

# November 5<sup>th</sup>, 2018

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 those who were present.
3. **ALDERMEN PRESENT:** Sergent, Rasmussen, Koffler, Gartner, Smith, and Christensen.
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **October 15<sup>th</sup>, 2018 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the October 15<sup>th</sup>, 2018 regular City Council meeting by Alderwoman Rasmussen, and Alderman Koffler seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **MonDak Heritage Center-Dan Karalus-Waive \$500 hook-up fee for water services on property north of building:** Mr. Karalus stated the MonDak Heritage Center is landscaping the empty lot that the scout cabin used to occupy, and that they need to have water services connected again to do this. He stated that they are asking the City Council to waive the \$500.00 hook-up fee that is associated with this. Utilities Manager Anderson stated that this is hook-up fees only, not impact, and that the City Council does have the authority to waive hook-up fees. He further stated that he does not see any issue with waiving this fee. Motion was made to approve waiving the \$500.00 hook-up fee for the MonDak Heritage Center for the old scout cabin property by Alderwoman Christensen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
  - b. **TBID-Bryce Baker and Brandon Taylor-2019 Budget:** Mr. Baker presented the City Council with the TBID proposed 2019 budget for approval. He stated that they did not have as many requests for grant this year, but with less revenues this was not a bad thing. He further stated that in 2019 they have already committed \$15,000 to the Montana Tavern Association Convention, which will bring 400 people to Sidney for 4 days, and the State Swim Meet. Mr. Baker stated that the TBID will also be assisting with the Eastern C Basketball Tournaments that will be hosted in Sidney in 2020 and 2021. Motion was made to approve the 2019 TBID budget by Alderwoman Rasmussen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
  - c. **Morrison Mairle-Laura Gundlach and Casey Hanson**
  - d. **Michelle Stagl**
  - e. **Al Stagl**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
  - a. Mayor Norby announced that the trees that were obstructing the sight triangles at malfunction junction have been taken down. He stated that the remainder of the project will wait until spring, but this is a huge improvement in safety already. Mayor Norby thanked the Public Works for their hard work on this.
  - b. **Nuisance Committee Council Representative:** Mayor Norby stated that with the new Nuisance Ordinance in place, there needs to be a City Council representative on the Nuisance Committee. PWD Hintz stated that this purpose of this committee is to review complaints and decide on how to move forward. Alderman Koffler volunteered to sit on this committee. Motion was made to approve Alderman Koffler representing the City Council on the Nuisance Committee by Alderwoman Rasmussen, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing**
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS:**
  - a. **Zoning Board Recommendation: Update Zoning Code for Shed Setbacks:** PWD Hintz stated that the Zoning Board, with the City Council's approval, reviewed the zoning code for shed setbacks and recommended that the zoning code for R-1, R-2, R-3, C-1, and C-2 be amended to stated that all accessory structures less than 200 square feet and not used for vehicles, located a minimum of 10 feet from occupied structures, with a maximum 36 square foot penetration, may be placed within 2 feet of the rear property line. Motion was made to approve the amending of the zoning code, per the recommendation of the Zoning Board, by Alderman Smith, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye. City Clerk/Treasurer Redfield stated that next step is a public hearing in front of the Zoning Board on December 4<sup>th</sup>, 2018. After that the City Council will have a public hearing and first and second reading of the ordinance. The amendment will not go into place until 30 days after the second reading, so sometime in February if everything goes as planned.
  - b. **Bulk Water Rates:** Utilities Manager Anderson stated that when Interstate Engineering did the water rate study, bulk water rates were never discussed. He stated that the current bulk water rate is \$1.00/100 gallons of water used, when the metered accounts is \$.18/100 gallons of water used, and that the City of Sidney does not sell a lot of bulk water. There is only one steady bulk water account. Alderman Smith asked if this was something that had to be firmly decided tonight. City Clerk/Treasurer Redfield that the Resolution of Intent had to be passed tonight, and that had to include the maximum amount that the City Council would be increasing the rates to, but that it had to be actual figures and not vague language. She further stated that the City Council can change their mind on not raising the rates, or lessening the amount of the increase during the

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rate increase process, and that this Intent to Raise Rates is only the first of many steps. Utilities Manager Anderson stated that if the City Council wished to raise the bulk rates at the same increase rate as the metered accounts, it would rate it from \$1.00/100 gallons to \$1.21/100 gallons. Motion was made by Alderman Smith to include in the Intent to Raise Water Rates Resolution #3777 that bulk rates be increased with the same increase at the metered accounts. Alderwoman Christensen seconded the motion, and with no further discussion, all present voted aye.

## 12. CITY PLANNER SANDERSON:

### 13. CITY ATTORNEY:

- a. **Resolution #3777- Intent to Raise Water Rates:** City Attorney Kalil read Resolution 3777, Intent to Raise Water Rates, out loud. Motion was made to approve Resolution 3777 with the addition of the increasing of the bulk water rate at the same rate increase to the metered rate increase by Alderman Koffler, and Alderman Gartner seconded the motion. In discussion Mr. Stagl asked if this would improve the quality of the water, and Utilities Manager Anderson stated it would not. With no further discussion, all present voted aye.
- b. **Resolution #3778- Intent to Raise Sewer Rates:** City Attorney Kalil read Resolution 3778, Intent to Increase Sewer Rates, out loud. Motion was made to approve Resolution 3778 by Alderwoman Christensen, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.

City Clerk/Treasurer Redfield state that there will be and Informational Meeting with Interstate Engineering, City Staff, and Elected Officials on November 29<sup>th</sup>, 2018 from 6:00pm to 7:30pm at the Richland County Extension Office to answer questions and concerns of the public on the proposed rate increases. There will be a public hearing in front of the City Council at the December 3<sup>rd</sup>, 2018 City Council Meeting, after which the Council will take formal action on the rate increases.

## 14. CHIEF OF POLICE DIFONZO:

- a. **October 2018 Report:** Chief DiFonzo provided the City Council with the October 2018 Sidney Police Department Report.

## 15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **October 2018 Report:** PWD Hintz provided the City Council with the October 2018 Sidney Public Works Departments Report.
- b. **DEQ Outfall Permit and Payment of \$3,000:** PWD Hintz stated that the City is required to have outfall discharge permits, and the cost for these permits for the lagoon is \$3,000. Laura Gundlach of Morrison Maierle stated that the cost of the permits, which need to be renewed every 5 years, could change and be up to \$4,800. Motion was made to approve submitting the Outfall Permit and paying the \$3,000 by Alderwoman Christensen, and Alderman Smith seconded the motion. With no further discussion, all present voted aye.
- c. **East Holly Water Project-Certificate of Substantial Completion:** PWD Hintz provided the City Council with the Certificate of Substantial Completion for the East Holly Water Project. He stated that they are still waiting on lien waivers to issue final payment.
- d. **WWTP Phase 3 Draw #1 (wastewater reserves) \$373,289.76:** Mrs. Gundlach stated that phase 3, which is being done by COP Construction, started on October 22<sup>nd</sup>. She further stated that phase 3 includes the pump station, head works and outfall. She further stated that there is \$450,000 left over in the phase 2 loan that will be being used, combined with the \$1 million cash the City is using from reserves, the City will not need to draw from the phase 3 loan until spring, which will save a lot of money in interest. Motion was made to approve paying the WWTP Phase 3 Draw #1 for \$373,289.76 from City reserves by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

## 16. Fire Marshal/Building Inspector Rasmussen:

- a. **October 2018 Fire Report:** Fire Marshal/Building Inspector Rasmussen provided the City Council with the October 2018 Fire Report. Alderwoman Rasmussen stated that working at the school, she saw how frequently Building Inspector/Fire Marshal Rasmussen and the Volunteer Fire Department were at the school for Fire Safety Month, and how much the kids enjoyed it.

## 17. CITY TREASURER REDFIELD:

- a. **October 2018 Treasurer's Report:** City Clerk/Treasurer Redfield provided the City Council with the October 2018 Treasurer's Report.
- b. **Pine Cove Sophos Renewal:** City Clerk/Treasurer Redfield stated that the City needed to renew their Sophos, which is the anti-virus software that protects not only the computers but the City network also. She stated that it is approximately \$5,800 to renew this, for 3 years, for everything. Motion was made to approve the Sophos renewal with Pine Cove by Alderman Koffler, and Alderwoman Christensen seconded the motion.
- c. **GASB 75-2018:** City Clerk/Treasurer Redfield stated that 2018 GASB 75 was completed, a copy of which she provided to the City Council. She stated that this was a public document, should anyone want to review it. She stated that one of the purposes of the GASB 75 is to look at the cost of health insurance to the City today and try to guess what it will cost in the City in the future. She stated that according to the Sidney GASB 75, a projected payment of \$12,234 in 2018 will be \$2,909,202 in 2060.
- d. **Water/Sewer Bank Transfer of \$173,984.05:** City Clerk/Treasurer Redfield provided the City Council with the water/sewer bank transfer, and stated that this included the October 2018 payroll. Motion was made to approve the water/sewer bank transfer of

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\$173,984.05 by Alderwoman Christensen, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

**18. CITY CLERK REDFIELD:**

**Consent agenda**

|                |    |   |                                  |                 |                                |
|----------------|----|---|----------------------------------|-----------------|--------------------------------|
|                | a. | <b>GENERAL JOURNAL VOUCHERS: e-mailed</b>   |                                  |                 |                                |
|                | b. | <b>Claims to be approved: \$ 152,384.43</b> |                                  |                 |                                |
| <b>2019-38</b> |    | <b>Cat Graphics</b>                         | <b>404 N Central Ave</b>         | <b>Sign</b>     | <b>B1, L3, Augustus</b>        |
| <b>Vaux</b>    |    |   |                                  |                 |                                |
| <b>2019-39</b> |    | <b>Signs of Sidney</b>                      | <b>224 6<sup>th</sup> St SW</b>  | <b>Sign</b>     | <b>B57, L1&amp;2, Original</b> |
| <b>2019-40</b> |    | <b>Larry Christensen</b>                    | <b>2405 Bighorn Ave</b>          | <b>Fence</b>    | <b>B2, L3, JB Subdivision</b>  |
| <b>2019-41</b> |    | <b>John Grinnell</b>                        | <b>602 3<sup>rd</sup> St NE</b>  | <b>Fence</b>    | <b>B33, L2, Original</b>       |
| <b>2019-42</b> |    | <b>Dominos</b>                              | <b>410 N Central Ave</b>         | <b>Interior</b> | <b>B1, L2, Augustus</b>        |
| <b>Vaux</b>    |    |   |                                  |                 |                                |
| <b>2019-43</b> |    | <b>Seitz Insurance</b>                      | <b>114 2<sup>nd</sup> Ave SE</b> | <b>Roof</b>     | <b>B13, L8&amp;9, Original</b> |
| <b>2019-44</b> |    | <b>Jerry Hughes</b>                         | <b>322 S Central</b>             | <b>Fence</b>    | <b>B7, L22, Original</b>       |

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

Meeting was adjourned at 7:09 p.m.

ATTEST:

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MAYOR NORBY

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

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DATE SIGNED