

# MINUTES–CITY OF ASHTON

## SPECIAL COUNCIL MEETING – PUBLIC HEARING

**Wednesday, August 25, 2021**

**7:00 p.m.**

**714 Main (North Entrance)**

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*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.*

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

**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: Teresa Hansen**  
**PLEDGE LED BY: Tadd Atchley**

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

**Also, in attendance:** City Clerk Stegelmeier, City Attorney Angell, Deputy Clerk Warnke, Detective Belew, Brett Griffel, John Scafe, Lisa Smith and Sheryl Hill.

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

### **1. PUBLIC HEARINGS:**

- A. Reading of Proposed Resolution 21-04 – Wastewater/Water Fee Resolution  
City Clerk Stegelmeier read the Resolution into the recoding.

City Attorney Angell will be acting as the hearing officer for this public hearing. City Attorney Angell asked City Clerk Stegelmeier if the proper notice was given. She replied that it had and the City has proof of publication from the Standard Journal. City Attorney Angell asked the Mayor and Council if anyone would like to declare a conflict of interest. Seeing none he asked City Clerk Stegelmeier to give an overview of the reasons for the increase. City Clerk Stegelmeier explained that a project including updates at the lagoon and new sewer lines was completed with funds from a bond. Base rates are each user's way of helping to pay the bond. The City has had two rate studies, one as part of the wastewater facility study and one that was just completed by the City's auditor. The City Council took both studies into account and have decided to raise the sewer base rate by \$30 and lower the water base rate by \$10. City Attorney Angell opened by calling the first person on the list. He asks that all speakers give their name and address at the beginning of their testimony.

- B. Public Comment (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

John Scafe; 687 Idaho Street. John understands that we do have to pay the bond. He just has a couple of questions. In the past, as he sat through the meetings in the past, they talked about a four or six dollar increase and he wonders why it wasn't increased like that instead of the big increase. Maybe a little at a time would have been better. He does appreciate that they asked about why wasn't increased a little bit at a time. John does appreciate a \$20 raise instead of a larger raise but it will still be hard for the users. City is obligated for clean water and sewer for the residents so he understands. He has been talking to a lot of people and they say they don't care anyway because the City does what they want to no matter what. He is wondering why it wasn't explained more to the residents. He is just letting the Mayor and Council know what he has been hearing. He talked

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about what has been happening in the Council. He is wondering why the City is informing the citizens more about what is happening. In St. Anthony, along with the bill, the citizens get a letter telling them what the council is doing. John is just letting the Mayor and Council what he has been hearing from the citizens.

Sheryl Hill 308 highland street. Sheryl brought a printed copy of her comments for each of the council and the record. Sheryl said that the proposal is not consistent with the recommendations that the council received from their auditor. Sheryl talked about the difference between the auditor's recommendations and the Council's proposed action. She then talked about the bond election and that at the time of the election the users were expecting a raise of \$21. At that time the Council did not enact the recommended rate increase. She expressed her opinion that the voters need to be reminded of why 63% of them voted for the bond and why the rate increase is necessary. Sheryl asks the council to raise the sewer rate by \$30 and keep the water rate at its current rate. She also recommends that the rate be raised by \$15 over two years and that the Mayor and City Council conduct public meetings in that time period. There will be hardship for some people with low or fixed income and may decrease development. She supports the proposed increase because it is necessary and fiscally responsible. Sheryl recommends that the Council explore grant opportunities to help needy resident pay for the increase.

There was a written comment and City Clerk Stegelmeier was asked to read it into the record.

City Clerk Stegelmeier explained that the comment was from Bernetta Hansen. Bernetta did not include her address in the letter but City Clerk Stegelmeier explained that she lives just West of HWY 20 within the City limits. Bernetta's letter expressed her concern over the ability to pay the new rate on a fixed income and she asked if there were any plans for more increases.

City Attorney Angell asked if there was anyone who would like to speak that was unable to sign the sheet. There were none. City Attorney Angell closed the public comment period for Ashton Resolution 21-04.

City Attorney Angell explained that he felt that it is appropriate for City Clerk Stegelmeier to provide some comment following the public comment. City Clerk Stegelmeier explained that the reason the rate was not enacted is that the Council did not want to raise the rate until the project was complete. They had received a lot of comment about not raising the rates until it was complete. She does know that the City Council has been concerned for the citizens and that the raise will be a hardship. That is why they did not raise the rates to the rates the auditor suggested. City Attorney Angell closed the public comment period for Ashton Resolution 21-04.

### C. Reading of Proposed Ordinance 480-20 – FY2022 Budget

City Attorney Angell went on to the hearing on Ashton Ordinance 480-20 – FY2022 Budget. He asked City Clerk Stegelmeier if the proper notice had been given. City Clerk Stegelmeier replied that it had and the proof of publication from the Standard Journal is in the Council packets. City Attorney Angell asked the Mayor and Council if anyone would like to declare a conflict of interest. Seeing none he asked City Clerk Stegelmeier to give an overview of the budget. City Clerk Stegelmeier went over highlights of the budget.

### D. Public Comment (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

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City Attorney Angell opened the public comment portion of the meeting and called the first name on the sign-up sheet.

Sheryl Hill; 308 Highland Street. Sheryl had no written comments prepared concerning the budget. She had noticed some typos that were in the publication but City Clerk Stegelmeier has corrected the mistakes. She appreciates the narrative report on the budget. Sheryl appreciates John Scafe's Johns comments because she feels that this is a meaningless meeting because the Council is prepared to pass the budget following the comments. They have the resolutions before them and are prepared to vote. She has never been in a situation where the Council has not voted as they have intended. She has not seen the resolutions and the public has not seen the resolutions. In the future Sheryl encourages the Council to conduct the public hearings at one meeting and then the resolution at another meeting so that they can actually consider the comments that are given. She feels like the public loses confidence otherwise. Sheryl would like the Council to go over Sheri Poulsen's letter and implement some of her recommendation. She went on to ask about some of those recommendations and whether they have been implemented. She also asked about some of the staff hiring and building remodels. Sheryl expressed her concern that these things should be approved in public. She is of the opinion that there is a lack of transparency and it is very problematic in the budget process and the way business is conducted in general.

### **2. ORDINANCE/RESOLUTION:**

#### A. City of Ashton Ordinance 487-21 – City Budget for Fiscal Year 2022 **ACTION ITEM**

There were no questions or discussion.

Councilman Atchley made a motion to read the City of Ashton Ordinance 487-21 by title only and dispense with the second and third readings. Councilman Kaelberer 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 487-21 be approved and published.

Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

#### B. City of Ashton Resolution 21-04 – Wastewater/Water Fee **ACTION ITEM**

Councilman Atchley made a motion to accept Ashton Resolution 21-04. Councilman Kaelberer seconded the motion. The motion passed with Councilman Funke abstaining from voting.

#### C. City of Ashton Resolution 21-05 – Annual Fee Update **ACTION ITEM**

Councilman Atchley made a motion to accept Ashton Resolution 21-05. Councilwoman Hansen seconded the motion. The motion passed with Councilman Funke abstaining from voting.

### **REGULAR BUSINESS:**

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

### **3. Scheduling – City Clerk Stegelmeier **ACTION ITEM****

City Clerk Stegelmeier went over the schedule with the Council.

### **4. 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.*

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(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.

Councilman Atchley made a motion to enter executive session. Councilwoman Hansen seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Funke, aye; Councilwoman Hansen, aye; Councilman Kaelberer, aye. The motion passed.

The Council entered Executive Session at 7:31 pm.

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

The Council exited Executive Session at 7:52 pm

Councilman Funke asked about nuisance/weed/junk ordinance compliance. City Clerk Stegelmeier explained that the police officers direct her to send letters to the property owners. The property owners are given 15 days to come into compliance. The police handle the compliance. If it is not brought into compliance by the property owner the police direct City Clerk Stegelmeier to have the property mowed/cleaned. The cost of the work is then certified to the tax bill at the county. Police Chief Griffel had City Clerk Stegelmeier send out several letters in June. Mayor Mattingly explained that the police are following code and working with the property owners. Councilman Funke explained that there are several areas that are still a mess. Councilman Funke volunteered to get a list ready and bring it to the police.

### **5. ADJOURNMENT:**

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

The meeting ended at 8:02 pm.

### **NEXT MEETING**

- ◆ Council 7:00 p.m. – Wednesday, September 15, 2020, 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

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Cathy Stegelmeier  
City Clerk

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Tom Mattingly  
Mayor