

October 21st, 2019

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:** Christensen, Smith, Gartner, Koffler, Rasmussen, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **October 7th, 2019 Regular Council Meeting Minutes:** Motion was to approve the minutes from the October 7th, 2019 City Council meeting by Alderwoman Sergent, and seconded by Alderwoman Christensen. With no further discussion, all present voted aye.
5. **VISITORS:**
 - a. **Leslie Messer-Richland Economic Development-Report:** Mayor Norby stated that Mrs. Messer was not able to attend the meeting, but did provide the City Council with a report from Richland Economic Development.
 - b. **TBID-LaVanchie Starkey, Brandon Taylor, Aliza Hunter, Shelly Mayes:** Mr. Taylor, TBID Chair, stated the TBID is before the City Council for direction. He stated there are two properties who have been assessing the TBID tax, but not paying it to the TBID Board or turning in reports for 2 years. He stated the TBID Board created a section in their bi-laws that states that if a hotel does not turn in their reports, which is what their assessments are based off of, the TBID Board can assess them the \$1.50 per every room for each night in the quarter. He stated the two properties do not want to pay that huge amount, and stated they would turn their reports in by the previous Friday to prove he amount due, but they did not. Mr. Taylor stated he is looking for direction on how to proceed to collect this, as the City Council is the governing body over this tax. Mayor Norby stated it will have to be handled in the courts, and Alderwoman Christensen stated with it being a tax collected but not paid it is definitely something to be handled in the courts. City Attorney Kalil stated the Montana Department of Revenue have attorneys that might be able to help in this situation. Mr. Taylor thanked the City Council and stated they will move forward in collecting this.
 - c. **Sidney High School: Bryce Wolo, Carter Johnson, Kodi Obergfell, Christine Turek, Beau Norby, Everett Jensen, James Allen, Kade Anderson, Samuel Stephenson, Lexi Nelson, Lorraine Coronato, Shelby Morlock, Nic Traveno, Maddie Peters**
 - d. **Gabriel Vederdahl-Williston State College**
 - e. **Amy Efta-Sidney Herald**
 - f. **Jeff Mead**
 - g. **Keith Backes**
 - h. **George Biebl-Sidney Park and Rec Board**
 - i. **Bill Linder**
 - j. **Molly Davidson-Morrison Maierle**
 - k. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING:**
 - a. **Subdivision Regulation Update:** Mayor Norby called the public hearing for the Subdivision Regulation Update to order at 6:36pm. City Planner Sanderson presented the regulation updates, per the previous legislative session and stated that the City Planning Board recommended adoption after their October 15th, 2019 public hearing. Mayor Norby called for any proponents three times, with none coming forward. Mayor Norby called for any opponents three times, with none coming forward. With no further testimony, Mayor Norby closed the public hearing for the Subdivision Regulation Update at 6:40pm.
7. **MAYOR NORBY:**
 - a. **Extra Mile Day Proclamation:** Mayor Norby read the Extra Mile Day Proclamation, proclaiming November 1st as a day of recognition, support and encouragement contributions to the community. Motion was made to approve the Extra Mile Day Proclamation for November 1st, 2019 by Alderwoman Rasmussen and seconded by Alderman Koffler. With no further discussion, all present voted aye.
 - b. **Call for interested applicants for Ward 2 open Council Position-Term of January 1st, 2020-December 31st, 2021:** Mayor Norby announced that there will be an open City Council position in Ward 2, and that any interested parties should reach out to City Hall.
8. **COMMITTEE WORK: Nothing**
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:**
 - a. Alderwoman Rasmussen stated the Park and Recreation Board met and are discussing the improvements needed in City parks and are setting priorities for the funding available.
 - b. Alderwoman Christensen stated the Chamber, as part of their Small Town Christmas, is working on getting the banner hung across Central Avenue. She stated they have contacted the MDT about the encroachment permit and MDU for the hanging of the sign.
10. **UNFINISHED BUSINESS: Nothing**
11. **NEW BUSINESS:**
 - a. **Bathrooms at Quilling's and Lyndale Park:** PWD Hintz stated the bathrooms at Quilling's and Lyndale parks are not ADA accessible, and that they are looking into updating them so they are utilizing park impact fees.
 - b. **AmeriCorps duties to include Drug Awareness Coalition:** City Clerk/Treasurer Redfield stated that with the start of the Drug Awareness Coalition there is a need for assistance in the organization and administrative work for this coalition. She stated that she feels adding this as a secondary item for the AmeriCorps member to do is a good fit, and that she would be supervising both aspects to ensure their primary focus is the Ordinance/Resolution review. She provided a new position description created by Kali Godfrey that encompasses both for the City Council to review. Motion was made to approve the position description, as provided, by Alderwoman Christensen. Alderwoman Sergent seconded the motion, and with no further discussion all present voted aye.
12. **CITY PLANNER SANDERSON:**
 - a. **Approval of Subdivision Regulation Update:** Motion was made by Alderwoman Christensen to approve the Subdivision Regulation Update, per the presentation of City Planner Sanderson and recommendation of the City Planning Board. Alderwoman Rasmussen seconded the motion, and with no further discussion all present voted aye.
 - b. **Joe Couture Lot Aggregation:** City Planner Sanderson presented the City Council with his staff report on the Couture Lot Aggregation. He stated he is recommending approval with conditions outlined in his staff report, and that they also need to update the plat to cite the correct Montana Code for the exemption. Motion was made to approve the Joe Couture Lot Aggregation, with the conditions outlined by City Planner Sanderson, by Alderman Smith. Alderman Koffler seconded the motion, and with no further discussion, all present voted aye.
13. **CITY ATTORNEY:**
 - a. **Resolution # 3801-2019-2020 BARSAA Funds:** City Attorney Kalil read Resolution 3801, for the distribution of the 2019 BARSAA funds for the 6th Ave improvements, out loud. Motion was made to approve Resolution

October 21st, 2019

3801 by Alderman Koffler and seconded by Alderwoman Rasmussen. With no further discussion, all present voted aye.

14. CHIEF OF POLICE DIFONZO:

- a. **Report:** Chief DiFonzo asked PWD Hintz on the 4th Ave Water project, with the inclusion of the bulb outs, and PWD Hintz stated they will be meeting Wednesday to discuss this project, and will get him plans on it. Chief DiFonzo stated they will be beginning of the enforcement of the trailers and ATV's on City Streets for snow removal. He stated if the City has to remove them there is a citation and the cost of the towing.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report:** PWD Hintz stated they are starting the winter gear up. He further stated that he and City Clerk/Treasurer Redfield will submit the BARSAA information tomorrow and close out the 2018 project. He further stated the WWTP Phase 3 project is still moving forward, although slowly. He stated that it is their hopes to have the new head works building online and the old lift station abandoned this week. Mrs. Davidson stated she toured the City with PWD Hintz for the Storm Water Study, and that she will be putting together scope and cost estimate to present. PWD Hintz asked for a Water and Sewer Committee meeting to discuss liquidated damages on the WWTP Phase 3, and they agreed to meet on Thursday October 24th, 2019 at noon.
- b. **Morrison Maierle Amendment #3 to Task Order 7D for \$31,972.82:** PWD Hintz provided the City Council with the Morrison Maierle Amendment #3 to Task Order 7D. He stated this is the same as the previous amendment approved, it is also for engineering costs for the project taking longer, which COP Construction will have withheld on their pay applications. Motion was made to approve the Morrison Maierle Amendment #3 to Task Order 7D by Alderman Koffler, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

16. Fire Marshal/Building Inspector Rasmussen:

- a. **September 2019 Fire Department Report:** Fire Marshal/Building Inspector Rasmussen provided the City Council with his September 2019 Fire Department Report. He stated this includes information on the work done for Fire Prevention Month in October, to date.

17. CITY TREASURER REDFIELD:

- a. **September 2019 Water/Sewer Bank Transfer:** City Clerk/Treasurer Redfield presented the September 2019 Water/Sewer Bank Transfer for approval. Motion was made to approve the September 2019 Water/Sewer Bank Transfer of \$156,699.16 by Alderwoman Christensen, and seconded by Alderman Koffler. With no further discussion, all present voted aye.

18. CITY CLERK REDFIELD:

Consent agenda

- a. **GENERAL JOURNAL VOUCHERS:** to be reported and approved monthly
- b. **Claims to be approved: \$ 139,167.26**

2020-041	Sidney Health Center	216 14 th Ave SW	Remodel	Sidney Health Center Parcel
2020-042	Walt McNutt	517 Yellowstone Dr	Mobile Home	L20, B1, Yellowstone Court
2020-043	Vess Hurley	809 East Main	Remodel	L5, B23, Kenoyer
2020-044	Tim Case	503 4 th St SE	Shed	L1&2, B41, Kenoyer
2020-045	Tractor Supply	302 E Holly St	Filling Station	L1A, B1, Sunrise Village
2020-046	Bakken Investments	216 S Central	Roof	L10&11, B19, 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 7:06 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED