

February 5th, 2018

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:** Sergent, Rasmussen, Koffler, Gartner, Smith; Absent: Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **January 16th, 2018 Regular Council Meeting Minutes:** Motion was made to approve the minutes from the January 16th, 2018 regular Council Meeting by Alderwoman Rasmussen, and seconded by Alderwoman Sergent. After no changes or corrections, all present voted aye.
 - b. **January 22nd, 2018 Budget and Finance Committee Meeting Minutes:** Motion was made to approve the minutes from the January 18th, 2018 Budget and Finance Committee Meeting by Alderwoman Sergent, and seconded by Alderman Gartner. After no changes or corrections, all present voted aye.
 - c. **January 22nd, 2018 Police and Fire Committee Meeting Minutes:** Motion was made to approve the minutes from the January 22nd, 2018 Police and Fire Committee Meeting by Alderman Smith, and seconded by Alderman Koffler. After no changes or corrections, all present voted aye.
5. **VISITORS:**
 - a. **Kandi Davis-Bagnell RV:** Mrs. Davis presented a letter to the City Council on behalf of Bagnell RV Park pertaining to the garbage bill they receive. In the letter she requested that instead of counting occupied lots and assessing a monthly amount to each occupied lot, that the City only assess for trailers that are occupied, as they have multiple lots that have trailers being stored in them. Utilities Manager Anderson stated that City Code states that for garbage assessments each lot will be charged the rate and it will be applied to the property taxes, but that many years ago the policy was changed for mobile home parks to have the water department count occupied lots on the day they do the meter reading, and to do a monthly charge for the occupied lots. He further stated that there is not a way for the water department to differentiate when a trailer is being occupied or not. Later in discussion, Alderwoman Rasmussen asked what they are being charged each month, and Mrs. Davis stated \$10.42 per lot per month. No action was taken.
 - b. **Lynn Shelmerdine-Elk's Lodge Fireworks for 150th Birthday on February 16th at 11pm:** Mrs. Shelmerdine of the Sidney Elk's Lodge came before the City Council to ask for permission for the Elk's Lodge to light off fireworks after their 11 o'clock pm toast for the 150th birthday of the Elks. She stated that the fireworks would last approximately 10 to 15 minutes, and would be medium sized fireworks that they would light off on the patio. Alderwoman Rasmussen asked if they had a plan for notifying their neighbors or the community, and Mrs. Shelmerdine stated that they are planning on having something in the Sidney Herald that could include the fireworks. Mayor Norby asked Lieutenant Kraft if there could be patrol over there to ensure safety, and he said that they could. Motion was made to approve the Elk's Lodge lighting off fireworks on February 16th, 2018 at approximately 11 o'clock pm to celebrate the Elk's 150th birthday by Alderwoman Rasmussen, and seconded by Alderman Koffler. After no further discussion, all present voted aye.
 - c. **Kelly Reisig-Richland County Library:** Mrs. Reisig stated that the Richland County Library is doing a needs assessment that will involve mailing surveys to everyone in the community to find out what the community expects or wants from the Library. She stated that they hope to get back as many surveys as possible, and handed out the survey for the City Council and Mayor to complete. Mayor Norby thanked Mrs. Reisig for all the Library does in the community.
 - d. **Jeff Mead**
 - e. **Paul Hopfauf-MDU**
 - f. **Kale Rasmussen-Sidney Volunteer Fire Department**
 - g. **Jordan Mayor-Interstate Engineering**
6. **PUBLIC HEARING:**
 - a. **Zoning Map and Code Changes:** Mayor Norby called the Public Hearing the zoning map and code changes to order at 6:52 pm. City Planner Sanderson stated that there are 3 proposed changes:
 1. Change the zoning for the provided legal description on Lincoln Ave, changing the zoning from R-3 to B-3, commercial. He stated that these properties effected are the Signs of Sidney and Park Plaza and that this was a change that was discussed being done when the map was updated, but that it did not get changed.
 2. Update and change the text of the Zoning Code, including the medical marijuana area. He stated that the definition of a dispensary was similar enough in words, but different enough from the State's definition that it was causing confusion. This changes the definition for clarity but still lines with the State's Definition.
 3. Changing the zoning for the property located direction north of Miller Street. He stated that this is the parking lot for the OK Lanes Bowling Alley, and it is zoned differently than the building. He stated it would be changing the parking lot's zoning only from R-2 to B-1 to match the building's zoningCity Planner Sanderson stated that the Zoning Commission met, held a public hearing, reviewed the changes and recommended approval.

Mayor Norby called for any proponents to the zoning map and code changes, three times, and none came forward. Mayor Norby called for any opponents to the zoning map and code changes, and with none coming forward closed the public hearing at 6:56pm.
7. **MAYOR NORBY:**
 - a. **Reappointment of Walt McNutt to the Airport Board-Tabled at 1-16-18 Meeting:** Motion was made to untable the reappointment of Walt McNutt to the Airport Board by Alderwoman Rasmussen, and Alderman Smith seconded the motion. All present voted aye. Mayor Norby asked for the Council approval of the reappointment of Walt McNutt to the Airport Board. Motion was made to approve the reappointment by Alderman Smith, and seconded by Alderwoman Sergent. After no further discussion, all present voted aye.
 - b. **Active Shooter Defense Class on Tuesday February 6th, 2018 at the Richland County Event Center:** Mayor Norby announced that Richland County was hosting an Active Shooter Defense Class on Tuesday February 6th, 2018 at the Richland County Event Center.

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8. COMMITTEE WORK:

a. Budget and Finance

- i. City Attorney RFQ's:** Alderwoman Sergent stated the Budget and Finance Committee met and reviewed the RFQ's for City Attorney and will be interviewing applicants on February 21st
- ii. City Attorney Crosby December 2017 billing:** Alderwoman Sergent stated the Budget and Finance Committee met and reviewed the request for the payment of the December 2017 City Attorney billing by Jordan Crosby that was more than the contracted not to exceed \$3,500, a total of \$4,901.05. She stated that the Budget and Finance Committee recommended approval of paying the December 2017 City Attorney billing, and made a motion. The motion was seconded by Alderman Gartner. In discussion, Alderman Smith asked if this was going to be the new norm, and Mayor Norby stated it could be as \$3,500 is a very low price for a City Attorney as was made evident in the RFQ's submitted. After no further discussion, all present voted aye.

b. Police and Fire Committee

- i. Fire Marshall Job Description:** Alderwoman Sergent stated the Police and Fire Committee met and reviewed the Fire Marshall job description. She further stated the Police and Fire Committee are recommending approval of the Fire Marshall job description, and made such motion. The motion was seconded by Alderwoman Rasmussen, and after no further discussion, all present voted aye.

9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing

10. UNFINISHED BUSINESS: Nothing

11. NEW BUSINESS:

- a. Kale Rasmussen-Rural Fire Chief-Personal Vehicle Use Claim:** Mayor Norby congratulated Rural Fire Chief Rasmussen, and thanked him for his service with the Sidney Volunteer Fire Department. He stated that the City of Sidney is currently paying for the Fire Chief and Deputy Fire Chief's personal vehicle use, but that the previous Rural Fire Chief was not paid for personal vehicle use, as it was Fire Marshall Gilbert, who had the City provided vehicle. He stated that the Richland County Commissioners have not yet made any decision on if they will be paying for Rural Fire Chief Rasmussen's personal vehicle use yet, or if they will be requesting the City pay it. Mayor Norby asked that this item be sent to the Police and Fire Committee for further discussion once the County has contacted him with their decision. Alderwoman Rasmussen recused herself from this item. Motion was made to send this item to the Police and Fire Committee by Alderman Smith, and Alderman Koffler seconded the motion. All present, except the recused Alderwoman Rasmussen, voted aye.
- b. 2017 Fire Log from Fire Chief Christensen:** The 2017 Fire Log was provided to the City Council by Fire Chief Christensen, and Rural Fire Chief Christensen stated that he has assisted on the project and is available for any questions. C/T Redfield stated that the Fire Department has also provided a month specific report for November and December that was not on this agenda, but will be on the next agenda.

12. CITY PLANNER SANDERSON:

- a. Zoning-Bowling Alley Parking Lot:** City Planner Sanderson stated that he had already elaborated on this item in the public hearing, and that he would recommend approval and to be included in the first reading of Ordinance 570

13. CITY ATTORNEY:

- a. Ordinance #570-Zoning Map and Code Changes:** Mayor Norby read the first reading of Ordinance #570, zoning map and code changes, out loud City Planner Sanderson asked that the zoning change for Lot 10, Block 2, of North Central Addition from R-2 to B1 be included in this reading of the ordinance. Motion was made to approve Ordinance #570 including the change of Lot 10, Block 2, North Central Addition from R-2 to B-1 Zoning by Alderwoman Rasmussen, and seconded by Alderman Koffler. Voting went as follows:

Ayes: 6

Nays: 0

Absent: 1

14. CHIEF OF POLICE DIFONZO:

- a. Report:** Lieutenant Kraft stated that he did not have anything to report on behalf of Chief DiFonzo, but is available for questions. Alderman Smith asked how many open positions the Police Department currently has, and Lieutenant Kraft stated that they have one position open and have had to extend the application period to the end of February to try to get more applicants.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. Report January 2018:** PWD Hintz provided the City Council with the January 2018 Public Works Report He stated that things have been going very well, and that they have been able to get a lot of times done in the winter slow down, including the Flags of Honor remodel, which saved the City approximately \$45,000.
- b. WWTP Draw #16 for \$481,319.80:** PWD Hintz stated that there is a Waste Water Treatment Plant Phase 2 draw, number 16, to be approved for a total of \$481,319.80. Motion was made to approve the WWTP Phase 2 Draw #16 for \$481,319.80 by Alderman Smith, and seconded by Alderwoman Rasmussen After no further discussion, all present voted aye.
- c. WWTP Response to Change Order #4 Letter**
- d. WWTP Morrison Maierle Amendment #1 TO Task Order 7B:** PWD Hintz asked that both the WWTP Response the Charge Order #4 and the WWTP Morrison Maierle Amendment #1 to Task Oder 7B be tabled until the next Council meeting. He stated that Morrison Maierle were going to have a representative that the meeting to review and answer questions, but they could not make it because of the roads Motion was made to both the WWTP Response to Change Order #4 Letter and the WWTP Morrison Maierle Amendment #1 to Task Order 7B until the February 20th, 2018 Council Meeting by Alderwoman Sergent. Alderwoman Rasmussen seconded the motion, and after no discussion, all present voted aye.
- e. Distributor Truck and Paver Loan:** PWD Hintz stated that in the budget process it was discussed that he purchase a distributor truck and paver, putting \$65,000 down, and finance the rest. He stated that a local bank is offering a fixed interest rate of 3%, and that the Montana InterCap is offering a variable 4% interest rate. Alderwoman Rasmussen asked how much the loan would be for, and PWD Hintz stated it would be a 3 year loan for approximately \$90,000. Alderman Koffler made a motion to approve moving forward with the purchasing of the distributor truck and paver and financing approximately \$90,000

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through the local bank. Alderwoman Rasmussen seconded the motion. In discussion, Alderman Smith asked if the \$65,000 down or the future payments have been budgeted for. C/T Redfield stated that both have been budgeted, and that the City was paying a yearly payment for the asphalt zipper, which is now paid off, so this payment would only be replacing that payment, which should be approximately the same. After no further discussion, all present voted aye.

- f. **MDU Lighting Agreement-Paul Hopfauf:** Mr. Hopfauf provided the City Council with a handout explaining the proposed changes to the street lights to LED lights. He stated that they are doing this because of the cost saving and the decrease in maintenance, as the LED lights will last 20 years. He stated that they are also better for the Dark Sky Initiative, as they point more directly down towards the street, which also increases the light on the streets. He stated that there are 829 MDU owned street lights in Sidney, and that the City does own some of the street lights, but that they would be willing to sell the City the same lights at cost and install them for \$35 per pole. He stated that the lights will use 67% less energy, which will equate to a yearly savings of approximately \$17,000 or 13% for the City of Sidney. He stated that the original contract will need to be amended, and provided the contract amendment. Motion was made to approve the contract amendment for the MDU street lights by Alderwoman Rasmussen, and seconded by Alderman Koffler. After no further discussion, all present voted aye.
- g. **Interstate Engineer Task Order 2 and 3:** PWD Hintz asked the City Council to send both task orders from Interstate Engineering to Committee. He stated that these task orders are a continuation off of the North Frontage Road Water Improvement contract, and that task order #2 is for the previously discussed East Holly Water Main Relocation. Alderman Smith asked if the State was still going to be paying for part of that project, and PWD Hintz they will be paying 75% to the City's 25% of construction only, not engineering, of which the City is solely responsible for. PWD Hintz further stated that task order #3 is for the water rate study and increase and the waste water rate increase. Motion was made to send the Interstate Engineering task orders 2 and 3 to the Water and Sewer Committee by Alderman Smith, and seconded by Alderwoman Sergent. After no further discussion, all present voted aye. The Water and Sewer Committee Meeting was scheduled for Monday February 12th at 6:30pm, and Jordan Mayer of Interstate Engineering was asked to attend.

16. CITY TREASURER:

- a. **Water/Sewer Bank Transfer- \$ 69,147.61:** C/T Redfield stated that the water/sewer bank transfer was \$69,147.61 and reminded the City Council that this transfer did not include the January 2018 payroll. She stated that because of reporting issues with the 457 plan, she was not able to submit the payment or do the Journal Vouchers to get the payroll on the accounting books. She said that this issue is on the MPERA side, and they are working to get it resolved quickly. Motion was made to approve the water/sewer bank transfer of \$69,147.61 by Alderwoman Rasmussen, and seconded by Alderwoman Sergent. After no further discussion, all present voted aye.
- b. **Treasurer's Report January 2018-will provide at February 20th meeting:** C/T Redfield stated that for the same reason given previously, she was unable to complete the January 2018 Treasurer's Report. She stated that it will be completed and on the next agenda, and once she is able to she will be sending out updated budget reports.

17. CITY CLERK REDFIELD: consent agenda

- a. **GENERAL JOURNAL VOUCHERS: e-mailed**
- b. **Claims to be approved: \$**
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|---------|----------------------|-----------------------------|---------|--------------|
| 2018-51 | Sidney Health Center | 216 14 th Ave SW | Remodel | Hospital Lot |
|---------|----------------------|-----------------------------|---------|--------------|
- (This permit is for the remainder of the work initially permitted 2018-48.)

A motion to approve the consent agenda was made by Alderman Koffler and seconded by Alderman Smith. After no discussion, all council voted aye.

Meeting was adjourned at 7:30 p.m.

ATTEST:


MAYOR NORBY


CITY CLERK

February 20th 2018
DATE SIGNED