

Sidney, Nebraska, May 23, 2017 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 May 23, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway, Gaston, Utley and Olsen. Others present: City Manager Sadler, 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 Arterburn informed the public of the location of the posted Open Meetings Act.

Mayor Arterburn made the following statement regarding the "Comments by Public: agenda item: "The Council values & encourages comments by the public even if the topic is not on our agenda. In order to give all of the public the opportunity to know about and participate in discussions regarding items that are not on the current agenda, we will not respond to or discuss any comments. Reminder - there is a procedure to apply to get on the agenda by filling out a form that is available on the City's website or at the City Clerk's office. We encourage citizens to take advantage of this procedure." There were no public comments at this time.

Utley moved, Gallaway seconded "That the minutes of the May 9 and May 16, 2017 meetings be approved as printed." Roll call vote: Yeas: All council members present.

Pursuant to the publicized notice that the Mayor and Council would hold a public hearing at this time and place for the purpose of discussing an application to the Nebraska Department of Economic Development for a grant application under the Community Development Block Grant ("CDBG") program for Lukjan Metal Products, Inc and its affiliates as the benefitted business. Such grants are available to local governments for economic development activities in the local community. Mayor Arterburn called the Public Hearing to order at 7:17 P.M. and parties of interest would be heard as advertised. The following filed written comments: None. The following appeared in person or by agent or by attorney and were heard: **Melissa Norgard**, Economic Development Director spoke re: the application and introduced those who would like to speak. **Starr Lehl** of the Nebraska Department of Economic Development provided the background and the events that precipitated this application from Lukjan. She also credited Sidney's Leadership Certified Community certifications which required Sidney to have all their available sites and buildings on LOIS (Location One Information System). Lukjan found the property they were interested in by using LOIS. **Jeff Kelley** of the Panhandle Area Development cited information from the public hearing notice for this hearing as follows: "The City of Sidney (the "City") is proposing to provide a \$1,000,000 Community Development Block Grant (CDBG) loan for direct assistance to Lukjan Metal Products LLC., and its affiliates Lukjan Great Plains LLC and Kelly and Korda Great Plains LLC (the "Company") to assist with the following project: working capital, the purchase of equipment and an existing building located at 1 Greenwood Drive, Sidney, Cheyenne County, Nebraska 69162. The company's Sidney location will consist of a manufacturing facility for the purpose of providing materials used in the heating, ventilation and air conditioning industry. The City is requesting \$1,005,000 in CDBG funds. \$5,000 will go to the City to be used for grant administration. The remaining \$1,000,000 will be awarded to the City, which in turn will be conditionally granted by the City to the Panhandle Regional Development, Inc., a non-profit development organization (NDO). The NDO will then utilize such conditionally granted CDBG funds

to make a \$200,000 repayable loan and an \$800,000 performance-based forgivable loan to the Company. The City of Sidney will contribute \$500,000 of their LB840 funds. The remaining \$6,500,000 will be provided from a participating lender and from contributions from the company. Total project costs are estimated to be \$8,005,000. This funding will permit the business to create 30 new full time equivalent positions, 51% of them will be held by or made available to Low to Moderate Income persons. The CDBG funded activities are unlikely to result in the residential displacement of people, and should such displacement occur it will be minimized and resolved pursuant to the City Sidney's anti-displacement and relocation plans." **Herb Gibson** was also present to speak to the Council regarding Lukjan. There being no further comments, the Mayor closed the hearing at 7:29 P.M.

Gallaway moved, Gaston seconded "That RESOLUTION NO. 20170502 authorizing the chief elected official to sign the grant application, Excessive Force Certification, Financial Management Certification, and Exhibits C-1 (Applicant's Statement of Assurances and Certification), C-2 (Citizen Participation Plan), D (Residential Antidisplacement & Relocation Assistance Plan), E4 (LMI – Job Creation/Retention Worksheet), and L (FFATA Reporting Form/Certification); and all others as applicable be passed and adopted." Roll call vote: Yeas: All council members present.

RESOLUTION NO.20170502
AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN
APPLICATION FOR CDBG FUNDS

WHEREAS, the City of Sidney, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program; and,

WHEREAS, the City of Sidney Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment respecting the application which is for an amount of **\$1,000,000** to assist Lukjan Metal Products to purchase equipment and open their 4th manufacturing plant in Sidney, NE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUUNCIL OF THE CITY OF SIDNEY, NEBRASKA, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Sidney, Nebraska and the Nebraska Department of Economic Development so as to effect acceptance of the grant application. /s/ JOE ARTERBURN, MAYOR

Utley moved, Gallaway seconded "That the City of Sidney Procurement Procedures and Code of Conduct be adopted." Roll call vote: Yeas: All council members present.

Olsen moved, Gallaway seconded "That the City of Sidney, Nebraska Limited English Proficiency Plan be adopted." Roll call vote: Yeas: All council members present.

Gaston moved, Olsen seconded "That May, 2017 be proclaimed as FAIR HOUSING MONTH in Sidney, Nebraska: Roll call vote: Yeas: All council members present.

Melissa Norgard, Economic Development Director, reported on the outcome of advertising for the openings on the Economic Development Citizen's Advisory Review Committee. Two applications were received; and Melissa recommended that Clint Norman and Mike Brown be appointed to said Committee. Gaston moved, Utley seconded "That Clint Norman and Mike Brown be appointed to the Economic Development Citizen's Advisory Review Committee for four year terms each." Since there is still one opening on this Committee Melissa will continue to solicit application of people of interest.

Melissa Norgard, Economic Development Director, requested a work session with the City Council and City Manager to discuss job values and Industrial Park plans for the future. Since there was no consensus of when all five Council members could attend, City Manager Sadler said he would have Jo Houser run a poll of

possible dates.

Ben Dayton reviewed the changes that had been made to the proposed ordinance regarding “Signs”. Gallaway moved, Gaston seconded “That the Ordinance entitled “**AN ORDINANCE TO AMEND CHAPTER 1272 SIGNS, SECTIONS 1272.01 THROUGH 1272.10 OF THE SIDNEY MUNICIPAL CODE IN ITS ENTIRETY; TO REPEAL SUCH SECTIONS AS HERETOFORE EXISTING, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE**” be designated as Ordinance No. 1790.” Roll call vote: Yeas: All council members present. No motion was made to suspend the rules that mandate the Ordinance be read by Title on three different days. The Clerk then read the Ordinance by Title for the first time.

Mike Palmer, Electric Distribution Superintendent proposed a request for the purchase of a used walk behind trencher for his department. This particular piece of equipment was not in the current budget. However, with the addition of an electrician and the underground conversion for property owners, it has become apparent that the current behind trencher is too large to maneuver in some of the yards that the City has contracts to complete. Gallaway moved, Utley seconded “That the Electric Department be authorized to go out for bids for a used walk behind trencher.” Roll call vote: Yeas: All council members present.

City Manager Sadler reported that there are three terms on the Planning Commission expiring in addition to the unfilled position caused by a resignation. Of the three terms expiring only two have applied for another term. Therefore there are two positions on the Planning Commission that need to be filled. Consensus was to advertise as usual.

City Manager’s Report: New Finance Director David Scott was introduced and he gave a brief description of his qualifications. The grading of the alleys is mostly finished. School’s are out this week. City hosted the Third Graders on the Fire Department driveway and street this week. Sherm reported that starting June 1st, the Library will be starting Movie Night – The first movie is the Lego Movie

Council Comments: Kelly told about attending the 150th celebration of Ag in Nebraska with the 4th Graders. They did any awesome job and they recognized their teachers for helping them. Mayor Arterburn welcomed David Scott to the staff.

Meeting adjourned at 8:05 p.m.

/s/JOE ARTERBURN, MAYOR

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

