

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, April 10, 2019

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: Teddy Stronks
PLEDGE LED BY: Jerry Funke

In Attendance: Teddy Stronks, Tadd Atchley, Jerry Funke and Tom Mattingly.

Also in attendance: City Clerk Stegelmeier, Police Chief Griffel, Lisa Smith, Bryan Hatton, Karlie Marotz, John Tighe, John Scafe, Rachel Hatton, Michelle O'Malley, Ken Miller and Linda Miller.

Mayor Stronks opened the meeting at 7:00pm.

1. 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 Special Meeting Minutes 3-13-2019
- B. **Treasurers Report** - As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted

Councilman Atchley made a motion that the Consent Agenda be approved as presented. Councilman Mattingly seconded the motion. The motion passed unanimously.

2. PUBLIC HEARING:

- A. Read Ordinance 474-19 – Dog Ordinance Amendment – Police Chief Griffel, City Attorney Angell
- B. Public Comment (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

Bryan Hatton, 969 Cherry Street. Bryan says that it is ironic that he is speaking at this public hearing. He feels that this change is wrong. The City's website states that citizens will not have to worry because there is not going to be a 'dog roundup'. If no teeth to the ordinance then why is the City putting it in? Bryan has been online is looking around at ordinances in nearby cities to see if they limit the amount of dogs. He found no limit in the City of St. Anthony. In Newdale citizens can have three dogs for free and the have to pay \$100 for each additional dog. That might be a good solution. Bryan does not want multiple dogs. He just feels that the City is talking out both sides of its mouth. He feels that there needs to be an exception. He personally likes Newdale's solution. He also feels that heftier fines might help solve some issues.

John Scafe, 687 Idaho Street. He understands that the dog ordinance has been around a long time. He likes the vicious dogs section of the code but is concerned that the only dog listed is a pit bull. There are some dogs that are vicious that are not pit bulls. Another concern John has is that dogs need to be licensed. He feels like the City needs to encourage owners to license their dogs. He feels like there needs to be more enforcement. He is concerned because the kids now a days go up to a

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dog and he is worried about vicious dogs attacking them. He wants the pit bull part looked at more because some pit bulls can be nice. He does not like the idea of having a big puppy mill anywhere in town.

Karlie Marotz, 87 Cherry Street. Karlie explained that she is facing eviction because she did not know that there is a limit on the amount of dogs you can have in town. She is very sad because her dogs are like her kids and she feels like she would have to give up her kid. This has been very personal to her because their dogs are her family. She asked the Council to not rip apart her family. The Mayor and Council told her to apply for a non-commercial kennel license to start because even if the ordinance is approved – she would be licensed for a year.

Closed the public hearing.

C. Discussion

Councilman Funke explained that the subject is tender to him although he does not own a dog. He does not know how many dogs a person can have. He does not like the dogs being turned loose. He doesn't feel that the amount of dogs should be limited. Citizens need to take care of them and license them. He thinks the police need to get a capture net. There needs to be more enforcement on loose dogs. He is especially concerned about vicious dogs he has been challenged and those dogs need to be eliminated.

Councilman Atchley explained that he has a neighbor who has dogs and he didn't even know that she had dogs. There are many good pet owners in town. Councilman Atchley asked Police Chief Griffel if the reason for the elimination of the non-commercial kennel license was just to make enforcement down the road a little faster. We're trying to help neighbors of problem dogs out. The non-commercial kennel license process puts off enforcement for another month or so.

Police Chief Griffel explained that in the last 18 years he has never had to ticket anyone for going over the 2 dog limit. There are City ordinance and State statutes for vicious dogs. Doesn't matter what kind of breed. The dog has to break the skin or have a number of incidences in cornering people. It takes a court order to get a vicious dog destroyed. Most violations are dogs at large, barking and not being cared for. There are ordinances for those problems. The non-commercial kennel license doesn't help us anyway. In his opinion. He does not care if it is left in effect. The police will not be knocking on every door to count dogs. We will deal with them when we get complaints. We can still take care of the situations with or without the change to the ordinance. To catch a dog, you have to be within 10 feet of the dogs. They know the police trucks and run from them.

Councilman Mattingly suggests that maybe the non-commercial kennel needs to be rewritten. It can be very hard for someone living close to a neighbor with multiple dogs.

Councilman Atchley made a motion to table the ordinance until next month. Councilman Mattingly seconded the motion. The motion carried unanimously.

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3. ORDINANCES/RESOLUTIONS:

- A. Ordinance 474-19 – Dog Ordinance Amendment – Police Chief Griffel, City Attorney Angell
ACTION ITEM

4. NEW BUSINESS/PETITIONS:

- A. Railroad Avenue Extension Discussion – Tom Howell
Tom Howell was not in attendance. City Clerk Stegelmeier explained that Tom’s concern is that the City is not planning to pave or fix the Railroad Avenue clear to the County road south of town. City Clerk Stegelmeier explained that the grant did not include that section. Councilman Atchley is concerned that a 25 foot road is not large enough either. Councilman Mattingly is concerned about the asphalt edge near the school property. He feels like it will get ruined quickly. Mayor Stronks asked City Clerk Stegelmeier to ask Marvin Fielding and Jaden Jackson to come to speak to the Council next month.

5. UNFINISHED/OLD BUSINESS:

- A. Tennis Court Grant Application – Mayor Stronks, City Clerk Stegelmeier **ACTION ITEM**
Mayor Stronks presented the Land and Water Conservation Grant in Boise and feels like it went well. It was received well by the panel. It will take them a while for them to decide. There were a lot of pickle ball applications.

6. REGULAR BUSINESS/EMPLOYEE REPORTS:

- A. Scheduling – City Clerk Stegelmeier **ACTION ITEM**
City Clerk Stegelmeier went over the Council’s schedule with them. She explained that there is an Association of Idaho Cities meeting that they should attend on April 23rd. Mayor Stronks explained that he would rather the Council come to the Community Review meetings. They are a community leaders and he would like them to be involved. On April 23rd there is a working lunch at Henry’s Fork Foundation at 12 to 4:30 and 6:30 to 8 there is a meeting at the Community Center in the gym. On the 24th it will be solidified be a big meeting at the 6:30 to 8 at the lecture hall at the high school. He feels like they need us as leaders to show them Ashton. Jerry went along at the last Community Review in 2006 and it went well.

City Clerk Stegelmeier then explained that she needed to ask the Council about a frozen water line on Highland. The line froze when citizens had been warned to run water. Councilman Atchley asked if it froze on her side of the meter. She explained that it froze in the service line under the road from the water main to the meter.

Councilman Atchley made a motion to average the customer’s past usage and forgive the overage as the water was frozen on the City side of the meter. Councilman Funke seconded the motion. The motion passed unanimously.

7. 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.

Mayor Stronks announced to the Council that Kyle Baldwin has resigned as P&Z Administrator. He has hired Sara Bowersox as the new administrator.

8. 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)

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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 executive session. Councilman Mattingly seconded the motion. Mayor Stronks called a roll call vote: Councilman Mattingly, aye; Councilman Funke, aye; Councilman Atchley, aye. The motion passed.

The Council entered Executive Session at 7:43 PM.

Councilman Atchley made a motion to exit Executive Session. Councilman Funke seconded the motion. The motion passed unanimously.

The Council exited Executive Session at 8:21 PM.

9. ADJOURNMENT:

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

The meeting was adjourned at 8:22 P.M.

NEXT MEETING

- ◆ Special Council 7:00 p.m. – Wednesday, May 8, 2019 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