

Sidney, Nebraska, July 22, 2014 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 July 22, 2014 in the Council Room. Present were: Mayor Gaston and Council Members: Gallaway, 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.

Gay moved, Nienhueser seconded "That the minutes of the July 8, 2014 meeting be approved." Roll call vote: Yeas: All council members present. Abstain: Arterburn.

Randy Meininger representing Emergency Response Care presented a report for 2013-14 for the ambulance service that they provide in Cheyenne County. The City's subsidy for the coming year will increase by the CPI ending 3/2014 of 1.5%.

Jack Baker of Baker & Associates, engineers for the landscaping projects, reported on status of the bid specifications, etc. for the 11th Avenue Trails Project and the finished bid specifications for the Entrance Landscaping Project. Discussion was held on the pros and cons of bidding both projects together or separate, of the need for more right of way on the west side of 11th Avenue and that the property owner needed to be contacted, and review of the cost estimates on both projects. Nienhueser moved, Gay seconded "That Baker & Associates be authorized to proceed with the bidding process for the Old Post Road/11th Avenue Entrance." Roll call vote: Yeas: Gallaway, Nienhueser, Gaston and Gay. Nay: Arterburn.

Megan McGown, Director of the Historic Preservation Board, presented the Sidney Historic Preservation Plan that has been prepared for the Board by Shelley McCafferty. The consultant work done in the planning process was provided through a CLG grant awarded to the City for that purpose. The Plan serves as a comprehensive overview and strategic plan for the next five years for the City in relationship to its preservation efforts. It outlines what preservation efforts have been made in the past as well as strategies and goals as it relates to preservation efforts in the future. Direction for future grant applications through the Certified Local Government process is also provided. The Board recommends that the Plan be approved by the Sidney City Council. Nienhueser moved, Arterburn seconded "That the proposed Historic Preservation Plan for Sidney be accepted and approved." Roll call vote: Yeas: All council members present.

Arterburn moved, Gallaway seconded "That Bruce Leypoldt be appointed to the Historic Preservation Board." Roll call vote: Yeas: All council members present.

Mayor Gaston asked the City Clerk to read Ordinance No. 1742 re: modification of Chapter 672, Section 672.02 i.e.: Weapons and explosives, etc. of the City Code by Title for the second time. There being no motion to suspend the Statutory requirement requiring the ordinance to be read by title on three different days, Ordinance No. 1742 will be read by Title for the third time at the next meeting.

Mayor Gaston asked the City Clerk to read Ordinance No. 1740 re: modification of Chapter 678, Section 678.03; i.e. height of weeds and notification process of the City Code by Title for the third time. Nienhueser moved, Gallaway seconded "That Ordinance No. 1740 be finally passed." Roll call vote: Yeas: All Council members present. 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. Gallaway moved, Nienhueser seconded "That Ordinance No. 1740 be published in The Sidney Sun Telegraph." Roll call vote: Yeas: All council members present.

Mayor Gaston asked the City Clerk to read Ordinance No. 1743 re: modification of Chapter 678, Section 678.05 i.e.: sound-producing or amplifying apparatus, etc. of the City Code by Title for the second time. There

being no motion to suspend the Statutory requirement requiring the ordinance to be read by title on three different days, Ordinance No. 1743 will be read by Title for the third time at the next meeting.

Public Services Director John Hehnke presented a request that needs to be submitted to the State of Nebraska Department of Roads for the closure of Illinois (Highway 30) Street for the Oktoberfest Parade. The closure would be on October 4, 2014 from 9:00 a.m. and reopen to traffic at 1:00 p.m. The closure will be between the intersection of 23rd Avenue and Highway 30 and the intersection of Fort Sidney Road and Highway 30. The City of Sidney accepts the duties as set forth in subsection (2) of Nebraska Revised Statutes 39-1359 and agrees to indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event. The City staff will place all required barricades and detour signage in order to have all streets accessing Highway 30 closed for the parade and will follow directly behind the parade removing all barricades and opening Highway 30 back to normal traffic. Most intersections along the parade route will have barricades closing them. However, certain intersections along the parade route will have police officers manning them to allow traffic to cross Highway 30 until the start of the parade. Once the barricades have been placed, anyone wishing to cross Highway 30 will have to use one of the intersections manned with a police officer.

Gallaway moved, Arterburn seconded "That the City Council approve the request to the State of Nebraska Department of Roads for the closure of Illinois Street (Highway 30) for the Oktoberfest Parade on October 4, 2014 from 9:00 a.m. to 1:00 p.m. as per the aforementioned plans and procedures as outlined by Public Services Director John Hehnke." Roll call vote: All Council Members present.

Arterburn moved, Gay seconded "That the Treasurer's Report for all City Departments for June, 2014 be approved." Roll call vote: All Council Members present.

City Manager's Report included recent and upcoming meetings and events; i.e. recap of the 7-21 Planning Commission meeting and the denial of cell tower request, approval of the Neal sand and gravel operation with conditions and fees and the withdrawal of the Hrbek request; downtown meeting 7-23; sidewalk sales with special events 7-26; internal departmental budget workshops 7/23-25; JESWA 7-28; budget workshops with City Council 8/4 & 5 beginning at noon each day; Leadership Nebraska in Sidney 8-15; League of Nebraska Municipalities Legislative Committee meeting starting in August; chip sealing underway; and two electric outages.

Public Service Director John Hehnke reported on the street projects, chip sealing and the power outages due to a motor vehicle hitting the 115 kV pole near Haskill Hill on 7/19 and a fire to a 115 kV pole on Fort Sidney Road on 7/20.

Council Member Gallaway commended the City Staff for their good work on the power outages over the recent weekend. All other Council Members agreed with this commendation. Council Member Nienhueser voiced his concerns about alternate routes to supply electricity in order to prevent similar power outages. He also inquired as to JESWA having definite plans for the storm water project in order to address them during the budget workshops to which City Manager Person acknowledged the plan was to have this ready for the budgets.

Council adjourned at 8:33 p.m.

/s/ WENDALL GASTON, MAYOR

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

