

November 2nd, 2015

1. **CALL TO ORDER:** The regular meeting of the Sidney City Council was called to order by Mayor Rick Norby at 6:30 pm.
2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was stated by all present.
3. **ALDERMEN PRESENT:** Sergeant, Gilbert, Koffler, Gartner, Smith, and Christensen
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **October 19, 2015:** Motion was made to approve the October 19, 2015 regular meeting minutes by Alderwoman Christensen, and seconded by Alderman Koffler. All council present voted aye.
 - b. **October 28, 2015 Special Meeting:** Motion was made to approve the October 28th, 2015 special meeting minutes by Alderwoman Sergeant, and seconded by Alderman Gartner. All council present voted aye.
5. **VISITORS:**
 - a. **Lowell Cutshaw: Interstate Engineering**
 - b. **Jackie & Gary Washechek**
 - c. **Patrick Murtagh: Murtagh Municipal Engineering**
 - d. **Tom Flatley: ALD**
 - e. **Carey Wieland**
 - f. **Jon Kleinke**
 - g. **Joel Krautter: Netzer Law Office**
 - h. **Don Netzer: Netzer Law Office**
6. **PUBLIC HEARING:**
 - a. **Zoning for City Initiated Conditionally Annexed Property:** Mayor Norby called the Public Hearing on the zoning for the City of Sidney initiated conditionally annexed property to order at 6:32am. Mayor Norby called for any proponents for the zoning three times, and no one came forward. Mayor Norby called for any opponents for the zoning three times, and no one came forward. With no testimony Mayor Norby closed the Public Hearing the zoning of the City of Sidney initiated conditionally annexed property.
7. **MAYOR NORBY:**
 - a. **Swearing in of City Attorneys: City Attorney Joel Krautter, Deputy City Attorneys Don Netzer and Tara Rose-Miller:** Mayor Norby swore in City Attorney Joel Krautter and Deputy City Attorney Don Netzer. Deputy City Attorney Tara Rose-Miller would be given the oath of office the next day, as she could not attend the meeting.
 - b. **DNRC Grant for Wastewater System Improvements Phase 2-Permission to sign:** Mayor Norby asked for the Sidney City Council's approval to sign the DNRC Grant for the Wastewater System Improvements in Phase 2, the grant is for \$125,000.00. Motion was made to approve Mayor Norby signing the DNRC Grant for the Wastewater System Improvements was made by Alderman Smith and seconded by Alderwoman Sergeant. All council present voted aye.
 - c. **Red Ribbon Week Thank you:** Mayor Norby thanked all that where involved with the Red Ribbon Week festivities, which he stated where very educational and entertaining for the community.
 - d. **Eastern Montana Energy/Legislative Partners meeting:** Mayor Norby stated that he, Utilities Manager Anderson and PWD Hintz attended the Eastern Montana Energy/Legislative Partners meeting in Miles City, and that he thinks that many good legislative ideas came from the meeting.
8. **COMMITTEE WORK:**
 - a. **Street & Alley:**
 - i. **Wagon Wheel SID:** Alderwoman Christensen stated that the Street and Alley Committee met with Interstate Engineering and City Staff to go over the cost of the proposed Wagon Wheel SID. She stated that with the cost estimates the Committee thought it would be best to send out individualized letters to each of the impacted citizens in the SID and then have an informal meeting with them about the cost. She stated that Interstate Engineering provided a cost of approximately \$5,000 to do this process. Mr. Cutshaw, of Interstate Engineering stated that there is 114 lots in the proposed SID and that Interstate Engineering will get all the acreage and frontage for all the lots and get an accurate cost estimate for each one so property owners can make informed decisions. Motion was made to approve Interstate Engineering putting the information together, sending out the letters and holding the public meeting by Alderman Smith, and Alderman Koffler seconded the motion. All council present voted aye.
 - ii. **Sunrise Subdivision:** Alderwoman Christensen stated that the Street & Alley Committee met to discuss the infrastructure issues in Sunrise Subdivision with City Staff. Alderwoman Christensen, off the recommendation of the Street and Alley Committee, made a motion to suspend all sales and building permits until all infrastructure is corrected and approved by City Staff, and Alderwoman Gilbert seconded the motion. Mr. Flatley, from ALD, asked what infrastructure issues the Committee where concerned with. Alderwoman Christensen stated the thickness of the paving have been completed, the north cul de sac on Sunrise Court has been paved, and the overlay has been placed on 4th and 6th St and the sewer line issues. Mr. Flatley provided the Council with photos showing that the approaches on 4th and 6th St He also stated that they are actively working under the management of WWC Engineering to get the sewer line correction complete, and they will have the City video the line before they close the whole and patch the paving. He also stated that the asphalt thickness was isolated to where the sewer line fix is located, as they have proved by the boring samples provided by Interstate Engineering, and that they will be checking to see the distance that needs to correct and they will ensure the repaving of that area is within the required specs. Alderwoman Gilbert asked if core samples will be provided to ensure that the paving is done correctly, and PWD Hintz stated that the Engineering Firm of WWC will ensure it is done correctly. Alderwoman Gilbert asked why the paving was done incorrectly if an engineering firm was on site to ensure done correctly, and PWD Hintz stated that 5 core samples were taken in the Subdivision and all where correct except in this location, and he is unsure why this location was done incorrectly. PWD Hintz stated that his main concerns are 1. The sewer line being correct, 2. The cavitation from the newly dug hole is compacted correctly, and 3. The asphalt thickness is corrected to be 2.5 – 3.5 inches. Alderwoman Gilbert asked how the City can ensure that things are done correctly when the SIA did not require a bond, and if the City can now require a bond so the City would not be stuck with paying for the improvements if they are not done correctly. Mr. Flatley stated that because the Council not move forward with the motion on the table. Alderman Koffler stated that he thinks more core samples may be needed from the entire subdivision to prove the paving is correct, and PWD Hintz stated that it was discussed but nothing decided on. City Planner How stated that given the new information provided he would recommend amending the current motion to include pending the Public Works acceptance of the work being completed. He stated that conditional approval as long as the Public Works signs off on the work, and suspend selling of lots and giving of building permits if they do not at the next council meeting. Alderwoman Gilbert asked if the core samples provided are within the required specs, and PWD Hintz stated that they are within ½ an inch. Mayor Norby asked if City Staff was in contact with WWC Engineering and if everything looks ok up to this point, and PWD Hintz stated that they are in close communication with WWC Engineering and so far everything is ok. Alderwoman Gilbert asked PWD Hintz if his main concern was the sewer line correction area and if there are homes there and PWD Hintz stated yes that his the area of concern, and Mr. Flatley stated that there is only sample homes in that area. PWD Hintz stated his other concern is the side walls in the trench done for the sewer line correction have cavitated and that the dirt needs compacted correctly or the streets will fail. Mayor Norby asked if that entire area will be torn down and compacted, and Mr. Flatley stated that the area plus an additional 2 feet past the trench will be compacted for patching the asphalt. City Planner How asked for a time line on the work, and Mr. Flatley stated that the sewer line should be available for the City to check Tuesday or Wednesday and the rest up to grade this week. He stated the paving and patching will take place the following week. Mr. Flatley stated that all concerns will be addressed and corrected to City requirements. City Planner How asked if the City has looked at or signed off on the approaches and Sunrise Court, and PWD Hintz stated that he sent a representative to look at them and they looked okay but that he has not had a chance to review or sign off on. City Planner How stated that the City has 30 days to sign off on according to the SIA. Alderwoman Christensen made a motion to amend her previous motion to include that the City will not suspend if City Staff signs off on the work before the November 16th 2015 meeting, and Alderwoman Gilbert seconded her amendment. UM Anderson stated that they will have to have a mandrill test and TV of the sewer line before the City will sign off on the sewer line correction, and Mr. Flatley stated he will meet with UM Anderson about getting that done. All council present voted aye.

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- b. **Park & Rec: Hockey Dome and Alcohol Permit:** Alderman Koffler stated the Park & Rec Committee met with Chief DiFonzo to discuss Alcohol at the Hockey Dome. Alderman Koffler stated that Chief DiFonzo will outline the requirements for getting alcohol licenses when alcohol is going to be sold, and get them to the Hockey Association to get a procedure in place, and he will then report back to the Council.

9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Nothing

10. UNFINISHED BUSINESS: Nothing

11. NEW BUSINESS: Nothing

12. CITY PLANNER HOW:

- a. **City Planner How** stated that because there was not Public Comment on the Zoning of the City Initiated Conditionally Annexed Property, he will bring the zoning before the Council at the November 16th meeting for final approval. Alderwoman Christensen asked how the new and updated zoning codes will affect the new zoning of these properties. City Planner How stated that the properties will be brought in under the current zoning codes, but that the updated codes will not impact the new area's zoning. He also stated that if anyone has any concerns with the zoning code update that they can contact him.

- b. **Sunrise Subdivision Improvement Agreement Extension:** Tabled November 16th 2015

13. CITY ATTORNEY NAVRATIL: Nothing

- a. **CHIEF OF POLICE DIFONZO: Nothing**

14. PUBLIC WORKS DIRECTOR HINTZ:

- a. **Report:** PWD Hintz provided his monthly report to the Council, and stated that Garbage Truck number 832 was hauled to Dickinson for repairs, and that the City of Sidney had to hire Richland County for the hauling. He stated that they have been using the backup trucks, so pick-ups are proceeding as normal, and that he does not know the cost of the repairs at this moment.

PWD Hintz also informed the Council that MDU is currently re-installing the lights in the Wagon Wheel Subdivision, and due to not correct placements of trailers in the subdivision there may be complaints on the placing of the poles. Alderwoman Gilbert asked if the Wagon Wheel Subdivision has a lighting district in place, and PWD Hintz stated that they do and have been paying for the lighting on their taxes.

PWD Hintz informed the Council that the PWD Department has been working on the drainage issues by 1st Choice, including cleaning the drainage ditch, and pulling tees. He stated that they hope to insert a drain into Cambrian Lane this fall.

15. COMPLIANCE OFFICER MEAD:

- a. **Report:** Compliance Officer Mead provided the Council with his monthly report, and no questions were asked.

16. FIRE MARSHAL GILBERT: Nothing

17. CITY TREASURER DEY: Nothing

18. CITY CLERK REDFIELD: consent agenda

- a. **GENERAL JOURNAL VOUCHERS: e-mailed**

- b. **Claims to be approved:** \$ 94,707.89 + \$36,914.71 = \$131,622.60

2016-50
2016-51
2016-52
2016-53

Ryan Kirschewman
Terry Klein
MR&J Properties
Meagan Dotson

323 21st Ave NW
312 21st Ave NW
2903 Red River Drive
518 26th Ave NW

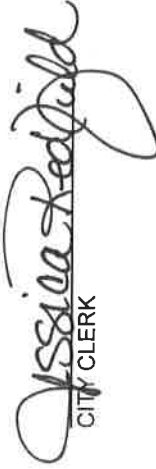
Manufactured
Mobile Home
New Home
Mobile Home

L22, West Sidney Mobile Home Village
L7, West Sidney Mobile Home Village
L7, JD Commercial Park
S1/2 L4, BC, Hilltop Estates

A motion to approve the consent agenda was made by Alderman Koffler and seconded by Alderman Smith. All council voted Aye.

Meeting was adjourned at 7:11 pm

ATTEST:


CITY CLERK


MAYOR NORBY

November 16, 2015
DATE SIGNED