



City of Sidney, MT  
City Council Regular Meeting 8-15-22  
August 15, 2022 6:30 PM  
115 2nd Street SE | Sidney, MT 59270

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The City Council meetings are open to the public attending in person, with masks encouraged when social distancing cannot be accomplished. If the public does not wish to participate in person, they are also invited to participate via a Zoom meeting. You can participate via phone:

Meeting ID: 853 9420 5607 Passcode: 4332809 Call: 1-346-248-7799

1. **Call to Order**

Mayor Norby called the regular meeting of the Sidney City Council to order at 6:30pm.

2. **Pledge of Allegiance**

The Pledge of Allegiance was stated by all present.

3. **Aldermen Present**

Christensen, Godfrey, Stevenson, Koffler, Rasmussen and DiFonzo

4. **Correction or Approval of Minutes**

a. **Regular City Council Meeting 8-1-22**

Motion was made to approve.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

b. **Park and Rec Committee Meeting 8-8-22**

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

**c. Budget and Finance Committee Meeting 8-8-22**

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman DiFonzo.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

**5. Visitors**

Jordan Mayer-Interstate Engineering

**6. Public Hearing**

Clerk/Treasurer Chamberlin stated the FY22-23 Public Hearing will be held on August 29th, 2022 at 6:30pm, following which will be the passage of the budget resolutions.

**7. Mayor Norby**

**a. Suicide Prevention Week Proclamation**

Mayor Norby read the 2022 Suicide Prevention Week Proclamation out loud.

Motion was made to approve the proclamation.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

**8. Committee Meeting Work**

**a. Park and Rec Committee Meeting 8-8-22: South Meadow Playground Equipment (recommendation and motion)**

Alderman DiFonzo stated the Park and Recreation Committee met and reviewed the location for the playground equipment in South Meadow Village Park. He stated the estimated size of the location will be 36 foot square and it will be located on the southwest corner of the concession stand, close by the netting the City has already put up. He stated they recommended approval of the location as provided by the site plan for the playground equipment with the conditions that the equipment has a 5-to-6-foot fence with one entrance towards the field, the barricades are moved to encompass the playground and the city provide additional netting to cover the equipment and to allow the further improvements to the dugout roofs and concrete under the bleachers on field 3. He stated that Adult Softball had no issues with these conditions.

Motion was made to approve with conditions outlined in the recommendation of the Park and Recreation Committee.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.  
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,  
Alderwoman Godfrey, Alderwoman Christensen

**b. Budget and Finance Committee 8-8-22: FY22-23 Preliminary Budget** (recommendation-resolution further on agenda)

Alderwoman Christensen stated the Budget and Finance Committee met and reviewed the FY22-23 budget and have recommended approval. She called on Clerk/Treasurer Chamberlin to give the budget presentation.

Clerk/Treasurer Chamberlin presented the FY22-23 budget, reviewing in detail the expenditures, revenues and cash. In her presentation she stated the preliminary budget has the City of Sidney using all of its allowed mills and does not increase the property tax assessments for this fiscal year.

**c. Water and Sewer Committee Meeting 8-9-22: ARPA Minimum Allocation Grant (HB632) Project** (recommendation and motion)

Alderman Koffler stated the Water and Sewer Committee met and reviewed the possible uses for the ARPA Minimum Allocation Grant of approximately \$1.081 million that is a 50-50 match. He stated they recommended using it on the Water Tower Project planned in the City of Sidney's projects designated in the 2019 5-year rate increase plan, doing the project in 2024 or later. Mr. Mayer stated that if there is savings there is multiple water projects it can be used for.

Motion was made to approve moving forward with using the ARPA Minimum Allocation Grant for the water tower project.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.  
Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson,  
Alderwoman Godfrey, Alderwoman Christensen

**9. Alderman Requests and Committee Reports**

**Parks and Recreation** – Chairman Difonzo – Godfrey, Christensen | **Water and Sewer** – Chairman Koffler – Godfrey, Rasmussen

**Street and Alley** – Chairman Christensen– Difonzo, Stevenson | **Sanitation** – Chairman Rasmussen – Koffler, Stevenson

**City Buildings & Street Lighting** – Chairman Stevenson– Koffler, Rasmussen | **Police and Fire** – Chairman Godfrey, Godfrey, Difonzo, Christensen

**Budget and Finance** – Chairman Christensen – Rasmussen, Godfrey

Nothing.

**10. Unfinished Business**

Nothing.

## **11. New Business**

### **a. TBID Petition to Continue Due September 15th, 2022**

City Attorney Kalil stated the Tourism Improvement District assess a \$1.50 tax on people staying in their hotels that is then used for grant money within the City of Sidney. He stated the TBID district is good for 10 years, and is set to expire in December 2022. He stated the City Council will need time to implement the new TBID, so he would like to see a deadline in September to have time to do so.

Motion made by Alderman Koffler, Seconded by Alderman DiFonzo.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

Voting Abstaining: Alderwoman Godfrey

### **b. Removal of TBID Board Member-Wingate/Microtel**

City Attorney Kalil stated historically there has been a problem in receiving reports and the tax money from several hotels, including the Wingate, Microtel and Holiday. He stated that at the time of the agenda posted the Wingate and Microtel had an outstanding balance of over \$60,000 and so he was going to ask the Council to remove that representation from the board, Dee Henderson, but since he has paid approximately half of the balance for those 2 hotels. He stated due to which he would like to have this tabled until the next meeting to see if payment is continued to be made.

Alderman DiFonzo asked if this was an official tax that the City has assessed and City Attorney Kalil stated they are required to assess this and pay it. Alderman DiFonzo asked if there was any penalty for not paying and City Attorney Kalil stated he is meeting with the Department of Revenue to get clarification, but he believes it is .5% per month or 6% a year. City Attorney Kalil stated he will be reaching out to all of the hotels that have a past due balance and informing them that the City is looking into removing anyone with a past due balance.

Motion was made to table.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Christensen

Voting Abstaining: Alderwoman Godfrey

### **c. Building Official Interlocal Agreement with Richland County**

City Attorney Kalil stated this agreement authorized BI/FM Rasmussen to be the building official in Richland County, a continuation of the same agreement made previously. He stated the Richland County Commissioners have already approved this.

Motion was made to approve.

In discussion Alderman DiFonzo asked if this was specific to FM/BI Rasmussen and City Attorney Kalil stated it is, should Mr. Rasmussen terminate his employment the City would terminate the contract.

Motion made by Alderman Koffler, Seconded by Alderman DiFonzo.

Voting Yea: Alderman Koffler, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

Voting Abstaining: Alderwoman Rasmussen

## **12. City Planner**

### **a. Slocum Lot Aggregation**

Clerk/Treasurer Chamberlin provided the staff report for City Planner Sanderson, who was recommending approval. PWD Hintz stated he had not reviewed this yet. Alderman DiFonzo stated he would like to see it tabled until he can review.

Motion was made to table.

Motion made by Alderman DiFonzo, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

## **13. City Attorney**

### **a. Resolution No. 3885-Preliminary Budget Approval FY22-23**

City Attorney Kalil read Resolution Number 3885, approving the FY22-23 Preliminary Budget, out loud. He stated per the Budget and Finance recommendation and the presentation provided by Clerk/Treasurer Chamberlin he is recommending approval.

Motion was made to approve.

Motion made by Alderman Stevenson, Seconded by Alderwoman Godfrey.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

## **14. Chief of Police**

### **a. July 2022 Police Department Report**

Chief Kraft provided the City Council with the July 2022 Police Department Report.

## **15. Public Works Director**

**a. July 2022 Public Works Report**

PWD Hintz provided the City Council with the July 2022 Public Works Report. He further stated he needs a committee meeting scheduled to review a proposed change to the cell tower lease, American Tower is providing 2 options to continue.

PWD Hintz stated he also needs a Water and Sewer Committee scheduled to review a request of the Food Bank, who is purchasing the old Culligan water building, and they are requesting the City waive the water and sewer bill for it. Mrs. Markwald stated the Food Bank has graciously been housed by the County in the Nutter Building with no rent or utilities. She stated Richland County is looking into renting that building out and so they are pursuing other options. She stated the Food Bank has been struggling and any help is appreciated. She stated the new building would double their space and capabilities of continuing to provide thousands of pounds of food to the community. She stated they are a 509C3 non-profit who provides their services off of donations from the community.

Alderman DiFonzo asked if she has a schedule as to when she needs to know, and she stated as soon as possible. Mrs. Markwald stated she has also asked PWD Hintz to look into assisting with snow removal in the winter. Alderman DiFonzo asked if the Food Bank is offered to stay in the Nutter Building, would they and Mrs. Markwald stated being a quest in their house and not having the room and quarantine of the future, they would still like to move.

Clerk/Treasurer Chamberlin stated the City cannot "forgive" the water and sewer bill, but they can look into paying it out of the Oil and Gas Fund, but she would appreciate time to investigate the yearly cost and it would need to be added to the budget this fiscal year in case.

It was a general consensus for the Budget and Finance Committee to meet to review both the cell tower lease and the food bank.

PWD Hintz stated they are continuing to redo the manholes, the Nielson-Halvorson Project is on punch list items, and they are hoping to pave 7th Ave SE next week. He stated the radar sign is up at the school, but they are still struggling to get paint. Alderman DiFonzo asked about the light on West Holly and PWD Hintz stated it is in the MDT hands and it is scheduled to go to bid this month, but they have informed the City it will likely be the spring of 2023.

**16. Fire Marshal/Building Inspector**

**a. July 2022 Fire Run Report**

FM/BI Rasmussen provided the City Council with the July 2022 Fire Run Report.

**b. Nuisance Committee 8-9-22-Update**

FM/BI Rasmussen stated the Nuisance Committee met and discussed the properties they have been working on. He stated they are waiting on letters from City Attorney Kalil to post on the properties. City Attorney Kalil stated he has the letters ready but it was his understanding that

there may be a couple of other properties to add. Mayor Norby asked about the Long property and City Attorney Kalil stated he sent Mayor Norby an order last week.

## 17. City Clerk/Treasurer

### a. July 2022 JV Report

Clerk/Treasurer Chamberlin provided the July 2022 JV Report for approval.

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

### b. July 2022 Treasurer's Report (expenditure and revenue budget not set-not accurate percentages)

Clerk/Treasurer Chamberlin provided the July 2022 Treasurer's Report. She stated that because the budget has not been approved, it does not include the percentage of the budget that has been passed.

### c. July 2022 Water/Sewer Bank Transfer of \$125,371.35

Clerk/Treasurer Chamberlin presented the July 2022 Water/Sewer Bank Transfer. She stated this includes the property, risk and liability payments to MMIA for FY22-23.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

## 18. Consent Agenda

Motion was made to approve the consent agenda of claims and building permits.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

Voting Yea: Alderman Koffler, Alderwoman Rasmussen, Alderman DiFonzo, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

### a. Claims to be approved: \$176,042.62

### b. Building Permits to be approved:

2023-009     Chantz Nelson     621 4th St SE     Fence     L7, B42, Kenoyer

2023-010	Scot Doty	2549 3rd St NW	Fence	L7&8, Hilltop Enterprises
2023-011	Randy Peters	903 14th St SW	Fence	L7, B6, Peterson 1st Add
RC23-001	MacGrady Const.	966 10th Ave SE	Shop	
RC23-007B	Tveit Farms	13805 HWY 16	Modular and Deck	
RC23-008	Darold Jones	1587 13th Ave SW	Addition	L1, Anderson-Kuck Minor Sub

**19. Adjournment**

at 7:46pm.