

## 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 October 20, 2025, in the City Council Chambers, located at 1115 13<sup>th</sup> Avenue. Present were: Chairman Schmitt and Commissioners, Benzel, Beitel, England, Jones, Loghry, 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 Schmitt announced that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Schmitt asked for a motion to approve the minutes for July 21 and July 28. Beitel moved, Jones seconded, "That the minutes for July 21, 2025 be approved." Roll call: Benzel, Beitel, Jones, Loghry, Schmitt, Spiker, Sweetser. Nays: None. Abstain: England. Absent: Glenn. Motion approved. England moved, Spiker seconded, "That the minutes for July 28, 2025 be approved as amended, noting two spelling errors to be corrected, Perison to Persino." Roll call: Beitel, England, Loghry, Schmitt, Spiker, Sweetser, Benzel. Nays: None. Abstain: Jones. Absent: Glenn. Motion approved as amended.

Schmitt opened a public hearing at 5:34 pm for an amendment to the application for a conditional use permit for Banister Leadership, for a 501C3 after school program. Robert England recused himself as he will be speaking on behalf of Cari Persino from Banister. England stated that a stipulation was a fence was to be put up in the back of the building. At that time, a playground was considered in that area. The area intended was also an emergency exit for the Masonic Lodge. England stated that this area would no longer be considered an outdoor play area. England also reported that the program would be there for only one season, the end of this school year, due to the high insurance rates that would be incurred on the Masonic Lodge. Hall stated the fence was the only condition that was not met. Spiker asked if the parents were notified of the offender that lived in the area. England responded that he thought so. Jones asked if the parents signed a document regarding the offender. England responded that he imagined they did. Spiker stated the Planning Commission shouldn't state precedence, no matter who they are, to not fulfill the requirement of the permit. England stated that they aren't backing out of anything. They are giving the kids a place to go and if the commission forces him to put up a \$10,000 fence, he will put one up tomorrow. But right now, there is no point in putting one up as they are not even using the outside area. England stated that this is a once in a lifetime deal. Jones asked if the door was locked at all times. England stated that there were two people on staff that watch the kids at all times. England commented that there was an additional door in the hallway that the kids are not allowed in. England also reported that the front door doesn't allow entrance from the outside, but you can get out from the inside. Schmitt stated that this would be a modified conditional use permit, not to be seen as letting them skate by but seeing it as their intentions changed after first applying. Jones stated that if they move, they would have to reapply. There were no further comments. Schmitt closed the hearing at 5:49 pm. Schmitt motioned to approve the amended conditional use permit, removing the requirement for the fence, and removing any allowance for an outdoor play area." Benzel seconded. Roll call: Loghry, Schmitt, Spiker, Sweetser, Benzel, Beitel. Nays: Jones. Abstain: England. Motion approved.

There were no further comments.

Meeting adjourned at 5:52 pm.

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Ben Schmitt, Chairman

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Lori Borchert, City Clerk