**MINUTES**

**REGULAR MEETING**

**DOWNEY CITY COUNCIL**

**TUESDAY, JANUARY 14, 2020**

**7:00 PM**

**ATTENDANCE:** Mayor Rex Nielsen, Dan Wilson, Gary Barnes, Grant Johnson, Bonnie

Hill, Tony Hancock, and Brenda Kay.

**PATRONS:** Barbara Hill, Rose Lee Hill, Linda Brim, Terry and Bonnie Beck, Marti

Phillips, Dana Evans, Brent Brown, Rick David, Stephanie Crookston, from the Census Bureau, Ernie Moser, Bannock County Commissioner, Marcia Nielsen, Jennifer and McKenzie Cooper, and Louise Barnes. Officer Everson, from the

Bannock County Sheriff’s Office arrived late.

**Call to Order:** Council President Gary Barnes called the meeting to order and

welcomed everyone.

President Barnes offered the invocation and led the group in the Pledge of

Allegiance.

**Reading of Agenda:** President Barnes read the Agenda.

**ACTION ITEM - Approve Minutes:** **Dan Wilson moved to approve the Minutes**

**of the Regular Meeting of the Downey City Council of Tuesday,**

**December 10, 2019, and the Special Meeting of Monday, December 23, 2019,**

**seconded by Grant Johnson, all voted aye, motion carried.**

**ACTION ITEM - Approve Accounts Payable:** **Grant Johnson moved to**

**approve the Accounts Payable of January 2020, seconded by Dan Wilson, all voted aye, motion carried.**

**Oath of Office Administered to newly elected Mayor, Rex Nielsen, and Council Members, Gary Barnes and Bonnie Hill:** The following Oath of

Office was read to Rex Nielsen by the City Clerk:

“Do you solemnly swear (or affirm) that you will support the Constitution of the United States, and the Constitution of the State of Idaho, and that you will faithfully discharge the duties of Mayor of the City of Downey according to the best of your ability?”

Rex Nielsen affirmed, “I will.”

The Oath of Office was administered to Gary Barnes and Bonnie Hill by Mayor Rex Nielsen:

“Do you solemnly swear (or affirm) that you will support the Constitution of the United States, and the Constitution of the State of Idaho, and that you will faithfully discharge the duties of Councilor of the City of Downey according to the best of your ability?”

Bonnie Hill affirmed, “I will.”

Gary Barnes affirmed, “I will.”

Certificates of Election were presented to each of the newly elected officials.

**ACTION ITEM – Consider selection of a Council President: Grant**

**Johnson moved to approve Gary Barnes as Council President, seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of a Proclamation recognizing Dennis J. Phillips as Mayor and City Council Member:** Mayor Nielsen read

the Proclamation:

Proclamation

**Dennis J. Phillips**

**Mayor and City Council Member**

**Whereas**, Taking **pride** in your community, Having the **integrity** to make and support tough decisions, Being **committed** to the importance of public service; These are characteristics that all elected officials should personify; and

**Whereas**, Dennis J. Phillips served as the Mayor and City Council Member for 18 years, from January 2002 to December 2019; and

**Whereas**, Dennis’ leadership and vision guided the City of Downey through many positive changes during his tenure with the City; and

**Whereas**, Dennis embodied the spirit of civic pride, integrity, and commitment that help define the City of Downey; and

**Whereas**, Throughout his tenure, Dennis was an advocate of responsible, smart fiscal policy; and

**Whereas**, Dennis did all of the above because he was **proud** of the City of Downey, believed in the **integrity** of the City and was **committed** to improving the community, while staying true to the small-town charm.

**Now**, **Therefore**, I, Rex Nielsen, Mayor of the City of Downey, on behalf of the entire community, recognize Dennis J. Phillips’, outstanding **pride**, **integrity** and **commitment** to the City of Downey throughout the years.

Dated this 14th day of January 2020.

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Rex Nielsen, Mayor

**Gary Barnes moved to approve the Proclamation, seconded by Grant Johnson, by roll call vote: Gary Barnes, aye; Dan Wilson, aye; Bonnie Hill, aye; and Grant Johnson, aye; motion carried.**

A framed copy of the Proclamation was presented to Marti Phillips. A copy will also

be displayed at the City Office.

**Census 2020 Presentation:** Stephanie Crookston addressed the council about

jobs available with the Census Bureau. She is the 2020 Census Job Recruiter. Her job is to get word out about the hundreds of jobs still available in Bannock County for Census takers. They go door to door to get a count of the households. This is important for funding for the community and to give the have an accurate count. The pay is $16 per hour, plus $.58 per mile reimbursement. The job is very flexible. One can work 10 to 40 hours per week. Minimal qualifications are to be at least 18 years old, have a driver’s license and be able to pass a background check. There is also paid training. There is a website available for applying. There is also a number to call to help with applying.

**ACTION ITEM – Consider approval of waiving the cost of power at the City RV Park during the 2019 Bannock County Fair:** Bonnie Hill reported she

has been looking into the RV Park power bills during the last five years, which have been paid by the County. The County Maintenance Department has been paying for the RV Park power bill during the fair, rather than the Fair Board. Bonnie would like to delay a decision about the bill tonight and look at the City’s current contributions to the fair. She would like to put it on a future agenda and look at what we want to do going forward.

Dana Evans reported the 4-H uses the RV Park. It is helping them out if the City decides to waive the costs for the power at the RV. This will be tabled until the next meeting.

**ACTION ITEM – Consider approval of allowing a septic tank and drain field on property within the City limits:** Mayor Nielsen informed the council a

couple wants to build a home west of Neal Hollingshead’s home. They want to put in a septic system rather than hook into the City’s sewer system. The council needs to decide if they want to allow a septic system. The Clerk reported the owner of the property wants to attend the Council Meeting in February to discuss this with the Council. Since 1984, the City Ordinance states everyone in the City needs to be connected to the City sewer system. Concerns of allowing a septic system include opening the opportunity for others to do the same, and liability and contamination issues. No other homes have been allowed to have a septic system.

**Gary Barnes moved to decline a septic tank system on the property within the City limits, seconded by Bonnie Hill, all voted aye, motion carried.**

The Council agreed to allow the property owner to attend the Council Meeting in February and discuss her proposal with the Council.

**ACTION ITEM – Consider approval of a bid on security cameras for the Community Center and the City Shop from Qabsolute, LLC:** **Dan**

**Wilson moved to approve the bid for the security cameras on the Community Center and the City Shop from Qabsolute, LLC., seconded by Bonnie Hill, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of the Animal Control and Livestock Ordinance:** Bonnie Hill provided the Council with a list of changes

she is suggesting. The list is attached hereto, along with the Ordinances. The council agreed the changes to the Ordinance for approval and have the attorney review it one last time.

**Dan Wilson moved to suspend reading the proposed Ordinance on three different days and to read the Title of the proposed Ordinance once, seconded by Gary Barnes, by roll call vote: Gary Barnes, aye; Dan Wilson, aye; Bonnie Hill, aye; Grant Johnson, aye; motion carried.**

Rex Nielsen read the Title of the Animal Control and Livestock Ordinance.

AMENDMENT TO ANIMAL CONTROL

CHAPTER 3

ANIMAL CONTROL

SECTION:

4‑3‑‑1: Definitions

4‑3‑‑2: Animal Control Officer

4‑3‑‑3: License And Fee Requirements

4‑3‑‑4: Commercial Kennel Licensing And Requirements

4‑3‑‑5: Noncommercial Kennel Licensing And Requirements

4‑3‑‑6: Exceptions To Licensing

4‑3‑‑7: Rabies, Diseases And Quarantine; Vaccination Required

4‑3‑‑8: Cruelty To Animals

4‑3‑‑9: Commanding Animal To Attack

4‑3‑10: Wild Animals Prohibited

4‑3‑11: Running At Large

4‑3‑12: Noise Disturbances By Animals

4‑3‑13: Nuisance Conditions

4‑3‑14: Requirements For Keeping Vicious Dogs

4‑3‑15: Impoundment, Disposition And Redemption Of Animals

4‑3‑16: Disposition Of Sick Or Injured Animals

4‑3‑17: Removal Of Animal Carcasses

4‑3‑18: Treatment Of Fowl Or Rabbits

4‑3‑19: Use Of Animals To Attract Trade

4‑3‑20: Sale Of Turtles

4‑3‑21: Interference With Animal Control Officer

4‑3‑22: Violations; Penalties

Ordinance No. \_\_\_\_\_\_\_\_\_\_\_\_\_

Amendment to Animal Control

CHAPTER 3

ANIMAL CONTROL

ARTICLE A.  LIVESTOCK

SECTION:

4‑3A‑1: Keeping Livestock

4‑3A‑2: Permit Requirements

4‑3A‑3: Existing Uses

4‑3A‑4: Swine Prohibited

4‑3A‑5: Running At Large Prohibited

4‑3A‑6: Violations; Penalties

**Bonnie Hill moved to approve the Amended Animal Control Ordinance, with the changes recommended, seconded by Gary Barnes, by roll call vote: Gary Barnes, aye; Dan Wilson, aye; ~~Gary Barnes~~ Bonnie Hill, aye; and Grant Johnson, aye; motion carried.**

Amended – See Minutes of 2-11-20

**ACTION ITEM – Consider approval of aN A-frame sidewalk sign/message board for the City Office:** The council discussed a request for

an A-frame sidewalk sign to post upcoming events and deadlines on. There was concern expressed about the possibility of taking up too muchroom on the sidewalk and liability issues. The council would like to look at other options.

**Grant Johnson moved to pursue other options, seconded by Gary Barnes, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of purchasing a new electric range for the Community Center:** **Bonnie Hill moved to approve the purchase of a**

**new electric range(s) for the Community Center with a limit of $2,500, seconded by Dan Wilson, all voted aye, motion carried.**

Amended – See Minutes of 2-11-20

**ACTION ITEM – Consider approval of a Livestock Permit for Rick David:** Mayor Nielsen reported he looked at the area and it looks okay to him. Rick

David received signatures approving it from all his neighbors.

**Bonnie Hill moved to approve the Livestock Permit for Rick David, seconded by Gary Barnes, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of a Building Permit for Bruce and Mandee Burt:** The council reviewed the permit; however, it does not have engineer

stamped specs for the project. The Burt’s were notified that they are required. The council would like to have the Burt’s come in and present the Permit for approval once the specs are received.

**ACTION ITEM – Consider approval of a bid on a sign for the Community Center:** Tony presented bids for a sign at the Community Center. He received a bid

from Signup in the amount of $369 and one from Blaze Sign for $810, plus tax. Bonnie Hill suggested having the same logo on all the City’s signs. It was suggested the City hold a contest to design a log. It will be limited to City residents with a $100 prize for the winner. Once a design has been

chosen, the sign will be re-bid.

**ACTION ITEM – Consider approval of a bid on a new Xerox Copier Lease: Bonnie Hill moved to approve the bid on the new Xerox Copier Lease,**

**seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of purchasing a new laptop computer:** **Bonnie moved to purchase a new laptop computer, seconded by Dan**

**Wilson, all voted aye, motion carried.**

**Law Enforcement:** It was reported that we have a turkey in town. Fish & Game has

not taken care of it. Officer Everson will check with Fish & Game. Officer Everson did not have anything to report to the City. Mayor Nielsen thanked him for coming.

**Comments from the audience on Agenda items only:** Rick David thanked

the council for approving his Livestock Application.

**REPORTS**

**Tony Hancock:** Tony reported on the following items.

* The spring flow to town is 59 gpm, with 200 gpm turned out up the Nine Mile Canyon
* A little bit of work is being done below the tanks. This is on the water right from the overflow to Craig Criddle’s former property. The new property owners tried to sneak something through, but Tony caught them and is making them do it right.
* Tony and Matt have been plowing snow.
* The propane tank was put in at the Community Center today. Amerigas put the new tank in and filled it. Valley Wide will be picking up the old tank.
* There have been a few sewer problems this month. The same families have been involved. The mainline has been checked, but there is no problem on the City’s side.
* Tony provided the 2019 pumping record on the well. No pumping was done except when the water samples were taken. He also provided a spring report for 2019.
* Last time Tony and Matt were at the springs there was about 21 inches of snow.
* The locks on the City Building and Mayor’s Office have been changed. Tony needs everyone’s old keys back.
* The podium has been made for the Community Center. It is in the office for the Council to see.
* Tony and Matt have been doing a lot of projects to be ready for spring. They are working on a bench for the splash pad.

**Brenda Kay:** No business.

**Gary Barnes:** Gary thanked the staff for all they do. Helping push the snow back is a

blessing to a lot of community members. He also thanked the community members that stayed to the end of the meeting tonight.

**Bonnie Hill:** Bonnie reported in the training she went through, they were told the bank

statements need to be reviewed. The clerk will include them in the Council packets.

**Daniel Wilson:** Thanked the employees for all they do, along with the community

members.

Dan reported McCammon’s code enforcer is too busy to do Downey’s code enforcement, but they have someone else who may be interested.

Dan asked if Mel Hansen is going to chair the tree committee. Mel and Margie

have agreed to do it.

**Grant Johnson:** Grant welcomed Bonnie to the Council and congratulated Rex. He

thanked Gary for covering for Dennis and carrying the load.

Grant attended the canal meeting last week. They reinstated everyone they already

had on the board. He was a little disappointed they didn’t do any planning for future events. It was interesting to attend.

The city crew is doing a good job at taking care of the snow removal and serving the people and taking care of their needs. He feels it would be a real challenge to lose any of our employees.

Amended –

See Minutes of 2-11-20.

Gary asked who needs to be thanked for the ~~name plates~~ **pens**. Bonnie Hill provided them.

**Mayor Nielsen:** Mayor Nielsen thanked everyone for their support tonight. He has a lot of

questions for Brenda and thanked her for her help. There are a lot of things we want to work on, and we will take them one day at a time.

**ACTION ITEM – Adjournment:** **Dan moved to adjourn at 8:50 p.m., seconded by**

**Bonnie Hill.**

**APPROVED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Rex Nielsen, Mayor**

**Attest\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Brenda Kay, City Clerk**