

# May 20<sup>th</sup>, 2019

1. **CALL TO ORDER:** The regular meeting of the Sidney 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:** Sergent, Rasmussen, Koffler, Gartner, Smith, and Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **May 6<sup>th</sup>, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the May 6<sup>th</sup>, 2019 regular Council Meeting by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **Bill Vander Weele- Chamber of Commerce:** Mr. Vander Weele stated he would like to thank the City of Sidney for the work on the softball fields for the State Tournament. He stated the public works department went above and beyond to try to keep the tournament going with the rain. Mr. Vander Weele stated his purpose for coming before the City Council was to get permission to block off 5<sup>th</sup> St from 2<sup>nd</sup> to 3<sup>rd</sup> Avenue for the Sunrise Festival. He stated they are wanting to expand the kid's portion. Chief DiFonzo stated he did not see any issue with doing this. Motion was made to approve the blocking of 5<sup>th</sup> St from 2<sup>nd</sup> to 3<sup>rd</sup> Avenue for the Sunrise Festival by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. In discussion Chief DiFonzo stated the public works department will need to provide the barricades, and PWD Hintz stated they would. With no further discussion, all present voted aye.
  - b. **Josh Kohl- Fireworks Permit: Not Present**
  - c. **Bill Linder:** Mr. Linder came before the City Council to raise concerns with the building and demolition project that he does not believe they have gotten any building permits or demolition permits for. After describing what he had witnessed at the location, he stated that he has also heard from employees that they plan to create a truck stop for overnight parking and pumps in the back of the building, which is concerning for those who live in that area like he does because of the noise. Building Inspector Rasmussen stated they have gotten a demolition permit, and have met with him about the building permit, but as of the last time he had been there the work they had been doing did not require the permit yet, but that they would be dealing with Kyle Harlan, as he is not certified in commercial permits yet. Mr. Linder stated that from what he had heard they were wanting to do a horse shoe type entrance/exit similar to Town Pump for trucks, but that he believes that the alley there they would be using is not an alley, that it was a temporary access granted by his property and another property, but a permanent access was put in off of Central, so the City would have to take it out to stop the access. He further stated that he wants to try to stop the trucks idling all night with the loud noise before it is approved and stopped. Building Inspector Rasmussen stated that the DEQ would permit the pumps, but that it is currently zoned for a gas station/truck stop, so they would be within the zoning regulations to do this, and that he would go over and see what work they are doing and if they are doing anything that would require a building permit. Mr. Linder stated he would just like to be proactive in this situation, and not reactive. PWD Hintz stated they will need to pull the original plat to see what is or is not an alley over there. Alderwoman Rasmussen stated she would like to see a meeting with Cenex so they can know exactly what their plans are. Alderwoman Rasmussen made a motion to call for a City Buildings and Street Lighting Committee meeting to meet with Cenex pertaining to this matter, and Alderman Koffler seconded the motion. All present voted aye.
  - d. **Jeff Mead**
  - e. **Jason Schrader**
  - f. **Amy Venn-Sidney Herald**
  - g. **Laura Gundlach-Morrison Maierle**
  - h. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
  - a. **Proposed Opposition of City Council to Proposed MDU Rate Increase:** Mayor Norby presented the City Council with an opposition of the City of Sidney to the proposed MDU rate increase. Motion was made to approve the City Council and Mayor to sign the opposition to the MDU rate increase by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. In discussion Mr. Schrader stated he appreciated the City of Sidney taking this step, and that he backs this decision. Mayor Norby stated that the Richland County Commissioners have signed one also, and that County Civil Attorney Tom Halvorson drafted both. He further stated that he felt this was something that the City of Sidney has to do. With no further discussion, all present voted aye.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:**
  - a. Alderwoman Rasmussen stated the Park and Recreation Committee met and discussed the volunteer program for beautifying Sidney, the sign at the dog park, the pool update, and priorities for spending in the parks.
  - b. Alderwoman Sergent stated she would like to thank the Sidney Volunteer Fire Department for hosting the annual Fireman's Breakfast. She stated that they were up 250 people this year, but that their donations have been down.
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS: Nothing**
12. **CITY PLANNER SANDERSON: Nothing**
13. **CITY ATTORNEY:**
  - a. City Attorney Kalil stated he has looked into the issues presented to him at the previous Council meeting. He stated that the trailers/RV's parked on City streets is currently illegal. He stated that they are illegal if they are on a City street more than 72 hours in a 60 day period. He stated that he understands that the Police Department is busy, but that the statutes are in place to force them to move. He stated the same is for parking/obstructing sidewalks, and that vehicles, trailers, or RV's could be towed under these statutes. City Attorney Kalil stated that pertaining to the littering issue presented, there is a City statute pertaining to littering on bike paths or City parks, but nothing more. He stated he has drafted an ordinance to update this code for all City property, including streets, and asked if the Council would like to have a committee meeting to review or to have him present it at the June 3<sup>rd</sup> City Council meeting.

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Alderwoman Rasmussen stated she would like to see this go to committee for review, and recommended to send it to the Street and Alley Committee. It was the general consensus of the City Council to have the Street and Alley Committee review the littering ordinance.

## 14. CHIEF OF POLICE DIFONZO:

- a. **Update:** Chief DiFonzo thanked the City public works department for all their help with the softball tournament, and the help with the rain and keeping the tournament going.

## 15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Update:** PWD Hintz that the Water Treatment Plant filter project is moving along, with the #1 filter replaced and running, and the #2 filter is about 50% installed. He stated the streets department has stated the 4<sup>th</sup> and Lincoln project, with the curb installation done and street improvements coming this week, pending weather. PWD Hintz stated there was flooding last Friday on East Holly, which was not the City's issue as it was caused by the MDT East Holly project, but that the public works department was on site assisting cleaning it up for 4.5 hours that night. He stated that COP Construction did get the old storm sewer opened, but that a couple houses did get wet. PWD Hintz stated Shane Mintz of the MDT informed him that the West Holly light will be going before the Commission for approval in June.
- b. **WWTP Phase 3 Draw #8 for \$152,875.36 corrected to \$148,113.74:** PWD Hintz presented the City Council with Draw #8 for \$148,113.74. Motion was made to approve WWTP Phase 3 Draw #8 for \$152,875.36 by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. In discussion City Clerk/Treasurer Redfield stated the corrected total is due to Mrs. Gundlach finding a billing error on the Morrison and Maierle bill, causing the total draw amount to decrease. After no further discussion, all present voted aye. Mrs. Gundlach stated that with a new accounting system, they are still figuring out the kinks for billing. She stated that phase 3 is going well, and that the City Council can expect larger draws than have been presented in June and July. She further stated they are anticipating substantial completion of phase 3 by the end of July.

## 16. Fire Marshal/Building Inspector Rasmussen:

- a. **Fire Department Report-April 2019:** Building Inspector Rasmussen provided the City Council with his April 2019 Fire Department report. He stated that it had the fire calls and trucks serviced on the report, and that the DNRC truck inspections are completed. He further stated that he was in Denver the previous week for Building Inspector School, and passed his residential testing, so he can now permit all residential permits.

## 17. CITY TREASURER REDFIELD:

- a. **April 2019 Treasurer's Report:** City Clerk/Treasurer Redfield stated that the April 2019 Treasurer's Report was provided at the previous meeting. She further stated that she needs a Budget and Finance Committee to discuss the FY19-20 City Judge wages, SVFD presumptive worker's comp coverage, FY19-20 payroll and health insurance increase of 8%, and FY19-20 budget prep. It was the general consensus of the City Council to have a Budget and Finance Committee meeting on Friday May 24<sup>th</sup>, 2019 at 4:30pm. City Clerk/Treasurer Redfield stated that the Street and Alley Committee is the same members and Budget and Finance, so she will post the agenda of the Street and Alley Committee to be Friday May 24<sup>th</sup>, 2019 at 4:30, with the Budget and Finance Committee meeting to directly follow.

## 18. CITY CLERK REDFIELD:

### Consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 98,061.03**

2019-72	Terry Houchen	602 9 <sup>th</sup> AVE SW	Fence	L4, B11, Hanson 9 <sup>th</sup> Add.
2019-73	Richard Dahl	1201 11 <sup>th</sup> ST SW	Fence	L4A, B11, Petersons 2 <sup>nd</sup> Sub.
2019-74	Blinda Larson	309 2 <sup>nd</sup> AVE NW	Sign	L5, B37, Original Sub.
2019-75	Kathy Durham	318 14 <sup>th</sup> AVE SW	Fence & Shed	L5, BH, Nels Bach 3 <sup>rd</sup> Add.
2019-76	Duane Norby	102 7 <sup>th</sup> AVE NW	Fence	L6, B12, Gardeners 1 <sup>st</sup> .
2019-77	John Nesper	402 6 <sup>th</sup> AVE SE	Fence	L3, B42, Kenoyer 1 <sup>st</sup> Add.
2019-78	Joel Collins	1798 Bitterroot Dr.	Fence	L11, B1, North Meadow Sub.
2019-79	Cell Plus	323 S Central Ave	Remodel	L6, B23, Original
2019-80	ON HOLD			
2019-81	Con Donvan	1302 15 <sup>th</sup> ST SW	Fence	L1, B7, Lyndell Acres

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.

Meeting was adjourned at 7:12 p.m.

ATTEST:

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MAYOR NORBY

\_\_\_\_\_  
CITY CLERK

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DATE APPROVED