

December 16th, 2019

1. **CALL TO ORDER: Mayor Norby at 6:30 pm**
2. **PLEDGE OF ALLEGIANCE:**
3. **ALDERMEN PRESENT:**
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **December 2nd, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the December 2nd, 2019 regular Council Meeting by Alderwoman Sergent, and Alderwoman Christensen seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Tony King, 809 6th Ave SE:** Mr. King came before the City Council with an issue with the Post Office. He stated they are driving on his sidewalk with chains when delivering the mail, ruining his sidewalk. He further stated they made him move his mail box to his fence in an attempt to get the entire neighborhood's mailboxes on curb. City Planner Sanderson stated the City can meet with the Post Master or make a decision to more aggressively enforce the public right-of-way and not allow the mailboxes to be in it. PWD Hintz stated he has had other complaints of them driving on sidewalks, and Alderman Koffler stated he has witnessed this also. It was the General Consensus of the City Council for Mayor Norby to reach out to the Post Master to try to resolve this issue.
 - b. **Jason Schrader**
 - c. **Jeff Mead**
 - d. **Amy Efta-Sidney Herald**
 - e. **Kali Godfrey**
 - f. **Laura Gundlach-Morrison Maierle**
 - g. **Tom Hedegaard**
 - h. **Nancy Hedegaard**
 - i. **George Biebl-Park and Rec Board**
 - j. **Caysi Johnson-CIA/AmeriCorps**
 - k. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING:**
 - a. **Zoning Code Update-Sidewalks:** Mayor Norby opened the public hearing for the zoning code update at 6:35pm. City Planner Sanderson reviewed the changes to the zoning code and stated the Zoning Commission recommended approval after their public hearing on December 3rd, 2019. He further stated that the changes are consistent with the growth policy and pass the 12 point test. Mayor Norby called for any proponents, three times, with none coming forward. Mayor Norby called for any opponents, and Mrs. Hedegaard came forward. Mrs. Hedegaard spoke in opposition to the zoning code changes and provided her testimony for the official record. She stated, among other reasons, that the changes are too drastic of a change when simple clarification was all that was needed, that surrounding communities do not require this, it will discourage home improvements because it will make simple house improvements cost prohibitive, it will make people doing projects without permits rise, and that it infringes on private property owner rights. Mayor Norby called for any further opponents, three times, and none else came forward. Mayor Norby closed the public hearing for the zoning code update at 6:45pm.
7. **MAYOR NORBY:**
 - a. **AmeriCorp Position Filled-Caysi Johnson:** Mayor Norby announced the City has filled its AmeriCorps position with Caysi Johnson, who will start on January 6th, 2020. Ms. Johnson stated she is originally from Indiana and is in her 2nd year as an AmeriCorps member in Sidney. She stated she did one year with District 2 Drug and Alcohol assisting with the Step-Up program. She stated she has been working with the Chamber with the Christmas Stroll and Parade and many more projects, and is looking forward to starting with the City of Sidney.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:**
 - a. Alderman Smith stated he would like to take this time to state it has been a pleasure working with everyone.
 - b. Alderwoman Rasmussen stated the Park and Recreation Board met and discussed the selling of Johnson Park to the Sidney Health Center, which they recommended no. Alderwoman Rasmussen made a motion to send the Johnson Park purchase to the Park and Recreation Committee, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye. PWD Hintz stated the Park and Recreation Board also is seeking approval from the City Council to hire a consultant for the plans and specs for the rehab of the existing building in East Park (Quilling's Park). He stated this will cost approximately \$12,000 to bring the building up to ADA requirements. Motion was made to send the hiring of a consultant for the East Park building to the Park and Recreation Committee by Alderwoman Rasmussen, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye.
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS:**
 - a. **Appoint Kali Godfrey to Ward 2, term commencing January 1st, 2020:** Motion was made to approve the appointment of Kali Godfrey to the Ward 2 Council position, term commencing January 1st, 2020 by Alderman Smith, and Alderwoman Christensen seconded the motion. With no discussion, all present voted aye.
 - b. **Bidegaray Variance Request:** PWD Hintz presented the City Council with the Bidegaray variance request, and stated the Board of Adjustments has recommended approval and there was no opposition at the public hearing for the variance. Motion was made to approve the Bidegaray Variance for her front awning by Alderman Koffler, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.
 - c. **Park and Recreation Board Recommendation-Sidney Health Center and Johnson Park:** Acted on under Alderman Requests and Committee Reports (b.).
12. **CITY PLANNER SANDERSON:**
 - a. **Trinity Lutheran Church Lot Aggregation:** City Planner Sanderson presented the City Council with the Trinity Lutheran Church Lot Aggregation. He stated this is aggregating 5 lots into 1 lot, it is subdivision exempt, and he recommends approval with conditions outlined in his staff report. Motion was made to approve the Trinity Lutheran Church Lot Aggregation by Alderwoman Christensen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
13. **CITY ATTORNEY:**
 - a. **Ordinance 580-Zoning Code Update-Sidewalks:** City Attorney Kalil read Ordinance 580 out loud. He stated this is in line with what was presented during the public hearing. Mayor Norby called for a motion on Ordinance 580 multiple times, and with no motion by the City Council, the ordinance died.
 - b. **Ordinance 581-Parking Code Update-Idling diesel vehicles:** City Attorney Kalil read Ordinance 581 out loud. He stated this is the ordinance requested at the December 2nd, 2019 Council meeting. Alderwoman

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Christensen made a motion to send Ordinance 581 to the Street and Alley Committee for further review, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

14. CHIEF OF POLICE DIFONZO:

- a. **November 2019 Police Department Report:** Chief DiFonzo presented the City Council with the November 2019 Police Department Report.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Update:** PWD Hintz stated they have hauled over 600 loads of snow since last Monday, and they are trying to get it finished. He further stated the rehab of filter 3 at the Water Treatment Plant is approximately 50% done.
- b. **Sidney Phase 3 Draw #15-\$29,250.90:** Mrs. Gundlach stated the Waste Water Treatment Plant Phase 3 is in substantial completion, with the hope of final completion being done this year. She stated draw #15 does not include a pay application from COP Construction because they did not get it submitted in time. She further stated the Morrison Maierle invoice it includes is for 6 weeks, not the usual 4 weeks. Motion was made to approve the Waste Water Treatment Plant Phase 3 Draw #15 for \$29,250.90 by Alderman Smith, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
- c. **Amendment #4 to 7D:** Mrs. Gundlach stated the Amendment #4 to Task Order 7D for Morrison Maierle is the final amendment for the engineering overtime and liquidated damages for the over fun of the Phase 3 of the Waste Water Treatment Plant project. Motion as made to approve the Morrison Maierle Amendment #4 to Task Order 7D by Alderman Smith, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.

16. Fire Marshal/Building Inspector Rasmussen:

- a. **November 2019 Fire Department Report:** Fire Marshal/Building Inspector Rasmussen presented the City Council with the November 2019 Fire Department Report. He stated the State has adopted the updated building and fire codes, most of which to the 2018 standards, and that the City of Sidney passed an ordinance previously that automatically adopts the codes the States adopts. Fire Marshal/Building Inspector Rasmussen stated the Sidney Pierce pump truck has a pump test and did not pass, and asked for a committee meeting to address these issues and how to proceed on getting it fixed. Motion was made to approve the Police and Fire Committee meeting to discuss the Sidney Pierce pump truck by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

17. CITY TREASURER REDFIELD:

- a. **November 2019 Treasurer's Report:** City Clerk/Treasurer Redfield provided the City Council with the November 2019 Treasurer's Report.
- b. **November 2019 Journal Voucher Report:** City Clerk/Treasurer Redfield provided the City Council with the November 2019 Journal Voucher Report, which she stated includes the journal vouchers for putting the property taxes on the books. Motion was made to approve the November 2019 Journal Voucher Report by Alderwoman Rasmussen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
- c. **November 2019 Water/Sewer Bank Transfer:** City Clerk/Treasurer Redfield presented the City Council with the November 2019 Water/Sewer Bank Transfer. Motion was made to approve the November 2019 Water/Sewer Bank Transfer of \$120,835.80 by Alderman Smith, and seconded by Alderman Koffler. With no further discussion, all present voted aye.

18. CITY CLERK REDFIELD:

Consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 414,015.85**

2020-061	Pella Lutherna Church	418 W Main Street	Shed	L7,B45, Original
2020-062	Red Hot Fire Service	621 E Main Street	Remodel	L10,11,12, B25, Kenoyers Add.
2020-0263	Thiel Bros Roofing	1807 S Central Ave	Re-Roof	Kenoyers 1 st , Sef 37, Track 23N

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

Mayor Norby thanked Alderman Smith for all his work while being on the City Council for 10 years and stated it has been a privilege to work with him. He further stated Alderman Smith will be missed.

Meeting was adjourned at 7:12 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED