

June 3rd, 2019

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Christensen, Smith, Gartner, Koffler, Rasmussen, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **May 20th, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the May 20th, 2019 regular Council Meeting by Alderwoman Sergent, and seconded by Alderwoman Christensen. With no changes or corrections, all present voted aye.
 - b. **May 24th, 2019 Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the May 24th, 2019 Street and Alley Committee Meeting by Alderwoman Christensen, and seconded by Alderwoman Rasmussen. With no changes or corrections, all present voted aye.
 - c. **May 24th, 2019 Budget and Finance Committee Meeting Minutes:** Motion was made to approve the May 24th, 2019 minutes from the Budget and Finance Committee Meeting by Alderwoman Sergent, and seconded by Alderman Gartner. With no changes or corrections, all present voted aye.
 - d. **May 29th, 2019 City Buildings and Street Lighting Committee Meeting Minutes:** Motion was made to approve the minutes from the May 29th, 2019 City Buildings and Street Lighting Committee Meeting by Alderman Gartner, and Alderwoman Sergent seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Kali Godfrey and Carrie Krug-Presentation of the Richland County Quality of Life Plan:** Ms. Godfrey and Ms. Krug came before the City Council to present the Richland County Quality of Life Plan. Ms. Godfrey reviewed the plan and explained it to the City Council. Ms. Krug also provided and explained information on the Nutrition Coalition and Chronic Disease Education.
 - b. **Josh Kohl-Fireworks Permit-Not Present**
 - c. **Heather Sverdrup and Hallie Schofill-Sidney Svarre Pool-Weekend Evening Swim:** Pool Manager Sverdrup and Pool Assistant Manager Schofill came before the City Council for approval to no longer have night swim on Sunday's. They stated the numbers are extremely low on those evenings, that that it does not warrant paying life guards to be on duty. Mrs. Schofill stated that it has been that way for the 3 years she has been at the pool, and that it will save the City money on unnecessary overtime. Mayor Norby stated that if it is approved and the City gets many complaints on it, it would need to be revisited. Alderman Smith made a motion to approve only having play swim on Sundays from 1-5pm, with the condition that if complaints merit, it will go back to the old times. Alderwoman Sergent seconded the motion, and all present voted aye.
 - d. **Kelly Properties, Jayme Kelly-using City Hall Parking Lot to store trusses:** Mr. Kelly came before the City Council to ask for permission to use the City parking lot located south of City Hall for storing trusses. He stated he purchased the 4-plex across from City Hall and is renovating it top to bottom. He stated he would like permission to store them for a couple months while he tears off the roof, at which point they will be installed. He stated they are 42 to 43 foot by 6 foot. Motion was made to approve Kelly Properties storing the trusses for the 4-plex by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. In discussion Alderman Smith asked that a time frame be set, and Mayor Norby stated August 1st, 2019 should be sufficient, to which Mr. Kelly agreed. With no further discussion, all present voted aye.
 - e. **Amy Venn-Sidney Herald**
 - f. **JoEllen and Perry Bartel, Hugh Hutton:** Mr. and Mrs. Bartel provided the City Council with a picture of a house trailer that has been abandoned on a property for many years in Wagon Wheel Subdivision by the golf course. Mr. Hutton stated he owns part of the property that it is sitting on, and stated that he does not know whose responsibility getting it off his property is but he does not feel it is his. Chief DiFonzo stated that the City will need to determine who the owner of the property is before removing it, and Alderwoman Christensen stated she believed she could find out as they purchased it from her several years ago. PWD Hintz stated that finding VIN numbers to check with the DMV may not be possible as it has been on fire a couple of times. City Attorney Kalil stated ownership needs to try to be determined, and then to contact him about the next steps.
 - g. **Bill Linder:** Mr. Linder came before the City Council to state that the homes next to Cenex were built prior to it being built, despite what the Sidney Herald article stated. He stated that some of the homes precedes Cenex by over 10 years. He further reiterated that he has concerns with the Cenex project because of the parked trucks causing a noise issue in the residences next to it.
 - h. **Richard Dahl**
 - i. **Jordan Mayer**
6. **PUBLIC HEARING:**
7. **MAYOR NORBY:**
 - a. **Reappoint Terry Meldahl to the Zoning/Board of Adjustment (3 year term) and to the Parking Commission (3 year term):** Motion was made to approve the reappointment of Terry Meldahl to the Zoning/Board of Adjustment for a 3 year term and the Parking Commission for a 3 year term by Alderman Smith, and Alderman Koffler seconded the motion. With no discussion, all present voted aye.
 - b. **Municipal Summit-June 11th from 9am-4pm and Extension Office:** Mayor Norby announced there will be a Municipal Summit on June 11th. City Clerk/Treasurer Redfield stated this is presented by MMIA and the Local Government Services to provide training on local governance, and that if anyone wants further information she can provide it.
8. **COMMITTEE WORK:**
 - a. **Street and Alley Committee**
 - i. **Ordinance #578-Littering:** Alderwoman Christensen stated the Street and Alley Committee met and reviewed Ordinance 578. She stated that they did not feel it properly addressed the issue of signs on poles, and so they chose not to move forward on it at this time. She further stated that Chief DiFonzo suggested at the meeting to contact the actual property owner of the poles and inquire of their policies.

June 3rd, 2019

b. **Budget and Finance Committee**

- i. **City Judge Wages and permission for Mayor to sign updated contract:** Alderwoman Sergent stated the Budget and Finance Committee met and reviewed the request of City Judge Savage of increasing his City salary from \$24,000 to \$30,000. Alderwoman Sergent made a motion, per the recommendation of the Budget and Finance Committee, to increase the City Judge salary to \$30,000, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye.
- ii. **SVFD Presumptive Workers Comp Coverage:** Alderwoman Sergent stated the City is getting a quote on the SVFD Presumptive Workers Comp Coverage, and will present that information when they have received it in June.
- iii. **Health Insurance Increase of 8%, 1.5% COLA and Holiday Bonus:** Alderwoman Sergent stated the Budget and Finance Committee met and reviewed the payroll information for FY19-20. Alderwoman Sergent made a motion, based on the recommendation of the Budget and Finance Committee, to have the City of Sidney cover the 8% health insurance increase, give a 1.5% COLA, and a \$250 holiday bonus. Alderman Gartner seconded the motion, and with no further discussion all present voted aye.

c. **City Buildings and Street Lighting**

- i. **Cenex Project:** Alderman Gartner stated the City Buildings and Street Lighting Committee met with Art Purdue to review the proposed plans for the Cenex. He stated that Building Inspectors Kyle Harlan and Kale Rasmussen and Utilities Manager Anderson were present at the meeting and they stated Mr. Purdue has been working closely with them and that their proposal meets the current requirements. Chief DiFonzo asked if an environmental quality permit was discussed at the meeting for the fumes the idling trucks will cause, and Alderwoman Rasmussen stated no, but that it would be a DEQ permit. Chief DiFonzo asked who at the DEQ would need to be contacted to inquire into this, and Building Inspector Rasmussen stated he would look into it.
- ii. **Fiscal Year 2017-18 Audit Report:** Alderman Gartner stated Auditor Bob Denning came before the City Building and Street Lighting Committee and reviewed the FY17-18 Audit, which was a good review. City Clerk/Treasurer Redfield stated it was a clean audit, and that the audit report will be provided by the Auditor and will be open to the public to review.

9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:**

- a. Alderman Koffler stated he had received complaints from the public on the state of the parks and the amount of weeds in them. PWD Hintz stated he had discussed this with Parks Superintendent Ridl, and that it is something they are working on. He further stated that this year has been hard on the Parks Department due to finding and keeping seasonal employees.
- b. Alderwoman Rasmussen stated she had noticed the bench by the bike trail on Lincoln do not even have boards on it. PWD Hintz stated that he believes this has been fixed, and Building Inspector Rasmussen stated it had been.

10. **UNFINISHED BUSINESS: Nothing**

11. **NEW BUSINESS:**

- a. **Dahl Variance:** PWD Hintz stated the Board of Adjustments met and reviewed the variance request of Richard Dahl. He stated Mr. Dahl is wanting to extend his 6 foot fence on the west side all the way to the street, and that the Board of Adjustments has recommended denying the request due to it being a possible sight obstruction should the property next to it be built out, and that fences that tall are prohibited in City Code in the front yards. Alderwoman Christensen stated she did not understand why the variance was denied if Mr. Dahl stated he would agree to tear that portion out should the property next to his be built on, that a condition could be placed on the variance. City Attorney Kalil stated there is no legal issue with putting a condition such as that on a variance, as the variance would stay with the property. Alderwoman Christensen made a motion to approve the variance request of Richard Dahl with the condition that should the property to the west of his be built upon he will tear down that section of fence. Alderman Koffler seconded the motion, and in discussion Alderman Smith asked what the property west of his currently is, to which Mr. Koffler stated a field. With no further discussion, all present voted aye.
- b. **Volunteer Sign-in/Emergency Contact/Release:** City Clerk/Treasurer Redfield stated there are many volunteer groups wanting to assist in the parks, and with that a form needs to be approved for signing in, emergency contact information, and a release. She further stated that City Attorney Kalil has reviewed and approved, and that this is the same form other cities use for similar situations. Motion was made to approve the Volunteer sign-in/emergency contact/release form by Alderwoman Rasmussen, and seconded by Alderman Koffler. With no further discussion all present voted aye.

12. **CITY PLANNER SANDERSON: Nothing**

13. **CITY ATTORNEY: Nothing**

14. **CHIEF OF POLICE DIFONZO:**

- a. **May 2019 Police Department Report:** Chief DiFonzo provided the City Council with the May 2019 Police Report. He stated that with the hire of Officer Norby and Officer Fletcher, they are now at full staff. Chief DiFonzo stated that he plans to expand his monthly report to specifically include the numbers on DUIs. Alderman Smith stated texting or being on a phone while driving is also a big concern in the community, as it is dangerous and happens routinely. Chief DiFonzo stated the City might have to pass a local ordinance as others have about this. Mr. Bartel asked Chief DiFonzo what could be done at about the Dominos delivery drivers who do not obey traffic laws and are a danger, and Chief DiFonzo stated he would contact them.

15. **PUBLIC WORKS DIRECTOR HINTZ:**

- a. **May 2019 Public Works Report:** PWD Hintz provided the City Council with the May 2019 Public Works Report. He stated that the malfunction junction project is progressing, and that they hope to have it paved and completed in the next couple of weeks. Chief DiFonzo stated the signs have been ordered. PWD Hintz further stated that the pool was officially opened today, but that it had to close early due to weather.
- b. **WWTP Phase 3 Draw #9 for \$292,186.43 (\$38,728.15 from City Reserves, \$253,458.28 from SRF):** PWD Hintz provided the City Council with the WWTP Phase 3 Draw request #9. Alderwoman Christensen made a motion to approve the WWTP Phase 3 Draw #9, and Alderwoman Sergent seconded the motion. With no discussion, all present voted aye.

June 3rd, 2019

16. Fire Marshal/Building Inspector Rasmussen:

- a. **May 2019 Fire Department Report:** FM/BI Rasmussen stated he will provide his monthly Fire Department Report at the next City Council meeting.

17. CITY TREASURER REDFIELD:

- a. **April 2019 Journal Voucher Report:** City Clerk/Treasurer Redfield provided the City Council with the April 2019 Journal Voucher Report. Motion was made to approve the April 2019 Journal Voucher Report by Alderwoman Christensen, and Alderman Koffler seconded the motion. After no discussion, all present voted aye.
- b. **Approval of FY2018-19 Transfers:** City Clerk/Treasurer Redfield provided the City Council with the Budgeted Transfers for FY18-19. They were \$100,000 from Oil and Gas to the Fire Department Equipment Fund for the purchase of a Fire Truck, \$8,500 from the General Fund to the Tennis Court Fund for the future redoing of the courts, and \$26,000 from Oil and Gas to the General Fund. She stated she is only recommending to do the Fire Equipment and Tennis Court Transfers, as the expenditures in the General Fund have been less than budgeted so the transfer into it is not necessary. Motion was made to approve the budgeted transfers as presented by City Clerk/Treasurer Redfield presented by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. With no discussion, all present voted aye.
- c. **Water/Sewer Bank Transfer April 2019 for \$319,410.09:** City Clerk/Treasurer Redfield presented the City Council with the April 2019 Water/Sewer bank transfer. Motion was made to approve the April 2019 Water/Sewer bank transfer of \$319,410.09 by Alderman Smith, and seconded by Alderwoman Christensen. With no discussion, all present voted aye.
- d. **Request of City Staff to waive \$600 Conditional Use Permit Fee for Lee's Tire RV/Trailer Park:** City Clerk/Treasurer Redfield stated Lee's Tire Trailer Court under the previous zoning code was allowed to be a dual park of both RV's and Trailers, but when the zoning code was updated two types of zones was created. She stated that the parks that had both at the time of the zone code update had certain spots allocated specifically for RV's, but Lee's Tire Trailer Park at that time did not have any RV's. She stated they are now wanting to have 8 of their spots to be for RV's, and so under their zoning must have a conditional use permit. City Clerk/Treasurer Redfield stated that because their need to have a conditional use permit is due to the update of the zoning code, she is recommending that the City Council waive their \$600 permit fee. Motion was made to approve the waiving of the of the conditional use permit fee of \$600 for Lee's Tire Trailer Park by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no further discussion, Alderman Smith voted nay and the remaining 5 Council members voted aye.

18. CITY CLERK REDFIELD:

Consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 382,194.94**

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| **2019-80 | Sidney Health Center | 216 14th Ave SW | Installation | Bach Nels 3rd Add |
| 2019-82 | ON HOLD-AMERICAN TOWER | | | |
| 2019-83 | Verizon | 323 S Central | Signs | L6, B23, Original |
| 2019-84 | ON HOLD-RICHLAND COUNTY | | | |
| 2019-85 | Bernie Braden | 415 5th St NE | Garage | L5, B5, Kenoyer |
| 2019-86 | Adam Kearl | 306 2nd St NE | Remodel | L7, B34, Original |
| 2019-87 | Luke Abar | 321 W Main | Deck | L7&8, B38, Original |
| 2019-88 | Brenda Frederick | 3406 5th St NW | Mobile Home | L16, B5, Wagon Wheel |

Motion was made to approve the consent agenda by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

Meeting was adjourned at 7:37 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED