



City of Sidney, MT
City Council Regular Meeting 8-7-23
August 07, 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 to order at 6:30pm.

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all present.

3. Aldermen Present

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

4. Correction or Approval of Minutes

a. July 17th, 2023 Regular Meeting Minutes

Motion was made to approve.

Motion made by Alderwoman Godfrey, Seconded by Alderman Koffler.

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

5. Visitors

a. Other Visitors:

Jordan Mayer-Interstate Engineering and Greg Hitchcock-Sidney Herald

6. Public Hearing

Nothing.

7. Mayor Norby

a. Update

Mayor Norby stated he would like to congratulate the Sidney Tiger Sharks on their 3rd State win this year and that everyone enjoyed the fair.

8. Committee Meeting Work

Clerk/Treasurer Chamberlin stated she received the FY23-24 taxable valuation from the State of Montana. She stated the total taxable value was \$10,884,827, which is an increase from last years 10,470,188. She stated will be Budget and Finance Committee meeting to review the preliminary budget and start the budget approval process on Wednesday August 8th, 2023 at 5:15pm and she provided a calendar that details the steps and dates.

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 Godfrey thanked the Public Works Department and Police Department for their assistance with the Sunset Festival.

10. Unfinished Business

Nothing.

11. New Business

Nothing.

12. City Planner

Nothing.

13. City Attorney

a. Library Service Cooperation Agreement with Richland County

City Attorney Kalil stated he has amended the presented Library Agreement from Richland County to continue to be a joint City/County Library with the City retaining Board of Trustees appointment and oversight in exchange for the \$130,000 a year contribution, as the previous agreement stated. He stated once this is approved by the City Council it will be sent to the Richland County Commissioners for review and hopefully approval, if they have any changes he will bring it back to the City Council.

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 Godfrey, Alderwoman Christensen

b. Marijuana Tax Agreement with Fairview

City Attorney Kalil presented the Marijuana Tax Agreement with Fairview. He stated this agreement is to tell Richland County that both parties are in agreement that the marijuana tax revenue should be disbursed as State Code is written and to follow the amended code for distribution amounts that will be in effect October 1st, 2023 should be the way it is allocated from the start. He stated he worked with Fairview City Attorney Kaitlin DeCrescente on drafting this email and Clerk/Treasurer Chamberlin stated it will be going to the Fairview Town Council for approval at this weeks Council meeting.

Alderwoman Godfrey asked why there needs to be an agreement when it is in statute and City Attorney Kalil stated it is because the statute needed to be amended and doesn't officially go in place until October.

Motion was made to approve.

In discussion Alderwoman Rasmussen asked if the County has put this decision on the municipalities on how this allocation is distributed and have "washed their hands" of it per what she had read today. City Attorney Kalil stated after the agreement is signed they will take the agreement to the County and if they have any issues it will be brought back, but they do have a legal obligation to distribute the funds.

Motion made by Alderman Koffler, Seconded by Alderman DiFonzo.

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

c. Resolution 3909-Calling for General Election

City Attorney Kalil read Resolution 3909, calling for the general election, out loud. He stated the City is required by State law to pass this resolution. He further stated that the County has canceled the primary election and if there are no write in candidates, because there is only one person running for each open position, the City will cancel the general election

also. Clerk/Treasurer Chamberlin stated the deadline for write in candidates is September 15th, and if there are none there will be a resolution to cancel the election at the September 18th Council meeting.

Motion was made to approve Resolution 3909, calling for the general election.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

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

14. Chief of Police

a. Update:

Chief Kraft stated they are moving forward with a couple of interviews for the Drug Taskforce Officer and last week did interviews for the secretary position.

15. Public Works Director

a. July 2023 Public Works Report

PWD Hintz presented the July 2023 Public Works Report. He stated they did the locate for the South Meadow playground equipment placement and Alderman DiFonzo checked and agreed. Alderman DiFonzo stated they will need to install the fence also. PWD Hintz stated they completed a small sewer project, one of the 3 planned and budgeted for. PWD Hintz stated the 12th Ave and Holly streetlight will be activated August 14th, will blink caution for 5 days for people to get used to it and then will be active as a full streetlight. He stated Franz has their hot mix plant working so they have many paving projects ahead of them.

PWD Hintz stated the Phase 3 water project did not pass their bac-t testing for a second time on central. Mr. Mayer stated there is a procedure to follow on how they will proceed in disinfecting and retesting, which they have done a couple of times. He stated he is thinking it could be a sampling procedure issue. He stated this week central will get paved and the area where they are patching will be patched once they pass the required testing with Central opened up within a couple of weeks. Mr. Mayer stated Lincoln has been paved with some concrete work needing to be done, the bore under the street is done and they are working on services now with all piping completed the middle of the week to start testing and then clean-up. He stated substantial completion is slated for August 16th with additional days being requested to have substantial completion being the following week.

b. MDT Sidewalk Maintenance Agreement-Dollar General

PWD Hintz stated he is seeking approval of the aforementioned maintenance agreement. He stated this is the same agreement the City Council approved for the Les Schwab property, but this time is for the Dollar General property where although the sidewalks are in the State of Montana right-of-way the City agrees to ensure the maintenance is taken care of by the property owner.

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, Alderwoman Christensen

c. Phase 3 Water Project Pay Application #4 for \$913,094.03 and Interstate Engineering Invoices for \$61,725.50

(ARPA Grant Draw #4 for \$651,785 and SRF Draw #2C for \$332,775)

PWD Hintz presented the Phase 3 Water Project pay application #4 and Interstate Engineering Invoices. Clerk/Treasurer Chamberlin stated this will close out the ARPA Grant the City received for this project and that is why there is a grant draw #4 and an SRF draw #2C.

Motion was made to approve.

In discussion Mr. Mayer stated when we closed the West Holly Loan there was a \$9,000 difference that the City paid and this draw recoups that also.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

16. Fire Marshal/Building Inspector

17. City Clerk/Treasurer

a. City Hall Remodel Update and Timeline

City Clerk/Treasurer Chamberlin stated she has provided the 90-95% drawings, timeline and project estimate. She stated the estimate is still approximately \$299,000 under the budgeted amount for the project, with a 26.5% contingency in place, so they are sitting very well on the project budget. She stated the timeline shows they will be going to bids very soon, with the bid opening on September 12th and the bid award at the September 18th City Council Meeting and they are hopeful that construction will begin the beginning of October. She stated they are now planning to completely move out of the portion of City Hall that will be remodeled with all of the city staff and council meetings being in the old fire hall meeting room. She stated if bids come in as hoped, they will be moved over there by September 22nd.

Clerk/Treasurer Chamberlin stated the design and drawings are going great, with most things narrowed down, even down to the minute details of the cupboard door handles. She stated the one area they are seeking input on are the to additional emergency exit doors behind the new council dais in the chambers. She stated the doors are currently drawn to swing into the chambers. These will be metal doors with metal jams that are always locked from the shop side and unlocked from the chambers side. Alderman DiFonzo stated his question is should the doors

swing in or swing out, for quick exit they should swing out. He stated there would be a dead bolt from the shop side to lock it should there be a security issue. He stated they have integrated several security measures in these plans. Chief Kraft stated in this circumstance he does not feel it will matter either way. Alderman DiFonzo stated anyone leaving in an emergency will not be loitering in the shop.

Motion was made to have the council chamber exit doors into the city shop swing outward towards the shop.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

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

Alderman DiFonzo asked if they are widening the door into the current fire hall meeting room and Clerk/Treasurer Chamberlin responded they are. Alderman DiFonzo asked if part of the remodel will include changes to how the Council views the agenda and packet and Clerk/Treasurer Chamberlin stated the current agenda software has the capability for the Council to have log-in information to view the agenda's and packets similar to how she does and they can even vote via the software, which she would recommend not utilizing as the public have the right to now how council members are voting. She stated to utilize this, however, the Council will need laptops that will be purchased with the remodel.

18. Consent Agenda

Motion was made to approve the agenda and building permits.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

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

a. **Claims to be approved:** \$202,312.06

b. **Building Permits to be approved:** 2024-4, 2024-6 to 2024-11 and RC2024-1 to 2024-4

19. Adjournment

Adjournment at 7:03pm.