

Sidney, Nebraska, September 27, 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 7:18 pm (immediately following the Budget Hearing) on September 27, 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.

Mayor Gallaway asked for a motion to approve the minutes. Radcliffe moved, Gallaway seconded, "That the minutes from September 13, 2022 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

Mayor Gallaway informed the public that the Public Hearing of the 2022-2023 Budget was previously held. Finance Director, Lane Kizzire, asked council for approval of **Resolution 20220902**, setting property tax different than last fiscal year. Gallaway asked for a motion to approve the resolution. Radcliffe moved, Olsen seconded, "That **Resolution 20220902**, setting the property tax different than last fiscal year be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. *(Complete resolution can be viewed in the office of the City Clerk-Treasurer at 1115 13th Avenue.)*

Gallaway asked for a motion to approve an increase to restricted funds. Olsen moved, Radcliffe seconded, "That an increase for restricted funds for lid calculation by 1% be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

Gallaway asked for a motion to designate **Ordinance 1839**, appropriation for Fiscal Year 2022/2023 Budget. Radcliffe moved, Olsen seconded, "That **Ordinance 1839** be designated." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. Gallaway asked Clerk Borchert to read the ordinance by title. Borchert read, "An ordinance to adopt the budget statement to be termed the annual appropriation bill, to appropriate sums for necessary expenses and liabilities; to provide for the all-purpose levy for all objects or purposes; to provide for filing of copies of the budget document with the auditor of public accounts and the Cheyenne County Clerk; and to provide for an effective time when this ordinance shall be in full force and take effect. be it ordained by the mayor and City Council of the City of Sidney, Nebraska." Gallaway asked or a motion to waive the readings. Sherman moved, Radcliffe seconded, "That the three readings be waived." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. Gallaway asked for a motion to pass the ordinance. Radcliffe moved, Ellwanger seconded, "That **Ordinance 1839**, to adopt the 2022-2023 budget, be passed." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. Gallaway asked Borchert to read the ordinance by number. Borchert read, "1839." Gallaway asked for a motion to publish the ordinance. Olsen moved, Radcliffe seconded, "That **Ordinance 1839** be passed. Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. *(Complete ordinance can be viewed in the office of the City Clerk-Treasurer at 1115 13th Avenue.)*

Gallaway asked for a motion to approve **Resolution 20220903**, annual designation of depositories for 2022-2023. Radcliffe moved, Ellwanger seconded, "That **Resolution 20220903**, annual designation of depositories for 2022-2023 be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. *(Complete resolution can be viewed in the office of the City Clerk-Treasurer at 1115 13th Avenue.)*

Mayor Gallaway asked for a motion to approve **Resolution 20220904**, regarding the park project, thanking the committee for their commitment to the community. Gallaway read the resolution. Gallaway asked for a motion to approve the resolution. Gallaway moved, Sherman seconded, "That **Resolution 20220904**, recognizing and thanking the committee for their commitment be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. *(Complete resolutions can be viewed in the office of the City Clerk-Treasurer at 1115 13th Avenue.)* Maddie Wilkinson, Park Project Committee Member, thanked the city and the community for backing the committee on this project.

City Manager Scott reported that local business have had concerns of residents parking in front of their businesses, blocking off their businesses. Local business owner, Sarah, Elston, stated that there are three businesses that have cliental that need parking access for less than an hour, but have nowhere to park. There have been three vehicles that park in front of the businesses, without moving, for days at a time. Chief Joe Aikens stated that 2-hour parking is from 8:00 am to 8:00 pm and there are other locations that utilize the signage. Councilman Olsen asked that this item be tabled until next council meeting so more information can be obtained and so both business owners and residents can be made aware of this proposed resolution.

Chief Joe Aikens is requesting two police vehicles to replace a 2012 Tahoe and a 2013 Dodge Charger, both high mileage. The Police reserve fund currently has a balance of \$128,244, which could be used to purchase the vehicles. Aikens asked to move forward to purchase two Dodge Ram 1500 Crew-Cabs in the amount of \$82,514. Gallaway asked for a motion to approve the purchase. Olsen moved, Sherman seconded, "That two Dodge Ram 1500 Crew-Cabs be purchased for \$82,514." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

City Manager Scott reported that he had a meeting on September 21 at WNCC with the Leadership team. Scott thanked the Council Members that went to the Volunteer Fire Fighters Banquet. Scott reminded the public of the events at the Oktoberfest this weekend.

Councilman Sherman said there are a lot of things happening in Sidney, the Park Project and the E3 Group, the lighting committee. Sherman commended Larry Fraas for his dedication to the project. Sherman thanked everyone who helped put up the lights on the buildings. Sherman mentioned Casino night at the Elks on New Year's Eve as another fundraiser for the Elks Club.

Mayor Gallaway stated that the E3 event had a great presentation, showcasing projects and visions. Gallaway stated that Firefighter Banquet was a great event. Gallaway stated that we need to embrace that "the lights are still on in Sidney", regarding the lighting project on the city buildings.

Mayor Gallaway stated that City Managers evaluation would be held in open session as per City Manager Scott's request. Attorney Leef passed out copies of the evaluation to Council. Leef advised Council and Scott to strike names when discussing the evaluation. Councilman Olsen asked if the evaluation becomes public record. Leef stated that it would. Mayor Gallaway read each category on the evaluation and the responses by each Council Member. Scott had the opportunity to address Council after the evaluation was read. Five City employees came forward on Scott's behalf. After a lengthy discussion between Council and Scott, Scott gave approval for Council to contact additional City staff that were not present at the meeting, to offer their thoughts on Scott's performance. The date of the meeting will be determined to follow up with staff and will be advertised in the Sidney Sun Telegraph. Gallaway stated that no action would be taken at this time. Leef stated she and Clerk Borchert would propose several dates and times for Council to choose from and get the meeting published in the paper. Human Resources, Autumn Ramirez, would schedule the time frame for the employees to meet (voluntarily) with council.

Mayor Gallaway asked for a motion to go into closed session in regards to personnel reviews. Olsen moved, Ellwanger seconded, "That Council move to closed session." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. Closed session began at 10:05 pm.

Gallaway asked for a motion to end closed session. Olsen moved, Sherman seconded, "That closed session ends." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed. Closed session ended at 10:27 pm.

Gallaway asked for a motion on action of item of closed session. Olsen moved, Sherman seconded, "That an increase to \$60,000, annual salary, be given to the City Clerk." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen. Nays: None Motion passed.

Meeting adjourned at 10:39 pm.

/s/ROGER GALLAWAY, MAYOR

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