

AGENDA

Call to Order

Pledge of Allegiance

1. Announcement of Public Meetings Act: The Open Meetings Law poster is posted at the rear of the room, please refer to the posted information if you have any questions regarding the open meetings law.
2. Approval of minutes for June 16, 2025
3. Election:
Chair
Vice Chair
Appointment to the Board of Adjustment
4. **PUBLIC HEARING:** The subdivision of 6 13 49 LOT 2 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY SPARKS/DARREN J & CHELSIE L SPARKS JT 1275 CLARK DRIVE SIDNEY, NE 69162-2488
5. **PUBLIC HEARING:** The rezoning of the 6 13 49 LOT 2 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY SPARKS/DARREN J & CHELSIE L SPARKS JT 1275 CLARK DRIVE SIDNEY, NE 69162-2488
6. **PUBLIC HEARING:** The subdivision of 6 13 49 LOT 3 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY DORWART/THOMAS YULE & COLLEEN ROSE DORWART (CO-TRES 1291 CLARK DRIVE SIDNEY, NE 69162-2488
7. **PUBLIC HEARING:** The rezoning of 6 13 49 LOT 3 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY DORWART/THOMAS YULE & COLLEEN ROSE DORWART (CO-TRES 1291 CLARK DRIVE SIDNEY, NE 69162-2488
8. **PUBLIC HEARING:** The subdivision of 6 13 49 LOT 4-5 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY DILLEY/JOSHUA & CHRISTY DILLEY JTWROS 1315 CLARK DRIVE SIDNEY, NE 69162-2487
9. **PUBLIC HEARING:** The rezoning of 6 13 49 LOT 4-5 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY DILLEY/JOSHUA & CHRISTY DILLEY JTWROS 1315 CLARK DRIVE SIDNEY, NE 69162-2487
10. **PUBLIC HEARING:** The subdivision of 6 13 49 LOT 6 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY WOODY/MYRON G & KATHY S (JT PO BOX 95 SIDNEY, NE 69162-0095
11. **PUBLIC HEARING:** The rezoning of 6 13 49 LOT 6 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY WOODY/MYRON G & KATHY S (JT PO BOX 95 SIDNEY, NE 69162-0095
12. **PUBLIC HEARING:** The subdivision of 6 13 49 LOT 7 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY HASE/AMBER & DEVIN HASE JT 1363 CLARK DRIVE SIDNEY, NE 69162-2487
13. **PUBLIC HEARING:** The rezoning of 6 13 49 LOT 7 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY HASE/AMBER & DEVIN HASE JT 1363 CLARK DRIVE SIDNEY, NE 69162-2487
14. Nuisance Abatement (Shipping Containers); action as applicable – David Scott
15. Comments by the public, by the commission.

ADJOURNMENT

**The Commission cannot respond to or discuss any items that are not on the agenda. A request form to get on the agenda is available to the public on the City's website or at the City Clerk's office.

Open Meetings Act

(Effective May 30, 2025)

Section 84-1411 was amended by LB 521 passed by the Legislature on May 28, 2025, with the emergency clause; LB 521 took effect when signed by Governor Pillen on May 30, 2025.

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are

holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders, and (iii) the Judicial Resources Commission or subcommittees or subgroups of the commission;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

- (b) Discussion regarding deployment of security personnel or devices;
 - (c) Investigative proceedings regarding allegations of criminal misconduct;
 - (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
 - (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
 - (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions,
- and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411 Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; emergency meeting without notice; appearance before public body; applicability of section.

(1)(a) Except as provided in subsection (9) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committees, such notice shall be given by:

(A)(i) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to

the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(B)(I) Posting to the newspaper's website, if available, and (II) posting to a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(ii) In the case of the governing body of a city of the second class or village, any advisory committee of such governing body, or the governing body of a rural or suburban fire protection district, such notice shall be given by:

(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper;

(B)(I) Posting to the newspaper's website, if available, and (II) posting on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(C) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted by the public body in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public body shall (A) post such notice on its website, if available, (B) request the newspaper submit a post on a statewide website, if available, established and maintained as a repository for such notices by a majority of Nebraska newspapers, and

(C) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting pursuant to subdivision (1)(b)(iv)(A) and (C) of this section and a written record of the request to the newspaper pursuant to subdivision (1)(b)(iv)(B) of this section. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act,

or the Municipal Cooperative Financing Act:

- (iii) The governing body of a public power district having a chartered territory of more than one county in this state;
- (iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state; (v) An educational service unit;
- (vi) The Educational Service Unit Coordinating Council;
- (vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;
- (viii) A community college board of governors;
- (ix) The Nebraska Brand Committee;
- (x) A local public health department;
- (xi) A metropolitan utilities district;
- (xii) A regional metropolitan transit authority; and
- (xiii) A natural resources district.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows: (i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision, subsection (1) of section 70-1014, subsection (2) of section 70-1014.02, or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of (A) an organization created under the Interlocal Cooperation Act that sells electricity or natural gas, (B) an organization created under the Municipal Cooperative Financing Act, (C) a governing body of a risk management pool and any advisory committee of such governing body, or (D) any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act, such organization, governing body, or committee may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing.

(3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the newsmedia requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in

conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of

briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413.

(8) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (2)(a) of this section may hold a meeting by virtual conferencing if: (a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions (2)(b)(i) and (ii) of this section.

(9) This section does not apply to a meeting of the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of municipalities if such meeting is subject to section 70-1034.

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. Except for closed sessions called pursuant to section 84-1410, a public body shall allow members of the public an opportunity to speak at each meeting.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to

be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and

(f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting.

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the

website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Planning Commission Meeting

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 p.m., on June 16, 2025, in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Loghry and Commissioners, Beitel, Jones, Schmitt, Spiker, Sweetser. Others present: City Clerk Borchert, Chief Building Official Hall. 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 Chairman and all members of the Commission, 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 Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Loghry announced that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Loghry asked for approval of the May 19, 2025, minutes. Spiker moved, Beitel seconded, "That the May 19, 2025, minutes be approved." Roll call: Yeas: Beitel, England, Jones, Loghry, Schmitt, Sweetser. Absent: Benzel, Glenn, Spiker. Motion approved.

Loghry opened a public hearing at 5:31 pm for an application for a conditional use permit requested by Tina Taylor, resident, for an application for a Day Care Service, 31 14 49 Lot 3 Blk 6 Sidney Clarkson Second Addition, also known as 1431 Quince Street. Current Zoning R2. Taylor stated that she wanted to give parents options whether they go to a center or go to a home. Taylor previously had a daycare. Marshall Hall, Chief Building Official, stated that this was allowed in this zoning (R2). Schmitt asked if she was licensed. Taylor stated that she was working on it. Hall stated that Taylor was waiting on Commission approval so he could send a letter to the state. Loghry asked if the current zoning would remain the same. Hall stated that the zoning would remain the same. Sweetser asked if there were any safety measures that need to take place. Taylor replied that she needed a fenced yard and wired in smoke detectors. Schmitt asked how many kids she would be licensed for. Taylor replied with ten children. Schmitt asked how many children are allowed without a license. Taylor responded that having three children would not require a license. There were no public comments. Loghry closed the meeting at 5:47 pm. Loghry asked for a motion. England moved, Sweetser seconded, "That a conditional use permit approved." Roll call: Yeas: England, Jones, Loghry, Schmitt, Sweetser, Beitel. Absent: Benzel, Glenn, Spiker. Motion approved.

Clerk Borchert stated that there would be a meeting in July for the purpose of the nuisance abatement (shipping containers), five rezonings with subdivisions and the election of a Chairman and Vice-Chair.

Meeting adjourned at 5:43 pm.

Doug Loghry, Chairman

Lori Borchert, City Clerk



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

July 21, 2025

OVERVIEW:

Agenda items 4 – 13 are the requested subdivisions and rezonings (Agriculture to Residential) for extending the property owners lots by 30-feet in the Clark Second Subdivision. Each of the property owners had the property surveyed to subdivide the 30-feet of property into their existing property.

Letters have been sent to the local tax entities as well as the surrounding property owners within a 300 foot range to notify them of the subdivision and of the rezoning as well as the date, time and location of the public hearing



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MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The subdivision of 6 13 49 LOT 2 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
SPARKS/DARREN J & CHELSIE L SPARKS JT 1275 CLARK DRIVE SIDNEY, NE 69162-2488

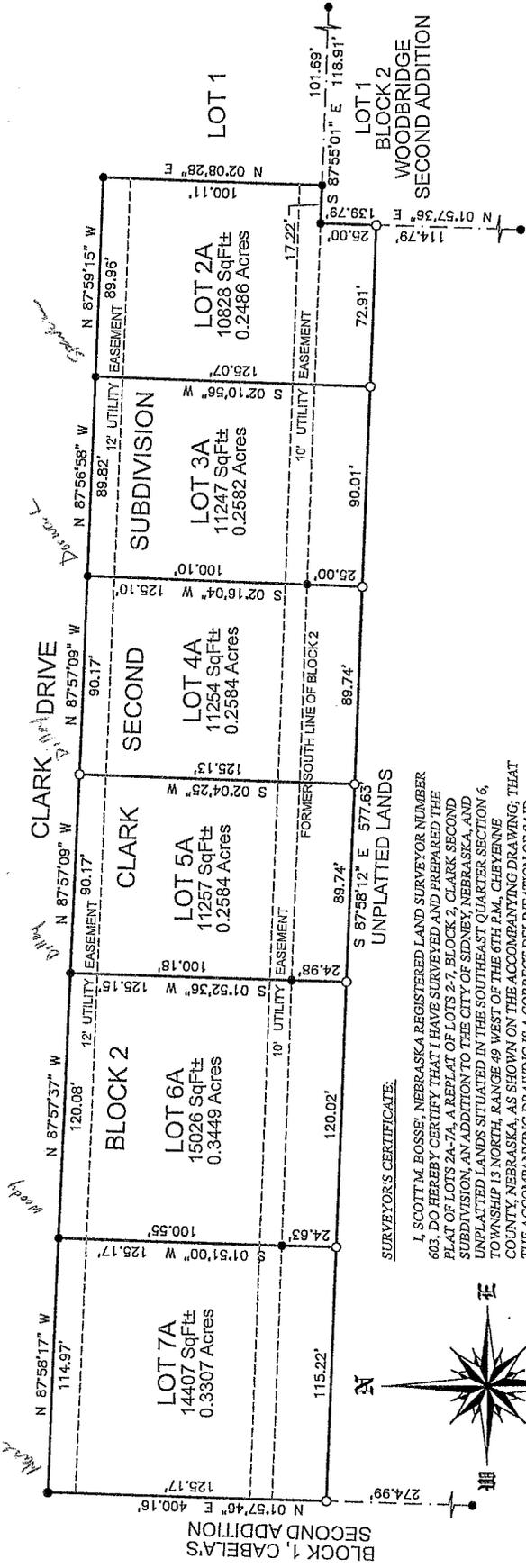
SUMMARY: The Sparks are requesting the Planning and Zoning Commission to approve the subdivision of 30-feet of Saddle Club property into 1275 Clark Drive existing property.

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive to sell them thirty feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide the 30-feet of property into their existing property.

RECOMMENDATION: Approve the subdivision of 30-feet of Saddle Club property into the existing 1275 Clark Drive property.

FINAL PLAT

LOTS 2A-7A, A REPLAT OF LOTS 2-7, BLOCK 2, CLARK SECOND SUBDIVISION, AN ADDITION TO THE CITY OF SIDNEY, NEBRASKA, AND UNPLATTED LANDS SITUATED IN THE SOUTHEAST QUARTER SECTION 6, TOWNSHIP 13 NORTH, RANGE 49 WEST OF THE 6TH P.M., CHEYENNE COUNTY, NEBRASKA.

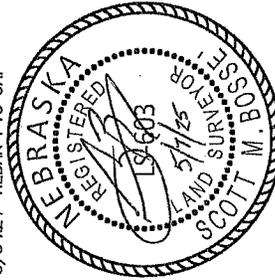


SURVEYOR'S CERTIFICATE:

I, SCOTT M. BOSSE, NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PREPARED THE PLAT OF LOTS 2A-7A, A REPLAT OF LOTS 2-7, BLOCK 2, CLARK SECOND SUBDIVISION, AN ADDITION TO THE CITY OF SIDNEY, NEBRASKA, AND UNPLATTED LANDS SITUATED IN THE SOUTHEAST QUARTER SECTION 6, TOWNSHIP 13 NORTH, RANGE 49 WEST OF THE 6TH P.M., CHEYENNE COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING DRAWING; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 60 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS APPLYING TO SURVEYING WITHIN THE STATE OF NEBRASKA; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED AND THE BOUNDARY IS DEPICTED BY A THICKENED SOLID LINE.

WITNESS MY HAND AND SEAL this 7TH day of MAY, 2025.

Scott M. Bosse
NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603



SCALE 1" = 60'
● = CORNER FOUND
○ = CORNER SET
5/8" x 24" REBAR PVC CAP

APPROVAL

LOTS 2A-7A, A REPLAT OF LOTS 2-7, BLOCK 2, CLARK SECOND SUBDIVISION, AN ADDITION TO THE CITY OF SIDNEY, NEBRASKA, AND UNPLATTED LANDS SITUATED IN THE SOUTHEAST QUARTER SECTION 6, TOWNSHIP 13 NORTH, RANGE 49 WEST OF THE 6TH P.M., CHEYENNE COUNTY, NEBRASKA, IS HEREBY ADMINISTRATIVELY APPROVED AND ACCEPTED BY THE CITY OF SIDNEY, CHEYENNE COUNTY, NEBRASKA.

THIS _____ DAY OF _____, 2025.

DAVID SCOTT, CITY MANAGER

ATTEST: CITY CLERK

For 1275 Clark 27

Current Owner: BESORE II/CHARLES & MELISSA BESORE JT
1310 CLARK DRIVE SIDNEY, NE 69162-2486

Situs Address: 1310 CLARK DRIVE SIDNEY

Current Owner: PICKENS/ANDREW J & DENISE D PICKENS JT
1276 CLARK DRIVE SIDNEY, NE 69162-2489

Situs Address: 1276 CLARK DRIVE SIDNEY

Current Owner: JAGGERS/MICHAEL D & AMI J (JT 2742
VERDE LANE SIDNEY, NE 69162-2586

Situs Address: 2742 VERDE LANE SIDNEY

Current Owner: JAGGERS/MICHAEL D & AMI J (JT 2742
VERDE LANE SIDNEY, NE 69162-2586

Situs Address: 2752 VERDE LANE SIDNEY

Current Owner: CITY OF SIDNEY PO BOX 79 SIDNEY, NE
69162-0079

Situs Address: 2762 VERDE LANE SIDNEY

1260 Clark Sidney NE. 69162 (Parcel ID 170157217)

FOR, 1363 CLARK DRIVE SIDNEY

Current

BUEHRER/CORDES J & GLENIS SUSZI
BUEHRER JT 2749 EL RANCHO ROAD SIDNEY,
NE 69162-2491

Owner:

Situs

2749 EL RANCHO ROAD SIDNEY

Address:

Current

SINTLER/TED T & ASHLEE N SINTLER JT 2739
EL RANCHO ROAD SIDNEY, NE 69162-2491

Owner:

Situs

2739 EL RANCHO ROAD SIDNEY

Address:

Current

SMITH/RYAN C & JULIE J SMITH JT 1375
CLARK DRIVE SIDNEY, NE 69162-2487

Owner:

Situs

1375 CLARK DRIVE SIDNEY

Address:

Current

~~ELWELL/JACOB W & MARCENE L ELWELL~~
~~(JT WROS 2730 EL RANCHO RD SIDNEY, NE~~
69162-2491

Owner:

Situs

2730 EL RANCHO ROAD SIDNEY

Address:

Michael Taylor

Current

MCCASLIN/GERALD & LUCILLE (JT C/O KEVAN
MCCASLIN 1304 GREGG AVE FLORENCE, SC
29501-4237

Owner:

1375 Summit

Current KNOBBE/NATHAN & CINDY ROLLS (JTWROS)
Owner: 1362 CLARK DRIVE SIDNEY, NE 69162-2486
Situs
Address: 1362 CLARK DRIVE SIDNEY

Current THOMAS/TRENTON J & CHRISTINA THOMAS
Owner: (JT 1342 CLARK DR SIDNEY, NE 69162-2486
Situs
Address: 1342 CLARK DRIVE SIDNEY

Current FARISS/KEITH A & SHARON KC FARISS JT
Owner: 1320 CLARK DRIVE SIDNEY, NE 69162-2486
Situs
Address: 1320 CLARK DRIVE SIDNEY

Current

Owner:

RENKOSKI/CODY LEE & JESSICA ANN
RENKOSKI JT 301 ILLINOIS ST SIDNEY, NE
69162-1702

Situs

Address:

2740 EL RANCHO ROAD SIDNEY

Current

Owner:

CLARK/NATHANIEL R & KELLY A~(JTWROS
2750 EL RANCHO ROAD SIDNEY, NE 69162-
2491

Situs

Address:

2750 EL RANCHO ROAD SIDNEY

Current

Owner:

CLARK/JUSTIN G & PAMELA R CLARK JT 2727
VERDE LANE SIDNEY, NE 69162-2483

Situs

Address:

2727 VERDE LANE SIDNEY

Current

Owner:

HULBERT/JORDAN CHRISTOPHER & SUMMER
RENEE HULBERT (JTWROS 2766 VERDE LN
SIDNEY, NE 69162-2586

Situs

Address:

2766 VERDE LANE SIDNEY

Current

Owner:

SCHUESSLER/TREVOR EUGENE & AMELIA
RENE SCHUESSLER JT 2763 VERDE LANE
SIDNEY, NE 69162-2483

Situs
Address: 2763 VERDE LANE SIDNEY

Current
Owner: DILLEHAY/SHAWN CHRISTOPHER & KELLE LYN
DILLEHAY JT 2755 VERDE LANE SIDNEY, NE
69162-2483

Situs
Address: 2755 VERDE LANE SIDNEY

Current
Owner: BARBER/CODY A & CASSIE DAWN BARBER JT
2747 VERDE LANE SIDNEY, NE 69162-2483

Situs
Address: 2747 VERDE LANE SIDNEY

Current
Owner: LUNDGREN/CORY A & ASHLEY LUNDGREN
(JT 2737 VERDE LANE SIDNEY, NE 69162-
2483

Situs
Address: 2737 VERDE LANE SIDNEY

Current
Owner: FIELDS/BILLY D & AMBER A FIELDS (JT 2731
VERDE LANE SIDNEY, NE 69162-2483

Situs
Address: 2731 VERDE LANE SIDNEY



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

1. Name of Subdivision: Clark Second Subdivision

2. Name of applicant(s): Chelsie and Darren Sparks

Address 1275 Clark Dr. Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Chelsie and Darren Sparks

Address 1275 Clark Dr. Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: _____

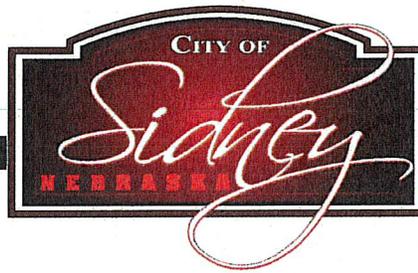
5. Legal Description and Address of Subdivision: Lot 2 Block 2

6. Current Zoning A Number of Proposed Lots: 1

7. Purpose of Subdivision of Land: extend existing lot

Signature: Chelsie Sparks

Received By: [Signature] Date: 6/19/25



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The rezoning of the 6 13 49 LOT 2 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
SPARKS/DARREN J & CHELSIE L SPARKS JT 1275 CLARK DRIVE SIDNEY, NE 69162-2488

SUMMARY: The Sparks are requesting to have the newly parsed property rezoned From A (Agricultural) to R1 (Single Family)

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive area to sell them thirty feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide and are now requesting the property rezoned from, A (Agricultural) to R1 (Single Family).

RECOMMENDATION: Approve the rezoning From A (Agricultural) to R1 (Single Family).



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

6 13 49 Lot 2 Block 2 Clark Second Subdivision Sidney

and commonly known as 1275 Clark Dr
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agricultural,
to: Residential

Name(s), address, and phone number(s) of owners(s):

Darron (DS) Sparks
Chelsie Sparks

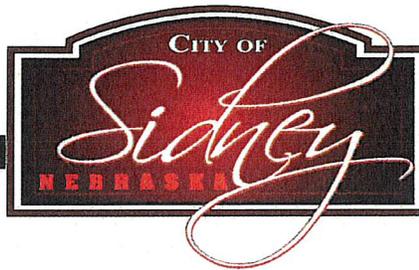
Names(s) address, and phone number(s) of Developer(s) if different than the owner.

Proposed use of the property: Extending the backyard of current residence by 25 feet.

Dated this 6th day of April, 2025.

Signature(s): [Signature] Chelsie Sparks

Date Received: 6/19/25
Received by: [Signature]



SMALL TOWN VALUES

1115 13TH AVENUE PO BOX 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The subdivision of 6 13 49 LOT 3 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
DORWART/THOMAS YULE & COLLEEN ROSE DORWART (CO-TRES 1291 CLARK DRIVE SIDNEY, NE 69162-2488)

SUMMARY: The Dorwarts are requesting the Planning and Zoning Commission to approve the subdivision of 30-feet of Saddle Club property into 1275 Clark Drive existing property.

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide the 30-feet of property into their existing property.

RECOMMENDATION: Approve the subdivision of 30-feet of Saddle Club property into the existing 1275 Clark Drive property.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

- Name of Subdivision: Clark Second Subdivision
- Name of applicant(s): Thomas yule Dorwart & Colleen Rose Dorwart
 Address 1291 Clark Dr Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)
- Owner of Record: Thomas & Colleen Dorwart
 Address 1291 Clark Dr Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)
- Subdivision Location: _____
- Legal Description and Address of Subdivision: Lot 3, Block 2,
Clark Second Subdivision
1291 Clark Drive
- Current Zoning A Number of Proposed Lots: _____
- Purpose of Subdivision of Land: Extend existing lot

Signature: Colleen Dorwart
Tow D

Received By: [Signature] Date: 6/19/25



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The rezoning of 6 13 49 LOT 3 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
DORWART/THOMAS YULE & COLLEEN ROSE DORWART (CO-TRES 1291 CLARK DRIVE SIDNEY, NE 69162-2488)

SUMMARY: The Dorwart's are requesting to have the newly parsed property rezoned From A (Agricultural) to R1 (Single Family)

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive area to sell them thirty feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide and are now requesting the property rezoned from, A (Agricultural) to R1 (Single Family).

RECOMMENDATION: Approve the rezoning From A (Agricultural) to R1 (Single Family)



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

Lot 3 Block 2 Clark Second Subdivision
Sidney

and commonly known as 1291 Clark Dr
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agriculture
to: Residential

Name(s), address, and phone number(s) of owner(s):

Thomas Yule Dorwart
Colleen Rose Dorwart

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

Proposed use of the property: _____

Dated this 29 day of April, 2025

Signature(s): [Signature] Colleen Dorwart

Date Received: 6/14/25

Received by: [Signature]



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The subdivision of 6 13 49 LOT 4-5 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
DILLEY/JOSHUA & CHRISTY DILLEY JTWR0S 1315 CLARK DRIVE SIDNEY, NE 69162-2487

SUMMARY: The Dilley's are requesting the Planning and Zoning Commission to approve the subdivision of 30-feet of Saddle Club property into 1275 Clark Drive existing property.

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide the 30-feet of property into their existing property.

RECOMMENDATION: Approve the subdivision of 30-feet of Saddle Club property into the existing 1275 Clark Drive property.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

1. Name of Subdivision: Clark Second Subdivision

2. Name of applicant(s): Josh and Cristy Dilley

Address 1315 Clark Drive Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Josh and Cristy Dilley

Address 1315 Clark Drive Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: Lots 4 & 5 BIK 2

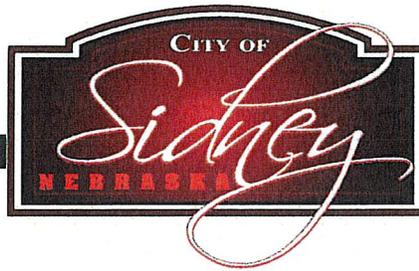
5. Legal Description and Address of Subdivision: _____

6. Current Zoning A Number of Proposed Lots: _____

7. Purpose of Subdivision of Land: Extend lots by 25 feet

Signature: Cristy Dilley
Josh Dilley

Received By: [Signature] Date: 6/19/25



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The rezoning of 6 13 49 LOT 4-5 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
DILLEY/JOSHUA & CHRISTY DILLEY JTWROS 1315 CLARK DRIVE SIDNEY, NE 69162-2487

SUMMARY: The Dilley's are requesting to have the newly parsed property rezoned From A (Agricultural) to R1 (Single Family)

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive area to sell them thirty feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide and are now requesting the property rezoned from, A (Agricultural) to R1 (Single Family).

RECOMMENDATION: Approve the rezoning From A (Agricultural) to R1 (Single Family)



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

613-49 Lot 4-5 Block 2 Second Subdivision Sidney

and commonly known as 1315 Clark Drive
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agricultural, _____
to: Residential, _____

Name(s), address, and phone number(s) of owners(s):

Josh and Cristy Dilley 970-819-9056
296 Coyote Drive Walden, CO 80480

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

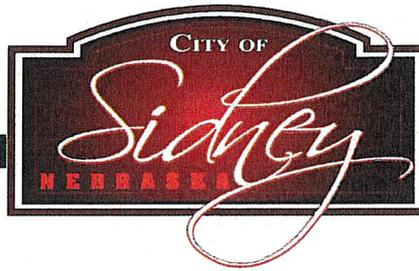
Proposed use of the property: Residential; Extending the backyard
of current residence by 25 feet

Dated this 25 day of April, 2025.

Signature(s): Josh Dilley
Cristy Dilley

Date Received: 5/2/25

Received by: [Signature]



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The subdivision of 6 13 49 LOT 6 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
WOODY/MYRON G & KATHY S (JT PO BOX 95 SIDNEY, NE 69162-0095)

SUMMARY: The Woody's are requesting the Planning and Zoning Commission to approve the subdivision of 30-feet of Saddle Club property into 1275 Clark Drive existing property.

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide the 30-feet of property into their existing property.

RECOMMENDATION: Approve the subdivision of 30-feet of Saddle Club property into the existing 1275 Clark Drive property.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

1. Name of Subdivision: Clark Second Subdivision

2. Name of applicant(s): Myron & Kathy S. Woody

Address 1349 Clark DR PO Box 95 Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Myron + Kathy S Woody

Address 1349 Clark DR PO Box 95 Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: Lot 6 Blk 2

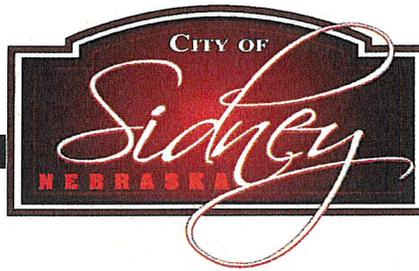
5. Legal Description and Address of Subdivision: _____

6. Current Zoning A Number of Proposed Lots: _____

7. Purpose of Subdivision of Land: Extend. existing lot

Signature: Myron Woody
Kathy S Woody

Received By: [Signature] Date: 6/19/25



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The rezoning of 6 13 49 LOT 6 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
WOODY/MYRON G & KATHY S (JT PO BOX 95 SIDNEY, NE 69162-0095)

SUMMARY: The Woody's are requesting to have the newly parsed property rezoned From A (Agricultural) to R1 (Single Family)

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive area to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide and are now requesting the property rezoned from, A (Agricultural) to R1 (Single Family).

RECOMMENDATION: Approve the rezoning From A (Agricultural) to R1 (Single Family)



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

6-13-49 Lot 6 block 2 Clark second subdivision Sidney

and commonly known as 1349 Clark DR.
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agriculture,
to: Residential

Name(s), address, and phone number(s) of owners(s):

Myron Woody 308-249-3973
Kathy S. Woody 308-249-0817

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

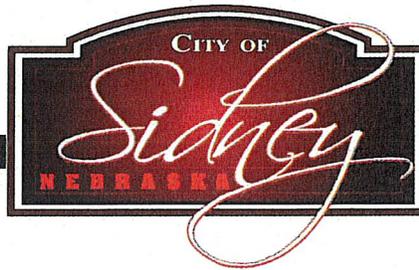
Proposed use of the property: Residential

Dated this 8th day of APRIL, 2025

Signature(s):
Kathy S. Woody
Myron Woody

Date Received: 5/8/25

Received by: [Signature]



SMALL TOWN VALUES

1115 13TH AVENUE PO BOX 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The subdivision of 6 13 49 LOT 7 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
HASE/AMBER & DEVIN HASE JT 1363 CLARK DRIVE SIDNEY, NE 69162-2487

SUMMARY: The Hase's are requesting the Planning and Zoning Commission to approve the subdivision of 30-feet of Saddle Club property into 1275 Clark Drive existing property.

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide the 30-feet of property into their existing property.

RECOMMENDATION: Approve the subdivision of 30-feet of Saddle Club property into the existing 1275 Clark Drive property.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

1. Name of Subdivision: 6 13 49 Lot 7 Block 2 Clark Second Subdivision Sidney

2. Name of applicant(s): Devin Hase

Address 1363 Clark Dr Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Devin Hase

Address 4 Juniper Ct Brush CO 80723
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: Lot 7 Bk 2

5. Legal Description and Address of Subdivision: _____

6 13 49 Lot 7 Block 2 Clark Second Subdivision Sidney

6. Current Zoning A Number of Proposed Lots: _____

7. Purpose of Subdivision of Land: Extend lot by 25'

Signature: Devin Hase

Received By: [Signature] Date: 6/19/25



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: July 21, 2025

MEMO TO: Planning and Zoning Commission

FROM: Marshall Hall, Chief Building Official

RE: The rezoning of 6 13 49 LOT 7 BLOCK 2 CLARK SECOND SUBDIVISION SIDNEY
HASE/AMBER & DEVIN HASE JT 1363 CLARK DRIVE SIDNEY, NE 69162-2487

SUMMARY: The Hase's are requesting to have the newly parsed property rezoned From A (Agricultural) to R1 (Single Family)

BACKGROUND/DISCUSSION: Wade Hill was approached by property owners from Clark Drive area to sell them 30-feet of Saddle Club Property. Hill agreed to this sale. The prospective buyers have had the property surveyed to subdivide and are now requesting the property rezoned from, A (Agricultural) to R1 (Single Family).

RECOMMENDATION: Approve the rezoning from A (Agricultural) to R1 (Single Family)



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

E-13-49 LOT 7 Block 2 Clark Second
Subdivision Sidney

and commonly known as 1363 Clark Dr Sidney NE 69162
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agricultural, _____
to: Residential, _____

Name(s), address, and phone number(s) of owner(s):

Devin Hase 4 Juniper Ct Brush CO 80723 970466-4650

Amber Hase 4 Juniper Ct Brush CO 80723 970-580-1246

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

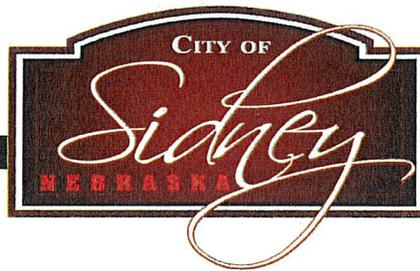
Proposed use of the property: To Extend the backyard of existing
residence by 25 feet

Dated this 8th day of April, 2025.

Signature(s): Devin Hase

Date Received: 6/19/25

Received by: [Signature]



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
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MEMORANDUM

DATE: July 21, 2025
MEMO TO: Planning Commission
FROM: David Scott, City Manager
RE: Nuisance abatement

At the May 19, 2025, Planning Commission meetings, I was asked to research an organization that provides nuisance abatement process services. It was suggested that I reach out to the Panhandle Area Development District (PADD). I have attached a sample agreement to show related costs and what PADD will do and what processes and expenses will remain with the city.

They will require the city to have passed an updated nuisance property ordinance. This may take some time to get the current ordinance up to state standards. They also require %100 commitment from the Planning Commission and the City Council. This may include a resolution stating their commitment. Everyone, including, Planning Commission and City Council members, are subject to the findings. They also suggest that we make this process very public, so it is not a surprise to property owners. We need to let everyone know about roll-off options, Saturday landfill hours and free dump cards that are available.

They will do the initial inspection of city properties and when they have a final report, they will present it to the City Council for approval and confirmation that all the identified nuisances are valid. They will then send a certified letter to all violators. If the nuisance is still not resolved in the allotted time frame they will send a second letter.

Any further abatement expenses and legal costs moving forward would be the responsibility of the city. Removing the nuisances, tearing down structures, and legal fees would all be outside the scope of what is included in our current contract with Kendra Strommen. These costs could be extensive.

There is another company called WCNDD that Chappell has had conversations with that go further into the abatement and legal actions, such as placing liens on properties. I have reached out to them, and they couldn't get to Sidney for at least a year, so I don't have a cost estimate. The cost for PADD is \$35,000, not including the most expensive later parts of the process so I'm guessing WCNDD would be much more than that.

One thing I would caution against is going part way and then not completing the process city wide. You're going to make a lot of people mad as it is. Choosing winners and losers could create even more animosity and even legal costs. Such as not pursuing the ones that didn't fix the issue after the first letter.

NUISANCE AGREEMENT

CITY/VILLAGE: CITY OF Sidney
CONSULTANT: PANHANDLE AREA DEVELOPMENT DISTRICT
FEE: Not to exceed \$35,000
PROPERTIES: Agreement will be for 140 properties for initial year
LOCATION: (TO BE AGREED UPON PRIOR TO START WITH COUNCIL AND NUISANCE IDENTIFICATION TEAM)
START DATE: January 1, 2026
END DATE: December 31, 2026, upon completion, use of all contracted funds, or whichever comes first.

ATTACHMENTS: See attached Map #1 (WE WILL ATTACH A MAP OF AGREED QUADRANTS OF TARGET AREAS FOR FIRST YEAR FOCUS)

THIS AGREEMENT is mutually made and entered into by and between the City of Sidney and Panhandle Area Development District pursuant to the following terms and consideration:

1. DUTIES OF THE CONSULTANT:

- a. GENERAL DUTY. Assist the City in the preparation and execution of documentation required to enact the Nuisance Ordinances of the City of Sidney, including nuisance identification in the area designated by this Agreement and any attachments;
- b. DOCUMENTATION. Assist in preparation and maintaining proper documentation for local, county and State and monitoring purposes;
- c. DEMOLITION EXPENSES. If any property requires demolition as an abatement action the Consultant may bid and bill those administrative services as a separate agreement due to the unknown nature or extent of the demolition activity;
- d. COMPLY WITH LAWS. Comply with all federal, state, county, and city statutes, rules, regulations and ordinances;
- e. EMPLOYMENT. The Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services under this contract. Such personnel shall not be employees or have any contractual relationship with the City.
- f. REPORTS. At such times and in such forms as the City may require, furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement;
- g. CONFIDENTIAL. Maintain all the reports, information, data, etc., prepared or assembled by the Consultant under this contract confidential to the extent allowed by law. Consultant agrees that said documents shall not be made available to any individual or organization without prior written approval of the City;

h. LITIGATION. Upon request by the City and at an additional cost, consultation to help the City prepare for any court actions and appear in court as a witness for any matters regarding the abatement of nuisances which are a part of the duties assigned to Consultant by this Agreement.

2. DUTIES OF THE CITY OF NAME:

a. APPOINTMENT. Appoint Consultant for the term of this Agreement;

b. ASSISTANCE. Provide "in-house" assistance in providing information needed for this Agreement, marketing the nuisance program which may include flyers, notices, and roll off dumpsters for an agreed upon designated clean up period of time or other activities as agreed.

c. COMPENSATION. Pay all costs incurred for the abatement of nuisances as stated in this agreement, including but not limited to publishing expenses, legal fees, towing fees, and solid waste removal.

d. ADDITIONAL FEES AND COSTS. Pay Consultant the fee as stated above and any additional costs incurred, including but not limited to litigation expenses at \$70.00 per hour plus expenses (see 1.i above).

3. MISCELLANEOUS:

a. BINDING EFFECT; BENEFITS. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns. Notwithstanding anything contained in this Agreement to the contrary, nothing in this Agreement, expressed or implied, is intended to confer on any person other than the parties hereto or their respective successors and assigns any right, remedy, obligation, or liability under or by reason of this Agreement.

b. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

c. FURTHER ASSURANCES. Each of the parties hereto, without further consideration, agrees to execute and deliver such other documents and take such other action as may be necessary to more effectively consummate the intent and purpose of this Agreement.

d. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska.

e. INDEMNIFICATION. The Consultant agrees to indemnify and hold harmless the City/Village, its appointed and elective officers and employees, from and against all loss and expense, including attorney's fees and costs by reason of any and all claims and demands upon the City/Village, its elected or appointed officers and employees from damages sustained by any person or person, arising out of or in consequence of the Consultant's and its agents' negligent performance of work associated with this agreement. The Consultant shall not be liable for property and bodily injury as may result from the negligence of any construction contractor or construction subcontractor.

f. CITY/VILLAGE REVIEW. The City/Village or their delegates shall have the right to review and monitor the financial and other components of the work and services provided and undertaken as part of the project and this contract, by whatever legal and reasonable means are deemed expedient by the City/Village.

g. RELATIONSHIP. The relationship of the Consultant to the City/Village shall be that on an independent Consultant rendering professional services. The Consultant shall have no authority, except those actions granted as the official Nuisance Consultant, to execute contracts or to make commitments on behalf of the City/Village and nothing contained herein shall be deemed to create the relationship of employer and employee or principal and agent between the City/Village and the Consultant.

h. SEVERABILITY. If for any reason whatsoever, any one or more of the provisions of this Agreement shall be held or deemed to be inoperative, unenforceable, or invalid as applied to any particular case or in all cases, such circumstances shall not have the effect of rendering such provision invalid in any other case or of rendering any of the other provisions of this Agreement inoperative, unenforceable, or invalid.

i. CONSTRUCTION. The parties hereto acknowledge and agree that each party has participated in the drafting of this Agreement and that this document has been reviewed by the respective legal counsel for the parties hereto and that the normal rule of construction to the effect that any ambiguity is to be resolved against the drafting party shall not apply to the interpretation of this Agreement. No inference in favor of, or against, any party shall be drawn by the fact that one party has drafted any portion hereof.

Date: _____

Date: _____

City of NAME Nebraska

Panhandle Area Development District

By: _____

By: _____

Title: _____

Board Chairman

Approved as to legal Form:
Attorney of Record

By: _____

Date _____

NUISANCE PROGRAM 101

IMPORTANT NOTE—If the program does not have 100% support from the Local Unit of Government Governing Board there is no reason to conduct the program. The city council or village board will be receiving push back from some residents once the program is undertaken. **This is an area driven program, not a complaint driven program. We want to remind communities that every property owner is treated equally regardless of their position in the community.**

1. **Adopt Nuisance Ordinance—Fall prior to program** This is the first step in the program. The adoption will take place after the three (3) required readings. This is done to allow for the opportunity to educate the community, city staff, and elected officials. **The adoption of the ordinance is done in the fall, the year prior to starting the program.** This way the program is ready to move forward the following spring.
2. **Appointment of Nuisance Consultant—December/January** The ordinance allows for the appointment of a nuisance consultant by resolution. The nuisance consultant is appointed from Jan 1 to Dec. 31.
3. **Area Identification/Cost/Agreement---January/February/March** This will be done in conjunction with the City/Village Council. The size of the community is a determining factor. Based on the size, the entire community could be done or it could be broken up into quadrants. One quadrant is done per year.

Once the area or quadrant is determined, the number of properties based on a plat map or zoning map which shows the individual properties is one factor in determine cost based on a formula which takes into account PADD staff time, travel, supplies and postage.

At this time the agreement between PADD and the City/Village is presented to for approval. It is important to understand that the cost of abatement will be direct cost to the community and not included in this agreement.

4. **Getting started---March/April/May** At this point in the process, the Nuisance ordinance will have been adopted and the agreement will be in place with PADD which outlines the area to be done and PADD has been appointed Nuisance Consultant by resolution.

There are news releases that will be sent out announcing a spring cleanup program or dumpster days. It is recommended that large roll off dumpsters are provided for residents to utilize to comply prior with the program starting and then once the program is underway and the first letters are sent to residents who are in violation.

These news releases are usually published in March/April and it is suggested two or three news articles or releases are published. Local law enforcement will be contacted prior to the program starting to discuss the program and provide them with a copy of the nuisance ordinance.

PADD will need a utility listing of the community showing addresses and names of the area to be done. From this we will develop a spreadsheet which is used during the windshield survey process.

5. **Windshield Survey/Second Windshield Survey/Resolution of Declared Nuisance---June/July/August** The windshield survey is conducted in the area identified. This is done by driving down the streets and the alleys of the area and taking pictures of nuisance violations seen. At no time do we leave the vehicle. The vehicle will have signs on each door. The City or Village and law enforcement will be contacted prior to the windshield survey being conducted.

From the information gathered from the windshield survey, courtesy letters are sent to those property owners and/or tenants in violation. Identification and verification of the property owner and/or tenant is done through the county assessors' website and/or the city utility office. Courtesy letters are sent to the property owner and the tenant if they are different.

The courtesy letter is sent return receipt. This is done so there is proof the letter has been received.

The letter will state the nuisance ordinance they are in violation of as well as pictures of the front of the property to verify the property and also the violation identified. The letter will be mailed so that it is received 30 days prior to the village/city meeting. This gives the property owner 30 days to take care of the problem. The letter will also tie in with the dumpster days.

Prior to the next meeting after the windshield survey, a second windshield survey is done to determine if the properties in violation have been cleared of the nuisance. Pictures are taken at that time and presented at the board/council meeting to show the board/council those properties cleared of violation and those that are still in violation.

Those properties remaining in violation are declared a nuisance by resolution. This is done by the board/council.

6. **Declared Nuisance Letters/Show Cause Hearing/Third Windshield Survey—August/September** Those properties that are a declared nuisance by resolution are sent a second letter by both registered and regular mail notifying them their property has been declared by resolution. Once again the property owner is given 30 days to take care of the nuisance. In this letter the property owner is also given the opportunity to request a “show cause” hearing. This hearing if requested, must be done in five days after receiving the second letter. This hearing is done before the board/council who determines if the nuisance violation should remain in place or be cleared. This determination must be made no more than 14 days after the hearing.

If the board/council determines from the hearing the property is cleared, the nuisance resolution is rescinded.

If the letter sent by registered mail is unclaimed, the property is posted by the city and a notice is published in the local paper.

A third windshield survey is done much the same way as the second. At this time, those properties still in violation and that have been posted are brought before the council again. The council then makes the motion to abate those properties if they are not cleared.

7. **Abatement---September/October** In this step the property owner and/or tenant are provided notice that the property will be cleared of the identified nuisances which have been outlined in the previous letters. The notice also informs them that the cost of the cleanup will be assessed to them. They are also sent a Notice to Remove For Private Property this gives the property owner additional notice that someone will be coming on their property to clear the nuisance, but also gives them another chance to take care of the problem

When the abatement is scheduled, the Clerk is notified of the date and time. Local law enforcement is also notified to have an officer available to keep the peace during the abatement process if needed.

This step would be the Cities Responsibility

Cost of Nuisance Services w/ PADD

Based on cost formula which includes:

- Number of properties determined to be in violation of ordinance via windshield surveys/letters sent/follow-up letters/
- Miles traveled roundtrip @ current IRS rate .70 per mile for windshield surveys/ attendance at council meetings/posting of properties.
- Mailings/Postage @ registered rate
- Staff time @ \$70.00 per hour/Marketing Materials & organization/Preparation of letters

Costs incurred by Local Government

- Cost of publications
- Cost of roll off dumpsters
- Cost of property clean up/billed back to property owner
- Cost of placing liens on properties

It is difficult to determine a cost until the number of properties is known – we will give you our estimate cost formula sheet with an estimated # of properties as well as a draft contract.