

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, October 14, 2020

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 COVID-19 pandemic, social distancing will be required which may impact the amount of people able to attend the meeting.

ALSO: Temperature screening will be required.

Please do not attend the meeting if you feel sick or have been around those who have been sick.

CALL TO ORDER & WELCOME

PRAYER OFFERED BY: Tom Mattingly
PLEDGE LED BY: Tadd Atchley

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

Also, in attendance: City Clerk Stegelmeier, City Attorney Angell, Deputy Clerk Warnke, Chief Griffel, P&Z Administrator Sara Bowersox (via telephone), Rick Miller, Kris Edinger, Byron Stutzman, Varley Sanford, Michele Smith, Lisa Smith, Teddy Stronks, John Scafe and Rachel Hatton.

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

1. AMEND AGENDA:

- #3 – Ashton Ordinance 481-20 – City Clerk Stegelmeier, Rick Miller **ACTION ITEM**
- #4 – 2nd Amendment Resolution Discussion – John Kaelberer

Councilman Atchley made a motion to approve the consent agenda as presented. Councilman Kaelberer seconded the motion. The motion passed unanimously

2. 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 9-16-2020
- B. **Treasurers Report** - As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted

Councilman Funke asked about the first aid supplies in the City Building. The costs have been on the rise. City Clerk Stegelmeier said she would discuss the costs with the company.

Councilwoman Hansen made a motion to approve the consent agenda as presented. Councilman Atchley 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.

3. Ashton Ordinance 481-20 – City Clerk Stegelmeier, Rick Miller **ACTION ITEM**

City Clerk Stegelmeier explained that an ordinance is required to close out the loan on the wastewater

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project. The process starts with an ordinance setting up a bond election. Following the bond election there is a second ordinance setting the time period, etc. The third ordinance finalizes the bond. Rick Miller explained that following the passage of this ordinance the interim financing is closed, the bond is set and the payments will begin in about 6 months.

Councilman Atchley made a motion to read the City of Ashton Ordinance 481-20 by title only and dispense with the second and third readings. Councilman Funke seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Atchley read the ordinance into the record by title.

Councilman Atchley made a motion to that Ashton City Ordinance 481-20 be approved and published.

Councilman Funke seconded the motion. Roll call vote was called. The motion passed unanimously

4. 2nd Amendment Resolution – Councilman Kaelberer

Councilman Kaelberer explained that St. Anthony has passed a resolution making their city a 2nd Amendment sanctuary city. There are several other cities that are going to pass similar resolutions. Councilman Kaelberer read the resolution aloud. The Council discussed the resolution. Councilman Funke asked City Attorney Angel his opinion on the resolution. City attorney Angel said that he does not have an opinion on the resolution. It is the Council's preference. The Council asked City Clerk Stegelmeier to prepare a similar resolution for them to act on next month.

5. Liquor Licenses – City Clerk Stegelmeier *ACTION ITEM*

Cathy explained that she has received the state license and the application from the Family Dollar Store. She is awaiting receipt of the county license and fee.

Councilman Atchley made a motion to approve the liquor licenses for Family Dollar contingent upon receipt of County license and fee. Councilman Funke seconded the motion. The motion passed unanimously.

6. Soft Ball Diamond Discussion – Byron Stutzman *ACTION ITEM*

Fremont County School Superintendent Byron Stutzman came to talk to the City Council about the School District acquiring the ball diamond from the City. He reminded the Council that there has just been an initial discussion and no agreement has been put together. He will be asking permission from the School Board tomorrow night. Mayor Mattingly asked if the school would be letting the citizens use the diamond when the softball team is not using it. Mr. Stutzman replied that it would be like any to the facility for them to use. There is a board policy that stating that rule. He did ask that the City would work with them on the cost of the water at the diamond. City Clerk Stegelmeier reminded the Council that the water costs should not be negotiable. She also explained that in the past the City has asked that the deed in the exchange list that the City has first right of refusal if that facility changes hands.

Councilman Atchley made a motion that the Mayor and Council support school board in discussions of taking over the ball diamond. Councilman Funke seconded the motion. The motion passed unanimously.

7. P & Z Report – Administrator Sara Bowersox *ACTION ITEM*

P & Z Administrator Bowersox began by talking about the roundtable meetings she is hoping to have concerning the Comprehensive Plan update. City Clerk Stegelmeier will get information from her to the Council for them to give her feedback at the next meeting. P&Z Administrator Bowersox then explained that there will be a public hearing before the City Council at their next meeting to consider a conditional use permit. Also, there seems to be a lot of interest in the large lot owned right now by Kent Fisher on the north side of town. She is answering questions for developers who are interested in the lot.

8. Park Restroom Update – Councilman Funke *ACTION ITEM*

Councilman Funke reported that the project is moving along with working with Marvin Fielding on design on a low maintenance restroom at the park. It will be close to the new pavilion. There will be a men's restroom on one side and a lady's restroom on the other with a maintenance room in the center. It will be built out of split cinder block and will have a porch. It is in the planning stage and hopefully can be built next spring. It will be privately funded through the Vasac fund to the City. It should be something for the

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City of Ashton to be proud of. As they get more plans, they will bring it to the council. Councilman Funke asked P&Z Administrator Bowersox what type of permits will be needed. The answer is a Class 1 permit to check setback and anything over 200 square feet will need to have engineered plans. Rick Miller explained that if Councilman Funke wanted – there will be another round of park block grants next year and this project may qualify. Councilman Funke said that he does not want to postpone construction waiting for a grant.

9. Pavilion and Tennis Court Information – City Clerk Stegelmeier, Teddy Stronks **ACTION ITEM**

Teddy Stronks is here to talk about the new pavilion. He is excited to see these projects get completed. The erection should start the latter part of next week. The tennis court is another story. Teddy talked to Dan and he was going to be up here today but will not be up here next week. The court surfacing will be waiting until next year due to the weather. It has taken longer with COVID-19 and all. Teddy asked City Clerk Stegelmeier get some numbers and he went out searching for more money. He went and talked to Chris and David Reinke and they have donated \$13,000 for the tennis Court. Teddy asked that the City write a thank you letter to the Reinkes for the money. Teddy then went on to discuss the extra cost at the new pavilion. He said that the Ashton Urban Renewal Agency will be discussing more assistance with that at their meeting later in the week will be there to discuss that at the next meeting. There was discussion on the pavement at the tennis court. The City has a bid but all work will be waiting until spring and there is time to discuss bids.

10. FY2020 Amendments – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier will be bringing this to Council next month.

11. American Dog Derby – John Scafe

John explained that the 2021 American Dog Derby will be held February 19th and 20th. He asked if the City had any problem with letting the race go on. The Council expressed their encouragement and hope that there will be no problems having a race. So far only one race in the dog racing schedule has cancelled so John is optimistic. It will be the same as usual and the junior racers are really excited. John then explained that another group – Inter Mountain Racing – would like to have a snow cross race at the old football field. Kris Edinger then explained that the group has races all over an is hoping to add Ashton to its schedule. They have contacted the owner of the old football field, Carlos Huerta, who has agreed to let them use the property. This will provide more things for tourists to do at the dog races. The race will be in the day and would be over by 8 pm. IMR will be providing a certificate of insurance but still have some hurdles. They will need some more snow and are hoping the City will haul some in as they plow. City Clerk Stegelmeier explained that the ground will need to freeze so that the trucks hauling the snow will not get stuck. City Attorney Angell explained that the property owner will have to provide the City with written permission to put snow on the property. Police Chief Griffel expressed concern about the noise because the City has a noise ordinance. He is also concerned about parking. City Councilman Kaelberer thinks that it will bring more people to Ashton. Councilman Atchley is all for it if the City's concerns can be addressed.

12. Scheduling – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier went over the next month's schedule with the Council. She also asked what day later in the month would work for a special day time meeting on the Railroad Avenue project. She will contact everyone when a date has been set.

13. Executive Session – City Attorney Angell, City Clerk Stegelmeier

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.

(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

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Councilman Atchley 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 Atchley, aye; Councilman Kaelberer, aye. The motion passed.

The Council entered Executive Session at 7:52 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 8:11 pm

13. ADJOURNMENT

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

The meeting ended at 8:13 pm.

NEXT MEETING

- ◆ City Council 7:00 p.m. – Wednesday, November 11, 2020 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