

## Sidney, Nebraska, October 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 7:00 P.M. on October 25, 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 approval of the minutes for September 27, October 11, October 12. Sherman moved, Olsen seconded, "That the minutes for September 27- Budget Hearing, October 11-Council Meeting and October 12-Special Meeting, be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed.

Mayor Gallaway read the Larry Fraas Day Proclamation. Fraas was present for the Proclamation. Fraas was given a standing ovation for his work on the lighting of the downtown buildings. Fraas publicly thanked and credited his wife, Donna Fraas, Rod Fries, Judy and Kurt Adden, Jim Powell, Bob VanVleet and Jordan Ball for their support and assistance with the lighting project.

Mayor Gallaway opened a public hearing, **Resolution 20221001**, for the Class D liquor license for Wilkinson Development Inc. dba Fat Dogs Sidney and manager application for James K. Riewe; and making a recommendation to the NE Liquor Control Commission at 7:07 pm. Riewe was present to represent. There were no objections to the application. The public hearing was closed at 7:08 pm. Gallaway asked for a motion. Sherman moved, Radcliffe seconded, "That Resolution 20221001; the Class D liquor license for Wilkinson Development Inc. dba Fat Dogs Sidney and manager application for James K. Riewe be approved." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed.

City Manager Scott stated that the Council has not had an increase in salary since 1996. Scott stated that the increase was budgeted in the upcoming year. Attorney Leef stated that the state statute requires Council to be paid quarterly and not semi-monthly, as currently being paid. Sherman recommended no increase in salary to the Council. Mayor Gallaway asked for a motion to designate the ordinance with no increase in salary and to comply with the state statute and pay quarterly. Sherman moved, Radcliffe seconded, "That Ordinance 1840 be designated with no increase in salary and the salary to be paid quarterly." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed. Gallaway asked the Clerk to read by title. Clerk Borchert read, "**Ordinance 1840: An ordinance of the City of Sidney, Nebraska, amending section 220.03 of the codified ordinances of the City of Sidney, Nebraska, fixing salaries of the Mayor and Council members as per provisions of section 19-616 of the revised statutes of Nebraska, 1943, as amended.**" (Complete ordinance can be viewed at the office of the City Clerk at 1115 13<sup>th</sup> Avenue.) Gallaway asked if there was a motion to waive the readings. Sherman moved, Radcliffe seconded, "That the readings be waived." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed. Gallaway asked if there was a motion to pass the ordinance. Sherman moved, Ellwanger seconded, "That Ordinance 1840 be passed." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed. Gallaway asked the Clerk to read the ordinance by number. Borchert read, "1840". Gallaway asked for a motion to publish. Sherman moved, Radcliffe seconded, "That Ordinance 1840 be published." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed.

Chamber Director, Toshia Jones asked for consideration to use Illinois Street, 14<sup>th</sup> Avenue to 8<sup>th</sup> Avenue for the Parade of Lights on December 2. Gallaway asked for a motion for Resolution 20221002. Ellwanger moved, Sherman seconded, "That **Resolution 20221002** be approved for the Parade of Lights." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed.

City Manager Scott recommended to Council that Victoria Loghry be re-appointed to the Historic Board. Mayor Gallaway asked for a motion. Ellwanger moved, Sherman seconded, "That Victoria Loghry be re-appointed to the Historic Board." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed.

Electric Superintendent, Mike Palmer, gave Council an update on the power generation project. Palmer stated that in July 2022, Council approved to move forward with purchasing generators from Power Tech as per recommendation from Exponential Engineering. Palmer stated the City will not be bonding for this. Palmer continued that the annual fixed cost will be \$164,586, pushing out for 30 years and MEAN's annual capacity payment will be \$240,000. Palmer said that the City needs to get these installed to get operating reserves, as the capacity payment will increase. There were no comments by Council.

City Manger Scott stated the Nebraska Arts Council will be doing the site visit on October 26 for the Creative District. Scott reported on October 27 there will be a networking event at the Hillside Golf Course. Scott said that Trunk or Treat will be held at Hickory Square on October 31 from 4:00 pm to 6:00 pm.

Street Superintendent, Hank Radtke, commended Larry Fraas on his dedication.

Councilman Olsen asked who was representing the Housing Authority. Councilman Sherman stated that he was. Sherman also congratulated Fraas on his dedication to the downtown lighting. Sherman asked Chamber

Director Jones when the final date was to get in a float for the Parade of Lights. Jones requested that floats requests be submitted by Friday.

Mayor Gallaway encourages the public to contact Christine Radtke or Toshia Jones if anyone wanted to submit a float for the parade. Gallaway congratulated the Raider football team, cross country and the volley ball teams for their efforts. Gallaway also commended Fraas on the lighting project.

Mayor Gallaway asked for a motion for closed session regarding personnel. Sherman moved, Olsen seconded, "That Council moves to closed session." Roll call vote: Yeas: Ellwanger, Sherman, Gallaway, Radcliffe, Olsen Motion passed. Closed session began at 7:30 pm.

Mayor Gallaway asked for a motion to end close session. Olsen moved, Ellwanger seconded, "That close session ends". Closed session ended at 9:17 pm.

Gallaway asked for a motion to create an action plan regarding the performance of the City Manager, to be agreed upon by the City Council and the City Manager." Olsen moved, Radcliffe seconded, "That an action plan, regarding the performance of the City Manager, be created and to be agreed upon by the City Council and the City Manager." Roll call vote: Yeas: Sherman, Gallaway, Radcliffe, Olsen Nays: None Abstain: Ellwanger Motion passed.

Meeting adjourned at 9:20 p.m.

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/s/ROGER GALLAWAY, MAYOR

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ATTEST: /s/LORI BORCHERT, CITY CLERK