

Sidney, Nebraska, September 24, 2019 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 7:15 P.M. on September 24, 2019 in the Council Room. Present were: Mayor Gallaway and Council Members: Arterburn, Sherman, and Radcliffe. Absent: Olsen. Others present: City Manager Sadler, City Attorney Leef and City Clerk Anthony. 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.

Sherman moved, Radcliffe seconded "That Councilman Olsen be excused from this meeting." Roll call vote: Yeas: All council members present. Absent: Olsen.

Sherman moved, Radcliffe seconded "That the minutes of the September 10, 2019 meeting be approved as printed." Roll call vote: Yeas: All council members present. Absent: Olsen.

Tracy Krause from Holmes Murphy presented information re: the City of Sidney Medical Insurance Renewal for 2019-20.

Sherman moved, Radcliffe seconded "That RESOLUTION NO. 20190903 as amended be passed and adopted." Roll call vote: Yeas: Sherman, Gallaway, and Radcliffe. Nays: Arterburn. Absent: Olsen.

RESOLUTION NO 20190903 as amended

RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR OUTDOOR RECREATION

The City of Sidney, Nebraska proposes to apply for federal assistance from the Land and Water Conservation Fund program for the purpose of the creation of a downtown plaza.

The Mayor is authorized to sign documents to obtain financial assistance, including a Project Agreement with the State of Nebraska and the National Park Service.

The City of Sidney will, within thirty (30) days following approval, obtain the necessary consultant or appraisal service for this project as directed and as required by Nebraska Game and Parks Commission staff.

The City of Sidney, Nebraska has budgeted or currently has available its 50 percent match of the proposed total project funds and will allocate these funds toward this project upon project approval by the Nebraska Game and Parks Commission.

The City of Sidney has the financial capability to operate and maintain the completed project and park property in a safe, attractive and sanitary manner.

The City of Sidney will not discriminate against any person on the basis of race, color, age, religion, disability, sex or national origin in the use of any property or facility acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to other than public outdoor recreation use. And, such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such conditions as deemed necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

The City of Sidney, Nebraska will replace the land in the event of a conversion in use in accordance with Section 6(f)(3) of the Land and Water Conservation Fund act of 1965, as amended.

The City of Sidney, Nebraska, agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

This is to certify that this resolution is a true copy of the original document that was adopted and passed by the City of Sidney, Nebraska at a duly advertised public meeting held this 24<sup>th</sup> day of September, 2019.

Radcliffe moved, Arterburn seconded “That the Ordinances entitled “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 618 “ANIMALS” OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO ELIMINATE THE REQUIREMENT FOR LICENCING ANIMALS WITH THE CITY OF SIDNEY; TO MODIFY THE CHARGES FOR BOARD AND IMPOUND; TO MODIFY THE LENGTH OF TIME A DOG AT LARGE WILL BE IMPOUNDED; TO MODIFY THE TIME REQUIREMENTS REGARDING RABIES VACCINATIONS; TO REPEAL ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE” be designated as Ordinance No. 1813.” Roll call vote: Yeas: All council members present. Absent: Olsen. There was no motion to suspend requiring the ordinance to be read by title three different days. The Clerk read the Ordinance by title.

Economic Development Director Melissa Norgard presented a request to apply for a Community Development Block Grant Planning Grant for Downtown Revitalization. Arterburn, Radcliffe seconded “That Economic Development Director Melissa Norgard’s request to apply for a CDBG for a Planning Grant for Downtown Revitalization be approved.” Roll call vote: Yeas: All council members present. Absent: Olsen.

Melissa Norgard also informed the Council that there were vacancies on the Historic Preservation Board and that she will be advertising to fill these vacancies.

Arterburn moved, Sherman seconded “That RESOLUTION NO. 20190904 authorizing Street Annual Certification of program compliance be passed and adopted.” Roll call vote: Yeas: All council members present. Absent: Olsen.

RESOLUTION NO. 20190904  
SIGNING OF THE  
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM  
2019

WHEREAS: State of Nebraska Statutes, Sections 39-2115, 39-2119, 39-2120, 39-2121, AND 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, Sections 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

BE IT RESOLVED THAT THE MAYOR OF SIDNEY, NEBRASKA IS HEREBY AUTHORIZED TO SIGN THE ATTACHED Municipal Annual Certification of Program Compliance form.

Adopted this 24<sup>th</sup> day of September, 2019 at Sidney, Nebraska.

City Manager Sadler informed the City Council of the vacancies on the Housing Authority and that we will begin advertising for same.

**City Manager/Staff Report:** Ed announced the 3<sup>rd</sup> Grader's program on October 8<sup>th</sup>. Also reminder was given re: Oktoberfest and all the events that go on during that time. Police Chief Aikens urged citizens to act responsibly during Oktoberfest.

**Council Members comments:** Roger thanked the Scottsbluff Star Herald re: their articles about Sidney.

Mayor Gallaway stated that he would entertain a motion to go into closed session for the protection of the public interest to discuss personnel matters. Sherman moved, Radcliffe seconded "That the Council go into closed session for the protection of the public interest to discuss personnel matters. Roll call vote: Yeas: All council members present. Absent: Olsen. Mayor Gallaway announced that the City Council will now go into closed session at 8:33 p.m. Upon the Council's return from the closed session, Radcliffe moved, Arterburn seconded "That the Closed session end and the Open session be reconvened. Roll call vote: Yeas: All council members present. Absent: Olsen. Mayor Gallaway announced that the Council has come out of the closed session at 8:55 p.m.

Meeting adjourned at 8:55 p.m.

/s/ ROGER GALLAWAY, MAYOR

ATTEST: /s/ G.F. ANTHONY, CITY CLERK









