

Sidney, Nebraska, March 24, 2020 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 March 24, 2020 in the Council Room. Present were: Mayor Gallaway and Council Member: Sherman. Present by video conference were Council Members: Arterburn, Radcliffe and Olsen. Others present: Interim City Manager Scott, City Attorney Leef, and HR Director Houser. Notice of the meeting was given in advance thereof by publication in the Sidney Sun Telegraph, a 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 Gallaway informed the public of the location of the posted Open Meetings Act.

Olsen moved, Arterburn seconded "That the minutes of the March 10, 2020 meeting be approved as printed." Roll call vote: Yeas: All council members present.

There were no comments by the public.

Mayor Gallaway announced "That a Public Hearing would now be held at 7:22 p.m. re: An Application for Community Development Block Grant program for Tourism Development. Melissa Norgard, Economic Development Director, presented information regarding the block grant application pertaining to the Sidney Elks Lodge and answered questions regarding said application. There being no further comments, the hearing was closed at 7:37 and Mayor Gallaway called for a motion on the request.

Arterburn moved, Olsen seconded "That RESOLUTION NO. 2020303 authorizing the Mayor to sign the Application for Community Development Block Grant for Tourism Development be approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200303

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 \$415,000 to revitalize and develop the Sidney Elks Lodge building and space to a historical events center. This project will focus on the restoration, rehab and preservation of the history of the building. Of the \$415,000 of CDBG funds, \$400,000 will be for the restoration and rehab of the building, with \$5,000 for general grant administration and \$10,000 for construction management costs. The grant will be matched with \$100,000 from the City of Sidney's LB840 Economic Development Plan and \$25,000 of in-kind match of volunteer labor.

NOW, THEREFORE, BE IT RESOLVED BY The City Council 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.

Hope Feeney, Cheyenne County Chamber of Commerce, presented information regarding the Chamber's Second Quarter Report and answered questions regarding the report.

Mayor Roger Gallaway asked HR Director Houser to read Ordinance No.1817 for the second time as follows: An Ordinance entitled, AN ORDINANCE PROVIDING FOR THE REZONING OF BLOCK 7, DEER RUN PARK ADDITION FROM R-3 (HEAVY DENSITY MULTI-FAMILY) TO C-2 (NEIGHBORHOOD COMMERCIAL) ZONE; AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1049 OF THE CITY OF SIDNEY, NEBRASKA, WHICH IS NOT CODIFIED AS TITLE SIX OF PART TWELVE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, TO SO PROVIDE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN DIRECT CONFLICT HEREWITH.

Radcliffe moved, Gallaway seconded "That the third reading of Ordinance No. 1817 be waived." Roll Call vote: Yeas: Gallaway, Radcliffe, Sherman. Nays: Arterburn and Olsen.

Mayor Gallaway asked Director Houser to read the Ordinance by number, and then called for a motion to pass Ordinance No. 1817. Radcliffe moved, Sherman seconded "That Ordinance No. 1817 be passed." Roll Call vote: Yeas: Radcliffe, Sherman, Gallaway and Olsen. Nays: Arterburn.

Mayor Gallaway called for a motion to publish Ordinance No. 1817. Roll Call vote: Yeas: All council members present.

The Planning Commission's Final Report re: rezoning application of Jason Dolan, to rezone Lots 21 and 22 Morrow Addition, more commonly known as 1165 5<sup>th</sup> Ave., from R-2 (Light Density Multi-Family) to C-2 (Neighborhood Commercial) Zone and 50' of Lot 100 Morrow Addition from Rail Road to C-2 (Neighborhood Commercial) Zone; and RESOLUTION NO. 20200304 setting a public hearing for said rezoning application at 7:15 P.M. on April 14, 2020 was presented. Arterburn moved, Olsen seconded "That RESOLUTION NO. 20200304 be passed and adopted. Roll call vote: Yeas: All council members present.

#### RESOLUTION NO. 20200304

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 final report regarding the Rezoning Application of Jason Dolan to rezone Lots 21 and 22 Morrow Addition, more commonly known as 1165 5<sup>th</sup> Avenue, from R-2 (Light Density Multi-Family) to C-2 (Neighborhood Commercial) Zone and 50' of Lot 100 Morrow Addition from Rail Road to C-2 (Neighborhood Commercial) Zone; and

That the City Council of the City of Sidney proposes to consider said report; that a public hearing will be held thereon in the Municipal Building of the City of Sidney, Nebraska, at 7:15 o'clock P.M. on the 14<sup>th</sup> day of April, 2020 at which time and place parties in interest and citizens shall have an opportunity to be heard; and that the City Clerk is hereby directed to give the proper notice of said hearing in compliance with the law at least ten days prior to said hearing.

Melissa Norgard, Economic Development Director, presented information regarding the Downtown Master Plan and a Request For Proposal that was received from RDG Planning and Design, which was the only company to submit a proposal for the project.

Arterburn moved, Sherman seconded "That RDG Planning and Design be awarded the project to complete the Sidney Downtown Master Plan in the amount of \$20,000." Roll Call vote: Yeas: All council members present.

Melissa Norgard, Economic Development Director, presented a request for consideration for a

LB840 application submitted by Nelnet in the amount of \$500,000 payable over three years after the business meets the payroll creation and job creation requirements, which funds will be reimbursed from the LB840 donation through the Nebraska Community Foundation Anonymous Donor Fund. Nelnet is a student loan servicing company based out of Lincoln, Nebraska, looking to hire a minimum of twenty-five employees to work remotely from Sidney with the intent to open a physical office in Sidney.

Olsen moved, Arterburn seconded "That the LB840 application submitted by Nelnet be approved." Roll Call vote: Yeas: All council members present.

Mike Palmer, Electric Superintendent, presented information and answered questions regarding a proposal from Exponential Engineering Company for a relay upgrade at the Substation on Fort Sidney Road. Palmer explained that the proposal exceeded the Engineers Opinion of Probable Cost and the project would go over budget by approximately \$20,000, which was, in part, caused by the addition of the extra feeder relay that was necessary as part of the Cabela's Redundant Feed Project. However, the additional funds needed would be offset by the revenue made from the Cabela's Project.

Radcliffe moved, Sherman seconded "That the proposal from Exponential Engineering Company be accepted in the amount of \$69,100 for the relay upgrade at the Substation on Fort Sidney Road." Roll call vote: Yeas: All council members present.

Mike Palmer, Electric Superintendent, presented information and a request to purchase a 2020 Chevy 3500 Electric Department Truck to replace a 2013 Chevy 3500 truck that was struck and totaled in an accident in December 2019. Two bids were received; one from the state bid and one from Panhandle Auto Group. Insurance funds received from the other driver's insurance company would be used to purchase the truck.

Sherman moved, Olsen seconded "That a 2020 Chevy 3500 Truck be purchased from Panhandle Auto Group for the quoted amount of \$33,265.24 and purchasing the existing utility bed back from State Farm in the amount of \$2,500.00 to have it installed on the new truck.

Interim City Manager David Scott recommended approval of RESOLUTION NO. 20200305 to open a savings account for the City Street Department due to a request from Points West Bank. Radcliffe moved, Sherman seconded "That RESOLUTION NO. 20200305 be passed and adopted. Roll call vote: Yeas: All council members present.

#### RESOLUTION NO. 20200305

BE IT RESOLVED, that the City of Sidney is authorized to open a savings account for Street Department purposes with Platte Valley Bank,

BE IT FURTHER RESOLVED, that as a designated depository of this municipality the above mentioned bank is hereby requested, authorized, and directed to honor checks, drafts or other orders for payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signers thereof, as designated by the attached RESOLUTION NO. 20191004.

Interim City Manager David Scott gave an update on COVID-19 (Coronavirus) and stated that the City Council and City Administration was continuing to monitor federal, state, and regional updates and also reported on the precautionary actions the City has taken.

Brett Bentley appeared via video conferencing and expressed concerns about the City's utility disconnect policy during this time. Mayor Gallaway assured the public that there will be discussion and

a plan put into place to handle this situation. He reassured the public that these were unprecedented times and we would get through this together.

Meeting adjourned at 9:11 p.m.

/s/ ROGER GALLAWAY, MAYOR

ATTEST: /s/JO HOUSER, ACTING CITY CLERK