

Sidney, Nebraska, August 24, 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 August 24, 2021 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Arterburn, Sherman, Radcliffe and Olsen. 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 a motion to approve the minutes from July 27, 2021. Sherman moved, Radcliffe seconded, "That the minutes of the July 27, 2021 meeting be approved as printed." Roll call vote: Yeas: Gallaway, Radcliffe, Sherman. Nays: None Abstain: Arterburn, Olsen Motion passed. Mayor Gallaway asked for a motion to approve the minutes from August 10, 16, 17 of 2021. Radcliffe moved, Arterburn seconded, "That the minutes of the August 10, 16, 17 of 2021 be approved as printed." Roll call vote: Yeas: Arterburn, Gallaway, Radcliffe, Olsen. Nays: None Abstain: Sherman Motion passed.

Second reading and consideration of Ordinance No. 1826; rezoning application by Wamsley Construction. Gallaway asked if there was a reason that this was not a C2 or C3. Kevin Kubo, Zoning Administrator, responded that C3 does not allow for any outside storage. Gallaway asked if an M1 required fencing. Kubo said that Wamsley planned to put up fencing in the future. Gallaway said that we would need to follow through to make sure that fencing is put up. Gallaway asked Clerk Borchert to read the Ordinance by title. Borchert read the Ordinance by title. Arterburn asked if this was an approved structure. Kubo said the structure was free standing structure that would be also be attached to the containers and rated for this area. The cargo containers would act as the footings. Mayor Gallaway asked for a motion to suspend the third reading. Radcliffe moved, Sherman seconded, "That the third reading be suspended." Roll call: Yeas: Sherman, Radcliffe Nays: Arterburn, Gallaway, Olsen. Motion failed. A third reading will be held.

Kim Matthews, Economic Development Director, would like nominate Melissa Norgard for the Historic Preservation Board. There are currently five on the board and Matthews feels that Norgard would be a good addition. Mayor Gallaway asked for a motion to approved Melissa Norgard for the Historic Preservation Board. Olsen moved, Sherman seconded, "That Melissa Norgard be approved for the Historic Preservation Board." Roll call: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

Matthews presented the highlights from June 28 – August 24, 2021. Matthews organized the first meeting of representative from Industrial Park employers to solve issues on recruitment/retention, housing, transportation; constructed the first round of business retention surveys; conducted research and analysis of next steps to address Sidney's housing crisis; organized and executed CDBG grant for Downtown Revitalization; working with the Chamber and Radio Station to bring campaign ideas and to rebrand Sidney; followed through on bringing the NE Economic Developers Assoc. conference to Sidney; and overseeing the NE Family Foundation's E3 initiative.

Consideration of Resolution No. 20210803; Kim Matthews, Economic Development Director, recommended Re-Designation of Downtown Corridor as a Blighted Area. This would include part of the downtown area and two blocks on the north side of town. A map was provided to show the area needed to be re-designated. Gallaway asked if there was a preset limit of the grant. Matthews responded between 250k to 400K. Olsen asked if everything on the map was considered downtown. Matthews confirmed, for the purpose of this application. Mayor Gallaway asked for a motion on Resolution No. 20210803. Radcliffe moved, seconded by Sherman, "That Resolution No. 20210803 Partial Re-Designation of Slum and Blight Area be approved." Roll call: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

RESOLUTION NO. 20210803

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIDNEY, NEBRASKA THAT:

The Mayor and City Council of the City of Sidney, Nebraska have officially re-designated the area of downtown Sidney as substandard and blighted. The re-designation of the area of downtown Sidney as substandard and blighted is in accordance with the requirement of a Community Development Block Grant application; the area receiving funding must be re-designated by official action of the local government. The downtown Sidney area is just one section of the blighted and substandard portions of Sidney proper as designated in Resolution No. 941010 adopted on October 25, 1994. The area in the substandard and blighted description was amended in Resolution No. 970101 adopted on January 14, 1997. The area in the substandard and blighted description was amended again in Resolution No. 980701 adopted on July 7, 1998, which was also re-designated to meet redevelopment plans and grant applications in 1999, 2008, 2011, and 2019.

The City of Sidney desires to apply for State Community Development Block Grant funds for downtown

revitalization activities that will aid in the prevention or elimination of slum or blight. The State Community Development Block Grant Program provides assistance for eligible activities, such as façade enhancements and upgrades to meet building codes, which aids in the prevention or elimination of slum or blight in designated areas.

The City of Sidney, Nebraska is re-designating the slum or blight area that exists in the area described as:

Beginning at the intersection of the southern right-of-way of Linden Street and west right-of-way line of 15th Avenue; then north to the south right-of-way line of Jackson Street; then West to the west right-of-way line of 17th Avenue; then north to the south right-of-way line of the Union Pacific Railroad; then 1385.1 feet to the west right-of-way line of 13th Avenue; then north 507.4 feet to the north right-of-way line of alley between Grant Street and Forrest Street; then east 685.8 feet to west right-of-way line of 11th Avenue; then north 530.4 feet to north right-of-way line of Elm Street; then east 682.04 feet; then south 699.9 feet to the south right-of-way line of Grant Street; then west 1335.5 feet to the east right-of-way line at 13th Avenue; then south 331.9 feet to the north right-of-way line of Hickory Street; then east 1992.4 feet; then south 751.2 feet to the south right-of-way line of Jackson Street; then west 2610 feet to the east right-of-way line of 15th Avenue; then south 279.4 feet to the north right-of-way line of King Street; then east 323 feet to the east right-of-way line of 14th Avenue; then south 355 feet to the south right-of-way line of Linden Street; then west 424.48 feet to the west right-of-way line of 15th Avenue.

Consideration of Resolution No. 20210804; Hank Radtke, Street Superintendent, requested approval of the Municipal annual Certification of Program Compliance. Radtke noted that this is an annual requirement that proves we are in compliance with our 1 & 6 plans, annual reporting, hearings, audits, expenses. Mayor Gallaway asked for a motion to approve Resolution No. 20210804. Sherman moved, Radcliffe seconded, "That the municipal Annual Certification of Program Compliance be approved." Roll call: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

RESOLUTION NO. 20210804

SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2021

WHEREAS: State of Nebraska Statutes, Sections 39-2115, 39-2119, 39-2120, 39-2121, AND 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, Sections 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

BE IT RESOLVED that the Mayor of Sidney, Nebraska is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this 24th day of August, 2021 at Sidney, Nebraska

David Scott, City Manager, presented the Budget Report that was previously discussed at the Budget Workshop. Scott reported that after the budget workshop, it was stated that we add additional funds for weed control, add additional cameras in the park to make Sidney safer, add lighting at the new basketball court and additional funds for demolition for dilapidated buildings. Scott went over the expenses and revenues of the departments. He also stated that the mill levy has stayed the same for the last three years. Our projected sales tax revenues will remain the same as the previous year. It was also decided by Council that the Budget Hearing would be September 14, at 5:15 p.m. at City Hall, with the regular Council Meeting to follow.

Scott also reported that Link 17J moved over to the newly paved side. East Elm will be blocked for seven to ten days, but access will be available through Greenwood Road. 13th Avenue is still in Phase 2. The lighting on the basketball court will probably be halted until next spring, due to the materials are hard to get.

Arterburn asked about the recent power outage. Michael Palmer, Electric Superintendent, stated it was due to a squirrel.

Mayor Gallaway asked about the pole lease agreement with Spectrum, as Spectrum is the last one on the poles and they have a limited time frame to remove their lines. Palmer stated that he is in contact with them and will follow up with them. He did note that Spectrum does pay the city to take the poles down. Gallaway also stated that the school fund-raiser was very successful.

Meeting adjourned at 7:31 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/LORI BORCHERT, CITY CLERK