

Sidney, Nebraska, April 17, 2017

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 April 17, 2017 in the City Council Chambers, located at 1115 13<sup>th</sup> Avenue. Present were: Chairman England and Commissioners: Cortney Egging, Karnik, Long, Phillips, Smith and Volkmer. Others present: City Manager Sadler, Zoning Administrator Dayton, City Attorney Leef and Deputy Clerk Heilbrun. 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 England 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.

Volkmer moved, Phillips seconded "That the minutes of the February 20, 2017 meeting be approved." Roll call vote: Yeas: All Commissioners present.

Chairman England announced that the Planning Commission would now hold a public hearing to consider additions to the Planning & Zoning Code to include Chapter 1272, Sign Ordinance; 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.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Ben Dayton, Ed Sadler and J Leef.

Zoning Administrator Dayton presented the proposed Sign Ordinance, Chapter 1272, which would be a total replacement of our existing sign ordinance. He reviewed similar ordinances across Nebraska, including Fremont, NE, and then revised this information to fit Sidney. Some of the additions to the new sign ordinance include: lighting and types of signs, temporary signs, political signs and how long they are allowed, sign maintenance, and removal of signs after a business has closed. The proposed ordinance will work in conjunction with the Historic Preservation jurisdiction requirements. It will be presented to the Historic Preservation Board at their next regular meeting. He clarified that political signs should not be erected more than 90 days prior to an election and should be removed within seven days after the election. Placement and size of these signs is also included in the proposed ordinance. Content of signs is not addressed, as freedom of speech must be adhered to with the exception of profanity. There is no grandfathering for nuisance violations, which is outlined on page 6, number 8-Nonconformance of the proposed ordinance.

Dayton further noted that property owners, not business owners, would be notified of any issues with existing signs. They would be given 180 days in which to correct the violations. City Attorney Leef outlined the penalty process for violations, stating that fines are usually under \$200. She clarified that this penalty is assessed as a new occurrence each day, and if not paid violators can be taken to court and judgments assessed, including liens against their property.

City Manager Sadler stated that the new ordinance is part of the City's effort to beautify Sidney. He referred to several examples of signs that were in disrepair or advertising businesses that were no longer in business at the posted locations. This type of advertising gives a negative impression to the public and those looking at Sidney for development or relocation, and we need to put our best foot forward and project a positive image of our community.

There being no further questions or comments, Chairman England closed the public hearing and asked for a motion on the request.

Phillips moved, Karnik seconded “That the Planning Commission recommend to the City Council that the proposed Sign Ordinance, Chapter 1272, be approved.” Roll call vote: Yeas: All Commissioners present.

Discussion was held as to the status of the Sidney Business Park property.

The meeting adjourned at 6:17 P.M.

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CHAIRMAN

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DEPUTY CLERK

