

January 4th, 2016

1. CALL TO ORDER: Mayor Rick Norby at 6:30 pm
2. PLEDGE OF ALLEGIANCE:
3. ALDERMEN PRESENT: **Sergent, Gilbert, Gartner, Smith, and Christensen**
4. CORRECTION OR APPROVAL OF MINUTES:

- a. **November 17, 2015 Special Meeting:** Motion was made to approve the minutes from the November 17th, 2015 Special Meeting by Alderwoman Christensen and seconded by Alderwoman Sergent. All present voted aye.
- b. **December 7th, 2015 Regular Meeting:** Motion was made to approve the minutes from the December 7th, 2015 Regular City Council Meeting by Alderwoman Sergent, and seconded by Alderman Gartner. All present voted aye.

5. VISITORS:

- a. **Lowell Cutshaw:** Interstate Engineering
- b. **Renee Jean:** Sidney Herald

6. PUBLIC HEARING: Nothing

7. MAYOR NORBY:

- a. **Swearing in of Newly Elected Council Members: Christensen, Smith, and Gartner:** Mayor Norby swore in the newly elected Council Members of Alderwoman Christensen, Alderman Smith and Alderman Gartner.
- b. **District II Alcohol and Drug Program: Annual Governing Board Member Appointment-Helen Schmitt:** Mayor Norby stated that he would like to make the recommendation to approve the appointment of Helen Schmitt to the Annual Governing Board of the District II Alcohol and Drug Program. Motion was made to approve the appointment of Helen Schmitt by Alderwoman Christensen and seconded by Alderman Smith. All council present voted aye.
- c. **Planning Board-Reappointment of Becky Bradley and filling of Vacant citizen member appointment:** Mayor Norby made the recommendation of reappointing Becky Bradley to the County/City Planning Board, and he stated that the other vacant seat still needs to be filled. Alderwoman Gilbert made a motion to approve reappointing Becky Bradley to the County/City Planning Board, and Alderwoman Christensen seconded the motion. All present voted aye.
- d. **Library Board of Trustees City Vacancy-Kelly Reisig advertising for opening:** Mayor Norby stated that the Library Board of Trustees is looking to fill their newly vacant seat for the City, and that Kelly Reisig is advertising for the opening.
- e. **Election of President of the City Council:** Mayor Norby stated that the Council needs to elect a Council President so that the City Council Committees can be decided on. Alderwoman Sergent made a motion to elect Alderwoman Christensen, and Alderwoman Gilbert made a motion to elect Alderman Gartner. Alderman Gartner seconded the motion to elect Alderwoman Christensen and declined to be City Council President. All council present voted aye to electing Alderwoman Christensen as the City Council President. Mayor Norby stated that he needs a Council member to agree to chair the Park and Rec Committee and be willing to attend the Park and Rec Board meetings each month.

8. COMMITTEE WORK:

a. Water and Sewer:

- i. **Todd Morasko Request:** Alderman Smith stated that the Water and Sewer Committee met and discussed the request of abatement of the sewer bill of Todd Morasko. He stated that there is no way to monitor if the sewer is being used or not with it not being on city water, and that he was notified about installing a meter and he was informed that the only way to shut off sewer services is to cap the sewer. Per the unanimous recommendation of the Water and Sewer Committee Alderman Smith made the motion to not reduce Todd Morasko's sewer bill, and Alderwoman Sergent seconded the motion. In discussion Alderwoman Gilbert asked what MMIA had to say about the liability issue on this pertaining to a lawsuit and if anyone on the committee had gone to look at the house, as she had done a walk about and the house is uninhabitable. She also asked if we are going to have a policy moving forward, as others have had fees waived. Alderman Smith stated that there has not had fees waived in this type of circumstance. Alderwoman Gilbert asked if anyone had contacted MMIA, and Alderman Smith stated no. Alderwoman Gilbert stated that the legal recommendation of the City Attorney stated that the City is on firm ground, but that there is the possibility of litigation which could cost the City more than the bill itself, including paying his lawyer fees. Alderwoman Gilbert asked if there would be a policy created moving forward and for houses that are uninhabitable. Alderman Smith stated there is a policy in place. PWD Hintz stated that he because he is on a Sandpoint he was given the option of installing a meter to significantly reduce his bill, but because he chose not to, his bill is the \$90 per month. He stated that because the sewer system is active it can be used at any time and there is no way to monitor if it is being used, it is a utility so there is a charge if used or not, and we may have to sever the sewer line to prevent future charges and possible use. Alderman Smith asked how many non-water users are on the sewer. Mayor Norby stated approximately 96 houses. Alderman Smith stated that letters were sent and it is on record that all these property owners would be charged \$90 per month if they did not install the meter to get water usage, and those policies are in place. Alderwoman Gilbert asked if Mr. Morasko came into City Hall because the house was vacant. Alderman Smith stated that regardless of if no one is living in the house the sewer can still be used. PWD Hintz stated that MDU contacted him pertaining to this property because they had asked Mr. Morasko to have the meter pulled and the gas capped, but Mr. Morasko refused and just wanted it shut off. Since then MDU has pulled the meter and capped it. Alderwoman Gilbert stated that she was just wondering what MMIA had to say in this situation because in the past the City has contacted MMIA because she would hate to see a lawsuit. Voting went as follows:

Ayes: Sergent, Christensen, Smith, Gartner

Nays: Gilbert

Absent: Koffler

- ii. **Murtagh Municipal Engineering:** Alderman Smith stated that the Water and Sewer Committee met with Patrick Murtagh of Murtagh Municipal Engineering pertaining to his firm merging with a larger firm, and Mr. Murtagh stated that he would like to see the merger with Morrison and Maierle, who would assume the current contracts with the City at the amounts stated, but that Mr. Murtagh wanted the City's opinion. City Staff stated that Morrison and Maierle were a good engineering firm that the City of Sidney has history working with. Alderman Smith made a motion, per the recommendation of the Water and Sewer Committee to approve Morrison and Maierle assuming City Contracts when the time comes, and the motion was seconded by Alderwoman Christensen. All Council present voted aye.

9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing

10. UNFINISHED BUSINESS: Nothing

11. NEW BUSINESS: Nothing

12. CITY PLANNER HOW:

- a. **Amended Plat SLBC Hillside Acres Subdivision Lots 1 & 2, Block 2:** PWD Hintz stated that City Planner How presented the Amended Plat with recommendation of approval with conditions as outlined in his staff report. Motion was made to approve the Amended Plat of SLBC in Hillside Acres Subdivision Lots 1 and 2 in Block 2 with conditions outlined in the City Planner Staff Report by Alderman Smith and seconded by Alderwoman Sergent. All present voted aye.

13. **CITY ATTORNEY:** City Attorney Rose-Miller stated that City Attorney Krautter left a draft of a Resolution with her to take before City Council, but that it needed its appendices that have not been received. City Attorney Rose-Miller asked for a motion to table the Resolution until the Resolution could be completed. Motion was made to table the resolution by Alderwoman Christensen, and seconded by Alderwoman Gilbert. Mr. Cutshaw stated that the appendices are in the works, and Mayor Norby asked if it could be taken care of at the next meeting. Mr. Cutshaw stated it should be ready. All present voted aye.

14. CHIEF OF POLICE DIFONZO: Nothing

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report:** PWD Hintz presented his December 2015 report to the City Council. He stated that sanding and snow removal are down. He also stated that he compared previous years for garbage count, to try to show a trend in the garbage hauling. He also stated that with the current garbage hauling, our population is about 8000 people.
- b. PWD Hintz handed out a pamphlet provided by Parks Superintendent Ridl pertaining to the pavilion at Veteran's Park to make it ADA acceptable and clean up the area in the park and make maintenance easier. Parks Superintendent Ridl is looking for donations for this project, which will cost approximately \$30,000, with City Staff helping with the labor. She is hoping to get this project done before the Billings Symphony plays in the park in July.
- c. **Veteran's Park Train Consult:**

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16. COMPLIANCE OFFICER MEAD:

- a. Report: Compliance Officer Mead provided his December 2015 monthly report. He stated that referrals for people living in campers has gone up.
- 17. FIRE MARSHAL GILBERT:** Fire Marshal Gilbert provided his yearly report to the Sidney City Council.
- 18. CITY TREASURER DEY:** Nothing
- 19. CITY CLERK REDFIELD:** consent agenda
 - a. GENERAL JOURNAL VOUCHERS: e-mailed
 - b. Claims to be approved: \$ 159,411.15 + \$ 97,330.77= \$ 256,741.92

2016-61
2016-62

VFW Post #4099
Mid Rivers Comm

124 2nd Ave NE
204 N Central

Restroom Remodel
Addition

L1, B11, Original
L4, B7, Original

A motion to approve the consent agenda was made by Alderwoman Christensen and seconded by Alderman Smith. All council voted Aye.

Meeting was adjourned at 7:15 pm

ATTEST:


CITY CLERK


MAYOR NORBY
January 19th 2016
DATE SIGNED