

# October 19, 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: Christensen, Smith, Gartner, Koffler, Gilbert, and Sergeant

Mayor Norby asked the Council for a motion to add the Sunrise Subdivision Improvement Agreement Extension to the regular agenda, under City Planner How, as it was left off accidentally. Motion was made to approve adding the Sunrise Subdivision Improvement Agreement Extension to the regular agenda for October 19, 2015 was made by Alderwoman Christensen and seconded by Alderman Gartner. All council present voted aye.

#### 4. CORRECTION OR APPROVAL OF MINUTES:

- a. October 5, 2015: Motion was made to approve the minutes from the October 5, 2015 regular meeting was made by Alderwoman Christensen and seconded by Alderwoman Sergeant. All council present voted aye.

#### 5. VISITORS:

- a. Dain Earwood: Foundation for Community Care
- b. Gert Christensen: Keystone Construction
- c. Sarah Haines: Checkers
- d. Katy DeMangelaere: Checkers
- e. Rachel Leininger: Checkers
- f. Janette McCollum: Checkers
- g. Adam Smith: Interstate Engineering
- h. Lowell Cutshaw: Interstate Engineering
- i. Duane Bieber: Richland County
- j. Sierra Propp: Checkers
- k. Troy Jensen
- l. Joel Krautter: Netzer Law Officer
- m. Meagan Dotson: Roundup
- n. Mark Delaney: Boy Scout Troop 187
- o. Josh Delaney: Boy Scout Troop 187
- p. Wyatt Reid: Boy Scout Troop 187

#### 6. PUBLIC HEARING: Nothing

#### 7. MAYOR NORBY:

- a. Red Ribbon Week Proclamation: Mayor Norby read the Red Ribbon Week Proclamation out loud. Motion was made to approve the proclamation announcing October 23<sup>rd</sup> to October 31<sup>st</sup> to be Richland County Red Ribbon Week was made by Alderwoman Sergeant and seconded by Alderman Koffler. All council present voted aye.

#### 8. COMMITTEE WORK:

- a. Budget and Finance: IT proposals from Pine Cove and MARCO: Alderwoman Sergeant stated that the Budget and Finance Committee met on October 19, 2015 to discuss the two proposals for the City Hall IT from Pine Cove and Marco. This was tabled for further investigation until the November 2, 2015 meeting.

#### 9. ALDERMEN REQUESTS AND COMMITTEE REPORTS: Alderwoman Gilbert stated that the bike signs on Holly are cool and a good addition. PWD Hintz stated that there will be a stripped bike path on both sides of Holly once the stripping is done.

#### 10. UNFINISHED BUSINESS: Nothing

#### 11. NEW BUSINESS: Nothing

#### 12. CITY PLANNER HOW:

- a. Zoning Update for City Initiated, Conditionally Annexed Property – Tabled to November 2 to allow sufficient notification period: City Planner How stated that the Zoning Board met twice to discuss the zoning of the parcels in the Conditionally Annexed property, at the first meeting they tabled their decision to approve the zoning of the parcels to allow for changes to be made. He stated that at the November 2, 2015 regular council meeting there will be a public hearing for the City Initiated Conditionally Annexed Property zoning. City Planner How stated that if anyone was here to testify on the zoning they can make statements at tonight's meeting.

Troy Jensen stated that he was unable to attend the zoning board meetings due to conflicting schedule with work, but that his wife attended. He stated that when their property was initially zoned CLM they, as property owners, had no issue with the zoning of CLM at the first zoning board meeting, but the classification was changed to B2 at the second meeting. He stated that they would like to City Planner How to work out the questions. City Planner How stated he will contract Mr. Jensen, and that the reason for the change was that the Zoning Board members did not feel comfortable having CLM zoning in the middle of residential district.

- b. Amended Plat of Lots 8 and 9 of Block 5, Hillside Acres Subdivision Phase II: City Planner How stated that this a lot aggregation where Lots 8 and 9 will become Lot 8A, and that there was no issues with this aggregation and that he recommends approval with no conditions. Motion was made to approve the Amended Plat of Lots 8 and 9 of Block 5 in the Hillside Acres Subdivision Phase II by Alderwoman Christensen and seconded by Alderman Koffler. All council present voted aye.
- c. Amended Plat of Lots 7 and 8, Block 1 of Johnson's First Addition and Lot 1 of Block 2 of Johnson's Second Addition: City Planner How stated that this is a lot aggregation of Lots 7 and 8 to become Lot 7A, and that the issues with the AT&T easement and possible extension was addressed and no further requirements are needed. He stated he recommends approval with no conditions. Motion was made to approve the Amended Plat of Lots 7 and 8 of Block 1 in Johnson's first Addition and Lots 1 of Block 2 in Johnson's Second Addition by Alderman Smith and seconded by Alderwoman Sergeant. All council present voted aye.
- d. Amended Plat of Lots 34 and 35 of Block 6 Meadow Village South Subdivision Phase 1: City Planner How stated that this is a lot aggregation of Lots 34 and 35 to become Lot 34A. He stated that on the Montana Cadastral site it shows the property owner as the City of Sidney, but after proof of deed was provided showing it is owned by Mr. Prevost, he recommends approval with no conditions, and he stated that he is working with the Richland County Clerk and Records office to get the Montana Cadastral site updated correctly. Motion was made to approve the Amended Plat of lots 34 and 35 of Block 6 of Meadow Village South Subdivision Phase 1 by Alderman Koffler, and seconded by Alderwoman Christensen. Alderwoman Gilbert asked City Planner How when he expected to hear from the Clerk and Records office on the proof of ownership of the property. City Planner How stated that proof was already given, that he just needed to work with them to get the site updated. All council present voted aye.
- e. Verizon Wireless Tower CUP: Tabled
- f. Sunrise Subdivision Improvement Agreement Extension: City Planner How stated that he was in contact with Tom Flatly who stated that Don Franz and Franz Construction will begin the paving of 4<sup>th</sup> and 6<sup>th</sup> street and the cul de sac this week. City Planner How stated that their SIA extension expired October 6<sup>th</sup>, and according to the extension they were to have all improvements for Phase 1 complete by that date, and they have not been satisfied at this point. He also stated, per the testimony of Tom Flatly at the last City Council meeting, they hope to have the paving and the belly in the sewer line, which are the last improvements required, done this fall. City Planner How stated that the Council has options before them, including extending the SIA again through November 1<sup>st</sup> or 15<sup>th</sup> to allow them to finish the paving and fix the sewer, they can suspend final plat due to the improvements not being done, or they can table the decision until the November 2<sup>nd</sup> meeting to see if the improvements are done. Mr. Christensen stated that they are working on getting the improvements done, and it is their intent to have them done by the end of the month. Motion was made to table the Sunrise Subdivision Improvement Agreement Extension until the November 2, 2015 meeting was made by Alderman Smith and seconded by Alderwoman Christensen. Alderwoman Gilbert ask Mr. Christensen if the improvements include the low spots that have settled, and he responded that yes Franz Construction is going to fix them when they pave. City Planner How asked PWD Hintz if the WWC thought that the sewer belly could be fixed by November 1<sup>st</sup>, and PWD Hintz stated they did. All council present voted aye.
- g. City Planner How stated he was able to get a hold of Shane Mintz at the MDT pertaining to the Lincoln and Holly situation, and asked if he had been in contact with Chief DiFonzo. Chief DiFonzo stated he had been contacted and an agreement was made.

#### 13. CITY ATTORNEY NAVRATIL:

October 19, 2015

a. City Attorney Contract: Tabled

**14. CHIEF OF POLICE DIFONZO:**

- a. **Report:** Chief DiFonzo stated that the traffic safety lights for Central School have been ordered and should be delivered in the next couple days, and installed in the next couple weeks
- b. Chief DiFonzo informed the council that he will be attending training for officer safety December 6<sup>th</sup>-11<sup>th</sup>, 2015.
- c. Chief DiFonzo stated that there has been questions and concerns about how the City of Sidney would classify the Hockey Dome, and if it should be considered a City Park for permitting of alcohol and special events. It was the general consensus of the City Council to send this issue to the Park and Rec Committee.

**15. PUBLIC WORKS DIRECTOR HINTZ:**

- a. **Report**
- b. **Task Order 7C-Design for the Wastewater System at Sidney-Phase 3 Design Only:** PWD Hintz stated that a contract with Murtagh Municipal Engineering has already been signed, and that Task Order 7c is a supplemental to that contract, but the amounts have not changed from the previous task orders. Alderwoman Gilbert asked if this was a budgeted item, and PWD Hintz stated that this is paid for under the SRF Loans that the City of Sidney is acquiring for the new lagoon. Motion was made to allow Mayor Norby to sign Task Order 7C from Murtagh Municipal Engineering for the Wastewater System Phase 3 design by Alderman Smith, and seconded by Alderwoman Sergeant. All council present voted aye.
- c. PWD Hintz stated that he and Parks Superintendent Ridl will be attending the Park and Rec Trails Conference to try to lobby for more grant funds for projects such as the Bike Path, of which they City has applied for numerous times and not been awarded. He stated the conference is October 26<sup>th</sup>-28<sup>th</sup>.

**16. COMPLIANCE OFFICER MEAD:**

- a. **Report:** Compliance Officer Mead presented the Council with the monthly Park and Rec Advisory Committee report. Chief DiFonzo stated that he has stood next to the new compressor at the Hockey Dome as it was running and he could barely hear it, and that he believes they have met the obligations that the City set.

**17. FIRE MARSHAL GILBERT:**

**18. CITY TREASURER DEY:**

**19. CITY CLERK REDFIELD: consent agenda**

- a. **GENERAL JOURNAL VOUCHERS:** e-mailed October 2, 2015

- b. **Claims to be approved:** \$ 35,586.87

City Clerk Redfield informed the Council that there were 4 late claims that needed to be added to the Claims to be approved for a total of \$5,442.63 bringing the new total to \$41,029.50.

2016-47  
2016-48  
2016-49

Ken Moen	701 3 <sup>rd</sup> St NE	Addition	L1, B12, Kenoyer
Sidney Country Club	W of Sidney	Sign	L1, B1, Mayo
SPF Energy	902 S Central Ave	Remodel	1.38 Ac in SWSW Super Pumper

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 7:18 pm

ATTEST:

  
CITY CLERK

  
MAYOR NORBY

November 2nd, 2015  
DATE SIGNED