

MINUTES–CITY OF ASHTON

SPECIAL CITY COUNCIL MEETING

Tuesday, July 21, 2015

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: Brett Pincock
Pledge: Tadd Atchley

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

Also Present: City Clerk Cathy Stegelmeier, City Attorney Lookabaugh, Heather and Sheryl Hill.

Mayor Stronks called meeting to order at 7:00 pm

1. WORK SESSION:

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

- A. Tree Pruning Bids – City Clerk Stegelmeier, City Attorney Lookabaugh, Sheryl Hill, Delray Jensen
City Clerk Stegelmeier explained that there had been a hold up with awarding the tree pruning bid. She explained that she had asked the bidder for the insurance information as directed by the Council. When his response was that he had none, City Clerk Stegelmeier asked if the City Attorney could call him back. She then contacted City Attorney Lookabaugh with the number and information. City Attorney Lookabaugh then explained that after discussing the situation with the bidder and the City's insurance carrier, it was determined that the bidder was not a qualified bidder. Because the Council did not pick the lowest OR highest bid, there was no clear 'next bidder' on the list. This meeting was adjourned in order for the Council to choose another bidder. As the Council went over the bids, Sheryl Hill asked if she could offer a list she prepared showing each bid on one sheet.

There were some contradictions and one company that did not submit a bid for tree removal in the small park at the City Building. Del went with each of the bidders and asked them to bid on the blocks from the railroad to 8th Street and to break their bids down by block. All the bidders mentioned that their ANSI certification except Upper Valley Tree Service.

Councilwoman Hansen expressed her concern that when the bidders are contacted that we make sure to discuss the cost of removing the tree and checking on other discrepancies. Mayor Stronks contacted Jerry Merrill and got a letter to the Council. Sheryl Hill explained that she feels the City got a bids for a very specific task. Councilman Pincock said that the City will negotiate for the removal of the tree with the chosen bidder. Sheryl asked the Council if they had received her letter. City Clerk Stegelmeier explained that it had been sent to all of them via email. City Attorney Lookabaugh requested that City Clerk Stegelmeier get everyone a printed copy.

Mayor Stronks called a recess in order for City Clerk Stegelmeier to get everyone a copy of the letter.

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City Attorney Lookabaugh suggested that Sheryl be allowed to read the letter into the record and that she would then read her counsel emailed following receipt of the letter. Sheryl read her letter into the record. City Attorney Lookabaugh read her email to the Council. Mayor Stronks explained that he had contacted the Arborist for the City of Rexburg and has a letter from him to read to the Council. City Attorney Lookabaugh read the letter from Jerry Merrill into the record. Councilman Pincock said that the tree in question states that the tree violates number 2, 3 & 7 from the Merrill letter. Sheryl Hill expressed her opinion that he is expressing his opinion, not fact. She went on to explain that her opinion that there have been some improprieties and that the Council has not followed the City's ordinances, procedures, etc. Discussion continued with a back and forth discussion. Mayor Stronks stopped the discussion and asked for an opinion from City Attorney Lookabaugh. City Attorney Lookabaugh explained that in a good faith effort, the City could go ahead with the pruning – then decide if public hearings or other steps need to be taken. She explained that without more definitive expert advice, the City would have a hard time if taken to court. Since you can't undo cutting down a tree, go ahead with the pruning and see what the outcome becomes. City Councilman Atchley expressed concern for the business owner because his signs are hidden because of the tree. Discussion continued concerning whether the problem is a sign issue or a tree issue with City Attorney Lookabaugh expressing her opinion that the safety issue was the definitive issue in talking about removal, the sign issue was incidental. There was more discussion.

Councilwoman Harrigfeld made a motion to accept the bid from Lawn Tech and table the Maple tree removal pending further study on Norway maple trees. Councilwoman Hansen seconded the motion. The motion carried.

- B. 3rd Street Improvements – City Clerk Stegelmeier, Marvin Fielding, Todd Martindale, Delray Jensen, Chris Reinke, David Reinke
The Mayor and Council traveled to 3rd Street to meet with the owners of Reinke Grain to discuss the improvements. Mayor Stronks thanked everyone for coming and asked Marvin to explain what the City was planning concerning the road. Marvin explained that there have been some problems and concerns with drainage and safety at the location. The City applied for and has been awarded a \$100,000 construction grant in order to fix the problems. There were several solutions discussed by the group then timing was discussed. June would be the best month for construction as farming is slow. Mayor Stronks explained that the City would be contacting the Reinke's for more information and to coordinate as the project continues.

Councilman Atchley made a motion to accept the bid for engineering the 3rd Street Project from Keller and Associates. Councilwoman Hansen seconded the motion. The motion passed unanimously.

- C. Budget – City Clerk Stegelmeier, Rudey Ballard
Rudey Ballard is here to talk to the Council concerning the raise in insurance costs. He brought a worksheet for everyone and went over each option. He explained that insurance costs used to be something that someone would control but now it is not. He also explained that every plan now is Obama care – required to be so. The City's grandfathered plan is good and he thinks that the City will be giving up a safety net in giving it up. Councilman Atchley explained that the individual plans have not been good for their business. Councilwoman Harrigfeld explained that the County gave up the status and their insurance has been unstable. Councilman Pincock said that we are going to

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need make the budget work with the new costs and/or ask the employees their thoughts concerning the insurance. Mayor Stronks set a budget work session for August 4th at 7pm. He invited the Councilmembers to employee meeting on the August 3rd.

Councilman Atchley made a motion to stay with current health insurance plan. Councilwoman Harrigfeld seconded the motion. The motion passed unanimously.

2. ADJOURNMENT

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

NEXT MEETING

- ◆ Regular Council 7:00 p.m. – Wednesday, August 12, 2015, Council Chambers. 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