

February 1, 2016

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Rick Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Sergeant, Koffler, Gartner, Smith, Christensen----Absent-Gilbert
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **January 19th, 2016:** Motion was made to approve the minutes from the January 19th, 2016 regular council meeting by Alderwoman Christensen and seconded by Alderwoman Sergeant. All council present voted aye.
5. **VISITORS:**

- a. **TBID Budget-Bryce Baker, Kristen Kennedy, Kelly Papineau-** Mr. Baker presented the Council with the Budget for the TBID for 2016, and handouts that showed the distributions for 2015, and anticipated distributions for 2016 and 2017, and the transaction detail report for 2015. After discussion Alderwoman Sergeant made a motion to approve the 2016 TBID budget, and Alderman Gartner seconded the motion. All council present voted aye.

- b. **Don Franz-Franz Construction**
- c. **Patrick Murtagh-Murtagh Municipal Engineering**
- d. **Lowell Cutshaw-Interstate Engineering**
- e. **Nate Williams-Senator Steve Daines**

6. PUBLIC HEARING:

- a. **SID 104 Boundary Line Relocation for Mayo Subdivision and Hilltop Enterprises Phase II and IV:** Mayor Norby called the Public Hearing for the SID 104 Boundary Line Relocation for the Mayo and Hilltop Enterprises Phase II and IV Subdivisions to order at 6:40pm. Mayor Norby called for any proponents to the SID 104 Boundary Line Relocation 3 times, with no testimony from the public. Mayor Norby called for any opponents to the SID 104 Boundary Line Relocation 3 times, with no testimony from the public. Mayor Norby closed the public hearing at 6:41pm.

7. MAYOR NORBY:

- a. **Library City Board Position-Appointment of Karen McNutt-** Mayor Norby made the recommendation to appoint Karen McNutt to the Library City Board Position. Motion was made to approve Karen McNutt by Alderman Koffler and seconded by Alderwoman Sergeant. Alderwoman Christensen abstained from the vote, all other council present voted aye.
- b. **City/County Planning Board Position-Appointment of Terry Klein-** Mayor Norby made the recommendation to appoint Terry Klein to the City/County Planning Board. Motion was made to approve Terry Klein by Alderwoman Christensen and seconded by Alderman Gartner. All council present voted aye.

8. COMMITTEE WORK: Nothing

9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing

10. UNFINISHED BUSINESS: Nothing

11. NEW BUSINESS: Nothing

12. CITY PLANNER HOW: Nothing

13. CITY ATTORNEY:

- a. **Resolution 3722-SID 104 Boundary Line Relocation for Mayo Subdivision, and Hilltop Enterprises Phase II and IV:** City Attorney Krautter gave the Council a summation of Resolution 3722, which amends the boundary line for the Mayo and Hilltop Enterprises Phases II and IV Subdivision part of the SID 104, which was originally set with Sidney Resolution 3475. Motion was made to approve Resolution 3722 by Alderwoman Sergeant and seconded by Alderman Koffler. Don Franz stated that in City Attorney Krautter's description he stated that are in question was not platted, but that he has surveys of the lots that have not changed since it was done in the 70's. City Clerk Redfield stated that even though they were surveyed the plat was not recorded until recently, which brought about the boundary line relocation. Arlon Franz stated that when the project was done, he and Don Franz paid for the curb and gutter on part of the project outright and should not be being charged for that curb and gutter. City Attorney Krautter asked the Council to amend their motions to table the Resolution until the charges applied could be looked into further. Alderwoman Sergeant made a motion to amend her motion to tabling Resolution 3722 and Alderman Koffler seconded the motion to amend. All council present voted aye to table Resolution 3722.
- b. **Settlement Agreement-Litigation with Coleman Construction:** City Attorney Krautter stated that the Council was provided copies of the Settlement Agreement in question, and that if questions or concerns need to be addressed the Council will need to close the meeting. Motion was made to close the Council meeting to discuss the litigation settlement by Alderman Smith, and Alderman Koffler seconded the motion. All council present voted aye to closing the meeting to the public. Mayor Norby closed the City Council meeting at 6:50pm. Alderwoman Christensen made a motion to open the meeting back to the public at 6:55pm, and Alderman Koffler seconded the motion. All Council present voted aye to opening the meeting back up to the public. Per discussion had in the closed meeting Alderwoman Christensen made a motion to table the Settlement Agreement, and Alderman Koffler seconded the motion. All council present voted aye to tabling the settlement agreement.

14. CHIEF OF POLICE DIFONZO:

- a. **Report-Nothing**
- b. **City/County Memorandum of Understanding for Sage Court Housing-** Chief DiFonzo stated that the Council has the Memorandum of Understanding between the City of Sidney and Richland County for the Sage Court Housing project. He stated that all parties met to discuss the lease agreements and conditions of occupancy, where he brought to everyone's attention that the MOU had not been signed. Chief DiFonzo stated that he had read the MOU and his only concern is that it does not state that there is an early pay out option for the City of Sidney in their payments to the County. Alderman Smith stated that on number 9 of the agreement it states the "City will enjoy the right of reversion of the property contributed by City for construction of said housing, which right shall mature upon payment in full of the financial commitment made by Commissioners toward construction of said housing" which he felt addressed the concern of Chief DiFonzo. City Attorney Krautter stated that he had read the MOU, but would like more opportunity to further review it before action is taken. It was the General Consensus of the City Council to table the City/County Memorandum of Understanding for Sage Court Housing.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report-PWD Hintz** provided the Council with the Public Works monthly report for January 2016.
- b. **Downtown Displays-Banners, Christmas Etc.-PWD** Hintz stated that he would like to see a specific budget line added to the Budget for FY2016-17 for downtown displays, Christmas decorations, and banners, due to their high prices and the need to update them. Motion was made to approve adding a budgeted line for downtown displays to the FY2016-17 budget by Alderman Smith and seconded by Alderman Koffler. All council present voted aye.

16. COMPLIANCE OFFICER MEAD:

- a. **Report:** Mayor Norby stated that the Compliance Officer Monthly Report was provided for January 2016.

17. FIRE MARSHAL GILBERT: Nothing

18. CITY TREASURER DEY:

- a. **Canceled Checks:** City Clerk Redfield stated that City Treasurer Dey provided a report for the cancelation of checks that had not cleared the checking account in over a year. Motion was made to approve the checks to be canceled, as provided by Treasurer Dey, by Alderman Smith, and Alderwoman Christensen seconded the motion. All council present voted aye.

19. CITY CLERK REDFIELD: consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** e-mailed
- b. **Claims to be approved:** \$ 29,706.65

A motion to approve the consent agenda was made by Alderman Smith and seconded by Alderman Koffler. All council voted Aye.

Meeting was adjourned at 7:12 pm

ATTEST:


CITY CLERK


MAYOR NORBY


DATE SIGNED