

# October 15<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 present.
3. **ALDERMEN PRESENT:** Christensen, Smith, Gartner, Koffler, Rasmussen, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **October 1<sup>st</sup>, 2018 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the October 1<sup>st</sup>, 2018 Regular Council Meeting by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. With no changes or corrections, all present voted aye.
  - b. **October 1<sup>st</sup>, 2018 Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the October 1<sup>st</sup>, 2018 Street and Alley Committee Meeting by Alderwoman Christensen, and Alderwoman Sergent seconded the motion. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **District II Drug and Alcohol-Step-Up Program-McKen-Z Ramus and Caysi Johnson:** Mrs. Ramus, Prevention Specialist and Step Up Program Coordinator and Mrs. Johnson, AmeriCorps member, came before the City Council on behalf of District II Drug and Alcohol to present on the Step Up Program. Mrs. Ramus stated that District II received state grant funding for this program, and that this specific program was chosen because it is a long term, evidence based program that has been used in communities with similar socioeconomic and population as Sidney. She further stated that it is an 8 step program, with each step following common core standards and having two lessons in it. Mrs. Ramus stated that she hosted a training at the Sidney Middle School for this program for local teachers, and that many towns were represented but it was mostly Sidney teachers. She stated that they are implementing the program with the 7<sup>th</sup> graders the 1<sup>st</sup> day of the second quarter this year as part of their skills curriculum. She further stated that part of the program is sending home a "Keeping them in the loop" letter to parents, so that they can continue this program at home. She also stated that teachers at higher levels than 7<sup>th</sup> grade are being trained in this program to assist the students as the move on in school. Mrs. Ramus stated that there will be self-assessments completed by multiple people to gauge the productivity of the program. The City Council and Mayor thanked Mrs. Ramus and Mrs. Johnson for their work on this program.
  - b. **Renita Welnel:** Mrs. Welnel came before the City Council to ask about the un-kept lots in Sidney. She stated that she lives in the northeast part of town and that there are several properties that have overgrown weeds/yards, garbage, and junk in them. She further stated that she is aware that the City Council was working on an ordinance for this, but wanted to know when it was going to be done. City Attorney DeCrescente stated that as long as the 30 days was up since the Ordinance was passed on second reading, it was in effect and could start to be enacted. Mrs. Welnel asked how long the process takes, and PWD Hintz stated that they must be sent a notice and given the opportunity to clean up the property themselves, but that if they do not in the time frame given, the City will do it for them. It was determined that the 30 days was up since the second reading was passed for the junk ordinance, and PWD Hintz stated he would start noticing the properties right away.
  - c. **Serenity Kuntz**
  - d. **Wyatt Heringer**
  - e. **Tianna Earle**
  - f. **Shaylyne Fisher**
  - g. **Yanene Gonzalez**
  - h. **Michele Stagl**
  - i. **Al Stagl**
  - j. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING:**
7. **MAYOR NORBY:**
  - a. **"Extra Mile Day" in Sidney Proclamation:** Mayor Norby read the Extra Mile Day Proclamation out loud. Motion was made to approve the Extra Mile Day Proclamation by Alderwoman Rasmussen. Alderman Koffler seconded the motion, and with no further discussion, all present voted aye.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing**
10. **UNFINISHED BUSINESS:**
  - a. **Closing of West Main on October 27<sup>th</sup>, 2018 from 8:00am to 4:30pm:** Motion was made to approve the closing of ½ of the block of West Main off of Central on October 27<sup>th</sup>, 2018 from 8:00 am to 4:30pm, per the discussion at the October 1<sup>st</sup>, 2018 City Council Meeting, by Alderwoman Christensen. Alderman Koffler seconded the motion. With no further discussion, all present voted aye.
11. **NEW BUSINESS:**
  - a. **Heaven to Earth Parking Variance:** City Clerk/Treasurer Redfield stated that the Heaven to Earth Church has purchased the property located at 218 3<sup>rd</sup> Street Northeast, and they asked for a waiver from the off street parking requirement. She further stated that the Parking Commission met and reviewed their request on October 3<sup>rd</sup>, 2018, and it was their recommendation to the City Council to grant a one year waiver with a possible extension to be considered if no issues arise. Chief DiFonzo stated that it is their plan in the future to tear down one of the buildings on the property and create a parking lot, but that is 3 to 5 years out. He further stated that the Parking Commission thought a one year waiver with the possibility of extending it would be best, and that this area is not a congested area, especially on Sunday mornings. Motion was made to approve the parking variance request of the Heaven to Earth Church, waiving the off street parking requirements for one year with the possibility of extending that if no issues arise, by Alderman Smith. Alderwoman Rasmussen seconded the motion. In discussion Mayor Norby stated that if there are complaints on the parking on the street, they can make them change it after the one year. With no further discussion, all present voted aye.
  - b. **Recommendation from Zoning Board**
    - i. **Updating Zoning Code on setbacks for Sheds:** PWD Hintz stated that the Zoning Board is requesting permission to consult with the City Planner to review parts of the Zoning Code. He stated that there are issues in the code, including setbacks for sheds, that the Zoning Board would like the opportunity to review and recommend changes on. Motion was made to approve the Zoning Board consulting the City Planner on changes to the Zoning Code by Alderman Smith, and Alderwoman Sergent seconded the motion. In discussion, Alderwoman Rasmussen asked if this should be sent

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to committee, and Alderwoman Christensen stated the Zoning Board would handle it. With no further discussion, all present voted aye.

- ii. **Variance Requests for shed setbacks:** City Clerk/Treasurer Redfield stated that, as the Council is aware, there has been multiple variance requests for shed setbacks that have been approved. She stated that there have also been a couple of other inquiries into shed building permits that would require a variance for the setbacks that the Zoning Board will be reviewing. City Clerk/Treasurer Redfield stated that the procedures and fees for the variances will not change because of the possibility of the setbacks being changed, as the City Code is City Code until it is officially changed. She further stated that anyone that is wanting to place a shed on their property can either place them at the current setbacks, pay and do the variance process, or wait until the Code is officially changed. City Attorney DeCrescente agreed with this.

**12. CITY PLANNER SANDERSON: Nothing**

**13. CITY ATTORNEY:**

- a. **Resolution #3776- BARSAA Application:** City Attorney DeCrescente read Resolution 3776, BARSAA Application out loud. Motion was made to approve Resolution 3776 by Alderwoman Christensen, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

**14. CHIEF OF POLICE DIFONZO:**

- a. **Update: Nothing**

**15. PUBLIC WORKS DIRECTOR HINTZ:**

- a. **Update:** PWD Hintz stated that while he was at the annual Montana League of Cities and Town Conference in Butte, the City of Sidney won the Tree City USA award, thanks to the many tree programs that Parks Superintendent Ridl has implemented in Sidney.
- b. **East Holly Water Project Pay Application #2-\$45,269.06:** Motion was made to approve the East Holly Water Project Pay Application #2 for \$45,269.06 by Alderwoman Christensen, and Alderwoman Sergent seconded the motion. In discussion, Alderwoman Rasmussen asked why the claim to Western Municipal was only for \$44,816.37 if the pay application was for \$45,269.06. City Clerk/Treasurer Redfield stated that the City pays 1% of the application directly to the Department of Revenue, and that there is a claim in the pay application packet for \$452.69. With no further discussion, all present voted aye. PWD Hintz stated that Western Municipal has started their second bore on 4<sup>th</sup>, and that Mr. Mayer of Interstate will update the Council on the project. Mr. Mayer stated that the 6<sup>th</sup> Ave bore is almost complete, with paving to be done this week. He further stated that when Western Municipal was pulling the pipe out for the first bore on 4<sup>th</sup> Avenue there was issues, which caused a 2 week standstill in the project that was supposed to be completed by October 1<sup>st</sup>. He stated that Western Municipal submitted a change order for the need to do a second bore and the extension of time needed past October 1<sup>st</sup>, and it was denied. Mr. Mayer continued that they are now starting a second bore, and are in liquidated damages because of project being past the October 1<sup>st</sup> deadline, which will make it so that the City will not have to pay for the extra engineering costs incurred with the longer time frame.
- c. **Update for Waste Water Treatment Plant Phase:** PWD Hintz stated that they had the preconstruction meeting for phase 3 of the Waste Water Treatment Plant project, and that they hope to get started in the next week to get as much done as possible before winter shut down happens.
- d. PWD Hintz stated that the Tiger Sharks Swim Team came before the Park and Recreation Board and announced that they will be hosting the 2019 State Swim Meet in Sidney. He stated this will be the first weekend in August, which is the same weekend as the fair, and will be approximately 2,500 people or 70-80 campers to Sidney.

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

- a. **Update:** Fire Marshal/Building Inspector Rasmussen stated that it is Fire Prevention Month, and that he has done 14 tours/speeches with the schools so far, but that he will include details in his monthly report.

**17. CITY TREASURER REDFIELD:**

- a. **September 2018 Treasurer's Report:** City Clerk/Treasurer Redfield provided the City Council with the September 2018 Treasurer's Report.
- b. **Water/Sewer Bank Transfer of \$83,282.96:** City Clerk/Treasurer Redfield provided the City Council with the water/sewer bank transfer of \$83,282.96, which she stated included September water and sewer payrolls. Motion was made to approve the water/sewer bank transfer of \$83,282.96 by Alderman Koffler, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

**18. CITY CLERK REDFIELD:**

**Consent agenda**

- a. **GENERAL JOURNAL VOUCHERS: e-mailed**
- b. **Claims to be approved: \$ 93,697.00**

2019-36	Jim Metz	625 S Central	Roof	B1, L7, South Park Addition
2019-37	Bridget Basta	807 9 <sup>th</sup> Ave SW	Fence	B1, L7 Carpenter-Simard

A motion to approve the consent agenda was made by Alderman Koffler and seconded by Alderwoman Sergent. After no discussion, all council voted aye.

Mr. Mayer of Interstate Engineering informed the City Council that the water and sewer rate increases are moving forward, and that they can expect a Resolution of Intent to Increase rates at the first meeting in November and the Public Hearing to be the first meeting in December.

Meeting was adjourned at 7:11 p.m.

ATTEST:

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MAYOR NORBY

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CITY CLERK

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DATE SIGNED