

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, May 14, 2014

7:00 p.m.

714 Main (North Entrance)

*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.*

CALL TO ORDER & WELCOME

PRAYER OFFERED BY: Teresa Hansen
PLEDGE LED BY: Teddy Stronks

Present: Mayor Stronks, Councilman Atchley, Councilwoman Hansen, Councilman Pincock, and Councilwoman Harrigfeld.

Also Present: City Clerk Cathy Stegelmeier, Deputy Clerk Warnke, P&Z Administrator Susan Baker, Heather Williams, Vic Lowe, Rachel Hatton, Jerry Funke, Micki Funke, Sara Reinke, Bonnie Burlage, LeRoy Miller, Bill Baxter, Jordan Stoddard, Rick Jarvis, Kurt Eidam, Noel Parrish, Jori Kerbs, Paula Toenjes and Del Jensen.

Mayor Stronks called meeting to order at 7:00 PM.

1. AMEND AGENDA:

A. **New Business: D. County Commissioner Discussion – LeRoy Miller, Bill Baxter and Jordan Stoddard**

Councilman Pincock made a motion to accept the Amend Agenda as presented. Councilman Atchley 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 Special Council Meeting Minutes 4-9-2014.
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As Submitted

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

3. PUBLIC HEARING:

Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.

A. City of Ashton Ordinance 462-14 – Building Code Update

Mayor Stronks asked City Clerk Stegelmeier if the proper notice had been given. City Clerk Stegelmeier replied that it had. He then asked Planning & Zoning Administrator Baker to report on the Planning & Zoning Commission's recommendation.

Planning & Zoning Administrator Baker reported that the Planning & Zoning Commission recommended the passage of the ordinance in order to keep current with the State & County building codes.

Mayor Stronks then opened the meeting for public comment. The only name on the list to comment was Jerry Funke. Mayor asked him to come forward to comment.

Jerry Funke asked a question as a comment. The question was that if the Council adopted the ordinance, are they willing to enforce it?

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Mayor Stronks asked if anyone else in the audience would like to comment on the proposed ordinance. There were no more comments. Mayor Stronks closed the hearing at 7:07 pm.

4. ORDINANCES/RESOLUTIONS:

A. City of Ashton Ordinance 462-14 – Building Code Update

Councilman Atchley made a motion to read the City of Ashton Ordinance 462-14 by title only and dispense with the second and third readings. Councilman Pincock seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Atchley read the Ordinance by title into the record.

Councilman Pincock made a motion to adopt Ashton City Ordinance 462-14 and asked the Clerk to have it published. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

5. UNFINISHED / OLD BUSINESS:

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

A. Old City Building – Tom Howell, Bernetta Hansen

Mayor Stronks excused Tom & Bernetta as they were not able to attend the meeting.

B. Skate Park Concerns – Bonnie Burlage,

Bonnie came to City Council to express her concerns about a skate park. As a tax payer she wants the City Council to use their funds wisely. Concrete doesn't seem to last well in Ashton. Bonnie also questions building something that not many citizens can/will use. She also has concerns because of her understanding of head injuries as a nurse. Bonnie brought many statistics concerning brain injury and skateboarding. She also talked about injuries to back, neck and legs. Orthopedic surgeons recommend not allowing anyone under 10 using a skateboard. Bonnie closed with her concern that the Council ask that a business plan be part of whatever proposal is considered.

C. Skate Park – Heather Williams, Vic Lowe

Heather and Vic are here to talk to the Council about the skate park. Heather thanked Bonnie for her comments and expressed her belief that she could alleviate those concerns. She explained that the group wanting a skate park has actually proposed plan for a sports plaza at the park area. Their previous plan was to purchase private land west of the tennis court. They worked for a long time by talking with the property owner, Carlos Huerta. Eventually they discovered that he is asking \$109,000 for the approximate ½ acre that they were interested in using for the plaza. At this cost the plaza is not feasible. The group has come up with new or current plan. The current plan proposes taking out one court out of the tennis courts. They then went over the plan drawing with the Council. Part of the plan includes building a public restroom. Heather said that they are not asking for funds and are not planning on raising taxes to pay for the project. They are hoping to use grant funds for the project. Vic then began her portion of the presentation. She began by explaining that the group realize that the current plan calls for removal of the volleyball pit. Vic explained that she has spoken to the owner (the scout who completed the project for the City – the owner is the City) and he will not be offended by the removal of the pit. She then explained that the tennis courts were put in with grant and that they will have to apply to the state to be able to remove the court. Vic then asked the Council if they had any questions. Councilman Pincock explained that there are a lot of folks in the City who are on a limited budget. What are they expecting the financial impact would be on them? Vic explained that the group does not expect any more impact than what the Park & Rec fund has to spend now. Councilman Pincock asked about the impact of the accidents that

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will happen. Vic explained that the City's insurance should cover it just as if it was an accident on the playground equipment already in place. Councilman Pincock asked who would be making sure that the right equipment is used and that the users are old enough? Councilman Atchley expressed his opinion that the parents would be responsible for those items. Heather and Vic explained that the groups' goal is giving local kids something to do. Councilwoman Hansen expressed her opinion that there are many in the community that have questions and/or not in favor of the project. She thinks that maybe a round table meeting might make it so that both sides can discuss the issue without feeling threatened.

- D. **County Commissioner Discussion – LeRoy Miller, Bill Baxter and Jordan Stoddard.**
Mayor Stronks explained that every so often the County Commissioners are invited to the City Council meetings. He appreciates the good working relationship that the City has with the County. The County helps the City with chip sealing every other year. Councilwoman Hansen asked if the County would be willing to help with the skate park. Commissioner Miller explained that Tamra Cikaitoga, Parks and Rec Director for Fremont County, had already discussed that with the commission. They agreed to set aside \$ 3500 for the project. City Clerk Stegelmeier inquired as to whether that is a yearly amount or one time amount. Commissioner Baxter explained that they could not encumber future commissions by agreeing to a yearly amount. Mayor Stronks asked if the County would be willing to help the City by using an excavator to improve a drainage problem. Commissioner Miller said to let them know the details and they will help out the best they can. Mayor Stronks expressed his appreciation for the County letting the City use the prices they had gotten on oil (piggybacking on their price). Councilwoman Hansen inquired as to whether they could help with mosquito abatement. Commissioner Miller said that there was a mosquito abatement district in the southern portion of the County and that St. Anthony sprays for mosquitos each summer. Commissioner Miller explained that the Fremont County Commissioners have passed a Resolution that expresses that a National Monument designation for the Island Park area in Fremont County is unwarranted and unwanted. Commissioner Baxter is hoping to have an advisory vote added to the ballot so that the people of the County can vote on a National Monument designation. It has to be placed on the ballot 45 days prior to the election.

Councilman Pincock made a motion that the Ashton City Council also pass a resolution against the National Monument designation. Councilman Atchley seconded the motion. The motion passed unanimously.

6. NEW BUSINESS/PETITIONS:

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

- A. **Texaco Site – Rick Jarvis**
Rick Jarvis joked that he is here from the government and here to help you. He is actually here to help with the old tanks at the Texaco site. Rick is the leaking underground tank manager for the Idaho Department of Environmental Quality. He has worked to get funding to remove the tanks and canopy from the site. They will begin the work in June. Rick hopes to be done by July at the latest. The site will not necessarily be ready for building. The DEQ will still need to determine whether additional cleanup will be needed but they will give idea what the next step would entail. Mayor Stronks explained that the Urban Renewal Agency would like to get a new business going at the site and may be willing to help with what is needed. This site has been a high priority and Rick is hoping it can be completed. There was a question from Kurt Eidam involving the continued water testing at his home. Rick will work with him to make sure everything works well. Mayor Stronks thanked Rick for his time.
- B. **Reports concerning Wastewater, Water, Records – City Clerk Stegelmeier**

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City Clerk Stegelmeier explained that the DEQ has listed the City as number three on their list for funding of a wastewater study. The City should look to start hiring engineers this fall to make sure to follow the time line in the EPA discharge permit. There was some discussion on the slippery slope that begins with qualifying for the planning study. It seems to lead right to a project and any project would cost the system users more for base rates. At employee meeting they discussed writing a letter to the EPA and then putting a copy of the letter in the newsletter to encourage citizens to write one as well.

Councilman Pincock made a motion to write a letter to the EPA and put it in the newsletter. Councilman Atchley seconded the motion. The motion passed unanimously.

City Clerk Stegelmeier has also had Deputy Clerk Warnke look through the minutes to find a year or something in order to find out about the 'agreement' with the Hess' concerning the dog pound. The minutes show that Ray Hess has never returned the agreement and so there is no written agreement for the dog pound. City Clerk Stegelmeier asked that as the Council works out the contract, they negotiate an amount – then the amount of the base rates for the Hess meter come out of that amount for payment. Councilman Atchley discussed using other City property for the dog pound so that it is on the City's own property. The sewer area was discussed but there is no fresh water there. The Council directed City Clerk Stegelmeier to invite the Hess' to the next Council meeting. The road problems at Reinke's Grain was discussed. There needs to be either improvements to the road and/or load limits to avoid the problems with the road. There needs to be some discussion between the City and the businesses that have trucks that make the problem.

C. Budget FY2015 – City Clerk Stegelmeier

City Clerk Stegelmeier gave the Councilmembers a copy of the fiscal year 2013 budget for review prior to the upcoming budget meetings.

D. Scheduling – City Clerk Stegelmeier

City Clerk Stegelmeier went over the next couple months' schedule with the Council.

7. CITIZEN INPUT: (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

Jerry Funke asked that the port-a-potty that has been placed at the ball park be moved to the same place as last year. City Clerk Stegelmeier explained that she had called on that but will double check with the service provider.

8. 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

Councilman Pincock made a motion to enter executive session. Councilwoman Hansen seconded the motion. A roll call vote was taken; Pincock – yes, Atchley – yes, Hansen – yes and Harrigfeld – yes.

Councilman Pincock made a motion to enter executive session. Councilwoman Harrigfeld seconded the motion. The motion carried unanimously.

The Council directed Joette to speak with Carlos Huerta concerning the property as discussed with her in executive session.

The Council directed City Clerk Stegelmeier to contact the group interested in the skate park. They would like them to attend a City Planning & Zoning Commission meeting to discuss setbacks and other questions that will come under the development code. She is also to explain that they will be required to finish the walkway and other improvements prior to completing the skate park portion of the improvements. They will also be required

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to show all the funding prior to any work beginning. There will be no public restrooms in the final plan. City Clerk Stegelmeier is to work with Joette to make sure she has the correct information prior to discussions with the group. Cameras for the area were discussed. Councilman Atchley has discussed it with Josh Warnke and it seems to be a problem that will be relatively easy to solve although the costs should be included in the project budget.

9. ADJOURNMENT

Councilman Pincock made a motion to adjourn. Councilwoman Hansen seconded the motion. The motion passed unanimously.

NEXT MEETING

- ♦ Regular Council 7:00 p.m. – Wednesday, June 11, 2014, 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:

Cathy Stegelmeier
City Clerk

Theo R. Stronks
Mayor