

MINUTES–CITY OF ASHTON

REGULAR COUNCIL MEETING

Wednesday, March 9, 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 COVID-19 pandemic: Please do not attend the meeting if you feel sick or have been around those who have been sick.

PRAYER OFFERED BY: Tom Mattingly
CALL TO ORDER & WELCOME
PLEDGE LED BY: John Scafe

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

Also, in attendance: City Clerk Stegelmeier, Chief Griffel, City Attorney Angell, P&Z Administrator Bowersox, Deputy Clerk Warnke, Detective Belew, Todd Martindale, Brett Griffel, Jeremy Harris, Ian West, Sterling Nielson, Wade Rumsey, Luke Bloxham, Rachel Hatton, Rosie Owens and Sheryl Hill.

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

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.

6. Visitor Center Discussion – Sterling Nielson, Suzanne Nielson ACTION ITEM

Councilwoman Hansen made a motion to amend the agenda by adding Visitor Center Discussion as number 6. Councilman Funke 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 Meeting Minutes 2-9-2022
- 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. Sketch Plan Review – Wade Rumsey, P&Z Administrator Bowersox ACTION ITEM

Wade Rumsey, 7550 S. 50 W., Idaho Falls, Idaho. Mr. Rumsey is here tonight to provide a sketch plan for review. The property in question is lots E and F of the original Ashton plat. He went on to provide some background information on the property. The property had been vacant for years. There were some known environmental concern stemming from it having been a landfill in the past. Before he purchased the property, they had Rocky Mountain Environmental do a phase 1 review. In that review it was discovered that a phase 2 review was necessary. Soil samples confirmed that there was a landfill but that there were no toxic materials or hazardous waste. Lot F is the lot where the landfill was located (in the north west portion) and used in the 1920's and 1930's. Most of the waste is decomposed but Mr. Rumsey is proposing to build some storage units instead of homes in that area due to the composition of the ground. He will have to apply for a variance in order to do that and the Council will be considering that application. The City grid system will be kept except in crossing that area. Mr. Rumsey explained that on the east side of the property

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they are planning single family dwellings. He is proposing on the rest of the property to build some town homes, some with a one car garage and some with two car garages. His goal is to encourage home ownership with those options. Mr. Rumsey brought a developer, Luke Watson, with him who has built a similar project in Rigby. He has drawn a lot of ideas from him. Councilman Kaelberer asked if the town homes were going to be rental units. Mr. Rumsey replied that they were for purchase as homes. Mayor Mattingly asked Mr. Rumsey if he was planning to build all at once or in stages. Mr. Rumsey explained that they are planning to build the infrastructure will be done at once but the housing will be built as they can sell them. Councilman Scafe asked if they were all going to look the same or is there a difference from the owner. He said there are a few options for interior changes but the outside will be the same. Councilman Scafe then asked about the water and sewer usage and whether they knew if the City's system is sufficient. Mr. Rumsey replied that he understands that the next step in this process with the City, there is an analysis that will be done to know the impact on the water sewer, etc. Mayor Mattingly asked if when they were built, would the property owners take care of their own lawns. Mr. Rumsey replied that the town homes will be an HOA. Lawn and upkeep will be governed through the HOA. Councilman Scafe likes that the road grid has been kept and spoke a little about snow removal. Councilman Funke asked the storage units would be rentals for anyone or for just the home owners in the development. Mr. Rumsey replied that they would be available to anyone. That is the reason that he has applied for a variance to have a commercial zone in that area of the property.

P&Z Administrator Bowersox explained that since the applicant has been asking questions and touching base since he started looking at the property in January of 2021. In the Ashton City Code requires that this size of a project be considered a large-scale development (Ashton City Code 17.48D.010). In that code it allows for several different land including 'mixed use'. There is not a zone for mixed use. In Ashton City Code 17.16B.020 allows for variances, which are allowed for specific physical characteristics that is beyond the owners control making it of no beneficial use without allowing for a variance. In this case there is a small portion of the property in the north west corner where, due to the landfill in the past, the ground is not as stable or robust as the rest of the property. Although it is unsuitable in building homes, a storage unit would work. This sketch plan review is the first step in the process for Mr. Rumsey. The next part of the process is the Class II permit process and the code allows those applications for variances can be heard simultaneous with applications for Class II permits. This property is now zoned low density residential so the process of rezoning will come before the Class II and Variance procedure. Changing the zone to higher density residential does not preclude single family homes being built. There is nothing that says you cannot have a single-family home in the higher density zones. Turning the whole parcel into high density residential should allow the owner the ability to build the units as he presented in order to reach the price points that will allow for more people to own their own homes or townhouses. Tonight, the Council would need to direct P&Z Administrator Bowersox to initiate the large-scale development study. It is the next item on the agenda. This should be a good project for Ashton as there are many people looking for a place to live in Ashton. Councilman Scafe asked about the lots and whether they have to meet minimum lot sizes. Administrator Bowersox said that the final plat will have to adhere to the minimum lot size. Discussion on whether the lots had been platted on the original Ashton plat was discussed. This property was platted on the original plat as two large lots. Mr. Rumsey will be replatting it when he files the final plat for his development. Mayor Mattingly asked Mr. Rumsey what the average depth of topsoil was on the lot. Mr. Rumsey explained that it varied with the south end being pretty shallow but getting deeper to the north. The bedrock is pretty close to the surface. Councilman Funke asked for some information on where Willow Street fits into the City. It is the street north of the LDS Stake Center. Councilman Kaelberer asked Mr. Rumsey when he is hoping to start the project. Mr. Rumsey said if all goes well, he would like to start this year. Councilwoman Hansen asked about the setbacks, etc. in the area of the existing homes. Administrator Bowersox explained that the setbacks will also apply for this development. Councilwoman Hansen thanked Mr. Rumsey for his preparation.

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4. Initiation of a Large-Scale Development Study – P&Z Administrator Bowersox **ACTION ITEM**

P&Z Administrator Bowersox asked that the Council ask her to initiate a large-scale development study. This study will be paid for by the applicant. The study will look into the City's current infrastructure and what improvements or additions will need to be made to provide services to this development. This process is covered in 17.48.10 of the Ashton City Code.

Councilman Kaelberer made a motion to that, pursuant to 17.48.10 of the Ashton City Code, P&Z Administrator Bowersox should begin the process for a large-scale development study. Councilman Funke seconded the motion. Mayor Mattingly called for a roll call vote. The motion passed unanimously.

5. Garbage Discussion – City Clerk Stegelmeier, Jeremy Harris, Ian West **ACTION ITEM**

Jeremy Harris and Ian West with PSI garbage services are here to visit with the City Council. It has been almost a year since they last spoke with the City Council so they are here to discuss garbage service with the City Council. Councilman Funke said the service has been good this year. Jeremy said that the country wide shortage of parts has been an issue for PSI as well as some of the raises in costs. The cost of providing the service is rising but they are hoping to stay within the 3% raise that is included in the contract.

Councilwoman Hansen said that the citizens are 'increased out' (tired of increases) and then asked how many times PSI is here in Ashton. They discussed the drivers and the trucks that serve Ashton. Mayor Mattingly explained that he had been down in Salt Lake City, Utah and saw that some of the trucks they were using were also distributing garbage along their route. He said the trucks in Ashton are nice and well-kept so he is happy with the service. Mayor Mattingly thanked Jeremy and Ian for their time.

6. Visitor Center Discussion – Sterling Nielson, Suzanne Nielson **ACTION ITEM**

Sterling is here to discuss the summer 2022 season at the Visitor Center. Sterling explained that they were planning to host much the same although they would like to add some events at the park. Last year they did not have the time to get the events scheduled. They would like to advertise on a website and on Facebook. They may also advertise on the radio. Sterling will contact City Clerk Stegelmeier to double check on the ads before publishing. He asked about ordering brochures. City Clerk Stegelmeier said that there may be a contact list at the Visitor Center. She will help them order if they have any problems. Sterling then asked about the kiosks and the information in them. The Ashton Chamber of Commerce has helped with them in the past. The key is at the Center and he can change them. He is hoping to open in mid-May and will be open Wednesday through Saturday. The Mayor thanked him for his time.

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

Administrator Bowersox would like to report on what other planning and zoning issues have been happening. To follow up on the Good2Go permit she explained that the Good2Go representative was invited and attended a meeting with the City and representatives from the ITD. She and City Clerk Stegelmeier then met with them in hopes of starting to negotiate the development agreement. The Good2Go representative explained that they are going to do more research and then decide whether to continue with the project. Basically, they are putting the project on hold until ITD knows what they are planning for the highway. Administrator Bowersox then went on to discuss the possible update to the City's comprehensive plan that has been discussed. She has held both the town hall meeting and round table that were planned. Specifically, the Council had a discussion in working to change the City code in regards to residential usage on the ground floor in the Community Core Zone. There have been good conversations and she feels that there is a happy medium. She has included in the Council's packet tonight a draft of how it could be changed to reflect the discussion in the meetings. The process to change this will involve public hearings for both the comprehensive plan and the code. The code needs to match the plan. The draft basically would make it so that residential use could be an accessory use in that zone. The consensus at the meeting was that a commercial zone is crucial but there is some need for onsite living. As many of the buildings do not

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have a second floor there was a compromise suggested that is in the draft. It is that the properties would need to remain least 51% commercial and that the commercial use would be the focal point of the property. Property owners will also have to provide parking for the residential use on their own property. The comprehensive plan was last updated in 2008 and there will need to be a public hearing to adopt an updated plan. In addition to the changes, she has discussed there are some updates that need to be done. Administrator Bowersox has been gathering the demographic and technical changes and would like to incorporate those as well. The Council will need to have some work sessions to look over that and then have the public look over the plan showing the marked changes prior to public hearing. Administrator Bowersox then discussed having a special council meeting to watch training videos from the Association of Idaho Cities (AIC). The AIC asks that the videos be studied in lieu of in-person trainings. Extra meetings were discussed. The Council decided to have a meeting on the first Wednesday of the month for the near future to go over planning and zoning issues. Councilman Scafe expressed his appreciation to Administrator Bowersox for the meetings and for the great job she has done on the draft plan.

Councilwoman Hansen made a motion to set up a Planning & Zoning meeting on the first Wednesday of the month if necessary. Councilman Scafe seconded the motion. The motion passed unanimously.

8. Highway Discussion – Mayor Mattingly, City Clerk Stegelmeier, Chief Griffel **ACTION ITEM**

Several City and ITD representatives met to discuss both the Good2Go and stop light projects. Brandon Lee joined the meeting by speaker phone. He and Jason Minzger (ITD engineer) discussed the HWY 47 entrance to the Good2Go property and the limitations that were given at the public hearing. They decided to meet together to go over the plan and then Mr. Lee left the meeting. The Mayor then asked the ITD representatives to explain what was going to happen with the stop light project. They explained that the stop light project was out to bid and that the award would be completed by the end of March. Construction will happen this summer. It will be a video activated light and they will install a flashing sign south of town to warn drivers that there is a stop light coming up. There is also going to be work starting on HWY 47 east of Ashton to Bear Gulch.

9. Projects 2022 Update –City Clerk Stegelmeier, Councilman Funke **ACTION ITEM**

Councilman Funke explained that there was one bid but it was way above the budget. The Vasak Fund has put it on hold into the future. The plans are done and it is ready to bid when prices are better. City Clerk Stegelmeier explained that Marvin sent an email giving information on the City project costs on Railroad Avenue. From Main Street to the Alley the Urban Renewal want to partner with the City. They will hear back on the grants for the Water Study and the sewer screen project soon. The sidewalk project grant will also be awarded soon. The sign project design is done and will go out to bid soon. LTHAC will get back with the City when the bids have been submitted. The parking lot at the multi-purpose court will also need to be completed.

10. Budget Discussion – City Clerk Stegelmeier, Brett Griffel, Todd Martindale, Chief Griffel **ACTION ITEM**

Brett Griffel explained that the fence around the fence needs to be replaced. Last season, the farmer renting the property had a lot of trouble keeping his cows off the land ap site. The metal fence posts are sinking and are too far apart. Brett will need 450 fence posts and new wire. The cost will be between \$5000 to \$5500. He is planning on doing the work and hopes to be able to have help from the work camp. City Clerk Stegelmeier explained that the money is in the sewer budget to complete this project.

Todd Martindale explained that the Manitou tractors are getting to the end of their service. He has found out that Manitou brand is no longer going to be around and it will be hard to get parts and service. There is a price for a replacement in the packet. Right now, there is work that is needed to be done on both of

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them. The bearings on the cooling fans are out. This will require the tractors to be taken to a service shop to have it done. The newest manitou has 5000 hours on it. Todd is concerned that there will not be a tractor available if he waits to order until after the budget meetings in the fall. He also wanted to discuss the need for the replacement of the water line on Maple Leaf Circle. Engineering will need to be completed prior to work on the line. He is also concerned that service lines will need to be replaced. He will get a price for service line replacements from 3H to give him an idea of what to budget to replace them. A capital improvement plan was discussed. Todd and Brett will work on completing both equipment and construction plans.

Chief Griffel explained that the police department will need to lease on a new vehicle in the 2023 budget. In 2023 the newest pickup will have 150,000 plus miles. He also explained that the dog pound will need to be removed from its current location and he would like to put a new one at the Visitor Center. The council asked if he would research whether the current one could be relocated. He will also speak to the Sherriff's department to see if they would be willing to help with construction as they sometimes use the pound. He would like the to make the new/relocated pound big enough to put the vehicle inside so that the dogs cannot escape when they are getting them out of the vehicle. He also reported that the crosswalk signs are here and they will put them up as soon as possible.

11.Scheduling & Meeting Time Discussion – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier went over the upcoming schedule with the council. She then explained that City Attorney Angell had inquired about the meeting being moved up to 6 pm. The council discussed moving the meetings up to the earlier time.

Councilwoman Hansen made a motion to approve the 6 pm. Councilman Kaelberer seconded the motion. The motion passed unanimously.

12.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.

(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 Kaelberer seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Funke, aye; Councilman Scafe, aye; Councilwoman Hansen, aye; Councilman Kaelberer, aye. The motion passed.

The Council entered Executive Session at 8:51 pm.

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

The Council exited Executive Session at 9:18 pm

Mayor Mattingly told the Council that last year he visited in Malad, Idaho. He noticed that the City of Malad awarded a 'Yard of the Month' award to one of the property owners through the summer months. He would like to start doing that here in Ashton. He asked City Clerk Stegelmeier last month to call the City of Malad to see how they pick the yards, etc. She reported that the Mayor and Council decide which yard is looking especially nice. Also, in Malad, the award consists of a sign being placed in the winner's yard for that month and a story in the local newspaper. Mayor Mattingly would like to do this for the months May thru October if the weather allows. City Clerk Stegelmeier had forgotten to remind him to discuss this topic during the scheduling section of tonight's agenda. He asked City Clerk Stegelmeier to put it on the agenda for further discussion at the April 13th meeting.

13.ADJOURNMENT

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

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passed unanimously.

The meeting ended at 9:22 pm.

NEXT MEETING

- ◆ City Council 7:00 p.m. – Wednesday, April 13, 2022 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