

Sidney, Nebraska, July 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 July 17, 2017 in the City Council Chambers, located at 1115 13th Avenue. Present were: Vice-Chairman Phillips and Commissioners: Egging, Long, Smith and Volkmer. Absent: England and Karnik. Others present: CBO Kubo, Police Chief Aikens 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.

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.

Volkmer moved, Smith seconded "That the minutes of the June 19, 2017 meeting be approved." Roll call vote: Yeas: All Commissioners present. Absent: England and Karnik.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application of Corey Strodman, 1145 14th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lots 5 and 6, Block 45, Original Town; 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: Angel Howington, Keith Rexroth, and Polly Reker.

Angel Howington, fiancé of the applicant, appeared to present their waiver request. She stated that they currently park their truck on the street only on weekends—Friday evening to Sunday morning. She explained that they cannot afford to rent a space to park the truck, which would also be an inconvenience for cleaning and restocking the truck for the next work week. She also noted that they had not yet contacted anyone regarding costs of cutting the curb and paving an approach to the off-street area of their property, which used to be a garden. She asked for time to obtain estimates on this process, as well as time to raise the funds to complete it. She asked if they could drive up over the curb until they can complete the necessary improvements.

Kevin Kubo stated that they cannot drive over the curb and advised Ms. Howington to contact him regarding qualified contractors to get them a quote and complete the required improvements to their property.

Commissioner Volkmer stated that she had been contacted by one of the adjoining property owners who was opposed to this permit as he felt that there has been damage to 13th Avenue from truck traffic.

Keith Rexroth asked that his comments be applied to both waiver requests on the agenda. He explained that he has been a resident of Sidney for many years and challenged the City as to how long it would be before they were painting themselves into a corner with these regulations. He was worried about the negative effect on the Ag Community in Sidney, i.e., will farm trucks be banned from City streets next? He does not want to see over regulation drive business from the community, especially with the uncertain future of Cabela's to consider.

Police Chief Joe Aikens replied that a farm truck does fall into the guidelines of the current truck parking ordinance if it exceeds the weight limitations. It is not necessarily the length or designation as semi-tractor trailer that is considered.

Polly Reker agreed with Mr. Rexroth's concerns for the agricultural community in the City with regards to the truck parking ordinance. She felt that restrictions that would require a loaded grain truck to remain at the farm until morning, rather than parked at a residence in the City limits and driven to elevator in the morning were too strict, and could not support a community that imposed such limitations.

Commissioner Egging asked if the Commission could put a time allowance for "cutting the curb" on this permit in order to allow the applicant to obtain cost and time estimates for completing the project. Chief Aikens noted that the request will not be considered by the City Council until July 25th, which gives the applicant a week in which to obtain quotes and present their plan of action at that time.

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

Egging moved, Phillips seconded "That the Planning Commission recommend to the City Council that the Application of Corey Strodman, 1145 14th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lots 5 and 6, Block 45, Original Town, be approved, with the decision as to time limitation to complete the removal of curb determined by the City Council." Roll call vote: Yeas: All Commissioners present. Absent: England and Karnik.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application of Loretta Broberg, 2476 11th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lot 15, Block 11, Grabill Subdivision; 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: Loretta Broberg.

Ms. Broberg explained that she parks her "rig" in her driveway for 1 ½ to 2 days/week to clean it between trips. If her truck was parked at another site she would have to leave her car parked in an unsecure area during the week, and she does not want to do so. The owner of the rental property where she lives does not have a problem with her parking her truck there. She noted that she lives on a truck route but in a residential zone, which requires to her to request a waiver for truck parking.

Chief Aikens stated that there does not appear to be any obstructions from the truck parking in the driveway of this residence. There is no visible oil leakage and have been no objections to the request.

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

Long moved, Egging seconded "That the Planning Commission recommend to the City Council that the request of Loretta Broberg, 2476 11th Avenue, for a Waiver for Truck Parking in a Residential Zone on Lot 15, Block 11, Grabill Subdivision, be approved." Roll call vote: Yeas: All commissioners present. Absent: England and Karnik.

The meeting adjourned at 5:55 P.M.

VICE-CHAIRMAN

DEPUTY CLERK