

Sidney, Nebraska, September 26, 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 September 26, 2017 in the Council Room. Present were: Mayor Arterburn and Council Members: Gallaway, Utley, and Olsen. Absent: Gaston. 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.

Gallaway moved, Utley seconded "That Council Member Gaston be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Gaston.

Olsen moved, Gallaway seconded "That the minutes of the September 12, 2017 meeting be approved as printed." Roll call vote: Yeas: Gallaway, Utley and Olsen. Abstain: Arterburn. Absent: Gaston.

Robert Stefka of Commercial Investment Services presented the request of Korda & Kelly Great Plains, LLC/Lukjan for a subdivision application. Ben Dayton, City P&Z Administrator, reported on the action of the Planning Commission and their Final Report re: same. Gallaway moved, Olsen seconded "That RESOLUTION NO. 20170905 be passed and adopted." Roll call vote: All council members present. Absent: Gaston.

RESOLUTION NO. 20170905

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

That the Planning Commission of the City of Sidney, Nebraska has submitted to the City Council of the City of Sidney, Nebraska, its recommendation of approval of the preliminary and final plat application of Lots 1 and 2, Block 1, Greenwood Subdivision to the City of Sidney, Nebraska, being a part of the Northwest Quarter of Section 33, Township 14 North, Range 49 West of the 6th P.M., Cheyenne County Nebraska; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the foregoing preliminary and final plat of Lots 1 and 2, Block 1, Greenwood Subdivision to the City of Sidney, Nebraska, being a part of the Northwest Quarter of Section 33, Township 14 North, Range 49 West of the 6th P.M., Cheyenne County Nebraska.

Randy Miller presented his application for a Truck Parking Waiver on his property at 336 Pole Creek Crossing. Ben Dayton, City P&Z Administrator, reported on the action of the Planning Commission and their Final Report re: same. It was noted that Mr. Miller had submitted ten different registrations for some but not all of his farming vehicles and trailers (2004 Kenworth, 2002 Kenworth, 2005 Kenworth, 1989 Freightliner, 2006 Freightliner, 2005 Wilson trailer, 1982 Ravens trailer, 1992 grain trailer, 1991 Wilson grain trailer, 2000 Neville grain trailer). Mr. Miller also reported that he had discussed his request with his closest neighbor and the adjacent church and that they had no objections as he parks quite a distance back from the street. Gallaway moved, Olsen seconded "That RESOLUTION NO. 20170906 be passed and adopted to approve the truck waiver of non-commercial purposes in a Rural Residential Zone." Roll call vote: All council members present. Absent: Gaston.

RESOLUTION NO. 20170906

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

That the Planning Commission of the City of Sidney, Nebraska has submitted to the City Council of the City of Sidney, Nebraska, its recommendation of approval of the Application of Randy Miller for a truck parking waiver in a rural residential noncommercial purposes zone on an 11 acre tract of land located in the Southwest Quarter of Section 32, Township 14, Range 49 West of the 6th P.M., more commonly known as 336 Pole Creek Crossing; and

That the City Council of the City of Sidney, Nebraska, does hereby approve the forgoing Application of Randy Miller, 336 Pole Creek Crossing, for a Waiver for Truck Parking in a Rural Residential noncommercial purposes zone.

City Manager Sadler and City Attorney Leef presented an amended Interlocal Agreement with Cheyenne County for the Communication Center. A revision was requested by County Attorney Shaub to withdraw the language proposed for 4(d) in the proposed agreement and add the following sentence at the end of Paragraph 12: "The Director shall conduct the inventory in the same manner as an elected or appointed county officer." He referenced the inventory statute and the County's policy. Gallaway moved, Utley seconded "That the amended Interlocal Agreement with Cheyenne County for the Communication Center be approved as revised." Roll call vote: Yeas: All council members present. Absent: Gaston.

Assistant City Manager Martin presented the request for a parade on State Highway 30 for the Chamber of Commerce's Parade of Lights. The request has to be forwarded to the Nebraska Department of Roads with the City's recommendation. Utley moved, Olsen seconded "That RESOLUTION NO. 20170907 be passed and approved." Roll call vote: Yeas: all council members present. Absent: Gaston.

RESOLUTION NO. 20170907

WHEREAS, Nebraska Revised Statutes 39-1359 requires that a closure of state highways through a municipality must be requested to the Nebraska Department of Roads; and

WHEREAS, the 2017 Christmas Parade is in downtown Sidney more specifically on Illinois Street/State Highway No. 30, and

WHEREAS, the City of Sidney, Nebraska, does hereby request the Nebraska State of Nebraska Department Road's permission for closure of Illinois (Highway 30) Street for the Christmas Parade of Lights. The closure would be on December 2, 2017 from 5:15 p.m. and reopen to traffic at 6:15 p.m. The closure will begin at the intersection of 14th Avenue, travel east on Illinois Street/Highway 30 and disembark at 7th Avenue in the Quad Graphics Parking Lot. 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.

City Manager's Report: Landfill tour for the Council will be scheduled as soon as a day is agreed upon. Illinois Street paving will start October 9th. Oktoberfest and Car Show is October 6, 7, & 8th. Pool bonds sold with an A+ rating. City Attorney reported that the briefs have been on the NMPP arbitration.

Council Comments: Council Member Olsen reported he had attended the League of Nebraska Annual Conference. Congratulations to Wendall Gaston. He is now the new President of the League. Mayor Arterburn made the following statement: "As everyone undoubtedly has heard, Bass Pro Shops completed the purchase of Cabela's and we all should wish success for the newly combined endeavor. As to what it means to Sidney and our future, we are waiting to hear like everyone else. And we stand ready to work with Bass Pro to keep and grow jobs in Sidney and, meanwhile, our economic-development efforts remain shifted into high gear, and we welcome

new companies to our community, such as Lukjan, Sandhills Publishing and Agri-Plastics. That said, we all understand the importance of Cabela's to Sidney and hope a significant presence, a significant workforce, remains to carry on the Cabela's tradition. I hope all Sidney citizens will be welcoming and will show Bass Pro Shops why Sidney has been a great home for Cabela's all these years."

Meeting adjourned at 8:34 p.m.

/s/ JOE ARTERBURN, MAYOR

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

