**MINUTES**

**REGULAR MEETING**

**DOWNEY CITY COUNCIL**

**TUESDAY, SEPTEMBER 14, 2021**

**7:00 PM**

**ATTENDANCE: Rex Nielson,** **Gary Barnes, Grant Johnson, John Hyde, Bonnie Hill, Tony Hancock and Kiesha Keller**

**PATRONS- Barbara Hill, Louise Cummings, Maren Nelson, Dallas Estudillo, Bonnie Beck, Marcia Nielson, Officer Smith, Taylor Chiu, Ian West with PSI, Jeremy Harris with PSI and Jessica Curzon**

**CALL TO ORDER: Mayor Rex Nielson called the meeting to order and welcomed those attending the meeting.**

PSI Environmental Systems Inc. offered the invocation and led the group in the Pledge of Allegiance.

**ACTION ITEM - Consider Approval of the Agenda**

Bonnie Hill made the motion to approve the agenda, seconded by Grant Johnson, all voted aye, motion carried.

**Action Item-** **ACTION ITEM - CONSENT AGENDA**

**The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.**

1. **Council Minutes** – August 10, 2021
2. **Budget Hearing and Special Meeting** – September 7, 2021
3. **Accounts Payable**- September 2021

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**Bonnie Hill made the motion to approve Consent Agenda, seconded by John Hyde, all voted aye, motion carried.**

**Law Enforcement**

Officer Smith informed the Council the detectives have taken over the investigation into the windows being broken out at the church and the fires getting started around Cambridge Rd. He said they are trying to be more present on foot and on bicycle to help prevent any further incidents.

**Discussion Item- Annual Check in with PSI Environmental Systems Inc**

Mayor Nielson asked about compensation for residents that have been missed on garbage pickup. Jeremy explained the original driver has had some medical issues and was out for quite a while and it was probably more the relief driver being unaware of some of the place’s garbage cans were left. If a resident can document the address 3 weeks in a row, then they can give the city a refund to pass down to the resident. Doesn’t need to be in a row necessarily but needs a pattern so PSI can investigate it more and resolve the actual issue. Bonnie Hill commented she has had hers missed 3 times and she called the customer service line. She was told they would be out the next day, but nobody showed up. Bonnie called again to ask why and kept getting put off. Garbage wasn’t picked up until the regular day. Jeremy apologized and felt confident it wouldn’t be a problem anymore since the original driver is back on the route.

Jeremy asked Tony if we needed more cans for him to distribute. Tony said he has some and he calls when he needs them so not at this time.

Jeremy confirmed he will have the 3 large dumpsters delivered for Fall Clean Up Day on September 25th.

Bannock County is raising their fees. It will be $6 more for every ton for inside county use and $15 per ton for out of county. It starts October 1st, 2021. It will raise our rates. PSI is still getting the numbers together and will send the information when they have it finished.

**DISCUSSION ITEM- Taylor Chiu Discussing Business at Whispering Pines**

Taylor introduced himself and stated he purchased the Whispering Pines last May from Shelley Jones. He lives in Salt Lake City, so he has an onsite manager, Bre Moore (Olsen).

Mayor Nielson asked Taylor if the Whispering Pines is an assisted living center only? Taylor confirmed and explained he has talked to Kiesha about the concerns coming from the residents about Whispering Pines turning into a halfway house instead of assisted living. He stated the residents there all qualify for assisted living and there are a few younger residents who are on parole, but it isn’t for any sexual charges. Taylor addressed the concerns about the residents coming and going as they want and sitting at the park across the street watching the kids at the spray park. He assures any time the residents are out, the staff is keeping an eye on them from the building.

Bonnie told Taylor a problem we wanted addressed was the business license saying, “Assisted living for the elderly”. She would like that changed to just “Assisted living”. Taylor said he had no problem changing that. Kiesha will send him a new business license so it can be corrected. He wants Council to know he is still trying to keep it mostly elderly. The facility allows for 16 residents and if they have openings, they do accept regular assisted living patients.

Dallas Estudillo asked Taylor what his policy is for when a resident has a break and gets out in the area in a panic state, what is the policy for letting Downey residents know it’s happening especially with the elementary school right across the street? Taylor said he hasn’t had a lot of situations he can think of where that has been a problem, but he is obligated to let the police know when a resident takes off.

Dallas asked if we could put a call out to the school too so teachers can keep the kids in? Taylor said he will put it in place to notify the school and the city office so Downey residents can be notified.

Taylor wants Council to know he would like to be more involved with the community. Anything he can do to get more involved; he would like to be notified.

**DISCUSSION ITEM- Discuss a Food Bank Pickup in Downey (Maren Nelson)**

Rex started by saying he has talked to Maren and showed her around the community center so she could have a heads up on her options on space for a pantry.

Maren introduced herself, she is the community partner specialist with the Idaho food bank. She is over 16 counties including 73 agencies and 17 of those are mobile pantries. She is always looking for areas she can get food to that lack access to fresh produce and food in general. We have 1 in Malad and 1 in McCammon already. Every month there is half a dozen to a dozen Downey area residents at the Malad and Mccammon mobile pantries so she thought it might be feasible to have a location here. Maren is interested in the pantry we already have in the kitchen of the Community Center. It has a lock and refrigerators if we chose to have items that need it.

Downey hasn’t had a grocery store in some time now and a lot of people from Downey don’t have a problem going to Malad or Pocatello for their groceries but there are still many who don’t have the resources to do that. This would provide a resource to them or to people struggling to afford food. Before we can put one in, Maren would like to see community support such as volunteers to run it. There needs to be enough neighbors to utilize it. Preferably 15-20 families but that can be fluid. The whole pantry is reliant on the people who will use it.

Grant asked if the food was all donated and are there any requirements such as low income? Maren stated yes, all the food is donated, and the Food Bank doesn’t have requirements on who can use it. If people come, the Food Bank assumes they need food. The pantries can choose what they want to stock. The Food Bank receives all their inventory from donations. There are nutritional guidelines for the food that is dispersed. The Food Bank has many sponsors from large corporations in Idaho. They do get a lot of monitory donations to supplement the food that isn’t being donated because of Covid or other supply shortages. The Food Bank is a nonprofit so partnering with them is free.

There is a program called POP (Power of Purchase). You can buy food such as a case of canned goods at a very discounted rate, but it is completely voluntary to the pantry to offer.

Bonnie asked if there is a timeline on how long they would need to get it going? Maren told her she wasn’t sure yet since this will be the very first pantry, she is starting from the ground up. Bonnie stated she would expect it to be a slow turn out until it is advertised more and gets out into the city so what would happen if 4 months in, we don’t have enough volunteers or patrons? Would we close it down? Maren said there are options to help get more people coming in such as the smaller communities around Downey by word of mouth or flyers and she would be willing to help any way she can.

It’s up to the pantry to decide how often they are open and there are a few options on what to carry. The Food bank would be able to deliver once a month. The volunteer responsible for ordering could order more than that but would need somebody to come pick it up at the Pocatello location.

The items ordered would already be in cases so volunteers wouldn’t be responsible for sorting unless its donations from the stores such as bakery items.

3 models for how the pantry can be set up:

1. Choice pantry- patrons would be given a list of what we have and based off family size; they can pick a specific amount of each item. Then they would go shopping and the volunteer would check it off when they leave.
2. Preselected panty- boxes would be already built with all the varieties of items but there is a lot of wasted and returned items this way.
3. Hybrid list- patrons would still get a list but volunteers would shop with it and take the box of goods out to them.

Maren would prefer 15-25 families to make it sustainable.

Bonnie asked about a mobile or panty in Preston? Maren confirmed Preston has a brick-and-mortar pantry. Bonnie wondered if the Food Bank is only delivering once a month so would we get people from Preston? She said they could, but it all depends on how often we’re open.

Food drives are very resourceful once you really start getting community support. Meat must be USDA approved.

Wouldn’t need 20 volunteers to get it going. Just 1 to run it for the ordering.

**DISCUSSION ITEM- TRUNK OR TREAT**

October 30th at Woodland Park. We will buy the donuts and cider and the $25 gift card to Valley Oil. Cylista Goodwin is doing the flyer.

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 **ACTION ITEM-** **Finalize Police Contract for 2021- 2022**

Bonnie has been working with the sheriff’s office to get data to support the sheriff’s office reports. (Later Bonnie corrected that comment to clarify it was the commissioners who provided the data and not the sheriff’s office.) She received the data in July and asked for more explanation on 527 hours more recorded per year than we have contracted. The breakdown items that take up less than 3% of the total hours are Accidents, Agency Assist, Civil Miscellaneous, Alcohol Offense, Animal, Citation Services, F1, Traffic Stops, and Warrants.

Majority is on Business Checks (65%) but it isn’t clear what that means exactly. It should be done while on the clock and not on overtime hours. Report Taken was 20% of the time and Other was 7%.

Bonnie had the attorney provide what our requirements are and what the sheriff’s office responsibilities are. Services by state law say we don’t have to have a contract and they still must provide services. If they can’t come, they are supposed to call Idaho State Police. The city does receive some benefits in being a priority by having a contract.

The new contract is one sided in favor of the county. The city won’t have any control over the hours worked, work preformed and if the sheriff’s office is sued the city would have to defend them under article 12- Indemnification. Bonnie points out every item on here is in favor of the sheriff’s office. The old contract from 2020-2021 states the sheriff’s office must notify the mayor 60 days before September 30th. We weren’t notified until the 12nd of August, so she recommends the mayor sends a letter saying we are working under the prior contract but are willing to negotiate for 2022-2023 and then set up a negotiation committee. The lawyer would need to look over any contract before signing it.

Rex told them we already had our budget made so we are only able to pay them what is budgeted. They provided another contract with less hours (87.81) and an hourly raise ($28.96) on August 23rd and those hours are at the sheriff offices discretion.

**Bonnie Hill made the motion to Table the New Police Contract for 2021-2022, and seconded by Grant Johnson, by roll call, Bonnie Hill, aye, John Hyde, aye, Gary Barnes, aye, and Grant Johnson, aye, motion carried.**

**ACTION ITEM: Approve new contract for technical support from QABSOLUTE and American Business Software**

Bonnie made sure she understood from what we had talked about that Bryce said a 10-hour contract would be only $500 instead of $65 per hour without a contact. We are already over 4 hours on our last contracted 10 hours so we will be combining them in this contract and have 6 hours left over.

Kiesha explained she messed up the agenda lumping together QABSOLUTE and American Business Software. She was only thinking “training” not specific company training. She then explained why she needs more training for American Business Software so she can have the system set up and utilized correctly. All Council agrees there won’t be training otherwise so Kiesha needs to get a realistic training plan in place so there can be a contract made with American Business Solutions for all of the training.

Bonnie Hill made the motion to approve more technical support from QABOLUTE and American Business Software, seconded by John Hyde, by roll call, Bonnie Hill, aye, John Hyde, aye, Gary Barnes, aye, Grant Johnson, aye, motion carried

**ACTION ITEM- Approve Resolution for Financial Investment with Idaho Central Credit Union**

Kiesha explained she wasn’t sure if we could write the check to ICCU without amending the budget to show the funds we are putting in there. Bonnie stated the Resolution was already approved in July and it should have been signed. Kiesha explained Selena had told her we needed the Resolution approved and signed to write the check for ICCU. Council all expressed it’s been approved, and Kiesha will need to go back and check the July Council Minutes to make sure. We will sign the check over in October after the new fiscal year has started.

**No motion needed since it was approved in July.**

**ACTION ITEM- Approve Norm and Bobbie Spencer’s Building Permit for Garage at 366 N. Main Street**

Rex read a statement from Kiesha stating Bobbie came in 9-13-21 upset why her building permit for the garage wasn’t approved on the last City Council meeting. They are now forgoing the other building and extending the garage 20 feet to put in a bathroom and a washer and dryer. They have been in contact with Tony and Jeff, the Idaho building inspector. They both approved their plans and the Spencers have already materials and have a contractor coming in a week to pour concrete. They have engineered plans coming in a week. Sherry, City Clerk in Mccammon was called and asked about passing permits without all information. She said if all the ducks were in a row but all the information just wasn’t received quite yet they would go ahead and pass the permit pending with stipulations. Mayor Nielson agreed it should work.

Kiesha corrected the mayor on who wrote the statement. It wasn’t Kiesha. It was Jessica who wrote it and gave it to the mayor.

Tony said he has talked to the Spencer’s, and they told him it was approved from Jeff and Tony checked out their setbacks and approved.

Council talked about how they would know if the Spencer’s were using it as a garage and not just going to let people live in it. Talked about the position of the doors and placement on the property. The Council did talk about it being in the flood zone but since it isn’t a living dwelling then only their insurance would be concerned about it.

Bonnie expressed more concern about them making it larger and putting in the bathroom with the washer and dryer. She says it gives her concern that they will use it as a living quarter. They doubled the size from 600sq ft to 1200sq ft. She would like a statement from the Spencer’s and not just what they told Jessica.

Tony did confirm on the old plan for the 600 ft building it showed the doors on the side.

**Bonnie Hill made the motion to Approve the building permit application for Norm and Bobbie Spencer’s Garage at 366 N. Main Street with the following conditions we gave a written statement that this garage will not be used for a dwelling, and for the pending engineered approval that meet Downey’s Codes and Ordinances, seconded by Gary Barnes, all voted aye, motion carried.**

**Reports-**

**Tony Hancock-** Spring Flow is flowing at 206 gal per min. Clean up Downey is on the 25th and it will be done the same way as we have the last few years. Well has only been running once a week with all the rainfall. DEQ has rescheduled with us for the 23rd to do our sanitary survey. Soon as weather changes, we need to winterize the parks. We did have a fair amount of expense at the 3R’s. Tire went out on the dump truck. Tires are a different size, and they really don’t get anymore so we had to change all 4. Tony talked them into a cheaper option saving the city $700. Tony did have letters sent out about vehicles that haven’t been moved in years and 1 in months in case anybody gets complaints. He is just trying to clean up some areas.

**Kiesha Keller- no comments**

**Gary Barnes-** Thanked all Council and apologized to Kiesha and Jessica for calling them “girls”. He doesn’t feel comfortable calling them that. They are ladies and he appreciates all the work they are doing**.**

**Bonnie Hill-** Thanked staff. When Tony was out, you could tell so she is thankful he is back. Kiesha and Jessica are working their tales off. Bonnie is very happy they are going to the training to get the connections. On another note, she got an email from a citizen about Water Wise Native Pollinator Garden. It would help keep the yards nice but without using a ton of water to keep the lawn green. It would also bring hummingbirds and butterflies. Flyer was handed out that was sent from the citizen.

**John Hyde**- Asked if there is a truck route? Tony said they have one but sometimes it isn’t followed. John expressed his concern for the big trucks coming down city center not being very safe with a long trailer.

He pointed out the confusion from the city office is coming down. The girls are doing well.

**Grant Johnson**- Thanked the city workers and is thankful Tony is back. It is noticed when they go out for a while. Impressed with Kiesha to get through this mess in transition.

**Mayor Rex Nielson**- Thanked everybody for what they do for the city. Thanked Gary for covering the last meeting for him. He’s glad Tony is feeling better.

Rex mentioned he has talked to Kiesha about changing the council packets to just emailed with a copy of the agenda for the table. All Council was in agreeance the email would be the best. Rex is the only one who would prefer a physical copy.

Bonnie asked that we get a phone number log so when we need to call each other it is available.

**ACTION ITEM-** **Adjournment**

**John Hyde made the motion to Adjourn, seconded by Bonnie Hill, all voted aye, motion carried.**

**APPROVED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Rex Nielsen, Mayor**

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

 **Kiesha Keller, City Clerk**