

City of Sidney, MT City Council Regular Meeting 2-3-2025 February 03, 2025 6:30 PM 115 2nd Street SE |Sidney, MT 59270

The City Council meetings are open to the public attending in person, <u>with masks encouraged when social</u> <u>distancing cannot be accomplished</u>. 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
- 2. Pledge of Allegiance
- 3. Aldermen Present
- 4. January 21st, 2025 Regular Meeting Minutes
 - a. City Council Regular Meeting 1-21-2025
 - b. Street and Alley Committee Meeting 1-15-25
- 5. Visitors
 - a. Visitors:
- 6. Public Hearing
- 7. Mayor Norby
 - a. Update:
- 8. Committee Meeting Work
- 9. Alderman Requests and Committee Reports

<u>Budget and Finance</u> – Chairman Christensen – DiFonzo, Koffler. <u>Police and Fire</u> – Chairman DiFonzo
– Rasmussen, Stevenson. <u>Parks and Recreation</u> – Chairman Christensen – Stevenson,
Rasmussen. <u>Water and Sewer</u> – Chairman Godfrey – Christensen, DiFonzo. <u>Street and Alley</u> –
Chairman Rasmussen – DiFonzo, Koffler. <u>Sanitation</u> – Chairman Stevenson – Koffler,
Godfrey. <u>City Buildings & Street Lighting</u> – Chairman Koffler – Godfrey, Christensen

10. Unfinished Business

11. New Business

- a. Ward #1 Questions and Interview: Jared Troudt
- b. Ward #1 Questions and Interview: Jacqueline Gonzalez
- c. Ward #1 Questions and Interview: Jamie Larson
- d. Ward #1 Questions and Interview: Joe Kauffman

12. City Planner

a. Report on Annexation

13. City Attorney

a. Update:

14. Chief of Police

a. Update:

15. Public Works Director

- a. Phoenix Capital Oil Lease (tabled 1-21-25)
- <u>b.</u> 2024 Road Improvement Project Pay Application #3 for \$486,531.75 (city cost of Richland County Project)
- c. RRGL Planning Grant for Water Per Awarded for \$40,000.00
- d. Notice of Award for Schedules 1 and 2 for North Park Elevated Water Tower Replacement
- e. Update:

16. Fire Marshal/Building Inspector

a. Zoning Code Update for Prohibited Fencing Material

17. City Clerk/Treasurer

- a. Denning, Downey & Associates, P.C. Auditor Contract for Federal Audit
- b. Update

18. Consent Agenda

a. Claims to be approved: \$153,509.97

Intermediary Claims to be approved (included in total): \$96,955.42

#43533	USPS	\$ 1,057.92
		1 /

#43536 INTERSTATE ENGINEERING \$ 95,897.50

b. Building Permits to be approved: 2025-045

19. Adjournment



City of Sidney, MT City Council Regular Meeting 1-21-25 (Tuesday) January 21, 2025 6:30 PM 115 2nd Street SE |Sidney, MT 59270

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- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Aldermen Present

Christensen, Godfrey, Stevenson, Koffler, Rasmussen and DiFonzo. Absent: None.

4. Correction or Approval of Minutes

a. January 6th, 2024 Regular Meeting Minutes

Motion was made to approve.

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

b. January 15th, 2025 Street and Alley Committee Meeting Minutes

Motion was made to approve.

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

5. Visitors

Jared Troudt, Jacky Gonzales, Jody Wells (Roundup) and Sidney High School Students: Corey Christensen, Jori Horsburgh, Rhett Rossol, Jolene Molloy, Amiya Steinbeisser, Gracie Hentges, Clem Bayless.

Via Zoom: James Falcon-Sidney Herald

6. Public Hearing

Nothing.

7. Mayor Norby

Nothing.

8. Committee Meeting Work

a. Street and Alley Committee-Oil Lease Proposal for City Shop

Alderwoman Christensen stated the Street and Alley Committee met to discussed the proposed lease agreement with Phoenix Capital for the city shop mineral rights. She stated they have recommended that PWD Hintz respond with the better terms recommended by Gordon Torgerson. PWD Hintz stated he will contact then when Mr. Torgerson is back to assist.

Motion was made to table this until updated terms can be presented.

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

b. Street and Alley Committee-Review City Code for Commercial Maximum Fence Height

Alderwoman Christensen stated they Street and Alley Committee met and reviewed the zoning code for fence height for all business, commercial and industrial zones. She stated they have recommended updating the zoning code the B-1 district only to allow for up to 96 inch height fences instead of the 72 inch maximum height currently allowed.

Motion was made to approve moving forward with this code amendment ordinance.

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

9. Alderman Requests and Committee Reports

<u>Budget and Finance</u> – Chairman Christensen – DiFonzo, Koffler.
<u>Police and Fire</u> – Chairman DiFonzo
– Rasmussen, Stevenson.
<u>Parks and Recreation</u> – Chairman Christensen – Stevenson,
Rasmussen.
<u>Water and Sewer</u> – Chairman Godfrey – Christensen, DiFonzo.
<u>Street and Alley</u> –

Chairman Rasmussen – DiFonzo, Koffler. <u>Sanitation</u>– Chairman Stevenson – Koffler, Godfrey. <u>City Buildings & Street Lighting</u> – Chairman Koffler – Godfrey, Christensen

a. City Council Committee Assignment Rotation

Clerk/Treasurer Chamberlin stated the Committee Assignments have been updated on the agenda and she also attached the updated committee assignments, per the rotation scheduled approved by the City Council. She stated the Council President and Vice-President positions are 2-year terms in line with the municipal elections, and in January 2026 they will be presented with the election of those positions.

10. Unfinished Business

Nothing.

11. New Business

a. CDBG Planning Grant Award of \$40,000 and Main Street Montana Grant Award for \$20,000 for Downtown Master Plan (Chamber of Commerce)

Alderwoman Godfrey announced the award of the CDBG Planning Grant and the Main Street Montana Grant for a total of \$60,000, both of which will be used by the Chamber of Commerce for their Downtown Master Plan. All present congratulated the Chamber on these grants.

12. City Planner

PWD HIntz stated he and CIty Planner Sanderson have been working on the grant application for the 22nd Avenue Bike Path Project. alderman DiFonzo aksed if they are looking at the east or west side and PWD HIntz stated the east side.

13. City Attorney

a. Resolution 3945- A Resolution Adopting an Official Newspaper for Official Publications

City Attorney Kalil read Resolution 3945, adopting an official newspaper for official publication, out loud. Clerk/Treasurer Chamberlin stated the Sidney Herald has reached out to her asking for the resolution to be tabled to give them the opportunity to come to the table in the cost discussion. She stated she did inform them of the other issues that have arisen since the Sidney office closed and the online publication software has started, including the price, the 10% processing fee added to the publication cost, publication deadline issues, lack of communication or assistance with publications and most recently an issue with submitted publications not being ran when submitted for, which can be extremely detrimental when meeting state codes for publications. She stated as an example of the cost difference between the Round-up and the Sidney Herald they ran the Phase 4 Water Tower Phase 1 Bid in both newspapers, the Sidney Herald charging \$857.87 for 2 publications (including the processing fee) or \$429.94 for one publication and the Round-up charging \$169 for the exact same publication.

Motion was made to approve with the correction of 2025 for the year of passing.

In discussion Mayor Norby tahnked the Round-up for what they do for the community.

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

14. Chief of Police

a. December 2024 Police Department Report

Chief Kraft provided the December 2024 Police Department Report.

15. Public Works Director

a. December 2024 Public Works Report

PWD Hintz presented the December 2024 Public Works Report.

b. December 2024 Compliance Officer Report

PWD Hintz presented the December 2024 Compliance Officer Report on behalf of Compliance Officer Schroeder.

c. Nathan and Samantha Damm (313 14th St SE)-Request to connect to city sewer

PWD Hintz stated he was approached by the Damm's to connect to city sewer. He stated they are across truck route (s side of 14th street), borders current sewer by Saia and Martha's place where the City has provided services or has agreed to at their cost to connect. Clerk/Treasurer Chamberlin stated this is a private residential property that is not in the City limits. Alderwoman Christensen asked fi they have to be annexed to do so and PWD Hintz stated they would also be provided a protest of annexation letter as Martha's House and Saia have been. Alderman Koffler asked if they are aware of the cost to connect and PWD Hintz stated they are.

Alderman DiFonzo asked how many properties in this location should be allowed to connect without annexation. PWD Hintz stated with the Martha's Place addition to services, more will want to and if that happens then annexing the area would be a good idea, which is why they are requiring the annexation protest waiver. Alderman DiFonzo stated he feels the City should be looking into how many of those properties and annexing the area if they want to be connected to City services. Clerk/Treasurer Chamberlin stated there are steep regulations for annexation which include 100% property owner participation, or an election is required. She further stated if the area is going to be annexed, it would be more cost effective for the City to petition the area and annex everyone that wishes at once. Alderman DiFonzo stated that he feels continuing to provide the services without annexation is a loss of tax revenue.

Motion was made to approve the connection of 313 14th St SE to City Sewer without annexation but requiring a annexation protest letter be signed.

7

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

Alderwoman Christensen stated the question of annexation for the area needs to go to the City Planner for review. Alderwoman Rasmussen amended her motion to include that in her original motion and Alderman Koffler seconded the amendment.

In discussion Alderman DiFonzo clarified that this was still a motion approving this specific connection and that was confirmed.

All present voted aye on the amendment to the original motion.

16. Fire Marshal/Building Inspector

a. December 2024 Fire Run Report

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

17. City Clerk/Treasurer

a. December 2024 Treasurer's Report

Clerk/Treasurer Chamberlin presented the December 2024 Treasurer's Report. She stated they had the in person meeting with Auditor Bob Denning last week for the FY23-24 audit, which they will be expecting the final report on the end of March. She stated due to the \$300,000 loan forgiveness for the Phase 3 Waste Water Treatment Project, the City will have to do a Federal Audit this year, just barely over the \$750,000 threshold of federal funding.

Clerk/Treasurer Chamberlin stated the legislative session has begun, as well as the bills pertaining to property taxes and the cuts to local governments. She stated if anyone would like more details on the bills they are currently tracking, to let her know.

b. December 2024 JV Report

Clerk/Treasurer Chamberlin presented the December 2024 JV Report, being the normal UB and Payroll JV's, for approval.

Motion was made to approve.

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

c. Q4 2024 Water/Sewer Bank Transfer of \$1,001,885.63

Clerk/Treasurer Chamberlin presented the Quarter 4 Water/Sewer Bank Transfer of \$1,001,885.63, which will transfer from the Water/Sewer bank account to the City repurchase bank account. She stated the primary driver for the large amount is the bond payments made.

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

18. Consent Agenda

Motion was made to approve the claims and building permits.

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

a. Claims to be approved: \$205,030.85 + \$26,405.66 = 231,436.51

Intermediary Claims to be approved (included in total): \$26,405.66

#43446	Wex Bank	\$2,773.11
#43447	Power Plain OIB	\$2,815.08
#43448	Utilities Underground	\$5.18
#43449	Builders First Source	\$65.14
#43450	Energy Laboratories	\$1,147.00
#43451	Kalil Law Firm	\$11,403.44
#43452	Global Safety Network	\$48.20
#43453	Grainger	\$143.73
#43454	American Welding & Gas	\$643.50
#43455	Vestis	\$650.56
#43474	MDU	\$252.81
#43475	Lower Yellowstone REA	\$6,457.91

b. Building Permits to be approved: 2025-042 to 2025-043

19. Adjournment

Alderman DiFonzo asked if the City is able to annex one lot at a time and Clerk/Treasurer Chamberlin stated yes, as long as 100% of the property owners are in favor of annexation and the land is abutting the current city limits, the City can generally annex property. She stated it is more cost effective to do a survey of the area and find out who is wishing to annex and/or connect to City services and annex all of them at one time. She stated this will also point out any issues such as gaps in properties who want to annex or connect.

Ms. Bayless stated when Mayor Norby and Clerk/Treasurer Chamberlin spoke to the Government Class it was brought up that if you get stuck in the snow in the center lane you receive a ticket and she was wondering if this was looked into. Mayor Norby stated Clerk/Treasurer Chamberlin did address this question with Chief Kraft. Chief Kraft stated every situation is different, but if there is evidence of careless or reckless driving that resulted in getting stuck they would be ticketed, but to just get stuck would not be a traffic violation. He further stated there was also questions pertaining to assisting someone who is stuck, which is not illegal PD will not be issuing tickets for that assisting.

at 6:58pm.



City of Sidney, MT Street and Alley Committee Meeting 1-15-25 January 15, 2025 5:30 PM 115 2nd Street SE |Sidney, MT 59270

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Alderman Present: Christensen, Rasmussen and DiFonzo

Other's Present: Mayor Norby, PWD Hintz, FM/BI Rasmussen, Clerk/Treasurer Chamberlin, Gordon _____.

1. New Business

a. Phoenix Capital Oil Lease for City Shop Offer

PWD Hintz stated he has invited Gordon Torgerson to discuss his opinion on the offer for leasing the City Shop mineral rights by Phoenix Capital. He stated it is only part of the City Shop property, 7.5 acres. Mr. Torgerson stated the \$400 bonus is a good offer, but he would negotiate the 17% original offer negotiate to 18.75%, and change the terms to a 3-year primary term with 2-year option to extend, as he feels it is to long of a term with their offer. He lastly stated he strongly recommends deleting paragraph 20 that gives them the right of first offer during term of lease or to match an offer. He stated 5 years down the road that situation can get messy, most leases do not have that Bonafede offer paragraph. He stated all that needs to happen to continue to progress is call them with this counter and see if they accept or counter back.

Alderman DiFonzo asked if this is the portion of city shop land that is not in City Limits? Mr. Torgerson stated yes, the land inside the city limits is already leased. Alderman DiFonzo asked if there would be any issues should the city annex that property and Mr. Torgerson stated no but the city can add a service non-development clause to the lease, which they will accept because they will not be drilling on the city property. Alderman DiFonzo stated that property should be in the City limits. Mr. Torgerson stated it wouldn't cause any issue with the validity of the oil and gas lease either way if the property is annexed. PWD Hintz stated technically the offer has expired, but he can contact them to offer new terms.

Motion was made to recommend approval of contacting them with the new terms outlined by Mr. Torgerson and the addition of the service non-development clause to know at the next council meeting.

Mr. Torgerson stated he would be willing to sit down with PWD Hintz to make that phone call.

Motion made by DiFonzo, Seconded by Rasmussen. Voting Yea: DiFonzo, Christensen, Rasmussen

b. Review Zoning Code-Commercial Zones Maximum Fence Height

B-1: 11-10-3 (C)-Maximum 72 inches B-2: 11-11-3 (C)-Maximum 72 inches B-3: 11-12-3 (D)-Maximum 72 inches CLM: 11-13-3 (B)-Maximum 96 inches M-I: 11-14-3 (B)-Maximum 96 inches

Alderman DiFonzo proposed to amend the B-1 city code 11-10-3 to increase the maximum height for fences from 72 inches to 96 inches. He stated B-1 district will not affect the downtown area and if it is something that is being requested by the property owners in that zone, then the code should be updated to allow all the properties and not have to go through that extensive process.

PWD Hintz stated there has not been that many requests for this change and Alderman DiFonzo stated it should still be universal for that zone. FM/BI Rasmussen stated he does not disagree with updating this zone as Ace Hardware paid \$530 in permit fees instead of \$30 because of the variance when they could have built a wall just as tall, right on the property line, for a cheaper fee, which is not something we want to see happen. He added that he feels no barbed wire should be allowed and that the previous zoning code had conditions on what materials could/couldn't be used for fences, but 11.18.28 no longer limits the kind of fences. He stated this would be an opportune time to get those added back in for all zoning districts.

PWD Hintz stated with the variance process the City would have control if want higher, and don't if the code is changed. Alderwoman Rasmussen stated the fences will still have to be permitted and we don't lose control for where they are allowed. Alderman DiFonzo stated the Ace property could be sold and the fenced area could be used for different reasons for why it was allowed and reiterated he feels if going to allow then allow. FM/BI Rasmussen stated the area's affected could be the new coffee shop and south, fox run and east holly. Alderwoman Rasmussen stated the extra 2 feet would provide extra security for these properties with expensive merchandise.

Alderwoman Christensen stated they could propose to add the specifications of what is prohibited for fences in all zones, along with the B-1 fence height change. Clerk/Treasurer Chamberlin stated staff could get the specification change recommendation together for council meeting on Tuesday. FM/BI Rasmussen stated they would use the previous code and City Planner Sanderson for the specification details. Alderman DiFonzo stated it would be possible then for a variance for type of material and it would not be for the height over and over again. FM/BI Rasmussen stated the commercial and industrial zoning code already states that they shall provide screening at minimum of 8 feet for outside storage, which validates this change for the B-1 zone. Motion was made to recommend approval of the update to the zoning code for the B-1 fence maximum height of 96 inches and the specifications for what is or is prohibited for fences in all zoning districts, the details of which to be outlined and recommended by city staff.

Motion made by Rasmussen, Seconded by DiFonzo. Voting Yea: DiFonzo, Christensen, Rasmussen

Adjourned at 5:53pm.

To whom it may concern:

Jared Troudt Address: 416 2nd AVE SE Sidney, MT

I would appreciate your consideration to be on Sidney's City Council. I am employed by ONEOK as a measurement technician and on ONEOK's Northern Community Investments Committee. Currently I am on the boards of the Richland County Food Bank and the Sidney Swim Team. I have grown up in Sidney and I am proud of the strength our community has. I have supported the community through providing a voice for grant approvals and volunteering through multiple organizations. I hope you consider me for this position.

Thank you for your consideration:

Jack South Jared Troudt

Jacqueline Gonzalez Martinez

603 6TH AVE SE

Sidney, MT, 59270

January 19, 2025

Dear Members of the City Council,

I am writing to express my interest in filling the vacant position for Ward 1 in Sidney, MT. With a deep gratitude for our community and a passion for fostering positive growth, I believe I can contribute effectively to the ongoing development of our beloved town and community.

Throughout my almost 10 years of living in Sidney, MT, I have grown to love the town, its warm community, and its extensive opportunities. I moved to Sidney in June of 2015 and have cherished living here ever since. The city, alongside the Chamber of Commerce and other organizations, makes living in Sidney truly a dream. The abundance of resources, engaging events, and collaborative initiatives not only support residents but also foster a sense of unity and pride in our town. From family-friendly activities to programs that promote local businesses, Sidney continues to enrich the lives of its residents while maintaining its small-town charm.

I am confident in my ability to serve as a City Council Member for Ward 1, bringing leadership experience, strong communication skills, and a deep commitment to community engagement. My involvement in student council, leadership roles in clubs, and mentoring programs has strengthened my ability to advocate for others and lead initiatives. Additionally, I am pursuing an associate degree in Accounting and Business Management, where I've developed a strong foundation in microeconomics, management principles, and effective communication—skills critical for decisions regarding budgets, economic development, and policy-making. Over the past year, I have regularly attended city council meetings, with the only exception being the semester I was in college. During this time, I have gained a solid understanding of how procedures work, the processes involved, and what it takes to be an effective city council member. These meetings have given me valuable insight into the dedication and effort required to serve the community effectively. If given the opportunity to join the city council, I will strive to embody these qualities and make a meaningful contribution. My commitment to maintaining and strengthening the foundation of Sidney remains unwavering, and I am eager to help guide our community toward a brighter future.

As a resident of Sidney for nearly a decade, I deeply understand the values and traditions that make our town special. My goal as a council member is to ensure that the residents of Ward 1 have a voice in shaping the future of Sidney. I am dedicated to advocating and addressing the unique needs of ward 1.

Sincerely,

Jacqueline Gonzalez Martinez

Jamie Larson 314 8th St. SE Sidney, MT 59270 larsonjamie41@yahoo.com 406-489-0758

Dear Members of the Sidney City Council:

I am writing to express my interest in the opportunity to serve on City Council for Ward 1.

I have lived in Sidney for the past 18 years and have been involved in numerous organizations throughout the community. I have a strong appreciation for the City's work and commitment, taking into account the health and well-being of the community members. I have a desire to support our city and individuals who live in it.

I currently serve on the Sidney Area Chamber of Commerce Board of Directors (2nd Vice President), Boys and Girls Club Board of Directors and the Sidney Cemetery Board of Directors.

I am interested in contributing to the growth and future of our city and community. I would be honored to serve on City Council and appreciate your consideration for this position.

Sincerely,

Joseph L. Kauffman, PLS

Sidney, MT. City Council, Ward 1

Contact

PO BOX 170 409 6th Street SE Sidney, MT. 59270 406-250-9452

BIG SKY Surveying @gmail.com

Dear Mayor Norby

I am writing a letter of interest for the City Council Ward 1 position.

I feel I would make a great candidate for this position based on the following experience and knowledge.

I have been an intricate part of the community of Sidney, as a Professional Land Surveyor. As the owner of BIG SKY Surveying, my business has helped over hundreds of city and county residents as well as local businesses providing land surveying for Eastern Montana. I believe that I would be an asset to the city council with my knowledge as a Professional, understanding city codes, city ordinances, state laws, and as a resident of Sidney for 15 plus years.

I have been active in the community supporting local fundraisers, events put on by the Sidney Chamber, Cattleman's Ball, Fireman's Ball, Walley Banquet, Political events, co-ed volleyball and softball and supporting local businesses. My children are or have been active with baseball, school sports, swimming lessons, church, fundraisers, earned their hunting license, driver's license and being part of a great community.

I also maintain a membership and serve as the Secretary/Treasurer for the Montana Association of Registered Land Surveyors. I have held this position for the past 20 years. Included in that time, I had served a one-year term as president of this organization. This organization has given me a greater understanding of the discipline in our industry.

I feel I would be able to help contribute and guide the council to making positive decisions for our community.

Thank you for taking the time to review my information. I look forward to visiting with you.

Sincerely,

Joseph L. Kauffman



Date January 28, 2025To: Mayor and City CouncilFrom Forrest Sanderson, AICP and CFMRe: ANNEXATION SUMMARY

I have been requested to provide a summary of Annexation Powers and some guidance as to when the City should require the annexation of certain properties to the City of Sidney. In all instances, the decision to annex property is a business decision and the question should be – Is the decision in the best interest of the City of Sidney? <u>To fully consider this question, you must take into account the impact on all city funds especially your enterprise funds as the cost of construction of new water and sewer mains and possibly additional snow removal and solid waste equipment can be budget busters.</u>

In the perfect world, anytime a property owner requests to be connected to or provided a service by the City of Sidney, the property should be annexed into the city and the city should never extend the services beyond the limits of the city. As we all know, the world is not a perfect place and there should be a few exemptions to the rule but remember that when we are discussing annexation, we are making a business decision.

Most typical types of annexation and restrictions, if any:

Annexation of Contiguous Property. Typically, City Initiated. This process is typically used to annex larger areas of developed property where the extension of city services is deemed necessary or in the public interest. Actions are potentially subject to protest and may be rejected by owners or voters.

Annexation of Wholly Surrounded Property. Always City Initiated. This process exists where parcels of land have been complexly surrounded by the City but have not been included. The premise is that these surrounded areas benefit from city services but do not pay for the benefits. Wholly surrounded properties do not have the right to protest the annexation action unless they are 'protected uses' such as Industrial, Agricultural, Manufacturing, Golf or Country Club to name a few.

Annexation by Petition. Always Landowner Initiated. The process allows landowners to 'petition' for inclusion into the municipality. The main driver for the petition is the desire to gain access to one or more public utility services. While the desire is always have 100% of the owners on board with the action as few as 1/3 of the owners may submit a petition for annexation provided that an election of the electors of the city and the area to be annexed must be held. The election requirements are eliminated if 50% of the resident landowners or if 50% owners of the land area support the petition for annexation. There are some conditional restrictions on the use of petition annexation but those restrictions can be overcome if 100% of the protected class of land support

The City of Sidney is an equal opportunity provider.

the annexation and the annexation is consistent with the Growth Policy. THIS IS PROBABLY THE MOST COMMON TYPE OF ANNEXATION SEEN BY MID SIZED MUNICIPALITIES IN MONTANA.

Annexation with the Provision of Services. Typically Landowner Initiated. This is probably the most complicated annexation process because it is predicated on a belief that annexation choices are only based on increasing the municipality's tax base and that some areas purposefully underserved by municipal services or that there are areas deriving unfair benefits from municipal services and not paying their fair share. This is the only annexation process that requires action by the city council and commitments to the outlined processes. If the municipality fails to comply with the timelines or process the question of annexation is taken over by the District Court.

Limitations of Annexation Power

Without question, whenever the question of extension of city services and annexation is raised with respect to 'the protected class of properties' the answer has to be all in or all out. This is because these protected properties cannot be forced to annex into the city unless 100% of the owners support the annexation. I am not 100% certain that we can enforce a waiver of annexation on a protected class of property, especially if the ownership were to change. As such, anytime a property classified as 'protected' for annexation purposes requests a city service it should be annexed or the service denied!

Remember that when you annex property you are also required to annex the full width of any and all public roads and parks within the annexation area or on the perimeter of the properties being annexed at the same time.

Lastly, you must plan to provide the same level of municipal services that are available to other members of the municipality (Roads, Water, Sewer, Garbage, Police, Fire, Ambulance etc.). The services do not all have to be available on day 1 following the annexation but you must have and follow a plan to provide the services in a reasonable amount of time.

Summary:

I hope this helps with your future discussions surrounding annexation. I would be more than willing to sit down with the City Council or a standing committee of the Council the next time I am in Sidney for other topics to discuss annexation in greater detail.

City of Sidney 2024 Road Improvement Project Breakdown of Costs

Schedule	e 14 - CITY STREE	T CHIPP	ING								
Item No.	Description	Quantity	Units	Unit Price	Bid Price	Actual Quantity	Total Price	Materials Stored	Stored and Completed	Percent	Balance
100	Mobilization, Taxes, Ins, Bonds	1	LS	\$ 50,000.00	\$ 50,000.00	1.00	\$ 50,000.00		\$ 50,000.00	100.00%	\$ -
101	PreSweeping - Weed Removal	113181	SY	\$ 0.10	\$ 11,318.10	100547.00	\$ 10,054.70		\$ 10,054.70	88.84%	\$1,263.40
102	Oil - CHFRS-2P	214	TON	\$703.55	\$ 150,559.70	189.07	\$ 133,020.20		\$ 133,020.20		\$17,539.50
103	Chips	113181	SY	\$ 2.55	\$ 288,611.55	100547.00	\$ 256,394.85		\$ 256,394.85	88.84%	\$32,216.70
107	Striping - Lane Lines	8455	LF	\$ 0.20	\$ 1,691.00	7985.00	\$ 1,597.00		\$ 1,597.00	94.44%	\$ 94.00
108	Striping - Pavement Markings	2357	SF	\$ 5.00	\$ 11,785.00	2007.00	\$ 10,035.00		\$ 10,035.00	85.15%	\$1,750.00
109	Miscellaneous Work	5000	EA	\$ 1.00	\$ 5,000.00	0.00	\$-		\$-	0.00%	\$5,000.00
110	Traffic Control	1	LS	\$ 25,430.00	\$ 25,430.00	1.00	\$ 25,430.00		\$ 25,430.00	100.00%	\$ -
		S	chedule 1	4 Totals	\$ 544,395.35		\$ 486,531.75	\$-	\$ 486,531.75		\$57,863.60

Total Due to Richland County \$ 486,531.75

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

ltem c.

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

1/30/2025 Rick Norby Sidney

RE: Notice of RRGL Planning Grant Award

Dear Mayor Norby,

Congratulations! You have been awarded a \$40,000.00 RRGL planning grant for the Sidney Water System Improvements PER. The city of Sidney must enter into an executed grant agreement with DNRC. Project costs incurred after the date of this award letter may be eligible for reimbursement.

APPLICANT ORGANIZATION must enter into a grant agreement with DNRC prior to requesting reimbursement for eligible project costs.

To begin your project, we will need the following items:

- 1. <u>budget tracking spreadsheet</u>
- 2. scope of work
- 3. grant management plan
- 4. committed funding letters for this project.

Startup conditions (above) must be submitted by **March 14, 2025.** If startup conditions are not submitted by this date, the planning grant application may be rescinded, and the project might not move forward to a DNRC grant agreement.

Upon receipt and review of these startup conditions, the DNRC grant manager will develop the grant agreement and you will receive a version to sign via DocuSign or Mail. Please sign the agreement and return them to us for final signatures and approval.

Thank you for your application and we look forward to working with your organization on your project and planning needs and contact Katherine Certalic if you have any questions: kcertalic@mt.gov or 406-444-3146.

Sincerely,

Katherin Certaltic

Katherine Certalic RRGL Planning Grant Program Manager



North Park Elevated Water Tower Replacement (Phase 1) Sidney, Montana Bid Opening: Thursday, January 30, 2025 at 11:00 am WR2300047

Schedule 1	- Water Main Installation				Western Munic	ipal	Construction, Inc.		BEK Co	onsulting, LLC		Engineer's Opini	on of	Construction Cost
ltem No.	ltem	Unit	No. of Units		Unit Price		Extended Price		Unit Price	Extended Price		Unit Price		Extended Price
101	Mobilization, Taxes, Bonds, Insurance	LS	1	\$	117,000.00	\$,	\$	148,000.00	\$ 148,000.00		,	\$	100,000.00
102	12" Water Main (PVC)	LF	486	\$	225.00	\$	109,350.00	\$	220.00	\$ 106,920.00	\$	140.00	\$	68,040.00
103	10" Water Main (PVC)	LF	30	\$	219.00	\$	6,570.00	\$	200.00	\$ 6,000.00	\$	120.00	\$	3,600.00
104	8" Water Main (PVC)	LF	399	\$	171.00	\$	68,229.00	\$	190.00	\$ 75,810.00	\$	100.00	\$	39,900.00
105	6" Water Main (PVC)	LF	41	\$	169.00	\$	6,929.00	\$	175.00	\$ 7,175.00	\$	85.00	\$	3,485.00
106	12" Gate Valve	EA	4	\$	6,700.00	\$	26,800.00	\$	10,500.00	\$ 42,000.00	\$	7,000.00	\$	28,000.00
107	10" Gate Valve	EA	2	\$	5,900.00	\$	11,800.00	\$	8,500.00	\$ 17,000.00	\$	5,000.00	\$	10,000.00
108	8" Gate Valve	EA	2	\$	4,200.00	\$	8,400.00	\$	6,000.00	\$ 12,000.00	\$	4,000.00	\$	8,000.00
109	6" Gate Valve	EA	1	\$	3,500.00	\$	3,500.00	\$	4,500.00	\$ 4,500.00	\$	3,000.00	\$	3,000.00
110	12"x12" Tee	EA	2	\$	3,300.00	\$	6,600.00	\$	3,500.00	\$ 7,000.00	\$	3,000.00	\$	6,000.00
111	12"x10" Tee	EA	1	\$	3,300.00	\$	3,300.00	\$	3,500.00	\$ 3,500.00	\$	3,000.00	\$	3,000.00
112	12"x6" Tee	EA	1	\$	2,700.00	\$	2,700.00	\$	3,000.00	\$ 3,000.00	\$	2,500.00	\$	2,500.00
113	12"x8" Reducer	EA	3	\$	1,900.00	\$	5,700.00	\$	2,400.00	\$ 7,200.00	\$	2,000.00	\$	6,000.00
114	10"x6" Reducer	EA	1	\$	2,400.00	\$	2,400.00	\$	2,000.00	\$ 2,000.00	\$	2,000.00	\$	2,000.00
115	Connect to Existing Main (8")	EA	3	\$	3,800.00	\$	11,400.00	\$	10,000.00	\$ 30,000.00	\$	3,000.00	\$	9,000.00
116	Connect to Existing Main (6")	EA	1	\$	3,300.00	\$	3,300.00	\$	10,000.00	\$ 10,000.00	\$	2,500.00	\$	2,500.00
117	Fire Hydrant Assembly	EA	3	\$	10,900.00	\$,	\$	15,000.00	\$ 45,000.00	_	12,000.00	\$	36,000.00
118	6" Fire Hydrant Lead (PVC)	LF	91	\$	73.00	\$	6,643.00	\$	285.00	\$ 25,935.00	\$	85.00	\$	7,735.00
119	1" Water Service Connection (W.S.C.)	EA	20	\$	1,500.00	\$	30,000.00	\$	900.00	\$ 18,000.00	_	2,000.00	\$	40,000.00
120	1" Water Service Stub (W.S.S.)	EA	3	\$	970.00	\$	2,910.00	\$	900.00	\$ 2,700.00	_	1,200.00	\$	3,600.00
121	1" Curb Stop	EA	23	\$	950.00	\$	21,850.00	\$	750.00	\$ 17,250.00		800.00	\$	18,400.00
122	1" Service Pipe (HDPE)	LF	859	\$	81.00	\$	69,579.00	\$	73.00	\$ 62,707.00		60.00	\$	51,540.00
123	Internal Water Service Connection (I.W.S.C.)	EA	1	\$	6,300.00	\$	6,300.00	\$	18,000.00	\$ 18,000.00	_	3,000.00	\$	3,000.00
124	Temporary Water	LS	1	\$	38,100.00	\$	38,100.00	\$	40,000.00	\$ 40,000.00		20,000.00	\$	20,000.00
125	Curb and Gutter Removal	LF	425	\$	11.00	\$	4,675.00	\$	12.00		_	30.00	\$	12,750.00
126	Curb and Gutter Installation	LF	425	\$	150.00	\$	63,750.00	\$	146.00	\$ 62.050.00	_	45.00	\$	19,125.00
127	Concrete Valley Gutter Removal	SF	235	\$	3.00		705.00	\$	2.00			10.00	\$	2,350.00
128	Concrete Valley Gutter Installation	SF	235	\$	82.00	\$	19,270.00	\$	81.00			30.00	\$	7,050.00
129	Concrete Sidewalk Removal	SF	900	\$	2.50		2,250.00	\$	2.00		_	10.00	\$	9,000.00
130	Concrete Sidewalk Installation	SF	900	\$	38.00	\$	34,200.00	\$	41.00	\$ 36,900.00	_	20.00	\$	18,000.00
131	Concrete Driveway Removal	SF	375	\$	3.00	-	1,125.00	\$	2.00			10.00	\$	3,750.00
132	Concrete Driveway Installation	SF	375	\$	39.00		14,625.00	\$	49.00	\$ 18,375.00		25.00	\$	9,375.00
133	Asphalt and Road Base Removal (Full Depth)	SY	1250	\$	16.00		20,000.00	\$	30.00			10.00	\$	12,500.00
133	Asphalt and Road Base Installation (Full Depth)	SY	1250	\$	70.00	\$	87,500.00	\$	105.00	\$ 131,250.00		100.00	\$	125,000.00
134	Asphali and Road Base Installation (Foll Depin) Asphalt Removal (HMA Only)	SY	925	\$	11.00		10,175.00	\$	15.00	\$ 13,875.00		5.00	\$	4,625.00
135	Asphalt Installation (HMA Only)	SY	925	\$	55.00	\$	50,875.00	\$	65.00	\$ 60,125.00		60.00	Ψ \$	55,500.00
137	Grass Restoration (Hydro Mulch)	SF	7775		2.60	\$	20,215.00	.⊅ \$	2.00	\$ 15,550.00		2.00	\$	15,550.00
137	Exploratory Excavation	HR	20	φ \$	310.00	\$	6,200.00	.⊅ \$	700.00	\$ 14,000.00		400.00	\$	8,000.00
138	Exploratory Excavation Imported Trench Backfill	CY	420	ې \$	1.00	Ŧ	420.00	۹ \$	52.00	\$ 21,840.00		35.00	۵ \$	14,700.00
140	Type II Bedding	CY	175	.⊅ \$	1.00	۹ \$	175.00	۹ \$	80.00	\$ 14,000.00		50.00	۵ \$	8,750.00
140	// 0	LS	1/5	۵ ۶	5,000.00		5,000.00	۵ \$	43,000.00	\$ 14,000.00		25,000.00	۵ \$	25,000.00
141	Asbestos Pipe Removal		1	۵ ۲	8,900.00		5,000.00 8,900.00	۵ \$	20,000.00	\$ 43,000.00 \$ 20,000.00		10,000.00	۵ ۶	25,000.00
	Traffic Control	LS	1	Ŧ	1.		1		1 .			1 .	Ŷ	1 1
143	Materials Testing	LS	15000	\$	8,500.00		8,500.00	\$	25,000.00	\$ 25,000.00		5,000.00	\$	5,000.00
144	Miscellaneous Work Allowance	UNIT	15000 ichedule 1 Total	\$	1.00	\$	15,000.00 975,620.00	\$	1.00	\$ 15,000.00 1,267,317.00		1.00	\$	15,000.00 856,325.00

Schedule 2	- Water Main Installation			Western Munic	ipal Construction, Inc.	BEK C	onsulting, LLC	Engineer's Opini	ion of	Construction Cost
Item No.	Item	Unit	No. of Units	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price		Extended Price
201	Mobilization, Taxes, Bonds, Insurance	LS	1	\$ 46,000.00	\$ 46,000.00	\$ 59,000.00	\$ 59,000.00	\$ 45,000.00	\$	45,000.00
202	12" Water Main (PVC)	LF	414	\$ 274.00	\$ 113,436.00	\$ 240.00	\$ 99,360.00	\$ 161.00	\$	66,654.00
203	8" Water Main (PVC)	LF	59	\$ 167.00	\$ 9,853.00	\$ 220.00	\$ 12,980.00	\$ 115.00	\$	6,785.00
204	12" Gate Valve	EA	1	\$ 7,000.00	\$ 7,000.00	\$ 12,000.00	\$ 12,000.00	\$ 8,050.00	\$	8,050.00
205	8" Gate Valve	EA	2	\$ 4,500.00	\$ 9,000.00	\$ 6,500.00	\$ 13,000.00	\$ 4,600.00	\$	9,200.00
206	12"x12" Cross	EA	1	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 4,500.00	\$ 3,450.00	\$	3,450.00
207	12"x8" Reducer	EA	2	\$ 2,100.00	\$ 4,200.00	\$ 3,000.00	\$ 6,000.00	\$ 2,300.00	\$	4,600.00
208	Connect to Existing Main (12")	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 12,000.00	\$ 12,000.00	\$ 4,000.00	\$	4,000.00
209	Connect to Existing Main (8")	EA	2	\$ 4,200.00	\$ 8,400.00	\$ 12,000.00	\$ 24,000.00	\$ 3,450.00	\$	6,900.00
210	Fire Hydrant Assembly	EA	1	\$ 13,200.00	\$ 13,200.00	\$ 16,000.00	\$ 16,000.00	\$ 13,800.00	\$	13,800.00
211	6" Fire Hydrant Lead (PVC)	LF	17	\$ 75.00	\$ 1,275.00	\$ 350.00	\$ 5,950.00	\$ 97.75	\$	1,661.75
212	1" Water Service Connection (W.S.C.)	EA	1	\$ 1,600.00	\$ 1,600.00	\$ 1,100.00	\$ 1,100.00	\$ 2,300.00	\$	2,300.00
213	1" Curb Stop	EA	1	\$ 1,000.00	\$ 1,000.00	\$ 700.00	\$ 700.00	\$ 920.00	\$	920.00
214	1" Service Pipe (HDPE)	LF	15	\$ 85.00	\$ 1,275.00	\$ 82.00	\$ 1,230.00	\$ 69.00	\$	1,035.00
215	Temporary Water	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 2,500.00	\$ 2,500.00	\$ 10,000.00	\$	10,000.00
216	Curb and Gutter Removal	LF	40	\$ 12.00	\$ 480.00	\$ 15.00	\$ 600.00	\$ 11.50	\$	460.00
217	Curb and Gutter Installation	LF	40	\$ 260.00	\$ 10,400.00	\$ 175.00	\$ 7,000.00	\$ 51.75	\$	2,070.00
218	Concrete Valley Gutter Removal	SF	60	\$ 4.00	\$ 240.00	\$ 4.00	\$ 240.00	\$ 11.50	\$	690.00
219	Concrete Valley Gutter Installation	SF	60	\$ 140.00	\$ 8,400.00	\$ 75.00	\$ 4,500.00	\$ 34.50	\$	2,070.00
220	Asphalt and Road Base Removal (Full Depth)	SY	475	\$ 18.00	\$ 8,550.00	\$ 33.00	\$ 15,675.00	\$ 11.50	\$	5,462.50
221	Asphalt and Road Base Installation (Full Depth)	SY	475	\$ 113.00	\$ 53,675.00	\$ 125.00	\$ 59,375.00	\$ 115.00	\$	54,625.00
222	Asphalt Removal (HMA Only)	SY	300	\$ 13.00	\$ 3,900.00	\$ 17.00	\$ 5,100.00	\$ 5.75	\$	1,725.00
223	Asphalt Installation (HMA Only)	SY	300	\$ 72.00	\$ 21,600.00	\$ 77.00	\$ 23,100.00	\$ 69.00	\$	20,700.00
224	Grass Restoration (Hydro Mulch)	SF	460	\$ 11.00	\$ 5,060.00	\$ 3.00	\$ 1,380.00	\$ 2.30	\$	1,058.00
225	Exploratory Excavation	HR	10	\$ 320.00	\$ 3,200.00	\$ 750.00	\$ 7,500.00	\$ 460.00	\$	4,600.00
226	Imported Trench Backfill	CY	110	\$ 1.00	\$ 110.00	\$ 56.00	\$ 6,160.00	\$ 40.25	\$	4,427.50
227	Type II Bedding	CY	50	\$ 1.00	\$ 50.00	\$ 85.00	\$ 4,250.00	\$ 57.50	\$	2,875.00
228	Asbestos Pipe Removal	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 23,000.00	\$ 23,000.00	\$ 28,750.00	\$	28,750.00
229	Traffic Control	LS	1	\$ 7,900.00	\$ 7,900.00	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00	\$	5,000.00
230	Materials Testing	LS	1	\$ 4,600.00	\$ 4,600.00	\$ 12,000.00	\$ 12,000.00	\$ 3,000.00	\$	3,000.00
231	Miscellaneous Work Allowance	UNIT	5000	\$ 1.00	\$ 5,000.00	\$ 1.00	\$ 5,000.00	\$ 1.00	\$	5,000.00
		S	chedule 2 Total	\$	375,904.00	\$	465,200.00	\$		326,868.75

	SUMMARY						
Western Municipal Construction, Inc. BEK Consulting, LLC Engineer's Opinion of Construction							
Schedule 1 Total	\$ 975,620.00	\$ 1,267,317.00	\$ 856,325.00				
Schedule 2 Total	\$ 375,904.00	\$ 465,200.00	\$ 326,868.75				
Subtotal	\$ 1,351,524.00	\$ 1,732,517.00	\$ 1,183,193.75				

I hereby Certify that the Tabulation of Bids represents the actual bids received for the North Park Elevated Water Tower Replacement (Phase I)

project, received and opened by Interstant Engineering on January 30, 2025 at 11:00 a.m.

Engineer's Signature Date

11.18.28 Retaining Walls/Fencing

11.18.28 A Retaining Walls

Retaining walls shall not exceed the height of eight (8) feet. Fences in Residential Zones shall not exceed six (6) feet in height above natural grade. More than one (1) retaining wall in a terraced arrangement shall be permitted. Retaining walls lower than three (3) feet designed and constructed to retain earth are exempt from other standards of this Ordinance that regulate walls. Walls taller than three (3) feet are required to be permitted and must include a stamp from a licensed Montana engineer.

11.18.28 B Fences by District

Fences in Residential Zones (R - Zones) shall not exceed six (6) feet in height above natural grade. The use of barbed wire or electric fences in residential zones is prohibited.

Fences in Business Zones (numbered B and C Zones) shall not exceed six (6) feet in height above natural grade. In the B-1 Zone fences shall not exceed eight (8) feet in height. The use of barbed wire or electric fences in Business Zones is prohibited.

Fences in Manufacturing Zones (CLM and MI) shall not exceed eight (8) feet in height above natural grade. The use of barbed wire is allowed in Manufacturing Zones. The use of electric fences is prohibited in Manufacturing Zones.

11.18.28 C Additional Fencing Requirements

Any fences constructed may extend beyond the property line onto the City right-of-way, provided that such fence ends at least five feet (5') from the established curb line to allow room for sidewalk construction. In the event no curb line has been established at the time of fence construction, the director of Public Works may establish a projected curb line for the purpose of determining placement of sidewalks in the future.

Notwithstanding any other part of this Section, a chain link fence may be constructed to a height of forty-two inches (42') within ten feet (10') from the intersection of a street or alley or within twenty-five feet (25') of the main street, provided that no materials are inserted into such chain link fence that would cause a decrease or obstruction to the vision of any operator of a vehicle.

Barbed wire and electrical fences may be permitted as an accessory use for safety reasons only upon the specified approval of the Building Inspector.

No yard fence shall be constructed or barbed wire, chicken wire, electrical wire, snow fence or any other wire unless such wire fencing is specifically designed and made for yard fencing and approved by the

Building Inspector. Chain link fencing materials are acceptable. No steel "T" or "U" fence posts may be used.

Any wood fence constructed from salvaged material must be painted so that all materials are of the same color within 30-days of installation

In no case shall such fences, walls or hedges be so placed and/or maintained that they impede vision for a driver of a vehicle approaching a street, alley or driveway intersection with another vehicle-traveled area; visibility triangles at all intersections shall be maintained unobstructed by fences. January 23, 2025

Kalil Law Firm Attn: Thomas Kalil P.O. Box 2355 Willison, ND 58802

Dear Mr. Kalil:

Our auditors, Denning, Downey, & Associates, P.C., CPA's, P.O. Box 1957 Kalispell, MT 59903, are conducting an audit of our financial statements at June 30, 2024 and for the fiscal year then ended. This letter will serve as our consent for you to furnish to our auditors all the information requested herein. Accordingly, please provide to them the information requested below involving matters with respect to which you have been engaged and to which you have devoted substantive attention on behalf of City of Sidney, Montana, in the form of legal consultation or representation.

Pending or Threatened Litigation, Claims, and Assessments (excluding unasserted claims and assessments)

Please prepare a description of all material pending or threatened litigation, claims, and assessments (excluding unasserted claims and assessments). Materiality for purposes of this letter includes items involving amounts exceeding \$10,000 individually or in the aggregate. The description of each matter should include:

- a. the nature of the litigation,
- b. the progress of the matter to date,
- c. how management of the City is responding or intends to respond to the litigation; e.g., to contest the case vigorously or to seek an out of court settlement; and
- d. an evaluation of the likelihood of an unfavorable outcome and an estimate, if one can be made, of the amount or range of potential loss.

Also, please identify any pending or threatened litigation, claims, and assessments with respect to which you have been engaged but as to which you have not devoted substantive attention.

Unasserted Claims and Assessments

We have represented to our auditors that there are no unasserted possible claims or assessments that you have advised us are probable of assertion and must be disclosed in accordance with FASB ASC 450, Contingencies.

We understand that, whenever, in the course of performing legal services for us with respect to a matter recognized to involve an unasserted possible claim or assessment that may call for financial statement disclosure, if you have formed a professional conclusion that we should disclose or consider disclosure concerning such possible claim or assessment, as a matter of professional responsibility to us, you will so advise us and will consult with us concerning the question of such disclosure and the applicable requirements of FASB ASC 450, Contingencies (excerpts of which can be found in the ABA's Auditor's Letter Handbook). Please specifically confirm to our auditors that our understanding is correct.

Response

Your response should include matters that existed as of June 30, 2024, and during the period from that date to the effective date of your response. Please specify the date of your response if it is other than the date of reply.

Please specifically identify the nature of, and reasons for, any limitation on your response.

Our auditor's expect to have the audit completed shortly. They would appreciate receiving your reply as soon as possible so that they can issue the audit report. You may also be requested to provide updates to your written response at a later date. We authorize you to respond to a request for updates made directly from our auditors in connection with the audit of our financial statements as of June 30, 2024, and for the period then ended. We appreciate your timely response to such requests.

Other Matters

Please also indicate the amount we were indebted to you for services and expenses (billed or unbilled) on the date of your response.

Please direct your response to:

Denning, Downey & Associates, P.C. Certified Public Accountants P.O. Box 1957 Kalispell, MT 59903-1957

Sincerely,

Page: 1 of 5 Report ID: AP100

* ... Over spent expenditure

Claim	Check Vendor #/Name/	Document \$/	Disc \$					Cash
H	Invoice #/Inv Date/Descriptio	on Line \$		PO #	Fund Org	Acct	Object Proj	Account
43512	35 LEE'S TIRE CENTER, INC.	6,029.88						
25200	162828 12/31/24 TIRES #414	2,289.84			5410	430830	200	101000
	162823 12/31/24 TIRES #311	682.20			5310	430600	200	101000
25200	162882 01/07/25 TIRES #421	2,289.84			5410	430830	200	101000
25847		2,203.04			JHIU	400000	200	101000
25850	162903 01/10/25 TIRES "2017 DODGE 3/4"	768.00			5210	430500	200	101000
43513	249 MID-RIVERS COMMUNICATIO	DNS 575.35						
	12/30/24 WATER- PHONE/INTERNET	95.89		NA	5210	430500	300	101000
	12/30/24 SEWER- PHONE/INTERNET	95.89		NA	5310	430600	300	101000
	12/30/24 CITY SHOP- PHONE/INTERNET	95.89*		NA	5410	430830	300	101000
	12/30/24 FIREHALL- PHONE/INTERNET	95.89		NA	1000	420400	340	101000
	12/30/24 CITY HALL- PHONE/INTERNET	95.89		NA	1000	411200	300	101000
	12/30/24 SWIMMING POOL- INTERNET/PHON	JE 95.90		NA	1000	460445	300	101000
43514	3 MONTANA DAKOTA UTILITIE	ES 4,778.97						
	01/17/25 1101 3RD ST NW- CITY SHOP	1,517.82			2425	430263	300	101000
	01/17/25 WELL#12	206.07			5210	430500	300	101000
	01/17/25 N SIDNEY SEWER LIFT	103.74			5310	430600	300	101000
	01/17/25 1101 3RD ST NW	18.83			2425	430263	300	101000
	01/17/25 WALK PATH LONE TREE CREEK	70.51			2425	430263	300	101000
	01/17/25 LEE'S TIRE SEWER LIFT	69.42			5310	430600	300	101000
	01/17/25 LYNDALE PARK	25.02			1000	460430	300	101000
	01/17/25 WELL #9	199.21			5210	430500	300	101000
	01/17/25 SOFTBALL FIELDS	29.47			2425	430263	300	101000
	01/17/25 WELL #11	293.54			5210	430500	300	101000
	01/17/25 WELL #5 AND #7	936.93			5210	430500	300	101000
	01/17/25 REYNOLDS PARKING LOT	35.94			2425	430263	300	101000
	01/17/25 1101 1/2- WASH DOWN FACILITY	6.31			2425	430263	300	101000
	01/17/25 SOUTH MEADOW	110.44			2425	430263	300	101000
	01/17/25 1101 3RD ST NW	1,105.72			2425	430263	300	101000
43515	540 MONTANA TAX FOUNDATION	INC 60.00						
	01/28/25 2025 CONTRIBUTIONS DUE- CHAM	ABE 60.00			1000	410550	300	101000
43516	601 MSU LOCAL GOVERNMENT C	ENTER 825.00						
LGRB §	REVIEWED AND APPROVED AT THEIR JANUARY	16TH 2025 MEETING						
	036488 12/26/24 VOTER REVIEW EVENT AC	I #53631 825.00			2350	410130	300	101000

Page: 2 of 5 Report ID: AP100

* ... Over spent expenditure

Claim		Document \$/ Line \$	Disc \$	PO #	Fund Org	J Acct	Object Proj	Cash Account
43517	83 ACTION AUTO INC.	88.70						
	150781 01/16/25 LUG NUTS	88.70			5310	430600	200	101000
25295					5510	400000	200	101000
43518	756 AMERICAN WELDING & GAS, INC.	151.50						
	0010589129 01/06/25 UNLOADER VALVE	151.50			5410	430830	200	101000
25504								
43519	the official officiation of Effectivity	154.00						
	384103 12/19/24 STANADYNE	154.00			5310	430600	200	101000
25283								
43520	307 MORRISON MAIERLE, INC.							
	000248789 01/10/25 SIDNEY- SEWER ON CALL				5310	430600	952	101000
	000248615 11/13/24 SIDNEY- STORM WATER ON CALL	530.00			5310	430600	952	101000
43521	12 CROSS PETROLEUM	84.42						
25503	125026 01/13/25 FIVE GALLONS OF SHINGLE OIL	84.42			1000	460430	200	101000
43522	1470 MCE	15.33						
	9276820 01/03/25 WASHER NIPPLE & FEMALE COUPLE				5310	430600	200	101000
25288							200	101000
43523	51 SIDNEY HERALD	857.87						
	SHM000369 01/09/25 PUBLIC NOTICE - WATER PROJE	857.87			5210	430500	300	101000
43524	1416 OLYMPIC SALES, INC	405.50						
	15304 01/10/25 CONTAINER WHEELS & SHIPPING	405.50			5410	430830	200	101000
43525	E 399 VERIZON WIRELESS	896.13						
	6103293598 01/10/25 WATER CELL PHONE	152.05			5210	430500	300	101000
	6103293598 01/10/25 SEWER CELL PHONE	114.68			5310	430600	300	101000
	6103293598 01/10/25 PARKS CELL PHONE	41.64			1000	460430	300	101000
	6103293598 01/10/25 STREETS CELL PHONE	100.04			2565	430200	300	101000
	6103293598 01/10/25 GARBAGE CELL PHONE	41.64*			5410	430830	300	101000
	6103293598 01/10/25 FIRE CELL PHONE	71.30			1000	420400	300	101000
	6103293598 01/10/25 CITY PHONE SYSTEM	374.78			1000	411200	300	101000

Page: 3 of 5 Report ID: AP100

• ... Over spent expenditure

Claim	Check Vendor #/Name/	Document \$/	Disc \$					Cash
	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org	Acct	Object Proj	Accoun
43526	1150 CINTAS	304.73						
	5250024106 01/21/25 RESTOCK CITY HALL CABINET	100.28			1000	411200	200	101000
	5250024103 01/21/25 RESTOCK CITY SHOP CABINET	51.11			5410	430830	200	101000
	5250024103 01/21/25 RESTOCK CITY SHOP CABINET	51.11			5710	430252	200	101000
	5250024103 01/21/25 RESTOCK CITY SHOP CABINET	51.11			2565	430200	200	101000
	5250024103 01/21/25 RESTOCK CITY SHOP CABINET	51.12			1000	460430	200	101000
43527		139.99						
	276350 08/28/24 USPS- ENERGY LABS REPORT	22.15			5310	430600	200	101000
	198801 10/01/24 BRIAN TIESEN- REIMBURSEMENT	13.95			5210	430500	200	101000
	198802 12/06/24 JEFF HINTZ- REIMBURSEMENT	6.03			5210	430500	200	101000
	198803 01/21/25 RICHLAND COUNTY TREASURER- 202	42.75*			5410	430830	300	101000
	09/03/24 JEFF HINTZ- REIMBURSEMENT	55.11			5210	430500	200	101000
43528	1159 TBID	5,433.00						
	#W9301 01/13/25 CANDLEWOOD- 4TH QUARTER 24	5,433.00			2101	460440	700	101000
43529	1432 DICKINSON TRUCK EQUIPMENT	98.92						
25514	012675 01/28/25 POLY HUB SPINNER	98.92			2566	430251	200	101000
43530	51 SIDNEY HERALD	170.63						
	SHM000367 01/17/25 PUBLIC NOTICE- WARD 1	170.63			1000	410240	300	101000
43531	25 AUTO VALUE PARTS STORE	142.42						
25501	440116327 01/13/25 WHISK BROOM & RAVEN	43.97			2565	430200	200	101000
	440116394 01/14/25 GASKET MAKER	6.49			5210	430500	200	101000
25461	440116691 01/22/25 SPRAY WAX & WINDOW CHIPS	37,98			5410	430830	200	101000
25512					0410	400000	200	101000
25515	440116756 01/24/25 GLASS STAR & SPARK PLUG	53.98			2565	430200	200	101000
43532	1026 DENNING, DOWNEY & ASSOICIATES	21,403.50						
	17908 01/24/25 2024 CLOSING & FINANCIAL STATE	5,778.50			5210	430500	300	101000
	17991 01/25/25 BLACK MOUNTAIN ACCESS	675.00				430500	300	101000
	18098 01/25/25 AFR & GASB	2,858.50				430500	300	101000
		_,			~~ <i>-</i> √	100000	500	TOT000

Page: 4 of 5 Report ID: AP100

* ... Over spent expenditure

Claim	Check Vendor #/Name/	Document \$/	Disc \$					Cash
	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org	Acct	Object Proj	Account
43534	624 FRONTIER HEATING, INC.	90.00						
	33894 01/29/25 CITY HALL OFFICE COLD	90.00			1000	411200	300	101000
43537	5 CITY CLERK PETTY CASH	118.68						
	653 11/04/24 JEFF HINTZ- REIMBURSEMENT	55.36			5210	430500	300	101000
	654 12/16/24 USPS- CERT MAIL SWEEPER TITLE	21.45			5710	430252	300	101000
	10/24/24 HARLAND CHECK ORDER	41.87			1000	410540	300	101000
43538	1159 TBID	3,888.00						
	#W9300 01/13/25 WAG PROPERTIES- 4TH Q 2024	3,888.00			2101	460440	700	101000
43539	244 BADGER METER INC.	231.68						
	80185385 01/30/25 BEACON MOBILE HOSTING	115.84			5210	430500	300	101000
	80185385 01/30/25 BEACON MOBILE HOSTING	115.84			5310	430600	300	101000
43540	E 1122 STOCKMAN BANK - BANK FEES	2,227.00						
	01/02/25 SERVICE CHARGE #0173	30.00			5210	430500	300	101000
	01/02/25 SERVICE CHARGE #0486	30.00			5210	430500	300	101000
	01/02/25 SERVICE CHARGE #5410	30.00				430500	300	101000
	01/02/25 RETURN W/S NSF ITEMS	242.23				430500	300	101000
	01/02/25 ACH FILE FEES & ENTRY ITEMS	40.55				430500	300	101000
	12/31/24 SERVICE CHARGE #34889	1,854.22				430500	300	101000
43541	3 MONTANA DAKOTA UTILITIES	181.38						
	01/22/25 CHRISTMAS LIGHTS	181.38			2425	430263	300	101000
43542	1406 ACE HARDWARE	290.08						
25198	013843 12/03/24 BOLTS & WASHERS	3.00			5310	430600	200	101000
	013867 12/31/24 PACK OF RAGS & PVC HOSE	21.66			5310	430600	200	101000
25285								
	013917 01/03/25 STORAGE TOTES FOR CITYHALL	139.96*			4010	470100	200	101000
25197	013998 01/07/25 FASTENERS	40.95			2566	430251	200	101000
KALE	014003 01/07/25 WINTER GLOVES & TAPE MEAS	24.97			1000	420400	200	101000
	014158 01/13/25 ICE MELT	12.99			5310	430600	200	101000
25291	014104 01 (14/05 07 200							
25292	014184 01/14/25 GLASS CLEANER	13.58			5310	430600	200	101000
	014412 01/24/25 GARAGE HINGES							

01/31/25 11:48:15

CITY OF SIDNEY Claim Approval List For the Accounting Period: 1/25

Page: 5 of 5 Report ID: AP100

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$ PO (Fund	org Acct	Object Proj	Cash Account
43543	E	1038 WEX BANK	2,214.30					
	102347397	01/23/25 SPD FUEL- DECEMBER 2024			1000	420100	230	101000
43544		153 GRAINGER INC	195.35					
25463	937695790	9 01/17/25 FILTERS & VALVE	195.35		5210	430500	200	101000
43545	Е	1213 SIDNEY WATER DEPARTMENT	1,338.24					
	01/30/25	WATER BILL- JANUARY 2025	582.72	NA	1000	420400	340	101000
	01/30/25	SEWER BILL- JANUARY 205	755.52	NA	1000	420400	340	101000
43546		182 RED HOT FIRE EXTINGUISHER	373.00					
	12464922	10/25/24 WATER PLANT- INSPECTION	46.00	NA.	5210	430500	300	101000
	12464929	10/25/24 CITY SHOP- INSPECTION	103.50	NA	2565	430200	300	101000
	12464924	10/25/24 CITY POOL- INSPECTION	11.50	NZ	1000	460445	300	101000
	12464926	10/25/24 CITY LAGOON- INSPECTION	154.50	NA	5310	430600	300	101000
	12494928	10/25/24 BALL PARKS- INSPECTION	46.00	NA	1000	460430	300	101000
	12464925	10/25/24 CITY HALL- INSPECTION	11.50		1000	411200	300	101000
		# of Claims 32	Total: 56,554.55	i				
		Total Electronic C	laims 6,675.67	Total Non-Electron	ic Claims	49878	9 99	

Item b.

City Council Meeting 2-3-2025

RC2025-03	ON HOLD
RC2025-06	ON HOLD
RC2025-10	ON HOLD
2025-002	ON HOLD
2025-005	ON HOLD
2025-009	ON HOLD
2025-021	ON HOLD
2025-026	ON HOLD
2025-027	ON HOLD
2025-031	ON HOLD
2025-044	ON HOLD
2025-045	SMART LINK GROUP