

Sidney, Nebraska, February 23, 2016, 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 February 23, 2016 in the Council Room. Present were: Vice-Mayor Gaston and Council Members: Gallaway, Gay, and Arterburn. Absent: Nienhueser. Others present: Interim City Manager Anthony and Deputy City Clerk Heilbrun. 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.

Vice-Mayor Gaston informed the public of the location of the posted Open Meetings Act.

Gallaway moved, Gay seconded "That Mayor Nienhueser be excused from the meeting." Roll call vote: Yeas: All council members present. Absent: Nienhueser

Arterburn moved, Gallaway seconded "That the minutes of February 9, 2016 meeting be approved as printed." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Andrew Ross of the Nebraska Municipal Power Pool presented the Electrical Cost of Service Study/Financial Plan for the City of Sidney showing the comparison of revenue from existing electrical rates to revenues of proposed electrical rates. Highlights included: 1) Wholesale rates changing from seasonal to fixed rates—no variation between summer and winter rates, 2) bulk of increase on residential is on the customer charge—increasing from \$10.50 to \$13.00/month, 3) no rate class will receive greater than 4.7% or less than a 2.5% change. It was his opinion that this type of plan would help keep things healthy, while avoiding a rate shock further down the road. He advised that another evaluation be done during budget session with any changes effective in October, 2017. Following discussion it was determined that an effective date of April 1, 2016 rather than March 1, 2016 be incorporated in the Ordinance to allow time for passage of the ordinance and implementation of the new rate schedule.

Gallaway moved, Arterburn seconded "That the Ordinance entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, RELATING TO ELECTRICAL RATES, EFFECTIVE DATE OF RATES, AMENDING SECTIONS 1048.04, 1048.05, 1048.06, 1048.065, 1048.11 AND 1048.13 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA; AND PROVIDING FOR PUBLICATION be designated as Ordinance No. 1775 as amended." Roll call: Yeas: All council members present. Absent: Nienhueser. There being no motion to suspend the rule that the ordinance be read by title on three different days, the Deputy Clerk read the ordinance by title.

Pedro Peralta appeared to request permission to utilize the City water supply at his property located at 2468 Road 109 in Peralta's Paradise Subdivision. He noted that when they subdivided the property a personal well had been drilled. The well has since "gone bad", forcing them to abandon it and seek other options. His in-laws currently live on one tract of the property and cannot use the existing water. He and his wife will eventually build a home on the 2nd tract in the subdivision if the water issue is resolved. Water Superintendent Bill Taylor stated that this request does not set a precedent, as the City has provided similar water service to other lots within the City's 2-mile jurisdiction. He stated that a 2" service line and pit will be placed at the edge of the ditch near the entrance to the property. Mr. Peralta will absorb the cost of installing the 920 feet of water pipe from the pit to the house.

Arterburn moved, Gallaway seconded "That Pedro Peralta be granted permission to utilize City water at 2468 Road 109, Peralta's Paradise Subdivision." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Gay moved, Gallaway seconded "That the Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF SIDNEY, NEBRASKA (THE "ISSUER") OF A RECREATIONAL FACILITIES PUBLIC INFRASTRUCTURE BOND-SWIMMING POOL PROJECT (LIMITED SALES AND PROPERTY TAX SUPPORTED) IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR MILLION DOLLARS (\$4,000,000), FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTION AND EQUIPPING OF A NEW SWIMMING POOL; DIRETING THE APPLICATION OF THE PROCEEDS OF THE OBLIGATION; AUTHORIZING THE OFFICERS OF THE ISSUER TO DESIGNATE THE PRINCIPAL AMOUNT, INTEREST RATE, MATURITY SCHEDULE AND OTHER TERMS APPLICABLE TO THE OBLIGATION WITHIN CERTAIN PARAMETERS; PRESCRIBING THE FORM OF THE OBLIGATION; PROVIDING FOR THE APPLICATION OF CERTAIN SALES TAX REVENUES AND FOR THE LEVY AND COLLECTION OF PROPERTY TAXES (WITHIN CERTAIN LIMITATIONS) TO PAY THE SAME; PROVIDING FOR THE PLACEMENT OF THE OBLIGATION WITH THE PURCHASER THEREOF; AUTHORIZING THE DELIVERY OF THE OBLIGATION TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM" be designated as Ordinance No. 1774." Roll call vote: Yeas: All council members present. Absent: Nienhueser. Gallaway moved, Gay seconded "That the Statutory requirement requiring the ordinance to be read by title three different days be suspended." Roll call vote: Yeas: All council members present. Absent: Nienhueser. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read the Ordinance by number. Gallaway moved, Gay seconded "That Ordinance No. 1774 be finally passed." Roll call vote: Yeas: All council members present. Absent: Nienhueser. 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. Arterburn moved, Gallaway seconded "That Ordinance No. 1774 be published in pamphlet form." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Discussion regarding the name of the new aquatic center was held, with Interim City Manager Anthony reading the list of proposed names along with the current project name. Gallaway moved, Gay seconded "That the new swimming pool be officially named "Sidney Aquatic Center". Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Parks Superintendent Tom VonSeggern presented proposed Program Fees and Revenue for the Sidney Aquatic Center's 2016 season based on budgeted expenses of the facility, as well as comparisons from Alliance, Scottsbluff, Sterling, North Platte and Cheyenne. The proposed rates for daily admission and season passes are: Adult \$5/daily-\$90/annual, Youth \$4.00/daily-\$60/annual, 5 and under \$3.00/daily-\$45/annual, Senior \$3.00/daily-\$45 annual, Family N/A Daily (see family definition)--\$180.00/Annual. Other Aquatic Activities: Swimming Lessons - \$40 for 5 sessions, Water Aerobics Fitness Classes \$35.00 w/season pass and \$35 plus appropriate daily aquatic center admittance for No Season Pass, Aquatic Center rental for parties- \$125.00/hour. He stated that the pool is scheduled to open on Memorial Day through the 2nd or 3rd week of August. Depending on the availability of staff, the facility could possibly be open on weekends after school resumes in the fall, i.e., 3:30 – 6:30 p.m. He currently has a short list of adults for lifeguard training to handle this. Following discussion by the Council it was decided that the item be tabled until the rates are provided to the public for feedback.

Gay moved, Gallaway seconded "That the budget reports for all departments for January, 2016 be approved." Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Jack Baker of Baker & Associates presented the two bids for the Industrial Park paving project, with Wieser Construction being the low bidder. He noted that both bids received were under the engineer's estimate.

Galloway moved, Gay seconded “That the bid for paving in the Industrial Park Phase I be awarded to the low bidder, Wieser Construction in the amount of \$578,313.53.” Roll call vote: Yeas: All council members present. Absent: Nienhueser.

Staff Reports:

Interim City Manager Anthony reported that she has received a formal request for speed limit changes on Greenwood Road and Pole Creek Crossing. Interim Police Chief Aikens stated that this would require a traffic study/survey, and suggested it be incorporated with a couple of other areas within the City to spread out the cost. Street Superintendent Radtke will be at the next council meeting to present the One & Six Year Plan and can address this issue at that time.

Tom VonSeggern, Parks Superintendent, gave an update on the Aquatic Center construction project. He reported that the project is 75% done. The pool deck is scheduled to be poured in March as weather permits.

Andrew Sherman, Sidney Public Library Director, reported that they are investigating funding avenues to replace the existing bookmobile, which has a generator problem with no parts available to fix it. He estimated a new bookmobile at \$150,000. He stated that grant money is not likely due to population and median income levels in Cheyenne County, but they will continue to investigate this and other avenues.

Interim Police Chief Joe Aikens reported that Officer Ross Sinnett had graduated from the training academy and is back on the regular work schedule. He has one more officer to send through the training center, but will have to wait until an opening occurs.

Council Comments:

Councilman Galloway asked when the remainder of Pole Creek Crossing would be paved. Zoning Administrator Ben Dayton stated that they hope to begin this project in late March, and that the Ft. Sidney Rd. bridge would be closed for a few weeks during the project.

Councilman Gaston stated that he had met with the new Department of Roads superintendent who will be making contact with the City electrical superintendent to get lights up and functioning on Greenwood Rd. and Pole Creek Crossing in the near future. He will be attending the League meeting and will give a report following his return.

Councilman Arterburn congratulated the Sidney wrestlers on their showing at the State competition. He also stated that he had received a compliment from a citizen on the snow removal by the City Street Dept. following the most recent storm.

Meeting adjourned at 8:17 p.m.

/s/MARK NIENHUESER, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, DEPUTY CITY CLERK

