

February 2, 2015

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Rick Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The pledge of allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Sergeant, Gilbert, Koffler, Gartner, Smith, Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **January 20, 2014:** Motion was made to approve the minutes from the regular January 20, 2014 was made Alderwoman Sergent, and seconded by Alderwoman Christensen. All council present voted aye.
5. **VISITORS:**
 - a. **TBID: Bryce:** Did not attend the meeting.
 - b. **Richard Dahl: Curb Stop:** Mr. Dahl attended the regular meeting to discuss his curb stop valve fail at 1201 11th St SW and the bill from Franz construction for the fixing of it. After discussion with Utilities Manager Greg Anderson and the Council it was decided by General Consensus of the council to have the Mr. Dahl meet with the Water and Sewer Committee to discuss this topic in detail and make a recommendation to the Council.
6. **PUBLIC HEARING:**
 - a. **Annexation of Augustus Vaux II:** The public hearing for the Annexation of Augustus Vaux II was called to order by Mayor Norby at 6:39 pm. City Planner How stated that this is for Lot 6 of Block B in the Richfield Addition for the Kum & Go. He also stated that he has not received any comments on this annexation. Mayor Norby called for anyone against the annexation of Augustus Vaux II three times, with no comment. Mayor Norby called for anyone for the annexation of Augustus Vaux II three times, with no comment. Mayor called the public hearing to close at 6:41pm.
7. **MAYOR NORBY:**
 - a. **Planning Board Position:** Mayor Norby stated that he would like to recommend Jordan Mayer for the open planning board position. Motion was made to approve Jordan Mayer for the planning board by Alderwoman Christensen, and seconded by Alderwoman Sergent. All council present voted aye.
 - b. Mayor Norby also presented the council with a Thank You from the City of Glendive for the meat and cheese trays that the City of Sidney sent them during the oil leak.
8. **COMMITTEE WORK:**
 - a. **Budget and Finance: City Council Powers and Duties and Rules and Procedures:** Alderwoman Sergent informed the council that the Budget and Finance Committee met with City Attorney Navratil and went over the City Council Powers and Duties and Rules and Procedures. It is the recommendation of the Budget and Finance Committee to approve the City Council Powers and Duties and Rules and Procedures, and follow state code.
 - b. **CIP Committee: Proposals for CIP:** Alderwoman Christensen stated that the CIP Committee met and reviewed the proposals submitted for the Sidney CIP. Alderwoman Christensen stated it was the recommendation in the form of a motion to accept Murtagh Municipal Engineering for the Sidney CIP project, and Alderman Smith seconded the motion. All council present voted aye.
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:** Nothing
10. **UNFINISHED BUSINESS:** Nothing
11. **NEW BUSINESS:** Nothing
12. **CITY PLANNER HOW:**
 - a. **Resolution of Final Annexation – Lot 6 Richfield Subdivision, Augustus Vaux II Annexation Amended:** City Planner How stated the resolution will follow under City Attorney Navratil, and that this is amending the conditions of annexation of Augustus Vaux II to include Lot 6.
 - b. **Resolution of Intent to Annex – 3 Exempt Parcels:** Tabled to Unfinished Business for the February 17, 2015 meeting.
 - c. **Extension of Preliminary Plat – Wilkinson Phase II Subdivision, Lots 13A&B and 14A&B:** City Planner How stated that the Wilkinson Phase II Subdivision is owned by Kerry Angelo by the golf course. The Preliminary Plat expired on January 6th, 2015, and City Planner How received the extension request letter on January 7th, 2015. City Planner How stated that this is the property that the city had complaints about liens and bills not being paid. He also stated that he checked with the County Treasurer who stated that there is still liens on the property. All liens would have to be paid within the 1 year extension before Final Plat would be approved. Alderman Smith asked why they were requesting the 1 year extension, and City Planner How stated that they have minor bills that still need to be paid. Motion was made to approve the 1 year extension of the preliminary plat of the Wilkinson Phase II Subdivision was made by Alderwoman Christensen and seconded by Alderman Smith. Alderman Smith asked how many liens are still on the property, and City Planner How stated that he does not know the number or the amount owed. Alderwoman Gilbert inquired if the entire process of the preliminary plat approval would have to be repeated if not extended and if this would include impact fees. City Planner How stated that the plat fees and review fees would have to be paid again and the preliminary plat submitted for approval. Utilities Manager Anderson stated that the original plat does stand, so he can sell the property as duplexes, but the final plat has to be approved before he can sell them individually as townhomes. All council present voted nay on the 1 year extension of the preliminary plat of the Wilkinson Phase II Sub.
 - d. **SIA Extension Approval for Sunrise Village Subdivision, Phase 1:** City Planner How stated that this was just defining condition number 3 that was given to the Sunrise Village to have completed in the SIA Extension. The City had Murtagh Municipal Engineering look at the water mains, and they stated that there is no need to complete the Miller Street Water Main extension until the start of Phase 2. The City Council attempted to reach Abigail St. Lawrence, Attorney for Sunrise Village, via phone, with no answer. The City Council contacted Tom Flately, Developer of Sunrise Village, via phone. City Planner How informed Mr. Flately that the City will not require the Miller Street Water Main extension until the beginning of phase 2, and that City Attorney Navratil will provide a letter for the No Sell Agreement. The extension stands until October 2015. City Attorney Navratil stated that the only condition left to be satisfied is the access on 4th or 6th. Motion was made to approve the SIA extension with the conditions that the no sell agreement is signed and to approve the satisfaction of condition number 3 by Alderwoman Christensen and seconded by Alderman Koffler. All council present voted aye.
 - e. **Amended Plat- Franz and Sidney Public Schools:** Tabled until Final Signatures collected.
13. **CITY ATTORNEY NAVRATIL:**
 - a. **Ordinance 559 (2nd Reading):** City Attorney Navratil read Ordinance 559 out loud for the second reading. Motion was made to approve the second reading of Ordinance 559 by Alderman Smith, and seconded by Alderman Koffler. Voting went as follows:
Ayes: Sergeant, Gilbert, Koffler, Gartner, Smith, and Christensen
Nays: None
Absent: None
 - b. **City Council Powers and Duties/Rules and Procedures:** City Attorney Navratil presented the council with the City of Sidney Council Powers and Duties and Rules and Procedures, with the recommendation of the Budget and Finance committee to approve. Motion was made to approve the City Council Powers and Duties and Rules and Procedures by Alderwoman Sergent and seconded by Alderwoman Christensen. All council present voted aye.
 - c. **Resolution 3695 Final Annexation – Lot 6 Richfield Subdivision, Augustus Vaux II Annexation Amended:** City Attorney Navratil read Resolution 3695 which was discussed previously by City Planner How. Motion was made to approve Resolution 3695, the Final Annexation of Lot 6 of Richfield Subdivision, and Augustus Vaux II by Alderman Koffler and seconded by Alderman Smith. All council present voted aye.
 - d. **Resolution 3696 of Intent to Annex – 3 Exempt Parcels:** Tabled
14. **CHIEF OF POLICE DIFONZO:**

