

MINUTES–CITY OF ASHTON

SPECIAL COUNCIL MEETING

Wednesday, August 23, 2016

3:00 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: Jerry Funke
PLEDGE LED BY: Becky Harrigfeld

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

In Attendance – P & Z Commissioners: Robert Reimann and Matt Brady.

Also in attendance: City Clerk Stegelmeier, Deputy Clerk Warnke, Building Inspector Bowman, Jerry Mason, Seth Grigg, Shon Shuldberg and Sheryl Hill.

Mayor Stronks opened the meeting at 3:02 pm.

1. WORKSHOP:

- A. Joint meeting with Jerry Mason and the City P&Z Commission
- Mayor Stronks thanked Jerry Mason and Seth Grigg for taking the time to stop and help Ashton out. Jerry Mason went over the difference between the Comprehensive Plan and the Zoning Ordinance. The Comprehensive Plan is a policy of what the City is planning to 'look' like in the future. It is accepted by the Council as a resolution and should be revisited every 5 years or so just to make sure it is still where the P&Z Commission and the City Council have in mind for the City. Jerry went over the difference between a Conditional Use Permit and a Variance. A Conditional Use Permit has to do with what the property will be used for and considerations should be about area, noise, adjacent uses. A variance is a very narrowly allowed use of property and is about physical limitations of the property. The considerations are site specific. It is about undue hardship and no harm concerning both the property owner and their neighbors. Setbacks were discussed with Jerry bringing up the point that now double cab pickups can be 23 feet long. That means that with a 20 foot setback – it is possible that the driver could be backing out of a driveway and still being inside the garage while the pickup is already in the street. The sign ordinance was discussed. Jerry said that if the City does not want the ordinance to be administered or enforced – they should rescind it. Jerry Mason explained that when the P&Z Commission or the Council have a site specific application to consider – they are acting in a Quasi-Judicial manner. It means that they cannot have any input from anyone – only what is discussed at a meeting or given to them as part of the application process. Jerry Mason explained the reasons why it has to be this way. He went on to say that they need to follow the steps in the zoning ordinance for a public hearing, then close and make a decision. The law expects members to vote – abstention is not allowed in some states and members should vote aye or nay; yes or no. An administrator was discussed. Jerry Mason explained that to him – an administrator is necessary but that it is the decision of the Mayor and Council. Jerry Mason reminded everyone that zoning ordinances are laws, they are not suggestions. Mayor Stronks thanked Jerry Mason and Seth Grigg again.

2. OLD BUSINESS:

- A. Sale of Old City Building – City Clerk Stegelmeier, City Attorney Angell, Brad Rankin
Beth Rankin is here for herself and Brad. They have submitted a written bid as directed. The bid is \$

MINUTES–CITY OF ASHTON

SPECIAL COUNCIL MEETING

18,000. Councilman Atchley said it sounded good to him. Councilman Funke agreed. Councilwomen Hansen and Harrigfeld also thought it was a good offer. Mayor Stronks said that there was one person who was late to the auction and may have offered something. Councilman Atchley explained that they should have on time.

Councilman Atchley made a motion to accept the bid of \$ 18,000 for the building at 604 & 606 Main Street. Councilwoman Harrigfeld seconded the motion. The motion passed unanimously

3. 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.

Councilwoman Harrigfeld made a motion to enter an executive session per Idaho Code section 74-206 (a). 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 5:08 pm.

Councilman Funke made a motion to exit executive session. Councilwoman Harrigfeld 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 5:24 pm.

The Council directed City Clerk Stegelmeier to set on the October 12th agenda the swearing in of the City's new police officer. The officer works in another jurisdiction and needs to offer his resignation prior to the announcement of his hiring.

4. ADJOURNMENT:

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

NEXT MEETING

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