

# MINUTES–CITY OF ASHTON

## CITY COUNCIL MEETING

Wednesday, May 11, 2016

7:00 p.m.

714 Main (North Entrance)

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*The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of **Public Hearings**. The Mayor will not normally allow audience participation at any other time. Idaho Law prohibits council action on items brought under this section except in an emergency circumstance.*

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### CALL TO ORDER & WELCOME

**PRAYER OFFERED BY: Jerry Funke**  
**PLEDGE LED BY: Becky Harrigfeld**

**In Attendance: Teddy Stronks, Teresa Hansen, Becky Harrigfeld, Tadd Atchley and Jerry Funke.**

**Also in attendance: City Clerk Stegelmeier, Deputy Griffel, Garth Blanchard, Tom Howell, Michelle O'Malley, Ester Ryland, Tim Ryland, Sheryl Hill, Bernetta Hansen, Darrell Reinke, Sheryl Hill, Linda Gonzalez, Gustavo Lopez and Judy Smith.**

**Mayor Stronks opened the meeting at 7:00 pm.**

### 1. AMEND AGENDA:

*Any items added less than forty eight (48) hours prior to the meeting are added by Council motion at this time.*

#### 5. D. Sidewalk/Excavation Permit – City Clerk Stegelmeier

Councilman Atchley made a motion to add 5.D. Sidewalk/Excavation Permit to the New Business/Petitions portion of the agenda. Councilwoman Hansen seconded the motion. The motion passed unanimously.

### 2. CONSENT AGENDA:

*Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilman or a citizen that one or more items be removed for later discussion.*

- A. **Minutes** – Approval of Regular Council Meeting Minutes 4-13-2016, Special Meeting 4-26-2016
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted
- E. **Budget Report** – Worksheet showing the revenues and expenditures for the current fiscal year to date

Councilwoman Hansen enquired concerning the bill from Robert Reimann Electric. City Clerk Stegelmeier explained that he has assisted Rick & Delray to fix the street lights, school crossing lights and several meters over the last two months. He did not submit a bill in March. Councilwoman Hansen thanked City Clerk Stegelmeier for the information.

Councilman Atchley made a motion to accept the Consent Agenda as presented. Councilman Funke seconded the motion. The motion passed unanimously.

### 3. UNFINISHED / OLD BUSINESS:

*Each speaker will be allowed a maximum of 5 minutes unless repeat testimony is requested by the Mayor/Council.*

- A. City-owned Main Street Properties – Councilman Atchley, City Clerk Stegelmeier, Officer Griffel  
City Clerk Stegelmeier explained that she would have to post the notice of public hearing prior to May 24<sup>th</sup> in order for it to be done properly. Councilman Funke asked Councilman Atchley what he found out as to the square footage of the buildings. Councilman Atchley did not have the information but did not think the information necessary in putting a value on the buildings. He thought to put the Old Post Office for sale at 30 to 40 thousand then there was some discussion

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about valuation. Councilman Funke explained that he would not buy any building without knowing the size. Councilman Atchley said that he would not buy anything without an inspection and the City could have that information to give those who come to inspect. Mayor Stronks explained that he had not heard back from the County. Councilwoman Hansen said that if Mayor Stronks will get with the Commissioners and Councilman Atchley brought back the square footage for the next meeting then the Council should be able to get going.

- B. Museum, Fremont County Historical Society – Tom Howell, Officer Griffel  
Tom Howell explained that the Fremont County Historical Society Board had met and their thought is that the original idea of the Ashton Archive mixed with a museum would have flown. As it stands no they are reserved to the fact that they will step back and work with some small projects, possibly with the City. Councilwoman Hansen explained that funding was the issue that never got resolved. Mayor Stronks expressed his wish that the project could have worked.
- C. Mosquito Abatement – Councilwoman Hansen, City Clerk Stegelmeier  
City Clerk Stegelmeier explained that an email was received from Nate Hill with Adapco – who had given the City information on spray, etc. last year – that there were some well cared for used foggers going on a surplus sale. Councilwoman Hansen explained that she has not spoken with the City public works director about spraying yet. Right now she is thinking of just having St. Anthony help us to see what it does and whether it may work for Ashton. Councilman Funke explained that if the City had its own machine, they would have to have someone with a license to use it. Councilwoman Hansen directed City Clerk Stegelmeier to keep the mosquito abatement on the agenda and she would have information in June.
- D. Using the Visitor Center Property on Hwy 20 – Tim Ryland, Esther Ryland  
Tim Ryland here to talk to the council about the information he had brought to the Council. City Clerk Stegelmeier explained that a draft lease was brought in to the office by Mr. Ryland. City Clerk Stegelmeier sent it on to City Attorney Lookabaugh who has not been able to send back a lease that will work. Councilman Atchley is fine with letting the Rylands use the property but not without paying rent. City Clerk Stegelmeier explained that the Rylands are talking about \$200.00 per month. They would pay their own water and electricity. Councilman Funke wants to make sure that the City is covered with liability. City Clerk Stegelmeier explained that liability insurance is one of the issues City Attorney Lookabaugh will be checking in the final lease. Councilman Funke is also concerned that the City is able to have room for what other businesses may also want to be at the Visitor Center. Mayor Stronks directed City Clerk Stegelmeier to let him know when we have a lease and he may set a special meeting.
- E. Police Hiring Discussion – City Clerk Stegelmeier, Officer Griffel, Chief Mattingly  
City Clerk Stegelmeier would like to have a meeting with the Mayor and a couple of Council members and some people from ICRMP by phone. Mayor Stronks asked Councilman Funke and Councilwoman Hansen if they would be available to meet. He then directed City Clerk Stegelmeier to set up the meeting and let everyone know the date & time. Councilman Funke asked Officer Griffel when the next post academy starts. Officer Griffel said he thought it was in September and the next probably in March. He said that he remembers it costing \$3000 when he attended but it has been several years. Mayor Stronks thanked Officer Griffel for his time.

#### **4. NEW BUSINESS/PETITIONS:**

*Each speaker will be allowed a maximum of 5 minutes unless repeat testimony is requested by the Mayor/Council.*

- A. Wastewater/Water Operator Info – Mountain West Waterworks – Dustin Parkinson  
Mr. Parkinson wasn't in attendance.
- B. Building on Sewer Line/Property Question – Linda Gonzalez  
Linda Gonzalez explained that she had purchased a lot 3 years ago. This spring she had wanted to

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build a home but has found that the lot is unbuildable because of a City sewer easement. She is wondering if the City can buy it from her or what else they can do. She has owned it and paid taxes on it for 3 years. Mayor Stronks explained that Linda is approved for a Habitat house and the lot is right across the street from his parent's home. Councilwoman Hansen inquired as to whether Habitat for Humanity would have looked into this before they approved building. Darrell Reinke (Habitat for Humanity board member) explained that Habitat only builds on property owned by Habitat so they were going to purchase the lot from Linda for the build. In that process they found the easement – not only the easement but that there is a sewer line under that property. The line goes almost diagonally across the lot making it unbuildable. Because of this, the house will be built on another lot but that leaves Linda without a buildable lot or really without a lot that has much value. Councilwoman Hansen said that the City sold the lot a long time ago. Mayor Stronks explained that it was sold when his father was the Chairman of the Board (when Ashton was ran by a board as a village). Councilwoman Hansen wondered if the City knew there was a sewer underneath the lot. City Clerk Stegelmeier replied that they did know and it is in the deed that the Council received as part of the packet material. There is also a memo from City Attorney Lookabaugh explaining that it was sold in good faith and that the easement is shown on all but the two final deeds. The two final deeds do have language confirming all prior 'appurtenances' which would include the easement. Councilwoman Hansen explained that Linda would need to go to the person who sold it to her for help. Councilman Funke agreed. Councilman Atchley wondered if the City could move the line. Mayor Stronks said the City could but it would be really expensive. City Clerk Stegelmeier only estimate would come from the block of sewer line put in during the water project. That line cost \$200,000. Councilman Funke thought that the problem should have been found in the title search when she bought the property. Mayor Stronks explained that a title search was not done. Councilman Atchley asked where the line is on the property – maybe Linda could build further back on the lot or something. Darrell Reinke said that Habitat did their due diligence when Linda was approved and found the sewer line goes diagonally and there is not enough room. That is why they are building the house on another lot. He said that Linda came to the meeting because Teddy suggested that she come to the City about it. Councilman Atchley explained that if that line is part of the upgrade coming up, the City will do its best to move that line. They will keep Linda informed. They did explain that if the sewer project goes through that area it would make sense to move the line to the alley like it is in most of the City. Councilwoman Hansen apologized for not being able to solve the problem right away but there may well be a solution in the future.

C. **Abandoned Vehicles – Officer Griffel**

Officer Griffel had brought a list to the Mayor & Council of the abandoned vehicles he had noted within the City limits. He explained that he had written the list 3 weeks ago and some have them may have been moved. Officer Griffel would like the Council to give him direction as to the next step. Councilman Funke expressed his opinion that if one is notified – all should be notified. Officer Griffel explained that City Clerk Stegelmeier has been preparing letters to notify the weed violators and he wondered if that would work for this violation. City Clerk Stegelmeier offered to prepare the letter, get Officer Griffel's approval, send it to City Attorney Lookabaugh for approval – and then send them out. Councilwoman Hansen asked if they would have time to fix the problem prior to a citation being issued. City Clerk Stegelmeier explained that the letters give them 15 days and Officer Griffel said that if they will call and are working to remedy the problem, he will work with them prior to issuing a citation. Councilman Funke thanked Officer Griffel for his preparation of the list saying that it is quite extensive.

D. **Sidewalk/Excavation Permit – City Clerk Stegelmeier**

City Clerk Stegelmeier explained that this permit is for the pocket park at 5<sup>th</sup> and Main. She did not

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that on the plan, the Ashton URA is wanting to replace the 8 foot wide sidewalk with a 5 foot wide sidewalk. There are two reasons she thinks the Council should consider adding a condition of approval to the permit. One is that there was already an 8 foot wide sidewalk there and all the sidewalks we have on the sides are 8 foot wide. The other is that the code says the sidewalk would abut the adjacent property and in the future someone could build out to that line by mistake. Then if the City ever wanted to replace the street or widen it – it may not be able to be moved. Much like the situation at Reinke Grain right now. Councilwoman Hansen said that it should be put back as it was before they removed it. Councilman Atchley said he thought it would look strange to have a different width just in that area.

Councilman Atchley made a motion to approve the Ashton URA sidewalk/excavation permit with the condition that they replace the 8 foot wide sidewalk with an 8 foot wide sidewalk. Councilwoman Harrigfeld seconded the motion. The motion passed unanimously.

E. Scheduling – City Clerk Stegelmeier

City Clerk Stegelmeier went over the schedule with the Council.

### **5. EXECUTIVE SESSION:**

*I.C. 67-2345 Certain City-related matters may need to be discussed confidentially as a matter of law (Acquisition of real property, personnel matters, attorney-client communications) subject to applicable legal requirements, the Council may enter executive session by roll call vote to discuss such matters.*

Personnel

Councilwoman Harrigfeld made a motion to enter an executive session per Idaho Code section 67-2345 (b). Councilwoman Hansen seconded the motion. A roll call vote was called. The motion carried unanimously.

Mayor Stronks asked City Clerk Stegelmeier to leave the room.

Councilwoman Harrigfeld made a motion to exit executive session. Councilwoman Hansen seconded the motion. The motion carried unanimously.

The Council called City Clerk Stegelmeier back to the room. They explained that they had already exited executive session, told her who made the motions and how it was voted.

Mayor Stronks explained that he would entertain a motion that we do away with the position of Planning & Zoning Administrator. Councilman Atchley seconded but City Clerk Stegelmeier explained that Mayor Stronks cannot make the motion.

Councilman Atchley made a motion that the City get rid of the position of Planning & Zoning Administrator. Councilwoman Harrigfeld seconded the motion. Councilman Atchley – Aye; Councilwoman Harrigfeld – Aye; Councilwoman Hansen – Nay; Councilman Funke – Abstain. Councilman Funke wants the vote on the record as voted. The vote was determined by the Mayor and Council to be at a tie. Mayor Stronks broke the tie by a vote of aye. The motion carried.

Councilman Funke explained that he had a 10 questions that needed to be answered. Mayor Stronks said for him to go ahead. Councilman Funke explained that he has been asked about these items and because he is retired and around town, he is more exposed to getting questioned.

1. There was \$300 offered for signage for the pool and park. What is the plan? City Clerk Stegelmeier explained that the ITD offered to put up the brown signs notating a recreation opportunity for free. She also explained that both HWY 20 and State Hwy 47 have limits on what signs can be placed there. The money is not needed because the State will be paying

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for those signs.

2. Councilman Funke had asked in March that the alleys be graded and nothing has been done. City Clerk Stegelmeier explained that a work order has been written but she is not sure when they are planning to complete the work. Mayor Stronks explained that they are waiting for Doug Hillam to have time to grade them. Councilman Funke asked why the City grader could not be used. He thinks the wing can come off in 10 or 15 minutes – the County does it all the time. Mayor Stronks will discuss the problem with the public works department.
3. Councilman Funke said that number three has been answered in the meeting. It was about junk cars and now he sees that this is in the process. He appreciates Greg's diligence in getting it going.
4. Councilman Funke then asked why has the street sweeper has not been used. He thinks that if it is broken or not going to be used – it should be sold. Mayor Stronks that it was purchased with a grant. He said that there is a part that needs to be replaced and he will speak to the public works about it. Councilwoman Hansen said that she would like to see the sweeper used more.
5. Councilman Funke asked when the hole on Idaho Street near Councilwoman Harrigfeld's home has not been repaired. The Council did not know about it. Councilwoman Harrifeld asked if it could be the hole that Todd Hossner had made when there was a water leak at his rental. The Council asked City Clerk Stegelmeier to contact Hannah Hossner (Todd's daughter) to ask when it is going to be repaired as it is on private property. Councilman Funke thinks that it could be quite a liability for the City.
6. Councilman Funke thinks that any equipment not used or needing repair be sold. Councilwoman Hansen explained that there is a surplus sale each year.
7. Councilman Funke asked why the water at the Visitor Center has not been turned on. City Clerk Stegelmeier said that it is not open yet. The guys usually wait until it cannot be flooded. Councilman Funke said that the gates should be closed until the Center is open.
8. Councilman Funke wants an explanation as to why the City has Humvees. Councilman Atchley explained that they were free. Councilman Funke said that it still costs for repairs and maintenance. Officer Griffel said that in emergency situations they will be able to go anywhere to help – summer or winter. There have been a few times that there have been tourists stuck on the Reclamation Road. The County asks for help because at 55 mph – St. Anthony is quite a while longer response time.

They discussed what they would ride in during the parade. Councilman Atchley feels that they should take every other year off from the parade. Councilwoman Hansen says that they could ride in the Hummer. Mayor Stronks said that he cannot fit in the Hummer.

Councilman Funke then said that the weed problem should be addressed before it is out of control. Weeds were discussed with talk of how hard it is to have a weed free lawn near

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someone who won't take care of their lawn and how hard it is to sell property when the neighborhood does not look nice. Councilwoman Hansen explained that it has been decided that someone with a neighbor with a weed problem has to come in and make a written complaint.

Councilman Funke also explained that he thinks that the mosquito abatement is a great idea – especially with the Zika virus, etc. Councilwoman Hansen explained that St. Anthony has been very helpful and she thinks that it is worth a try.

### **6. ADJOURNMENT:**

Councilman Funke made a motion to adjourn. Councilman Atchley seconded the motion. The motion passed unanimously.

### **NEXT MEETING**

- ◆ Regular Council 7:00 p.m. – Wednesday, June 8, 2016, Council Chambers, Ashton City Building – 714 Main, Ashton. Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk or call 208-652-3987.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

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Cathy Stegelmeier  
City Clerk

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Theo R. Stronks  
Mayor