



City of Sidney, MT
City Council Regular Meeting 9-19-22
September 19, 2022 6:30 PM
115 2nd Street SE | Sidney, MT 59270

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: 810 1698 0163 Passcode: 4332809 Call: 1-346-248-7799

1. Call to Order

Mayor Norby called the regular meeting of the Sidney City Council to order at 6:30pm.

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all present.

3. Aldermen Present

Christensen, Stevenson, Koffler, Rasmussen and DiFonzo. Absent: Godfrey.

4. Correction or Approval of Minutes

a. Budget and Finance Committee Meeting Minutes 8-23-22 (tabled at 9-6-22 meeting)

Motion was made to un-table by Alderman DiFonzo and seconded by Alderwoman Rasmussen. All present voted aye.

Clerk/Treasurer Chamberlin stated the changes made to the minutes was that the motions were not to recommend approval, as all committee's make recommendations only, she and Alderman DiFonzo wanted to make sure the record was accurate.

Motion was made to approve.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

b. City Council Special Meeting Minutes 8-29-22

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

c. City Council Regular Meeting Minutes 9-6-22

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

5. Visitors

a. Kiwanis- Apples in old Fire Hall bays

Clerk/Treasurer Chamberlin stated Kiwanis is asking to use the old fire hall, west bays, for sorting and handing out the apples they sell as a fundraiser. She stated she has discussed this with PWD Hintz and he has no issues with it.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

b. Other Visitors

Brin Norby, Sophie Peters, Hailey Selensky, Ana Flores-Sidney High School

Jordan Mayer-Interstate Engineering

Laura Gundlach-Morrison Maierle

Paula Eberling with the Parlour was wondering about getting signage on Central Avenue. PWD Hintz stated she would need a permit with BI/FM Rasmussen. She asked if it was a City parking lot and what approval would be needed. PWD Hintz stated that is going to undergo some improvements, so he would not like to see any permanent signs. Alderman DiFonzo stated being City property, any signage would need Council approval. Mayor Norby stated with it going to be a parking lot, the signs will no longer be there. Mrs. Eberling stated she does not want to pursue it if it will have to be removed in the future.

6. Public Hearing

Nothing

7. Mayor Norby

a. Update

Nothing.

8. Committee Meeting Work

Clerk/Treasurer Chamberlin stated she has several Committee Meeting items that have been on hold that need meetings to review and discuss.

9. Alderman Requests and Committee Reports

Parks and Recreation – Chairman Difonzo – Godfrey, Christensen | **Water and Sewer** – Chairman Koffler – Godfrey, Rasmussen

Street and Alley – Chairman Christensen– Difonzo, Stevenson | **Sanitation** – Chairman Rasmussen – Koffler, Stevenson

City Buildings & Street Lighting – Chairman Stevenson– Koffler, Rasmussen | **Police and Fire** – Chairman Godfrey, Godfrey, Difonzo, Christensen

Budget and Finance – Chairman Christensen – Rasmussen, Godfrey

Nothing.

10. Unfinished Business

Nothing.

11. New Business

a. Re-appoint Jamie Malsam to the Police Commission (term ending 4-30-2023)

Motion was made to approve the appointment.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

b. Appoint Dan Smith to the Police Commission (term ending 4-30-2024)

Motion was made to approve the appointment.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,

Alderwoman Christensen

c. Appoint Janet Sergent to the Police Commission (term to end 4-30-2025)

Motion was made to approve the appointment.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

d. Parking Commission Appointments: Reappoint Terry Meldahl (term ending 7-30-2025) and two vacant at large appointments

Clerk/treasurer Chamberlin stated in reviewing the appointments for city boards, she discovered that currently the City Parking Commission is short two appointments and that of Terry Meldahl needs to be reappointed, which he has agreed to. She stated if the Council would like to continue having a councilmember represented on the board, which is how it has been being handled, the code would need to be amended to account for such.

Alderman DiFonzo stated he feels there should be a council representative on the board and made a motion to amend the parking commission code to have such with two positions at large and to reappoint Terry Meldahl for a 3-year term.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

e. City Council Appointment to Richland Economic Development Board

Mayor Norby stated Alderwoman Christensen is no longer able to have the commitment of being the City Council representative to the Richland Economic Board and so another Councilmember will need to volunteer. Alderwoman Christensen stated they meet the first Wednesday of the month at 6:45am and she will serve until the end of November. Clerk/Treasurer Chamberlin stated she can look into the RED bi-laws to see if Mayor Norby can sit on the board.

Motion was made to table this until the October 3rd, 2022 meeting.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

12. City Planner

Nothing.

13. City Attorney

a. TBID Petition

City Attorney Kalil stated a majority of the hotels have signed a petition to reauthorize the TBID district. He stated the TBID district expires in December of 2022 and per state code they must have a majority petition the City Council to continue it for another 10 years. He stated if the Council wants to move forward, he will draft a resolution for the City Council and have a public hearing with the hotels, where they have an option to, with a majority, vote to not move forward should they not like any of the rules established in the resolution.

Motion was made to approve moving forward with drafting the resolution.

Motion made by Alderman Koffler, Seconded by Alderwoman Christensen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

14. Chief of Police

a. August 2022 Police Report

Chief Kraft provided the August 2022 Police Report. He stated last week they hosted a 40-hour crime scene training that was paid via grants. He stated two Sidney officers attending along with officers from North Dakota and all over Montana. He stated this week they are hosting another 2-day training on breaching, as part of the preparedness project for the police department for any events, specifically after the school shooting in Uvalde. He stated this will also be attended by several regional officers, highway patrol and sheriff deputies.

15. Public Works Director

a. August 2022 PW Report

PWD Hintz provided the August 2022 Public Works Report. He stated they are about 50% into the Lee's Lift Station work, scheduled to be online in the next week. He stated they are closing up the streets project for the year including the St. Matthews parking lot where the City had to fix the curb and gutter for drainage and in Yellowstone Court valley gutter. PWD Hintz stated the traffic light by the Justice Center has been bid out with a pre-con meeting in the next month, construction in the spring of 2023. He stated all that is remaining for the 4th Ave project is MDU reinstalling the streetlights that had to be relocated.

b. 4th Ave Street Improvements Pay Application #1 (final) for \$222,390.94

PWD Hintz stated this is part of the project cost, with approximately another \$30,000 in outstanding bills for the project concrete and relocation of lights by MDU, and the Sidney Schools will be reimbursing the City half, up to \$130,000.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,
Alderwoman Christensen

c. 4th Ave Street Improvements Change Order 1 (balancing) for -\$17,959.06

PWD Hintz stated the project came in \$17,959.06 under budget, this is just to account for that.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,
Alderwoman Christensen

d. 4th Ave Street Improvements Certificate of Substantial Completion

PWD Hintz stated he is recommending approval of the Certificate of Substantial Completion. He stated they have turned in all of their lien releases and that it was a very successful project. Mayor Norby asked if grass was going to be planted and PWD Hintz stated in the spring.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,
Alderwoman Christensen

e. Nielson-Halvorson/Morrison Maierle Amendment 5 to Task Order 12-Engineering beyond Contract Time

Mrs. Gundlach stated this is for additional engineering beyond contract time that is being withheld from the pay applications of Western Municipal.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,
Alderwoman Christensen

f. Nielson-Halvorson Pay Application #3 for \$207,637.50

Mrs. Gundlach stated their final pay application will be coming soon. Mrs. Gundlach stated on this project there was a design error causing a design change and relocating the pipe. She stated the cost for that has not been billed to the City and the extra that has had to be paid to Western will be credited to the City of Sidney via the Morrison Maierle invoice since only the City is contracted with Western Municipal and are the only one's who can pay them.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

16. Fire Marshal/Building Inspector

a. August 2022 Fire Run Report

BI/FM Rasmussen provided the August 2022 Fire Run Report.

b. Building Code Effectiveness Grading Schedule Results (Sidney and Richland County)

Clerk/Treasurer Chamberlin stated FM/BI Rasmussen provided the City Council with the results showing the City/County building department was rated 4.4 on a scale of 1-10 (10 being completely out of compliance). It was noted that because of this rating, it will help with future grant funding. Alderwoman Rasmussen asked if it will help with insurance premiums and Clerk/Treasurer Chamberlin stated she was not sure. Clerk/Treasurer Chamberlin stated FM/BI Rasmussen stated this is the best rating the City has had and is an improvement on the last rating for the County. Everyone thanked FM/BI Rasmussen for his work.

17. City Clerk/Treasurer

a. Healthy Is Wellness Competition

Clerk/Treasurer Chamberlin stated Healthy is Wellness is hosting a muscle gaining competition between the public works, police and city hall departments. She stated City Council are welcome to not only attend the monthly screenings the 3rd Thursday of each month from 1-3, but to also join the city hall department in the competition. She stated the winning department will get a lunch catered by Mucho Si and the overall winner who gains the most muscle will get a gift card. She stated this is a fun way to keep employees active and focused on their health into the winter months.

b. August 2022 Treasurer's Report

Clerk/Treasurer Chamberlin provided the August 2022 Treasurer's Report.

c. August 2022 JV Report

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

d. August 2022 Water/Sewer Bank Transfer of \$111,412.58

Motion was made to approve.

Motion made by Alderman Stevenson, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

18. Consent Agenda

Motion was made to approve the claims and building permits as part of the consent agenda with the addition of the two MDU bills that were accidentally left out.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

a. Claims to be approved: \$107,362.30

b. Building Permits to be approved:

2023-018 Sidney Yellowstone Mercantile 102 N Central Demo L5-6, B10, Original

19. Adjournment

at 7:11pm.