



City of Sidney, MT
City Council Regular Meeting 4-15-24
April 15, 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 at 6:30pm.

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all.

3. Aldermen Present

Christensen, Godfrey, Stevenson, Koffler and DiFonzo. Rasmussen via phone.

4. Correction or Approval of Minutes

a. April 1st, 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, Alderman Stevenson, Alderwoman Godfrey, Alderwoman Christensen

b. April 10th, 2024 Street and Alley Committee Meeting Minutes

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**

a. **Other Visitors:**

James Falcon (Sidney Herald via phone), Jack Legg (JL Construction), Francisco Aguilar, Bill Vander Weele (Round-up), Keri Riordan and SHS: Hailey Holzworth, Riley O'Donnell, Kim Sortin, Jackey Gonzalez and Aren Larson.

6. **Public Hearing**

a. **Zoning Code Update-Zoning Board Public Hearing April 17th, City Council Public Hearing May 6th**

The public hearings for the upcoming zoning updates were announced.

7. **Mayor Norby**

a. **Appoint Heather Cotter to Library Board**

Mayor Norby stated Heather Cotter has agreed to be appointed to the Library Board.

Motion was made to approve the appointment.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

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

8. **Committee Meeting Work**

a. **Street and Alley Committee Meeting-Sidney Millwork Drainage Issues**

Alderwoman Christensen stated the Street and Alley Committee met and discussed some drainage issues by Sidney Millwork. She stated they have recommended contacting Interstate Engineering to get plans and cost estimates in place for the issue.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Godfrey.

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 – 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

a. Drug Task Force MOU (Tabled at 4-1-24 Council Meeting)

Motion was made to un-table the Drug Task Force MOU by Alderman DiFonzo and seconded by Alderman Koffler. All present voted aye.

Alderman DiFonzo stated he reviewed the MOU for fiscal year 2024-25 with Chief Kraft and found non differences or issues.

Motion was made to approve the fiscal year 2024-25 Drug Task Force MOU.

Motion made by Alderman DiFonzo, Seconded by Alderman Koffler.

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

11. New Business

a. TBID Grant to Svarre Pool and Day Passes for Hotels

Clerk/Treasurer Chamberlin stated the TBID Board has approved a grant to the Svarre Pool for \$10,000 for the purchase of deck chairs, umbrellas and lap lane ropes. She stated the by-laws of the Board state that to issue grants there must be a minimum of a 50% match, but the City can only contribute \$5,000 out of the FY24-25 budget. With that they are asking the City Council to approve an in kind match of donating day passes to the pool. She stated she outlined the details of the day pass contribution and the benefits in the staff report she provided in the packet.

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

b. Aguilar Variance Request

PWD Hintz stated the Zoning Board met and reviewed the lot coverage variance request of Mr. Aguilar to build a garage for his 4-plex. He stated after reviewing they have recommended approval of the variance.

Motion was made to approve.

In discussion Alderwoman Christensen stated she has concerns with room for garage and back out onto Lincoln. Mr. Legg provided a map to show the distances, which is almost 30 feet before the curb to look at the traffic on Lincoln. Alderman DiFonzo asked if FM/BI Rasmussen has reviewed and Mr. Legg stated that he has. Alderwoman Godfrey asked how much distance there is between garage and existing 4-plex and Mr. Legg stated there is 4 ½ feet between with 39 feet to the edge of the property. He further stated the other houses on that street are closer to the street. Alderman DiFonzo asked if the garage is in front of 4-plex and if it will meet fire code and Mr. Legg stated yes and there will be a fire wall between garage and living space. Alderman DiFonzo asked if it will be accessible by the fire department and Mr. Aguilar stated there will be 6 foot doors and other doors on back and side. Alderman Koffler asked if it meets setbacks and Clerk/Treasurer Chamberlin stated it meets all other zoning codes and FM/BI Rasmussen has reviewed and was at the zoning board meeting.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

Voting Nay: Alderwoman Christensen

12. City Planner

Nothing.

13. City Attorney

Nothing.

14. Chief of Police

15. Public Works Director

a. Anderson Subdivision Vendor Invoice for \$6,025.03

PWD Hintz provided the vendor invoice for the Anderson Subdivision storm water project for \$6,025.03, which is for the ARPA grant.

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. Phase III Water Project Draw #6C for \$62,067.35

PWD Hintz provided the Draw #6C for the Phase III water project for \$62,067.35.

Motion was made to approve.

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

c. Phase III Water Project Change Order #3 for -\$264,958.69 (balancing)

PWD Hintz provided the Change Order #3 water project for -\$264,958.69, which is a balancing change order since the project came in under estimate.

Motion was made to approve.

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

16. Fire Marshal/Building Inspector

a. March 2024 Fire Run Report

Clerk/Treasurer Chamberlin presented the March 2024 Fire Run Report on behalf of Fire Marshal/Building Inspector Rasmussen.

17. City Clerk/Treasurer

a. SCHR Pay Application #04 for \$266,664.68

Clerk/Treasurer Chamberlin provided the Sidney City Hall Remodel Pay Application #04 for \$266,664.68. She also provided an updated budget for the project with all of the current and known costs being accounted for.

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. SCHR RFP #17-Millwork Reconciliation for \$5,891.00 and RFP #20 Rubber Base for \$489.50

Clerk/Treasurer Chamberlin presented the Sidney City Hall Remodel RFP #17 and #20, both of which were accounted for in the updated budget.

Motion was made to approve.

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

Alderwoman Godfrey, Alderwoman Christensen

c. SCHR Change Order 3 for \$47,315.00 (RFP's 15, 16, 18 & 19)

Clerk/Treasurer Chamberlin presented the Sidney City Hall Remodel Change Order 3 for RFP's 15, 16, 18 and 19, which were previously approved.

Motion was made to approve.

Motion made by Alderwoman Godfrey, Seconded by Alderman Koffler.

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

d. SCHR Change Order 4 for \$6,380.50 (RFP's 17 & 20)

Clerk/Treasurer Chamberlin presented the Sidney City Hall Remodel Change Order 4 for RFP's 17 and 20, which were just approved.

Motion was made to approve.

Motion made by Alderman Stevenson, Seconded by Alderman DiFonzo.

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

e. March 2024 Treasurer's Report

Clerk/Treasurer Chamberlin presented the March 2024 Treasurer's Report.

f. March 2024 JV Report

Clerk/Treasurer Chamberlin presented the March 2024 JV Report for approval.

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

g. March 2024 Water/Sewer Bank Transfer of \$115,518.94

Clerk/Treasurer Chamberlin presented the March 2024 Water/Sewer Bank Transfer of \$115,518.94.

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

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, Alderwoman Christensen

- a. **Claims to be approved:** \$139,035.74
- b. **Building Permits to be approved:** 2024-60 to 2024-62

19. Adjournment

a. Executive Session-discuss open litigation for TBID

Mayor Norby closed the April 15th, 2024 City Council Meeting to discuss the TBID litigation at 6:54pm.

Mayor Norby opened the April 15th, 2024 City Council Meeting at 7:19pm.

b. Adjournment

at 7:20pm.