



City of Sidney, MT  
City Council Regular Meeting 6-17-24  
June 17, 2024 6:30 PM  
115 2nd Street SE | Sidney, MT 59270

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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**

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

**2. Pledge of Allegiance**

All present stated the Pledge of Allegiance.

**3. Aldermen Present**

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

**4. Correction or Approval of Minutes**

**a. June 3rd, 2024 Regular Meeting Minutes**

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 Godfrey, Alderwoman Christensen

**5. Visitors**

**a. Julie Batty with Northern Ice-Request to allow shaved ice food truck in ballparks or hockey dome parking lot**

Ms. Batty stated she has a shaved ice trailer and she has been approached to park next to the ball fields and she has had people want to book her for events in the parks. Clerk/Treasurer Chamberlin asked if she has a solicitors license and Ms. Batty stated she is in the process.

Alderman DiFonzo asked if it would only be shaved ice and she said yes it would be only shaved ice. Alderman DiFonzo stated the City needs to be careful for allowing vendors who compete with the ball fields concessions that is a fundraiser for them, but shaved ice is not a competition.

Alderwoman Rasmussen stated she does not see any problem as the Rush truck does this. Alderman DiFonzo stated he feels it is important they not to interfere with operations for non-profits. PWD Hintz stated swim team is not doing concessions this year at pool. Mayor Norby stated city property is generally allowed to be used for non-profits for long term use or not event specific.

Clerk/Treasurer Chamberlin stated if she completes her solicitors license and the Council approves her applying for a yearly special event to have her slush truck on City property, conditions can be made in that application process to prohibit them from expanding the menu without prior approval or updating the application.

Alderman DiFonzo stated any agreement needs to reflect not competing with private or non-profit groups, in other words not expanding menu to include what they are selling.

Motion was made to approve the request to sell shaved ice with the guidelines for the proper permit and not compete with non-profit groups.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Christensen.

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

**b. Sidney Kiwanis Club-Request to close 4th St SW by Middle School for Pie Social on July 12th, 2024**

Mrs. Chamberlin came before the City Council for approval of closing 4th St SW for the block in between the middle school and Veteran's Park for the Kiwanis Pie Social on July 12th, 2024. She stated they will need the road blocked from 9am to 2pm and will also require the extra tables and garbage cans as done previously.

Motion was made to approve.

PWD Hintz stated it is 5th street not 4th but he has no other issues.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

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

**c. Sidney Chamber-Request to close 5th St SW by Veteran's Park for Sunset Festival July 13th, 2024**

Mrs. Godfrey came before the City Council to request the closing of 6th St SW by Veteran's Park on July 13th, 2024 for the Sunset Festival. She stated it will be a 4pm-9pm, no alcohol and local entertainment only. She stated the electricity for the food vendors are on that side of the park and they would park curbside. She stated the street will need to be blocked from noon to 10pm

for set-up. She further stated that she feels the street should be blocked because of the width of street.

PWD Hintz stated they will hopefully street improvements completed by then.

Motion was made to approve.

Alderman DiFonzo asked if they are requesting whole street from Central to 3rd and Mrs. Godfrey replied yes. Alderman DiFonzo asked if there would be concerns for people living there and PWD Hintz stated parking in back while redoing streets and have had no complaints.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

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

**d. Other Visitors:**

Jackey Gonzales, James Falcon (Sidney Herald via zoom)

**6. Public Hearing**

**7. Mayor Norby**

**a. Update**

Nothing.

**8. Committee Meeting Work**

**a. Call for Water/Sewer Committee-Tank Relining Project**

Clerk/Treasurer Chamberlin stated they need to schedule a Water and Sewer Committee to review the upcoming continuance of the Water Tank Relining Project from last year.

The Water and Sewer Committee Meeting was scheduled for June 25th at 5:30pm.

**9. Alderman Requests and Committee Reports**

**Parks and Recreation** – Chairman DiFonzo – Christensen, Stevenson | **Water and Sewer** – Chairman Koffler – Godfrey, Christensen

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

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

**Budget and Finance** – Chairman Christensen – DiFonzo, Koffler

Alderwoman Christensen stated she was approached as to why there is a stop sign by Blue Rock with the factory shut down. PWD Hintz stated it is state and we have no control, it was changed from a yield sign to a stop sign because it is a T-intersection.

## 10. Unfinished Business

Nothing.

## 11. New Business

### a. Professional Services Contract-Mowing

Clerk/Treasurer Chamberlin stated the City has never had a set approved contract for the mowing contractors, and with utilizing multiple mowing contractors this year they want a generic contract that all contractors will be required to sign and follow. She stated this contract also lines out the expectations for being a City mower and a similar contract will be forth coming for approval of the City Council for contractors taking care of the nuisance properties.

Alderman DiFonzo asked what would change or if it would primarily be the same contract and Clerk/Treasurer Chamberlin stated Exhibit A, scope of work, would change and need to be approved..

Alderwoman Godfrey asked if the contract can be dropped and Clerk/Treasurer Chamberlin stated the contract would only be for one season and does have a clause for severability.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Christensen.

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

## 12. City Planner

Clerk/Treasurer Chamberlin stated there will be a Planning Board meeting on July 2nd, 2024 at the Interstate Engineering building. PWD Hintz stated they will be meeting with the owners for the Homestead to continue discussions on the future uses of that property.

## 13. City Attorney

### a. Agreement for Civil and Prosecuting Legal Services for the City of Sidney, Montana

City Attorney Kalil presented the updated agreement for his law firm to do both the civil and prosecuting legal services for the City of Sidney. He stated the number for the annual prosecuting cap was decided upon after spending time, scheduling hearings and reviewing the required evidence, which the contract states will be \$96,000 with out approval from City Council. City Attorney Kalil stated he can't say if it will or will not be enough, as he does not have enough data yet but he does feel confident. He further stated he will check in in a couple months on the budget.

Alderman DiFonzo asked how much the City was paying the Richland County Prosecutor and Clerk/Treasurer Chamberlin stated for at least the past 10-years, the City has been paying \$36,000 per year. Alderman DiFonzo stated this would only be actually increasing the prosecution budget for \$60,000 and Clerk/Treasurer Chamberlin stated that was correct and that it needs to be kept in mind the increase in costs in the last 10-years. Alderman DiFonzo stated this is a 2-year contract.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

#### **b. Healthy is Wellness FY24-25 Contract**

Clerk/Treasurer Chamberlin stated this is the yearly agreement with Healthy is Wellness (HIW) for their services in FY24-25. She stated the services scope has been expanded with their expanded services they are able to provide, which includes cognitive testing, vitamin D testing and A1C testing. She stated the City did opt to do the BIO testing in addition to last years contract, but this years contract would include those tests. Clerk/Treasurer Chamberlin stated this contract also does not have screenings every month, which helped cut costs.

Alderman Koffler asked if the City could use money best somewhere else. Alderman DiFonzo stated he feels it is a good idea and good investment in employee reaction, health etc. and asked how much of an increase it is and Clerk/Treasurer Chamberlin stated approximately a \$600 increase

Deputy Clerk/Treasurer Shanks stated the cognitive testing can also assist in detecting early onset dementia and Alzheimer's

Alderwoman Rasmussen stated she wants to take care of our employees and their health.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

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

### **14. Chief of Police**

#### **a. May 2024 Police Department Report**

Captain Zeiler provided the May 2024 Police Department Report on behalf of Chief Kraft.

### **15. Public Works Director**

#### **a. May 2024 Public Works Report**

PWD Hintz presented the May 2024 Public Works Report. PWD Hintz stated Anderson Subdivision Drainage project will be this summer, the bid opening will be July 8th at 3pm. He stated the 6th Street reconstruction will hopefully be completed next week, Worton Construction milled all the overlay streets, which will all be hopefully done before the Fair. The Chip Seal Project City Portion will start late July. He stated KLJ will be onsite next week for the CIP update, the impact fee study is underway.

Alderman DiFonzo asked if he has inquired with the County on the 22nd Avenue sidewalk and PWD Hintz stated he cannot apply for a grant until January but he does plan on approaching the Richland County Commissioners on the project. He stated storm sewer will need to be installed first, then the sidewalk over that. Alderwoman Rasmussen asked what the plan would be if the grant does not get approved, and Clerk/Treasurer Chamberlin stated there is no tax or fee to pay for that project and in order to generate those funds internally the Council would have to increase rates and expand the current tax district or create a new tax district. She further stated the fee to generate a million dollars in revenue in a short amount of time would not be a small amount either.

Alderwoman Rasmussen stated it would be for County land also and asked if the City could get them invested. PWD Hintz stated it should go all the way up to past Bitterroot, and Alderwoman Godfrey stated Red River Drive gets complaints for walking and lighting also. Alderman DiFonzo stated he doesn't want to forget it. PWD Hintz stated there is a 13% match that is required, have saved in the CTEP Fund for match, but if it is enough would depending on size of project.

## **16. Fire Marshal/Building Inspector**

### **a. May 2024 Fire Run Report**

Clerk/Treasurer Chamberlin presented the May 2024 Fire Run Report on behalf of FM/BI Rasmussen.

## **17. City Clerk/Treasurer**

### **a. Local Government Review**

Clerk/Treasurer Chamberlin stated the voters elected to hold the Local Government Review for the City of Sidney. She stated the next steps will be to have Sidney Constituents file to be on the review board. She stated the review board needs 3 members, and they would need to file by August 12th, 2024 to be on the November ballot. She further stated that the City Council must appoint an elected official or staff member to be the ex-officio member of the board, which is a non-voting member of the review board but must attend all meetings. She stated the review board will decide when and how frequent they will meet at their first meeting, which must be within 10-days of the board being elected.

### **b. May 2024 JV Report**

Clerk/Treasurer Chamberlin presented the May 2024 JV Report for approval. She stated the May JV's do include coding corrections caught during the FYE preliminary review of the budget.

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman DiFonzo.

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

### c. FY23-24 Budget Transfers

Clerk/Treasurer Chamberlin presented the FY23-24 budgeted transfers. She stated she is recommending approval of most of the transfers budgeted for, with the only ones not being recommended to be done are the transfers into the PERS fund, the SID 102 fund and the Group Health Fund and she reviewed the budgeted transfers recommended to complete. She stated they have started receiving unpaid property taxes, which makes these transfers not necessary at this point.

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

## 18. Consent Agenda

Clerk/Treasurer Chamberlin stated the credit card claim and an MDU claim was not on the report, which makes the claims to be approved \$919,669.13. She stated the high claims is due to the bond payments for the water and sewer projects and the claims to the County for the airport, library, prosecution and city court.

Motion was made to approve the claims and building permits.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

a. **Claims to be approved:** \$911,581.73

b. **Building Permits to be approved:** 2024-81 to 84 and 2024-86 to 88; RC2024-21, RC2024-26 and RC2024-28

## 19. Adjournment

at 7:23 pm.