

June 17th, 2019

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order 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. **June 3rd, 2019 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the June 3rd, 2019 regular Council Meeting by Alderwoman Christensen, and seconded by Alderwoman Rasmussen. With no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Meadowlark-Boyd Fry-event in back parking lot on 7-13-19:** Jennifer Sult and Randene Baily came before the City Council on behalf of the Meadowlark to ask for permission to block off the back parking lot behind the Meadowlark for their Summer Festival on July 13th, 2019. She stated it will be blocked off and only those who are 21 or older will be allowed in as there will be alcohol, live music and games. Motion was made to approve the blocking of the parking lot behind the Meadowlark for the Summer Festival by Alderman Koffler, and Alderwoman Sergent seconded the motion. With no further discussion, all present voted aye.
 - b. **Sidney Kiwanis Club-blocking of 5th St SW between Middle School and Veteran's Park-July 12th:** City Clerk/Treasurer, on behalf of the Sidney Kiwanis Club, stated the 2019 Pie Social is being moved to the Sidney Middle School/Veteran's Park. She stated it is their hope to serve the food next to the Middle School south entrance, and then utilize Veteran's Park for picnic tables, and it is because of that they are hoping to have that street blocked. She stated it is already planned to be blocked later for the Sunrise Festival. Motion was made to approve the blocking of 5th St SW between the Middle School and Veterans Park by Alderwoman Rasmussen, and seconded by Alderman Koffler. With no further discussion, all present voted aye.
 - c. **James W. Kelly Jr-Sidney Shuttle:** Mr. Kelly came before the City Council to plea to the community and the local governments for help. He stated that his insurance costs increased substantially, along with changes such as how old his vans can be so he will have to replacing all of them by next year. He stated that the DUI Task Force, Chamber, API and others already purchase ride tickets for functions, which is what he looking for others to do also. He also stated that he is looking for local businesses to purchase sponsorships. He stated that they are not looking to make a large profit, just to keep the Shuttle available to the community. Alderwoman Rasmussen asked him how much a ride ticket costs, and he stated \$10 for the first 4 miles, with anything further costing more. Mayor Norby stated that the City of Sidney, along with many others in the community, strongly supports the Sidney Shuttle, but that the City is in a hard place because they do not get fundraising or grant money, only tax payer money. He further strongly suggested that Mr. Kelly get with the Sidney Herald to get his plea and story out to the entire community.
 - d. **Amy Venn-Sidney Herald**
 - e. **Laura Gundlach-Morrison Maierle**
 - f. **Bill Linder**
 - g. **Daniel Stevens-Boy Scouts**
 - h. **Bart Stevens**
 - i. **Jordan Mayer-Interstate Engineering**
6. **PUBLIC HEARING:** Nothing
7. **MAYOR NORBY:**
 - a. **Appoint Luke Savage-City Judge:** Mayor Norby stated that with the election and new contract for the City Judge, his appointment needs to be officially made. Motion was made to appoint Luke Savage as the City Judge by Alderwoman Christensen, and seconded by Alderwoman Sergent. Alderwoman Rasmussen recused herself from the vote, and all remaining voted aye.
 - b. **2019 Regional Municipal Summit Update:** Mayor Norby stated that he, Alderwoman Christensen, PWD Hintz, City Clerk/Treasurer Redfield, Deputy City Clerk/Treasurer Messer, and Captain Mark Kraft all attended the Regional Municipal Summit, and that it was for informative and a lot was learned.
 - c. Mayor Norby announced he will be in Helena Wednesday June 19th to Friday June 21st, for the MLCT Board. He stated they are meeting for employee reviews and setting their budget.
 - d. **Records/Information Request Policy:** City Attorney Kalil stated that with the recent controversy in the community and concerns raised about records or information requests not being fulfilled, the City wants to address these concerns by creating an official policy, a draft of which he is working on and will have before the City Council at the first meeting in June. Mayor Norby stated that that there has not been an official policy, and that the City wants to provide information that has been requested. He further stated that the City has not ever not followed the open records laws, and has provided all information requested that is legally allowed. He stated that the open cases and law enforcement information is regulated as to what can be released and when, and that he feels the Sidney Herald is negligent in reporting the arrest reports but not following up on the outcome of the charges, as that can be negative to people's lives and reputations.
8. **COMMITTEE WORK:** Nothing
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:**
 - a. Alderwoman Rasmussen stated the Park and Recreation Board met and they discussed the Volunteer Program that is currently working on projects provided by Parks Superintendent Ridl. She further stated that the signs for the Dog Park have been ordered.
10. **UNFINISHED BUSINESS:** Nothing
11. **NEW BUSINESS:**
 - a. **BP2019-098-Waive fees for City Park fence of \$23.50:** City Clerk/Treasurer Redfield stated the Building Permits and Parks are currently both in the General Fund, so to prevent redundancy of writing a check out of the fund to revenue it back into the same place, they are asking for the \$23.50 fee for a fence in LaLonde Park be waived. Motion was made to approve waiving the fee of the \$23.50 building permit for the Lalonde Park fence by Alderwoman Rasmussen, and Alderman Koffler seconded the motion. In discussion Alderman Smith asked why it was only a 3 foot fence and what purpose it would serve, and Building Inspector/Fire Marshal Rasmussen stated it is just a perimeter fence. Lieutenant Rosaaen added that it is just to be a barrier to Holly Street. With no further discussion, all present voted aye.

June 17th, 2019

12. CITY PLANNER SANDERSON:

- a. **KLJ Contract Extension for FY19-20 City Planner:** City Clerk/Treasurer provided the contract extension for KLJ for planning services. She stated that the previous fiscal year the contract was for \$35,000, but that this contract has the original amount of the \$35,000 plus an amended amount of \$20,000. Motion was made to approve the KLJ Contract Extension by Alderwoman Christensen, and Alderman Koffler seconded the motion. In discussion, Alderwoman Christensen asked why the additional \$20,000 was added, and City Clerk/Treasurer Redfield stated she believed it was because of approximately \$20,000 being spent in FY18-19. Alderwoman Christensen stated that she did not believe that with only spending \$20,000 in FY18-19, the planning contract needed to be increased to \$55,000 for one fiscal year. Alderwoman Christensen made a motion to amend her previous motion to include that the contract be for \$35,000 total for FY19-20, and Alderman Koffler seconded her amendment to the motion. With no further discussion, all present voted aye.

13. CITY ATTORNEY:

- a. **Resolution #3802-Setting wages for FY2019-20:** Resolution #3802 was read out loud by City Attorney Kalil. Motion was made to approve Resolution 3802 by Alderwoman Christensen, and Alderman Koffler seconded the motion. Alderwoman Rasmussen recused herself from the vote, and all remaining voted aye.
- b. **Resolution #3803-Calling for a Municipal Primary Election by mail ballot:** Resolution #3803 was read out loud by City Attorney Kalil. Motion was made to approve Resolution 3803 by Alderwoman Rasmussen, and Alderwoman Sergent seconded the motion. All present voted aye.
- c. **Resolution #3804-Kale Rasmussen appointment to Special Deputy Clerk for service as Judge Pro Tempore:** Resolution #3804 was read out loud by City Attorney Kalil. City Attorney Kalil stated that this position will be at the discretion and under the direction of Judge Savage, serving as a back-up. Motion was made to approve Resolution 3804 by Alderman Koffler, and seconded by Alderwoman Sergent. In discussion Alderwoman Christensen asked if Building Inspector/Fire Marshal Rasmussen has already been doing this, and he replied that he had been, but with the change of positions from Parole Officer to working at the City, this needs to be done. He further stated that he will not be able to do the Justice Court for the County until they do something similar, which Judge Savage is working on. Alderwoman Rasmussen recused herself from the vote, and all remaining voted aye.

14. CHIEF OF POLICE DIFONZO:

- a. **Update:** Nothing

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Update:** Mayor Norby stated that PWD Hintz is out of town for training. He further stated that malfunction junction is almost done, and that the cement work for handicap accessibility, along with installing the 5 stop signs is all that remains.
- b. **Morrison Maierle Contract Amendment:** Mrs. Gundlach presented the City Council with a contract amendment to Task Order 7C. She stated that this task order was originally for phase 3 design, and that with changes being made to the design to save the City money, the scope of the work needs to be amended to reflect that. She stated some of the changes include not including the sludge removal. She stated that over the next couple of years the City will be treating the sludge with chemicals and drying it out to decrease the volume that needs to be removed. She stated that this amendment adds in the assisting of that project, but removes the actual sludge removal, and that they hope to have a new contract drafted in the next couple of years for that work. She stated that these changes cause a decrease in contract amount of approximately \$9,000. Alderman Smith asked how much the chemicals to treat the sludge will cost, and Utilities Manager Anderson stated \$120,000. Mrs. Gundlach stated that the chemicals will save the City substantially later on in the removal process, as there is over 60 years of sludge to remove. Motion was made to approve the Morrison Maierle contract amendment to task order 7C by Alderman Smith, and Alderwoman Rasmussen seconded the motion. With no further discussion, all present voted aye.

16. Fire Marshal/Building Inspector Rasmussen:

- a. **May 2019 Fire Department Report:** Fire Marshal/Building Inspector Rasmussen presented the City Council with the May 2019 Fire Department Report. He stated that included in the report is the check-list and information provided for firework stands in the City limits.
- b. **Nuisance Committee Update:** Fire Marshal/Building Inspector Rasmussen stated that the Nuisance Committee met and reviewed approximately 10 properties that had complaints on them, but that due to conflicting meetings he was not able to attend. City Clerk/Treasurer Redfield stated that the Nuisance Committee, after reviewing the properties, decided to send letters to all of the properties with complaints, but due to the issues with the properties they also decided to grant an automatic 50 day extension to complete the work, above the 10 days allowed by City Code, giving those properties 60 days total to come into compliance. She stated that with PWD Hintz being out of town for training all of the week, the letters will not be sent until next week.

17. CITY TREASURER REDFIELD:

- a. **May 2019 Journal Voucher Report:** City Clerk/Treasurer Redfield provided the City Council with the May 2019 Journal Voucher Report, which she stated contains only the required transfers for UB billing and Payroll. Motion was made to approve the May 2019 Journal Vouchers by Alderwoman Christensen, and Alderwoman Rasmussen seconded the motion. With no discussion, all present voted aye.
- b. **May 2019 Treasurer's Report:** City Clerk/Treasurer Redfield provided the May 2019 Treasurer's Report.
- c. **Water/Sewer Bank Transfer May 2019 for \$179,406.49:** City Clerk/Treasurer Redfield provided the City Council with the water/sewer bank transfer for May 2019 for \$179,406.49. She stated that most of this transfer is due to the work being done on the Water Treatment Plant filters. Motion was made to approve the water/sewer bank transfer of \$179,406.49 by Alderwoman Rasmussen, and seconded by Alderman Koffler. With no further discussion, all present voted aye.
- d. **Positive Pay with Stockman Bank:** City Clerk/Treasurer Redfield stated that the Positive Pay with Stockman Bank has been presented to the City Council previously. She stated that it was denied before primarily because of the concern that the new interest being earned with the City reinvested their money would not offset the approximately \$90 in fees to do it. She stated that the interest allocations have increased from approximately \$3,500 a month to \$6,500 a month, so the cost will be off set. She stated that this program will help with the forgery/fraud issues, as nothing will be allowed to clear the City bank

June 17th, 2019

accounts without approval from her office. Motion was made to approve the Positive Pay with Stockman Bank by Alderwoman Christensen, and Alderwoman Sergent seconded the motion. 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: \$ 219,763.05**

****2019-82 ON HOLD-AMERICAN TOWER**

****2019-84 ON HOLD-RICHLAND COUNTY**

2019-88	Brenda Frederick	3406 5th St NW	Mobile Home	L16, B5, Wagon Wheel
**2019-89	ON HOLD			
2019-90	Craig Painter	908 9th Ave SE	Shed	L13, B-00A, Burns Homestead
2019-91	MHJC	601 S Central	Sign	L1, B-00A, South Park Add
2019-92	Luke Savage	1240 13th St SW	Fence	L1-2, B7, Peterson 2nd
2019-93	Richard Lange	304 3rd St NE	Fence	L7, B35, Original Townsite
2019-94	Thomas Halvorson	303 3rd St SE	Shed	L10-12, B30, Original
2019-95	Roger Byer	2711 Niehenke Dr	Fence	L6, B3, Mayo Acres
2019-96	Jesus Valazque	218 11th Ave SW	Fence	L22, B-00B, Bach Nels 3rd Add
2019-97	Amy Bieber	117 8th St SE	Fence	L7, B77, Kenoyer
2019-98	City of Sidney	LaLonde Park	Fence	L1, B-D, Bach Nels 3rd Add
2019-99	Jayne Kelly	410 10th Ave SE	Sign/Demo	L11-12, B20, Original
2019-100	Jerome Kessler	319 4th St SE	Fence	L1&2, B29, Original
2019-101	Kelly Properties	546 33rd Ave NW	Fence	L1, B7, Wagon Wheel

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

Meeting was adjourned at 7:29 p.m.

ATTEST:

MAYOR NORBY

CITY CLERK

DATE APPROVED