

## Sidney, Nebraska, April 26, 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 April 26, 2022 in the Council Room. Present in person were: Mayor Gallaway and Council Members: Ellwanger, Sherman, Radcliffe and Olsen. Others present: City Manager Scott, City Clerk Borchert, 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 April 12, 2022. Radcliff moved, Sherman seconded, "That the minutes from the City of Sidney Council meeting held on April 12, 2022 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Gallaway asked if there were any comments by the public. Mike Palmer, Electric Superintendent, came before council to inform the public of the Integrated Resource Plan (IRP), which can be found on the City of Sidney website for review and comments. The IRP is a planning process for new energy resources that evaluates the full range of alternatives to provide adequate and reliable service to utility consumers.

Mayor Gallaway announced that a second reading in consideration of **Ordinance 1835**, application of rezoning for Alexander & Melissa Ramirez. Autumn Ramirez was present to represent. There were no comments from the public. Gallaway asked Clerk Borchert to read the ordinance by title. Borchert read, "AN ORDINANCE PROVIDING FOR THE REZONING OF A TRACT OF LAND SECTION 8 TOWNSHIP 13 RANGE 49 PART OF NE/4 NORTH OF E-W ACCESS ROAD LANDS INSIDE AND COMMONLY KNOWN AS PARCEL 170074218, FROM C3 (COMMERCIAL) TO A (AGRICULTURAL); AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1835 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." (Complete ordinances can be viewed in the office of the City Clerk-Treasurer at 1115 13<sup>th</sup> Avenue where it may be examined and copies may be made.) Gallaway asked for a motion to suspend the third reading. Sherman moved, Radcliffe seconded, "That the third readings for Ordinance 1835 be suspended." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Ellwanger Nays: Olsen Motion passed 4-1. Gallaway asked for a motion to pass the ordinance. Radcliffe motioned, Sherman seconded, "That Ordinance 1835 be passed." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Clerk Borchert read the Ordinance by number. Gallaway asked for a motion to publish. Sherman moved, Ellwanger seconded, "That Ordinance 1835, be published." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Mayor Gallaway announced that the third reading in consideration of **Ordinances 1832, 1833 and 1834** for adjustment of rates be voted on as a group. Gallaway asked Borchert to read all three ordinances by title. Borchert read, "**ORDINANCE 1832**, AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA TO AMEND SECTION 1042.21A 2004 AND 2015 WATER PROJECT DEBT ASSESSMENT, 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. **ORDINANCE 1833**, 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. **ORDINANCE 1834**, 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. (Complete ordinances can be viewed in the office of the City Clerk-Treasurer at 1115 13<sup>th</sup> Avenue where it may be examined and copies may be made.) Gallaway asked for a motion to pass the ordinances as a group. Olsen moved, Ellwanger seconded, "That Ordinances 1832, 1833 and 1834, be passed." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Borchert previously

read the ordinances by number. Gallaway asked for a motion to publish ordinances in pamphlet form. Olsen moved, Radcliffe seconded, "That Ordinances 1832, 1833 and 1834, be published in pamphlet form." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Gallaway asked for a motion on **Resolution 20220302**, WHEREAS, SECTION 1060.13 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, 1977, CHARGES THE CITY MANAGER WITH THE DUTY TO FIX FEES FOR THE COLLECTION AND DISPOSAL OF WASTE, TRASH AND RUBBISH AT A REASONABLE AND CONSISTENT RATE; AND WHEREAS, THE CITY MANAGER HAS RECOMMENDED THE ESTABLISHMENT OF THE RATE SCHEDULES TO BECOME EFFECTIVE ON JULY 1, 2022. (Complete resolution can be viewed in the office of the City Clerk-Treasurer at 1115 13<sup>th</sup> Avenue where it may be examined and copies may be made.) Gallaway asked for a motion to pass the Resolution. Sherman moved, Radcliffe seconded, "That Resolution 20220302 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

City Manager Scott recommended to Council, one appointment and three reappointments, to the Planning Commission Board. City Manager Scott stated that the positions were advertised. Gallaway asked for a motion to reappoint John Glenn, Caleb Sweetser and Matt Benzel. Gallaway asked Attorney Leef if there was any conflict with Sintler being on two boards. Leef stated that she did not believe so, but would do some checking. She recommended that Council move ahead to appoint. Radcliffe moved, Sherman seconded, "That the reappointments of Glenn, Sweetser and Benzel to the Planning Commission Board, be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked for a motion to appoint Ted Sintler to the PC Board. Olsen moved, Radcliffe seconded, "That Ted Sintler be appointed to the Planning Commission Board." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

Tom VonSeggern, Park Superintendent, recommended to Council, one appointment and two reappointments, to the Tree Board. Gallaway asked for a motion to reappoint Don Ogle and Tas Uhrig to the Tree Board. Ellwanger moved, Olsen seconded, "That the reappointments of Ogle and Uhrig, be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed. Gallaway asked for a motion to appoint Steve Waller to the Tree Board. Radcliffe moved, Sherman seconded, "That Steve Waller be appointed to the Tree Board." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

City Manager Scott asked Council for consideration of the Nebraska Affordable Housing Trust Fund Grant (NAHTF) application. Scott stated that NAHTF provides a resource to increase the supply and improve the quality of affordable housing in Nebraska and encourages economic development and promotes general prosperity of all Nebraskans. The City completed an updated Housing Study in August of 2021. The study assisted in completing the NAHTF grant application. Scott also reported that the city is applying for funds in the Homebuyer category for the construction of new single family houses. The City feels the construction of new single family homes will help continue to foster growth and development. Scott said that the City applied for \$500,000 in NAHTF funds with a proposed \$100,000 match utilizing City general fund dollars. The City will act as the developer on the project and a \$25,000 developer fee was included in the application, which will be repaid to the City. Gallaway asked how it is determined what we are building. Scott stated it was already determined that it was to be single family homes, two to three bedrooms. Olsen asked when it comes to selling the homes, if it would be first come, first serve. Scott said yes. It would be on an application basis, first come, first serve. Scott recommended to Council that they approve the NAHTF application to be submitted to the NE Economic Development Department for review. Gallaway asked for a motion to approve proceeding with the application of the NAHTF Grant. Radcliffe moved, Sherman seconded, "That Council approves to proceed with the application of the NAHTF Grant." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None. Motion passed.

McKailie Carnahan-Kuhns, Chamber President, gave the Cheyenne County Chamber Quarterly Review. Carnahan-Kuhns stated that the Chamber is still actively recruiting retail and service business as well as analyzing data collected with a county wide survey. The Chamber website is still under construction. Upcoming events are Girls Day Out, April 30 and Downtown Sounds, June 10, July 8 and August 15. Carnahan-Kuhns also informed Council that she submitted her resignation effective May 17.

City Manager Scott reported that the lights are up on the Hartzler Basketball Court. Scott said that he and Lane Kizzire, Finance Director, attended a Planning Negotiation with Bass Pro. Scott is also preparing an Interlocal Agreement with the SPNRD as well as the land sale agreement with the Table of Grace. Scott reminded Council and the public to attend the forum for the GBSD Missile Silo Project on April 27 at 6:00 pm at Sidney High School. Scott stated that there will be a Breakfast on the Boss for City Employees and Council is invited to attend on May 3, beginning at 7:00 am. There will also be a CASA Super Hero Run on May 7<sup>th</sup>. Scott awarded the "City Lumberjack Award" to Girl Scout Troup 10305 and to Burke Radcliffe for them not succumbing to the elements of the weather for the Arbor Day Tree Give-A-Way.

VonSeggern reported that the Tree Give-A-Way was successful. He also stated that they are in need of summer help in the parks as well as life guards. VonSeggern reported that the park playground is currently closed for renovation and he thanks all the volunteers.

Ellwanger, Radcliffe and Sherman wished luck to Carnahan-Kuhns on her new venture. Sherman stated there will be a Lighting Committee Meeting on May 4. Gallaway reported that he and Radcliffe sat in on the annual review with the Community Center. Gallaway encourages everyone to attend the GBSD meeting with the Airforce on April 27. Gallaway reported that the Red Raiders are competing in the Best of the West and wished them luck.

Meeting adjourned at 7:12 p.m.

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/s/ROGER GALLAWAY, MAYOR

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ATTEST: /s/LORI BORCHERT, CITY CLERK - TREASURER