

**June 7th, 2021**

**The City Council meetings are open to the public attending in person, with masks encouraged when social distancing cannot be accomplished. If the public does not wish to participate in person, they are also invited to participate via a Zoom meeting. You can participate with via by video or phone:**

**Meeting ID: 950 4922 9572      Passcode: 729476      Or by calling: 1-346-248-7799**

1. **CALL TO ORDER:** The regular meeting of the Sidney of City Council meeting 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, Godfrey, Sergent, Koffler, Rasmussen, Absent: Stevenson
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **May 17th, 2021- Regular City Council Meeting Minutes:** Motion was made to approve the minutes from the May 17th, 2021, regular meeting of the City Council by Alderwoman Sergent and Alderwoman Christensen seconded. With no changes or corrections, all present voted aye.
  - b. **May 19<sup>th</sup>, 2021- Water and Sewer Committee Meeting Minutes:** Motion was made to approve the minutes from the May 19th, 2021, Water and Sewer Committee Meeting Minutes by Alderman Koffler and Alderwoman Godfrey seconded. With no changes or corrections, all present voted aye.
  - c. **May 24<sup>th</sup>, 2021- Special Meeting Minutes:** Motion was made to approve the minutes from the May 24h, 2021, special meeting of the City Council by Alderwoman Rasmussen and Alderwoman Christensen seconded. With no changes or corrections, all present voted aye.
  - d. **May 26<sup>th</sup>, 2021- Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the May 26h, 2021, Street and Alley Committee Meeting Minutes by Alderwoman Christensen and Alderwoman Sergent seconded. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **Jaymi Mozeak- Wanting to Have Chickens in City Limits:** Ms. Mozeak came forward in front of the city council to request an ease to the livestock ordinance and to allow Sidney residents to allow chickens inside city limits. Ms. Mozeak said in the year 2020 and 2021 there has been a food shortage here in Sidney with the recent cyber-attacks from overseas, and Ms. Mozeak is asking for hens since they are quieter than roosters. Ms. Mozeak mentioned that she has done some research with several hatchers in Montana and hens have a noise level around .60 decibels and dogs have a much larger decibels to .100 decibels. Ms. Mozeak stated that the health department talks about E-coli and salmonella break outs from chickens, but Ms. Mozeak said you could get that from dogs and cats and even reptiles could give you these diseases. Mrs. Simonson came forward with her support for chickens, and Mrs. Simonson stated she does currently does not live-in city limits and she is the Richland County poultry 4-H leader for ten plus years. Mrs. Simonson did say that with allowing chickens in city limits it would allow in town children to part take in 4-H projects. Mrs. Simonson also mentioned that she would like to hear the pros and cons for chickens from the City Council Members and City Staff, Mrs. Simonson said then after the citizens heard from the city then everyone could meet as a group and discuss changing the ordinance that everyone could live with. Mrs. Simonson mentioned that salmonella is everywhere, and it is basically in everything there is no way around it, and all her years with raising chickens she has never met salmonella or E-Coli. Mrs. Welnel asked what happens when the neighbor dog gets out and attacks the chickens, who will be responsible for that outcome, or what happens if chickens start running the streets if they get out. Mrs. Welnel said already down in her neighborhood there is an animal issue that can not be controlled, and she said the last thing she wants to do is deal with chickens. Mr. Rossaaen asked why the city banned chickens after they were allowed in city limits several years ago, and Mayor Norby stated people started out with a few chickens and then it got out of hand, and chickens were out running the streets of Sidney. Mr. DiFonzo stated the neighbors' dogs were killings chickens when they got out and causing a headache, Mr. Rosaaen stated that chickens are noisy and people who live in city limits will not follow the rules. Alderwoman Christensen said the people who she has talked too are against chickens as well, Alderwoman Christensen said that chickens are dirty and messy and who will enforce the rules on the number of chickens per household. Mr. Mayor said that the Sidney Police Department will not be enforcing this, as the Sidney Police Department already has a full plate. Mr. DiFonzo said when the city created that ordinance about non domesticated animals, somewhere along the line the City Council decided to just ban all livestock because they could not distinguish what was livestock and what was not. Alderwoman Rasmussen stated that she loves the idea of chickens, but the reality of chickens is that they bring in mice, and chickens need to be out on a farmstead. Ms. Mozeak stated that there is a breed issues on what type of chicken is nosier than the other, and there are certain chickens that are bred to catch mice. Mrs. Damm said she understand the chickens but what she believes is if the city can not enforce any rules or regulations on this ordinance then the city will start to face all kinds of problems, the city does not even enforce the current ordinances now. Mrs. Damm said that she has lived in town for 42 years now and she stated that she chose to live in city limits because she did not want to deal with chickens, cattle, or any of that and to have her children to be able to access city limit activities. Alderman Koffler said if people can not clean their own dog poop what makes those people clean up chicken poop, Mrs. Damm said that she resides over by Quilling Park and daily she sees people walk their dog over to that park for those dogs to use the bathroom and then the owners do not clean up after them. Mrs. Fahrnow stated that she has a major cat problem but, if she were allowed to have chicken, she would make the necessary requirements to have chickens in their yards. Alderwoman Rasmussen made a motion to deny allowing chickens in city limits at this time, Alderman Koffler seconded the motion. With no further discussion or comments, all present voted aye.
  - b. **Frank Difonzo- Storage Shed at South Meadow for High School Softball:** Mr. DiFonzo came forward to request from the City Council Members a small 8x10 storage shed building for girls' softball out at South Meadow. Mr.

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DiFonzo mentioned there are already three current sheds out there, and this shed would be for extra ground maintenance equipment that cannot currently fit in those other three sheds. Mr. DiFonzo also stated the shed will be sitting next to the other storage buildings out there, and Mr. DiFonzo also mentioned that he does not know if the shed will be put in this fall or spring quite yet. Alderman Koffler made a motion to approve of girls' softball program putting another 8x10 storage building, Alderwoman Christensen seconded the motion. With no further questions, all present voted aye.

- c. **Betty Williams- VFW Lot:** Mrs. Williams came forward to ask the City Council to have a bar outside of the VFW the night of the street dance during Sunrise Festival, Mrs. Williams stated that the bar would be on a private parking lot owned by the VFW. Chief Kraft said in the past the Sidney Police Department requires several items before allowing a bar outside, Chief Kraft said first and foremost the outside needs to be completely secured off for any underage drinking that may occur. Chief Kraft said their needs be a special liability insurance where it states that the city is co-insurance, and the Sidney Police Department typically requires extra security for any event. Chief Kraft said he likes to see a map on the layout of the placement of the bar and barricades prior to the event to ensure safety and protection, Alderwoman Rasmussen asked if the if the VFW is a block away from the band how will the streets be closed. Mrs. Williams stated that the street of the VFW down to Mucho Si and up main street to the Cheerio would be closed off, Mrs. Williams said she thought the band would be on 2<sup>nd</sup> ST NE and Main Street and Mrs. Williams said that she has two bouncers already for the night and was planning on just roping that section off. Chief Kraft suggested the use of cattle panels for better safety, Chief Kraft said other business have done it in the past. Alderwoman Godfrey stated that the Chamber of Commerce is selling beer during the festival for their fundraising for their sponsorship, Fire Chief Rasmussen asked if streets are closed off where would the fire safety exit be. Mr. DiFonzo said the event would have an exit and entrance; the purpose of the cattle guards is to keep people inside with their drinks. Mrs. Williams asked since people will be drinking in the VFW is it VFW power to keep people inside the bar with their drinks and make sure they do not wander outside to the street dance, and Chief Kraft stated yes that would be the bars responsibility to ensure that.
- d. **Ross Rosaaen- Fireworks for the 2021 Season:** Mr. Rosaaen was wondering what the plan for fireworks season is for this year and how come local vendors need to submit a new background check for this year. Chief Kraft said in the past background's checks were very inconsistent in the past on how people were applying for them, and this year everyone will have to submit a background check for their stand or business. Fire Marshall said it is still hot and hopefully some more rain does come towards Sidney, Mayor Norby said the benefit for city limit people lighting off fireworks would be that lawns are mowed and watered and that the Sidney Fire Department would be quickly to respond if something got out of hand, compared to the people who do not live-in city limits. Mayor Norby mentioned he would be very surprised to see fireworks be completely cancelled for the 2021 season, Alderwoman Christensen stated that the City Council has no intentions of shutting down the 2021 fireworks season this year. Alderwoman Rasmussen said that if the City Council were to shut down fireworks this year, that it would be solely based off the safety of the community. Ms. Mindt stated that a couple of years ago the firework booths and stands could have firework safety/education flyers posted at their stands, and to give out to people as they buy fireworks this year. Ms. Mindt also wanted to ask if this year she could use the empty corner lot by city hall for her firework booth stand, Ms. Mindt stated she did not know how things were going to be this year with Mrs. O'Brien selling that lot to the city. Ms. Mindt said that this would be her eight year selling fireworks on that lot, and would like to use that lot again, and Ms. Mindt did not know what type of liability insurance the city would require from her to use the lot. City Attorney Kalil said the city would have to give Ms. Mindt and other people permission to use the lot and for what purposes. PWD Hintz said the clock project is still scheduled to happen late this summer, and the parking lot expansion project will happen next summer so that will not interfere with fireworks selling. Ms. Mindt stated she would like to start setting up her trailer on June 24<sup>th</sup>, 2021 and have the trailer off of the lot on July 5<sup>th</sup>, 2021. Mayor Norby suggested that this would go in front of the City Building and Street Lighting Committee for further discussion, Alderman Koffler made that motion to further discuss this empty lot at the City Building and Street Lighting Committee. Alderwoman Godfrey seconded the motion, with no further discussion all present voted aye.
- e. **Kelly Gustafson**  
f. **Jared Davidson**  
g. **Ashley Sheehan**  
h. **Jordan Mayer- Interstate Engineering**  
i. **Haley Mindt**
- j. **Linda Simonson**  
k. **Misty Farhnow**  
l. **Deanna Damm**  
m. **Renita Welnel**

6. **PUBLIC HEARING:** Nothing.

7. **MAYOR NORBY:**

- a. **Filing election deadline is June 21<sup>st</sup>, 2021:** Mayor Norby wanted to remind anyone who was going to file to go out and file before the deadline on June 21<sup>st</sup>, 2021 at 5:00PM.

8. **COMMITTEE MEETING WORK:**

- a. **Fredrick Lake Sewer Issues- Water and Sewer Committee:** Alderman Koffler mentioned that Water and Sewer Committee met to discuss the issue of Fredrick Lake sewer that is running into his brothers' pipe and then his brothers' pipe is pumping it into the city's sewer lift station. Alderman Koffler mentioned there will be another Water and Sewer Committee Meeting to further discuss this, PWD Hintz mentioned the next meeting will be more of an informative meeting with Fredrick Lake and his neighbors.

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- b. **Sidewalk Ordinance Review- Street and Alley Committee:** Alderwoman Christensen wanted to mention the Street and Alley Committee met to discuss the sidewalk ordinance, and Alderwoman Christensen said a general consensus was made to allow Building Inspector Rasmussen to write up a plan and bring it back to City Council for approval. Building Inspector Rasmussen stated that he came up with the following: **Temporary signs- nonpermanent sign designed to advertise a business or event for a limited amount of time. Must be authorized by the responsible landowner. Must not be placed in the crosswalk sight triangle and must leave a clearance of minimum 36" from back of the curb, must be removed from the sidewalk during store closed hours, and be adequately secured against wind.** Alderwoman Christensen made a motion to approve of Building Inspector Rasmussen recommendation, and Alderwoman Rasmussen seconded the motion, with no further discussion all present voted aye. Alderwoman Christensen also mentioned that the Street and Alley Committee met to discuss the North Meadow Drainage Issues, Alderwoman Christensen mentioned that Molly Davison with Morrision Maierle Inc would look at the plans and come back to the Street and Alley Committee before a final decision was made.

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

**Parks and Recreation** – Chair Godfrey – Sergeant, Christensen  
**Street and Alley** – Chair Christensen–Sergeant, Stevenson  
**City Buildings & Street Lighting** – Chair Stevenson– Koffler, Rasmussen

**Water and Sewer** – Chair Koffler – Godfrey, Rasmussen  
**Sanitation**– Chair Rasmussen –Koffler, Stevenson  
**Police and Fire** – Chair Sergeant –Godfrey, Christensen  
**Budget and Finance** – Chair Sergeant, Christensen, Rasmussen

- a. Alderwoman Sergeant wanted to report on is that the Sidney Volunteer Fire Department had their annual breakfast a couple of weeks ago, it was well attended and about 1220 plates were served said Alderwoman Sergeant. Alderwoman Sergeant just wanted to give a big thank you to all the fireman and their hard work.

10. **UNFINISHED BUSINESS:** Nothing.

11. **NEW BUSINESS:** Nothing.

**12. CITY PLANNER SANDERSON:**

- a. **Mary Stepler-** Variance Request: PWD Hintz stated that the zoning board committee met to discuss Mary Stepler wanted to build a covered porch over her front step attached to her house at 1262 14<sup>th</sup> St SW, PWD Hintz stated that there were no oppositions to her variance and the zoning board is recommending approval to her variance request. Alderwoman Christensen made a motion to approve of Mary Stepler covered porch variance, and Alderwoman Sergeant seconded the motion. With no further discussion, all present voted aye.

13. **CITY ATTORNEY:** City Attorney Kalil did state he is currently working on the nuisance ordinance but, he can not discuss anything right now.

**14. CHIEF OF POLICE KRAFT:**

- a. **Update:** Chief Kraft is looking for approval of an Officer Cole Selmo in his registration from the Sidney Police Department, Chief Kraft said Mr. Selmo will be done at the Sidney Police Department on June 30<sup>th</sup>, 2021. Alderwoman Christensen made a motion to approve of Officer Selmo registration, and Alderwoman Sergeant seconded the motion. With no further discussion, all present voted aye.

**15. PUBLIC WORKS DIRECTOR HINTZ:**

- a. **Update:** PWD Hintz gave an update on the city washdown pad, PWD Hintz stated that the washdown pad is 90% completed. PWD Hintz also said the Nielson/Halvorson sewer improvements is 30% completed on the design part, and PWD Hintz said he reviewed the plans and saw no issues with it so far. PWD Hintz also mentioned that the applications for the alternative transportation project have been submitted, and PWD Hintz said as of right now the pool is up and running great right now.
- b. **WWTP Phase 3 Draw #25 for \$19,545.00:** PWD Hintz presented the City Council with the WWTP P3 Draw #25. Motion was made to approve the WWTP P3 Draw #25 for \$19,545.00 by Alderman Koffler, and Alderwoman Rasmussen seconded. With no further discussion, all present voted aye.

**16. FIRE MARSHAL/BUILDING INSPECTOR RASMUSSEN:**

- a. **Update:** Fire Marshal/Building Inspector Rasmussen stated that he will have his report will be ready at the next meeting.

**17. CITY CLERK/TREASURER CHAMBERLIN:**

- a. **Consent agenda**
  - i. Claims to be approved: \$853,597.15.
  - ii. Building Permits to be approved:

**\*\*2021-030 On Hold**

2021-073	South 40	207 2 <sup>nd</sup> AVE NW	L7, B7, Original	Re-Roof
2021-102	Carly Zadow	309 7 <sup>th</sup> AVE SW	L3, B9, Gardner Add.	Fence
2021-107	James Wenzel	405 7 <sup>th</sup> ST SW	L2, B8, Gardner Add.	Fence
2021-108	Chris Schoepp	920 11 <sup>th</sup> ST SW	L7, B2, Peterson	Fence
2021-109	Kyle Koppinger	311 11 <sup>th</sup> AVE SW	L4, B2, Nels Bach	Fence
2021-110	Assembly of God	414 E Main St	L14, B16, Kenoyer	Remodel

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2021-111	Kandi Case	1511 Lincoln AVE E	Bernie Connar Anderson Sub.	Shed
2021-112	Jamie Garcia	1898 Bitterroot Dr.	L10, B1, North Meadow	Fence
2021-113	Kristi Strouf	508 3 <sup>rd</sup> ST SE	L17 &18, B29, Kenoyer	Fence

Deputy Clerk/Treasurer Shanks did want to try and schedule a Budget and Finance Committee Meeting to further discuss APRA Funds, Deputy Clerk/Treasurer Shanks mentioned that Clerk/Treasurer Chamberlin will be putting in a request to receive funds from pot A next week since the deadline to do so is on June 15<sup>th</sup>, 2021. Clerk/Treasurer Chamberlin said that the Budget and Finance Committee does not have to meet before Clerk/Treasurer Chamberlin submits the request for those APRA Funds. Motion was made to approve the consent agenda by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. Mr. DiFonzo wanted to check the status on the 4<sup>th</sup> AVE project over by the Sidney High School, Mayor Norby mentioned that next year the city plans to start that project. PWD Hintz with the water main project the city needs to spend the BARSAs Funds to get that street back into shape, and the city does not have the funds right now. PWD Hintz said the designs are all drawn up, Mr. DiFonzo said that this project needs to be done next year. With no further discussion, all present voted aye.

Meeting was adjourned at 7:35 p.m.

ATTEST:

\_\_\_\_\_  
MAYOR NORBY

\_\_\_\_\_  
DEPUTY CITY CLERK/TREASURER

\_\_\_\_\_  
DATE APPROVED