

MINUTES–CITY OF ASHTON

SPECIAL CITY COUNCIL MEETING

Thursday, June 14, 2018

6:30 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: Jerry Funke
PLEDGE LED BY: Tom Mattingly

In Attendance: Teddy Stronks, Teresa Hansen, Jerry Funke and Tom Mattingly.

Also in attendance: City Clerk Stegelmeier, City Attorney Angell, P&Z Admin Kyle Baldwin, Marvin Fielding, Jaden Jackson, Bryan Case and Pauline Johnson.

Mayor Stronks welcomed everyone and opened the meeting at 6:31 pm.

EARLY MEETING:

1. AMEND AGENDA: ACTION ITEM

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

2. UNFINISHED/OLD BUSINESS: D. AURA Sidewalk Project – Marvin Fielding, Jaden Jackson

5. NEW BUSINESS: C. Road Repair at White Pines Avenue – Mayor Stronks

9. EXECUTIVE SESSION

Councilman Atchley made a motion to accept the Amend Agenda as presented. Councilman Funke 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. Wastewater Project Phase II Bid Consideration – Marvin Fielding, Pauline Johnson, City Clerk Stegelmeier, City Attorney Angel **ACTION ITEM**

Marvin went over the bid with the Council. 3H Construction is the low bid but it is still more than was budgeted. Their bid was \$1.9 million and the City has funding for \$1.4 million. Pauline Johnson with the Development Company is here to help discuss budget. She went over what is left in the budget and the difference will be approximately \$600,000. The Council discussed the priority lines with Marvin who brought maps to show priorities and costs. Councilman Funke said that the City has have done a lot of engineering and planning – can we get more money to get it done. Councilman Atchley expressed his thought that the City could budget for it. Instead of investing cash like has been discussed, the City could invest that money in completing the project. City Clerk Stegelmeier inquired about whether DEQ would have more loan forgiveness. The water project ended with more loan forgiveness as the DEQ completed their budget year. Pauline will talk with Rick and with the DEQ then get back with the City. Councilwoman Hansen likes Councilman Funke's idea of just getting the project done this year. Marvin explained that the project will not be done, that it will not be possible because of time of the bidding. Councilwoman Hansen is not sure that starting and leaving holes through the winter will be good. Marvin explained that it gained the City better bids to allow for a winter shutdown. Councilman Atchley explained that he didn't have a problem with the contractor starting in October. Mayor Stronks explained that Reed said he would plan starting on places without roads to alleviate traffic/plowing/mud. Councilman Atchley said maybe the contractor would want to wait until next spring. Councilman Funke said that he has no objection with them starting this fall but have it ok for plowing, etc. Marvin will speak with Reed about the start dates. Pauline will find out about the DEQ money. The City will be willing to consider budgeting for the balance. The Council did not formally finalize the approval of the

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change order on Phase I to use stabilization to get started on the pond.

Councilman Atchley made a motion to approve Change Order 3 on Phase I of the Wastewater Project.

Councilman Funke seconded the motion. The motion passed unanimously.

- B. City Park Project Plan Consideration – Marvin Fielding, Jaden Jackson, Pauline Johson, City Clerk Stegelmeier, City Attorney Angel, **ACTION ITEM**

The Council went over the map of the project. There is an irrigation line under the parking but they have spoken to Forrest about it. It will need to be relocated or abandoned. They discussed the restroom pad. Pauline has 4 contractors to bid on the pool liner and bids are due on June 19th. Councilwoman Hansen asked about when the project will get started. It will be done by the end of the summer – no winter shutdown.

- C. Transportation Plan Update – Marvin Fielding, Jaden Jackson **ACTION ITEM**

There is no update on this at this time.

- D. AURA Sidewalk Project – Marvin Fielding, Jaden Jackson **ACTION ITEM**

Marvin showed the Council the preliminary drawings for the sidewalk project. The drains are deep enough to do an area drain in the Zion Lutheran parking lot. This project will be going out to bid in 2 weeks then there will be a month that it is out for bidding. This project will be completed by December 16th.

BREAK

Mayor Stronks asked the Council if they wanted to take a break but everyone said to just go on to the regular meeting agenda.

REGULAR MEETING

3. CONSENT AGENDA: ACTION ITEM

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 Meeting Minutes 5-9-2018, Special Meeting Minutes 5-18-2018
- B. **Treasurers Report** - 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 that the Consent Agenda be approved as presented. Councilman Mattingly seconded the motion. The motion passed unanimously.

4. ORDINANCE/RESOLUTION:

- A. Ashton Ordinance 471-18 – Amendment to Development Code: Conditional Use Permit – City Attorney Angel, P & Z Administrator Kyle Baldwin **ACTION ITEM**

Councilwoman Hansen feels that the Council needs to make a decision. Councilwoman Hansen asked City Attorney Angell to about his advice that this ordinance might be law suit ready to happen. City Attorney Angell explained that the comment that lawsuits can frequently come from this kind of ordinance is true. It is something outside of normal. In Driggs, a conditional use permit was allowed for a dirt bike track. The neighbors sued because they didn't want a dirt bike track. This can end up in litigation although it can end up in lawsuit anyway without allowing for conditional uses. This process is going to be harder and each permit will need approval from both the P&Z and the Council. It will be something that can be used by the folks who were asking about building a four story hotel. Right now, it cannot be allowed.

Councilman Atchley made a motion to read the City of Ashton Ordinance 471-18 by title only and dispense

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with the second and third readings. Councilman Funke seconded the motion. Roll call vote was called. The motion passed unanimously.

City Clerk Stegelmeier had not included a copy of the ordinance in the packet so she asked for a moment to get it to bring back for Councilman Atchley to read.

Councilman Atchley read the ordinance into the record.

Councilwoman Harrigfeld made a motion to that Ashton City Ordinance 470-17 be approved and published. Councilwoman Hansen seconded the motion. Roll call vote was called. Funke, aye; Atchley, aye; Hansen, nay; Mattingly, aye. The motion carried.

- B. Ashton Resolution 18-03 – Adoption of Updated Personnel Policy – City Attorney Angell, City Clerk Stegelmeier **ACTION ITEM**
City Attorney Angell has made the changes requested and the resolution is ready for approval.

Councilman Funke made a motion that the resolution 18-03 be approved. Councilman Mattingly seconded the motion. The motion passed unanimously.

5. NEW BUSINESS/PETITIONS:

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

- A. School Solar Project – Brand Hathaway, Bryan Case **ACTION ITEM**
Bryan Case here to talk to the Council about a project Fall River Electric is sponsoring at North Fremont High School. It is a solar and wind energy project. It will be some solar panels and a wind turbine. The students will be able to monitor the energy created. The project will cost \$35,000. The Rotary group has made a contribution. He is wondering if the City can contribute. He is also looking for a way to get the word out. City Clerk Stegelmeier explained that she can put it in the newsletter and on the website. The school would own the facility. Been some generous offers. Councilman Funke asked if they receive above the goal what happens to the money. Bryan said they would give it to the school to put it to more solar. The power will be going into the school system and the equipment will be located right out in front of the school. The equipment will not be self-tilting so the students will have hands on experience. The Council talked about donating. Donating the public's money is not a good idea but helping by putting information in the City newsletter & website will be of assistance.
- B. Dogs and Mosquitos – City Councilwoman Hansen **ACTION ITEM**
Councilwoman Hansen is asking about dog control. She has spoken with Chief Griffel about a plan for barking dogs. She would also like to have an article in the newsletter about the City's rule of having dogs on a leash when outside a fenced yard. Mosquito abatement was then discussed. Councilman Atchley thinks the City should still buy equipment to do it ourselves. Councilman Funke is concerned that applicator licenses will be needed. City Clerk Stegelmeier will find prices, etc. Councilwoman Hansen will check with the City of St. Anthony for this year.
- C. Road Repair at White Pines Avenue – Mayor Stronks **ACTION ITEM**
Mayor Stronks explained that the Ashton Urban Renewal Agency met and said they would partner with the City and pay half of the repair of the road by the Travel Plaza. The Council talked about other problems on Cherry and Spruce Streets. Councilman Atchley talked about budgeting to repair them all and look for grants to help. They discussed the slurry seal that Todd has been asked to look into instead of chip sealing. Councilman Atchley is not convinced that it is better than chip seal. P&Z Administrator Baldwin explained that he has worked with it in Rexburg and the biggest issue is keeping drivers off the street for a while after it is complete.

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Councilman Atchley made a motion to accept the bid for fixing the street by the Travel Plaza with AURA paying half. Councilwoman Hansen seconded the motion. The motion carried unanimously.

6. UNFINISHED / OLD BUSINESS:

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

- A. Investment Information – City Clerk Stegelmeier **ACTION ITEM**

The Council is tabling this discussion until after the completion of the Wastewater Project.

7. REGULAR BUSINESS/EMPLOYEE REPORTS:

- A. Scheduling – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier went over the schedule with the Council.

8. COUNCIL DISCUSSION:

Councilmembers will bring items to be discussed with the other Councilmembers & Mayor. No action should be taken on these items as they have not been specifically listed on the agenda.

Councilman Funke said that the City's mowing needs to be done (on right of ways, etc.).

9. EXECUTIVE SESSION:

I.C. 74-206 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.

- (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;
- (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

Councilman Atchley made a motion to enter an executive session per Idaho Code section 74-206 (ab & f).

Councilman Funke seconded the motion. A roll call vote was taken: Funke, aye; Atchley, aye; Hansen, aye; Mattingly, aye. The motion passed unanimously.

Mayor Stronks excused the audience. The Council entered executive session at 8:12 pm.

Councilman Atchley made a motion to exit executive session. Councilwoman Hansen seconded the motion. A roll call vote was taken. A roll call vote was taken: Funke, aye; Atchley, aye; Hansen, aye; Mattingly, aye. The motion carried unanimously.

The Council exited executive session at 8:50 pm.

10. ADJOURNMENT:

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

NEXT MEETING

- ◆ Regular Council 7:00 p.m. – Wednesday, July 11, 2018, Council Chambers, Ashton City Building – 714 Main, Ashton.
- ◆ Questions concerning items appearing on these Agendas or requests for accommodation of special needs to participate in the meetings 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