



City of Sidney, MT
City Council Regular Meeting 10/21/24
October 21, 2024 6:30 PM
115 2nd Street SE | Sidney, MT 59270

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: 713 080 5898 Passcode: 4332809 Call: 1-346-248-7799

1. Call to Order

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

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all present.

3. Aldermen Present

Christensen, Godfrey, Koffler, DiFonzo and Rasmussen (via phone). Absent: Stevenson.

4. Correction or Approval of Minutes

a. October 7th, 2024 City Council Regular Meeting Minutes

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

b. October 15th, 2024 Water and Sewer Committee Meeting Minutes

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

5. Visitors

a. Morgan Thiel-Introduction

Ms. Theil came before the City Council as the only one running for the District 30 Representative in the November 5th, 2024, election. She stated she wanted to introduce herself to the City Council and hear any issues that know at this time will need to be addressed. Mayor Norby stated he would like her to meet with City Planner Sanderson about the housing complications with legislature and zoning changes that will not work for eastern Montana as one size fits all is a horrible policy, and it will take us backwards.

b. Other's Present:

Sidney Chamber of Commerce: Ms. Godfrey came before the City Council to discuss a proposed change to the upcoming Christmas Stroll Event. She stated she would like to include a Christmas Crawl downtown in Sidney on November 30th. This is essentially a Christmas themed Bar Crawl where bars have a specialty holiday themed drink. Attendees will have the opportunity to vote on their favorite drink through a texting platform. She stated she would like to sell tickets to for this and each ticket would include the specialty drink at each location, a wrist band, and a holiday hat. The hours for this event would be 12pm – 8pm, which coincides with festivities around Shop Small Saturday. Besides each shop having their own individual shopping sales that day, we'll also be having a "Cowboy Christmas" in the Yellowstone Merc building from 9am – 4pm. Ms. Godfrey included signage defining the four-square block area of the "Christmas Crawl" will be posted on the corner of each block to remind consumers to throw away their beverages once they've reached the perimeter of the event with garbage cans will be available. She stated she is requesting a variance for Sidney City Code 6-10-2 to allow participants of the Christmas Crawl to take their drinks outside of establishments into the shops for shopping.

Alderman DiFonzo asked if there was any issues previously and Chief Kraft stated we have not granted a variance like this previously, just for contained street dances, but her presentation is very detailed and he sees no pressing issues. Alderman DiFonzo asked any issues be brought back to the City Council for future planning.

Motion was made to add to the agenda-Ken, seconded by Alderman DiFonzo.

In discussion Alderman DiFonzo how many present, and Clerk/Treasurer Chamberlin stated with Alderwoman Rasmussen on phone there is a quorum of 5. With no further discussion, voting went as follows: Aye-3, Present-Alderman DiFonzo, Abstain-Alderwoman Godfrey

Motion was made to approve the request of the Chamber to hold a Christmas Crawl by Alderman Koffler and seconded by Alderwoman Christensen. Voting went as follows: Aye-3, Present-Alderman DiFonzo, Abstain-Alderwoman Godfrey

Other's Present: Martha Nugent, Heather Luinstra, Cyndi Reichenbach, Felix Auguilar, Richard Garcia, Melissa Rosaaen, James Falcon (Sidney Herald) and Sidney High School Students: Audree Deming, Madison Rosaaen, Kyle Humphries. Via Zoom: "L21" and Dianne Swanson

6. Public Hearing

a. Luinstra Zoning Change Public Hearing

Mayor Norby called the Public Hearing for the Luinstra zoning change request to order at 6:42 pm.

City Planner Sanderson stated the request of the zoning change is for Lot 1-2, Block 6 of Wilkson II to amend the zone form R-3: Multi-Family Residential to R-2: One/Two Family Residential, which is the more restrictive zoning. He stated the purpose of the request is to aggregate three lots into one, in which case they must have the same zone which they currently do not. He stated there was a question about the encumbrances for the lots being aggregated and any would remain on the property. He stated the Zoning Board met and held a public hearing on this request, with only Mrs. Luinstra participating and have recommended approval of this change, finding favorable of all 12 points of the test.

Alderman DiFonzo asked if construction is planned on this property, City Planner Sanderson stated yes and all construction use regimen would have to adhere to R-2 zoning.

Mayor Norby called for any opponents, three times, with none coming forward.

Mayor Norby called for any proponents, three times, with Mrs. Luinstra coming forward in favor to aggregate the lots to keep moving forward with building for their family.

Mayor Norby closed the public hearing at 6:47 pm.

b. November 4th, 2024: Mercer Minor Subdivision Public Hearing

Mayor Norby announced there will be a public hearing at the November 4th City Council meeting for the Mercer Minor Subdivision.

7. Mayor Norby

a. Extra Mile Day Proclamation 2024

Mayor Norby read the 2024 Extra Mile Day Proclamation out loud.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

b. Reappoint David Seitz (term end 5-31-26) and Justin Jones(term end 5-31-27) to Board of Adjustments/Zoning Board

Mayor Norby stated he is seeking approval of the reappointment of David Seitz and Justin Jones to the Board of Adjustments/Zoning Board, end of term dates provided.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Christensen.

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

c. Reappoint Travis Rosaaen and Janelle Stoner to City Planning Board-terms ending 12-31-26

Mayor Norby stated he is seeking the confirmation of the reappointment of Travis Rosaaen and Janelle Stoner as the Mayor's appointments to the City Planning Board end of term dates provided.

Motion was made to confirm.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

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

8. Committee Meeting Work

a. Water and Sewer Committee: Martha's House City Sewer Connection

Alderman Koffler stated the Water and Sewer Committee met and reviewed the request of Martha's House to connect to City sewer services, without annexation. He stated it was their recommendation to approve, following all City regulations and paying all applicable fees and costs associated.

Motion was made to approve.

In discussion Alderman DiFonzo asked where they are located and Alderman Koffler stated it was the Fisher house. Alderman DiFonzo asked if this will open gate of other properties and PWD Hintz stated there are already properties not in the City limits who are on City services such as Pust has sewer services as part of easement for another project and sunrise pregnancy center, the Bell shop and SAIA. He further stated they will be paying for all expenses and must sign a waiver of protest for annexation. PWD Hintz stated there are others down 6th Avenue that may want to connect but each would be reviewed case by case and the City can force them to annex if it is an entire area or if they wish. Alderwoman Christensen stated this is only allowed for businesses not residences also and Alderwoman Godfrey stated the cost will deter most people. PWD Hintz stated the point of requesting a waiver of protest is so if we do decide to annex the area they cannot fight it. Alderman DiFonzo asked what Martha's House is and Alderwoman Christensen stated it is a hospice business.

Motion made by Alderman Koffler, Seconded by Alderwoman Christensen.

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

b. Water and Sewer Committee: SAIA City Water Connection

Alderman Koffler stated the Water and Sewer Committee met and reviewed the request of SAIA to connect to City water services and annex into the city limits and already are connected to City sewer. He stated it was their recommendation to approve the connection to City water services, without annexation, following all City regulations and paying all applicable fees and costs associated.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

c. Call for Park and Rec Committee Meeting: Svarre Park Improvements and Veteran's Park Irrigation System

A Park and Recreation Committee Meeting will be scheduled and posted with Alderman Stevenson absent.

9. Alderman Requests and Committee Reports

Parks and Recreation – Chairman DiFonzo – Christensen, Stevenson | **Water and Sewer** – Chairman Koffler – Godfrey, Christensen

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

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

Budget and Finance – Chairman Christensen – DiFonzo, Koffler

Nothing.

10. Unfinished Business

Nothing.

11. New Business

Nothing.

12. City Planner

a. Taylor Lot Aggregation

City Planner Sanderson presented the Taylor Lot Aggregation, stating he has reviewed their application and has recommended approval. R3 zoning, aggregating 3 lots into one, exemption is proper, amended plat and certifications correct.

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

13. City Attorney

a. Ordinance # 600-Luinstra Zoning Change

City Attorney Kalil read Ordinance #600, approving the Luinstra Zoning Change at Lots 1-2, Block 6, Wilkinson II, for its first reading.

Motion was made to approve the first reading.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

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

14. Chief of Police

a. September 2024 Police Department Report

Chief Kraft provided the September 2024 Police Department Report.

b. Reappoint Janet Sergent to Police Commission-3 year term

Chief Kraft requested the approval of the reappointment of Janet Sergent to the Police Commission for another 3-year term.

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

15. Public Works Director

a. September 2024 Public Works Report

PWD Hintz provided the September 2024 Public Works Report. He stated they have been busy with replacing alley curtain and curb and gutters and have been doing manhole locating and

raising for the paving project streets. He stated the Anderson Storm drainage project is under construction, about 40% of the pipe laid and with all easements in place they will be completing it soon. He stated 22nd Avenue will be closed 2-3 days, possibly as soon as this week, depending on material deliveries but there will be Facebook posts, signage and electric signs to notify also with alternative routes including Red River, 28th and Lincoln and it will be closed only where they are cutting across 22nd right at ROI home.

PWD Hintz stated he has received a pay application from the contractor for the 200,000 Water Tank Relining project. He stated he would like to send this to committee to further discuss, as the tank is still leaking after the second attempt to reline it and the \$12,000 in retainage is not enough to fix.

A Water and Sewer Committee meeting was scheduled for Tuesday October 29th, 2024 at 5:30pm.

b. September 2024 Compliance Officer Report

PWD Hintz provided the September 2024 Compliance Officer Report on behalf of Compliance Officer Schroeder. Alderwoman Christensen thanked for the report and stated she enjoys having the information monthly.

16. Fire Marshal/Building Inspector

a. September 2024 Fire Run Report

Clerk/Treasurer Chamberlin provided the September 2024 Fire Run Report on behalf of FM/BI Rasmussen.

17. City Clerk/Treasurer

a. Update:

Clerk/Treasurer Chamberlin stated she has sent all of the required reports and information for the ClearGov online budgeting tool and the next step will be staff training.

18. Consent Agenda

Motion was made to approve the claims and building permits.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

a. Claims to be approved: \$ 467,356.26

b. Building Permits to be approved: RC2025-09, 2025-020, 2025-027 to 2025-030 and 2025-032 to 2025-033

19. Adjournment

at 7:11 pm.