

Sidney, Nebraska, January 27, 2015 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 January 27, 2015 in the Council Room. Present were: Mayor Nienhueser and Council Members: Gallaway, Gaston, 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 Nienhueser informed the public of the location of the posted Open Meetings Act.

Arterburn moved, Gallaway seconded That the minutes of the January 13, 2015 meeting be approved as amended. Roll call vote: Yeas: All council members present.

Kay Hicks, Chairman, and Megan McGown, Director, of the Sidney Historic Preservation Board presented a report regarding their Board's recommendation to designate nine properties within the corporate limits of the City of Sidney as Landmarks. For the record, three Landmark Designation Objection Nomination Forms were received by the City Clerk from the president and the treasurer of the Cheyenne County Historical Association in regards to three properties owned by them; i.e. The Fort Sidney Museum/Officer's Quarters, the Fort Sidney Post Commander's Home and the Fort Sidney Powder House.

The nine properties being nominated are: Christ Episcopal Church, Boot Hill Cemetery, Camp Lookout, Legion Park Shelter House, Carnegie Library, site of old swimming pool/Living Memorial Gardens, The Fort Sidney Museum/Officer's Quarters, the Fort Sidney Post Commander's Home and the Fort Sidney Powder House.

Megan shared the following points: A Landmark is a building, structure, or site that is worthy of recognition by the City of Sidney as having a unique historical, cultural, and/or architectural significance to the heritage of the community. All nine of the properties that have either been self-nominated or identified by the HPB meet these criteria. They are among the most significant properties in terms of Sidney's heritage. As outlined in the ordinance 1282.02, the purpose of the HPB is to designate, protect, preserve, and enhance these structures. It is further outlined in the Preservation Plan, which was adopted in 2014. In conformance with the comprehensive development plan for the City, one of the goals is to identify and designate local sites and properties as local landmarks. The economic consequences to both the City and to the properties is positive. The City already uses its history to market for heritage tourism and this will further enhance that effort. In terms of the landmarked properties, there may be future funding allowed through the local façade enhancement program. We see no negative economic consequences.

Megan addressed the following concerns that had been brought forward: (1) Landmark versus District: private homes located in the same neighborhood as some of the recommended properties will not be affected. The HPB has only recommended individual properties be landmarked, not a district. This will not affect any properties except for the nine listed. (2) Control: Existing owners, boards of directors, elders, however the management of the properties are currently structured, will not be changed. This is about the buildings and sites only, specifically, it is about changes made to the exteriors of the buildings. Another element of protection is as boards change, properties sell, this allows for continuity to ensure the protection and proper preservation of these landmarked properties. (3) Timelines – This does add another layer to simply starting the construction of a project. The Certificate of Approval process is a necessary step. The HPB meets every month and has special meetings if the situation merits that. As long as we have enough time to publish the meeting notice, we have not run into any timing issues yet and we have been using the COA process for several years. In fact, we designated the National Register Historic District in 2008 as a Landmark and that includes over 40 properties. (4) Design Guidelines – handbook. We have worked with a consultant for the past few years and have developed a handbook that includes up to date design guidelines that are based off the Secretary of Interiors Standards for Historic Preservation as well as all the information and process information on the COA, the local grant program, and the state and federal incentives. We hope to bring this before the City Council for adoption in the coming month.

Public Comments in opposition were made by Trevor Perkins, attorney for Cheyenne County Historical Association and Roger Jorgensen, President of the Cheyenne County Historical Association.

Questions and comments were expressed by the City Council as well as commendations of the job the Association has done in preserving their historical properties. Council Member Gaston shared his positive experience with the Historic Preservation Board for his personally owned building in the Historic District. City Council expressed the desire to partner with the Association to accomplish the same goals with more information available for both entities to provide more checks and balances. A liaison member between the boards was also a suggestion.

Gay moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO DESIGNATE HISTORICAL LANDMARKS; TO DEFINE THE LOCATIONS OF SAID LANDMARKS; AND TO REPEAL ANY CONFLICTING ORDINANCES AND SECTIONS" be designated as Ordinance No. 1758." Roll call vote: Yeas: All council members present. There being no motion to suspend the Statutory requirement requiring the ordinance to be read by title on three different days, Ordinance No. 1758 was read by Title for the first time.

A request was presented from Kent Brauer, property owner of 735 Hickory Street asking the City to abandoned Hickory Street east of 8th Avenue. Staff reported that they had reviewed the request. Mr. Brauer's business causes blockages on the this street due to the equipment needed to auger in grain. It was determined that if this vacation was approved, it would effectively landlock the property owned by Mr. R.V. Borchert which is adjacent to Brauer's to the east. This would leave no public access which is required by Sidney's planning and zoning regulations. At this time, staff's recommendation is to research the problem and propose some other form of remediation for the problem.

Rob Rauner of Rauner & Associates, who is the City of Sidney's Auditor, presented a proposal for the addition of a Capital Projects Fund to the City's financial statements in order to be in compliance with the GAP. Gaston moved, Gay seconded That RESOLUTION NO. 20150101 be passed and adopted. Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20150101
CITY OF SIDNEY, NEBRASKA

WHEREAS, the City of Sidney, Nebraska, has numerous large construction projects planned that may involve more than one fiscal year; and

WHEREAS, the City of Sidney's auditors, Rauner & Associates, has recommended that an additional Fund category be created to account for ongoing projects; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA, that they ratify the creation of the CAPITAL PROJECTS FUND to be part of the financial statements for the City of Sidney, Nebraska.

Gaston moved, Gallaway seconded That B.J. Wilkinson be appointed to a five year term on the City of Sidney Housing Authority. Roll call vote: Yeas: All council members present.

Public Services Director John Hehnke and Street Superintendent Hank Radtke gave a presentation on The City of Sidney Snow Removal Policy as per Chapter 466 of the Codified Ordinances. They also reviewed what other communities do, common questions that are asked with responses to same, equipment available to Street Department for snow emergencies as well as the labor costs of the most recent snow emergency, and possible policy work that may need to be addressed. Consensus was to address increased services during the next budget sessions.

City Manager Gary Person presented background information on the oversight to request the Nebraska Power Review Board to allow the City of Sidney to serve the city-owned Industrial Tract after it's annexation in 1998 with electricity. The law gives cities one year from the date of annexation to make this kind of request. In order to clear up the matter, the City needs to go through the annexation process again so that they may apply before the Nebraska Power Review Board to provide electrical services. Many reasons for the need to serve this property were enumerated. As representative of the City of Sidney, Nebraska Municipal Corporation, City Manager Gary Person made an official request to the City Council that the real property known as the City of Sidney Industrial Tract be disconnected and detached from the city limits of Sidney, Cheyenne County, Nebraska. Tim Lindahl, representing Wheatbelt Public Power District who currently has the service area for this property, submitted a

prepared statement in which WPPD objected to the disconnect of this property from the City Limits, etc. The City Council tabled the agenda item until the next meeting in order to have a workshop with WPPD about this matter.

Agenda Item #10 was pulled off the agenda.

City Manager s Report consisted of reports on recent and upcoming meetings and events: i.e. Legislative update and Monday 8:00 a.m. conference call updates from League; Communications Center Board 1/19; Civil Service Commission 1/26 to certify officers eligibility list; County officials meeting re: discussion of future fairground expansion; Love’s meeting re: development; Source Gas ribbon cutting 1/27; Department Head meeting 1/29; Swimming Pool RFQ opening 1/28; Midwinter League Conference 1-23-24; School ballot issue 2/10 etc. School Bond questions asked by Nick James. Electric Distribution Superintendent Mike Palmer announced that the South substation repair of transformer has been completed.

Council Member Gallaway thanked the staff for the Snow Removal report, expressed interest in additions to snow removal budget items during workshops, would like to see an addition to the Historic Preservation Board from the Cheyenne County Historic Preservation Board; and he welcomed B.J. to the Housing Authority Board. All council members congratulated Wendall on his recent Jaycee’s award and John for his election as Chairman of the Board of Directors of the Public Alliance for Community Energy.

Meeting adjourned at 9:50 p.m.

MARK NIENHUESER, MAYOR

ATTEST:

G.F. ANTHONY, CITY CLERK

