

Sidney, Nebraska, April 14, 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 April 14, 2020 via Zoom video conference. Present by video conference were Mayor Gallaway and Council Members: Sherman, Arterburn, Radcliffe and Olsen. Others present via video conference: Interim City Manager Scott, City Attorney Leef, and City Clerk Heilbrun. 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 that the meeting was being conducted in accordance with the Open Meetings Act.

Arterburn moved, Sherman seconded "That the minutes of March 24, 2020, as amended, and April 1, 2020 be approved." Roll call vote: Yeas: All council members present.

Mayor Gallaway announced "That a Public Hearing would now be held at 7:21 p.m. to consider the Rezoning application of Jason Dolan, to rezone Lots 21 and 22 Morrow Addition, more commonly known as 1165 5th 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 Ordinance 1818 re: same."

The following appeared in person via video conference or by agent and were heard: Jason Dolan and Niki Rochlitz.

Dolan explained that the purpose of the request was to allow them to erect a 42' x 60' steel building for personal storage. There would be no commercial storage for rent or commercial activity in the building. Rochlitz noted that an adjacent neighbor had complimented them on cleaning up the area in preparation for building.

City Inspector Kevin Kubo noted that although the zoning would transfer to next owner, if sold, all activities would have to be done inside the building. He further explained that the C-2 zone was the only zone that allowed them to what they intend to do.

Mayor Gallaway noted that since this property butts up against another C-2 property and railroad, this cannot be considered spot zoning.

There being no further comment, Mayor Gallaway closed the public hearing at 7:29 p.m.

Sherman moved, Radcliffe seconded "That the Ordinance entitled AN ORDINANCE PROVIDING FOR THE REZONING OF SECTION 32, TOWNSHIP 14, RANGE 49, LOTS 21 AND 22 MORROW ADDITION TO SIDNEY, NEBRASKA, FROM R-2 (LIGHT DENSITY MULTI-FAMILY) ZONE TO C-2 (NEIGHBORHOOD COMMERCIAL) ZONE; AND 50' OF LOT 100 MORROW ADDITION TO SIDNEY, NEBRASKA FROM RAIL ROAD ZONE 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 NOW 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 be designated as Ordinance No. 1818." Roll call vote: Yeas: All council members present. There was no motion to suspend requiring the ordinance to be read by title three different days. The Clerk read the Ordinance by title. Second reading of the Ordinance will be held on April 28, 2020.

Parks Superintendent Tom VonSeggern recommended that Ryan Reisdorff be re-appointed to the City of Sidney Tree Board for a three-year term to expire April 24, 2023.

Arterburn moved, Olsen seconded "That Ryan Reisdorff be re-appointed to a three-year term on the City of Sidney Tree Board which will expire on April 24, 2023." Roll call vote: Yeas: All council members present.

Parks Superintendent Tom VonSeggern stated due to COVID19 the requirement for the City to have a "Celebration" in order to maintain the "Tree City USA" designation has been waived. He noted, however, that the tree-give-away portion of the City of Sidney Arbor Day Celebration will be held on April 25, 2020 at the Parks Shop with safety precautions taken with respect to COVID19. He proceeded to read the Arbor Day Proclamation, with the help of Mayor Gallaway.

Interim City Manager Scott and Street Supt. Radtke reviewed the bids received for the 13th Avenue Drainage and Elm Street Surface Project Engineering Bids. A recommendation to award the bid to M.C. Schaff & Associates, Inc., the low bidder, was given.

Arterburn moved, Radcliffe seconded "That the Engineering bid for the 13th Avenue Drainage and Elm Street Surface Project be awarded to M.C. Schaff in the amount of \$100,000." Roll call vote: Yeas: All council members present.

Economic Development Director, Melissa Norgard, stated that the Economic Development Citizens Advisory Committee has recommended approval for committing \$100,000 of LB840 funds out of the \$1.2 million dollar Nebraska Community Foundation donation to assist with Small Business LB840 Forgivable and No Interest Loans through the COVID19 pandemic. Businesses will be eligible for amounts up to \$10,000 with a completed application, financial documentation and proven need for the funds. She noted that she could very well be back in two weeks with a request for additional funds if the need arises.

Arterburn moved, Olsen seconded "That the Use of LB840 funds to assist small businesses during COVID 19 be approved." Roll call vote: Yea: All council members present." Roll call vote: Yeas: All council members present.

Interim City Manager David Scott presented the LB874 Annual TIF Report as required by the State law. He noted that he is required to give this information to other taxing agencies each year, as well.

Interim City Manager David Scott presented the Budget Report for March, 2020 noting that there has been a decrease in sales tax which could result in a 5 to 30% hit.

Radcliffe moved, Sherman seconded "That the Budget Report for March, 2020 be approved." Roll call vote: Yeas: All council members present.

Olsen moved, Sherman seconded "That the following claims for March 2020, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury." Roll call vote: Yeas: All Council members present.

(Abbreviation for claims: bd bond, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tt travel/training, tx tax, ut utilities)

21st Century eq 236.85, 9.15; Accelerated Receivables se 281.31; Air Quality se 630.00; ALSCO su 358.44; American Environmental se 1135.69; Aqua Aerobic eq 1063.64; Arbor Day se 60.00; B&C Steel su 8.29; BAAS 24 Hour Towing se 214.00; Baker & Taylor su 1703.98, 15.09; Barker Cleaners se 30.00; Best Plumbing & Cooling se 545.15; Black Hills ut 1254.78, 248.61, 449.67, 255.83, 33.36, 701.78, 224.84, 1856.91; Bomgaars 81.90, 93.99, 14.98, 325.39, 16.65, 41.97; Border States eq 28487.50; Cardmember su 4158.41, 603.63, 160.00, 1367.62, 495.00; Caselle ct 1644.00; CCL su 241.53; Charter se 109.98, 294.61, 101.47; Cheyenne Co Chamber se 320.00, 50.00, 50.00; Cheyenne Co Chamber Gift Certificate su 900.00; Cheyenne Co Community Center ct 10000.00; Cheyenne Co Emergency Comm Center ct 29631.76; City of Sidney se su tx bd ex re 1576.50, 11126.55, 20.00, 19.00, 462.50, 17666.67, 19750.00, 1000.00, 254.20, .89, 284.98, 186.19, 423.00, sa 11025.31, 121359.35, 86546.93, 89475.26, 12701.74, 12611.48, 12691.61, 13585.32, 13448.65, 13541.07, 24429.98, 24260.78, 24294.97, 11040.99, 7316.33, 7306.89, 7371.67, in 56721.05, 11445.8, 5577.25, 5572.75, 1005.99, 10731.68, 1005.99, 837.36, 837.6, 1836.78, 17848.94, 1836.78, 372.10, 5005.81, 372.10, 541.05, 5728.00, 541.05; ut 5050.65, 185.82, 2651.02, 1638.92, 91.63, 7170.78, 2346.94, 13536.13, 137.45; Clothes Hamper se 90.00; Cobitco su 136.08; Cornhusker Int'l eq 385.64; Country Printer su 1608.00, 642.00; Cranmore Lawn ct 26420.27; Culligan su 19.95, 48.03, 5.00, 29.95; Darin's Auto se 668.50, 3509.42; Deer & Co eq 8443.15; Demco su 85.76, 9.95; Dennison, Sarah tt 275.00; Department of Energy ut 14401.30; Dept of Revenue tx 62406.51; Diversified Electric Controls eq 39.06; DP Electronics su 1247.50, 1656.90, 9.98, 9.99; E&S Auto su 346.31, 392.18, 581.96, 739.81; Eakes su 342.01, 163.96; Elan Visa su 20.00, 17.96, 527.29, 9.72, 59.90; Enviro se 80.00, 80.00; Finney's su 472.34, 84.19, , 321.15, 119.93; Fremont Nat'l ct 9026.87; Frenchman Valley su 72.50, 4452.19, 2229.70, 5304.13, 832.48, 480.87, 749.93; Fritz, David se 30.00; Gempler's su 217.96; Guideposts se 43.85, 11.97; Hamilton se 180.17, 49.95, 49.95; Harper Industries eq 331.18; Hillside Golf League re 55.00; Hoffman, Bruce se 600.00; Hometown Leasing ct 159.98; Huber & Asso se 2500.00; Ideal su 38.28, 124.20; JA Traffic eq 1779.05; JMK Sports su 175.54; Journal Office su 40.00; Kevin's Electric su 18.50; KSID su 50.00; LL Johnson su 2703.71; Landis&Gyr du 750.00; League of NE se 410.65; Leal, Ron se 450.00; Lindower, Kurt re 39.01; Live View se 958.80; Maddow Motor su 2.80; Marriott tt 440.00; MES se 462.30; Municipal Chemical su 1950.00; MEAN ut 457808.72; Municipal Supply su 711.07; Napa su 39.08, 18.49; NE Library Asso du 320.00; NE Safety/Fire eq 212.08, 100.00; NT&T se 209.21, 1556.04, 143.78, 280.45, 313.94, 56.03, 88.23; NE Turfgrass du 150.00; NE Link se 36.00; NE Tire eq 722.00; Neugebauer, Nicole re 128.80; Newman Traffic su 257.34; NMC eq 2702.25, 51.00; Northwest Pipe su 587.62, 187.37; OCLC su 243.76; One Call se 16.51, 16.51; Panhandle Auto su 14.12, 14.28; Payment Tech se 30.00, 30.24; Pepsi su 238.26, 33.66; Points West ins 58565.00, 18449.00, 33252.00, 27338.00, 18506.00, 25039.00; Publishers Prime se 559.21, 24.96; Quadient Leasin se 750.00; Quill su 60.31, 909.39; Ramos, Mariana re 120.83; Resco eq 7522.31; Respond First Aid su 155.26; Ritz Safety su 251.31; Rood, Alan re 1.00; Rood's Tire eq 819.06, 27.00, 16.00; Sandberg Implement se 77.43; Scotties Potties se 560.00; Segelke Janitorial se 780.00; SRMC se 72.00; Sidney Sun Telegraph su 6.63, 908.47, 47.13, 12.43; Simon Materials su 442.20; Sonny's su 10.29; State of NE Patrol du 823.63; Sterling, Dean tt 165.00; Stone, Eloise rt 400.00; Stott, Terri re 215.68; Sweeney, Beth re 16.93; Symbolarts su 125.00; Sysco Denver su 1020.70; T&R Electric su 40.00; Titleist su 2828.86; Tour Edge su 1104.00; Triple O's su 172.40, 54.88, 8.16, 1530.13; United Laboratories su 199.80; USA Bluebook su 224.46, 83.48; Verizon se 39.99, 197.87, 744.61, 59.47, 33.87, 159.46, 33.82, 50.40; Vermeer su 51.57, Viaero se 34.66, 64.74; Wesco eq 416.03; Wheatbelt ut 11411.64; Whitebluffs se 635.00; Wolff, Dewayne tt 165.00; Wolford, Marie rt 916.47, Woodis Welding se 1577.7.

City Manager/Staff Report: Interim City Manager Scott stated that the Gold Rush Committee is looking at holding their event in late February instead of September. He noted that the enhanced policy for disconnects has been received well by the public. He has received 4-5 written appeals with positive feedback. He noted that more disconnects are being sent out but the number of disconnections has not increased. Councilman Olsen asked

for a report with comparisons from last year for the next meeting. **Water Superintendent Rob Kuhns** reported that the issues with water in Sky Manor is fixed. **Electric Supt. Mike Palmer** noted that they should finish the conduit project on Ft. Sidney Rd. next week and will be reseeding the area when weather allows. He reminded everyone that the ACE gas choice selection period is going on now, from April 10th thru the 23rd, and urged everyone to support ACE. **Parks Superintendent Tom VonSeggern** reported that the playgrounds in the parks are closed, the pond has been restocked using ACE funds, and that the trails are open for use. **Library Director Richard Sandstrom** reported that business is brisk at the library. He urged patrons to check their online catalog or call the library if they are needing a book. **City Attorney Leef** reported that she has been visiting with the Community Center regarding the contract for recreational services and should have something for the next agenda regarding this subject.

Council Comments: Mayor Gallaway reported on a meeting with the Western Nebraska Economic Development Group where each community gave an update re: COVID19, noting that most are following the same line of precautions, staffing, etc. He reminded everyone that trailers and RV's can park on the streets beginning April 15th. **Police Chief Aikens** noted that parking on City streets is not allowed in all instances and urged citizens to check the City's website for clarification. **Mayor Gallaway** noted that communication goes a long way and urged citizens to reach out to City staff with concerns and Businesses to reach out to Melissa Norgard for help in navigating the current situation.

Mayor Gallaway stated that he would entertain a motion to go into closed session for the protection of the public interest to consider Personnel Matters re: City Manager candidate review. Olsen moved, Sherman seconded "That the City Council adjourn to closed session for the purpose of consideration of personnel matters." Roll call vote: Yeas: All council members present. Mayor Gallaway announced that the City Council will now go into closed session at 8:50 p.m. Upon Council's return from the closed session, Radcliffe moved, Olsen seconded "That the closed session end and that the Council has come out of the closed session at 9:31 p.m." Roll call vote: Yeas: All council members present

Meeting adjourned at 9:31 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK