

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, June 10, 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 LED BY: Becky Harrigfeld

In Attendance: Teddy Stronks, Brett Pincock, Teresa Hansen, Becky Harrigfeld and Tadd Atchley.

Also in attendance: City Clerk Stegelmeier, City Attorney Lookabaugh, Del Jensen, Greg Griffel, Todd Martindale, Billy Stronks, Kathryn Stronks, Bonnie Burlage, Suzette Bollinger, Letha Whitmore, Sarah Reinke, Darrell Reinke, Bernetta Hansen, Tom Howell, Garth Blanchard and Sheryl Hill .

Mayor Stronks opened the meeting at 7:00 pm.

1. AMEND AGENDA:

Items added by the Mayor, Councilmember or City Official after the Agenda deadline.

5. NEW BUSINESS/PETITIONS:

- A. Bonnie Burlage, Letha Whitmore
- B. Scout Project – Jack Wynn

Councilman Pincock made a motion to accept the Amend Agenda. Council Atchley seconded the motion. The motion passed unanimously.

2. CONSENT AGENDA:

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 Regular Council Meeting Minutes 5-6-2015, Special Council Meeting Minutes 6-2-2015
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As Submitted

Councilman Pincock made a motion to accept the Consent Agenda as presented. Councilman Atchley seconded the motion. The motion passed unanimously.

3. ORDINANCES/RESOLUTIONS:

- A. City of Ashton Ordinance – Compression Brakes

Councilwoman Harrigfeld made a motion to read the City of Ashton Ordinance 464-15 by title only and dispense with the second and third readings. Councilman Pincock seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilwoman Harrigfeld read the ordinance into the record by title.

Councilwoman Harrigfeld made a motion to adopt Ashton City Ordinance 464-15. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

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4. UNFINISHED / OLD BUSINESS:

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

- A. 2 Hour Parking on Main Street – City Clerk Stegelmeier, City Attorney Lookabaugh
- City Attorney Lookabaugh has contacted St. Anthony's attorney because they have a limited parking ordinance to find out what concerns there it may entail. There are some occasional problems with enforcement and it is a burden on the police officers. City Attorney Lookabaugh proposes that if the City Council continue into having these restriction that they hold a public hearing. Councilwoman Harrigfeld inquired whether it would be a misdemeanor or what – she is concerned about collecting the fees because of what she sees at the County Court. Joette said that it could be an infraction so that violators can pay at city hall instead of at the County. Councilman Pincock is worried about who is going to put the chalk on the wheels to mark the 2 hour limit. He explained that the City would need to hire a meter maid. Mayor Stronks said that the businesses know who has been parked there. Councilman Pincock said that that is not a legitimate report for a ticket. City Attorney Lookabaugh agreed and explained that a report from a business owner would be hearsay until it is marked for two hours. She explained that either the police would need to do it or that the City would need to hire a meter maid. Councilwoman Hansen explained that she does not see a need for a limit. Billy Stronks complained that it is needed. Councilman Pincock said it is more of a tax burden on the citizens. Officer Greg Griffel explained that in the past, Chief Mattingly and he have been contacted if there is someone parking for long periods of time. They have contacted the person and asked that they move the car. It has worked well – anytime that they have asked, the car has been moved. Kathryn Stronks explained that it has been a problem at 511 Main and thinks that the limit is needed. Councilman Pincock explained that he feels that it is better how it is now. Councilwoman Harrigfeld explained that collecting gets hard with more and more complaints and time spent. City Attorney Lookabaugh said that if it could be done unofficially it would save a lot of costs and heartaches for the City as it is a complicated burden of enforcement. City Attorney Lookabaugh suggested sending a letter to businesses explaining that there will not be an ordinance and explaining to them how to ask for assistance if needed. Councilwoman Hansen explained that she likes the idea of sending a letter and asked City Attorney Lookabaugh if she would prepare the letter. City Attorney Lookabaugh said she would get one to them for approval right away.

Councilwoman Hansen made a motion that a letter be sent to the business owners explaining their options and how to contact City law enforcement. Councilwoman Harrigfeld seconded the motion. The motion carried unanimously.

- B. 3rd Street Improvements RFP – City Clerk Stegelmeier, Marvin Fielding
- Marvin Fielding explained that the City has obtained a grant for constructions on 3rd Street but that the grant only pays for the actual construction and the engineering fees would have to be budgeted. His company, Keller Associates has submitted a proposal to design and administer the construction. He is here because Mayor Stronks had asked him to come because the Council had some concerns about the proposal. The costs could be moved and the fee lowered by approximately \$3500. Councilwoman Hansen explained that there is definitely a need for the construction and inquired as to whether the City has the budget for it. City Clerk Stegelmeier explained that it will have to come out of the General Fund because the Street Fund is still in the red. City Clerk Stegelmeier will do her best to find the money. Councilwoman Hansen asked what the time period is to use the grant funds. Marvin explained that they need to be used in fiscal year 2016. Councilman Pincock asked how long the construction would take. Marvin explained that it would take about a month. Councilman Atchley expressed the need to involve Reinke Grain in the discussion. They asked Marvin to get the new bid and send it to City Clerk Stegelmeier for distribution to the Council. .

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Councilman Pincock made motion to put the 3rd Street repairs in the FY2016 budget. Councilwoman Harrigfeld seconded the motion. The motion passed unanimously.

C. Museum Grant – Tom Howell, Darrell Reinke

Tom Howell got the good news that the CHC Foundation awarded the grant to put roof on the old City building along with some carpeting for the interior. It was awarded as a combined effort between the City and the Fremont County Historical Society. He said that the Society would like to sit down with the City to have work sessions is to get the ball rolling. He is working on getting the fire engine back. He proposed that they would like to get the repairs done and remodel before the snow falls. Darrell Reinke said it is good news but now the Society will have to make it work. They will go to the County Commissioners because their intention is to make it a Fremont County project. He has spoken to Pete Chamberlain who they hope will do the interior construction. They will now be working on some serious fundraising also. Councilwoman Hansen thanked them for their time.

D. Mosquito Abatement – Councilwoman Hansen, City Clerk Stegelmeier

The representative from the company that has the equipment and product for mosquito abatement sent materials for the Council to go over. There are still some concerns about health issues with spraying for mosquitos. Councilwoman Hansen would still like to look into spraying. Councilman Atchley thinks it is a good idea. Councilman Pincock explained that maybe a public meeting may help.

Councilman Pincock made a motion that the City have a public meeting to make everyone aware of the mosquitos and what we are going to do. Councilwoman Hansen seconded the motion. The motion passed unanimously.

E. Old Ashton Memorial Utility Accounts – Ryan Partridge, City Clerk Stegelmeier, City Attorney Lookabaugh

City Clerk Stegelmeier explained that she has not heard from Mr. Partridge but did try to call and left a message about tonight’s meeting. The Council discussed that they had asked that he keep in touch. City Clerk Stegelmeier explained that letters have been sent out concerning the City’s intent to certify past amounts to the property tax because that deadline is in July. More discussion led to taking half of the penalties off the bill and asking for payment prior to the tax deadline. City Attorney Lookabaugh said she would prepare a letter giving Mr. Partridge the information.

Councilwoman Harrigfeld made a motion to forgive \$450 in late fees if entire amount paid in full if paid in 30 days. If this is not paid the City will file a lien for the total due. Councilman Pincock seconded the motion. The motion carried unanimously.

Councilman Pincock made a motion to go out of Agenda order to B then C and then back to A. Councilwoman Harrigfeld seconded the motion. The motion carried unanimously.

5. NEW BUSINESS/PETITIONS:

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

A. Sign Code & Tree Concerns – Billy Stronks, Kathryn Stronks, Bonnie Burlage

Mayor Stronks excused himself as he has a conflict of interest because Billy is his son. As Council President, Brett Pincock will be chairing this portion of the meeting.

Billy Stronks is here at Council to express some of his concerns. He explained that this is a concern for multiple businesses in town. The businesses really need the traffic to come to their stores. Some businesses don’t need the traffic off of Highway 20 as much as a business like his business needs.

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He needs signs more than ever to get those customers. He has always paid the fees and done his due diligence in getting permits but he feels the sign ordinance needs to be amended. He knows that it was done to help small businesses but he really doesn't see McDonald's moving into Ashton. He feels that the ordinance is too long and too restrictive. He wants to advertise his summer hours, specials and open times without having to get a permit. His other concern is the trees. He wants everything to look nice but the trees have overgrown his business. He has a letter from a tree professional saying that the one tree, a maple, is going to cause damage – if it hasn't already – to his building. He has a lot of documentation. It is basic knowledge is that the roots are as large as the canopy of a tree. He would like to repair the sidewalk and if he finds roots he will address that as well. He likes to make things look good. He would like that stated first. His building is historic for its signs. The Coke signs were there before the building. They need to be visible for tourists. The tourists cannot see his building. Councilman Atchley explained that the trimming of the trees has been put out to bid. Billy explained that if the trees are removed he would like to put something there. He would like to remind the Council that as the tree gets bigger, the removal cost gets bigger too.

Kathryn Stronks wanted to explain that she sees the need of a sign ordinance to keep out vulgarity, etc. but thinks that there are other ways to go about that. Maybe a business permit process is a better way to do the same thing. She would like banners to promote different activities at the gym like her boot camp. She doesn't think that the sign ordinance should be dropped but does think that it needs to be restructured.

Bonnie Burlage explained that the P&Z Commission worked diligently and asked people to come to their meetings to give input. The sign ordinance was needed to clean up signs. The sign ordinance is 30 pages long, the first 8 pages are definitions, then illustrations. No one attended either the P&Z public hearing or the City Council public hearing on the update to the sign ordinance. Billy Stronks said that some businesses have moved in and times have changed.

Letha Whitmore explained that she is representing past tree committees – gave some background information. Letha explained the work and issues that went along with getting the trees on Main Street. There were many people involved and a lot of work in planting as well as planning. There is a tree inventory that shows the street trees and a tree ordinance. She wants the Council to read the tree ordinance and follow it.

There was a lot of back and forth discussion between members of the audience. Councilman Pincock asked for order then explained that the trees are going to be trimmed and that a bucket truck will be used so that the tops can be trimmed well. He went on to say that as far as the sign ordinance is concerned, the Council is looking into the issues brought up and are taking a proactive way to resolve them. City Attorney Lookabaugh expressed her thought that the P&Z Commission might like to get input to go back over the sign ordinance. Councilwoman Harrigfeld said that she is sure they would like help and direction about what changes might be warranted. City Attorney Lookabaugh said that enforcement will be by letter only.

B. Scout Project – Jack Wynn

Jack is at Council to ask if he can do an eagle project of repairing the tennis courts at the park. He is asking to repair fences, fill cracks and make backboards. Not sure on the cost yet, but will do the research as part of the project. Mayor Stronks said it is a great project and would be willing to help with money. He is also sure the Rotary Club would help with the costs.

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Councilman Pincock made a motion to accept Jack Wynn's Eagle Scout project proposal. Councilwoman Hansen seconded the motion. The motion passed unanimously.

C. Fireworks Permit – City Clerk Stegelmeier

City Clerk Stegelmeier explained that Dave's Jubilee had submitted the permit application and paid the fee.

Councilman Pincock made a motion to approve the Fireworks Permit for Dave's Jubilee. Councilman Atchley seconded the motion. The motion passed unanimously.

D. Scheduling – City Clerk Stegelmeier

City Clerk Stegelmeier went over the schedule with the Council. She then explained that the Fremont County School District is working on the street by Ashton Elementary and brought some bids to the City for the City's portion of the road. The Council discussed the bids and Mayor Stronks asked Councilwoman Hansen if she would get on a school board agenda to inquire concerning the project and/or ask that they meet with the City Council. City Clerk Stegelmeier then explained about the ITD meeting. Mayor Stronks, Councilman Atchley and Todd Martindale will attend the meeting.

6. CITIZEN INPUT: (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

Hunter Hill is here at Council to ask if he could pressure wash the Chamber side of the building and get it ready for painting. He will then will coordinating the painting of the building. This would be his Eagle Scout project.

Councilman Pincock made a motion to accept Hunter Hill's proposal for an Eagle Project. Councilman Atchley seconded the motion. The motion passed unanimously.

Karen with Habitat for Humanity is here to explain that Main Street Matters, the Boy Scouts, Chamber of Commerce and Habitat for Humanity are going to work together on the project. There will be some BYU students helping with priming and painting. They hope it will be a fun project for the community. It is part of a Habitat for Humanity project called Brush with Kindness. She hopes others in town will take advantage of the program – either businesses or homeowners after this demonstration.

Linda Jansen explained that as the Chamber President that she would like to thank Main Street Matters and all for getting the project going to paint the City Building. She is hoping to get volunteers to help – getting empowered to work together to achieve a goal will be great.

Sheryl Hill explained that she has three issues she wanted to address so she will read her comments in an effort to conclude within three minutes. First, working with the City Council members and the City of Ashton staff on the WWTP issue during the past six months has been a genuine pleasure. It's been a wonderful experience to get to know everyone better and to understand their concerns as elected officials and public servants. Although everyone has a deep commitment to the residents of Ashton, she would like to give special mention to Del Jensen, for his work managing the treatment plant lagoons. She has never smelled unpleasant odors during her many visits to the lagoons, and that truly is an indication of a well-managed system. He deserves our appreciation. Second, she read the minutes of the June 11, 2014 City Council meeting, during which the possibility of spraying insecticides to control mosquitoes was discussed. During the public comment period, she mentioned the need for weed and tall-grass control as an alternative to, or in addition to, wide-spread use of insecticides. She still believes that enforcement of city ordinances regarding proper maintenance of lots is a better use of limited monies, and has already filed one complaint with the city regarding an unmaintained property. Ensuring that residents know how to eliminate breeding areas for mosquitoes, and ensuring that they

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are keeping grasses mowed in lots and alleys is an inexpensive and cost-effective step toward controlling mosquitoes. In addition, Ashton has a significant and growing Leafy Spurge problem, particularly at the wye. The City of Ashton must be diligent in doing its part to control noxious weeds that have the potential for damaging our local agricultural producers. Third, she filed an information request so that she could read Mr. Billy Stronks' complaint to the City regarding the Norway maple growing in front of 511 Main. She also read the letter written by Mr. Gerry Bates, Certified Arborist, in response to Mr. Stronks' concerns. While she understands the concerns regarding the visibility of his business, she would like to encourage Mr. Stronks and the City Council to consider that this healthy, well-formed, 12-year-old tree will grow to a height of 40 feet, and in time, will enhance his business in all of the ways that were originally intended when the City of Ashton applied for, and received, the Community Transportation Enhancement Grant that made the trees on Main Street possible. She knows how difficult and stressful running a restaurant is, but please let this worry be resolved with patience and time to grow.

7. ADJOURNMENT:

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

NEXT MEETING

- ♦ Regular Council 7:00 p.m. – Wednesday, July 8, 2015, Council Chambers, Ashton City Building – 714 Main, Ashton. 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