

# March 18<sup>th</sup>, 2019

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Christensen, Smith, Gartner, Koffler, and Sergent; Absent: Rasmussen
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **March 4<sup>th</sup>, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the March 4<sup>th</sup>, 2019 regular Council Meeting by Alderwoman Christensen, and seconded by Alderwoman Sergent. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **Jason Schrader**
  - b. **Kali Godfry-Leadership**
  - c. **Hanna Jepsen-Leadership**
  - d. **PWD Adam Smith and Commissioner Loren Young-Richland County**
  - e. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
  - a. **HB 656 Hearing in House Taxation on March 26<sup>th</sup>, 2019 at 9am:** Mayor Norby stated that he along with Alderwoman Christensen, PWD Hintz and City Clerk/Treasurer Redfield will be going to Helena to testify on HB 656. He stated that the hearing has been changed to March 28<sup>th</sup>, 2019 at 9am. Mayor Norby stated this is the bill that Representative Krautter is carrying to reinstate the City and Town oil and gas revenue that was lost previously. Mayor Norby stated that he felt this was the most important bill for the City of Sidney this session.
  - b. Mayor Norby stated there has been water issues in North and South Meadow because of drainage. He stated the Public Works Department is out working on it right now.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:** Alderwoman Sergent stated she received a compliment and thank you for the work being done in North and South Meadow.
10. **UNFINISHED BUSINESS:**
  - a. **East Holly Water Project Pay Application #4 from Western Municipal for \$90,648.54 (Tabled 2-19-19):** Motion was made to un-table the East Holly Water Project Pay Application #4 by Alderman Koffler, and seconded by Alderwoman Sergent. With no discussion, all present voted aye. Mr. Mayer stated that the contractor updated their letter, per the request of the Sidney Council at the February 19<sup>th</sup>, 2019 meeting, and that City Attorney Kalil reviewed the letter and is in concurrence that it is what was asked. Motion was made to approve the East Holy Water Project Application #4 from Western Municipal for \$90,648.54 by Alderman Koffler, and Alderman Gartner seconded the motion. With no further discussion, all present voted aye.
  - b. **East Holly Water Project Change Order #1 (Tabled 2-19-19):** Motion was made to un-table the East Holly Water Project Change Order #1 by Alderwoman Christensen, and Alderman Gartner seconded the motion. With no discussion, all present voted aye. Mr. Mayer stated that this is in concurrence with the contractor, and that he will get the e-mails and new letter attached to the change order. He stated that this change order is with the City agreeing to pay the bid price, with all liquidated damages absolved, and to extend contract time. Motion was made to approve the East Holly Water Project Change Order #1 by Alderman Smith, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
  - c. **Angle parking in the downtown district:** Chief DiFonzo stated that he has only had one inquiry on this matter, and that he has not been able to talk to them yet. Mayor Norby stated that he has been reached out to by Mr. Aisenbrey and Restorx and that neither were opposed to no angle parking. Chief DiFonzo stated that he would like to have more public input on this matter prior to going before the Parking Commission, and Nikki Hoffman of the Sidney Herald stated she would like to do a Q&A on this matter with Chief DiFonzo and Mayor Norby.
11. **NEW BUSINESS:**
  - a. **Richland County Library Project Parking-recommendation of Parking Commission:** Mayor Norby stated that the Parking Commission has reviewed the proposed parking for the Richland County Library Project, and have recommended approval unanimously. Alderman Smith asked if the parking will be recessed, and Mayor Norby stated that it would be, just as it is on the South side of the block. Motion was made to approve the Richland County Library Project Parking by Alderwoman Christensen, and Alderman Smith seconded the motion. With no further discussion, all present voted aye.
  - b. **Richland County Library Project-request to waive Building Permit and Plan Review fees:** County PWD Smith stated that Richland County is asking for the City Council to waive their portion of the building permit fees. He stated that he understands the City of Sidney is under similar contracting with Kyle Harlan, and that he gets 75% of building permit fees, therefore the County is only asking for the waiving of their 25%. City Clerk/Treasurer Redfield provided an estimate of the building permit and plan review fees, and what Mr. Harlan would be retaining, based off of the architects building cost estimates. Motion was made to approve the City of Sidney waiving their 25% of the building permit fees for the Richland County Library Project by Aldermen Koffler, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye.
12. **CITY PLANNER SANDERSON:**
  - a. **Byer Lot Aggregation:** City Clerk/Treasurer Redfield presented the Byer Lot Aggregation, combining Lots 6 and 7, Block 3, Mayo Subdivision for the purpose of building a garage. She stated that Mr. Byer would like to build a garage on the open lot, but City Code prohibits the

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building of an accessory structure on a lot without a primary structure, therefore he is wanting to combine the lots. She stated that this aggregation is exempt to subdivision review, and that City Planner Sanderson has recommended approval with the conditions that they comply with all Sidney Department Public Works requirements and that all fees, applicable taxes and assessments be paid before final plat is signed. Motion was made to approve the Byer Lot Aggregation by Alderman Smith, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

### 13. CITY ATTORNEY:

- a. **Ordinance 576-Updating Ward Map-2<sup>nd</sup> Reading:** City Clerk/Treasurer Redfield asked the City Council to table the second reading of Ordinance 576, for further investigation. She stated she was contacted by the County Clerk's Office, and their current map have one of the precincts areas number differently. She stated as the purpose of this was to not make any changes, they would like to look into this further before final approval. Motion was made to table Ordinance 576 second reading by Alderwoman Sergent, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.

### 14. CHIEF OF POLICE DIFONZO:

- a. **Update: Nothing**
- b. **Resignation of Tyler Kammerzell from the Sidney Police Department:** Chief DiFonzo stated that Tyler Kammerzell has issued his resignation from the Sidney Police Department to be effective March 18<sup>th</sup>, 2019. He further stated that Officer Kammerzell is transferring to the Billings Police Department, which is where he is from and where is went through the academy. Motion was made to accept the resignation of Tyler Kammerzell from the Sidney Police Department by Alderwoman Christensen, and Alderman Smith seconded the motion. Mayor Norby stated that Officer Kammerzell has been a great Officer and will be missed. Alderman Smith asked how long he was on the Sidney Police Department, and Chief DiFonzo stated 5 to 6 years. With no further discussion, all present voted aye.

### 15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Update:** PWD Hintz stated the Public Works Department was out Saturday and Sunday, along with all day Monday, working on the flooding in North and South Meadow. He stated that they are trying to stay ahead of the flooding, and that no property has been damaged yet. He further stated that the Public Works Department will be out tonight to work further on the flooding.
- b. **WWTP Phase 3, Draw #6 for \$224,121.83:** PWD Hintz presented the City Council with the WWTP Phase 3, Draw #6. City Clerk/Treasurer Redfield stated this draw is out of the SRF Loan that is anticipated to be forgiven. Motion was made to approve the WWTP Phase 3, Draw #6 for \$224,121.83 by Alderman Smith, and Alderman Koffler seconded the motion. All present voted aye.

### 16. Fire Marshal/Building Inspector Rasmussen:

- a. **Fire Department Report-February 2019: Not present.**

### 17. CITY TREASURER REDFIELD:

- a. **Update:** City Clerk/Treasurer Redfield stated that the SRF Loan for the Waste Water Treatment Plant, Phase 3, was officially closed on March 15<sup>th</sup>. She also stated that City Hall Staff has been working with getting the Auditor all documentation needed for the FY17-18 audit, and will hopefully have them coming to Sidney to finish it out soon.
- b. **2019 Svarre Pool Swim Ticket Prices:** City Clerk/Treasurer Redfield stated the Parks and Recreation Board reviewed the Svarre Pool Swim Ticket prices, and with the recommendation of City Staff have recommended to keep the prices the same as 2018. Motion was made to approve keeping the 2019 Svarre Pool Swim Ticket prices the same as 2018 was made by Alderman Smith, and seconded by Alderman Koffler. In discussion, Mr. Schrader stated that he felt the prices were too high and asked the Council to consider tabling the decision and looking into lowering them. City Clerk/Treasurer Redfield stated that City Staff has already investigated that possibility. She further stated that over 60% of the pool expenditures are paid for by mill levy property taxes, and that by lowering the price of the tickets it would put more pressure on that revenue. She stated that revenue is what pays for the police and fire departments, so by lowering the ticket prices the City is taking from the safety of the community. City Clerk/Treasurer Redfield also stated that pool expenditures have been going up exponentially with the cost of improvements needed at the pool, and that currently the ticket sales are not even cover half of the payroll costs for the pool. She stated that it is those reasons that the prices cannot be lowered. Mayor Norby stated that the City has always supplemented the pool budget, and that they wish they could lower the prices, but with the needs of the pool it is not possible, as the costs of fixing and maintaining the pool are high. Mayor Norby reiterated that there is no profit from the pool, and that is the way it has always been. Alderwoman Christensen stated that the pool ticket prices have not been increased now for 3 years, even with the higher costs of the pool. Ms. Godfry stated that at the Fairview pool you can sponsor tickets, and asked if that was possible in Sidney. City Clerk/Treasurer Redfield stated it is and that some do come and get certificates for the pool tickets. Mayor Norby stated that it is the wish of all that the pool ticket prices be lower, but that it is not possible. With no further discussion, all present voted aye.
- c. **Water/Sewer Bank Transfer-approval to switch to once a month:** City Clerk/Treasurer Redfield asked the City Council for approval to do the water/sewer bank transfer once a month instead of every Council Meeting. She stated this was done for the month of February due to extenuating circumstances, but that it worked out very well. She further stated that this makes the process easier to understand, instead of transferring parts of reports, it would be the entire report. It was the general consensus of the City Council to do the water/sewer bank transfer once a month, for the previous month's expenditures in those funds.

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**18. CITY CLERK REDFIELD:**

**Consent agenda**

a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly

b. **Claims to be approved: \$ 79,747.84**

2019-54	Roger Byer	402 N Central Ave	New Car Wash	L1, B1, Augustus Vaux
2019-55	SKIPPED			
2019-56	Jaymie Romo	1101 Madison Lane	Garage Addition	L1, B4, Hillside Acres
2019-57	Al's Mini Storage	701 Warren Lane	Sign	L2, 3, &4, Bernie Connor Sub
2019-58	Jordan Harrell	542 34 <sup>th</sup> Ave NW	Shed	L2, B8, Wagon Wheel Village

Motion was made to approve the consent agenda by Alderman Koffler, and Alderman Gartner seconded the motion. With no further discussion, all present voted aye.

**19. Executive Session-Employee Matter:** Mayor Norby closed the City Council meeting for an Executive Session pertaining to employee matters at 7:05pm. Mayor Norby reopened the City Council meeting at 7:30pm.

Meeting was adjourned at 7:30 p.m.

ATTEST:

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MAYOR NORBY

\_\_\_\_\_  
CITY CLERK

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DATE APPROVED