

September 2, 2014

1. **CALL TO ORDER:** The regular meeting of the City of Sidney 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, and Sergent
4. **CORRECTION OR APPROVAL OF MINUTES:**
 - a. **August 18th, 2014:** Motion was made to approve the August 18th, 2014 minutes by Alderwoman Sergent, and seconded by Alderwoman Christensen.
5. **VISITORS:**
 - a. **Andrea J. Barrett, MD; Fowl in City Limits:** Dr. Barrett stated that she had previously had chickens within the city limits of Sidney, and she apologized as she was not aware of the ordinance that prohibits this. She then asked the Council if she could get permission to have a small number of chickens, not roosters, who do not run loose, within the city limits. Alderman Smith stated that he felt that this would be opening the door for more issues with other fowl and animals within the city limits. It was decided by general consensus to not move forward with changing the ordinance or allowing Dr. Barrett to have chickens within the city limits.
 - b. **DRWA-Tom Ruffatto and Mandi Nay:** DRWA asked the city council to move forward with previously decided motion and agreement to allow DRWA to pay \$100,000 down on their impact fees and to pay the remaining balance via payments, following an agreement as set by DRWA and the City of Sidney. Mrs. Nay stated that after the first decision it came to DRWA that water could not be provided from the City of Sidney until the city had the formal proclamation from the DNRC allowing this. DRWA then asked the City of Sidney to hold the check until services could be initiated. Alderman Smith made a motion to move this to the Water and Sewer Committee, and Alderwoman Sergent seconded the motion. All council present voted aye.
6. **PUBLIC HEARING:**
 - a. **Budget Public Hearing-FY 2014-15 Budget:** Mayor Norby called the public hearing for the FY 2014-15 City of Sidney Budget to order. Mayor Norby asked for any citizens with opposition to the FY 2014-15 City of Sidney budget to come forward three times, with no public comment. Mayor Norby asked for any citizens for the FY 2014-15 City of Sidney budget to come forward three times, with no public comment. Mayor Norby closed the public hearing of the City of Sidney FY2014-15 Budget.
7. **MAYOR NORBY:**
 - a. **Allegiance Flexible Benefits Plan: Restatement of Plan:** City Clerk Redfield informed the City Council that the agreement that was e-mailed to the Council has no changes from the previous year's agreement. Mayor Norby stated that he needed permission to sign the Allegiance Flexible Benefits Plan. Motion was made to allow Mayor Norby to sign the Allegiance Flexible Benefits Plan by Alderman Smith, and seconded by Alderman Koffler. All council present voted aye.
 - b. **Special Use Permit: Construct a street of USBR Drainage Ditch:** City Planner How stated that this is a permit to allow for a crossing in the Homestead Subdivision allowing to build a crossing on the drainage ditch right of way. Mayor Norby stated that he needed permission to sign the Special Use Permit. Motion to approve Mayor Norby signing the Special Use Permit was made by Alderwoman Christensen and seconded by Alderman Gartner. All council present voted aye.
8. **COMMITTEE WORK:** Nothing
9. **ALDERMEN REQUESTS AND COMMITTEE REPORTS:** Nothing
10. **UNFINISHED BUSINESS:**
 - a. **Richfield Addition Lot Vacation-un-tabled:** Motion was made to un-table the Richfield Addition Lot Vacation by Alderman Smith, and seconded by Alderman Koffler. All council present voted aye. City Planner How stated that Joe Russell submitted the application to vacate Lots 7-12 on Block D of the Richfield Subdivision, with the purpose of allowing Kum & Go to amend Lot 6 of Block D of the Richfield Subdivisions zoning to allow them to build on that lot. City Planner How stated it was his recommendation to grant the Lot Vacation of Lots 7-12 of Block D of the Richfield Subdivision. Motion was made to approve said lot vacation by Alderman Smith and seconded by Alderman Gartner. All council present voted aye.
11. **NEW BUSINESS:**
 - a. **LYREA Easement Request:** Utilities Manager Anderson stated that LYREA is seeking approval to have an easement at the old landfill to run electricity across the north edge of the property for equipment to be installed. Motion to grant the LYREA easement request was made by Alderman Smith and seconded by Alderwoman Sergent. All council present voted aye.
 - b. **Building Inspector Hillesland-Plan Review Fees:** Building Inspector Hillesland told the council that the plan review fees currently in place need to be increased due to the amount of time that is needed by PWD Hintz, U.M. Anderson, and himself in reviewing the extensive plans coming into the City. After presenting the new fees a motion was made to pass the fees by Alderwoman Sergent and seconded by Alderwoman Christensen. All council present voted aye.
12. **CITY PLANNER HOW:**
 - a. **Greg Miller Amended Plat:** Planner How stated that the amended plat was due to two lot aggregations. Lots 2 and 3 becoming Lot 2a and Lots 4 and 5 becoming 3a. They are doing this for the purpose of constructing larger single family homes on the lots than the smaller lots would have allowed. Motion was made at the recommendation of City Planner How to approve the Greg Miller Amended Plat by Alderwoman Christensen and seconded by Alderman Smith. All council present voted aye.
 - b. **Sunset Apartments Boundary Line Relocation:** City Planner how stated that they are moving the lot line to comply with zoning codes, as they are putting up 2 new buildings in place the ones that were demolished. Motion was made to approve the Sunset Apartments Boundary Line Relocation by Alderwoman Sergent and seconded by Alderman Smith. City Planner How stated that the easement locations have not been approved, so would like the motion to include the condition that they are approved. Alderwoman Sergent amended her previous motion to include the condition that all easements are approved, and Alderman Smith seconded her amendment. All council present voted aye.
 - c. **Homestead phasing plan:** City Planner How stated that this was just an FYI at this point, and that it had to go to the planning board before it came before the council. This phasing has to do with the previously approved Special Use Permit to allow the crossing of the USBR Drainage Ditch.
13. **CITY ATTORNEY NAVRATIL:**
 - a. **Resolution 3688- Dissolving the HR Committee:** City Attorney Navratil read aloud Resolution 3688, dissolving the HR Committee, per the request at the last city council meeting. Motion to approve Resolution 3688 was made by Alderman Smith, and seconded by Alderman Koffler. All council present voted aye.
 - b. **Resolutions 3671-3687- Budget Resolutions FY14-15:** City Attorney Navratil read aloud Resolutions 3671-3687, setting the City of Sidney budget for FY 2014-15. Voting went as follows:
 - 3671: Motion to pass made by Alderman Smith, seconded by Alderwoman Christensen, all aye
 - 3672: Motion to pass made by Alderman Smith, seconded by Alderman Gartner, all aye
 - 3673: Motion to pass made by Alderman Smith, seconded by Alderman Gartner, all aye
 - 3674: Motion to pass made by Alderwoman Sergent, seconded by Alderman Koffler, all aye
 - 3675: Motion to pass made by Alderwoman Sergent, seconded by Alderman Smith, all aye
 - 3676: Motion to pass made by Alderman Koffler, seconded by Alderman Christensen, all aye
 - 3677: Motion to pass made by Alderman Smith, seconded by Alderman Koffler, all aye
 - 3678: Motion to pass made by Alderman Smith, seconded by Alderwoman Sergent, all aye
 - 3679: Motion to pass made by Alderman Smith, seconded by Alderman Koffler, all aye
 - 3680: Motion to pass made by Alderwoman Christensen, seconded by Alderman Smith, all aye
 - 3681: Motion to pass made by Alderman Smith, seconded by Alderman Sergent, all aye
 - 3682: Motion to pass made by Alderman Smith, seconded by Alderwoman Christensen, all aye
 - 3683: Motion to pass made by Alderman Koffler, seconded by Alderwoman Christensen, all aye
 - 3684: Motion to pass made by Alderwoman Christensen, seconded by Alderman Gartner, all aye
 - 3685: Motion to pass made by Alderwoman Christensen, seconded by Alderman Gartner, all aye

September 2, 2014

- 3686: Motion to pass made by Alderman Smith, seconded by Alderwoman Christensen, all aye
3687: Motion to pass made by Alderman Smith, seconded by Alderman Koffler, all aye
14. CHIEF OF POLICE DIFONZO:

- a. Chief Update: Chief DiFonzo stated that he received a letter from the State of Montana granting us a \$25,000.00 grant to help with the cost of the K-9 program, received by the aid of Alderwoman Gilbert. Chief DiFonzo stated that there is no match for this grant, but that he needs Mayor Norby to sign a letter accepting the grant. Alderman Smith asked how the K-9 program was going and Chief DiFonzo stated it was going very well, the dog is young but Officer Rosalles is working well with him.

Chief DiFonzo wanted to inform the council that there had been complaints on the chickens that was discussed previously in the meeting, and that he agreed with the council decision to keep the ordinance as is.

15. PUBLIC WORKS DIRECTOR HINTZ:

- a. Monthly Update: PWD Hintz presented the council with his monthly report.
b. BNSF-Close 3rd Street crossing: PWD Hintz informed the council that BNSF will be presenting the council with a formal request to close the 3rd street crossing at the September 15, 2014 meeting. He stated that he felt there was huge ramifications if this crossing is closed.
c. Murtagh Municipal Engineering: Patrick Murtagh presented the council with an update on the Fischer Bypass project and the Phase 1 of the lagoon project.

16. COMPLIANCE OFFICER MEAD:

- a. Monthly Update: Compliance Officer Mead presented the council with his monthly report. Alderwoman Sergeant told Compliance Officer Mead that she received a complaint on the dog smell is getting worse at East Main and 7th Street. C.O. Mead informed Alderwoman Sergeant that he is aware of the situation but that he is having issues with getting help from the Sanitarian. Chief DiFonzo stated that the newly passed Ordinance should aid in this once it is out of the 30 day wait.

17. CITY TREASURER: Nothing

18. CITY CLERK REDFIELD: consent agenda

- a. GENERAL JOURNAL VOUCHERS: e-mailed August 29, 2014
b. CLAIMS TO BE APPROVED: \$96,202.36 plus \$17,953.00= \$114,155.36
c. BUILDING PERMITS:

Sidney Chamber Office	909 S Central Ave	Remodel	Unit 406
The Rush	853 S Central Ave	Shed	Peterson's 1 st Add Track 2
Donovan Holt Jr	614 3 rd St NE	Fence	Lot 13, Block 8, Kenoyer
David Berry	526 7 th Ave NE	Mant. Home	Lot 7, Block 5, Fischers
Asian Gardens	115 East Main	Concrete Reinforcement	Lot 1, Block 14, Original
Crescent Electric	HWY 16 North	Addition	Lot 9a, Block 1, Augustus Vaux
Sidney Candlewood LLC		Addition	Sidney Fairgrounds
Sidney Country Club	2250 West Holly St	Road Sign	Sidney Fairgrounds
Sidney Country Club	2250 West Holly ST	Road Sign	
Park Plaza Motel	601 South Central	Sign	Lot 1, Block 1, South Park
Greg & Linette Miller	329 23 rd Ave NW	New Home	Lot 4 & 5, Miller Corner Sub
Greg & Linette Miller	333 23 rd Ave NW	New Home	Lot 2 & 3, Miller Corner Sub
Scott Babcock	526 8 th Ave NE	Storage Shed	Lot 25, Fischer's Estate
Tracy Trudell	1997 Sunflower Lane	Fence	Rg 59E, South Meadow Add
C-3 Construction	1966 Sage Lily	Single Family Home	South Meadow
C-3 Construction	2816 Niehenke Dr	Single Family Home	Lot 3c, Block 4, Wilkinson
C-3 Construction	2810 &2812 Niehenke Dr	Duplex	Lot 2a, Block 4, Wilkinson

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

City Clerk Redfield informed the City Council that Treasurer Hoon's last day at the city was Friday August 29, 2014, that the interviews have been held for the position, and that it had been offered and accepted. The new treasurer wished to not announce until the next council meeting so that she could give notice at her current job.

City Planner How also informed the council that the SLA extension for the Sunrise Subdivision expires September 13, 2015 so decision to suspend the final plat or extend the Subdivision Improvement Agreement will need to be decided on at the September 15, 2014 regular city council meeting

Meeting was adjourned at 7:44 pm

ATTEST:


JESSICA REDFIELD
CITY CLERK


MAYOR NORBY

September 15, 2014
DATE SIGNED