

Sidney, Nebraska, June 23, 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 June 23, 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. He also noted that this will be the last ZOOM Council meeting under the Governor's current DHM mandate for public meetings.

Sherman moved, Radcliffe seconded "That the minutes of June 4 and June 9, 2020 be approved as printed." Roll call vote: Yeas: All council members present.

Mayor Gallaway announced that Item No. 11, re: City Manager Search and action as needed, would be moved up on the agenda and considered at this time. Olsen moved, Arterburn seconded "That David Scott be hired as City Manager for the City of Sidney." Roll call vote: Yeas: All council members present. City Attorney Leef was instructed to draft a Contract and Resolution for the hiring of Scott as City Manager to be considered and signed at the next Council meeting to be held on July 14, 2020.

Mayor Gallaway asked City Clerk Heilbrun to read Ordinance No. 1819 by title for the second time as follows "AN ORDINANCE PROVIDING FOR THE REZONING OF SECTION 9, TOWNSHIP 13, RANGE 49 SW QUADRANT OF EAST SIDNEY INTERCHANGE SITUATED IN THE N/2 SW/4, LESS CHASE ADDITION LANDS INSIDE SIDNEY, FROM A (AGRICULTURAL) ZONE TO C-3 (HEAVY 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". Mayor Gallaway asked if there was a motion to suspend the requirement that the Ordinance be read by title three different times. Radcliffe moved, Sherman seconded "That the requirement that Ordinance No. 1819 be read by title three different times be suspended." Roll call vote: Yeas: Sherman, Radcliffe, Olsen and Gallaway. Nays: Arterburn. Mayor Gallaway asked City Clerk Heilbrun to read the Ordinance by number and then called for a motion to pass Ordinance No. 1819. Sherman moved, Olsen seconded "That Ordinance No. 1819 be passed." Roll call vote: Yeas: All council members present. Olsen moved, Arterburn seconded "That Ordinance No. 1819 be published." Roll call vote: Yeas: All council members present.

Interim City Manager Scott presented a Revised Fee Schedule for the 2020 Swimming Pool season due to COVID 19; and Resolution No. 20200601 re: same. He noted that the Resolution proposes that all the various fees listed in the rate schedule for the previous year be discontinued, and a Session Pass fee of \$3.00 per day, for all patrons using the swimming pool, be adopted from June 24, 2020 through September 30, 2020. Under this Resolution there will be two 2-hour sessions each afternoon,

with a 50% capacity limit for each session, and a half-hour between each session to allow for cleaning and sanitizing. No concessions will be sold with the exception of bottled water. Plexiglass has been installed at the entrance. All of these measures are consistent with surrounding communities.

Arterburn moved, Radcliffe seconded “That Resolution No. 20200601 re: Fee Schedule for the 2020 Swimming Pool Season be approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20200601

WHEREAS, the City Council deems it necessary from time to time to adjust various fees as set out in the Master Fee Schedule authorized in Chapter 202 Administrative Code, Section 202.95 Master Fee Schedule of the Codified Ordinances of the City of Sidney; and

WHEREAS, Due to the COVID-19 virus and the Governors Directed Health Measures the City of Sidney Aquatic Center will be opening later than the usual date for the 2020 season; and

WHEREAS, The Governors Directed Health Measure will most likely limit the occupancy of the pool, the City staff is recommending allowing entrance to the aquatic Center on a session or portion of a day basis; and

WHEREAS, after recommendations from City departments, it is the desire of the City Council at this time to adjust the various fees as set out below for calendar year 2020 only as follows:

Adult Daily	\$5.50	Discontinued
Adult Annual	\$99.00	Discontinued
Youth Daily	\$4.50	Discontinued
Youth Annual	\$68.00	Discontinued
5 and under Daily	\$3.50	Discontinued
5 and under Annual	\$52.00	Discontinued
Senior Daily	\$3.50	Discontinued
Family Annual	\$164.00	Discontinued
Swimming Lessons (5)	\$50.00	Discontinued
Water Fitness Class	\$40.00	Discontinued
Aquatic Center Rental	\$140.00	Discontinued
Session Pass	\$3.00	This will be used for all admittance

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sidney, Nebraska that the above-listed charges/fees are hereby approved and adopted and shall be in effect as of June 24, 2020, and remain in place until September 30, 2020.

Adopted this 23rd day of June, 2020, at Sidney, Nebraska.

Interim City Manager Scott presented the Planning Commission’s opinion recommending that the City proceed with the Dorwart family land acquisition proposal for property they own across from the park and along the alley behind 10th Avenue. Radcliffe moved, Sherman seconded “That the City Manager and City Attorney be instructed to work with the Dorwart family to finalize an agreement for acquisition of the property by the City.” Roll call vote: Yeas: All council members present.

Hope Feeney, Cheyenne County Chamber Director, presented the 3rd Quarter Cheyenne County Chamber/City of Sidney Contract Report describing Objectives and Activities of the Chamber over the last quarter.

Councilman Arterburn suggested that the Council revisit the item regarding the Cheyenne County Chamber of Commerce Contract at their next regular meeting. He requested that Chamber staff strengthen the points in the report with more “results-oriented” facts before Council considers the Contract. Chamber President Regina Narjes stated that they would take into consideration what had been discussed and report back to Council with a more in-depth report at the next Council meeting.

Melissa Norgard, Economic Development Director, presented a Memorandum of Understanding for the CDBG Project 19-TD-001 between the State of Nebraska Economic Development Office, City of Sidney and Nebraska Elks Association. She noted that the MOU is required before a formal contract can be executed. Olsen moved, Sherman seconded “That the Mayor be authorized to sign the Memorandum of Understanding for the CDBG Project 19-TD-001 with the Nebraska Elks Association.” Roll call vote: Yeas: All Council members present.

Interim City Manager Scott presented the Budget Report for May, 2020. Radcliffe moved, Sherman seconded “That the Budget Report for May, 2020 be approved.” Roll call vote: Yeas: All Council members present.

City Manager/Staff Report: Interim City Manager Scott reminded everyone of the Red Cross Blood Drive/Police Dept. vs. the Fire Dept. on Thursday, June 25th from 12 to 6 p.m. at the Fire Hall. He reported that James Cook has been appointed to fill a vacancy on the Civil Service Commission. He noted that COVID 19 cases have picked up in Cheyenne County following the re-opening of everything, cautioning everyone to be safe. He and Tom Vonseggern have a walk through with the NRD tomorrow to see if they can close out the project. He complimented the Council on their efforts and due diligence in selecting a City Manager, thanking them for putting their trust in him with the appointment to the position, He noted that he looks forward to the challenge. **All Department Heads** present offered their congratulations to David Scott on his appointment as City Manager. **Street Supt. Radtke** reported that they will be repairing the other side of SW 11th Avenue beginning Wednesday. They will open up two lanes for traffic during the project. **Library Director Sandstrom** reported that, beginning next Tuesday afternoon, the Library will be hosting picnics with children outside on the Library grounds, and that a Book Sale is scheduled for July 25th at 9 a.m. **Water Supt Rob Kuhns** reported that they have a team in town cleaning and sterilizing the storage tanks behind the shop; **WWTF Supt. Todd Sukup** reported that their Quality Assessment Testing for the State should be finished today.

Council Comments: Councilman Arterburn congratulated David Scott on being appointed City Manager, and is looking forward to the Library book sale. **Councilman Olsen** congratulated David Scott, on being the most qualified candidate for appointment to City Manager, and on his performance as Interim Manager over the last five months. **Councilman Radcliffe** congratulated David Scott on being appointed City Manager and thanked the Police Force for their efforts in a “thankless job”. **Councilman Sherman** stated that he is looking forward to growing Sidney under David Scott’s leadership; **Mayor Gallaway** Congratulated David Scott on his appointment to City Manager and thanked him for stepping up and doing a great financial job during the past five months as Interim Manager.

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 contract review. Olsen moved, Sherman seconded “That the City Council adjourn to closed session for the purpose of consideration of City Manager contract review.” Roll call vote: Yeas: All council members present.

Mayor Gallaway announced that the City Council will now go into closed session at 8:32 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 9:21 p.m." Roll call vote: Yeas: All council members present

The meeting adjourned at 9:22 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/CYNTHIA K HEILBRUN, CITY CLERK