



City of Sidney, MT
City Council Regular Meeting
July 05, 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: 826 5725 9839 Passcode: 4332809 Call: 1-346-248-7799

1. Call to Order

2. Pledge of Allegiance

The Pledge of Allegiance was stated by all present.

3. Aldermen Present

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

4. Correction or Approval of Minutes

a. City Council Regular Meeting 6-20-22

Motion was made to approve.

Motion made by Alderwoman Rasmussen, Seconded by Alderwoman Godfrey.

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

b. Park and Rec Committee Meeting Minutes

Motion was made to approve.

Motion made by Alderwoman Godfrey, Seconded by Alderman DiFonzo.

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

c. Police and Fire Committee Meeting Minutes

Motion was made to approve.

Motion made by Alderwoman Christensen, Seconded by Alderman DiFonzo.

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

d. Water and Sewer Committee Meeting Minutes

Motion was made to approve.

Motion made by Alderwoman Godfrey, Seconded by Alderwoman Rasmussen.

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

e. Budget and Finance Committee Meeting Minutes

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

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

5. Visitors

a. Sam Ebadzad Sahraei-Food Truck in Peterson Park-Charge for electric used and \$50/month for garbage services

Mr. Ebadzad Sahraei came before City Council to ask for permission to put his food trailer in Peterson Park. PWD Hintz stated we have electricity with a meter there for him to use and pay the City for which is by where the bridge is at. Mr. Ebadzad Sahraei stated this will only be during fair weather, once it turns, he will be pursuing something else. Alderman DiFonzo asked how long they are asking to have this and if he will be returning each year. Clerk/Treasurer Chamberlin stated she would prefer they approve it through the end of the summer and Mr. Ebadzad Sahraei stated he will return each year for permission. PWD Hintz stated he asked Mr. Ebadzad Sahraei to pay for the electrical use \$100 for the sumemr months and \$50 a month in garbage services. Mr. Ebadzad Sahraei stated he is insured.

Motion was made to approve with PWD Hintz pricing.

Motion made by Alderwoman Godfrey, Seconded by Alderwoman Christensen.

In discussion Alderwoman Rasmussen stated she would like to see an official process with an agreement in place to make sure this situation does not turn. Clerk/Treasurer Chamberlin stated she can draft an agreement and have City Attorney Kalil review.

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

Others Present: Marvin Cordwell-Morrison Maierle (project representative for the Nielson Halvorson Sewer Project)

6. Public Hearing

Nothing

7. Mayor Norby

Nothing.

8. Committee Meeting Work

a. Water and Sewer Committee Meeting-Nielson-Halvorson Waterline Replacement
(recommendation and motion)

Alderwoman Godfrey stated the Water and Sewer Committee met and discussed the need to relocate the water line to meet DEQ standards, with Tony Hanson doing the work for \$78,875.00.

Motion was made to approve this project and expenditures.

Motion made by Alderwoman Godfrey, Seconded by Alderwoman Rasmussen.

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

b. Water and Sewer Committee Meeting-FY22-23 Water and Sewer Budgets (recommendation, no motion until passing the budget)

Alderwoman Rasmussen stated the Water and Sewer Committee met and reviewed the water and sewer budgets for FY22-23 with the proposed expenditures.

c. Budget and Finance Committee Meeting-Library Mill Levy (recommendation and motion to move forward with amending City/County contract)

Alderwoman Christensen stated the Budget and Finance Committee met with a representative with the library and after discussion they are recommending increasing the allocation to the Library to \$130,000 and moving forward with amending the contract.

Motion made by Alderwoman Christensen, Seconded by Alderwoman Rasmussen.

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

d. **Budget and Finance Committee-FY22-23 Oil and Gas Fund and Donations** (recommendation, motion with passing of budget)

Alderwoman Christensen stated the Budget and Finance Committee met and reviewed the Oil and Gas Fund and its donations, the only change this year being to cut the donation to Economic Development to \$8,500 from \$10,000.

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

Nothing.

12. City Planner

a. Planning Board Meeting-July 19th, 2022

Clerk/Treasurer Chamberlin stated the Planning Board will be meeting on July 19th, 2022 and the agenda is posted on the front window.

13. City Attorney

a. Ordinance 595-Updating Building Codes

City Attorney Kalil read Ordinance 595, updating the building codes, for the second reading.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

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

b. City/County Agreements-Fire Marshal and Building Inspector

City Attorney Kalil stated the City has 2 agreements authorizing Mr. Rasmussen to work within both the City and County. He stated the agreements have expired and he will be amending the contract to extend the service time making it retroactive and presenting to the County Commissioners. FM/BI Rasmussen stated without these agreements he is working outside his jurisdiction and without an agreement in place the City and himself could be held liable. He stated in discussions with the County Commissioners, they like him doing that work and should approve moving forward with it.

Motion was made to approve.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Godfrey.

Voting Yea: Alderman DiFonzo, Alderwoman Godfrey, Alderwoman Christensen

Voting Abstaining: Alderwoman Rasmussen

14. Chief of Police

Chief Kraft stated they thankfully had a pretty uneventful 4th of July with minimal complaints.

15. Public Works Director

PWD Hintz stated with the Nielson Halvorson project there was 2 basements flooded this last weekend. He stated the contractor's insurance will be covering the costs. He stated the water main is installed and the street is reconstructed, if the weather cooperates, they will start paving this month. PWD Hintz stated he was able to purchase garbage cans from the Town of Richey who is no longer providing garbage services. He stated this saved the city money. He stated the 4th Ave project is moving forward nicely, with the project anticipated to be done by the end of July.

a. East Main Water Depot

PWD Hintz provided the City Council with the 2011 agreement with East Main Water Depot. He stated he has received two complaints in the last couple of weeks with other complaints previously that trucks are coming in in the middle of the night making a lot of noise. He stated that in their agreement there are things that they agreed to but have not done, such as them existing across curb and gutter instead of having an established exit, they have not paved the lot causing debris on the streets. He stated to amend the agreement the City must give 6 months' notice. He stated they have been issued letters of complaints and numerous others that they have ignored. PWD Hintz stated they have drilled their own well and so they do not purchase water from the City. Alderman DiFonzo stated he would like to see a letter sent telling them to fix the sidewalk and curb and gutter and that we are terminating the contract. Alderwoman Rasmussen stated she feels they would be in breach of contract and we should be able to move forward. Alderwoman Godfrey asked how this solves the noise complaints and Mayor Norby stated they would fall under the noise ordinance for nuisance.

Motion was made to send a letter terminating the agreement and have them replace the curb and gutter.

Motion made by Alderman DiFonzo, Seconded by Alderwoman Rasmussen.

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

16. Fire Marshal/Building Inspector

FM/BI Rasmussen stated it was a pretty calm 4th of July with 2 calls for dumpster fires and one dumpster that burned to nothing that was not called in.

17. City Clerk/Treasurer

a. ARPA Funding-2nd tranche received of \$790,784.75 (total received \$1,581,569.50)

Clerk/Treasurer Chamberlin stated the City received their second tranche and final payment for the ARPA funding, making the total received \$1,581,569.50, which they are looking at using for the City Hall Remodel project. She stated they have a meeting with the architect tomorrow at 1pm to review the first set of proposed plans for the remodel if anyone is interested in attending.

18. Consent Agenda

Motion was made to approve the consent agenda.

Motion made by Alderwoman Rasmussen, Seconded by Alderwoman Godfrey.

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

a. Claims to be approved: \$156,962.76

b. Building Permits to be approved:

2022-093	Bible Baptist Church	502 S Central	Remodel	L1-4, B54, Kenoyer
2022-094	JC Youngquist	2675 3rd St NW	Fence	L01A, B4, Mayo Acres
2022-095	Everett Crum	1281 14th St SW	Shed	M&B TR in SWSE

19. Adjournment

at 7:12pm.