

July 20<sup>th</sup>, 2020

***Although the City Council Meeting will be held at City Hall and open to the public, with the current COVID-19/Coronavirus pandemic and Governor's Orders, at the July 20<sup>th</sup>, 2020 meeting of the Sidney City Council masks or face coverings MUST be worn, or it can be called into by the public if they choose. The public is invited to participate in the meeting by calling: 1 (872) 240-3212, access code 655-873-365.***

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Sergeant, Rasmussen, Koffler, Gartner, Godfrey and Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
  - a. **July 6<sup>th</sup>, 2020 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the July 6<sup>th</sup>, 2020 regular meeting of the City Council by Alderwoman Rasmussen and Alderwoman Sergeant seconded. With no changes or corrections, all present voted aye.
  - b. **July 16<sup>th</sup>, 2020 Water and Sewer Committee Meeting Minutes:** Motion was made to approve the minutes from the July 16<sup>th</sup>, 2020 Water and Sewer Committee Meeting by Alderwoman Godfrey and Alderwoman Rasmussen seconded. With no changes or corrections, all present voted aye.
5. **VISITORS:**
  - a. **Bill Vander Weele-Sidney Chamber-Sidewalk Sales:** Mr. Vander Weele stated on August 7<sup>th</sup> and 8<sup>th</sup> IGA is wishing to hold a vender event and are wanting to block off 2<sup>nd</sup> St NW in front of the IGA parking lot from 11am to 6pm on both days. He stated the Chamber is thinking about doing a side-walk sale on either one or both of those days and they are also seeking permission to use the new City lot on the corner of Central Avenue and 2<sup>nd</sup> Street SE for vendors to set up booths. He stated IGA is possibly wanting to also block off 2<sup>nd</sup> Ave NW in front of the South 40 but have not found out if the South 40 would agree to that. PWD Hintz stated he can have the fence around the City lot down before this event. Motion was made to approve the blocking of 2<sup>nd</sup> St NW in front of IGA and the use of the city lot at the corner of Central Avenue and 2<sup>nd</sup> Street SE for vendors by Alderman Koffler and Alderwoman Sergeant seconded. With no further discussion, all present voted aye.
  - b. **Jeff Mead**
  - c. **Dexter Thiel**
  - d. **Casey Thiel**
  - e. **Morgan Thiel**
  - f. **Betty Cherrey**
6. **PUBLIC HEARING: Nothing**
7. **MAYOR NORBY:**
  - a. **Roof Repair Permits:** Mr. Dexter Thiel stated there has been a dramatic change in the enforcement of building codes and that he works in 9-10 different jurisdictions and has never had to get a permit for a repair before and asked why it was necessary. BI/FM Rasmussen stated the enforcement of the codes is a part of his expectations of his job and repair permits are required under the 2018 Building Codes. Mr. Thiel asked if the City was working under the 2012 or 2018 building codes, as the website for City Codes states the 2012. BI/FM Rasmussen stated the city is working under the 2018 codes and that the City needs to tidy that up with an ordinance but they are following the 2018 building codes as required by the State of Montana and provided a copy of those codes applicable to repair permits. Alderwoman Rasmussen asked what the difference between ordinary and emergency repairs and Mr. Thiel is stated almost all of the calls he receives for repairs the owners feel are emergency. Mr. Thiel asked if the website was wrong by stating it is the 2012 codes to follow, how would they know which codes to follow and Mr. Anderson stated generally that is done in the permitting process. Mr. Thiel stated the building codes require inspections to be done after the job is complete and with people paying the fee to have the permits those inspections should happen. Mr. Anderson stated that for commercial buildings the inspection would have to be done by Kyle Harlan to do in a reasonable time. Mr. Thiel stated he feels the Sunland Apartments should not have to pay the fine for not having a permit, as people should not be notified of these changes by fining them. BI/FM Rasmussen stated if they are seeking to have the fine waived it should also include Mr. Thiel's commercial building Village Square Mall where repairs are happening. City Attorney Kalil stated Sterling Codifiers needs to be updated to be accurate and that he feels the City Council should work with them to get the permits without punishing them with the fee. Motion was made to approve waiving the fine for the Sunland Apartments and Mr. Thiel's Commercial Building at Village Square Mall for the repair permits by Alderwoman Christensen and Alderman Koffler seconded. With no further discussion, all present voted aye. Mr. Casey Thiel stated he also works in other cities where no building permits are required for repairs.  
  
Mr. Thiel stated he has a complaint about a City Employee slandering his name and business. Mayor Norby stated the City Council has no oversight over employees and that employees have a right to privacy so any complaints would need to be made directly to him and not at the City Council meeting. Mr. Thiel stated he has an attorney getting papers together for slander. City Attorney Kalil stated any complete needs to be submitted to the Mayor who will then follow the necessary procedures.
8. **COMMITTEE MEETING WORK:**
  - a. **Water and Sewer Committee**
    - i. **4<sup>th</sup> Ave Water Improvement Project-Change Order 1:** Mr. Mayer explained the 4<sup>th</sup> Ave Water Improvement Project Change Order 1, as detailed in the July 16<sup>th</sup>, 2020 Water and Sewer Committee Meeting minutes. Alderwoman Rasmussen stated the Water and Sewer Committee recommended approval of this change order and made such motion. Alderwoman Godfrey seconded. In discussion Alderwoman Christensen stated if any of her employees were to have made a mistake like this it would not have fallen back on the purchaser. Alderman Koffler asked how the mobilization was missed in the bid and Mr. Mayer stated that specific block was left blank. Utilities Manager Anderson stated he felt the same as Alderwoman Christensen until he realized the \$24,000 for mobilization was included in the total for the bid, it just wasn't filled in for that column. With no further discussion, all present voted aye. Mr. Mayer updated the City Council on the project.
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing**
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS: Nothing**
12. **CITY PLANNER SANDERSON: Nothing**
13. **CITY ATTORNEY:**

# July 20<sup>th</sup>, 2020

- a. **Resolution 3832-Elected Officials Health Insurance:** City Attorney Kalil read Resolution 3832 out loud. City Clerk/Treasurer Chamberlin stated this is something the City has always offered, MMIA just needs it formalized via resolution. Motion was made to approve Resolution 3832 by Alderwoman Christensen and Alderman Koffler seconded. With no further discussion, all present voted aye.

## 14. CHIEF OF POLICE KRAFT:

- a. **Update:** Chief Kraft stated the Sidney Police Department now has a Facebook page that he feels will be a good tool for them in the future.

## 15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Update:** PWD Hintz stated 6<sup>th</sup> Ave curb and gutter installation project is progressing on schedule, they have patched 4<sup>th</sup> by White Drug and will be overlaying it. He stated 12<sup>th</sup> by the Sidney Health Center and 4<sup>th</sup> St SW by Malfunction Junction where they did curb and gutter repair will also be overlaid still this year. He stated the Storm Water Study Project is still progressing with about 95% of the GIS development done and they hydraulic models being worked on.
- b. **No Trucks Allowed signs on Lincoln Ave:** PWD Hintz stated there is currently no signs on the north and south entrances of Lincoln Ave and that there was signage before prohibiting truck traffic as it is a residential street. Chief Kraft stated the current code for no truck traffic on residential streets does not need to be changed, but the signage is inadequate and needs to be improved on. He stated it specifically is too small and too much writing on the signs for anyone to read. PWD Hintz agreed the current signs, that were done in 2012, need to be changed and reinstalled. Mayor Norby asked if the other signs about this coming into town need to be changed and Chief Kraft stated they are larger signs with the important parts being larger, so they are fine. Motion was made to approve installing new no trucks allowed signs on the south and north entrances of Lincoln Avenue by Alderwoman Rasmussen and Alderwoman Godfrey seconded. With no further discussion, all present voted aye.

## 16. FIRE MARSHAL/BUILDING INSPECTOR RASMUSSEN:

- a. **Fire Department Report June 2020:** BI/FM Rasmussen provided the City Council with the June 2020 Fire Department report which included the list of the 7 fireworks stand permits given this year.

## 17. CITY CLERK/TREASURER CHAMBERLIN:

- a. **Update:** City Clerk/Treasurer Chamberlin stated she has preliminary numbers for the FY19-20 budget closing, stating she will provide the final numbers via reports when she is assured it is closed out. She stated at this point the City expended 58% of its budgeted expenditures and that a large part of the unspent expenditures is due to the projects and equipment that were budgeted for but did not get completed in that fiscal year. She stated there is one anticipated budget amendment for fund 2890, the Oil and Gas Fund. She stated this will be about \$6,300 and is an expected amendment as the City Council approved the purchase of new computers and the necessary upgrade of the City network that was not budgeted for. She stated that the City received 79% of its budgeted revenues, and approximately 95% of the budgeted revenues once project SRF revenues are excluded. She stated the remaining approximately \$605,000 in revenues not received are due to the TBID fund, which is a wash fund for revenues and expenditures and approximately \$445,000 of it is from property tax revenue, which is not out of the norm of difference between budgeted and actual for property taxes given delinquencies and protests.
- b. **Consent agenda**
- GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
  - Claims to be approved: \$ 286,164.17**

2020-070	SKIPPED			
2020-113	Bernadette Moore	224 15 <sup>th</sup> Ave SW	Fence	L17, B2, Johnson's 1st
2021-002	Arlen Moran	506 4 <sup>th</sup> Ave SE	Fence	L1, BS1, Kenoyer
2021-003	Ryan Elam	715 5 <sup>th</sup> St SW	Fence	L15A, B8, Gardner Add.
2021-004	Teresa Stedman/McNutt	407 Yellowstone	Fence	L9, B4, JB Subdivision
2021-005	ROI Second Opportunity	419 East Main	Remodel	L10&11, B27, Kenoyer
2021-006	ON HOLD			
2021-007	Jamie Davison	322 3 <sup>rd</sup> St SW	Deck	L10-12, B41, Sidney Original
2021-008	Doris Slocum	311 32 <sup>nd</sup> Ave NW	Mobile Home	L10, B4, Wagon Wheel
2021-009	Scott Johnson	611 9 <sup>th</sup> St SW	Fence	L2, B4, Carpenter
2021-010	Foundation	221 2 <sup>nd</sup> St NW	Re-roof	L9, B8, Original

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

Meeting was adjourned at 7:23 p.m.

ATTEST:

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MAYOR NORBY

\_\_\_\_\_  
CITY CLERK

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DATE APPROVED