

Sidney, Nebraska, June 25, 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 7:15 P.M. on June 25, 2013 in the Council Room. Present were: Mayor Gaston and Council Members: Gallaway, Nienhueser, Gay and Arterburn. Others present: City Manager Person, Attorney J. 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.

The 6-11-13 minutes were corrected to reflect Council Members Arterburn and Gay's additional goal re: the need for additional housing. Nienhueser moved, Gallaway seconded "That the minutes of the June 11, 2013 meeting be approved as corrected." Roll call vote: Yeas: All council members present.

Paul M. Senior appeared to present his Retail Class C. Liquor License Manager Application for the Sidney Safeway Store at 1944 Illinois Street. Gallaway moved, Nienhueser seconded "That RESOLUTION NO. 20130602 be passed and adopted." Roll call vote: Yeas: All council members present. Abstain: Gaston.

#### RESOLUTION NO 20130602

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 for the Class C liquor license for Paul M. Senior for Safeway of Western Nebraska, Inc. dba Safeway at 1944 Illinois Street, Sidney, Cheyenne County, Nebraska; and

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

City Manager Person presented some requests from citizens for the City to consider banning smoking in the City Park system. Most of the complaints come from the playground area at Legion Park where young children often play and around the fishing pond. Discussion was held on the different scenarios; i.e. banning vs. smoking areas, the difference between an ordinance (law) and a policy; enforcement of littering laws, butts vs. secondhand smoke, placing of signs and receptacles, who cleans up the litter now (city staff and OHD contract), asking the public to police themselves by being respectful of others, Facebook survey conducted by KSID with results being 50/50 as to how to deal with problem, etc. Consensus was that no official action be taken at this time, but that signage at the park re: littering, research special receptacles and that the public be requested to police themselves.

City Manager Person reported that his attempts to contact the one property owner adjacent to the proposed alley vacation Ordinance No. 1698 had not been successful and that he would try a written notice by certified mail. No motion was made to suspend the statutory requirement requiring Ordinance No. 1698 to be read by title three different days. The Clerk then read the Ordinance by title for the second time.

City Manager Person reported that negotiations had been made with Olsson Associates, the stormwater project engineering firm, regarding the scenarios of how the proposed Ordinance No. 1699 would affect future projects. Two to three scenarios will be created and presented to Council when they have been prepared. No motion was made to suspend the statutory requirement requiring Ordinance No. 1699 to be read by title three different days. The Clerk then read the Ordinance by title for the second time.

City Attorney Leef reviewed the proposed Interlocal Agreement with the Village of Lodgepole in regards to City Building Official services. Chief Building Official Rowan voiced objections to issuing building permits without the opportunity to review the project plans. Discussion of the proposed agreement, the time required, the

fees charged, the amount of time spent on Cheyenne County and Village of Potter duties was held. City Attorney Leef will relay the City Council's concerns to the Village of Lodgepole, review the City of Potter's agreement for possible changes and report to Council. Lodgepole's agreement will be tabled until further information can be presented to Council.

City Manager Person reported on the recent advertised Request for Proposals that had been received on June 21<sup>st</sup>. The RFP's were for the Community Development Block Grant #12-PW-009 for replacing four blocks of streets, curbs, gutters and sidewalks on 14<sup>th</sup> to 17<sup>th</sup> on Forrest Street and one block of street, curb, gutter and sidewalk between Elm and Forrest Streets on 17<sup>th</sup>. The process that was followed was in concurrence with the rules and regulations for Community Development Block Grants. Two RFP's had been received. The recommendation from the City Manager was to acknowledge and approve the Request for Proposal from Baker & Associates for said CDBG. Proposed bid date for construction is August 15, 2013 with the project expected to be finished by Fall of 2013. Gallaway moved, Arterburn seconded "That the City Council acknowledge and approve the process for Request for Proposals and that Baker & Associates be awarded the RFP to engineer the Community Development Block Grant #12-PW-009 for replacing four blocks of streets, curbs, gutters and sidewalks on 14<sup>th</sup> to 17<sup>th</sup> on Forrest Street and one block of street, curb, gutter and sidewalk between Elm and Forrest Streets on 17<sup>th</sup>" Roll call vote: Yeas: All council members present.

City Manager Person gave a report on recent and upcoming meetings and events; i.e. NCMA conference 6/26-28, several writers for golf magazines reviewed Hillside Golf Course 6/22-23, Cheyenne County Leadership graduation 6-27, Lincoln Highway in Sidney 6/27 along with Appreciation Days and Cruise Night, Governor Heineman employer's meeting, Mark Munford of Ameritas re: project financing 6/18; Student Housing-WNCC, JESWA group, PRT 7/3, Golf Course project update as well as apartment and Sonic upcoming ground breaking, etc. Announcement of hiring of Byron Wilkinson as the new Sidney Police Chief was made and the process explained.

Council Member Gallaway asked about the ambulance subsidy billings and City Manager Person explained how the rates have increased due to the CPI provision of the interlocal agreement. He also asked if the Hospital would be announcing their plans soon. Council Member Arterburn thanked Joe Aikens for filling in as Interim Police Chief, for an update on the east Sidney development project, and that he liked the new cardboard containers in Legion Park. City Manager Person reported that development plans will start with the Sidney Planning Commission on July 15.

Meeting adjourned at 8:25 p.m.

/s/ WENDALL GASTON, MAYOR

ATTEST: /s/ G.F. ANTHONY, CITY CLERK



