

May 5th, 2014

11. UNFINISHED BUSINESS:

Nothing

12. NEW BUSINESS:

- a. **Variance: Rick Tiesen:** City Planner How provided the Council with a staff report on the variance request for the Jitterbugs pre-school and daycare, submitted by Rick Tiesen, at the corner of 6th and East Main. City Planner How stated that the Zoning Board had approved the variance on April 29th. It was his recommendation to approve the variance with the conditions outlined in the staff report. Motion was made to approve the variance request for Rick Tiesen and the Jitterbugs pre-school and daycare with the conditions set forth by City Planner How by Alderwoman Gilbert, and seconded by Alderwoman Christensen. Council voted 5 ayes, 1 nay. Mayor Norby asked Alderman Smith why he voted nay to the request and Alderman Smith stated he would want to see a traffic plan for unloading before approving.

13. CITY PLANNER HOW:

- a. **Variance and Rezoning request: Glen R. Smith at Bagnell RV Park:** City Planner How stated that the Bagnell RV Park is being sold. The new owners are submitting applications for a re-zoning and a variance request, and will be going before the Zoning Board on Tuesday May 20th.

14. CITY ATTORNEY NAVRATIL:

- a. **Resolution 3558: Permission to Submit Grant and Loan Application:** City Attorney Navratil ready aloud Resolution 3558 Permission to submit grant and loan application. Motion was made to approve Resolution 3658 by Alderman Smith and seconded by Alderman Koffler. All council present voted aye.
- b. **Ordinance 552: Wastewater Code, 1st reading:** City Attorney stated that he would like to table this ordinance for further review with the water and sewer committee, PWD Hintz, and Water Commissioner Anderson. Alderwoman Christensen made a motion to table Ordinance 552, and Alderman Smith seconded. All council voted aye.
- c. **Ordinance 554: Updating Fire Code, 2nd reading:** City Attorney Navratil read for the second reading of Ordinance 554 Updating Fire code aloud. Motion was made to approve Ordinance 554 by Alderman Smith, and Alderwoman Sergeant seconded. The council voted as follows:

Ayes: Sergeant, Gilbert, Koffler, Gartner, Smith and Christensen

Nays: None

Absent: None

15. CHIEF OF POLICE DIFONZO:

- a. **Chief Update:** Chief DiFonzo asked the council to confirm the hiring of Joshua J. Harris from Missoula to the City Police Department as a full time police officer. Motion to confirm Joshua J. Harris's hiring was made by Alderwoman Gilbert, and seconded by Alderman Koffler. All council present voted aye.

16. PUBLIC WORKS DIRECTOR HINTZ:

- a. **PWD Hintz** asked the city council to approve a committee meeting to go over the Capital Improvement Plan that the City is in need of. Mayor Norby stated that the water and sewer committee should meet for this. Alderman Smith stated they will meet Monday May 12th at 5pm.
- b. **Monthly Update:** PWD Hintz presented the council with his monthly report. He stated that the garbage is again up, this month is ~~at~~ 67 tons higher than last year and 128 tons higher than 2 years ago. He also stated that he ordered the new garbage truck that was previously approved and budgeted for. Alderwoman Gilbert asked if the garbage flying out of the back of the garbage trucks on the way to the dump. PWD Hintz stated that the truck that had this issue was fixed a long time ago.

17. CITY TREASURER:

18. CITY CLERK REDFIELD: consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** e-mailed May 2nd, 2014
- b. **CLAIMS TO BE APPROVED:** \$78,576.39
- c. **BUILDING PERMITS:**

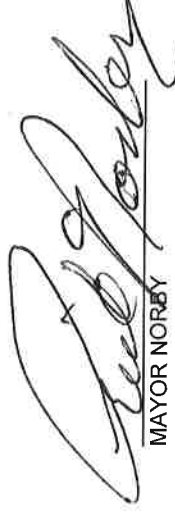
Kum & Go	600 North Central	Canopy	Lot 7, Block E Bach's 3 rd
Allan Toffe	1108 4 th St SW	Garage	Lot 6-9, Block 1, Original
Metz Fuel & Service	625 South Central	New Roof	Lot 4, Block 2 Kling
Robert Kukus	616 8 th St SE	Roof over deck	Lot 29 Northview Sub
Northwest Investment Group	309 7 th Ave NW	Single Residence	Gas Pump on Truck Route
Cross Petroleum	223 9 th Ave NE	Sign	Gas Pump on Truck Route
Cross Petroleum	223 9 th Ave NE	Canopy	Lot 13 & 14, Block 17, Kenoyer
Rick Tiesen	524 East Main St	Remodel	Lot 1, Block 7, Gardner
Larry & Renee Christensen	501 7 th Ave SW	Garage	Lot 5, Block 34, Original
Levi Wellikol	320 2 nd St NE	Fence	

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

Meeting was adjourned at 8:30 pm

ATTEST:


CITY CLERK


MAYOR NORBY

May 19, 2014
DATE SIGNED

May 5th, 2014

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order by Mayor Rick Norby at 6 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Sergeant, Gilbert, Koffler, Gartner, Smith, and Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**

- a. **April 7th, 2014 and April 14th, 2014 Special Meeting:** Motion was made to approve the minutes for April 7th and April 14th Special Meeting by Alderwoman Sergeant, and seconded by Alderman Koffler. Alderwoman Gilbert asked if the Cell Phone policy that was presented in the April 7th meeting had been changed as stated in the meeting to not be held out of payroll, but rather through a claims check and if it would again be presented to the council. Clerk Redfield stated it had been updated, and if the council would like to review it further she would present it again at the next council. Alderwoman Gilbert just asked to have it e-mailed to her. All council present voted aye.

5. **PUBLIC HEARING:**

- a. **Rate Increase Hearing:** Mayor Norby opened the public hearing for the sewer rate increase at 6:05pm. To start the public hearing Patrick Murragh, Murragh Municipal Engineering, presented the citizens and council an informational slide show on the history of the lagoon and why the rate increase is the only option for the City of Sidney at this time. In discussion the citizens of Sidney broached the following key subjects:

- i. **Low-income and Senior Citizen aid on water/sewer bills**
- ii. **New developers impacting Sidney should have to pay their share**

After discussion Alderwoman Sergeant called to question and made the motion to approve the sewer rate increase, and was seconded by Alderman Smith. In discussion Mayor Norby stated that he would like it added to the motion that he and the City will look into every avenue for low income. Motion was made to amend the previous motion to add the request the Mayor stated, making the new motion that the City of Sidney approve the sewer rate increase and that they look into every possible avenue to aid low-income citizens, and was seconded by Alderman Smith. Voting went as follows:

Ayes: Sergeant, Koffler, Gartner, Smith, and Christensen
Nays: Gilbert
Absent: None

Mayor Norby closed the public hearing for the sewer rate increase at 7:28pm, and called for a brief recess.

6. **Mayor Norby called the regular meeting back to order at 7:37 pm.**

7. **Visitors:**

- | | |
|-------------------------------------|------------------------------------------|
| a. Ron Rehben | q. David Christensen |
| b. Cindy Rehben | r. Rob Gilbert III |
| c. Bruce Berndt | s. Adam Smith: IEI |
| d. Deb Schieffer | t. Lowell Cutshaw: IEI |
| e. Dennis Peplow | u. Stephanie Garvey: Park Superintendent |
| f. Red Lovac | v. Jay Sissel |
| g. Kerry R. Howard | w. Joe Russell: Lone Tree |
| h. Holly O'Toole | x. Dick Craig |
| i. Laura Kelly | y. Gordon Torgerson: South Fork Ranch |
| j. John Kelly | z. Terry Klein |
| k. Shane Gorder | aa. Art Harook |
| l. Bob Harris Jr. | b. Rhonda Fink |
| m. Ruby Sweeley | cc. Keith Lindberg |
| n. Lori Utter | dd. Brian McGinnis |
| o. Susan Minichiello: Sidney Herald | ee. Don Garsjo |
| p. Sandy Christensen | |

8. **MAYOR NORBY:**

- a. **Lt. Governor Angela McLean:** Mayor Norby stated that Lt. Governor Angela McLean will be in Sidney for an informal meeting to answer any questions that people may have. She will be at City Hall on Thursday May 8th, 2014 at 1:15pm for those who want to attend.
- b. **MDT Construction Agreement for Signals at W Holly St:** Mayor Norby stated he needs permission to sign the previously presented MDT Construction Agreement for the Signals at West Holly Street. Motion was made to approve Mayor Norby signing the construction agreement by Alderman Smith, and seconded by Alderman Gartner. All council voted aye.

9. **COMMITTEE WORK:**

- a. **Street and Alley:**
 - i. **Sunrise Subdivision:** Alderwoman Christensen stated that the Street and Alley Committee met on the Sunrise Subdivision twice. They discussed with the developers the concerns with safety that the City currently has, but do not have a recommendation to present to the council at this point.
 - ii. **SID at 34th Ave:** Alderwoman Christensen stated that the Street and Alley Committee met on the SID at 34th Ave but they tabled it until further information could be gathered.

- b. **Water and Sewer:**

- i. **Ordinance 552:** Alderman Smith stated that the water and sewer committee did not have a meeting discussing Ordinance 552 because of changes that needed to be made according to PWD Hintz and Water Commissioner Anderson.

- c. **Park and Rec:**

- i. **Camping in Parks:** Alderman Koffler stated that the park and rec committee met about the swim team camping in the parks. Motion was made to approve the swim team camping in the City Parks by Alderman Koffler, and seconded by Alderwoman Christensen. In discussion Park Superintendent Ridi stated that she thinks this is a huge liability of the City, and that they should follow the ordinances that state the time the parks are closed and that no camping is in the City parks. She also stated that in previous years many issues have arose in previous years such as not staying in the appropriate place, using steaks that were prohibited, campfires, lines for hanging wet swim suits, and other hazards. Bryan McGinnis, swim team representative, stated that the swim team is willing to follow any guidelines that the City sets. He also stated that this is an important part of swim team and that they are thankful for the City's help in the past but are willing to make sure that the issues do not arise this time. He also stated that the issues were not directly brought to the Swim Teams attention, or they would have been address. Chief DiForzo stated the Council has the ability, per the ordinances, to approve camping in the park, and that all the safety issues can be addressed in the guidelines. Park Superintendent Ridi asked City Attorney Navratil if people in the parks is a liability issue for the City, and he stated that it is not any more than normal liability depending on litigation. Alderman Smith stated that communication between the City and the Swim Team needs to increase. All council voted aye.

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

Nothing to report.