

Sidney, Nebraska, April 28, 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 28, 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, Olsen seconded "That the minutes of April 14, 2020 be approved." Roll call vote: Yeas: All council members present.

Mayor Gallaway asked City Clerk Heilbrun to read Ordinance No. 1818 for the second time as follows: "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." The third reading of Ordinance 1818 will be held on May 12, 2020.

Interim City Manager Scott reviewed the Contract Agreements for Engineering Services for the 13th Avenue Drainage and Elm Street Surface Project from M.C. Schaff and Associates, who was awarded the contract for engineering services on April 14, 2020. Approval of these Agreements would allow the City to move forward with the engineering of these two projects.

Radcliffe moved, Arterburn seconded "That the Agreements between M.C. Schaff & Associates, Inc. and the City of Sidney for professional services for preliminary engineering for 13th Avenue Improvements from Jackson to Quince Street, and Elm Street from 13th Avenue to 17th Avenue be approved." Roll call vote: Yeas: All council members present.

Patrick Kilbride, Golf Operations Director, presented three bids for the purchase of a new mower for the Golf Course that was approved in the 2019-2020 budget as follows: Turfwerks of Johnston, IA (Jacobsen) \$50,978.00, Stotz Equipment of Evansville, WY (John Deere) \$54,600.00, and LL Johnson of Denver, CO (Toro) \$54,332.80. He recommended that L.L. Johnson Distributors of Denver, CO be awarded the bid at \$54,532.80 (which included a trade-in of one mower listed on the request for replacement equipment). He noted that the savings on parts, time spent on repairs due to familiarity with Toro equipment we already use, and a reliable service center located in Denver CO were contributing factors for his recommendation.

Sherman moved, Radcliffe seconded "That L.L. Johnson Distributors of Denver, CO be awarded the bid for a new mower for the Golf Course in the amount of \$54,532.80." Roll call vote: Yeas: All council members

present.

Interim City Manager Scott presented a Short-Term Agreement between the City of Sidney and the Cheyenne County Community Center for Recreational Program Services that would continue through the end of the current fiscal year. The Agreement would reduce the total amount of the contract from \$120,000.00/year to \$108,000.00 for this fiscal year which ends September 30, 2020. This was broken down to \$10,000.00/mo. for the first six months of the contract and \$8,000.00/mo. for second six months of the contract. He noted that a reduction in revenue was a contributing factor in this consideration. He also noted that the current contract between the two entities expires in three days. Execution of the short-term contract would give both parties time to negotiate a new contract.

Community Center Director Mike Namuth explained that the Community Center contracts to perform management of programs for the City of Sidney. He explained that City's financial contribution resulted in approximately 18% to 20% of the total yearly budget of the Community Center. He clarified that Community Center board members are nominated and appointed from members of the Community Center. He also noted that the City already has the opportunity to have a non-voting member on the Community Center board but has not exercised their right to do so in many years.

Councilman Arterburn suggested that due to the amount contributed by the City to the Community Center budget, the City should have representation on the Community Center Board with voting rights. He suggested that it be made part of the annual contract. Councilman Olsen agreed with this suggestion.

Interim City Manager Scott suggested that this could be discussed during the next annual contract review.

City Attorney Leef noted that the Council could approve the proposed Agreement with amendments, or areas of concern can be discussed during contract negotiations for the next fiscal year.

Radcliffe moved, Sherman seconded "That the Short-Term Contract between the Cheyenne County Community Center and the City of Sidney in the amount of \$108,000.00 through the end of the current fiscal year, ending September 30, 2020, be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, and Olsen. Nays: Arterburn.

Economic Development Director, Melissa Norgard, presented recommendations from the Economic Development Citizen's Advisory Review Committee re: Small Business LB840 Forgivable and No Interest Loans through the COVID 19 Pandemic in the amount of \$65,000 of LB840 funds, which will be reimbursed by the donation through the Nebraska Community Foundation. The six businesses approved by the Economic Development Citizen's Advisory Review Committee include: Popkorn Theatres \$10,000, Dude's Steakhouse \$5,000 forgivable loan, Pittam Body Shop \$10,000, DP Electronics \$10,000, Beans and Steams \$5,000 forgivable loan, and Daisies and Dragons \$10,000. She noted that the Review Committee's recommendations were being forwarded to the City Council for their consideration as the next step in the process.

Sherman moved, Arterburn seconded "That the City Council approve the process of the Economic Development Citizen's Advisory Review Committee re: Small Business LB840 funds." Roll call vote: Yeas: All council members present.

City Manager/Staff Report: Interim City Manager Scott reported that crack sealing by the City Street Dept. will begin May 4th on Maple Street (including the entire street gutter to gutter); he gave highlights regarding the Governor's new directive beginning May 4th through May 31st which allows hair salons, daycares, churches, and restaurants to open with limited capacity, hospital elective surgeries and dentists allowed. **Transportation Director Dave Doty** reported that the Cares Act allows for \$27 million for Rural Transportation which allows the City of Sidney Transportation Dept. to operate at no cost; **Electric Supt. Mike Palmer** reported that WAPA is replacing the fiber line; **Parks Superintendent Tom VonSeggern** reported that they had given away 70 trees at the Curbside Tree Give-a-way; **Library Director Richard Sandstrom** reported that they are currently planning for the summer reading program; **Economic Development Director Melissa Norgard** reported that the City had received grant approval for the Elks Lodge in the amount of \$415,000.00 with a \$100,000 match in kind match.

Council Comments: Mayor Gallaway reported that the Governor is formalizing plans for reopening and realigning dates re: COVID19; **Council Arterburn** asked when the library would

resume book sales. **Library Director Sandstrom** noted that it isn't wise to hold a book sale with school closed and library closed to public.

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, Radcliffe 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 8:42 p.m. Upon Council's return from the closed session, Olsen moved, Sherman seconded "That the closed session end and that the Council has come out of the closed session at 9:5 p.m." Roll call vote: Yeas: All council members present

Meeting adjourned at 9:53 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK