



City of Sidney, MT
City Council Regular Meeting 11-6-2023
November 06, 2023 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: 713 080 5898 Passcode: 4332809

Call: 1-346-248-7799

1. Call to Order

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

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all present.

3. Aldermen Present

Christensen (via phone), Godfrey, Stevenson, Koffler, Rasmussen and DiFonzo

4. Correction or Approval of Minutes

a. October 16th, 2023 Regular Meeting Minutes

Motion was made to approve.

Motion made by Alderman Stevenson, Seconded by Alderwoman Rasmussen.

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

5. Visitors

Greg Hitchcock (Sidney Herald), Jackey Gonzalez (Sidney High School), Hailey Holzworth (Sidney High School), Taylen Bright (Sidney High School), Jordan Mayer (Interstate Engineering), Jenna and Brandon Jahensen (SDI Architects)

a. Chamber of Commerce-Parade of Lights 2023

Chamber CEO Kali Godfrey asked for permission to hold the annual parade of lights on November 24th, 2023 with the parade starting at 6:30pm.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

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

6. Public Hearing

a. Planning Public Hearings at the November 20th, 2023 Regular Meeting

Hilltop Shop Zoning Change Request to B-1 Zone

Subdivision Regulation Update per Legislative Session

Mayor Norby announced the upcoming public hearings at the City Council meeting.

7. Mayor Norby

a. City Support of Chamber CDBG Community Planning Grant

Mayor Norby announced the City support for the Chamber of Commerce's CDBG Community Planning Grant. Alderwoman Godfrey stated this grant will assist in the planning for \$15,000 for a downtown renewal master plan.

8. Committee Meeting Work

a. Call for Water and Sewer Committee Meeting on November 16th, 2023

Billing Document Services Upgrades

200,000 Gallon Water Tank Project

The Water and Sewer Committee Meeting was called for Thursday November 16th, 2023 at 8:30am.

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

Alderwoman Rasmussen stated she was approached about the no lighting on Red River and PWD Hintz stated they would have to join the lighting district and the City would contact LYREA/MDU to get the lights installed. Alderwoman Godfrey asked if subdivisions have a required lighting standard and PWD Hintz stated it was not required when the subdivisions were annexed.

Alderwoman Rasmussen stated she was informed that on Lincoln people are driving down the middle of the road and people were wondering if there should be a stripe down the road. PWD Hintz stated we are overlaying Lincoln Avenue next summer and could hire someone to stripe it if that is the choice of the Council. Mr. Mayer stated a stripping crew has to come back for Central Avenue and this could be added if they are notified soon enough. Clerk/Treasurer Chamberlin stated she will get it on the next agenda for formal approval.

Alderman DiFonzo stated there still needs to be a meeting about the South Meadow Park Equipment that was canceled earlier to ensure the plan agreed upon is followed and to review the safety issues with netting. Clerk/Treasurer Chamberlin stated she will get a Park and Recreation Committee meeting when Alderwoman Christensen is back in town. PWD Hintz stated they will hold off on working up there until after the committee meets.

10. Unfinished Business

Nothing.

11. New Business

a. City Hall Remodel Request for Proposals #1-Bathroom Fixtures

Clerk/Treasurer Chamberlin stated RFP #1 changes the kitchen sink to a standard sink and economy faucet and changes the staff shower with a mop sink with stainless steel splash guards and be a credit of \$4,181.00 She stated they are recommending approval of RFP #1.

Motion was made to

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

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

b. City Hall Remodel Request for Proposals #2-Countertops

Clerk/Treasurer Chamberlin stated RFP #2 changes all of the solid surface countertops to the gray with specks and would be a credit of \$4,100.00. She stated they are not recommending approval of RFP #2 as the other solid surface countertop being the wood looking countertop will be aesthetically appealing especially in the Council Chambers.

Motion was made to not approve RFP #2.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

c. City Hall Remodel Request for Proposals #3A-1" Mini Blinds

Clerk/Treasurer Chamberlin stated RFP #3A replaces the 2-inch wood looking mini-blinds with 1-inch generic blinds and would be a credit of \$1,862.00. She stated they are not recommending this change as the original blinds would not only be more aesthetically appealing but she feels would not show dirt/dust as much. She stated RFP#3B also plays into the decision on RFP #3A, which takes out all of the blinds completely and replaces them with manufacturer window tint, which would be a credit of \$7,585. She stated that although the tint on the windows would be a larger cost savings, by having the tint the City will lose the low efficiency coating and the tint will not stop sun glare or assist in privacy for the offices.

Motion was made to not approve RFP #3A and #3B.

Alderman Stevenson asked if the pricing for aftermarket tint was looked into. Clerk/Treasurer Chamberlin stated tinting outside the manufacturer would be something they would not want to do in the project with B&B, but could be pursued outside the project, regardless she feels blinds will be wanted by city staff.

Mr. Janshen stated with manufacturer tint it would give up the LOE and the windows would have worse performance. He stated the post applied could be pursued at a later date, but the blinds would accomplish all of the needs of air gaps, light and privacy. Mrs. Janshen stated without the flexibility to move blinds to block sunlight computer screens cannot be seen and she agreed even with post applied tinting, blinds will still be wanted/needed. Mr. Janshen stated with blinds there is the option to still have sunlight come in when wanted, but with tint there would not be the option as it would be permanent.

Alderman DiFonzo asked if the cost savings for the 3 RFP's not approved totals around \$12,000 and Clerk/Treasurer Chamberlin stated the 3A and 3B should not be added together since they are the same RFP just different options, but yes.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

d. City Hall Remodel Request for Proposals #3B-Tint Windows-no blinds

Clerk/Treasurer Chamberlin reviewed RFP #3B with RFP #3A and motion was made to not approve RFP#3B under that agenda item.

12. City Planner

Nothing.

13. City Attorney

a. Update

Nothing.

14. Chief of Police

a. Update

Chief Kraft stated they had a promising interview with an experience Law Enforcement Candidate and the conditional offer was accepted. He further stated he will be a part of a delegation going to Rapid City for criminal justice mental health.

15. Public Works Director

a. October 2023 Public Works Report

PWD Hintz provided the October 2023 Public Works Report. He stated they will be installing the new skating rink this week; they will also be assisting with the South Meadow playground equipment. He stated the 200,000-gallon tank project is in testing and once completed it can be put back in service. This project took approximately 9-weeks.

b. Ag West Sewer Easement

PWD Hintz presented the Ag West Sewer Easement. He stated this is the easement for the property in front of the Justice Center the county exchanged for other property and the easement needs to be approved and filled for the new owners.

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 Godfrey

c. Purchase Hall Quonset on Railroad out of Impact Fees

PWD Hintz stated he is seeking approval to purchase the Quonset by the current city shop owned by Mr. Hall but is on BNSF property. He stated the BNSF lease would be approximately \$2,400 a year and after consulting with an impact fee engineer and City Attorney Kalil, they would like to use Park and Street Impact Fees to purchase the building. The building will cost \$150,00 and there is currently approximately \$265,000 in street and park impact fees. The building is 160X60 feet 10-year-old building with electricity, concrete floor and lighting.

In discussion Alderman DiFonzo asked if we have seen anything from BNSF in writing on the lease and PWD Hintz stated they will only supply it once the building is purchased. Alderman DiFonzo

stated he has an issue purchasing the building on leased land and he feels the City Attorney should check with BNSF on lease terms. He stated the \$2,400 a year is not a big deal and the building is large enough for the needs, but he is worried that BNSF could choose not to renew the lease and we could have a building that needs to be relocated. PWD Hintz stated they would have to pay market value and Alderman DiFonzo stated that would need to be in the agreement. Alderman Koffler stated BNSF has sold land for very reasonable prices to people who owned buildings on their land.

Alderwoman Rasmussen stated she agrees that the City attorney should look into the lease terms to protect the City. City Attorney Kalil stated he would reach out to them. Alderwoman Godfrey asked if the land could be purchased and PWD Hintz stated he is not sure. City Attorney Kalil stated he could also ask that. Alderman DiFonzo stated it is not a large piece of land in question and due diligence needs to be done before final approval. He also asked if we could sub-lease the building from Mr. Hall until the situation is straightened out and PWD Hintz stated there is currently other people in there.

PWD Hintz stated this is a steal for the building, the concrete alone would cost \$150,000 and there are other parties interested in the building. Alderman Koffler asked if we could make a contingent offer on the lease agreement with BNSF is finalized and City Attorney Kalil stated that is what he would recommend.

Alderman Koffler amended his motion to approve with the purchase being contingent that the BNSF Lease Terms are established with the approval of the City Council.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

d. Approval for Request of Qualifications for Impact Fee Study Update

PWD Hintz asked for approval to notice a request for qualifications for the Impact Fee Study Update. He stated this study will review the impact fees and show projects that the money will be used for and is a requirement to have done. Alderwoman Rasmussen asked if there is an estimate for the cost and PWD Hintz stated approximately \$50,000.

Motion was made to approve.

In discussion Alderman DiFonzo asked how often this needs to be redone and PWD Hintz stated every 5 years but once it is substantially updated it may cost less and impact fees can be used to pay for it.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

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

e. Phase 3 Water Draw #4C for \$242,485 (Pay Application #6 for \$195,657.93)

PWD Hintz presented the Phase 3 Water Draw #4C for \$242,485 (Pay Application #6 for \$195,657.93) for approval.

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 Godfrey

Mr. Mayer stated all that remains is the punch list items and retainage and the project came in around \$200,000 under contract amount. Alderman Koffler asked who is responsible for paying for the hydrant and issues beside O'Reilly Auto parts where the accident happened and Mr. Mayer stated those costs were withheld.

16. Fire Marshal/Building Inspector

Nothing.

17. City Clerk/Treasurer

a. Update

Clerk/Treasurer Chamberlin turned to Mr. Janshen for an update on the City Hall remodel project. He stated there is a contingent budget and there has not been anything major come up in the demo. He stated the abatement in the fire hall is completed and they are starting in the city hall portion, and it seems to be going smoothly also. He stated that they have completed plan review and permit and two of the suggestions are exit lights are planned to be battery back-up but with the generator we do have the option of not have the double redundancy should the power go out although it is never a bad thing to have, and to cut a hole in the floor of City Hall into the basement for smoke relief since there is only one exit for the basement. He stated those two items could be added to the next council agenda which will be prior to the next site meeting. Mr. Janshen stated he received a submittal for the technology via Prairie instead of being an owner cost, so that might have been included in the B&B bid, which could create a credit of almost \$70,000 on B&B's contract or the City can decide to keep it under B&B's contract and not manage that part of the project.

Clerk/Treasurer Chamberlin stated they have completed the FY-2023 closing and adjustments and have supplied the required information to the auditor for the FY2023 audit.

18. Consent Agenda

Motion was made to approve the claims and building permits.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

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

a. Claims to be approved: \$457,884.61

b. Building Permits to be approved: 2024-39-41, RC2024-15

19. Adjournment

at 7:30 pm.