

# October 7<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, Rasmussen, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **September 16<sup>th</sup>, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the September 16<sup>th</sup>, 2019 regular Council Meeting by Alderwoman Sergent, and Alderwoman Rasmussen seconded the motion. With no changes or corrections, all present voted aye.
  - b. **September 24<sup>th</sup>, 2019 Water and Sewer Committee Meeting Minutes:** Motion was made to approve the minutes from the September 24<sup>th</sup>, 2019 Water and Sewer Committee meeting by Alderman Smith, and Alderman Koffler seconded the motion. With no changes or corrections, all present voted aye.
  - c. **September 27<sup>th</sup>, 2019 Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the September 27<sup>th</sup>, 2019 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. **Round-up-Closing of West Main from Alley to Central for Harvest Festival on October 26<sup>th</sup>, 2019 8am to 1:00pm:** Dianne Swanson with the Round-up asked the City Council for approval to close West Main from the alley to Central Ave on October 26<sup>th</sup> from 8 am to 2pm. She stated this is for the Harvest Festival, is the same day as the Trail of Treats, and is the same as they did last year. Motion was made to approve the partial closing of West Main from 8am to 2pm on October 26<sup>th</sup>, 2019 by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.
  - b. **Naomi Schrader**
  - c. **Nick Kallam**
  - d. **Christine Turek**
  - e. **Karly Volk**
  - f. **Laura Gundlach-Morrison Maierle**
  - g. **Amy Efta-Sidney Herald**
  - h. **Kali Godfrey**
  - i. **Bill Linder**
  - j. **Jordan Mayer-Interstate Engineering**
  - k. **George Carpenter**
  - l. **Jill Carpenter**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
  - a. **Update from the MLCT Conference:** Mayor Norby stated he, PWD Hintz, Clerk/Treasurer Redfield and Deputy Clerk/Treasurer Messer attended the MLCT Conference the previous week in Billings. He stated it was a great conference and very informative.
8. **COMMITTEE WORK:**
  - a. **Water and Sewer-Storm Water Study Engineer Interviews:** Alderman Smith stated the Water and Sewer Committee met and interviewed the finalists for the Storm Water Study. He stated they interviewed Interstate Engineering and Morrison Maierle, who both gave excellent presentations. Alderman Smith made a motion, per the recommendation of the Water and Sewer Committee, to hire Morrison Maierle to do the City of Sidney Storm Water Study. Alderman Koffler seconded the motion, and with no further discussion all present voted aye.
  - b. **Street and Alley**
    - i. **Hedegaard Sidewalk/Driveway Permit:** Alderwoman Christensen stated the Street and Alley Committee had a lengthy discussion about this issue. She stated that with current Federal ADA laws, sidewalks are necessary, but the Street and Alley Committee are meeting again to review and possibly amend the City Code for clarification. She stated they will meet again on October 21<sup>st</sup> at 5pm with City Planner Sanderson to start this.
    - ii. **Backes Property Issue:** Alderwoman Christensen stated the Street and Alley Committee reviewed the Backes property issue, which is there is an easement running through the middle of the property, which is proposed to turn into a street in the Transportation Plan. She stated it was the recommendation of the Street and Alley Committee to have PWD Hintz see if Mr. Backes would be willing to sell the property at a reasonable price. Mr. Backes stated the property has an ingress and egress easement for utilities, not a street, and that the other utilities that have the easement have been willing to either move the easement or vacate it, as his plan is to build a home on that property. PWD Hintz suggested the City Attorney review the information and meet with himself and Mr. Backes to discuss.
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing**
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS:**
  - a. **Denning & Downey Audit Contract:** City Clerk/Treasurer Redfield stated this is the same audit contract approved in previous years to complete the FY18019 contract for \$27,500. Motion was made to approve the Denning & Downey audit contract by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. Mr. Schrader asked if the City had looked into cheaper auditors, as that is a high cost, and City Clerk/Treasurer Redfield stated he is one of the cheapest and the best auditing firm used by many municipalities. She further stated that the State only has certain approved Auditors to choose from, and some municipalities are having issues with getting their Audits done on time. Alderwoman Christensen further stated that he has been amazing to work with. With no further discussion, all present voted aye.
  - b. **City of Sidney AmeriCorps Member:** City Clerk/Treasurer Redfield stated she was approached by Kali Godfrey, who is in charge of all the AmeriCorps members, as they received additional grant funding for additional AmeriCorps members this year, and she wanted to know if the City could utilize one. She stated City Staff and Mayor Norby discussed a community need that the AmeriCorps member could work on, and she stated the biggest issue City Hall as is that there is no catalog, index or way to search City Resolutions or Ordinances. She stated she is proposing getting an AmeriCorps member to not only index and organize all of the City Resolutions/Ordinances, but also to review for any that are in need of updating or repealing. She stated this will cost the City approximately \$3,000, and they will be a full time employee at City Hall for approximately a year. Ms. Godfrey stated they would be placed until August 31, 2020. Motion was made to approve the City of Sidney getting an AmeriCorps member to do as discussed by City Clerk/Treasurer by Alderwoman Rasmussen, and Alderwoman Christensen seconded the motion. With no further discussion, all present voted aye.
12. **CITY PLANNER SANDERSON: Nothing**
13. **CITY ATTORNEY:**
  - a. **Resolution # 3824-Cancelling the November 5<sup>th</sup>, 2019 General Election of Certain Municipal Officers:** City Attorney Kalil read Resolution 3824, canceling the November 5<sup>th</sup>, 2019 general election for certain municipal officers. He stated that per Montana law, if only one person is running for an elected position, the

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governing body has the right to cancel the election. He further stated that with Alderwoman Christensen and Alderman Gartner running unopposed in their open position, and no one running in Ward 2 the City can cancel the election. City Attorney Kalil further stated that with the canceling of the election, Alderwoman Christensen and Alderman Gartner win their positions by acclamation and the City Council will need to appoint the Ward 2 position. Motion was made to approve Resolution 3824 by Alderman Koffler, and Alderwoman Sergent seconded the motion. Mr. Schrader asked what if he wanted to run against them, and City Clerk/Treasurer Redfield stated all due dates to run, including as a write in candidate, have passed, which is why the City received the notice they could proceed with this by the Election Administrator. With no further discussion, all present voted aye.

- b. **Resolution # 3825- TSEP Planning Grant for Storm Water Study:** City Attorney Kalil read Resolution 3825, approval to apply for a TSEP Planning Grant for the Storm Water Study. Motion was made to approve Resolution 3825 by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

**14. CHIEF OF POLICE DIFONZO:**

- a. **September 2019 Police Department Report:** Chief DiFonzo provided the City Council with the September 2019 Police Department Report.

**15. PUBLIC WORKS DIRECTOR HINTZ:**

- a. **September 2019 Public Works Department Report:** PWD Hintz provided the City Council with the September 2019 Public Works Report.
- b. **WWTP P3 Pay Application #13 for \$452,404.43:** PWD Hintz presented the City Council with the WWTP P3 Draw #13. Mrs. Gundlach stated Morrison and Maierle submitted the Delivering Local Assistance Grant application for the chemical treatment of the sludge, apply for \$270,000 in grant funding. She stated that she is hopeful the City will get funding, but with only \$750,000 being allocated to infrastructure funding in Richland County she is not sure. Mrs. Gundlach further stated that Phase 3 is moving along, with all of the buildings complete, but they are still running 2 ½ months late. She stated she is hopeful they will be completed by the end of the month, but reassured the City Council that any additional Engineering fees are being paid by the contractor. City Clerk/Treasurer Redfield stated you can see this deduction off their pay application in this draw. Mrs. Gundlach stated there is discussions of possible liquidated damages with it running so late, but that will be discussed at a later date. Motion was made to approve the WWTP P3 Pay Application #13 for \$452,404.43 by Alderman Smith, and Alderman Koffler seconded the motion. With no further discussion, all present voted aye.

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

- a. **September 2019 Fire Department Report:** Fire Marshal/Building Inspector Rasmussen stated he will have his September report at the October 21<sup>st</sup> meeting.

**17. CITY TREASURER REDFIELD:**

- a. **September 2019 Treasurer's Report:** City Clerk/Treasurer Redfield presented the September 2019 Treasurer's report. She stated the City received its first quarterly State Entitlement Share payment of approximately \$204,000.
- b. **September 2019 Journal Voucher Report:** City Clerk/Treasurer Redfield presented the City Council with the September 2019 Journal Voucher Report for approval. Motion was made to approve the September 2019 Journal Voucher report by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. Mr. Schrader asked if the City received such a large payment, why they could not afford to pay for park equipment. City Clerk/Treasurer Redfield stated that each year in the budget process the City sets revenues and expenditures, and cannot deviate from the expenditures without a budget amendment, despite the revenues. She stated to spend money on park equipment, it would have had to have been decided during the budget process. She further stated that the State Entitlement Share is an expected payment/revenue, not an additional revenue, and that it primarily goes to funding the Police and Fire departments. With no further discussion, all present voted aye.
- c. **Pine Cove System Update:** City Clerk/Treasurer presented the City Council with the Pine Cove Network Update for approximately \$49,000. She stated the network is out of warranty if not updated, which could cost the City upwards of \$500,000 should it fail. She stated also that the computers are over 4 years old and running extremely slowly. Motion was made to approve the Pine Cove System Update by Alderman Rasmussen, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.

**18. CITY CLERK REDFIELD:**

**Consent agenda**

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 78,543.91-plus additional amount to be presented at the meeting (\$**

2020-027	Family Dollar		Building Shell	
2020-031	Sidney High School		Shed & Fence	
2020-032	Clyde Madison	High School	Demo 2 homes	High School Subdivision
2020-033	Nick Riches	605 & 607 East Main	Fence	L3, 4, & 5, Block 26, Kenoyer
2020-034	Rob Gilbert III	624 3 <sup>rd</sup> St SE	Egress Window	L13, B30, Kenoyers
2020-035	MR&J Properties	314 7 <sup>th</sup> Ave SW	Fence	L9, B4, Gardner Add
2020-036	Andrea Christensen	2903 Red River Dr	Fence & Overhang	L7, J-D Ind. Park
2020-037	Family Dollar	216 10 <sup>th</sup> Ave SW	Tenant Improvement	L1, B7, Nels Bach Add
2020-038	Trinity Lutheran	214 S Lincoln	Demo of house	L2, B44, Original Townsite
2020-039	Dana Fahrenwald	1302 13 <sup>th</sup> St SW	Fence	L3, B7, Peterson 2 <sup>nd</sup> Add
2020-040	Tacina Mayles	542 33 <sup>rd</sup> Ave NW	Fence	L2, B7, Wagon Wheel

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

Meeting was adjourned at 6:56 p.m.

ATTEST:

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MAYOR NORBY

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CITY CLERK

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DATE APPROVED