



City of Sidney, MT  
City Council Regular Meeting  
July 03, 2023 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: 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 by Mayor Norby.

**2. Pledge of Allegiance**

The Pledge of Allegiance was stated by all.

**3. Aldermen Present**

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

**4. Correction or Approval of Minutes**

**a. June 19th, 2023 Regular Meeting Minutes**

Motion was made to approve.

Motion made by Alderwoman Rasmussen, Seconded by Alderwoman Godfrey.

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

**b. June 27th, 2023 Street and Alley Committee Meeting**

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

**c. June 27th, 2023 Water and Sewer Committee Meeting Minutes**

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

**d. June 28th, 2023 Budget and Finance Committee Meeting Minutes**

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

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

**5. Visitors**

**a. Margie Peterson-Parking Issue with Boys and Girls Club**

Mrs. Peterson stated since 2019 when the Boys and Girls Club (BGC) opened, she has had a parking issue with her drive way. She stated her house is directly across from the BGC and employees are parking on both sides of the streets. She stated a couple of months ago when she was backing out of her driveway she backed into a vehicle parked on the street across from her driveway and the damages was almost \$10,000 and she asked shouldn't they have a parking lot.

Alderwoman Christensen stated they are parking in public parking, and Mrs. Person stated the Judge told her the city can restrict parking and she believes it should be since it is employee parking and they are parking there for 8-9 hours a day. Alderwoman Christensen stated the school uses that parking also. Alderwoman Rasmussen stated there are no yellow or restricted parking for this reason in the City and Mrs. Peterson stated it is only her driveway that is rendered useless. Alderwoman Rasmussen stated doing for one they will have to do for all. Mrs. Peterson stated she feels it should be considered for a business and Mayor Norby stated they are a non-profit, the streets are wide enough for backing out of the driveway and what we do for one have to do for all.

Mayor Norby asked if she had approached the BCG at all and she replied they have stated the same that it is public parking. Mrs. Peterson stated it is going to happen again and asked how it was approved without a parking lot and Alderwoman Christensen and Alderwoman Rasmussen stated they met parking requirements when the building was approved. City Attorney Kalil stated anyone can park in public parking as long as they are not in the same location for longer than the restrictions.

It was the general consensus of the City Council to not restrict or not allow on street parking by the Boys and Girls Club.

**b. Robyn Heck, Mondak Grace Fund-add to Veteran's Park Playground Equipment**

Not in attendance.

**c. Other Visitors:**

None.

**6. Public Hearing**

Nothing.

**7. Mayor Norby**

**a. Update:**

Nothing.

**8. Committee Meeting Work**

**a. Street and Alley Committee-Contribute to RC Transportation Safety Action Plan SS4A**

Alderman Christensen stated the Street and Alley Committee reviewed the request of Richland County to participate in the SS4A plan, which is partially grant funded and the portion funded by the jurisdictions is \$22,000. By participating in the plan it gives the City the opportunity to get grant funding for designated streets projects. She stated the Street and Alley Committee have recommended participating in the SS4A plan with Richland County and giving Mayor Norby the authorization to negotiate the City's monetary participation up to one third of the \$22,000.

Motion was made to approve the recommendation of the Street and Alley Committee to participate in the SS4A plan and authorize Mayor Norby to negotiate the monetary participation.

Motion made by Alderman Christensen, Seconded by Alderman Rasmussen.

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

**b. Street and Alley Committee-FY23-24 Streets Budgets and Rates**

Alderman Christensen stated the Street and Alley Committee met and reviewed the Streets budget for FY23-24. She stated there is a need for increasing the tax rates for the Street Maintenance of \$20/year and after discussing increasing the Snow Maintenance assessment \$25/year for the next 2 fiscal years. She stated the Street and Alley Committee are

recommending approval of the provided preliminary budgets with the \$20/year increase for streets and to split the snow removal increase doing a \$25 increase over 2 years.

Motion was made to approve the streets preliminary budgets with the \$20/year increase for Street Maintenance and to split the snow removal increase doing a \$25/year increase over 2 years.

Motion made by Alderwoman Christensen, Seconded by Alderman Koffler.

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

**c. Water and Sewer Committee-Anderson Subdivision SID**

Alderman Koffler stated the Water and Sewer Committee met with some of the residents from the Anderson Subdivision about doing an SID to get them connected to City water and sewer. After discussing they recommended to the City Council to get rough cost estimates for the project and each property and have a public meeting to gauge property interest in the project prior to starting the engineering.

Motion was made to approve getting rough estimates for the water and sewer projects and having a public meeting before moving forward with the SID engineering.

In discussion, Alderwoman Christensen stated all of her area had to pay for the entire costs of getting connected to city services.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

**d. Water and Sewer Committee-9th Avenue Sewer Extension**

Alderman Koffler stated the Water and Sewer Committee met and reviewed the proposal for the 9th Avenue sewer extension with a payback agreement for properties. He stated they recommended starting engineering for this project and have City Attorney Kalil look into the repayment agreement.

Motion was made to approve starting engineering for the 9th Ave Sewer Extension project and have City Attorney Kalil look into the repayment agreement.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

**e. Water and Sewer Committee-FY23-24 Water Preliminary Budget**

Alderman Koffler stated the Water and Sewer Committee reviewed the preliminary FY23-24 budget for the water department and are recommending approval.

Motion was made to recommend approval of the FY23-24 water department preliminary budget.

Motion made by Alderman Koffler, Seconded by Alderwoman Godfrey.

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

**f. Water and Sewer Committee-FY23-24 Sewer Preliminary Budget**

Alderman Koffler stated the Water and Sewer Committee reviewed the preliminary FY23-24 budget for the sewer department and are recommending approval.

Motion was made to recommend approval of the FY23-24 sewer department preliminary budget.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

**g. Budget and Finance Committee-Library Service Cooperation Agreement with Richland County**

Alderwoman Christensen stated the Budget and Finance Committee met and reviewed the Library Cooperation Agreement with Richland County. She stated that previously the City had a Joint agreement, making it a City County library with the Board of Trustees being appointed by both the City and the County, with the City contributing \$130,000 a year. With this new agreement, the County would have full administrative control of the Library, but they are still asking the City to contribute \$130,000 for their citizens to have equal access to the free library, which they already have. She stated with that in mind the Budget and Finance Committee are recommending to decline the Library Cooperation Agreement, requesting to keep the same joint format as before.

Motion was made to reject the Library Cooperation Agreement.

In discussion, City Attorney Kalil stated even without any agreement the County must keep the library open to all Richland County residents. Alderwoman Godfrey stated Kelly Reisig was not aware of this proposed agreement.

Motion made by Alderwoman Christensen, Seconded by Alderman DiFonzo.

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

**h. Budget and Finance Committee-Marijuana Tax MOU**

Alderman Christensen stated the Budget and Finance Committee reviewed the City's portion of the marijuana excise tax enacted by Richland County. She stated even though there are no sales in the City limits, we are feeling the effects of it and

Motion was made to approve not signing the MOU the County presented.

In discussion, Chief Kraft stated the SPD deals with 5 times the calls than the Sheriff Department. Alderman Rasmussen stated it is our hospital, we have the most population, etc. City Attorney Kalil stated we do not have claim it, as it is legally ours, all we have to do is not sign the agreement. Alderman DiFonzo asked if anyone has petitioned to have the ordinance amended to allow the sale in the city limits and Mayor Norby stated they have not.

Motion made by Alderman Christensen, Seconded by Alderman DiFonzo.

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

#### **i. Budget and Finance Committee-FY 23-24 Oil and Gas Donations**

Alderman Christensen stated the Budget and Finance Committee reviewed the donations out of the Oil and Gas Fund and are recommending lowering the Richland Economic Development donation to \$5000, while increasing the Boys and Girls Club donation to \$4,500 and the Richland County Food Bank donation to \$1,500.

Motion was made to approve setting the FY23-24 donations as recommended by the Budget and Finance Committee.

Motion made by Alderman Christensen, Seconded by Alderman Rasmussen.

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

Alderman Christensen stated the fireworks seem to be calmer this year than previous years. Chief Kraft stated there was 5 total firework related complaints, 2 last night for the actual lighting off of fireworks.

Aldерwoman Godfrey stated she was presented a request for lap swimming at the pool and Clerk/Treasurer Chamberlin is putting it on the next Park and Recreation Committee meeting.

**10. Unfinished Business**

Nothing.

**11. New Business**

**a. Sophos Email Renewal \$1,876.11**

Clerk/Treasurer Chamberlin stated the email renewal for Sophos is due and must be paid. She stated this is a 36 month renewal.

Motion made by Aldерwoman Christensen, Seconded by Aldерwoman Rasmussen.

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

**b. New York Life-Whole Life Insurance for Employees**

Clerk/Treasurer Chamberlin stated they are recommending to the City Council getting the New York Life Whole Life Insurance. She stated currently employees have access to the term life insurance via MMIA that the City pays for \$25,000, they can opt to get additional term life via MMIA at their cost with medical examination, and they can get term life insurance via Aflac, but none are whole life. She stated this whole life insurance would not require medical examination and would be optional for the employee, the employees cost, and transferable if the employee no longer works for the City of Sidney.

Motion was made to approve.

Motion made by Alderman Koffler, Seconded by Aldерwoman Godfrey.

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

**12. City Planner**

**a. Gem City Motors Final Plat**

PWD Hintz presented the Gem City Motors Final Plat, with the recommendation of approval from City Planner Sanderson with usual conditions. This is the final step in their lot aggregation and alley abonnement.

Motion was made to approve with conditions as outlined in City Planner Sanderson's staff report.

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

Christensen

**13. City Attorney**

**a. Update:**

Alderman DiFonzo asked for an update on the 7th Ave SW lot getting cleaned up, behind Metz Oil, and City Attorney Kalil stated he came in agreement to get it corrected and will be getting checked. Alderwoman Godfrey asked if the City received the letter from Mr. Mead pertaining to the Daleske property and Mayor Norby stated they had and it was being taken care of by the Nuisance Committee.

**14. Chief of Police**

**a. Update:**

Chief Kraft stated Officer Joel Rosales completed Montana Law Enforcement Academy.

**15. Public Works Director**

**a. Update:**

PWD Hintz stated hopefully the asphalt contractor will be coming soon for the Phase 3 project. He stated they have been working to get some of the project cleaned up and open, and they are making good headway on the Central Avenue part of the project will hopefully be done before the next Council meeting. He stated traffic has been getting better with Central Avenue being closed.

PWD Hintz stated City crews have been doing a lot of street repairs around town and pouring valley aprons and gutters, working on smaller projects before moving into paving in the next couple of weeks. Mayor Norby asked if sidewalks will be put in on the west side of Veteran's Park and PWD Hintz stated they are doing new curb and gutter, but sidewalks will be done eventually, including handicap ramps. He stated he would like to have sidewalks completely surrounding Veterans Park.

**b. Phase 3 COP Pay Application #3, ARPA Competitive Draw #3 for \$164,144.96 and Phase 3 SRF Draw 1C for \$78,863.00**

PWD Hintz presented the COP pay application and draws for the ARPA Grant and Phase 3 SRF Loan. Clerk/Treasurer Chamberlin stated after this first draw is approved for the Phase 3 loan, they will officially close the loan on July 19th.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

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



**16. Fire Marshal/Building Inspector**

Nothing.

**17. City Clerk/Treasurer**

**a. Update:**

Clerk/Treasurer Chamberlin stated they have sent letters to delinquent water/sewer accounts that will be put on property taxes if not paid by August 15th. She stated there is \$14,545.80 in delinquent bills that stand to be put on taxes.

**18. Consent Agenda**

Motion was made to approve the claims and building permits.

Motion made by Alderman Koffler, Seconded by Alderwoman Rasmussen.

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

**a. Claims to be approved:** \$431,661.62

**b. Building Permits to be approved:** 2023-66, 2023-67, RC2023-09 and RC2023-34

**19. Adjournment**

at 7:16pm.