

# February 6<sup>th</sup>, 2017

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:** Sergeant, Rasmussen, Koffler, Gartner and Smith; Absent: Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **January 17<sup>th</sup>, 2017 Regular Council Meeting:** Motion was made to approve the minutes from the January 17<sup>th</sup>, 2017 regular Council Meeting by Alderwoman Sergeant, and seconded by Alderwoman Rasmussen. After no discussion or corrections, all present voted aye.
  - b. **January 17<sup>th</sup>, 2017 Street and Alley Committee Meeting:** Motion was made to approve the minutes from the January 17<sup>th</sup>, 2017 Street and Alley Committee Meeting by Alderwoman Rasmussen, and seconded by Alderwoman Sergeant. After no discussion or corrections, all present voted aye.
  - c. **January 25<sup>th</sup>, 2017 Park and Recreation Committee Meeting:** Motion was made to approve the minutes from the January 25<sup>th</sup>, 2017 Park and Recreation Committee Meeting by Alderwoman Sergeant, and Alderman Gartner seconded the motion. City Attorney Krautter requested the change that he did not receive an official attorney general's opinion, it was an informal conversation that led him in the direction discussed at the Park and Recreation Committee Meeting. Alderwoman Sergeant amended her motion to include the correction of City Attorney Krautter, and Alderman Gartner seconded the amendment to the motion. After no further discussion, all present voted aye.
  - d. **January 25<sup>th</sup>, 2017 Budget and Finance Committee Meeting:** Motion was made to approve the minutes from the January 25<sup>th</sup>, 2017 Budget and Finance Committee Meeting by Alderwoman Sergeant, and seconded by Alderwoman Rasmussen. After no discussion or corrections, all present voted aye.
5. **VISITORS:**
  - a. SHS FFA: Ted Fulghan, Sierna Osborn, Garret Leland, Kyle Topp
  - b. Cole Roberts
  - c. Quinn Schwartz: Sidney Herald
  - d. Randy Iversen: Sidney School Board
  - e. Anthony Jensen
  - f. Lowell Cutshaw: Interstate Engineering
6. **PUBLIC HEARING:** Nothing
7. **MAYOR NORBY:**
  - a. **FFA Proclamation:** Mayor Norby read the proclamation for the FFA, declaring the week of February 18-25, 2017 FFA week.
  - b. **Oath of Office-BreeAnn Messer as Deputy Clerk/Treasurer:** Mayor Norby administered the Oath of Office for BreeAnn Messer for the Deputy City Clerk/Treasurer position. Mayor Norby commended Deputy Messer on her hard work and doing very well in the position.
  - c. **Reappointment to the Airport Board-Troy Jensen:** Mayor Norby stated that Troy Jensen needs to be reappointed to the Airport Board, at his request. Motion was made to approve reappointing Troy Jensen to the Airport Board was made by Alderwoman Sergeant and seconded by Alderman Smith. After no discussion, all present voted aye.
8. **COMMITTEE WORK:**
  - a. **Street and Alley Committee:**
    - i. **Curb and Gutter at 4<sup>th</sup> St NW with Sidney Middle School:** Alderwoman Rasmussen stated that the Street and Alley Committee met with Lowell Cutshaw of Interstate Engineering and Randy Iversen, representing the Sidney School Board about the replacement of the curb and gutter at 4<sup>th</sup> St NW that the Sidney Schools felt the City of Sidney should pay half of. After discussion it was the recommendation of the Street and Alley Committee to approve the Public Works Department to do the tear out of the current curb and gutter and the asphalt patching, which would equal to about half of the cost of the replacement. Alderwoman Rasmussen made a motion to approve the Public Works Department to do the tear out of the current curb and gutter and the asphalt patching as the City of Sidney's contribution to the curb and gutter replacement with the Sidney Schools at 4<sup>th</sup> St NW, and Alderman Gartner seconded the motion. After no discussion, all present voted aye.
  - b. **Park and Recreation Committee**
    - i. **Boys and Girls Club-Johnson Park:** Alderwoman Rasmussen stated the Park and Recreation Committee met with the Boys and Girls Club to discuss the acquisition of the Johnson Park Land. After discussion, it was the recommendation of the Park and Recreation Committee to have the Boys and Girls Club survey and split the Johnson Park Land into 3 lots, which could then be given to them as they are ready for them. Alderwoman Rasmussen made a motion to approve the Boys and Girls Club surveying and splitting Johnson Park into 3 lots for future acquisition, ad Alderman Koffler seconded the motion. After no discussion, all present voted aye.
  - c. **Budget and Finance Committee**
    - i. **TBID and Sidney Chamber of Commerce:** Alderwoman Sergeant stated the Budget and Finance Committee met with the TBID and the Sidney Chamber of Commerce to discuss the TBID separating their finances from the Chamber. After lengthy discussion, it was decided that the two boards would meet independently to discuss the future after separating the finances, and that they are to come back to the City Council Meeting on February 21, 2017 to inform the Council of their decisions.
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:** Nothing
10. **UNFINISHED BUSINESS:** Nothing
11. **NEW BUSINESS:**
  - a. **Alco Utility Bill:** City Clerk/Treasurer Redfield stated that Alco has a past due water and sewer bill of \$442.90, the last charge being from February 2015 and the last payment, which was only a partial payment was in March 2015. She further stated that Alco has gone through bankruptcy court, and the City of Sidney was not one of the bills to be paid in the bankruptcy. City Clerk/Treasurer Redfield ask the City Council to write-off the remaining balance of \$442.90 for the Alco water and sewer bill. Motion was made to approve writing off the \$442.90 Alco water and sewer bill by Alderman Koffler and seconded by Alderwoman Rasmussen. In discussion, Alderman Smith asked if there was any way else to get the money for the bill, and City Clerk/Treasurer stated that the sewer could be put on the property taxes, and that if the Council wanted City Staff could go after the current property owners for payment, as the bill stays with the property. After no further discussion, all present voted aye.
  - b. **Pizza Partners (Pizza Hut) Variance:** PWD Hintz stated the Board of Adjustments met to discuss the variance request of Pizza Partners for the placement of a trailer at Lot 15, Block 7, in Wagon Wheel Subdivision. He stated that they were in the process of moving the trailer when the permitting process was brought to their attention, and they were not aware that the trailer they had was 4 feet to long for the lot. PWD Hintz stated that after discussion, it was the recommendation of the Board of Adjustments to approve a 4 foot front yard variance, with the stipulation that the tongue is removed. Motion was made to approve the variance of Pizza Partners, per the Board of Adjustments recommendation, by Alderwoman Sergeant and seconded by Alderman Smith. After no discussion, all present voted aye.
12. **CITY PLANNER:**
  - a. **New Zoning Code-Update:** PWD Hintz stated the Zoning Board reviewed the areas of code in question and made their recommendations for the changes, a copy of the minutes from the meeting was provided to the Council. He stated that the final copy with all edits should be finished next week. City Clerk/Treasurer Redfield stated that the Public Hearing for the new and corrected Zoning Code and the first reading of the Ordinance will be at the February 21, 2017 Council Meeting.
13. **CITY ATTORNEY:**
  - a. **Report:** City Attorney Krautter stated that he has drafted the inter-local agreement for the new Fire Hall between the City of Sidney and Richland County, and that it has been sent to County Attorney Weber for review. He stated that it is their hope to have it finalized for approval the end of February.
14. **CHIEF OF POLICE DIFONZO:**
  - a. **Report:** Chief DiFonzo stated that he wanted to remind everyone that the 2C Tournament is next week in Sidney. He further informed the Council that the Police Department will be holding interviews and testing to try to fill some, but not all, of the vacant police positions.

## February 6<sup>th</sup>, 2017

### 15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report:** PWD Hintz provided the City Council with his January 2017 monthly report. He stated that snow hauling and fuel were up.
- b. **Flood Plain Ordinance:** PWD Hintz stated the original Flood Plain Ordinance was enacted in 2007, and that it needs to update per the DNRC and FEMA. He stated that there are minimal changes, and that an ordinance will need to be drafted by City Attorney Krautter enacting the new flood plain, replacing the old.
- c. **Cell Tower Lease:** PWD Hintz provided the City Council with the proposal from American Tower, with 3 options for the lease of the cell tower. PWD Hintz stated that offers 2.1 and 2.2 had been offered previously, but that offer 1 is new and would be the offer that he would recommend, as it has a back-out option. He further stated that American Tower was the original lease before they were bought out by Verizon. Alderman Smith asked approximately how much the City of Sidney was receiving with their current lease, and PWD Hintz stated approximately \$600-\$700 per month. City Attorney Krautter stated that he had reviewed the lease proposal, and that ultimately it was up to the Council to decide which would be best. It was the General Consensus of the Sidney City Council to send the Cell Tower Lease and proposal to the Street and Alley Committee for further review and recommendation.
- d. **Bike/Walk Path-Advertisement:** PWD Hintz stated that the MDT sub contracted out the consulting engineering to Dowl. He stated that they have advertised for public comment on the project, per requirements. PWD Hintz stated that so far he has only heard of one comment being submitted, and that was a very positive comment for the Bike/Walk Path.
- e. **Sidney Lagoon Project-Draw 5: \$47,260.44 (paid via Sewer Impact Fees):** PWD Hintz asked the Sidney City Council to approve the Sidney Lagoon Project Draw number 5, to be paid out of completely by sewer impact fees. He stated the reason the draw is so little is because they are in winter shut-down. City Clerk/Treasurer Redfield stated that the draw 5 request has 3 payments in it to: Western Municipal Construction, the Department of Revenue, and Morrison and Maierle. Motion was made to approve the Sidney Lagoon Project Draw 5 for \$47,260.44 by Alderman Smith, and seconded by Alderman Koffler. After no discussion, all present voted aye.

### 16. FIRE MARSHAL GILBERT: Nothing

### 17. CITY TREASURER:

- a. **Permission to reissue warrant number 30512 for \$3,000 to Richland County Baseball:** City Clerk/Treasurer Redfield asked for permission from the Sidney City Council to reissue warrant number 30512 for \$3,000.00 to Richland County Baseball, as they have lost the original check wrote to them in October of 2016 for the second payment of the year. Motion was made to approve the reissue of warrant number 30512 for \$3,000 to Richland County Baseball by Alderwoman Rasmussen, and seconded by Alderman Gartner. In discussion, City Attorney Krautter asked who would be responsible for the stop payment fee assessed by Stockman Bank. Alderwoman Rasmussen stated that she would like to amend her motion to include that Richland County Baseball will pay the stop payment fee, and Alderman Gartner seconded her amendment to the motion. After no further discussion, all present voted aye.

### 18. CITY CLERK REDFIELD: consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** e-mailed
- b. **Claims to be approved:** \$ 166,888.06

2017-63  
2017-64

Kelly Properties 510 34<sup>th</sup> Ave NW  
Sidney Health Center-Good Centis

Manufacture Home  
Stairs and Rails

L10, B8, Wagon Wheel  
2:20AC IN SENE 33 23 59

A motion to approve the consent agenda was made by Alderwoman Rasmussen and seconded by Alderman Koffler. After no discussion, all council voted aye.

Meeting was adjourned at 7:00 p.m.

ATTEST:

  
CITY CLERK

  
MAYOR NORBY

February 6<sup>th</sup>, 2017  
DATE SIGNED