

Sidney, Nebraska, June 12, 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 7:34 P.M.(due to CDA meeting running late) on June 12, 2012 in the Council Room. Present were: Mayor Gaston and Council Members: Weiderspon, Nienhueser, Gallaway and Van Vleet. Others present: City Manager Person, 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 Gaston informed the public of the location of the posted Open Meetings Act.

Nienhueser moved, Van Vleet seconded "That the minutes of the May 22, 2012 meeting be approved." Roll call vote: Yeas: All council members present.

Gallaway moved, Nienhueser seconded "That Resolution No. 20120601 be passed and adopted." Roll call vote: Yeas: All Council Members present.

RESOLUTION NO 20120601

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 manager application of Cory Heiting for the Class #D-61764 liquor license of Wal-Mart Supercenter #5170 located at 3001 Silverberg Road in the City of Sidney, Cheyenne County, Nebraska, and

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

Mayor Gaston announced that the terms of Planning Commissioners John Phillips and Don Egging had expired and that both had indicated they would accept another term. Nienhueser moved, Van Vleet seconded "That John Phillips and Don Egging be re-appointed to the Planning Commission for three year terms." Roll call vote: Yeas: All Council Members present. Mayor Gaston presented the name of Jamie Gull for an appointment to the Planning Commission for a three year term that is available due to Roger Gallaway's appointment to the Council as well as his term having expired. Nienhueser moved, Van Vleet seconded "That Jamie Gull be appointed to the Planning Commission for a three year term." Roll call vote: Yeas: All Council Members present.

In relation to the creating of Street Improvement District #51 by Ordinance No. 1676, City Clerk Anthony announced that a Notice of Creation for said district had been published in the local paper and also sent by certified mail to all property owners involved. No written objection had been received during the required time frame and the district could now move forward. Nienhueser moved, Weiderspon seconded "That Resolution No. 20120602 be passed and adopted." Roll call vote: Yeas: All Council Members present.

RESOLUTION NO. 20120602

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA: That retainage of Baker and Associates, Inc. As special engineers for the City of Sidney for the preparation of plans, specifications and estimates for the necessary work needed for Street Improvement District No. 51, for the supervision and inspection of such work in said district, and for the performance of other engineering services in connection therewith is hereby approved.

City Attorney Leef reported on her research in regards to the council position vacancy and the Secretary of State's opinion that the replacement for the remaining two years of the term be placed on the ballot for the next election. Nienhueser moved, Weiderspon seconded "That Resolution No. 20120603 be passed and adopted." Roll call vote: Yeas: All Council Members present.

RESOLUTION NO. 20120603

WHEREAS, there is a vacancy on the City Council of the City of Sidney, Nebraska due to a resignation

of a council member; and

WHEREAS, the Nebraska Secretary of State has instructed the City of Sidney that the City must certify said vacant position for election by ballot to the Clerk of Cheyenne County at the next general election;

NOW, THEREFORE, be it resolved by the City Council of the City of Sidney, Nebraska, that the motion passed on April 24, 2012 regarding the original plan to place the third place finisher on the Council to fill the two year spot is hereby declared rescinded; and

BE IT FURTHER RESOLVED that the City Clerk shall recertify to the Clerk of Cheyenne County that the City has an additional elective office - city council person for a two year term- for the next general election. In order to be eligible to run for this position, a person must be a registered voter in the City of Sidney, complete a filing document and pay a filing fee by September 1, 2012. The person who is elected to this position will serve for a period of two years, the remaining term of the vacated seat. In the event that one of the current candidates for the four year term city council position wishes to file for the new two year city council seat, he or she must withdraw his or her name as candidate for the four year city council position.

Adopted this 12th day of June, 2012 at Sidney, Nebraska.

City Manager Person presented a request for the City Council to set a public hearing on a Community Development Block Grant public works application for the street improvement project on Sidney's north side which would include improvements on Forrest Street from 14th to 17th Street and the connector street on 17th Street from Elm to Forrest. Gallaway moved Weiderspon seconded "That a public hearing be set for 7:15 p.m. on June 26, 2012 regarding an application for a Community Development Block Grant for public works for the street improvement project on Sidney's north side." Roll call vote: Yeas: All Council Members present.

Nienhueser moved, Gallaway seconded "That Resolution No. 20120604 be passed and adopted." Roll call vote: Yeas: All Council Members present.

RESOLUTION NO. 20120604

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

That the Special Designated License application for Buffalo Point to host the Husker Sports Nightly radio show in their parking lot and to serve beer, wine and distilled spirits at 638 Cabela Drive, Sidney, Nebraska on July 9, 2012 from 3:00 p.m. to 10:00 p.m. be recommended for approval to the Nebraska Liquor Control Commission.

Public Services Director Hehnke presented a draft format for a Request for Proposals for a consultant for a swimming pool project. Discussion was held on what phases to include in the RFP. The matter was tabled with the understanding that staff and the City attorney would re-work the RFP format.

Weiderspon moved, Gallaway seconded "That the following claims for May 2012 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Weiderspon, Gaston and Gallaway. Nays: Van Vleet. Abstain: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) Hillside Ventures se 2388.08

Van Vleet moved, Nienhueser seconded "That the following claims for May 2012 are hereby approved and should be paid as provided by law out of the respective funds in the city treasury:" Roll call vote: Yeas: Nienhueser, Gaston, Van Vleet and Gallaway. Abstain: Weiderspon. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) Whitebluffs su 1012.00

Nienhueser moved, Gallaway seconded "That the following claims for May 2012, are here by 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: ex expenses, rt retirement, re

reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) 21st Century su

389.98, 56.00, 546.62, 12.08; 3F Chimica Americas su 708.60; Air Quality Team se 610.00; Alamar Uniforms se 41.40; Alert Magazine su 70.00; AlSCO se 295.84, 47.24, 77.07; Altec su 184.70; American Environmental se 1883.84; American Water Works su 170.00; Amsterdam Printing su 2568.56; Arbor Rock su 1596.70; Atco su 85.00; Ball, Jordan Law Office se 2630.90; Bamford su 200.00; Bassett, Floyd ex 249.50; Blane Canada su 875.00; Bomgaars su 79.13, 248.74, 785.50, 36.35, 14.42; Bown, Erin re 100.00; Brauer, Casey re 37.00; Brekel, Greg re 58.50; Brestel, Gerald rt 570.28; Busted Knuckle se 118.01; Butts, Mathew re 249.50; Cake & Creations se 25.00; California Contractors su 742.44, 184.78; Cardmember se 286.52, 606.80, 225.00; Carte Graph su 1080.00, 1080.00; Caselle su 3031.00; Cashwa su 401.70, 81.60; Centurylink se 95.90; Cheyenne Co Chamber se 1250.00; Cheyenne Co Community Center se 10000.00; Cheyenne Co Emergency Comm Center su 17500.80; Chief su 16.08; City of Sidney su ex rt re sa se su tr 78.92, 32869.25m, 17888.91, 1000.00, 4557.40, 268.53, 28.84, 103.00, 103492.50, 112.68, 5026.72, 86340.31, 10657.51, 16579.34, 24085.55, 9329.74, 7499.46, 44788.75, 7563.02, 9488.99, 13066.80, 6401.06, 5214.44, 2970.85, 399.51, 522.97, 1093.10, 429.21, 426.76, 88863.45, 11026.93, 18216.76, 24366.50, 11073.25, 6933.57, 40.00, 49.72, 6.00, 2790.06, 193.59, 157.85, 1010.66, 327.58, 102.41, 7246.79, 8874.34, 1690.00; Clear Vision Golf Cart Covers su 709.59; Clothes Hamper se 28.00; Colorado Golf & Turf se 9176.08; Cranmore Pest Conrol se 85.00; Darin's Auto se 617.49, 878.68; Day & Night se 151.62, 434.75; DBC Irrigation se 209.37; Dept of Energy se 23626.33; DLT Solutions se 612.77; Dorman, Ray ex 14.00; DP Electronics su 1834.37; E&S Auto se 305.06, 2.25, 346.09, 933.06, 523.29, 260.17, 2074.40, 8.25, 80.99; Edwards Glove su 603.58; Enviro se 120.00; Falcon Labs se 534.19; FBI Academy se 90.00; Finney's se 718.44, 466.75, 77.84, 70.21, 960.57, 156.17, 134.95; Floyd's Truck se 6698.83; Foster Lumber se 101.12; 23.47, 60.54; Fremont National Bank co 13116.67; Frenchman Valley se 8864.12, 1444.74, 4877.32, 7966.77, 1581.60, 1398.81, 795.15; Fry & Asso se 843.25; Fyr Tek su 700.64; Gabis, Chris ex 249.50; Galeton Gloves su 126.44; Galls su 152.87; Gempler's se 263.35; GLEC su 4614.36, 537.05; Golden West su 315.31, 732.48; Gordon's Body Shop su 57.33; Graphics Plus se 219.80; Great Plains se 41.56, 41.55; H2 Golf su 90.00; Hall's Safety su 171.70; Hamilton se 334.70, 99.90, 49.95; Hampton Inn se 120.52; Harding & Shultz su 150.00; Hastings Police su 150.00; Heiman Fire su 565.15; Holt, DeWayne ex 249.50; Holt, Felicia ex 249.50; Horizon West su 604.00, 604.43; Houk, Jason ex 14.00; Houser, Jodene ex 153.27; Husker Auto su 27299.77 IAPMO se 67.00; Ideal Linen se 511.83, 255.26, 49.46, 21.65, 784.35, 71.25; Interstate Batteries su 305.90; Int'l Code Council se 150.00; JA Traffic su 1263.50; Jallen, Shawn ex 534.77; JC Golf Accessories se 542.58; Jirdon Agri Chemical su 3290.53, 287.98; Johnson Service se 3800.00; Kampfe, Paul se 1514.20; Kevin's Electric su 17.00; 755.75; Klipfel, Jason ex 534.77; Kriz Davis su 4269.5, 4514.84; L&P Financial se 1470.37; L L Johnson Distributing se 1505.75; Larsen, Les ex 75.36; League Of NE se 95.00, 70.00, 35.00; Leal, Ron se ex 699.50; Lincoln Nat'l Life se 203.85; Loghry, Justin ex 214.00; Long, Tyson ex 37.00; Masek Golf su 30.00; Mathes, Joan se 450.00; McGown, Megan re 814.61; Mid American Research se 52.75; Midwest Cabling se 9000.00; Milestone se 409.69; Miller Office su 558.22, 6.98, 95.95, 176.44, 23.99; Morton Buildings su 2651.00; MEAN se 224886.83; Municipal Pipe Tool su 335.30, 26.51; Municpal Supply su 5280.19; Murphy Tractor su 3163.71; MWC Enterprises su 3875.00; Namuth Kevin ex 534.77; Napa su 994.77, 29.05; Nat'l Animal Control se 35.00; NE Dept of Revenue se 49827.33; NE Municipal Power Pool su 750.00, 2590.89; NE Public Health Enviro Lab se 84.00; NE Safety/Fire se 285.00; NE Secretary of State se 30.00, 30.00; NE State Treasurer se 112.52; NT&T se 1164.54, 120.21, 161.89, 283.50, 147.07; NE Wastewater se 20.00; Neland Tire se 69.16; NEC Financial se 329.65; Nienhueser Const se 4900.00; NE Machinery se 813.83, 23.49, 724.50; North American Directory se 150.00; Northwest Pipe se 2531.29; Olsen, Eleanor se 275.00; Our Designs se 258.49; Pepsi su 135.00; Petri, Charles re 51.23;

Phillips, John re 204.44; Points West se 251.00, 40.00; Prairie State se 2220.00; 1915.30; Prestige Flag se 709.15; Public Safety se 192.34; Quality Inn se 91.38; Raffelson Rock se 3025.00; Ramada Inn se 75.00; Ray's Auto se 162.50; Regional West se 5567.56; Respond First Aid su 57.81, 37.65, 73.71, 29.40, 47.91; Ritec su 284.62; Rood's su 753.38, 299.60, 51.50, 240.00, 70.25, 16.00; RT Service & Repair se 690.96; S&S Tool su 25.00; Sanders, Dave ex 534.77; Sauder's su 657.79, 421.64; Scotties Potties se 630.00; Segelke, Carla se 1050.00; Sherwin William su 1210.00; Shirt Tales su 131.20; Sidney Glass su 65.00; Sidney Greenhouse Too se 140.00; SRMC se 1299.40; Sidney Soft Water se 42.00, 3.75, 2.54; Sidney Sun Telegraph se 1127.87, 24.31; Simon Contractors su 5320.08; Smith Wholesale se 333.29; Solomon Corp se 2864.39; Source Gas se 458.88, 139.17, 386.48, 61.03, 759.50; Splish Splash se 46.80, 5.60; Sterling Monument se 250.00; Stone, Eloise rt 400.00; Stroh, Donald se 40.00; The Thompson Co se 153.60, 46.51; Titleist su 1381.70; Triple O's se 43.29; USA Bluebook su 679.17; Verizon Wireless se 102.18, 68.12, 34.06, 155.76, 102.46, 461.24; Walmart su 27.85, 346.68; Western Pathology se 58.00; Wheatbelt se 8890.81, 10715.08; WNCC se 200.00; Wolford, Marie rt 814.36; Young's Plumbing se 85.99; Elan Visa su 1223.04; Postmaster se 220.00; Baker & Taylor su 1021.09; Barker Cleaners se 24.00; Charter Communications se 113.99; City of Sidney se 735.16; Computype se 57.37; Elan Visa se 356.95; Frenchman Valley su 138.17; Finneys su 25.82; Guidepost su 17.74; Ideal Linen su 26.390; Journal Office su 32.12; Leisure Time su 232.04; NT&T se 143.06; OCLC se 115.95; Petty Cash su 5.75; Day & Night se 4905.00; Quill su 1658.45; Sonny's su 9.79; Sidney Sun Telegraph su 5.89; Sterling Journal Advocate su 143.74; Segelke Janitorial se 1050.00; U Store It su 60.00; Culligan su 18.00

Nienhueser moved, Gallaway seconded "That the Budget Reports for May, 2012 be approved." Roll call vote: Yeas: All council members present.

Van Vleet moved, Weiderspon seconded "That Roger Gallaway be appointed as Vice-Mayor." Roll call vote: Yeas: All council members present.

Van Vleet moved, Weiderspon seconded "That Roger Gallaway be appointed as the City's representative on the Sidney Housing Authority ." Roll call vote: Yeas: All council members present.

City Manager's report consisted of updates of recent and upcoming meetings and/or events; i.e.: thanks to the Gold Rush Days volunteers; Farmers' Market started on Saturdays 8-Noon; Parking in downtown by business owners and employees is being addressed by the Police Department; the successful Cabela's Stockholders meeting-thanks to the public works and police department; Volunteer Luncheon in May; L17J project underway; BNSF work on 10th crossing-closed thru Friday; NNI advertised; Susan Zingula Memorial in the amount of \$10,500 received for the Junior Youth Golf program; NRD meetings re: southeast drainage; Kids Fishing Day; Cheyenne County Leadership trail project to place nature education stations; Lt. Gov. Sheehy in Sidney recently; meeting with new superintendent of schools; Historic Preservation Board update; Leadership Nebraska; Planning Commission 6-18; Scott Day 6/19; Major Golf Tournaments, June 23-24 & July 20-23; etc.

The meeting adjourned at 8:49 p.m.

MAYOR

ATTEST:

CITY CLERK

