

# MINUTES–CITY OF ASHTON

## COUNCIL MEETING

Wednesday, November 13, 2024

6:00 p.m.

714 Main Street

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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. Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meetings should be addressed to the Office of the City Clerk or call 208-652-3987.*

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**PRAYER OFFERED BY: John Scafe**

**CALL TO ORDER & WELCOME**

**PLEDGE LED BY: John Kaelberer**

In Attendance: Tom Mattingly, John Scafe, John Kaelberer and Nate Finley. Teresa Hansen was not able to attend the meeting.

Also in attendance: City Clerk Stegelmeier, Deputy Clerk Warnke, P&Z Administrator Bowersox, Sam Anthony, Chief Griffel, Ann Anthony, Kyle Jones, Jaden Jackson and Andrew Hood.

Mayor Mattingly welcomed everyone and opened the meeting at 6:00 pm.

### **1. CONSENT AGENDA: ACTION ITEM**

*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 Meeting Minutes 10-9-2024
- B. **Treasurers Report** - As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted

Councilman Kaelberer made a motion to approve the Consent Agenda as presented. Councilman Finley seconded the motion. The motion passed unanimously.

### **Regular Business:**

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

#### **1. Ashton Ordinance 311-24, Ashton Resolution 24-07 – Short Term Rentals Discussion – City Clerk Stegelmeier**

City Clerk Stegelmeier explained that the Council had been going to have a public hearing on this resolution at this meeting. She had put the notice in the paper but had not put the notice on the website so the public hearing will be held in December. City Clerk Stegelmeier asked the Council if they had any feedback on the notice – was it clear, do they think she should add anything. Councilman Scafe said it looked good.

#### **2. Ashton Resolution 24-06 – High Water User Rate Discussion – City Clerk Stegelmeier, Deputy Clerk Warnke**

City Clerk Stegelmeier said this was the same situation with the notices but asked if they had any input on the notice. Councilman Scafe said it looked good but Councilman Kaelberer explained that a little clarification on the usage amounts would be good. He suggested adding 'any usage in excess of 150,000' would help everyone understand where the new fee starts. City Clerk Stegelmeier said she would add the language.

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### **3. Paper of Record Discussion – City Clerk Stegelmeier, Ann Anthony**

City Clerk Stegelmeier explained that Ann had sent some information that day to the Council which City Clerk Stegelmeier had printed and it was on their desks. Ann is here to discuss the public notices that the City is required to put in newspapers. Ann lives in Island Park out at Shotgun. Ann publishes the Island Park News and has been doing it for the last 13 years. She tries to put out a good publication and has had a concern that the public is not aware of some of the things the City is doing because many do not subscribe to the paper that the City has as their paper of record. The City used the Fremont County Chronicle after the Ashton Herald quit publishing and now uses the Rexburg Standard Journal. People must subscribe to or pay to buy the Herald Chronicle. The Island Park News is free and is available at several locations in Ashton. Ann delivers about six hundred copies a week in Ashton. She has looked up the Idaho Statute that cities must follow and she believes that her paper qualifies. Ann feels that she does a better job of covering Fremont County and that is what a newspaper of record is supposed to be about, getting the information out to the people. She now accepts subscriptions for online or for paper copies and has over five hundred subscribers. City Clerk Stegelmeier is concerned because the affidavit of publication is something that is required as a city record. Ann said she has an affidavit set up and can get it out to the city quickly. City Clerk Stegelmeier did look through the subscription list but could only find three subscribers within the city limits. There are eleven in the Ashton area altogether. Ann is just concerned about getting the information out to the people so they know what is going on. City Attorney Angell explained that the statute says that the newspaper shall mean the newspaper with the greatest paid circulation published within any county in which the governmental entity is located. He asked Ann if she was saying that she has the most paid subscriptions. He suggested that Ann get a copy of the subscriptions for the Herald Chronicle so that the Council could compare prior to any changes. The Council asked Ann to come back with the numbers and they would decide if the city would be changing the paper of record.

### **4. Water Study Update – City Clerk Stegelmeier, Kyle Jones**

Kyle Jones is here to talk about the water study. Kyle went through what he had found out with the Council. The study is now 60-70 percent finished and he hopes it will be 90% complete at the end of the year. He will come back at the first of the year to report again prior to submittal to the DEQ upon completion. Kyle will come back to the December meeting with more data and information.

### **5. Maple Leaf Drive & Railroad Avenue Construction – City Clerk Stegelmeier, Justin Angell, Todd Martindale **ACTION ITEM****

City Clerk Stegelmeier reported that the Maple Leaf Drive and Railroad Avenue project is complete. She drove on Railroad Avenue today and it looks really nice. She then explained that since Justin & Todd were unavailable, they asked Jaden Jackson to be at the meeting so the Council ask him questions if needed. The freezing problems with the water line on Maple Leaf and the sewer line on Railroad Avenue should be a thing of the past.

### **6. Wastewater Screen Project Update – City Clerk Stegelmeier, Justin Angell, Todd Martindale **ACTION ITEM****

Mayor Mattingly asked Jaden Jackson to give them an update on the sewer project. Jaden said that the outside of the building is almost complete and they will start working inside. Sewage is running through the building although the screen will not be here and installed until February. The project is going well and should be completed on time.

### **7. Visitor Center Discussion – City Clerk Stegelmeier, Abbi Rossman **ACTION ITEM****

City Clerk Stegelmeier explained that the Idaho Parks and Rec may just take over the management of the kiosks but that she wanted the Council to go over the contract in case there is anything that should be changed if they decide they still want to do a contract. Councilman Kaelberer asked about section G. It states that the lesser and lessee will share equally in the costs and expenses of repairing the parking lot at the Visitor Center. He is of the opinion that this should specify that it is if the kiosks are taken out

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and not just for any change they may want. City Attorney Angell is also concerned about section 4. It states that the City will have to bear the expense of removal, etc., of the dump station. This is a concern as the City does not own the property anymore so the City should not take on that liability. Mayor Mattingly asked the Council to go over the contract again for a discussion at the next meeting.

### **8. Comprehensive Plan Contract Discussion – City Clerk Stegelmeier, P&Z Administrator Bowersox *ACTION ITEM***

City Clerk Stegelmeier explained that the contract with Great West for the work on the comprehensive plan looks fairly normal to her but she is concerned about the costs. She would like to make sure that the billing shows the exact hours put in and if things are completed without having to use the entire amount of hours, then that item should cost less. Councilman Scafe is concerned because the total says that it is estimated and he would like to put a cap on how much the total can be. P&Z Administrator Bowersox explained that there are grants out there and the City will be applying. City Clerk Stegelmeier reported that Mayor Mattingly finished the Blue Cross Community Health Academy and there is a grant through it that is specific for Comprehensive Plans. There is also a grant through the Department of Commerce also.

### **9. Council Schedule – City Clerk Stegelmeier *ACTION ITEM***

City Clerk Stegelmeier went over the schedule with the Council.

### **10. Executive Session – City Attorney Angell *ACTION ITEM***

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.

**(f) To communicate with legal counsel for the City of Ashton to discuss legal ramifications of and legal options for pending litigation.**

Councilman Kaelberer made a motion to enter executive session. Councilman Scafe seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Finley, aye; Councilman Scafe, aye and Councilman Kaelberer, aye. The motion was passed by a unanimous vote.

The Council entered executive session at 6:58 pm.

Councilman Kaelberer made a motion to exit executive session. Councilman Finley seconded the motion. The motion passed by a unanimous vote.

The Council exited Executive session at 7:05 pm.

### **11. ADJOURNMENT**

Councilman Scafe made a motion to adjourn. Councilwoman Kaelberer seconded the motion. The motion passed unanimously.

The meeting ended at 7:06 pm.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

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Cathy Stegelmeier

City Clerk

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Tom Mattingly

Mayor