

September 17th, 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, Rasmussen, Sergent; Absent: Koffler
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **September 4th, 2018 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the September 4th, 2018 regular Council Meeting by Alderwoman Sergent, and seconded by Alderman Smith. With no changes or corrections, all present voted aye.
 - b. **September 4th, 2018 Closed Council Meeting Minutes:** Motion was made to approve the September 4th, 2018 closed Council Meeting minutes by Alderwoman Christensen, and seconded by Alderwoman Rasmussen. With no changes or corrections, all present voted aye.
 - c. **September 12th, 2018 Street and Alley Committee Meeting Minutes:** Motion was made to approve the minutes from the September 12th, 2018 Street and Alley Committee Meeting minutes by Alderwoman Christensen, and seconded by Alderman Gartner. Alderwoman Sergent stated that she was present at the meeting, not Alderwoman Rasmussen, as the minutes stated. Alderwoman Christensen made a motion to amend her original motion to include the change that Alderwoman Rasmussen was not in attendance, but Alderwoman Sergent was. Alderman Gartner seconded the amendment. With no further changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Natasha Barley-Polar Plunge November 23rd, 2018 at Old Fire Hall:** Gabe Zeiler came before the City Council on behalf of the Richland County Sheriff's Office to ask for permission to use the parking lot behind City Hall and the old fire hall for the Eastern Montana Special Olympics Polar Plunge which will be on November 23rd, 2018 from 1pm to 3pm. He stated they are asking for permission for the same thing as last year. Motion was made to approve the use of City facilities as done the previous year for the Eastern Montana Special Olympics Polar Plunge by Alderman Smith, and Alderwoman Rasmussen. In discussion Chief DiFonzo stated he had no issue with this. After no further discussion, all present voted aye.
 - b. **Joe Kauffman and Randene Baily-Block Part at 6th St SE:** Mr. Kauffman stated that he and his neighbor, Randene Baily, have been talking to their neighbors and would like to have a block party. He stated they want to borrow games from the Meadowlark and have a family friendly BBQ with the block blocked off. He stated that this would be the block between 2nd and 3rd on 6th Street SE, and that they do not have an official date. Chief DiFonzo stated that he would like to see this sent to the Street and Alley Committee for discussion, so that procedures can be outlined, because others will want to do it also. Motion was made to send the block party at 6th Street SE to the Street and Alley Committee by Alderwoman Christensen, and Alderman Smith seconded the motion. It was decided the Street and Alley Committee would meet at 5:30pm on October 1st, 2018, prior to the City Council Meeting, and will report their recommendation at the October 1st, 2018 Council Meeting.
 - c. **Chamber of Commerce-Trade Promotion Committee-Non-Profits putting Christmas Decorations in Veteran's Park and decorating pavilion:** Alderwoman Christensen stated that the Trade Promotion Committee of the Chamber of Commerce were discussing having non-profits decorate sections of Veteran's Park with Christmas lights. She stated that the lights would be ran by generators, but that they might only be decorating the pavilion, where there is electricity. She stated that this is only in the beginning stages of planning, but that they wanted to get Council approval before they went any further. Chief DiFonzo asked if the generators would be off during the night, and Alderwoman Christensen stated that if they are even needed they would be off at night and probably not up very long, and that it might be best to just decorate the pavilion. Chief Agreed that decorating the pavilion would be best. Alderwoman Rasmussen asked if there would be a theme for the decorating, and Alderwoman Christensen stated the theme would be the "Small Town Christmas", which is also the theme for the Parade of Lights. Motion was made to approve the Trade Promotion Committee having non-profits decorate Veteran's Park with Christmas decorations by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. In discussion, Mayor Norby asked if they could avoid using the generators for safety reasons, and Mr. Vanderwheel, also a member of the Trade Promotion Committee, stated that with it being the first year they probably will not have enough participants to do the individual areas ran by generators, and Alderwoman Christensen agreed. With no further discussion, all present voted aye. Alderwoman Christensen also stated that they will once again be putting the bleachers up at the end of the parking lot, and that she has already gained permission from Mr. Aisenbrey. She further stated that they would like the Public Works to put up barricades in front of the bleachers, and PWD Hintz stated that they would do that.
 - d. **Casey Hanson-Morrison Maierle**
 - e. **Kim Kuuffman**
 - f. **Bill Vanderwheel-Sidney Herald**
 - g. **Michelle Stagl-Sidney High School Advanced Government Class**
 - h. **Allan Stagl**
 - i. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
 - a. Mayor Norby stated that the Young Professionals toured the Waste Water Treatment Plant, and that PWD Hintz did a great job of giving the tour. He further stated that if anyone was interested in touring the new facility, to get a hold of City Hall and they will set it up.
 - b. Mayor Norby stated that Mr. Blair has agreed to move his fence to the proper location, and that he will have 21 days from the day the order is signed to move it, or the City will remove the parts in violation of City Code.
8. **COMMITTEE WORK:**
 - a. **Street and Alley Committee**
 - i. **Malfunction Junction:** Alderwoman Christensen stated the Street and Alley Committee met with the neighborhood property owners near malfunction junction, and reviewed the plans for the update with them. She stated that they were all very glad something was going to be done and

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gave good feedback on the project. Chief DiFonzo asked if doing something with the bushes that obstruct the line of vision is part of the project, and Alderwoman Christensen stated it was.

9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing

10. UNFINISHED BUSINESS: Nothing

11. NEW BUSINESS:

- a. **Dry Red Water-Termination of Operations Contract:** PWD Hintz stated that since the City expanded its water supply to Dry Red Water south of town, the City has been their operator for their supply, and that they now have hired someone new. He stated that the City signed an agreement around 2013 for being their operator, and that he is asking the City Council to direct the City Attorney to draft a letter terminating that agreement for the Mayor to sign. Motion was made to approve the City Attorney drafting a letter, for the Mayor to sign, terminating the operations contract with Dry Red Water by Alderwoman Rasmussen. Alderman Smith seconded the motion. In discussion, City Attorney Kalil stated he would need a copy of the original agreement, and he will get the later drafted. With no further discussion, all present voted aye.
- b. **Denning, Downey & Associates-GASB #75 Agreement:** City Clerk/Treasurer Redfield stated that every year there are new GASB rules that must be applied to the governmental accounting. She stated that Denning, Downey & Associates, the City Auditors, have been doing the GASB implementation for the last several years. Motion was made to approve the signing of the Denning, Downey & Associates GASB #75 agreement by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. In discussion, Alderman Smith asked which size the City falls into for charges, and City Clerk/Treasurer Redfield stated we are a medium sized town, and that this is included in the audit budget. With no further discussion, all present voted aye.

12. CITY PLANNER SANDERSON: Nothing

13. CITY ATTORNEY:

- a. City Attorney Kalil stated that he is happy that the Blair Fence situation should be resolved, and that they are currently working on a few other items from the public works.

14. CHIEF OF POLICE DIFONZO:

- a. **Report:** Chief DiFonzo stated that the plans to improve malfunction junction are great, and that he is very glad the City is doing something with this intersection. He stated that he feels the plans will be very functional, well signed, and will assist traffic. He further stated that per the minutes from the Street and Alley Committee, he has concerns about the raised crosswalk for the bike/pedestrian path across Lincoln. Chief DiFonzo stated that when pedestrians are at a marked intersection, such as the one across Central Avenue, traffic has an obligation to stop for the pedestrians. If there is no crosswalk and intersection, pedestrians must yield to traffic. He stated that the bike/pedestrian path across Lincoln is not at an intersection, which causes issues, and that it is clearly marked with STOP signs for the pedestrians, therefore they have the obligation to yield to traffic. City Attorney Kalil stated that it might be a good idea to look into pedestrian crossing signs to install on Lincoln, to make the vehicle traffic aware that there may be pedestrians crossing, and Chief DiFonzo agreed. Alderwoman Rasmussen asked if there was an accident at that crossing, if the City would be liable, and City Attorney Kalil stated that the City is only liable if the City is negligent, and if there is signage for both the pedestrians and the vehicle traffic, the City is not being negligent.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report:** PWD Hintz stated that they are currently working on the raising of 25th Ave NW, which is needed due to flooding and erosion. He further stated that 3rd St NW has been overlaid, and that the Water Department has been busy with the East Holly project. PWD Hintz stated that due to illness and injury, there has only been one person in the Sewer Department, but that he is working hard on keeping up on items, and the Water Department is assisting in that.
- b. **Morrison Maierle-Amendment 1 to 7D:** PWD Hintz stated that the Amendment 1 to 7D is due largely to the overage costs because of the rebid of the Waste Water Treatment Plant Phase 3. Mr. Hanson stated that there is 3 parts to this amendment:
 1. The reapplying for the discharge permit
 2. The cost of the engineering for rebidding Phase 3
 3. The increase in contract time to appease the contractors in the rebid process, which means more time on the ground for Morrison and Maierle.

Mr. Hanson stated that this total is a \$50,000 to \$55,000 cost increase, but the rebidding of phase 3 saved the City approximately \$200,000, so the City has still saved money. Motion was made to approve the Amendment 1 to 7D of the Morrison Maierle contract by Alderman Smith, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

- c. **Award of Transportation Alternative Project to Franz Construction for Bike/Pedestrian Path Extension:** PWD Hintz stated that the Department of Transportation has awarded Franz Construction the bike/pedestrian path extension, which is approximately 1100-1200 feet, and they should be beginning work this fall.
- d. **WWTP Phase 2-Draw 21 for \$73,687.00:** PWD Hintz stated this should be the final draw for the WWTP Phase 2. Motion was made to approve the WWTP Phase 2, Draw #21 for \$73,687.00 by Alderwoman Christensen. Alderwoman Rasmussen seconded the motion, and with no further discussion, all present voted aye.

16. Fire Marshal/Building Inspector Rasmussen:

- a. **Report August 2018: Nothing**

17. CITY TREASURER REDFIELD:

- a. **Treasurer's Report August 2018:** City Clerk/Treasurer Redfield provide the City Council with the August 2018 Treasurer's report. She stated that all future reports will have the budgeted numbers included, as the budget was passed the end of August.
- b. **Water/Sewer Bank Transfer of \$624,634.86:** City Clerk/Treasurer Redfield stated that the Water/Sewer bank transfer was high because of the East Holly pay application and the August 2018 payroll being included. Motion was made to approve the water/sewer bank transfer of \$624,634.86 by Alderman Smith, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

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18. CITY CLERK REDFIELD:

Consent agenda

- a. GENERAL JOURNAL VOUCHERS: e-mailed
- b. Claims to be approved: \$ 159,426.11

2019-22A	Don Byer	724 Cactus Court	Addition	L13-15, B8, Meadow Village South
2019-24	Rod Bell	1111 Cedar Ave	Shed	L6A, B9, Peterson's Second Add
2019-25	Karmen Schmierer	705 Sunrise Court	Shed	L2, B10, Sunrise
2019-26	Eugene Fisher	999 Sunflower Lane	Shed	L8, B6, Meadow Village South
2019-27	Video Hot Spot	1035 S Central	Remodel	S32, T23N, R593, TR. 3 of Minor

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

Meeting was adjourned at 7:12 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE SIGNED