

Sidney, Nebraska, May 28, 2019 A Fair Housing City

A meeting of the Mayor and Council of the City of Sidney, Nebraska, was convened in open and public session at 7:15 P.M. on May 28, 2019 in the Council Room. Present were: Mayor Gallaway and Council Members: Sherman, Radcliffe and Olsen. Absent: Arterburn. Others present: City Manager Sadler, City Attorney Leef and City Clerk Anthony. Notice of the meeting was given in advance thereof by publication in *The Sidney Sun Telegraph*, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the members of the City Council and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the City Council. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Mayor Gallaway informed the public of the location of the posted Open Meetings Act.

Sherman moved, Radcliffe seconded "That Arterburn be excused from this meeting." Roll call vote; Yeas: All council members present. Absent: Arterburn.

Olsen moved, Radcliffe seconded "That the minutes of the meeting of May 14, 2019 be approved as printed." Roll call vote: Yeas: All council members present. Absent: Arterburn.

The Planning Commission's Final Report re: the rezoning application of Sidney Regional Medical Center for Tract 2 of Section 33, Township 14, Range 49 from C-1 (Central Business District) to A (Agriculture) was presented. Olsen moved, Sherman seconded "That RESOLUTION NO. 20190501 be based and adopted." Roll call vote: Yeas: All council members present. Absent: Arterburn.

RESOLUTION NO. 20190501

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SIDNEY, NEBRASKA:

That the Planning Commission of the City of Sidney, Nebraska, has submitted to the City Council of the City of Sidney, Nebraska, its final report regarding the Rezoning Application of Sidney Regional Medical Center to rezone a Tract 2, Section 33, Township 14, Range 49 from C-1 (Central Business District) to A (Agricultural) Zone; and

That the City Council of the City of Sidney proposes to consider said report; that a public hearing will be held thereon in the Municipal Building of the City of Sidney, Nebraska, at 7:15 o'clock P.M. on the 11<sup>th</sup> day of June, 2019 at which time and place parties in interest and citizens shall have an opportunity to be heard; and that the City Clerk is hereby directed to give the proper notice of said hearing in compliance with the law at least ten days prior to said hearing.

Solid Waste Superintendent Dean Sterling presented a request for a Burn Permit to burn old and outdated pallets at the Sidney Landfill. Sherman moved, Radcliffe seconded "That the Burn Permit for the Landfill be approved." Roll call vote: Yeas: All council members present. Absent: Arterburn.

City Inspector Kevin Kubo reported on the proposed ordinances that adopt the International Code Council codes. The Mayor asked the City Attorney if the five pertinent ordinances could be considered together. She said that they could be considered together.

Olsen moved, Sherman seconded "That the Ordinances entitled "AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA, TO AMEND CHAPTER 1421 "INTERNATIONAL

BUILDING CODE” OF THE BUILDING AND HOUSING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE (IBC), INTERNATIONAL RESIDENTIAL CODE (IRC), 2018 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL (ICC); TO SET THE FEES FOR ALL RESIDENTIAL AND COMMERCIAL BUILDING PERMITS; AND TO SET THE FINES FOR VIOLATIONS OF SAID CODE; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND TO REPEAL ANY PREVIOUS ORDINANCES AND CONFLICTS THEREWITH” be designated as Ordinance No. 1806” **AND** “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA ADOPTING PART FOURTEEN, TITLE TWO, CHAPTER 1425 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THE STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF SIDNEY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; REPEALING AND SUPERCEDING ANY ORDINANCE PROVISIONS TO THE CONTRARY, AND PROVIDING FOR AN EFFECTIVE DATE THEREWITH” be designated as Ordinance No. 1807”; **AND** “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA AMENDING PART FOURTEEN, TITLE TWO, CHAPTER 1434 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF SIDNEY, NEBRASKA, AND IN THE UNINCORPORATED AREA TWO MILES BEYOND AND ADJACENT TO ITS CORPORATE BOUNDARIES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; REPEALING AND SUPERCEDING ANY ORDINANCE PROVISIONS TO THE CONTRARY, AND PROVIDING FOR AN EFFECTIVE DATE THEREWITH“ be designated as Ordinance No. 1808.”**AND**“AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA ADOPTING PART FOURTEEN, TITLE FOUR, CHAPTER 1440 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, ADOPTING THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS AS HEREIN PROVIDED IN THE CITY OF SIDNEY, NEBRASKA, AND IN THE UNINCORPORATED AREA TWO MILES BEYOND AND ADJACENT TO ITS CORPORATE BOUNDARIES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING AND SUPERCEDING ANY ORDINANCE PROVISIONS TO THE CONTRARY, AND PROVIDING FOR AN EFFECTIVE DATE THEREWITH: be designated as Ordinance No. 1809” **AND** “AN ORDINANCE OF THE CITY OF SIDNEY, NEBRASKA AMENDING PART FOURTEEN,

TITLE TWELVE, CHAPTER 1496 OF THE CODIFIED ORDINANCES OF THE CITY OF SIDNEY, NEBRASKA, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS AND ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS FIRED APPLIANCES, ALL IN THE CITY OF SIDNEY AND IN THE UNINCORPORATED AREA TWO MILES BEYOND AND ADJACENT TO ITS CORPORATE BOUNDARIES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING AND SUPERCEDING ANY ORDINANCE PROVISIONS TO THE CONTRARY “be designated as Ordinance No. 1810.” Roll call vote: Yeas: All council members present. Absent: Arterburn.

Sherman moved, Radcliffe seconded “That the Statutory requirement requiring the ordinance to be read by title three different days be suspended.” Roll call vote: Yeas: All council members present. Absent: Arterburn. The motion having been concurred in by three-fourths of the Council be declared passed and adopted and said statutory requirement suspended. The Clerk then read Ordinances 1806, 1807, 1808, 1809 and 1810 by number. Radcliffe moved, Olsen seconded “That Ordinance No. 1806, 1807, 1808, 1809 and 1810 be finally passed.” Roll call vote: Yeas: All council members present. Absent: Arterburn. The passage and adoption of said ordinance having been concurred in by a majority of all members of the City Council was declared passed and adopted and the Mayor in the presence of the City Council signed and affixed his signature thereto. Olsen moved, Sherman seconded “That Ordinance No. 1806, 1807, 1808, 1809, and 1810 be published in The Sidney Sun Telegraph.” Roll call vote: Yeas: All council members present. Absent: Arterburn.

Radcliffe moved, Sherman seconded “That John Glenn and Caleb Sweetser be re-appointed to the Planning Commission.” Roll call vote: Yeas: All council members present. Absent: Arterburn.

City Manager Sadler gave a report to the City Council regarding Potential Future Bonding scenarios for the Highway 17J Construction which the State of Nebraska has scheduled for next year. Information on possibly bonding for the 20% City Share (\$1.8 million+) share of the project. The City’s bonding agent addressed three potential bond rates for three different bond terms, historic bond trends, current bonding in the debt service, and projection on how a new bond for this road work would affect debt service and tax rates. The information provided was to help the City Council decide whether or not to proceed with the project, which his recommendation was to do. It was the consensus of the city councilmen present to proceed with the project and to notify the State of Nebraska of same.

Hope Feeney reported on the recent Chamber activities and thanked the City departments for their assistance on same.

**City Manager comments:** Ed Sadler thanked all who expressed their condolences for the death of Ed’s father. He also spoke regarding of the absences of Lori Borchert and Joe Aikens due to injuries and recovering process from surgery. Reminders of Downtown Sounds on June 21<sup>st</sup>, Cruisin’ Nite on May 31<sup>st</sup>, the Nebraska Bike event on June 18-23<sup>rd</sup>, and that the budget and fee reviews have been started for the 2019-2020 fiscal year. Sherm reported on Library activities.

**City Council comments:** Bob Olsen reported on his first attendance as City Council representative on the Sidney Housing Authority.

Meeting adjourned at 7:50 p.m.

/s/ROGER GALLAWAY, MAYOR

ATTEST: /s/ G.F. ANTHONY, CITY CLERK





