

# MINUTES–CITY OF ASHTON

## SPECIAL CITY COUNCIL MEETING

Wednesday, December 7, 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: Tadd Atchley**  
**PLEDGE LED BY: Teresa Hansen**

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

**Also in attendance: City Clerk Stegelmeier, City Attorney Angell (via telephone), Todd Martindale, Rick Miller, Sheryl Hill, Marvin Fielding, Blake Bowman, Kaylie Bowman, Kree Bowman, Lyle Bollinger, Devin Burton, Michelle Burton, Jeff Southard (via telephone), Michael Chen, Tony Zhou, Ting Ting Zhou and Brandon Hoffner.**

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

### 1. 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 11-02-2016.
- 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

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

### 2. UNFINISHED / OLD BUSINESS:

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

- A. American Dog Derby 2017 – John Scafe
- B. Old Hospital Bill – Brandon Hoffner

Brandon is here to talk about the water bill at the old hospital. The bill was certified to the taxes for about \$9,000 dollars. Brandon explained that he has been at Council prior and is hoping that the City Council would reduce the bill and/or allow a payment plan for the payment of the bill. City Clerk Stegelmeier explained that at the last meeting, she had been asked to look at what the City Council had discussed with the prior owner who was the one who built up this bill. She found that the Council had made a motion to offer to remove the late fees, etc. Each Councilmember has a copy of the minutes from those meetings where it was discussed. Councilman Atchley expressed his opinion that some forgiveness would be good. Councilwoman Harrigfeld agreed. Councilman Atchley suggested forgiving all but \$5,000 and allowing the Henry's Fork to pay payments if necessary.

Councilwoman Harrigfeld made a motion cut old hospital bill down to 5000 and allow a \$ 200 payment along with their current water bill. Councilman Atchley seconded the motion. The motion passed unanimously

- C. Funding Options for Wastewater Project – Rick Miller

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Rick came to Council to discuss some changes to the funding options for the wastewater facility improvements project. He also brought a copy of the CBG proposal for the City's record. He explained that the DEQ had spoken to City Clerk Stegelmeier about some changes they have had in funding. City Clerk Stegelmeier then sent the DEQ on to Rick for him to find out the details. He explained that the USDA had been the best funding option for the City prior to the discussion with the DEQ. Now the DEQ will be able to apply additional loan forgiveness – essentially a grant – making the DEQ loan a better alternative. Although the DEQ loan makes it so that Bacon-Davis wage rates will apply, because the DEQ will act as the interim financing instead of having to pay a bank to be the interim financier it may be about the same cost. Rick brought a worksheet with the different scenarios pretty nice on some projects. Rick would like the Council to look over the worksheet but right now he is recommending the DEQ loan because money will be available sooner and the loan forgiveness adds up to more than the grant money that the USDA is offering. Rick also reminded the Council of time concerns in order to meet the schedule from the EPA for the City's project. Mayor Stronks asked Marvin Fielding (who is present at the meeting) how long he thinks it will take to complete the planning. Marvin explained that the City has to meet a deadline in the summer and the plans will be ready. There was some discussion on the possibility through the DEQ loan process for more loan forgiveness (loans or other grants that are not utilized are many times distributed as loan forgiveness by the DEQ). Rick said that the loan application needs to be in soon. Councilwoman Hansen asked if waiting until the January meeting would be a problem. Rick said that the application will need to be completed prior. Councilwoman Hansen said that she doesn't see any reason to go with the USDA over the DEQ. Councilman Atchley agreed. Mayor Stronks explained that a special meeting may be necessary and asked Rick to let City Clerk Stegelmeier know if a meeting is necessary.

D. Design Contract with Keller, Assoc. – Marvin Fielding

Marvin explained that the contract is not completed yet. He will send the contract to City Attorney Angell prior to sending it on to the Council. Marvin is hoping to schedule the design phase to be completed by the 1<sup>st</sup> of June and bid close to that time. Right now he is working with a geotechnical engineer for some assistance at the site. If there is a bunch of snow it may be hard to complete but he is optimistic. They have the land survey complete. Marvin explained that he also brought some information on a water fill station. City Clerk Stegelmeier had contacted him for information in case the City Council would like to build one in order to track water better when filling the fertilizer trucks through the hydrant at Valleywide, the construction trucks at the hydrant at the City Building and the State trucks at the hydrant near the State shed. The Council will consider the water fill station.

E. P&Z Commission/Administrator – City Attorney Angell, Blake Bowman

City Clerk Stegelmeier dialed City Attorney Angell as he is on the road from Boise and is joining the meeting by speaker phone. City Building Inspector Blake Bowman came to Council to discuss the Planning and Zoning permit issues coming to the City. He had been asked earlier in the year to measure setbacks but there is more to the code than just measuring setbacks. He cannot answer the questions and he feels that the City needs to have a P&Z Administrator. City Attorney Angel explained that he had spoken with Blake and he is of the understanding that the Mayor is looking to hire someone on a temporary basis until a permanent solution can be found. Blake does not have the time for the administrator job and he is not interested in filling the position. Mayor Stronks explained that he has met

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with Tom Cluff and is hoping that Tom may be able to assist for the time being. He is also considering some other candidates. Blake expressed his opinion that this is good news because the City needs to move ahead in a timely manner.

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

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

- A. Development Inquiry – Jeff Southard, South Haven Homes reps
- Jeff Southard and City Attorney Angell are joining the Council meeting via speaker phone. Michael Chan, one of the property owners spoke first. Michael and his partners have purchased the property bordering Hwy 20 just south of the Ashton Visitor Center property (part of what is called the Johnson subdivision which was a subdivision done through Fremont County in the 1970s prior to Ashton adopting a development code). He explained to the Council that currently he and his partners have applied for and could be approved for a permit to build a two story hotel with a restaurant on their property. They are now proposing that they build a four story hotel which is not allowed by City Code. They are hoping that an exception or some sort of variance can be made in order to build the four story building. Prior to spending money on new plans, they are coming to the City Council for some sort of idea whether such a plan would be considered. They would like to start the project this spring and could work on the restaurant first, then hotel. It was discussed whether they could be open if construction is not complete. City Building Inspector Bowman said that they would have to follow building inspection rules but some leeway is possible in those rules. It is a matter of life/safety rules and will have to be decided at that time with those circumstances. Jeff Southard explained that Michael and he had spoken to the North Fremont Fire Department and the city staff. The reply from both the fire department and city staff was that if the proposal met code that it would be feasible. Jeff spoke about a project he has completed in Lindon, Utah and there he was able to meet the codes in order to build a four story building. City Councilwoman Hansen asked when they met with the staff and fire department, what was the outcome. Jeff replied that the codes will have to be met. Jeff and Michael feel confident that they can meet the codes but want to run the idea past the Council prior to redrawing their plans. The Ashton City Code reads that the height limit on a building is 35 feet. Jeff's building in Lindon is 52 feet tall. City Attorney Angell explained that he had explained to Jeff that the appropriate procedure is to submit plans but he did understand their request to come to Council meeting for some informal feedback with the caveat that the project would still have to go through the process (i.e. – application, approval/denial, application for variance, approval/denial, etc.). Jeff Southard explained that the feedback he is hoping for is that the Council is open to the idea of a larger building. He also wanted the Council to know that they are a reputable company, building safe structures. Councilwoman Hansen is hesitant because she is nervous about the how it will change the lives of the residents in that area. They don't live in a big town and this is a big town project. Jeff explained more about his four story apartment building in a single family subdivision in Lindon. That area had always had a half acre lot minimum. He explained that he could have a presentation using the street view on Google Earth to show the Council what it would look like. There (in Lindon) it worked out great and everyone loves it. Lyle Bollinger interrupted saying that Ashton has tall granaries. There was some discussion on the building looking nicer than a granary and Michael then went on to ask if that is the consensus of the Council. Meaning – are the members worried about the neighbors and it overshadowing the other properties? He spoke about fencing, landscaping and other items. They want to be part of

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the community and certainly will make it as nice as possible. He could have a model made to show the community – maybe the community members could come and look also. Councilman Atchley explained that he lives in the Johnson subdivision - right to the east of the property and doesn't know if that would make that much of a difference from his back deck. It will all be so different anyway. Michael said that having a 100 rooms would bring a lot of income into the area. The revenue will be close a million dollars a year. The guests will spend money. Right now the plan is only to be open from May through October but plans may change. Michael also wanted to talk about re-subdividing the 8 lots on the east side of their property into 10 lots. They are planning to build homes that will be short term rentals. City Attorney Angell explained that this will all need to be formal permit applications. It may take a rezone to commercial and that may take some time. Councilwoman Harrigfeld said there are short term rentals in several places in town and they did not have to be rezoned. Michael also talked about – although they are planning on building 1<sup>st</sup> Street to City standards – possibly closing the area as a sort of 'campus'. That may alleviate some concerns. City Attorney Angell explained that after a solution to the City P&Z Administrator is final, then applications can be made as they go through the process. Councilwoman Hansen is having a hard time with change and these ideas are a lot to see at one meeting. Councilman Atchley is open for anything but is worried about the residential area. The first concern for the Jeff, Michael and Tony (the other owner) is that they know prior to construction about the four story options because it means a change in the footing design. The conversation went on with some of the concerns that will be raised – for example: minimizing traffic on residential streets, barriers, minimum impact on the neighborhood. The developers are looking for flexibility. Right now, the plan is a 500 seat restaurant and a 50 room hotel (maybe going to 100 room with four stories). There will be a hotel manager that will manage the rentals. Councilwoman Hansen again reiterated the need for an administrator. Blake Bowman expressed his opinion that it needs to be someone with experience. Any development will need to be done properly. City Attorney Angell will speak to Jeff Southard when needed.

B. Insurance Discussion – City Clerk Stegelmeier

City Clerk Stegelmeier explained that she has included some information insurance costs because with the new employee, she is hoping that the Council would consider a change in insurance payroll deductions for the coming year. Right now, the Council authorized employees paying for their own increase in costs in 2013. It will be hard to track those costs in the future. City Clerk Stegelmeier suggests the employees paying something like \$25 to \$50 for their spouse/family. This would equal the deductions taken now so that the City's costs would remain the same but that the employees would still pay some part of their premium. City Clerk Stegelmeier will discuss it more with the Council next month.

C. Bank Charges – City Clerk Stegelmeier

City Clerk Stegelmeier is considering a change for the City's main checking account. Key Bank has been charging some service fees upwards of \$200 a month. Bank of Idaho has given the City a bid for the same services at about half the cost. This would mean an updated ordinance as the bank is listed in the Code.

D. Scheduling – City Clerk Stegelmeier

City Clerk Stegelmeier went over the next month's schedule with the Mayor & Council.

#### **4. ADJOURNMENT:**

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

### **NEXT MEETING**

- ♦ Regular Council 7:00 p.m. – Wednesday, January 11, 2017, 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.

***This meeting will serve as the City's regular December council meeting.*** There will be no meeting on December 14th.

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