

Sidney, Nebraska, May 16, 2016

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 May 16, 2016 in the City Council Chambers, located at 1115 13th Avenue. Present were: Vice-Chairman Phillips and Commissioners: Cortney, Egging, England, McCarville, Sherlock, Smith and Volkmer. Absent: Spiker. Others present: City Manager Sadler, Zoning Administrator Dayton, Deputy Clerk Heilbrun and City Attorney Leef. 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.

Vice-Chairman Phillips announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Cortney moved, McCarville seconded, "That the minutes of the April 18, 2016 meeting be approved as printed." Roll call vote: Yeas: Volkmer, Cortney, Phillips, Egging, Smith, McCarville and Sherlock. Abstain: England. Absent: Spiker.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application for Conditional Use Permit of Mandi Barker to operate a Family Child-Care Home II at 926 Elm Street; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Mandi Barker.

Ms. Barker stated it was her hope to open a daycare in the area, as there was a need for quality child care on the north side of town. They have put up a fence around the side and back yard, and will put up a "chicken" fence in the front to contain the children should the permit be granted. She has preliminary approval to have ten children in the daycare, which can be raised to 12 children when her son turns 16. She noted that she does not own the property but has been granted permission by her landlord to operate a daycare in the home. She stated that she cannot file the request with the fire marshal or the Department of Health & Human Services until the City takes action on the request.

Zoning Administrator Dayton noted that there is only one other house on the street, so traffic should not be a problem.

Vice-Chairman Phillips closed the public hearing and asked for a motion on the request. McCarville moved, England seconded "That Conditional Use Permit of Mandi Barker to operate a Family Child-Care Home II at 926 Elm Street be approved." Roll call vote: Yeas: All commissioners present. Absent: Spiker.

City Manager Sadler presented the Commissioners with suggestions for revisions to our current Zoning regulations regarding enforcement of parking in front yards, weeds, abandoned buildings, signs, etc. He urged them to review the sample ordinances, make lists of other issues that concern them, and give serious consideration to putting some teeth into fines and collections for violations. He asked the Commission to choose what will be impactful when identifying issues and make suggestions for solutions. Staff can then come up with the proper language to fix the current regulations.

City Attorney Leef cautioned that we can only do what State Statutes specifically authorize us to do, which is to establish regulations to suppress and prevent nuisances and impose fines for such offenses according to the statutes.

The meeting adjourned at 6:14 P.M.

VICE-CHAIRMAN

DEPUTY CLERK

