

Sidney, Nebraska, August 27, 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 7:27 P.M. (late-due to CDA meeting running late) on August 27, 2013 in the Council Room. Present were: Mayor Gaston and Council Members: Nienhueser, Gay and Arterburn. Absent: Gallaway. 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 Council Member Gallaway be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Gallaway.

Arterburn moved, Gay seconded "That the minutes of the August 13 and 19, 2013 meeting be approved." Roll call vote: Yeas: Gaston, Gay and Arterburn. Abstain: Nienhueser Absent: Gallaway.

Mayor Gaston proclaimed September 17-23 2013 as Constitution Week in Sidney, Nebraska.

Tim Rice representing the Cheyenne County Communications Center presented their proposed budget for 2013-14. Mayor Gaston voiced concerns about number of City calls driving the City's share, the Sheriff Department taking their own administrative calls vs. all calls going thru for the City Police Department, etc. Mr. Rice will research the questions and report to the Council.

Mike Hartzler, representing Boot Hill/Camp Lookout presented an update on those projects and presented a request for \$10,000 for the upcoming fiscal year.

B.J. Raffelson representing Raffelson Rock & Recycling appeared to present his proposal re: a business venture into recycling used products into mulch for resale from items such as tires, shingles, trees, pallets and wood scrap. Purpose is to take burden off of the City's landfill and make a product for the surrounding areas. He would like to lease a site from the City to operate this business. Council encouraged Mr. Raffelson to present a business plan and more information about his proposal and to work with City staff regarding same.

Discussion was held on an amended Interlocal Agreement with the Village of Potter for increased fees for the zoning/building official services that is provided to Potter. Nienhueser moved, Gay seconded "That the amended Interlocal Agreement with the Village of Potter for Sidney's zoning/building official to provide services to Potter with an increase of fees from \$26 to \$50 per hour be approved." Roll call vote: Yeas: All council members present. Absent: Gallaway.

Galen Wittrock representing the South Platte Natural Resource District and the Joint East Sidney Watershed Authority (JESWA) reviewed a proposed grant application of \$1,050,000 through the Nebraska Environmental Trust Fund and of \$774,000 through the Nebraska Department of Environmental Quality 319 Funds. These grants are sought to help construct various storm water projects in Sidney. Arterburn moved, Nienhueser seconded "That the grant application of \$1,050,000 through the Nebraska Environmental Trust Fund and of \$774,000 through the Nebraska Department of Environmental Quality 319 Funds be approved and that the Mayor be authorized to sign same." Roll call vote: Yeas: All council members present. Absent: Gallaway. SPNRD Board was thanked for their great cooperation in these storm water grants and projects.

Nienhueser moved, Gay seconded "That RESOLUTION NO. 20130804 be passed and adopted." Roll call vote: Yeas: All council members present. Absent: Gallaway.

#### RESOLUTION NO.20130804

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

That the Mayor and Council hereby find and determine that pursuant to a contract heretofore made, M.C Schaff & Associates, the engineer has performed the work for engineering of street improvements in Street Improvement District No. 52 of this city and the engineer has filed with the City Clerk certificates showing the

performance of said contract as follows: ENGINEERING APPLICATION FOR PAYMENT NUMBER 3 and 4; STREET IMPROVEMENT DISTRICT #52; AMOUNT DUE ENGINEER \$40,792.75. A warrant in the amount now due the engineer is hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.5% per annum and be held by the City of Sidney Investment Account.

Discussion was held on the proposed Ordinance No. 1699 re: storm water development policy with the City Attorney presenting alternate approaches to the calculations of fees. The Clerk read Ordinance No. 1699 entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, RELATING TO STORM WATER DRAINAGE, EFFECTIVE DATE, CREATION OF CHAPTER 1076 UNDER PART TEN, TITLE SIX OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA; AND PROVIDING FOR PUBLICATION" by title for the third time. Nienhueser moved, Arterburn seconded "That Ordinance No. 1699 be finally passed." Roll call vote: Yeas: All council members present. Abstain: Gallaway. The passage and adoption of said ordinance having been concurred in by a majority of all members of the a City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Nienhueser seconded "That Ordinance No. 1699 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present. Abstain: Gallaway.

The 2013-2014 proposed budgets were discussed. City Manager Person reviewed the public hearing process and reported that the new hire jointly for General Administration/Electric Administration had not been put in the proposed Electric budget. The need for said new hire for both the Public Service Director and the City Clerk's offices was explained. Staff was instructed to add this new hire into the proposed budget. No other changes were made. Nienhueser moved, Gay seconded "That the City Council file the proposed 2013-2014 budget statements with the City Clerk for all funds including the tax levy for General Fund, Street Department and Debt Service and set public hearings for September 10, 2013 for said budgets and for setting a property tax request different from last year if needed." Roll call vote: Yeas: All council members present. Absent: Gallaway.

City Manager's report consisted of updates of recent and upcoming meetings and/or events; i.e.: Pre-Bid conference for Golf irrigation project 8/20, said bids opening 9/4, PRT 9/4, Legislative Committees 9-6, Emergency Management 9-11, Planning Commission 9-16, North side paving bids opening 8/29, NDOR announced comment period on I-80 crossovers construction east & west of Sidney, Potter and Lodgepole celebrations during Labor Day weekend, Scrap Tire collection 9-16, Newcomer's Picnic 9-26 at High School, League Annual conference 10-9-11; etc.

John Hehnke, Public Works Director, was asked about decals on his truck which will be installed shortly as well as the Police Chief had suggested adding the City's website address to the decals.

Council Member Nienhueser expressed his concern about NDOR's crossover project and everyone with concerns is urged to file a comment to the State during the designated time period. Mayor Gaston reminded everyone of the "take care beware" efforts to safeguard our children. Also, he shared the requests he had received about permanently putting stop signs on the East Elm Street area near the railroad overpass. John Hehnke said they were considering this.

The meeting adjourned at 9:22 p.m.

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MAYOR

ATTEST:

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CITY CLERK

















