

## Sidney, Nebraska, March 22, 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 March 22, 2022 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Ellwanger, 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.

Gallaway asked for a motion to approve minutes from the City of Sidney Council meeting held on March 8, 2022. Ellwanger moved, Sherman seconded, "That the minutes from the City of Sidney Council meeting held on March 8, 2022 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Gallaway asked for a motion to designate Ordinance No. 1831. Olsen moved, Sherman seconded, "That Ordinance No. 1831 be designated." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked Mowery to read **Ordinance No. 1831** by title. Mowery read as follows: "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND CHAPTER 882 OCCUPATION TAX SECTION 882.08 SCHEDULE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, TO PROVIDE FOR FEES AS SET OUT IN THE MASTER FEE SCHEDULE OF THE CITY OF SIDNEY, TO REPEAL ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE ABOVE PROVISIONS THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE." It was noted that passage of this Ordinance would allow the Occupation Tax to be part of the Master Fee Schedule. Gallaway asked for a motion to suspend the second and third readings. Radcliffe moved, Sherman seconded, "That the second and third readings be suspended." Roll call vote: Yeas: Ellwanger, 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. 1831. Sherman moved, Radcliffe seconded, "That Ordinance 1831 be passed." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Mayor Gallaway called for a motion to publish Ordinance No. 1831. Olsen moved, Ellwanger seconded, "That Ordinance No. 1831 be published." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Lane Kizzire, Finance Director, presented by PowerPoint, the Sewer and Solid Waste Adjustment. Rate adjustments would bring sewer and landfill out of the red and into the black without an impact to residential customers due to the timing of the increase.

Gallaway asked for a motion to designate Ordinance No. 1832. Radcliffe moved, Sherman seconded, "That Ordinance No. 1832 be designated." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked Mowery to read **Ordinance No. 1832** by title. Mowery read as follows: "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 1042.21A 2004 AND 2015 WATER PROJECT DEBT ASSESSMENT (WDA), OF CHAPTER 1042 WATER OF TITLE FOUR UTILITIES, OF PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, TO REDUCE THE WATER PROJECT DEBT ASSESSMENT; 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." Gallaway recommended that Ordinance No. 1832 be read a second time. The second reading will be on April 12, 2022.

Gallaway asked for a motion to designate Ordinance No. 1833. Sherman moved, Radcliffe seconded, "That Ordinance No. 1833 be designated." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked Mowery to read **Ordinance No. 1833** by title. Mowery read as follows: "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND CHAPTER 1045 SEWER AND PRIVATE DISPOSAL SYSTEMS OF TITLE FOUR UTILITIES, OF PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, TO PROVIDE FOR A WASTEWATER TREATMENT FACILITY PROJECT DEBT ASSESSMENT BY ADDING SECTION 1045.36 2009 WASTEWATER TREATMENT FACILITY PROJECT DEBT ASSESSMENT; 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." Gallaway recommended that Ordinance No. 1833 be read a second time. The second reading will be on April 12, 2022.

Gallaway asked for a motion to designate Ordinance No. 1834. Sherman moved, Ellwanger seconded, "That Ordinance

No. 1834 be designated.” Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion Passed. Gallaway asked Mowery to read **Ordinance No. 1834** by title. Mowery read as follows: “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 1045.31 CHARGES, OF CHAPTER 1045 SEWER AND PRIVATE DISPOSAL SYSTEMS OF TITLE FOUR UTILITIES, OF PART 10 STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, 1977, TO PROVIDE FOR A DIFFERENT MONTHLY BASE CHARGE FOR YEARLY USAGE OF SEWERS AND PRIVATE DISPOSAL SYSTEMS, TO PROVIDE FOR A SEWER DEBT ASSESSMENT, 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.” Gallaway recommended that Ordinance No. 1834 be read a second time. The second reading will be on April 12, 2022.

Following a discussion by Council, it was decided that Resolution 20220302, City Landfill rate adjustments for the collection and disposal of waste, trash and rubbish, be tabled. Gallaway asked for a motion to table Resolution 20220302. Olsen moved, Sherman seconded, “That Resolution 20220203 be tabled.” Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Lane Kizzire presented the LB874 Annual TIF Report as required by the State law. He stated it is a requirement to give this information to other taxing agencies each year as well.

Lane Kizzire presented Budget Reports for February 2022 for all City Departments. Sherman moved, Ellwanger seconded, “That the Budget Reports for February 2022 for all City Departments be approved.” Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Scott mentioned a SGBD Programmatic Town Hall meeting at the high school auditorium on April 27, 2022. There is also a luncheon scheduled next week to meet members of the community prior to the Town Hall. Scott announced the Lawn Waste Program will start the first Wednesday of April. He noted that on March 29 from 9-11 a.m. there will be a Gas Choice Open House at City Hall which is sponsored by ACE. The community is welcome to come and learn about the program. Scott spoke about the groundbreaking for the Sidney Park Project which is scheduled for April 18. The park will close the Friday before but the trail will remain open. Proposed completion date is set for July 4. Scott said we intend to utilize as much as possible and all salvaged equipment will be auctioned off.

Radcliffe inquired about the trail grant, Scott said he received a draft from Jason Nelke to review. Deadline for the grant submission is April 15.

Sherman thanked Lane Kizzire for his presentations.

Gallaway inquired when the golf course will open and Scott said it will be the first nice day this week. He congratulated the Sidney Park Project members.

Meeting adjourned at 7:23 p.m.

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/s/ROGER GALLAWAY, MAYOR

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ATTEST: /s/KELLIE MOWERY, ADMINISTRATIVE ASSISTANT