

Sidney, Nebraska, October 9, 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 7:15 P.M. on October 9, 2012 in the Council Room. Present were: Mayor Gaston and Council Members: Weiderspon, Gallaway and Van Vleet. Absent: Council Member Nienhueser. Others present: City Manager Person, Bob Goodwin, City Attorney Firm representative, 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.

Weiderspon moved, Van Vleet seconded "That Council Member Nienhueser be excused from this meeting." Roll call vote: All council members present. Absent: Nienhueser.

Weiderspon moved, Gallaway seconded "That the minutes of the September 25, 2012 meeting be approved." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

During Public Comments, the Mayor introduced Roy Swan from Nebraska Safety & Fire, the company that is installing the new camera system in the Council Room. Mr. Swan explained what the plan was and that it should be ready for the next Council meeting.

Greg Huck, Main Street Chairman and Megan McGowan, Main Street Director presented a report regarding implementation for the Downtown Sidney Master Plan dated 11/22/2008 specifically the section on the Principals & Objects re: Development of a Public Plaza. In coordination with ongoing public meetings and current design plans underway, the Main Street Design Committee is requesting a temporary closing of the 10th Street section between the alley and Hickory Street with access to Hickory through the alley. This is to be a trial based request that would begin November 26, 2012 and go through January 2, 2013. The Design Committee plans to host the Holiday Kickoff and the lighting of the tree in the closed street space, creating a town-square type feel for the Holidays. It is hoped that the temporary closure would be a great opportunity to test what could eventually be a permanent street closure.

Gallaway moved, Van Vleet seconded "That the Council approve the request for a temporary closing of the 10th Street section between the alley and Hickory Street with access to Hickory through the alley which would be a trial based request that would begin November 26, 2012 and go through January 2, 2013 in order host the Holiday plans in the closed street space, creating a town-square type feel for the Holidays." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Martina Drewes was present to request permission to have a bonfire on their property at 100 Foxhill Road on a Tuesday evening in October or November, weather permitting, from approximately 7 p.m. to 8 p.m. This is a ten acre lot on the northern edge of Sidney which has a large area prepared for safe burning. The youth that meet at The Ark in Sioux Villa on Tuesday evenings would be in attendance with a number of adult supervisors. Fire Chief Keith Stone reported that he would recommend that all the neighbors be notified by the requesting party and that he be notified of the intended date of such burn. Van Vleet moved, Weiderspon seconded "That a burning permit be approved for Martina Drewes at 100 Foxhill Road with the stipulation that the neighbors and the Fire Chief be notified prior to the burn when a date is confirmed." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Krishna Boregowda on behalf of the local cricket players appeared to request the City to create a facility/area that could be used on a more permanent basis for a cricket field. Although the City Council could not commit to a certain area until the location of a new swimming pool is determined, they would keep this request in mind for future development on the parks land.

City Manager Person presented a revised Interlocal Agreement that had been approved by the Village of

Potter for limited building official services through the office of the Chief Building Official. Weiderspon moved, Gallaway seconded "That the Interlocal Agreement with the Village of Potter for limited building official services through the office of the Chief Building Official be approved." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

City Manager Person recommended re-appointment of Rich Phillips, Greg Huck, and John Phillips to the Historic Preservation Board. The three appointees were thanked for their past service and for their willingness to accept another term. Other members are Casey Cortney, Doug Meier, Kay Hicks and Megan Smuin. Gallaway moved, Van Vleet seconded "That Rich Phillips, Greg Huck, and John Phillips be re-appointed to terms on the Historic Preservation Board." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Public Service Director John Hehnke presented the bids that were received on 10/2/12 for crack sealing as follows: Bader's Hwy & Street Maintenance, Norfolk, NE - \$.34 per lineal foot and Nienhueser Construction, Sidney, NE - \$.42 per lineal foot. Weiderspon moved, Van Vleet seconded "That the crack sealing bids be awarded to Bader's Hwy & Street Maintenance in the amount of \$.34 per lineal foot." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Gallaway moved, Van Vleet seconded "That a special Council meeting be scheduled for October 22, 2012 at 3:30 P.M. to review the Swimming Pool RFP's." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Information was presented regarding participation in the Nebraska Centennial Mall Spirit of Nebraska Pathway campaign. Council Member Gallaway shared a web site that has films about the project; i.e. necentennialmall.org. This was tabled until the next meeting.

Weiderspon moved, Gallaway seconded "That the following claims for September 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. Absent: 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, Gallaway seconded "That the following claims for September 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: Van Vleet, Gaston, and Gallaway. Abstain: Weiderspon. Absent: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, tr transfers, tx tax, co capital outlay) Whitevluffs se 548.00

Gallaway moved, Weiderspon seconded "That the following claims for September 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. Absent: Nienhueser. (Abbreviation for claims: ex expenses, rt retirement, re reimbursements, sa salaries, se service, su supplies, ut utilities, tx tax, tr transfer, eq equipment, tt travel/training, mt maintenance, in insurance) 21st Century Equipment eq 32909.58, 17.28; 3F Chimica su 715.96, 717.78; A-1 Sports su 82.28; Accelerated Receivables se 577.08; Accustar se 500.00; Aeo Manufacturing su 470.26; Alsco se 48.34, 187.25; Altec eq 98460.00; American Environmental se 945.00; Anthony, Geri re 272.51; Arnold Pool su 2923.45; Atco su 250.00; B&C Steel su 756.99; Barco su 511.97, 681.03; Bomgaars su 64.56, 9.18, 14.99, 19.99; Borchert, Lori tt 149.00; BP Amoco re 76752.00; Brestel, Gerald rt 570.28; C&M Golf su 608.20; CAH Enterprises su 288.58; California Contractors su 222.30; Capital City Concepts su 12000.00; Cardmember se 930.70, 1081.11, 775.00; Cashwa su 261.46, 99.35; Central Sand & Gravel su 3312.00; Central States Wire su 13851.41; Centurylink se 95.90; Cheyenne Co Chamber su 1250.00, 800.00; Cheyenne Co Community Ctr se 10000.00; Chief su 66.99, 102.99; City of Sidney ex 30.00, 15.02, 32869.25, 17888.91, 137.50, 1000.00, 2315.14, 101.07, 103.00, 1653.26; in 3195.32, 538.24, 642.91, 1125.51, 475.34, 557.12; sa 74869.36, 11205.25, 16512.35, 23157.12, 10913.62, 6656.66, 85990.20,

11175.83, 17128.45, 23114.39, 9893.42, 5368.01, 46549.26, 8602.18, 11832.31, 13845.51, 8012.78, 4552.99; ut

5743.92, 211.50, 180.65, 729.36, 119.67, 105.20, 12050.80, 9332.97; Clothes Hamper su 32.00; Cobitco su 701.04; Contractor Materials su 400.75, 401.02, 144.41; Cornelius, C J se 100.00; Corporate Warehouse su 919.75; Country Printer su 96.00, 185.00; Cranmore Pest su 85.00; Custom Cage su 690.00; Darin's Auto se 539.71, 514.64; Day & Night se 542.22, 901.00; Dept of Energy ut 25462.96; Design Solution se 9369.50; Ditch Witch eq 123525.00; DP Electronis se su 1134.97, 37.15, 2003.96, 5957.50, 308.07, 301.98, 35.00; E&S Auto su 277.46, 111.26, 545.93, 597.77, 108.33, 179.70, 826.89; Eakes su 56.96; Elliott Equipment su 10130.19; Enviro se 90.00; ESCO su 306.28; Falcon Labs su 333.39; Farwest Line Specialties su 4698.00; Finney's su 794.10, 141.38, 100.17, 530.73, 259.89; First Payment se 32.25; Floyd's se 44.53, 297.96; Foremost Promotions se 2013.78; Foster Lumber su 3363.47, 187.26, 251.67; Fremont Nat'l ex 13399.16; Frenchman Valley su 12772.40, 5197.73, 6994.41, 1910.78; 3135.73, 1267.35; Fries, Rod tt 194.00; Fyrtek su 286.90; G&L Laser se 161.70; Gallaway, Roger tt 315.54; Galls su 79.05; Gaston, Wendall tt 304.04; Gold Rush Committee re 5000.00; Grainger su 159.62; Great Plains su 151.43; H2 Golf su 105.60, 115.56; Hach su 253.73; Hamilton se 229.80, 99.90, 49.95; Harding & Shultz su 675.50; Heiman Fire eq 17657.00, 49.42; Holiday Lights & Magic eq 2673.50; Horizon West eq 76.60, 320.87, 4140.15, 59.55; Houser, Jodene re 364.11; Huber & Asso se 30.00; Ideal Linen su 1046.70, 1146.44, 63.57, 21.65, 918.81, 57.00; Interstate Batteries su 193.90, 87.95; J&J Steamway se 75.00; Jirdon su 1282.38; Johnson, Kris re 90.46, 217.69; Keep Sidney Beautiful se 348.82; Kevin's Electric su 144.75; Kriz Davis su 42934.57, 2388.24; LL Johnson su 2034.29; Landis & Gyr eq 300000.00; Langley Trucking se 19222.74; Lawson Product su 467.85; League of NE tt 550.00; Leal, Ron se 450.00; Lincoln Nat'l se 208.35; Liquid Engineering su 2725.00; Local Government Institute se 99.00; Lubrication Engineers su 196.70; Lyle Signs su 2872.66; Mail Finance se 1821.00; Manufacturer's News su 169.00; Martin Marietta Materials su 13049.22; Mathes, Joan se 450.00; Mathison's Graphics su 9945.00; McGown, Megan re 477.42, 381.50; McGrath North se 480.00; Memorial Gardens su 400.00; Midwest Labs su 8.10; Midwest Mailing eq 4110.00; Milestone su 570.00, 255.00, 949.76, 32.10, 1685.94; Miller & Sons Golf se 219.08; Miller Office su 1845.22, 39.48, 46.31, 234.31, 1988.43, 31.55; Miracle Recreation eq 3418.250, 3378.20; Mizuno su 1273.47; MEAN ut 471454.40; Municipal Pipe su 100.00; Municipal Supply eq 5888.26, 261.19; Murphy Tractor eq 532.29; Napa su 16.11, 30.47; NDEQ ex 7750.00; NE Code Official se 150.00; NE Environmental su 29823.42, 6066.40; NE Main Street su 314.50; NMPP tt 604.77; NE Rural Water Asso se 400.00; NE Safety Fire Equip eq 260.00; NT&T se 1422.40, 125.75, 191.23, 287.67, 160.25; Neland Tire eq 604.09, 3528.34; NEC Financial se 23108.76; NEDA se 100.00; Nielson, Leo tt 379.50; Nienhueser Const se 19885.25; NIKE su 1059.03; NE Machinery se 257.96, 1589.37; NMVCA tt 35.00; Nolte Trucking eq 400.00; Northwest Pipe eq 1653.03, 61.01; NWEA tt 150.00; Olsen, Eleanor se 275.00; Parker, Brandon tt 281.81; Pepsisu 268.00, 115.00; Person, Gary ex 815.60, 389.17; Phillips, Kim ex 121.00; Pittam Body Shop se 1037.25; Pond World su 383.94; Prairie States se 130.00, 2200.00, 776.82, 1500.00; Radtke, Hank tt 156.00; Reams Sprinkler su 3001.40; Reganis su 343.16; Region I su 375.00; Regional West se 5734.59; Respond First Aid su 19.97, 199.23, 40.44, 57.51, 180.80, 31.17; Rock on Wheels su 163.80; Rood's se su 960.16, 311.60, 643.96, 37.00, 89.75; Roseberry, Mike re 96.00; Sandberg Implement su 472.46; Sapp Bros su 961.40; Sauder Auto se 679.48; Scotties Potties su 770.00; Segelke, Carla se 1050.00; Sherwin Williams su 954.25; Shirt Tales su 1044.14, 508.80, 358.66, 295.32; Sidney Glass su 280.90, 75.00, 238.35; SRMC se 81.60, 725.48; Sidney Soft Water se 63.00, 3.75, 7.65; Sidney Sun Telegraph su 3706.54, 969.88; Sidney Volunteer Fire ex tx 1050.14, 30.00; Simon Contractors se 2325.33; Sonntag, Goodwin & Leef su 10023.50, 5005.00; Sonny's su 94.83; Source Gas su 57.87, 92.31, 24.03, 62.48, 6.70; South Dakota State Historical So se 29.85; Southwestern Equipment se 1682.05; Spic and Span se 139.00; Splish Spash se 96.00; Star Herald se 316.00; State of NE ex 25.00; Steffens Home Interiors se 185.00; Stone, Eloise rt 400.00; Stone, Keith ex 293.96; T&R Electric su 15714.00; TAC One se 199.00; Talk of the Town tt 40.00, 40.00, 40.00; Teledyne Isco su 116.00; That CAD Girl eq 2810.00; The Thompson Co su 135.08, 170.79; TinTek se 1221.00; Titleist su 5790.83, 6693.80; Triple O's su 2310.00, 88.31, 69.14; US Postal se 2000.00; USA Bluebook su 928.95, 367.17; Utility Service se 22849.35; Utility Services Asso se 1257.50; Verizon se 101.91, 71.93, 33.97, 154.46, 102.06; Viero se 437.17; VonSeggern, Tom tt 203.00; Walmart su 214.81; Western Pathology se 87.00; Western United Electric su 4051.20, 16827.25; Wheatbelt su 13564.20; Wieser, John/Jacqueline ex 4080.00; WNCC tt 336.00, 232.00, 33.00, 46.00, 33.00, 46.00, 66.00, 92.00, 33.00, 33.00, 46.00; Wolfe Sand & Gravel se 132.00; Wolford, Marie rt 814.36; Woodis Welding se 350.00; Chappell Register se 20.00, Kevin's Electric se 1797.44; Rifkin Co su 168.10; Baker & Taylor su 488.10; Catering by Design su 24.95; City of Sidney se 818.36; Charter se 113.99; Day & Night su 80.24; Elan Visa su 238.78; Finney's su 10.56; Floyd's se 564.56; Guideposts su 35.48; Ideal su 26.90; Journal Office su 30.00; Leisure Time su 57.86; Highsmith se 205.79; Stephanie Mika re 79.00; Sandra Nelson re 44.40; OCLC se 124.34; Quill su 852.14; Culligan su 19.95; Regional Books su 87.13;

Sidney Sun Telegraph se 83.89; Segelke Janitorial se 1050.00; U Store It se 60.00; WNCC se 204.00;

Frenchman Valley se 144.92; Scholastic su 152.10; McGraw Hill se 84.88; Dick's Flooring su 150.00; Doris Jensen re 46.90; Gale su 107.95; Finney's su 14.42

Weiderspon moved, Gallaway seconded "That the Budget Reports for September, 2012 for all City Departments be approved." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

City Manager's Report consisted of reports on recent and upcoming meetings; i.e. thanked the volunteers for the Oktoberfest, Newcomers Picnic, SPNRD Board Meeting - presented Tom Von Seggern and Bill Taylor with community environmental awards, State and Local Chamber of Commerce legislative forum 10/10 as well as Senator Schilz, Planning Commission 10/14, Nebraska Pipe Assn. 10/10, League Legislative Meetings 10/19, special council meeting 10/22, and possible rate increases in the building codes at an upcoming council meeting, etc.

John Hehnke, Public Services Director, reported on the 10/15 deadline to get recreational vehicles off the public streets, reminded political candidates that they can't put signs in the City right of ways, and of the progress of the L17J link road work, etc.

Council Member Gallaway and Mayor Gaston congratulated Tom & Bill on their recent awards. Mayor Gaston announced that he had videos regarding fracking for whoever wanted them. He also asked that the fee schedule information be shared with the candidates.

Meeting adjourned at 8:20 p.m.

MAYOR

ATTEST:

CITY CLERK