

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, August 10, 2016

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: Teresa Hansen
PLEDGE LED BY: Teddy Stronks

In Attendance: Teddy Stronks, Teresa Hansen, Becky Harrigfeld, Tadd Atchley and Jerry Funke.

Also in attendance: City Clerk Stegelmeier, City Attorney Angell, Brad Rankin, Beth Rankin, Michelle O'Malley, Garth Blanchard, Tom Howell, Judy Smith, Delena Stronks, Stuart Armstrong, Sheryl Hill, Brandon Hoffner, Shon Shuldberg, Annie Armstrong, Amy Manning, Brad Rankin, Beth Rankin and Brenda Montano.

Mayor Stronks opened the meeting at 6:58 pm.

Mayor Stronks explained that he had invited Amy Manning from the IIIA Insurance Company to come and give the City Council some information but was not on the agenda as planned. He would like to add her to the new business section of the agenda.

Councilwoman Harrigfeld made a motion to add item A: IIIA Insurance Information to the New Business/Petitions portion of the agenda. Councilman Atchley seconded the motion. The motion passed unanimously.

1. 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 6-13-16, Special Meeting 7-28-2016.
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted
- E. **Budget Report** – Worksheet showing the revenues and expenditures for the current fiscal year to date

City Clerk Stegelmeier explained that the LTHAC grant for the street project came in and was expended as planned on the 3rd Street project. She also pointed out that the Kenworth dump truck repairs had been completed and paid.

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

2. UNFINISHED / OLD BUSINESS:

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

- A. **Sale of Buildings/Public Auction** – Mayor Stronks

Mayor Stronks announced the auction and stated that the buildings would be sold in the order listed on the Public Auction Disclosure listing.

Item (1) 566 Main Street – Brenda Montano bid the City's stated minimum bid of \$2,000. Mayor Stronks called for more bids. There were no more bids. Mayor Stronks moved on to the next item.

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Item (2) 604 & 605 Main Street – There were no bids. Mayor Stronks moved on to the next item.
Item (3) 608 Main Street – Brad Rankin bid the City's stated minimum bid of \$25,000. Mayor Stronks called for more bids. There were no more bids. Mayor Stronks closed the auction.

Councilman Atchley made a motion to sell the buildings for the minimum on items or buildings (1) and (3).
Councilman Funke seconded the motion. The motion passed unanimously.

Brad Rankin explained that he did want to offer on the other building but did not think he could fix it and be able to fix it while paying the minimum bit. City Attorney Angell asked that he send the City a written bid and they will consider it at their next meeting. That way it will be formal and on the record.

- B. Abandoned Vehicles – Officer Griffel, City Clerk Stegelmeier
Officer Griffel said everything is going well. There are only four cases still active and 90% of those receiving letters registered the cars.
- C. Police Hiring – City Clerk Stegelmeier, Officer Griffel, Chief Mattingly
Officer Griffel said he would like to talk to a candidate and would like to know what he could talk with him about wages. The Council asked Officer Griffel to stay to talk about the qualifications in executive session but they did agree that he could offer \$19.50/hour. The Mayor and Council asked Officer Griffel if he would set up an interview for August 24th following the public hearing on the City's budget.
- D. Maintenance & Clean-up – Councilman Funke
Councilman Funke expressed frustration as there are still many lots around town that need to be cleaned up. He has appreciated Officer Griffel's diligence in following up but there are some areas that still need to be addressed. He named some properties and then explained that the City too needed to clean up in the alley behind the City Building. Councilman Funke feels that the City needs to be attractive and welcoming. He also wants to remind the public works department to be preparing for the winter by getting the equipment serviced, etc.
- E. Amendment to the Development Code regarding P & Z Administrator – Mayor Stronks, City Attorney Angell, City Clerk Stegelmeier
City Attorney Angell brought a draft of changes to the Development Code as requested by the Mayor and Council in order to remove the P&Z Administrator. Through research he has found that such a change will need to start with the P&Z Commission, then a public hearing before the P&Z Commission and then to the City Council including a public hearing. His recommendation is send the draft to the P&Z Commission to begin the process.
- F. Sewer Issue on Cherry Street – Delena Stronks, Anthony VanHorne, City Clerk Stegelmeier, Todd Martindale, Delray Jensen
Mayor Stronks excused himself. Delena Stronks is coming before the Council concerning the pressure sewer line that Mr. VanHorne had spoken to them about at the Council's last meeting. When Teddy & Delena bought the property along with Rachel Hatton (their daughter) from Mr. Chambers, they found out that Rachel couldn't get on city sewer. They then talked to the City about putting in a septic system and went through a public hearing for a variance. As stipulated by the City, Delena negotiated with the 18 grandchildren who owned the property north of the lots in order to place the septic system outside the City limits. Then Dick Dyer stepped in and made them change to a pressure line – telling them that they needed to be an example because they were the Mayor's family. It was new to everyone. The City purchased 3 grinder pumps. Delena paid half of the cost of the line and Rachel the other half. There should have been shut off valves at every lot. The engineer should have followed through. Now Delena is having to pay for it again. The line is too short and they even went around a car at Manfred Riemann's house. To fix the problem, Rachel's yard has been torn up, her sewer line has been not working while the line is fixed and they are having to pay again. Delena explained that the City will end up with the tax revenues from the

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homes that are built and they should fix the line. Councilman Atchley asked if they are discussing a sewer main. Councilwoman Hansen explained that developers are supposed to put in the lines to the City's specifications and then the line is given to the City and the line is the City's responsibility. We cannot fix the past, we have to start from here. Councilman Atchley said if someone wants to extend the sewer main it is on the shoulder of those who develop. City Clerk Stegelmeier explained that she had gone through all the minutes to find out what had happened. She did find minutes where Rachel had come to ask about a septic system and then gotten a variance. She then found where Rachel came back to ask the City to give her part of the costs she incurred filing for a septic permit through the County. The City did pay her the costs but the minutes do not say anything about a pressure line. City Clerk Stegelmeier then went to the DEQ to ask if there was anything on record. There was a plan, but the plan was not followed and she is unsure whether the City Council had seen the plans as they were not accepted or put in the minutes as part of the record. Also, part of the plan called for a 15 foot easement being given to the City. City Clerk Stegelmeier asked the Fremont County Recorder to search for any such easement and there was none. Councilwoman Hansen expressed her opinion that the City Council did not know that the plans were filed. City Attorney Angell said it should have been developed or platted and done correctly. He is not an expert but at this time he is recommending that the City not take any action. Councilman Funke expressed his opinion that it is the responsibility of the developer to make sure the line is done correctly and with the other lots to the north being developed – it will require more planning. Delena expressed her opinion that their family knew absolutely nothing about developing and that there was a breakdown. Councilwoman Hansen said that we have to go from here and now. City Attorney Angell made the suggestion that Delena go to the P&Z Commission for some more help going over the plat and checking what needs to be done.

3. NEW BUSINESS/PETITIONS:

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

A. De-Annexation of Property – Devin Burton

Devin Burton is here to talk about property he recently purchased. The property is listed on two separate parcel numbers at Fremont County because half of it was annexed into the City and the other half was not. Devin would like to keep farm animals in the future and the City does not allow for that use. He would like to start whatever process he would need to start in order to possibly have his property de-annexed. City Attorney Angell explained that from what he has found so far, the process would just be the same as annexation only in reverse. City Attorney Angell, however, wonders if the problem could be in the legal description and the solution would be to amend the legal descriptions which would take less time and expense. He encouraged Devin to first double check with a surveyor and the county on the legal description then if the de-annexation process needs to be started, come back to the City. Devin thanked the City for their help.

B. Henry's Fork Foundation Plans for Old Hospital – Brandon Hoffner

Brandon Hoffner wanted to come and talk about the Henry's Fork Foundation's newest project. They have purchased the old Ashton Memorial Hospital. They are going to renovate it to have more conference room and office space as well as housing for their summer interns. Right now they are moving things out and cleaning it up. Brandon brought a drawing of the Foundation's vision for the building. It will also house an Interpretive Center with information on the Henry's Fork including fishing and irrigation. They are also hoping to have a large fish tank. There are some issues with asbestos and lead paint removal, etc. to start. There is something the City might be able to help them with. When the property was closed on, there was a tax certification by the City of about \$9200. Brandon has heard that the City forgave the bill on the Fisher lot because it was going to be for the public benefit. He thinks that their renovation might fall under the public benefit because they are a non-profit and the interpretive center will benefit the City. Ideally, the Henry's Fork

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Foundation would like to pay about \$5000 on a payment agreement of about \$100 per month. They are a mid-sized non-profit and any upfront costs they save will help. Brandon said that they have already talked to the Ashton Urban Renewal Agency and are hoping that they can help. They hope to be in their offices by the first of December. Councilman Funke asked what the Foundation will be doing with their old building. Brandon doesn't know yet but maybe business incubation. Councilwoman Hansen said that the Council will think about it and asked Brandon to come back. Everyone thanked Brandon for his time.

C. III-A Insurance – Amy Manning

Mayor Stronks introduced Amy Manning. Amy was the Mayor of American Falls and is now the program manager for the III-A. She explained that the III-A is a self-managed insurance group similar to a group ran by the Montana League of Cities. It has been set up in order to help Cities with their health insurance costs. Amy explained about rates, history, etc. of the III-A. Last year, she had gone through Ashton's insurance and was not able – because of the City's grandfathered rates with Blue Cross of Idaho – to do any better for the City. Amy asked City Clerk Stegelmeier if the new rates were grandfathered. City Clerk Stegelmeier replied that they were. Amy will get with Cathy to get the rates and see if the III-A would work for Ashton. Mayor Stronks thanked Amy for her time.

D. FY2017 Budget including annual wage and rate raises – City Clerk Stegelmeier

City Clerk Stegelmeier explained that she was able to put the items that were discussed at the July 28th work meeting into the budget and it is ready to be published for public hearing.

Councilman Atchley made a motion to accept the draft budget and set it for publication. Councilman Funke seconded the motion. The motion passed unanimously.

E. Scheduling – City Clerk Stegelmeier

City Clerk Stegelmeier went over the schedule with the City Council. There is a joint workshop planned on August 23rd with Jerry Mason of ICRMP. Also, the City's public hearing on the fiscal year 2017 budget will be August 24th. She then explained that the pool heater had gone out and Councilman Funke had been able to get a picture of the plate listing the model number, etc. of the heater. He has a contact who was able to tell him that that kind of heater is still made. The City could get the same kind of heater and slide it in to run. It would cost \$10,000. Councilman Funke had thought about a heat pump system but his contact said that would require 3-phase power which would cost too much. The Council discussed using the pool fundraiser money for the heater and then maybe working on the roof in order to protect the new heater. The Council then discussed the final 3rd Street Project. It was a smooth project and done on time.

4. 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) subject to applicable legal requirements, the Council may enter executive session by roll call vote to discuss such matters.

- (a) 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;
- (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student;
- (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.

Councilwoman Harrigfeld made a motion to enter an executive session per Idaho Code section 74-206 (a, b & f). Councilman Atchley seconded the motion. A roll call vote was taken: Funke, aye; Atchley, aye; Hansen, aye; Harrigfeld, aye. The motion passed unanimously.

Mayor Stronks excused the audience. The Council entered executive session at 8:36 pm.

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Councilwoman Harrigfeld made a motion to exit executive session. Councilman Funke seconded the motion. A roll call vote was taken. A roll call vote was taken: Funke, aye; Atchley, aye; Hansen, aye; Harrigfeld, aye. The motion carried unanimously.

The Council exited executive session at 9:02 pm.

5. ADJOURNMENT:

Councilman Funke made a motion to accept the draft budget and set it for publication. Councilman Atchley seconded the motion. The motion passed unanimously

NEXT MEETING

- ◆ Regular Council 7:00 p.m. – Wednesday, September 14, 2016, 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