

September 20th, 2021

The City Council meetings are open to the public attending in person, with masks encouraged when social distancing cannot be accomplished. If the public does not wish to participate in person, they are also invited to participate via a Zoom meeting. You can participate via phone:

Meeting ID: 830 8746 7848 Passcode: 432809 Call: 1-346-248-7799

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Norby at 6:30pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Christensen, Stevenson, Koffler, Rasmussen and Sergent and Godfrey
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **September 7th, 2021- Regular City Council Meeting Minutes:** Motion was made to approve the minutes from the September 7th, 2021 regular meeting of the Sidney City Council by Alderwoman Rasmussen and Alderman Koffler seconded. With no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. Jason Schrader
 - b. Naomi Schrader
 - c. Laura Gundlach-Morrison Maierle
 - d. Aileen Helms-RCHD
 - e. Mary Ann Evans
 - f. Billie Hillsland-MiMi's Kitchen
 - g. Mark Berryman-Sidney Herald
 - h. Tanner Gomke-Sidney Police Department
6. **PUBLIC HEARING:**
 - a. **Nielson-Halvorson Sewer Project:** Mayor Norby opened the public hearing for the Nielson-Halvorson Sewer Project at 6:31pm. Mrs. Gundlach stated this project was started to use the approximate \$400,000 remaining funds of the Wastewater Treatment Plant Phase 3 SRF Loan. She stated the project is in the Southeast side of town by the High School and the purpose of this public hearing is to present to the public the project and project funding, inform on the environmental review and process and seek public input. Mrs. Gundlach stated the project includes undersized sewer main replacement, relocation of sewer mains from private properties into public right-of-way, to replace asbestos pipe and to install a new manhole. She stated they anticipate the project costing \$1,014,719 including construction capital, a 15% contingency and bid/construction administration, but they will bid the project in schedules to ensure to stay on cost, not doing one of the schedules if they come in high. She further stated that on top of the \$400,000 remaining SRF funds the City can pursue another SRF loan under current rates or pay the remaining from cash reserves. She stated because the City has the \$400,000 in funding already, the City can request the bids prior to the decision on how to fund the remaining with exact project numbers. Mrs. Gundlach stated as part of the environmental review there is a check list that must be completed and letters must be sent for comment from agencies, of which there has not been any returned. She stated the environmental impacts are in the public's benefit, as improving sewer mains and relocating them from private to public property is always in their best interest. She stated any negative impacts, including noise, construction, etc., are short term and are outweighed by the benefits. Mrs. Gundlach informed the City Council they have applied for 2 permits for this project, one the general permit under the DEQ and the other for the project being in the MDT right of way. She closed with the plans will be presented to the DEQ this month, with bid opening happening the beginning of the year after DEQ review is completed. Alderwoman Godfrey asked how much the city has in sewer reserves and City Clerk/Treasurer Chamberlin stated there is over \$4 million in sewer reserves.

Mayor Norby asked for any questions or comments on the Nielson-Halvorson Sewer Project. Mayor Norby called for any opponents, three times, with none coming forward. Mayor Norby called for any proponents, three times, with none coming forward. With no further comments on the project, Mayor Norby closed the Nielson-Halvorson Sewer Project public hearing at 6:39pm.
7. **MAYOR NORBY:** Nothing
8. **COMMITTEE MEETING WORK:** Nothing
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:** Alderwoman Godfrey stated she has been asked if when the City puts up the Christmas décor on the street lights, if they could take down the broken yellow ribbons. PWD Hintz stated they will.
10. **UNFINISHED BUSINESS:** Nothing
11. **NEW BUSINESS:**
 - a. **Handicap Voting Booth at Richland County Clerk and Recorder:** City Clerk/Treasurer Chamberlin stated that although the City's election will be mail ballot, they must still have a location that is handicap accessible for in person voting. She stated the Richland County Clerk and Records office is willing to have it at their office, as they are trained and know how to run the voting booth. Motion was made to approve the handicap voting booth be at the Richland County Clerk and Records office by Alderwoman Rasmussen and Alderman Koffler seconded. With no further discussion, all present voted aye.
 - b. **Creating a City of Sidney Facebook Page:** Clerk/Treasurer Chamberlin stated this has been discussed previously, but with new controls and the availability to share information quickly that Facebook presents, she would like to seek permission to get an official City of Sidney Facebook page that will be used for public announcements, information on projects, meeting agendas and possibly someday live feeding the meetings. Motion was made to approve the City of Sidney Facebook page by Alderwoman Rasmussen and Alderman Stevenson seconded. With no further discussion, all present voted aye.
12. **CITY PLANNER SANDERSON:**

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- a. **Loomer Lot Aggregation:** PWD Hintz presented the Loomer lot aggregation, aggregating Lots 18 and 19 of Block 3 in Fischer Estates Subdivision into Lot 18A. PWD Hintz stated City Planner Sanderson, per his report, has recommended approval with the usual conditions. Motion was made to approve the Loomer Lot Aggregation with the conditions outline by City Planner Sanderson by Alderman Koffler and Alderwoman Christensen seconded. With no further discussion, all present voted aye.
- b. **Steve Bright Variance:** PWD Hintz stated the Zoning/Board of Adjustments met and reviewed the variance request of Mr. Bright. He stated that they initially were going to recommend approval of the trailer, if it was brought up to HUD and/or current building codes, but he retracted that recommendation to recommend denial of the variance. FM/BI Rasmussen stated the reason for denial was if he brings the FEMA trailer up to code, which is built to RV codes, he will no longer need the variance. He further stated that after the Zoning/Board of Adjustments meeting he discussed this with Kyle Harlan who stated to bring the trailer up to code it will need to be completely stripped and everything done over. He stated he relayed this to Mr. Bright, who is looking into possibly doing something different. Motion was made to deny the variance request of Mr. Bright by Alderwoman Godfrey and Alderwoman Christensen seconded. With no further discussion, all present voted aye.

13. CITY ATTORNEY:

- a. **Resolution 3879: Appoint Rick Norby to Mayor by Acclamation due to running unopposed:** City Attorney Kalil read Resolution 3879 out loud. He stated the City Council has done this in the past for Council positions running unopposed. Motion was made to approve Resolution 3879 by Alderwoman Rasmussen and seconded by Alderman Stevenson. FM/BI Rasmussen asked if this included Alderwoman Godfrey and Alderman Stevenson who are also running unopposed. Clerk/Treasurer Chamberlin stated the main reason for doing this is to save money on the mail ballots, but because those ward ballots must be sent because of the other positions running opposed, those 2 positions will be on the ballots, just with no names next to them. With no further discussion, all present voted aye.
- b. **Ordinance 590- Amending City Code 9-1-14 Sidewalk Obstructions:** Mayor Norby read an apology out loud pertaining to the letters sent and not having this ordinance presented in June as it should have been to get officially on the books. City Attorney Kalil read Ordinance 590 out loud. It was discussed that some of the verbiage in the ordinance amending the code, including the 15 days and what can be advertised, should be looked at further. Motion was made to send this to the Street and Alley Committee for further review by Alderman Koffler and Alderman Stevenson seconded. With no further discussion, all present voted aye.

14. CHIEF OF POLICE KRAFT:

- a. **August 2021 Police Department Report:** Chief Kraft provided the August 2021 Police Department Report.
- b. **Sidney Police Department K9:** Chief Kraft stated since K9 Xero was retired in October 2020, they are looking to get another K9. He stated with the legalization of marijuana they will get a K9 that will not alert to marijuana. He stated the State of Montana DOJ via HB701 has grants of \$10,000 available, which he has applied for. He stated he also applied for a \$7,000 grant via the Eastern Montana Drug Task Force, which the City was awarded. In total the new K9 will cost between \$30,000 and \$35,000 and if the City Council agrees to the contract provided the new K9 will be here and working by the end of January. He stated Officer Tanner Gomke has already been pursuing training in his off time and would be the new handler. Motion was made to approve the contract and moving forward with the new K9 by Alderman Stevenson and Alderman Koffler seconded. In discussion Alderwoman Godfrey asked if they can tell the difference between drugs and Chief Kraft stated they are trained to alert to certain drugs, this one will not be trained to alert on marijuana but other drugs such as meth. He further stated it will also be trained on article detection and tracking of missing people. With no further discussion, all present voted aye.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **August 2021 Public Works Departments Report:** PWD Hintz presented the City Council with the August 2021 Public Works Report.
- b. **Hockey Association-Ice Skating Rink at Quilling's Park:** PWD Hintz stated the Richland Rangers Hockey Association has purchased a skating rink they would like to install at Quilling's Park. He stated they will set-up, manage, tear down and store the rink, the City will only have to provide the water, which will be less than what is put in the City skate rink at Quilling's Park. He stated they are hoping to increase skaters and awareness of their program this way. Alderman Koffler asked if this will be open to the public and Alderwoman Rasmussen asked if it will be free to use. PWD Hintz stated yes to both. Alderwoman Godfrey asked if they will have to have an agreement and insurance and Clerk/Treasurer Chamberlin stated they would. Motion was made to approve moving forward with an agreement with the Richland Ranger Hockey Association to place their skate rink in Quilling's Park by Alderwoman Rasmussen and Alderman Koffler seconded. With no further discussion, all present voted aye.
- c. **Tower Lease-115 2nd St SE Site Expansion:** PWD Hintz stated American Tower is asking to expand their cell tower location at City Hall and pay an additional \$250. PWD Hintz stated they initially wanted the additional 429 square feet from the west, but because of the alley they were asked to move it to the east, which they agreed on. Motion was made to approve the expanded American Tower Cite at 115 2nd St SE by Alderman Koffler and Alderwoman Sergent seconded. With no further discussion, all present voted aye.
- d. **Transportation Alternative Grant Award for Holly Pedestrian Bridge Project:** PWD Hintz stated he applied for 2 TA Grants this year, one for the 22nd St bike/walk path and the other for the Holly Street Pedestrian Bridge. He stated the 22nd path project came in 16th but they only awarded the first 10 grants. He stated the Holly Street Pedestrian Bridge came in 1st and because it is a MDT right-of-way project it should be fully funded with no match required.

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16. FIRE MARSHAL/BUILDING INSPECTOR RASMUSSEN:

- a. **August 2021 Fire Run Report:** FM/BI Rasmussen stated he will have the Fire Run report at the first meeting in October.
- b. **Nuisance Committee Meeting 9-16-2021:** FM/BI Rasmussen stated the Nuisance Committee met and will be sending letters to 4 additional properties.

17. CITY CLERK/TREASURER CHAMBERLIN:

- a. **August 2021 Treasurer's Report:** Clerk/Treasurer Chamberlin provided the City Council with the August 2021 Treasurer's report.
- b. **August 2021 Journal Voucher Report:** Motion was made to approve the August 2021 Journal Voucher Report by Alderwoman Christensen and Alderman Stevenson seconded the motion. With no further discussion, all present voted aye.
- c. **August 2021 Water/Sewer Bank Transfer Report-At next meeting:** Clerk/Treasurer Chamberlin stated she will provide the water/sewer bank transfer at the first meeting in October.
- d. **Consent agenda**

- i. **Claims to be approved: \$ 95,197.63**

- ii. **Building Permits to be approved:**

2022-030	Pheasant Run Apts	400 Lincoln Ave S	L1, Minor Sub 165	Roof
2022-031	On Hold-McGrady			
2022-032	Franco Ferrara	401 N Central	L4C, B1, North Central	Remodel
2022-033	Srining Tyaastuti	713 Lincoln Ave S	L3, B1, Banta	Fence

RC

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

Meeting was adjourned at 7:18 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED