

Sidney, Nebraska, March 8, 2016, 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 March 8, 2016 in the Council Room. Present were: Mayor Nienhueser and Council Members: Gallaway, Gaston, Gay, and Arterburn. Others present: Interim City Manager Anthony, Deputy City Clerk Heilbrun and City Attorney Leef. 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 Nienhueser informed the public of the location of the posted Open Meetings Act.

Gallaway moved, Gay seconded "That the minutes of February 23, 2016 meeting be approved as printed." Roll call vote: Yeas: Gallaway, Gaston, Gay and Arterburn. Abstain: Nienhueser.

Major Joe Aikens introduced Ross Sinnett and Amanda Brewer, the two newest police officers for the City of Sidney Police Department. They were welcomed by the Council and thanked for their service.

Mayor Nienhueser stated that a public hearing regarding the City of Sidney 2016 One Year and Six Year Street Improvement Plan would now be held. The hearing was opened at 7:18 p.m. Sidney Street Superintendent Hank Radtke presented a power point of the State regulations for municipalities, as well as projects slated for both the 2016 One-Year Plan and Six-Year Plan. He explained that all projects on the One-Year Plan were also on the Six-Year Plan, then moved up to the One-Year plan when slated to begin in that calendar year. He noted that while the deadline for filing the plan was March 1st, the City had been granted an extension by the State and would not be penalized. Specific projects including Hwy 30 and the 13th Avenue renovation were discussed. Radtke explained that while the 13th Avenue project is currently listed on the 2-6 year schedule, the engineering study is currently underway and the project could begin in this calendar year. Zoning Administrator Ben Dayton was instructed to contact the engineers on this project to determine the probable costs and to establish a time frame for construction so funds can be allocated if needed. Interim City Manager Geri Anthony was instructed to contact Doug Hovett of NDOR regarding the Highway 30 project which has been delayed for several years. It was noted that part of this delay was due to the work on Interstate 80 which detoured wide load vehicles to Highway 30. Discussion as to where the half-cent sales tax, which is allocated for street improvements, is being spent, and where the differentiation between new construction and improvements comes into play when allocating the funds. Arterburn & Gallaway raised concerns regarding the lack of street improvement projects vs. new projects. The public hearing was closed at 7:35 p.m.

Gay moved, Gaston seconded "That Resolution No. 20160302 be passed and approved." Roll call vote: Yeas: Gaston, Nienhueser, and Gay. Nays: Arterburn and Gallaway.

RESOLUTION NO. 20160302

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

That the 2016 One Year and Six Year Street Improvement Plan has been presented to the Council of said City and that said Council deems it in the best interest of the City to adopt said plan as presented and said Plan be and hereby is approved and adopted.

Passed approved this 8th day of March, 2016.

Julie Slagle, on behalf of Sidney Regional Medical Center, appeared to request that the speed limit be increased from 25 to 40 mph on Greenwood Road-south of US Hwy 30, and on Pole Creek Crossing-east to US Hwy 385. This proposed speed limit would mirror that of Fort Sidney Road. Staff noted that while we are not required by law to conduct a traffic study, which could cost up to \$2,500.00, it would be in the City's best interest to do so in order to avoid liability issues further down the road should an accident occur. Street Superintendent Radtke stated that he would like to see a traffic study done, but not until the entire Greenwood/Pole Creek project is complete and new traffic patterns are established. Mayor Nienhueser instructed staff to locate the original traffic study, which was done during the initial road design, and bring it along with the SRMC request back to Council at the next regular meeting. The item was tabled until the March 22, 2016 meeting.

Tom VonSeggern, Parks Superintendent, presented the proposed fee schedule and hours of operation for the 2016 Sidney Aquatic Center. This information was originally provided at the February 23rd meeting and made available for public inspection and comment prior to being considered for adoption tonight. He explained that the annual rates were determined based on 15 visits/yr. for the Youth, 5 & Under, and Senior categories, 18 visits/yr. for Adults, and 2 times the adult annual rate for Families. The hours of operation will be the same as last year from morning until 5 p.m. The center will close from 5-5:30 p.m. for regrouping, then reopen from 5:30 to 8:00

p.m. five nights/week. Closing time on weekends will be 6:30 p.m. The increase in hours/day should generate additional revenue.

Charlotte Dorwart appeared to discuss whether alternative rates would be given to Cool Kids and daycares so as not to make use of the facility prohibitive to them. It was suggested that alternatives for these groups could fall under the Hardship category, as outlined in the proposed rate schedule, or the hourly Party Pass rate. She will communicate this information to these organizations for consideration.

Councilman Gay suggested that additional revenues could be generated from swim meets and competitions if competitors paid daily admission rates, and a non-resident fee schedule. He asked for clarification as to which taxes are paying for the pool, whether they are from City, County or both. He speculated that the proposed revenues probably do not reflect all scenarios, i.e., more free or reduced rates would lower projected revenues.

Tina Hochwender, Economic Development Director, stated that donation flyers were sent out to 5,800 households this week with \$1,050 in donations being received in three days. She noted that Miller Office Supply donated all the copies at a cost of \$2,000. Various fund raising ideas were suggested to increase revenues to raise the additional money needed for the matching grant funds.

Council directed VonSeggern to revise the fee schedule and aquatic center budget using the annual rate of \$150.00/family and bring back for consideration at the March 22, 2016 council meeting.

Gallaway moved, Gay seconded "That Resolution No. 20160303 be passed and approved." Roll call vote: Yeas: All council present.

RESOLUTION NO. 20160303

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

That the Mayor and Council have approved the construction of the Aquatic Center; and

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, Saunders Construction, has performed the work for constructing of the Aquatic Center; and the contractor, Saunders Construction has filed with the City Clerk certificates showing the performance of said contracts as follows: AQUATIC CENTER; APPLICATION FOR PAYMENT NO. 5; AMOUNT DUE CONTRACTOR **\$517,120.85**. A warrant in the amount now due the contractor is hereby authorized and charged to said project. Said warrant shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Account.

Galen Wittrock of JESWA/SPNRD appeared to present an update of the East Sidney Watershed Project. He explained that the natural flow of water was to the east just north of the soccer fields. He stated that utilizing this path would avoid costs associated with land rights and easements, as it is already City property, and bring about a \$200,000 savings over the west route. It was noted that the City share of the project was 80% and NRD 20%. He asked for the Council's direction so he could notify Olsson & Associates for final project design.

Gaston moved, Gallaway seconded "That the City of Sidney's recommendation to prioritize the east route for the JESWA East Sidney Watershed Project with a total project cost of \$1,000,000.00 be forwarded to Olsson & Associates for design development." Roll call vote: Yeas: All council members present.

The Deputy Clerk read Ordinance 1775 by Title for the second time as follows: "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." There being no motion to suspend the rule that the ordinance be read by title on three different days, it will be read for the third time on 3/22/16.

Gaston moved, Gay seconded AThat the following claims for February 2016, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury. (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." Roll call vote: Yeas: Gallaway, Gaston, Gay and Arterburn. Abstain: Nienhueser.

Gallaway moved, Gay seconded AThat the following claims for February 2016, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury. (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 1504.02, 281.68, 92.00, 192.32; Absolute Solutions se 275.00, 350.00, 75.00; Accelerated Receivables se 403.51; Adams Industries se7500.00; Aikens, Joe tt 164.25; American Environmental se 4188.18; American Machine eq 252.00; Andrew Sherman tt 53.73; Applied Concepts se 2267.20; Arnold Pool eq 3418.20; Atcho Int=1 eq 304.00; Baker & Taylor su 376.65, 8.62; Barker Cleaners se 60.00; Barker Rinker Seacat Architecture ct 6676.35, 8911.96; Baum Hydraulics Corp eq 219.08; Beatty, Cheryl re 479.52; Bomgaars su 98.92, 79.59, 4.29; Borgmann, Chad tt 64.25; Bown, Betsy tt 259.20; Campbell, Rob tt 57.50; Canon Financial se 122.90, 122.90; Cardmember se 415.69, 389.90; Carolina Software se 200.00; Caselle ct 1594.00; Centurylink se 97.89; Charter se 23.74, 83.79, 67.99;

Cheyenne Co Chamber se 1666.67; Cheyenne Co Community Center ct 10000.00; Cheyenne Co Emergency Comm Cntr ct 45086.68; Chief su 768.20, 320.37; Childers, Cody tt 217.25; City of Sidney se ex bd 1724.09, 87776.86, 25277.16, 8027.68, 19750.00, 1000.00, 17.03, 147.13, 103492.50, 900.00, 68.92, 85.66, sa in 63127.25, 84076.15, 13886.78, 12358.38, 18354.36, 17692.50, 26010.23, 13529.96, 12640.64, 8285.68, 9493.41, 5756.92, 1042.89, 13266.08, 905.39, 11300.45, 2313.43, 24919.86, 726.49, 7817.49, 900.30, ut 1652.34, 2802.68, 210.41, 4946.06, 89.27, 1225.31, 6112.99, 1494.98, 10842.95, 130.37; Clothes Hamper se 84.00; Coast to Coast se 233.91; Comfort Inn se 199.90; Conserv Flag eq 433.00; Consolidated Management se 132.00, 169.00; Contractor Materials se 1273.88, 7.79; Cranmore Fire se 90.00; Culligan se 19.95, 29.95, 5.00, 29.95; Cummins Central se 1594.28; Dean, Dan re 177.12; Deaver Tire eq 4571.00; Dept of Energy ut 20631.49; Ditch Witch eq 7618.21; DP Electronics se 761.80, 476.16, 242.99; Dude=s se 249.25; Dutton Lainson se 174.15; E&S Auto eq 479.68, 1116.08, 135.87, 3099.88, 541.74, 67.11; Eakes se 193.75; Elan Visa su 53.25, 221.08, 74.29, 38.95, 465.53, 16.95, 69.75; Electromark su 666.50; Fairfield Inn se 101.67; Filsinger se 1000.00; Finney=s su 375.80, 116.47, 112.85, 235.84, 12.48, 9.99; Fosters su 484.09, 107.64; Fremont Nat=l ct 13175.82, 900.00; Frenchman Valley su 61.78, 439.61, 2454.79, 5204.14, 1346.74, 131.61; Gaston, Wendall tt 443.52; General Traffic Controls su 796.72; GLEC su 2865.55; Golden West su 716.47; Grainger su 118.80; Guideposts se 13.95, 3.79; Hamilton se 160.85, 990.90, 49.95; Hampton Inn 445.00; Harmon, James tt 26.00; Hausmann, Heather re 262.90; Hear Nebraska se 5500.00; Hessler, Nichole re 42.59; Hochwender, Tina tt 179.16, 82.08; Holtz Industries eq 201.33; Hometown Leasing ct 978.32; Houser, Jodene re 330.24; Huber & Asso se 81.00, 81.00; Ideal Linen su 31.77, 140.56, 55.96, 26.03; Inoutboard.com se 299.40; Interstate Batteries su 203.90; JD Gray se 11000.00; Johnson, Kris tt 233.16, 570.24; Journal Office su 35.00; Kaiser, Josh re 30.02; Kevin=s Electric se 374.00, 163.58; Kriz Davis eq 1168.61; KSID se 50.00; LL Johnson eq 2622.69, 3319.07; Landis & Gyr eq 850.00; Leal, Ron se 450.00; Leef, J tt 443.52; Lei Travis tt 207.50; Light & Siren eq 1087.60; Loghry, Justin tt 64.25; Lynn Peavy se 136.40; Mail Finance ct 1821.00; Marriott se 178.00; Matheson Tri Gas se 130.53; Matt Friend Truck eq 62.80; Matthes, Joan se 625.00; Midwest Connect se 255.00, 753.00; Miller & Sons Golf se 477.82; Miller Office su 1639.09, 65.73, 106.97, 66.63, 97.03, 103.93; Miller, Randy se 4585.56; MEAN se 536209.17; Municipal Supply su 1876.55; Murphy Tractor eq 679.53, 682.36; Napa Auto se 158.81, 32.80, 3.43; NDEQ du 2662.50, 150.00; NE Dept of Revenue tx 61953.07; NE Law Enforcement du 50.00; NE Municipal Power Pool du 110.00; NT&T se 1484.17, 128.16, 198.05, 341.47, 52.23, 114.58, 92.68; NE Link su 36.00; NE Tire eq 190.71; NMC eq 2849.79 NMVCA du 95.00; Northwest Pipe eq 4442.87; OCLC se 200.71; Olsen, Eleanor rt 275.00; Olsson Asso se 784.43, 22699.56; One Call se 22.24, 22.25; Palmer, Mike tt 1878.04; Panhandle Auto se 188.99, 335.69; Panhandle Geotechnical se 4198.25; Public Safety se 89.97; Quality Books su 13.15, 221.85; Quill su 189.90, 75.44, 100.97; Ray O=Heron su 68.29, 192.29; Reams Sprinkler su 124.47; RWMC se 5948.66; Repco Marketing se 43.50; Respond First Aid su 142.63, 71.19, 161.26, 70.20; Roderick, Rob tt 26.00; Rood=s su 54.70, 161.45, 16.00, 32.00, 95.00; Rowan, Brad tt 615.06; Sadler, Ed re 654.78; Sapp Bros se 123.48; Sargent Drilling eq 20215.53; Scholastic su 152.10; Scott Merriman re 770.70; Scotties Potties se 700.00; Segelke Janitorial se 1050.00, 1050.00; Shirt Tales su 91.00; Showcases se 1028.25, 82.26; SRMC ct 8693.80; Sidney Sun Telegraph se 5.73, 808.74; Simmons Olsen Law se 592.50; Sonntag, Goodwin & Leef ct 5437.65, 5259.46; Sonny=s su 57.93; Source Gas se 827.38, 2857.80, 449.18, 1146.74, 3398.51, 224.59, 2199.75, 1808.93; Steffens, Deloris se 21.00; Stone, Eloise rt 400.00; T&R Electric eq 20200.00; Terry-Durin su 1125.75; Thomson Reuters se 200.00; Triple O=s su 13.05; UPRR ct 3400.00; US Postal se 8000.00; USA Bluebook se 367.47; Utility Training se 2700.00; Verizon se 1305.67, 70.75, 33.38, 194.50, 66.76, 33.38; Walmart su 73.53; Water Environment se 79.00; Wesco eq 408.50; Western Library se 20.00; Wheat Belt ut 9991.22; Whitebluffs se 595.00; Wichita Tractor eq 7609.00; Wolford, Marie rt 916.47; WPCI se 251.50.” Roll call vote: Yeas: All council members present.

Staff Reports:

Interim City Manager Anthony reported: The auditors will have a power point presentation of the city audit at the next council meeting; recent and upcoming meetings of the Historical Preservation Board- met on 3/8/16, PRT mtg. on 3/9/16 at 9 a.m., and Aquatic Center mtg. on 3/10/16 at 1:00 p.m. She reported that she had received a lump sum payment from the STPP funds.

Tina Hochwender, Economic Development Director, reported that the Historical Preservation Board had received a 2015 Certified Local Government grant for the downtown area. A report on findings of the Intensive Level Survey for this project will be presented at the April 12th council meeting. They are also in the process of applying for a 2016 Certified Local Government Grant for Hwy 30/Illinois Street, which is due March 31, 2016. She also reported that she has been in discussions with NDED regarding the recent business closings in Sidney. Six to eight representatives from NDED, possibly including the Lieutenant Governor, will be in Sidney on March 29th and 30th to conduct site tours of the affected businesses. She passed out an itinerary for their visit and urged council to attend.

Council Comments:

All Councilmen wished the Sidney Red Raider boys basketball team good luck at the state competition, and congratulated the Sidney Red Raider wrestlers on their showing at the recent state competition.

Councilman Gallaway expressed disappointment that the 13th Avenue Street project was not on the current one-year schedule and urged staff not to lose sight of it.

Mayor Nienhueser announced that Ed Sadler would be starting his position as City Manager on March 21st. He thanked staff for absorbing the extra duties during the interim period.

Meeting adjourned at 8:48 p.m.

/s/ MARK NIENHUESER, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, DEPUTY CITY CLERK

