

Sidney, Nebraska, January 25, 2022 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 January 25, 2022 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Arterburn, Sherman, Radcliffe and Olsen. Others present: City Manager Scott, Administrative Assistant Mowery, City Attorney Leef. 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 minutes from the joint meeting of the SPNRD Board, City of Sidney Council and the JESWA Board and the minutes from the City of Sidney Council meeting held on January 11, 2022. Olsen moved, Sherman seconded, "That the minutes from the joint meeting of the SPNRD Board, City of Sidney Council and the JESWA Board and the minutes from the City of Sidney Council meeting held on January 11, 2022 be approved." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Abstain: Arterburn. Motion passed.

McKailie Carnahan-Kuhns, Cheyenne County Chamber Director, presented the 4th Quarter Cheyenne County Chamber/City of Sidney Contract Report describing objectives and activities of the Chamber over the last quarter.

Mayor Gallaway asked Mowery to read **Ordinance No. 1828** by title for the second time. Mowery read as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF A PARCEL OF LAND LOCATED IN OF THE SE ¼ SECTION 30, TOWNSHIP 14 NORTH, RANGE 49 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CHEYENNE COUNTY, NEBRASKA, (AGRICULTURAL) TO AR (AGRICULTURAL RESIDENTIAL); AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1828 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."

Attorney Leef clarified that only when boundaries change with a rezoning that three readings of the ordinance are required. Since no boundaries will change a third reading can be waived. Gallaway asked for a motion to suspend the third reading. Arterburn moved, Olsen seconded, "That the third reading be suspended." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked Mowery to read the Ordinance by number then called for a motion to pass Ordinance No. 1828. Radcliffe moved, Sherman seconded, "That Ordinance 1828 be passed." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Mayor Gallaway called for a motion to publish Ordinance No. 1828. Radcliffe moved, Sherman seconded, "That Ordinance No. 1828 be published." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Mayor Gallaway asked Mowery to read **Ordinance No. 1829** by title for the second time. Mowery read as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF A PARCEL OF LAND LOCATED IN PART OF THE SOUTH ½ OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 50 WEST OF THE 6TH PRINCIPAL MERIDIAN, CHEYENNE CO, NEBRASKA; FROM A (AGRICULTURAL) TO AR (AGRICULTURAL RESIDENTIAL); AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1829 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."

Gallaway asked for a motion to suspend the third reading. Olsen moved, Sherman seconded, "That the third reading be suspended." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked Mowery to read the Ordinance by number then called for a motion to pass Ordinance No. 1829. Radcliffe moved, Sherman seconded, "That Ordinance 1829 be passed." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Mayor Gallaway called for a motion to publish Ordinance No. 1829. Olsen moved, Sherman seconded, "That Ordinance No. 1829 be published." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Bobbi Pettit from Five Rule Rural Planning gave an update on the blight and substandard study. She reviewed the preliminary map and asked for any additions or deletions be made ahead of the final study. She explained the proposed blighted lands legislation that we will want to see the outcome before the study is finalized and approved.

Solid Waste Superintendent, Dean Sterling requested approval for the purchase of a Madvac LP-61 Portable Litter Vacuum. Sterling noted that \$22,000 had been budgeted for the vacuum in the FY 2021/2022 budget. At budget time a bid came in at \$21,060 but the bid is now at \$26,670 due to pandemic related materials and equipment shortages. Sterling said the vacuum would be a good investment for the city as it could be utilized by KSB and also used to clean up after events in Hickory Square. Sherman moved, Radcliffe seconded, "That the purchase of a Madvac LP-61 Portable Litter Vacuum for the Solid Waste Department be approved." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Electric Superintendent, Michael Palmer requested approval for the purchase of a 2022 Ram 1500 pickup. The new pickup will replace a 2008 Ford Ranger. Palmer noted that \$40,000 had been budgeted for the pickup in the FY 2021-2022 budget. Two bids were received as follows: \$39,681.88 from National Auto Fleet Group, which awarded the contract to Sourcewell, and \$42,742.00 from Maddox Motor Company. Palmer stated that if there wasn't a large difference in price between the two bids that he recommended to purchase local. Palmer also added that Sourcewell does not offer trade-ins. Olsen moved, Sherman seconded, "That the purchase of a 2022 Ram 1500 pickup for the Electric Department be awarded to Maddox Motor company in the amount of \$42,742.00." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Michael Palmer, representing the family of Jo Houser, requested approval to construct a gazebo in the San Marino park in her honor. Palmer said the family will work with the city staff to determine appropriate placement. Arterburn moved, Sherman

seconded, "That the construction of a gazebo in the San Marino park in Jo Houser's honor be approved." Roll call vote: Yeas: Arterburn, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion Passed.

Finance Director, Lane Kizzire, reported on the outdated PEG channel for Charter. The current Charter owned equipment which produces the PEG channel and is only capable of producing analog quality, not high-definition. Charter is unwilling to pay to upgrade the equipment because the Franchise Agreement does not include equipment. Charter will only make recommendations for new equipment. Kizzire researched some options and found the price of new equipment ranges from \$1,000 - \$2,500. A representative from Charter, Mr. Falk, reached out and requested a meeting. Gallaway added that he hoped Charter would want to offer the best experience for their customers. Kizzire will give another update after the meeting with Charter.

Scott reported that he and several city staff met with Maverick and their timeline is on target and will start demolition in March. They reviewed their plans along with MC Schaff and were able to request a few changes. Scott also noted that the Chamber Banquet is this Saturday. Arterburn gave his resignation affective February 27th, 2022. He stated he considered it an honor to be a member of the council and thanked the voters for putting their faith in him and hoped his announcement will spark interest in citizens coming forward to fill the remainder of his term. The remaining term will start February 22, 2022 and end December 13, 2022. The vacancy will be filled by letters of interest. Letters of interest can be mailed and addressed as follows: MAYOR & CITY COUNCIL, c/o CITY CLERK, CITY OF SIDNEY, P.O. BOX 79, SIDNEY, NE 69162 or hand delivered to City Hall at 1115 13th Avenue, Sidney, NE 69162. Deadline for said letters of interest is 5:00 P.M. on WEDNESDAY, FEBRUARY 16, 2022. Sherman reminded the public of a lighting committee meeting at the Elks this Wednesday. Gallaway added that it is not City or Elks sponsored but a community action initiative. Gallaway inquired on Scooter's progress. Kizzire stated they were ready to go but were waiting on signage permits from the state. Gallaway also commented that the former Golden Living Center demolition is well underway and is looking forward to future plans for that property.

Meeting adjourned at 7:34 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/KELLIE MOWERY, ADMINISTRATIVE ASSISTANT