

November 4th, 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, Rasmussen, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **October 21st, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the October 21st, 2019 by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no changes or corrections, all present voted aye.
 - b. **October 21st, 2019 Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the October 21st, 2019 Street and Alley Committee Meeting by Alderwoman Sergent, and Alderman Gartner seconded the motion. With no changes or corrections, all present voted aye.
 - c. **October 24th, 2019 Water and Sewer Committee Meeting Minutes:** Motion was made to approve the minutes from the October 24th, 2019 Water and Sewer Committee Meeting by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Amy Efta-Sidney Herald**
 - b. **Kodi Oberfell and Aaron Dean-Sidney High School**
 - c. **Jordan Mayer-Interstate Engineering**
 - d. **Laura Gundlach-Interstate Engineering (via phone)**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
 - a. **Update on PSC Hearing on closing Lewis and Clark MDU Station:** Mayor Norby thanked Mrs. Efta with the Sidney Herald for coming to Helena to report on the PSC meeting and for her subsequent articles. He stated there was a good turnout of locals at the meeting, including 9 out of 11 Westmoreland employees and some from their corporate. He further stated they do not know the outcome yet, but the PSC will be meeting again in January on this matter. He stated he was very grateful for the meeting and that everyone was given their time to talk.
 - b. **Call for interested applicants for Ward 2 open Council Position-Term of January 1st, 2020-December 31st, 2021-by November 30th, 2019:** Mayor Norby announced the City is still looking for applicants for the open Ward 2 position, and people have until November 30th to turn them in to City Hall if they are interested.
8. **COMMITTEE WORK:**
 - a. **Street and Alley Committee**
 - i. **City Zoning Code Update-permits and sidewalks:** Alderwoman Christensen stated the Street and Alley Committee met with City Planner Sanderson, and he is working on revising the City Zoning code for permits, right-of-way, and sidewalks. She stated the Street and Alley will review once that is completed.
 - ii. **Backes Property:** Alderwoman Christensen stated the Street and Alley Committee met and discussed the Backes Property. She stated that this is property, although it is in City limits, is only a tract of land and so the committee decided nothing needs to be done further on this until Mr. Backes decides to go through subdivision review.
 - b. **Water and Sewer Committee**
 - i. **WWTP P3 Liquidated Damages:** Alderwoman Rasmussen stated the Water and Sewer Committee met and recommended moving forward with liquidated damages against Cop Construction for the Waste Water Treatment Plant Phase 3, as of September 27th, 2019. Mrs. Gundlach stated as of today they are 84 days over contract time. Alderwoman Christensen asked why it is starting as of September 27th when they are so far over time, and Alderwoman Rasmussen stated it is because of the amendments already approved by the City Council for the engineer's time. City Clerk/Treasurer Redfield stated Cop Construction submitted a letter asking for the City Council to not pursue liquidated damages today, which she provided. Mrs. Gundlach reviewed their reasons and stated that she does not feel any of them have merit, and recommended the City Council still pursue liquidated damages. Motion was made to approve the City of Sidney pursuing liquidated damages against Cop Construction for the Waste Water Treatment Plant Phase 3 by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye. PWD Hintz stated they are hoping they will have substantial completion either this week or next, and once that is issued by the Engineers the liquidated damages will end.
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing**
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS: Nothing**
12. **CITY PLANNER SANDERSON: Nothing**
13. **CITY ATTORNEY: Nothing**
14. **CHIEF OF POLICE DIFONZO:**
 - a. **Police Department Report October 2019:** Chief DiFonzo provided the City Council with the October 2019 Police Department Report.
15. **PUBLIC WORKS DIRECTOR HINTZ:**
 - a. **Public Works Report October 2019:** PWD Hintz provided the City Council with the October 2019 Public Works Report. He stated they have a draft scope of work for Morrison Maierle for the Storm Water Study, and the City Council asked City Clerk/Treasurer Redfield to email it to them. PWD Hintz stated they will be doing the CIPP lining on approximately 1,100 feet of sewer main on North Central. He stated they will also be doing one block on 4th and East Holly. Chief DiFonzo asked about the High School project, and PWD Hintz stated they had a preliminary meeting and are looking into adding in the bulb outs, they are hoping to have the bid opening for the project in February. Chief DiFonzo stated there is a MDU Utility pole with 3 transformers on it on 5th Ave SE that is sitting at a 45 degree angle. He stated MDU told him they would fix it a month ago and asked PWD Hintz to call on it, to which he agreed.
 - b. **WWTP P3, Draw #14 for \$365,202.44:** PWD Hintz presented the City Council with the WWTP P3, Draw #14 for \$365,202.44. City Clerk/Treasurer Redfield stated the liquidated damages were withheld. Motion was made to approve the WWTP P3 Draw #14 for \$365,202.44 by Alderwoman Rasmussen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
16. **Fire Marshal/Building Inspector Rasmussen:** Fire Marshal/Building Inspector Rasmussen stated he will have his month report at the next City Council meeting.
17. **CITY TREASURER REDFIELD:**
 - a. **October 2019 Water/Sewer Bank Transfer of \$285,283.78:** Motion was made to approve the October 2019 Water/Sewer Bank Transfer of \$285,283.78 by Alderman Koffler and seconded by Alderwoman Rasmussen. With discussion, all present voted aye.

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- b. **October 2019 Journal Voucher Report:** Motion was made to approve the October 2019 Journal Voucher Report by Alderwoman Christensen, and seconded by Alderman Koffler. With no discussion, all present voted aye.
- c. **October 2019 Treasurer's Report:** City Clerk/Treasurer Redfield provided the City Council with the October 2019 Treasurer's Report.

18. CITY CLERK REDFIELD:

Consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 213,043.28**

2020-047	Western Choice Coop	1281 S Central	Remodel	
2020-048	Phil Johnson	2426 3 rd St NW	Porch	L5, B1, Hilltop Enterprises
2020-049	MPEG	Homestead Sub	Sign	L1, B1, Homestead Sub
2020-050	Rodney Torgerson	721 4 th St SW	Fence	L7, B9, Gardner
2020-051	Eric Beenken	530 5 th St SE	Guest House	L9A, B41, Kenoyers 1 st Add
2020-052	Kelly Properties	546 33 rd Ave NW	Fence	L1, B7, Wagon Wheel

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

Meeting was adjourned at 6:50 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED