



City of Sidney, MT
City Council Regular Meeting 9-6-22
September 06, 2022 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: 823 0098 0685 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**

DiFonzo, Rasmussen, Koffler, Stevenson and Godfrey. Absent: Christensen.

4. **Correction or Approval of Minutes**

a. **City Council Regular Meeting Minutes 8-15-22**

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderman Stevenson.

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

b. **Budget and Finance Committee Meeting Minutes**

Clerk/Treasurer Chamberlin asked for the the minutes to be tabled for some corrections that need to be made.

Motion was made to approve tabling.

Motion made by Alderwoman Rasmussen, Seconded by Alderwoman Godfrey.

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

Alderwoman Godfrey

5. **Visitors**

a. **Visitors**

Zach Sverdrup, Mary Hagler, Malory Peterson and Chelsie Grimes: Mr. Sverdrup came before the City Council with others in the 2022 class to discuss their project. He stated that with the loss of Jeremy Norby and the work he did for the cleanup day, they would like to erect a bench in his honor at the Chamber of Commerce. He stated it would be on the south-central side of the building with a saying that Mr. Norby said often of "It's a Great day in Sidney" along with a short bio on him. He stated MDT has cleared them for the right-of-way. He stated the maintenance, with it being leased property of the City, or future construction on the site. He stated they are looking at a granite bench and are currently fundraising for it. Mayor Norby stated he feels this is amazing and appreciated. Clerk/Treasurer Chamberlin stated that because a bench is not a permanent structure nothing official needsd to happen and BI/FM Rasmussen and City Attorney Kalil agreed.

Travis Rosaaen: Mr. Roasaaen stated he is representing the summer youth softball and they are wanting to look into fundraising and installing lights on the middle field at the softball complex. He stated that five teams this last summer were competing for the fields to get done prior to the sun setting. He stated the school softball program would also benefit. He stated they are currently looking for approval to start getting installation cost and then start discussing the cost of the electrical. Motion was made to send this to the Park and Recreation Committee.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

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

6. **Public Hearing**

Nothing.

7. **Mayor Norby**

Nothing.

8. **Committee Meeting Work**

a. **Budget and Finance-American Tower Lease Proposal**

Alderwoman Godfrey stated they reviewed the current lease and the proposed new lease for the cell tower. She stated City Attorney Kalil did research and recommended to the Committee to keep the current lease, as it is in the best financial decision for the City and the Budget and Finance Committee recommended staying with the current lease.

Motion was made to approve staying with the current cell tower lease with American Tower.

Motion made by Alderwoman Godfrey, Seconded by Alderwoman Rasmussen.

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

b. Budget and Finance-Food Bank Request to donate Water and Sewer Services

Alderwoman Godfrey stated the Budget and Finance Committee met and reviewed the request of the Food Bank to waive the water and sewer for the proposed new building. She stated that instead of waiving the water and sewer fees, which cannot be done, they would like to recommend donating \$1,000 to them.

Motion was made to donate \$1,000 to the Food Bank.

Motion made by Alderwoman Godfrey, Seconded by Alderman Stevenson.

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

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

a. TBID-Removal of Board Members who have outstanding balances

City Attorney Kalil stated at the previous meeting it was discussed that the TBID is a tax on the hotel stays within the City limits with a board to manages the funds. He stated that board is made up of hotels who have not paid this, even though they have assessed it to the stays. He stated the first is the Holiday Inn, owned by Jim Weishan and currently represented on the Board by Sue Washington with an outstanding balance of \$28,282.50. Next is the Microtel owing \$26,373.26, owned by Presidential Management LLC and represented on the Board by Dee Henderson. The Wingate currently only owes \$5,776.00 due to a lump sum payment after not paying for several years, owned by Walkera and represented by Dee Henderson. He stated the Mayor can recommend the removal of the board members and then the City can appoint new members at an

upcoming meeting and must be replaced by another hotel, even if they already have a representative already on the board.

Alderman DiFonzo asked about the balance due because the removing of them does not take care of that. City Attorney Kalil stated he will pursue a judgement against these hotels and turn it over to the Department of Revenue who will take over on getting that money.

Mayor Norby requested the removal of the representatives from the Holiday Inn, Wingate and Microtel.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

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

Voting Abstaining: Alderwoman Godfrey

b. Slocum Lot Aggregation

PWD Hintz stated this is a lot aggregation in Wagon Wheel, the purpose of which is to combine two lots so that their house is not crossing lot lines and two other lots to install into a shed. He stated City Planner Sanderson has recommended approval with conditions.

Alderman DiFonzo asked if it is into one parcel or two single parcels, as the staff report says a single lot, and PWD Hintz stated 4 lots into 2. City Attorney Kalil stated the final plat will show the two lots before the City signs off on it.

Motion was made to untable the lot aggregation by Alderman Koffler and seconded by Alderwoman Rasmussen. All present voted aye.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

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

11. New Business

Nothing.

12. City Planner

Nothing.

13. City Attorney

a. Update

Nothing.

14. Chief of Police

a. Update

Lieutenant Gabe Zeiler stated there is no update for the Police Department.

15. Public Works Director

a. Update

PWD Hintz stated 7th Ave SE, the Nielson Halvorson Project, is now paved and the project finished. He further stated the sewer for that project is complete and working, with some final issues to be fixed. He further stated the crew will be assisting in the St. Matthew parking lot project curb and gutter.

b. Morrison Maierle Change Order 2 - Sidney NH Sewer Rehab Alley Changes and MDT Permit

PWD Hintz stated this change order is for the field changes in the Nielson-Halvorson Sewer rehab. He stated the original contract was \$___, change order 1 decreased it and now change order 2 increases it to \$-00, which is still approximately \$14,000 less than the original contract amount.

Motion was made to approve.

Motion made by Alderwoman Rasmussen, Seconded by Alderman Koffler.

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

16. Fire Marshal/Building Inspector

a. Update

Nothing.

17. City Clerk/Treasurer

a. Update

Clerk/Treasurer Chamberlin stated the tax assessments have been sent to the Treasurer's office for the 2022 property taxes. She stated they have started the FY21-22 yearend closing and she will be submitting the budget to the State this week.

18. Consent Agenda

Motion was made to approve the 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

a. Claims to be approved: \$287,469.50

b. Building Permits to be approved:

2023-013	Sidney Health Center	216 14th AVE SW	Remodel	L6&7, BH, Bach Nels 3rd Add.
2023-014	Jamie Dishon	110 15th AVE NW	Fence	L5&6, B1, Johnsons 1st
2023-015	J&A Construction	111. S Central	Awning	L2-4, B15, Sidney Original
2023-016	Harvey Senn	2377 5th ST NW	Fence	L2, B3, Anderson Sub.
2023-017	John Reynolds	1204 14th ST SW	Shed	L4, B2, Lyndale Acres
RC23-010	Scott Ramus	12267 CR348	New House	L1&2, B1, Goss Homesite
RC23-011	Larry Knels	13177 HWY 200	Remodel	

19. Adjournment

at 6:57pm.