

Sidney, Nebraska, June 14, 2016, 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 June 14, 2016 in the Council Room. Present were: Mayor Nienhueser and Council Members: Gallaway, Gaston, Gay, and Arterburn. Others present: City Manager Sadler, City Clerk Anthony and 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 Nienhueser informed the public of the location of the posted Open Meetings Act.

Arterburn moved, Gallaway seconded "That the minutes of the May 24, 2016 meeting be amended to correct the appointments to the Planning Commission for Deanna Volkmer and E. Todd Sherlock only and the minutes be approved as corrected." Roll call vote: Yeas: All council members present. Abstain: Gay.

Gus Cowan and William Gay from Boy Scout Troop 90 were present to earn a merit badge. City Manager Sadler introduced the new Building Official, Kevin Kubo.

Gaston moved, Gay seconded "That Resolution No. 20160601 be passed and approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO 20160601

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA AS FOLLOWS:

That the Mayor and Council of the City of Sidney, Nebraska hereby recommends approval of the manager application of Jacoby Boles for the Sidney Fine Arts Center at 1000 11th Avenue., Sidney, Cheyenne County, Nebraska; and

That the Nebraska Liquor Control Commission be notified of said recommendations.

Gay moved, Gallaway seconded "That Resolution No. 20160602 be passed and approved." Roll call vote: Yeas: Gallaway, Gaston, Nienhueser and Gay. Nays: Arterburn.

RESOLUTION NO. 20160602

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA:

That the Mayor and Council hereby find and determine that Change Order No. 3 for Street Improvement District No. 58 be approved in the amount of \$29,750; and

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Street Improvement District #58; and the contractor, Perrett Construction for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #58; PAYMENT NUMBER 10; AMOUNT DUE ENGINEER **\$36,737.00**; AMOUNT DUE CONTRACTOR **\$498,528.27**. Warrants in the amount now due the contractor and the engineer are hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Account.

Gaston moved, Gay seconded "That Resolution No. 20160603 be passed and approved." Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20160603

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA:

That the Mayor and Council hereby find and determine that pursuant to contracts heretofore made, M.C. Schaff & Associates, the engineer, has performed the work for engineering of Street Improvement District #56; and the contractor, Nienhueser Construction for constructing same have filed with the City Clerk certificates showing the performance of said contracts as follows: STREET IMPROVEMENT DISTRICT #56; PAYMENT NUMBER 4; AMOUNT DUE ENGINEER **\$7,581.75**; AMOUNT DUE CONTRACTOR **\$160,352.40**. Warrants in the amount now due the contractor and the engineer are hereby authorized and charged to said district. Said warrants shall draw interest at a rate of 1.0% per annum and be held by the City of Sidney Investment Account.

The City Clerk read Ordinance 1776 by Title for the third time as follows: "AN ORDINANCE PROVIDING FOR THE REZONING OF A 38.543 ACRE TRACT OF LAND LOCATED WITHIN THE NORTH HALF AND SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 14N, RANGE 50W OF THE 6TH P.M., AS DESCRIBED IN ATTACHED EXHIBIT A; FROM R-1 (SINGLE FAMILY RESIDENTIAL) ZONE TO A (AGRICULTURAL) ZONE; AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1049 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." The Clerk also read the

Ordinance by number. Gallaway moved, Gay seconded “That Ordinance No. 1776 be finally passed.” Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Gaston moved, Gallaway seconded “That Ordinance No. 1776 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present

The Clerk read Ordinance 1777 by Title for the third time as follows: AN ORDINANCE PROVIDING FOR THE REZONING BEING ALL OF TRACT 3, SIDNEY REGIONAL MEDICAL CENTER PLAT, FROM A (AGRICULTURAL) ZONE TO C-1 (LIGHT COMMERCIAL) ZONE; AMENDING THE SIDNEY ZONING CODE AND ZONING MAP OF THE CITY OF SIDNEY, NEBRASKA, ADOPTED BY ORDINANCE NO. 1049 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. The Clerk also read the Ordinance by number. Gallaway moved, Gay seconded “That Ordinance No. 1777 be finally passed.” Roll call vote: Yeas: All council members present. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Arterburn moved, Gallaway seconded “That Ordinance No. 1777 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present

The Clerk read Ordinance No. 1778 for the second time as follows: “That the Ordinance entitled “AN ORDINANCE GRANTING TO BLACK HILLS GAS DISTRIBUTION, LLC D/B/A BLACK HILLS ENERGY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE A GAS TRANSMISSION AND DISTRIBUTION SYSTEM, INCLUDING MAINS, PIPES, CONDUITS, SERVICES AND OTHER STRUCTURES, IN, UNDER, UPON, OVER, ACROSS AND ALONG THE STREETS, ALLEYS, BRIDGES AND PUBLIC PLACES WITHIN THE PRESENT AND FUTURE CORPORATE LIMITS OF THE CITY OF SIDNEY, NEBRASKA FOR THE FURNISHING, TRANSMISSION, DISTRIBUTION AND SALE OF GAS WHETHER ARTIFICIAL, NATURAL, MIXED OR OTHERWISE, FOR LIGHTING, HEATING, DOMESTIC, INDUSTRIAL AND OTHER USES IN SAID CITY AND ELSEWHERE, LIMITING THE TERM OF SAID GRANT, PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID COMPANY MAY OPERATE, AND REPEALING ALL OTHER ORDINANCES AND AGREEMENTS IN CONFLICT WITH THIS”. There was no motion to suspend the statutory requirement requiring the ordinance to be read by title three different days. Ordinance No. 1778 will be on the 6/28/16 Council Agenda for the Third Reading.

Discussion was held on the Jennifer Lane agreement with the State. It was determined that there was no mention of the left hand turn lane in the agreement for south of Jennifer Lane. It was felt it should be one of the bullet points in the agreement.

Gallaway moved, Arterburn seconded “That Resolution No. 20160604 be passed and approved and that the agreement be amended to mention the left hand turn lane scenario.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20160604

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF ROADS OF THE STATE OF NEBRASKA FOR THE IMPROVEMENTS AT THE INTERSECTION OF LINK 17J (L-17J), ALSO KNOWN AS UPLAND PARKWAY AND JENNIFER LANE.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF SIDNEY, NEBRASKA that:

1. The City shall enter into an Agency Agreement with the Nebraska Department of Roads for the improvements at the intersection of Link 17J (L-17J), also known as Upland Parkway and Jennifer Lane within the corporate limits of the City of Sidney.
2. The Mayor of the City of Sidney is hereby authorized and directed to execute said agreement on behalf of the City of Sidney, and the City Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit “D” and a copy attached to each original agreement.

Discussion was held on the proposed supplemental agreement for US Hwy. 30 resurfacing with NDOR. The project is on the State’s schedule for the summer of 2017.

Gaston moved, Gallaway seconded “That Resolution No. 20160605 be passed and approved.” Roll call vote: Yeas: All council members present.

RESOLUTION NO. 20160605

City of Sidney, Nebraska

Whereas: A Supplemental Agreement is presented between the City of Sidney, a municipal corporation of the State of Nebraska (“Municipality”) and the State of Nebraska Department of Roads (“State”), collectively referred to as the “Parties”; and

Whereas: Municipality and State entered into an agreement (XL1521) executed by State on September

28, 2015, hereinafter referred to as the “Original Agreement”, that provided for the improvement of Highway US-30, and

Whereas: it now becomes necessary that the agreement be supplemented to adjust the project limits and associated Municipality cost share; to identify a temporary closure of the Fort Sidney Road intersection at USs-30; to clarify State’s intent to keep all traffic lanes open during the City Oktoberfest celebration; and to assign responsibility for signal repair work to be performed by State as a part of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIDNEY, NEBRASKA that the Mayor is authorized by this City Council to execute this Supplemental Agreement No. XL1521-01 with the State of Nebraska, Department of Roads for Project Number No. RD-30-1 (1020).

City Manager Sadler presented the bids that had been received on 5/17/16 for a Boring Master Contract. Four submittals were opened; and after reviewing them, the staff’s recommendation was to enter into this contract with CenCon of Kansas. Gaston moved, Gallaway seconded “That the Boring Master Contract be awarded to CenCon of Kansas.” Roll call vote: Yeas: All council members present.

City Attorney Leef presented the easement revision for Heath Holly at 1035 Rose Street. Gaston moved, Gay seconded “That the Release of Easement for 1025 Rose Street be approved and the Mayor be authorized to sign same when the new Easement for said property is received by the City Attorney.” Roll call vote: Yeas: All council members present.

City Manager Sadler presented a proposed policy for allowing the City Manager to approve the use of City property and ROW for public events. It was noted that the Community Center currently manages the events in the City Parks. The issue of insurance coverage was a concern and further research will be conducted on possible waivers. Gallaway moved, Gay seconded “That the proposed policy for the City Manager to approve use of City property and right of ways be approved and that a report on the insurance issues be brought back to Council.” Roll call vote: Yeas: All council members present.

City Manager Sadler presented a proposed program for residential energy savings. He would like to start an energy rebate/LED bulb sale program. The program would be only available to current City electric customers and receipts must be provided. The maximum rebate per customer per year would be \$150. Rebates would be up to 50% of the cost shown on receipts for eligible items up to \$75 per item. This would include such things as energy star electric appliances, programmable thermostats, insulation, energy efficient doors and windows, florescent and LED lights. Offer for direct sale LED bulbs at heavily subsidized prices with limits on how many can be bought at that price. Gallaway moved, Arterburn seconded “That the City Manager be authorized to come up with a program for residential energy savings.” Roll call vote: Yeas: All council members present.

City Manager Sadler presented a proposed employee brokerage contract especially as it pertains to employee health insurance. He reported that a volunteer employee committee was set up to examine options and a new brokerage firm was sought through an RFP. (He complimented the committee on a job well done) Seven proposals were received and the Committee selected four to interview. The committee selected Holmes Murphy of Omaha to negotiate with and Cobecon of Denver/Cheyenne as their second choice should the City not be able to reach a satisfactory agreement with its primary choice. Gay moved, Arterburn seconded “That the employee brokerage contract with Holmes Murphy of Omaha be approved.” Roll call vote: Yeas: All council members present.

Gay moved, Gallaway seconded “That the following claims for May 2016, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury.” Roll call vote: Yeas: Gallaway, Gaston, Gay and Arterburn. Nays: None. Abstain: Nienhueser. (Abbreviation for claims: aw awards, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tr transfers, tt travel/training , tx tax, ut utilities)
Hillside Ventures se 2420.00

Gallaway moved, Arterburn seconded “That the following claims for May 2016, are hereby approved and should be paid as provided by law out of the respective funds in the city treasury.” Roll call vote: Yeas: All council members present. (Abbreviation for claims: aw awards, ct contract, du dues, eq equipment, ex expenses, in insurance, re reimbursements, sa salaries, se service, su supplies, tr transfers, tt travel/training , tx tax, ut utilities) 21st Century Equipment eq 167.65, 28.16; A1 Sports se 60.00, 16.07; Absolute Solutions se 31.20; American Environmental Consult se 6980.08; Anthony, Geri tt 458.00, 80.00; Apple Time su 328.78; Aqua Aerobic Systems eq 11162.28; Arbor Rock su 2049.90; B&C Steel su 201.00; Baker & Asso se 760.00; Bamford Inc se 225.00; Barker Cleaners su 30.00; Barker Rinker Seacat Architecture se 13023.90; Baum Hydraulics eq 543.73; Bavco eq 1596.45; Best Plumbing se 486.68, 99.32; Better Electric eq 26048.90; Bomgaars su 119.97, 698.83, 243.52, 171.73, 62.96; Borgmann, Chad tt 114.25; Brekel, Greg tt 276.25; Brenntag eq 3757.80; Brown Transfer se 126.97; Bug Off se 396.00; Cabela’s su 101.99; Canon Financial se 112.90; Cardmember se 2560.79;

Caselle se 1594.00; Centurylink se 97.89; Charter se 23.74, 82.20, 87.99; Cheyenne Co Chamber se 1934.67; Cheyenne Co Comm Center se 10000.00; Cheyenne Co Emergency Comm Cntr se 20571.19; Chief su 698.04; City of Sidney se bd 23.87, 143.92, 48.19, 600.00, 19750.00, 4230.35, 55.20, 124.53, 277.04, 3442.67; sa in 92892.93, 92009.00, 12516.68, 12183.78, 15828.59, 17530.35, 26788.34, 25014.33, 12786.81, 8172.59, 8221.08, 11579.68, 5866.53, 63127.25, 1042.89, 13266.08, 905.39, 11300.45, 2267.27, 25023.70, 726.49, 4835.19, 842.61, 11583.2; ut 2740.03, 2463.24, 179.27, 2328.57, 49.58, 654.10, 4779.09, 1215.05, 13288.75, 205.22; Clothes Hamper se 36.00; Cobitco su 437.94, Consolidated Management se 178.78, 190.78; Contractor Materials se 892.00, 455.00, 46.50; Country Printer su 359.00; Cranmore Pest/Fire se 90.00; Croell su 216.00, 60.00, 408.95; Culligan se 41.95, 5.00, 29.95; Darin's Auto se 600.00; Daylight Donuts su 9.00; Deaver Tire su 80.00; Dekruif, Danielle re 18.61; Department of Energy ut 23556.91; Desert Diamond eq 663.00; DHHS du 80.00; Digital Alley eq 410.00; Dorwart, Charlotte re 212.84; Dorwart, Dan rt 123.16; Doty, Dave tt 89.84; DP Electronics se eq 2384.89, 25.98, 249.98; Dutton Lainson su 32.84; E&S su 368.83, 427.83, 697.05, 234.07, 241.09, 692.23; Eakes su 119.17; Endurance Flag su 9.00, 256.50; Enviro se 234.00; Evertson, Wendy re 150.00; Finney's su 782.18, 37.97, 130.46, 105.42, 657.19, 1297.88, 35.46; Floyd's Truck eq 2392.75, 888.35; Foster Lumber su 200.51, 125.57, 12.99, 27.99, 92.19; Fraas, Jennifer re 150.00; Fremont Nat'l Bank ct 13175.84; Frenchman Valley su 4502.25, 1344.46, 2427.52, 1115.15, 648.23, 669.12, 356.70, 211.63; Galls su 273.74; Gempler's eq 278.35; GLEC su 984.84; Gordon's Body su 550.00; Grainger su 351.50, 175.50; GTR Distributors eq 353.00; Hall's Safety eq 520.10; Hamilton su 164.65, 99.90, 49.95; Hampton su 50.00; Hawkins su 4408.28; Hernandez, Mia re 150.00; Holiday Inn tt 749.65; Hometown Leasing se 978.32; Houser, Jodene re 66.04; Huber & Asso se 81.00; Ideal Linen su 218.97, 450.72, 56.68, 26.30, 77.13; Interstate Batteries su 215.90, 363.80; Jirdon su 551.11, 265.00; JJ Plumbing se 346.66; JMK Sports eq 666.51; Johnson, Kris re 259.24; Katen, June re 123.16; Kemper, Tessa re 150.00; Kevin's Electric su 75.00, 6.61, 281.53, 126.00; Kimball Midwest su 132.97; Kriz Davis eq 3464.73; KSID SE 25.00; LL Johnson eq 69143.20; Landis & Gyr eq 850.00; Leal, Ron se 450.00; Leidos Engineering eq 441.00, 2205.00; Loghry, Justin tt 114.25; Lubrication Engineers se 322.05; Lyle Signs su 1218.00; Maddox Motors eq 21.81, 733.76; Mail Finance se 1821.00; Marketing Consultants su 112.00; Matthes, Joan se 625.00; McGuire Custom Painting se 850.00; MES du 725.00; Midwest labs se 1107.00; Miller & Sons Golf Cars se 10850.00; Miller Office su 106.25, 107.69, 103.45, 224.59; Municipal Automation se 1085.52; Municipal Energy du ut 3779.67, 449980.89; Municipal Supply su 3554.36; Napa su 124.35; NE Dept of Revenue tx 61470.35; NE DOL/Boiler se 126.00; NE Extension se 1608.82; NE Law Enforcement du 200.00; NE Municipal Power Pool du 20.00, 975.00; NE Safety/Fire se 110.00, 320.00; NE State Treasurer se 94.09; NT&T se 1468.35, 128.11, 196.01, 303.19, 166.22; NE Waste Water du 30.00; NE Tire se 110.21; Nienhueser Const se 1615.00; Nike su 1184.64; NMVCA tt 95.00; NuCO2 su 191.20; Olsen, Elenore se 275.00; Omaha World Herald se 106.80; One Call se 76.55, 76.54; Oriental Trading su 100.21; Palmer, Mike tt 67.00; Palmore Masonry se 200.00; Panhandle Clerk's Asso du 40.00; Panhandle Clerk's Asso se 40.00; Panhandle Concrete su 2757.00; Panhandle Geotechnical se 3077.25, 64.00; Panhandle Public Health se 18.00; Payment Tech se 30.18; Peetz Farmers Coop su 80.00; Pepsi su 468.40; Performance Auto se 216.45; Pittam Body Shop se 328.41; Plainsman Electric se 2400.00; Points West Ins se 1602.00; Police Officer's Asso du 112.00; Porter, Carol re 150.00; Quality Inn se 89.00, 1852.40; Raffelson Rock su 657.00; Rankin Sales se 14.85; Reams Sprinkler su 251.27; Regional West ct 5948.66; Respond First Aid se 58.91, 64.42, 105.38; Rhomar Industries eq 1117.10; Richards, Kiersten re 123.16; Rigel, Christopher se 415.03; Riggs, Amy re 150.00; Riley, Vanessa re 123.16; Ringleman, Jim se 2000.00; Ritec eq 438.00; Rood's se 134.45, 262.74, 30.00; Rolls, Cindy re 150.00; Russell Auto se 120.00; Russell Industries eq 953.89; Sadler, Ed re 750.00; Sauder Auto se 791.79; Scott, Heath re 1197.63; Scoties Potties se 700.00; Segelke, Carla se 1050.00; Sidney Glass su 94.85; Sidney Regional Medical se 325.84; Sidney Rehab se 125.00; Sidney Roofing se 500.00; Sidney Sun se 233.01, 16.88; Simon Contractors se 728.00, 969.53, 726.70, 260.00, 763.75; Slate Rock su 1687.89; Sonntag, Goodwin & Leef ct 5157.50; Sonny's su 124.82; Source Gas se 897.98, 188.78, 163.88, 117.79, 272.58, 94.39, 2017.05, 94.39; Spic and Span se 1174.00; SPL Int'l se 146.96; Splish Splash se 363.22; Star Herald se 700.00; Stone, Eloise rt 400.00; Sylvester, Jill re 150.00; TDS Media se 242.00; Terry-Durin eq 2859.00; Thompson Co su 38.25; Thomason Reuters du 200.00; Torres, Lupe tt 148.49; Tri City Sign eq 16715.00; Triple O's su 18.41, 15.32; Twin Cities Development se 900.00; US Postal Service se 6000.00, 1016.40; USA Bluebook su 297.42; Velocity Constructors se 336194.63; Verizon se 217.73, 539.88, 70.73, 33.37, 194.46, 100.11; WS Darley su 326.36; Walmart su 269.93; Walker, William re 9.35; Wamsley, Christine re 150.00; Wesco eq 37178.18; Western United Electric su 1290.94; Wheatbelt ut 8942.53; Winsinger, Paul re 174.24; Wolford, Marie rt 916.47; Woods & Aitken se 39.00; WPCI se 340.40; Baker & Taylor su 1752.54; City se 931.25; Elan Visa se 390.54, 536.68; Finneys su 16.99; Frenchman Valley su 56.90; Guideposts su 53.22; Ideal Linen su 27.61; Journal Office su 36.90; Kevin's Electric se 37.50; NE Link se 36.00; OCLC su 200.71; Quality Books su 77.73; Quill su 935.94; Segelke Janitorial su 1050.00; Andrew Sherman re 140.31; Showcases su 1331.63; Sidney Public Schools se 40.00; Sidney Sun Telegraph se 5.73; USPS su 262.00.

City Manager Report:

City Manager Sadler reported that Dawn Martin had been offered the job of Assistant City Manager. She has accepted and will begin work on July 5, 2016. He reported that: the RFP's for Targeting Economic Development that were sent out recently have generated a lot of interest. Ed introduced his wife, Rochelle who had recently arrived in Sidney.

Staff:

Tina Hochwender, Economic Development Director, gave a report on the Aquatic Center Fund Drive and that we had received the \$250,000 Kiewit grant.

Council:

Mayor Nienhueser stated that the Cosmetology Department had been pulled from the local WNCC site as per Paula Abbott. He also thanked Tina and Tom for all their efforts toward the Aquatic Center opening.

Galloway reported that he had represented the Council at the ribbon cutting for the Aquatic Center.

Gaston commended the two Boy Scouts that were present who stayed for the whole meeting. He also mentioned a former resident, Nick Sakis, who was interviewed on CNN. Nick is a resident surgeon who treated victims of the Orlando shooting incident.

Gay reported that he had received good feedback about the pool.

Arterburn also spoke re: the Aquatic Center and the Scouts. .

Mayor Nienhueser stated that he would entertain a motion to go into closed session for the protection of the public interest to discuss pending litigation. Gay moved, Galloway seconded "That the Council go into closed session for the protection of the public interest to discuss pending litigation." Roll call vote: Yeas: All council members present. Mayor Nienhueser announced that the City Council will now go into closed session at 9:08 p.m. Upon the Council's return from the closed session, Gaston moved, Gay seconded "That the Closed session end and the Open session be reconvened." Roll call vote: Yeas: All council members present. Mayor Nienhueser announced that the Council has come out of the closed session at 9:16 p.m.

Meeting adjourned at 9:17 p.m.

MAYOR

ATTEST:

CITY CLERK