

Sidney, Nebraska, February 20, 2013 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 6:31 P.M. on February 20, 2013 in the Council Room. Present were: Mayor Gaston and Council Members: Barnes, Nienhueser, Gay and Arterburn. 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, Gay seconded "That the minutes of the February 12, 2013 meeting be approved as printed." Roll call vote: Yeas: All council members present.

Swimming Pool consultants, Douglass Whiteaker of Water Technology, Inc., Charles Musgrave, Architect for Barker-Rinker Seacat Architecture and Jeff King of Ballard King & Associates were present to give their latest report on the swimming pool/aquatics center project. Goals for this meeting was to provide an update to the City Council on the process and progress of the Sidney Aquatic Engineering Services Study and to provide an opportunity for questions and discussion. A report was given re: existing conditions and evaluation of the current Sidney Swimming Pool. An estimate to bring the current pool up to current standards should the City want to do this rather than building a new facility. It amounted to approximately \$1,205,000. They reviewed the project's Mission Statement, the Aquatic Preference Worksheet results, the market demographics and performance index, three different site assessments, concept design evaluations, design direction preference, and cost estimates for three possible sites and options for each site. The consultants were looking for guidance as to what the City Council wanted to explore. The consultants were asked for cost estimates on the outdoor vs. indoor pool options. Operational and revenue projections were requested. Also what they could do with the current \$3,000,000 budget from the new sales tax. City Manager Person commented on the possibility of the bonding scenario and the continuance of the sales tax in future years. The Mayor enumerated some of the steps the City needs to take care of before another meeting with the consultants; i.e. Meet with Pool Committee and the Cheyenne County Community Center Board before the March 12 Council meeting.

In compliance with Section 39-2119, R.R.S. Nebraska 1943, notice has been published that the Mayor and Council would hold a hearing at this time and place for the purpose of hearing support, criticism, suggestions, or observations relating to the City of Sidney, Nebraska 2013 One Year & Six Year Street Improvement Plan. The Mayor then stated that the Council was in session for such purpose and all persons would be heard. Hank Radtke, Street Superintendent, presented the One Year & Six Year Street Improvement Plan via a power point format and answered questions regarding the Plans. The following appeared and were heard: Public Services Director John Hehnke. Council Member Nienhueser asked that an agenda item be placed on the March 12th Council meeting for a report on the FY2012-2013 Street Department Maintenance Plan. After all persons had been heard, Mayor Gaston closed the public hearing.

Nienhueser moved, Barnes seconded "That Resolution No. 20130201 be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20130201

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA: That the 2013 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.

Discussion was held on the Planning Commission's Final Report from 2-19-13 re: the proposed Ordinance #1685 which defines accessory buildings in Residential Zones. Due to the short notice of this report, this item was tabled until the March 12, 2013 meeting.

Police Chief Mike Brown presented various ordinance pertaining to licensing of cats from five different Nebraska cities. Staff was instructed to review the various ordinances and bring back a proposed version for Sidney to address cats and dogs similarly.

City Manager Person reported that RFP's had recently been received for a Police Building Feasibility Study. Due to the resignation of Police Chief Brown the matter was tabled until a new Chief was appointed. Chief Brown was asked to present a memo to the City Council with his recommendations of the RFP's that had been received. Council Member Nienhueser also suggested that something be done to the current Police Department building to give it more curb appeal.

Gay moved, Arterburn seconded "That the Budget Reports for January, 2013 be accepted and approved." Roll call vote: Yeas: All council members present.

Council Member Aaron Barnes' written resignation effective at the end of the Council meeting on February 20, 2013 was considered by the City Council. Arterburn moved, Nienhueser seconded "That Aaron Barnes' resignation be regretrfully accepted." Roll call vote: Yeas: All council members present.

Mayor Gaston made the following DECLARATION OF VACANCY:
The City Council of the City of Sidney, NE on this date, February 20, 2013, accepted a resignation

effective immediately from Aaron Barnes who at that time was serving a term on the current City Council of the City of Sidney which term expires December 9, 2014. Notice of Vacancy was declared by the Mayor on said date. The City Council determined that the council vacancy will be filled by requesting letters of interest accompanied by qualifications/resume from qualified registered voters who reside within the corporate limits of the City of Sidney, Nebraska. Said letters can be mailed addressed as follows: **CITY MANAGER, CITY OF SIDNEY, P.O. BOX 79, SIDNEY, NE 69162** or delivered to City Hall at 1115 13th Avenue, Sidney, NE. Deadline for said letters of interest is 5:00 P.M. on MARCH 5, 2013. Appointment to fill the vacancy will be considered at the March 12, 2013 Council meeting. **The term for this appointment will expire on December 9, 2014.**

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City Manager's Report consisted of updates on recent and upcoming meetings and events: i.e., Annual League meeting 2/24-26, PRT meeting 2-13, Golf Course opening weather permitting next week, funds for Northside CDBG project officially released, renewal of a 50 year old agreement with the Sidney Rural Fire Department to be on the March 12 Council meeting; and Park employee Ed Kinnersley retiring on March 5 with 40 years service. Gary wished Aaron and his family the very best in the future. Gary explained a brochure that had been presented to Council re: a Waste Energy project in the Nebraska Panhandle.

Council Member Barnes asked about the progress of improving the trash site in Legion Park - John reported that the new containers were ordered and that fencing, etc. will proceed as soon as weather permits. Aaron also inquired about the Tree Board and whether they came before Council to give reports - Gary reported that during the Arbor Day celebration a Tree City Flag is presented to Council and information for tree giveaway, etc. is shared at that time.

All present Council Members extended their thanks and good wishes to Aaron Barnes and congratulations and thanks to Ed Kinnersley. Since he was absent from the February 12 meeting, Council Member Arterburn expressed best wishes to Mike Brown regarding his resignation from Sidney's Police Department.

Meeting adjourned at 9:34 p.m.

MAYOR

ATTEST: _____
CITY CLERK