs. Dawn gave a report on Illinois Street. Happy Thanksgiving to all.

Council Comments: Council Member Gallaway asked about the power outage over the weekend. Councilman Gaston announced he was elected to the League of Nebraska Municipalities recently. Happy Birthday to Ed!

Meeting adjourned at 8:39 p.m.

/s/ JOE ARTERBURN, MAYOR

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

