

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, January 13, 2021

7:00 p.m.

714 Main Street

*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.*

Due to the Governor's order, the Council meeting will be held by Zoom.

Here are the instructions to join the meeting:

1. Go to www.zoom.us
2. On the right-hand side near the top choose 'Join a Meeting'
3. Meeting ID: 897 1545 3445
4. Meeting Password: 029325

PRAYER OFFERED BY: Jerry Funke

CALL TO ORDER & WELCOME

PLEDGE LED BY: John Kaelberer

In Attendance: Tom Mattingly, Jerry Funke, Teresa Hansen and John Kaelberer.

Also, in attendance: City Clerk Stegelmeier, City Attorney Angell, Deputy Clerk Warnke, Chief Griffel,

Also, in attendance via Zoom: P&Z Administrator Sara Bowersox, Jaden Jackson, Sheryl Hill, John Scafe and Rachel Hatton.

Mayor Mattingly welcomed everyone and opened the meeting at 7:00 pm

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 12-09-2020, Emergency Meeting 12-21-2020
- B. **Treasurers Report** - As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted

Councilwoman Hansen made a motion to approve the consent agenda as presented. Councilman Funke seconded the motion. The motion passed unanimously.

Regular Business:

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

2. Resolution 21-01 – LTHAC Grant Resolution – City Clerk Stegelmeier

City Clerk Stegelmeier explained that this resolution is a required for the sign replacement contract with LTHAC. The council agrees in the resolution that they approve and will follow the contract.

Councilwoman Hansen made a motion to approve resolution. Councilman Kaelberer seconded the motion. The motion passed unanimously.

3. Sign Replacement LTHAC Contract – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier explained the contract to the Council. The City will have some cost share with this contract. Approximately \$15,000 depending on the final bid.

Councilwoman Hansen made a motion to accept and have the Mayor sign the contract with LTHAC. Councilman Kaelberer seconded the motion. The motion passed unanimously.

4. Roof Drain Discussion – City Clerk Stegelmeier **ACTION ITEM**

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City Clerk Stegelmeier explained that this issue had been resolved and should have been taken off the agenda.

5. Railroad Crossing Agreement – City Clerk Stegelmeier, City Attorney Angell **ACTION ITEM**

City Clerk explained that she received an email from Omega Rail which is the company who is hired by the railroad to work on easements, etc. The City had worked with them when we needed to pipe burst for the sewer project in 2019. The company is wanting a one-time set up fee and then yearly payments on the lines that have been under the tracks. City Clerk Stegelmeier had discussed the agreement with City Attorney Angel. City Attorney Angel explained that he has reached out to the company but has not heard back from them. He is going to do a little research to see if he can find out if other cities have had this issue with the railroad. He spoke to the Rexburg city attorney who explained that the city there predated the railroad so they have not had to pay the fees. City Attorney Angell and City Clerk Stegelmeier will take another look at the City records to see if there is anything showing an already completed easement, etc. Councilman Funke wondered if the record of the first sewer system would give a date to look for other records. Councilwoman Hansen explained that the City has mowed their property for years and wonders if the city could charge the railroad. Mayor Mattingly remarked that the old crossings are well made according to the line that was pipe burst. City Attorney Angell gave his opinion that there is still room for negotiation and he will work on research.

6. American Dog Derby – John Scafe, City Attorney Angell

John Scafe explained that there have been several issues come up concerning the Covid-19 and the dog derby. The work camp cannot help with the race so they are working on getting volunteers. They will need at least 50 people. Terry Martindale spoke with John earlier in the week and said that snow wise there is good amount of snow but there is no base. This might make for problems for the teams. Insurance is ready to go any time. State of Idaho permits are good to go. They are planning to take a year off on having the mut race but will still have a snowshoe race and weight pull. The forecast for the next 30 days does not show a lot of snow. They may have to have the race out of town but they will wait until their meeting on February 10th to decide. Mayor Mattingly asked if they have been planning an alternative to starting in town. John said they have but they have not heard back from the Forest Service yet. He is concerned that they may have too many racers because many of the other races have been canceled due to Covid-19 issues. City Attorney Angell explained that this issue is a worry for the City as well. Governor Little has issued an order that is in effect which limits gatherings to no more than 10 – indoors and outdoors. This order comes with misdemeanor fines that could be issued. Councilman Kaelberer said that state legislature is moving toward rescinding the order and the responsibility for such orders from the governor's office. The order could be a non-issue by the time of the race. City Attorney Angell said the order could also just be rescinded because the cases drop, etc. Mayor Mattingly asked John to keep in close contact with the City. The City Council meets on February 10th and discuss this with the dog derby committee.

7. IMR Snowmobile Race – Kristopher Eiding, City Attorney Angell

Kristopher Eiding explained that the event organizers are still rolling though the season and had a race last week in Island Park. They will have a race in two weeks in the Driggs area. He reported that the city council in Driggs went ahead with the races. He understands that the snowmobile race is probably the same boat to wait until the week before to decide. Their plan is if end up not having it in Ashton they will have it in Island Park. They are really excited about having one in Ashton and are hoping for the best. They will have a loader come over and place the snow from where the City has piled it into the field. The groomer will come down next week. Kristopher sent a map and the council has a copy. They will have exhibitions and food vendors. Chief Griffel expressed some concern about spectator parking. Kristopher said the spectators will just park on the surrounding streets. They are clearing part of the lot for the trailer parking. Snowmobiles can drive through and the pits will be open for racers. Pedestrians will walk in from the streets. The City meeting for a decision on the 10th will give them enough time to switch to another

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place. Chief Griffel asked if he would be able to do a walk through the location, etc. with Kristopher. They will plan a time to meet soon.

8. Police Department Discussion – City Clerk Stegelmeier, Chief Griffel, City Attorney Angell ACTION

Chief Griffel explained that he will be retiring on June 1st this year. As he has spoken to several of the Councilmembers, they have asked if it would be possible for him to continue as a part time Chief for a while. He is here at Council to discuss his recommendation right now that the City retain him as a part time Chief and hire another full-time officer at this time. He has spoken with City Clerk Stegelmeier about the budget and the current budget will cover the costs as Chief Griffel will be moving to part time. Chief Griffel will drive the black unit until his new unit arrives and the new officer will run the Chief's current unit. He will discuss the particulars of the officer that he would like to hire with the Council in executive session. Councilman Kaelberer is of the opinion that this will give the new officer plenty of time to get acquainted with the new position.

9. Scheduling – City Clerk Stegelmeier ACTION ITEM

10. Executive Session – City Attorney Angell

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.

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Councilwoman Hansen made a motion to enter executive session. Councilman Funke seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Funke, aye; Councilwoman Hansen, aye; Councilman Kaelberer, aye. The motion passed.

The Council entered Executive Session at 7:40 pm.

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

The Council exited Executive Session at 8:13 pm

11. ADJOURNMENT

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

The meeting ended at 8:15 pm.

NEXT MEETING

- ◆ City Council 7:00 p.m. – Wednesday, February 10, 2021 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

Tom Mattingly
Mayor