

Sidney, Nebraska, June 22, 2021 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 6:15 P.M. on June 22, 2021 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Arterburn, Radcliffe and Olsen. Absent: Sherman Others present: City Manager Scott, City Attorney Leef, City Clerk Borchert. 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 Gallaway informed the public of the location of the posted Open Meetings Act.

Mayor Gallaway asked for approval of the minutes. Arterburn moved, Olsen seconded "That the minutes of the June 8, 2021 meeting be approved as printed." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman

Melissa Norgard, Economic Development Director, made a recommendation to Council to approve a grant application and agreement for \$200,000. The City of Sidney was awarded \$200,000 in grant funds and are entering a contract with the State of NE to assist Recircled, LLC with retrofitting and renovations of a facility located at 3200 Rd 101 in Sidney. Norgard stated that ReCircled currently has 11 employees and are struggling for help. Olsen asked Norgard what the starting wages are. Norgard responded between \$13 and \$18 dollars per hour. The stay-at-home pay ended on June 19th, so that may help with their employment. They are trying to be creative when it comes to recruitment. Gallaway suggested looking into job fairs. Norgard was receptive of that idea and that might be something her replacement looks into. Mayor Gallaway asked for a motion to approve the grant application. Olsen moved, Radcliffe seconded, "That the Grant application and agreement for \$200,000 Site and Building Development funds to be granted to the City of Sidney and then granted to Recircle, LLC., be approved." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman

Mayor Gallaway asked for a motion for approval to excuse the absence of Councilman Sherman. Olsen moved, Arterburn seconded, "That Councilman Sherman be excused from the meeting." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman

Mayor Gallaway asked Clerk Borchert to read **Ordinance No. 1824** by title for the second time. Borchert read as follows: "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 618 ANIMALS OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, AS FOLLOWS: SECTION 618.01 DEFINITIONS OF DOG, OWNER AND POSSESSOR, TO INCLUDE THE DEFINITION OF CAT, OWNER AND POSSESSOR; SECTION 618.04 KEEPING LIVESTOCK AND POULTRY GENERALLY, TO CLARIFY THE PROPERTY ZONES THAT ALLOW THE KEEPING OF LIVESTOCK; AND TO CREATE SECTION 618.26 ANIMAL WASTE PROHIBITING THE LEAVING OF ANIMAL WASTE AND PROVIDING PENALTIES FOR VIOLATION OF THE SECTION; TO REPEAL ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE PROVISIONS THEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE."

Attorney Leef stated that since the last reading, 618.04 was clarified that all three zones allow you to have animals and that all three zones are limited to one animal per each lot. Gallaway asked if there was a motion to suspend. There were no motions. Olsen recommended it be moved to the third reading.

Mayor Gallaway asked City Clerk Borchert to read **Ordinance 1825** by title for the first time. Borchert read as follows: "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 648 PEACE DISTURBANCES; NUISANCES, OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, AS FOLLOWS: SECTION 648.11 EXEMPTIONS, TO INCLUDE THE DISCHARGING OF PERMISSIBLE FIREWORKS DURING CERTAIN PERIODS; TO REPEAL ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE PROVISIONS THEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE."

Chief Aikens stated that added to this ordinance was establishing hours to discharge fireworks as well as

obtaining a special permit if approved by the City Manager. This amended ordinance would allow the Police to enforce and issue citations if shooting fireworks outside the window of this ordinance. Leef stated that 648.11 Exemptions "A", "B" and "C" have always been a part of the ordinance. Exemption "D" is the only thing added, which states: The discharging of permissible fireworks during the following periods: 1. Beginning at 8:00 a.m. on June 25 and ending July 5 at 1:00 a.m. of each year. Permissible fireworks can be discharged only during said period of time between the hours of 8:00 a.m. and 10:00 p.m. on June 25 through and including July 3, and between the hours of 8:00 a.m. on July 4 to 1:00 a.m. on July 5. 2. Beginning at 5:00 p.m. on December 31 and ending January 1 at 1:00 a.m., said eight-hour period allowed each year. 3. Other times as may be designated upon obtaining a special permit to do so, which permit may be issued if approved by the City Manager upon application. Fines are \$200 or less, as per Attorney Leef, which is left up to the judge to determine the fee. City Manager Scott asked to waive the three readings so it can get put into place immediately. Mayor Gallaway asked to designate the ordinance. Arterburn moved, Olsen seconded, "That the Ordinance be Designated." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman Motion carried. Gallaway asked for a motion to waive the three readings. Olsen moved, Arterburn seconded, "That the three readings be waived." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman. Motion carried. Gallaway asked Clerk Borchert to read the Ordinance by number then called for a motion to pass Ordinance No. 1825. Olson moved, Radcliffe seconded, "That Ordinance 1825 be passed." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman Mayor Gallaway called for a motion to publish Ordinance No. 1825. Radcliffe moved, Arterburn seconded, "That Ordinance No. 1825 be published." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman Motion carried.

City Manager Scott reported that Autumn Ramirez, Human Resources, will be reaching out to Council to schedule budget workshops. Scott also reported that he was reappointed to the League of NE Legislative Committee. Scott asked, Street Supervisor, Hank Radtke to give a report on the street projects. Radtke reported that the paving for the Link 17J will begin next week. Contractors will be starting on the north end, weather permitting. On 13th Avenue, they will be starting on the curb and gutter. The current plan is getting the pc's poured on Newton Street this week and paving next week on Elm Street. The storm units on Elm Street should be done by the end of the week. Next Tuesday the contractors will be pouring curb and gutters. The following week they will try to pave the first block. Rain delayed about two days. Gallaway wanted to clarify that there are penalty days worked into the contracts. Scott mentioned that Link 17J was a state contract.

Richard Sandstrom, Library Director, reported that the Library Program is going well. Lori Borchert, City Clerk, reported that the Farmers Market will begin this Saturday, June 26 at 8:00 am to 12:00 pm at Hickory Square.

Councilman Olsen reported that the Sidney Housing Authority did not meet, but they will reschedule. Mayor Gallaway reported that the Sidney Cheerleaders participated in a camp. The Cheerleaders received the Most Improved Trophy.

Mayor Gallaway asked for a motion to go into closed session for the reason of Personnel Matters. Radcliffe moved, Olsen seconded "That the City Council adjourn to closed session for the reason of Personnel Matters." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman Mayor Gallaway announced that the City council will now go into closed session at 6:49 p.m. Upon Council's return from the closed session, Arterburn moved, Radcliffe seconded "That the closed session end and that the Council has come out of the closed session at 7:17 p.m." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: None Absent: Sherman

Meeting adjourned at 7:21 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK