

Sidney, Nebraska, January 28, 2020 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 January 28, 2020 in the Council Room. Present were: Mayor Gallaway and Council Members: Arterburn, Sherman, Radcliffe and Olsen. Others present: City Manager Sadler, City Attorney Leef and City Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication on KSID Radio/News Channel Nebraska, a 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 Gallaway informed the public of the location of the posted Open Meetings Act.

Arterburn moved, Sherman seconded "That the minutes of the January 14, 2020 meeting be approved as printed. Roll call vote: Yeas: All council members present.

Tom Von Seggern, Parks/Cemetery Superintendent, and John Phillips, on behalf of the family and friends of Alan Hartzler, presented a request to construct an outdoor basketball court on the site of the old swimming pool at 519 Toledo Street. The proposed court would serve as a memorial to Hartzler who was active in coaching youth basketball and baseball. It was noted that the area already has concrete, lighting and parking available. The City Parks and City Inspector would oversee site preparation, construction and completion of the project for the Group. Following completion, it would be turned over to the City for maintenance. Phillips noted that the group plans on doing fund raising to cover costs, but that any help from City would be appreciated. Mayor Gallaway noted that the proposed project would be a great amenity to our community and an improvement to our Park's system, as there isn't anything like this offered to the public now. The group was given approval to pursue the project further. Phillips was asked to bring in reliable figures for costs for consideration during next year's budget planning sessions.

Todd Sukup, Wastewater Superintendent, presented a request for the purchase of a new John Deere ZTrak mower as per the 2019-2020 budget. He recommended Council approve the bid using the Nebraska Purchasing Bureau Contract in the amount of \$10,435.73. This amount is below the \$16,000.00 budgeted for this purchase.

Arterburn moved, Olsen seconded "That the bid of \$10,435.73 for a new John Deere ZTrak mower for the Wastewater Treatment Facility be awarded as per the Nebraska Purchasing Bureau Contract." Roll call vote: Yeas: All council members present.

Hank Radtke, Street Superintendent, presented a request for the purchase of a portable air compressor as per the 2019-2020 budget. He noted that the current air compressor is no longer operational. He recommended Council approve the bid from Logan Contractors Supply from the State Bid Contract #14288OC in the amount of \$21,625.00. This amount is below the budgeted amount of \$25,000.00.

Radcliffe moved, Sherman seconded "That the bid of \$21,625.00 for the purchase of a portable air compressor for the Street Dept. be awarded to Logan Contractors Supply from the State Bid Contract #14288OC." Roll call vote: Yeas: All council members present.

Mayor Gallaway stated that Council would now consider proposed changes to Water and Electric service rates as outlined in Ordinance No. 1815 and Ordinance No. 1816. He asked City Clerk Heilbrun to read Ordinances 1815 and 1816 by title for the third time.

City Clerk Heilbrun read Ordinance No. 1815 by title for the third time as follows: “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 1042.21 WATER SERVICE RATES, CHAPTER 1042 WATER OF TITLE FOUR UTILITIES, OF PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, TO PROVIDE FOR A DIFFERENT MONTHLY BASE CHARGE FOR YEARLY USAGE OF WATER, TO REPEAL ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE PROVISIONS THEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.”

City Clerk Heilbrun read Ordinance No. 1816 by title for the third 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.”

Finance Director David Scott reviewed Water and Electric utility rate proposals which would increase the monthly base rates for the Water Utility to raise revenue for ongoing fixed costs; and raise the base rates for all Electric Utility categories to address fixed costs while lowering the actual usage rates, thereby reducing overall rates for residential and commercial users. With these changes, customers, both residential and commercial, could expect their monthly utility bill to go down an average \$2 to \$4, for a cost savings of 5% per year. **Electric Superintendent Mike Palmer** pointed out that this savings is a combined total for water and electric, noting that the savings on “electric only” would be approximately \$5 to \$10 a month. **Jo Houser, HR Director**, presented a spreadsheet showing franchise/administration fees from 1989-2020. It was noted that until the budget of 1999-2000 Admin Fees were shared by the Electric, Water, Sewer, Sanitation, and Street departments. After that, with the exception of the last three years, Electric was picking up total Admin Fees for the City. This information was presented in response to questions at the previous meeting regarding admin fees as they pertain to rates.

Councilman Arterburn stated that the issue of admin fees could be discussed at budget time. He suggested that this item be held over until the new City Manager was hired, so that he/she would not be saddled with an ordinance with long term effects.

Mayor Gallaway reiterated that it was Council’s elected responsibility to set policy and act on items as they were presented to them. He further stated that with knowing the issues with Water department funding the City would have a lot to gain by addressing this issue now, rather than down the road.

Mayor Gallaway asked if there was a motion to pass Ordinance 1815. Arterburn moved “That Ordinance No 1815 not be passed.” The motion failed due to lack of a second.

Mayor Gallaway asked if there was a motion to pass Ordinance 1815. Sherman moved, Radcliffe seconded “That Ordinance No. 1815 be passed.” Roll call vote: Yeas: Sherman, Gallaway, Radcliffe and Olsen. Nays: Arterburn. 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. Sherman moved, Radcliffe

seconded “That Ordinance No. 1815 be published in the Sidney Sun Telegraph.” Roll call vote: Yeas: Sherman, Gallaway, Radcliffe and Olsen. Nays: Arterburn.

Mayor Gallaway asked if there was a motion to pass Ordinance 1816. Sherman moved, Olsen seconded “That Ordinance No. 1816 be passed.” Roll call vote: Yeas: Sherman, Gallaway, Radcliffe and Olsen. Nays: Arterburn. 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. Radcliffe moved, Sherman seconded “That Ordinance No. 1816 be published in the Sidney Sun Telegraph.” Roll call vote: Yeas: Sherman, Gallaway, Radcliffe and Olsen. Nays: Arterburn.

City Manager/Staff Report: City Manager Sadler reminded everyone that “Men’s Night Out” will be held at the Elks Club on February 1, 2020; Stated he could not attend the Chamber Banquet as it was over-booked but congratulated everyone on a successful evening; Reminded everyone that President’s Day holiday will be observed by the City on February 17th. **Mike Palmer, Electric Supt.**, stated that the Choice Gas Selection pre-delegation ends February 9th, but the actual selection period runs from April 10th thru the 23rd . He advised people to wait for the April selection period to make their selection for the upcoming year.

City Council comments: Mayor Gallaway thanked and congratulated everyone involved with putting on the Chamber Banquet and congratulated all those receiving awards. He gave an update on the search for a new City Manager stating that they have received applications from strong quality candidates and continue to receive interest in the position. He suggested Council set another closed session to review candidate information as they move forward in the process. A general consensus was to hold a special council meeting on Thursday, February 6th at 6:00 p.m. in the Council Chambers for review of City Manager candidate applications. City Clerk Heilbrun was instructed to advertise such meeting.

Meeting adjourned at 8:02 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK

