

# MINUTES–CITY OF ASHTON

## COUNCIL MEETING

Wednesday, July 10, 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, Teresa Hansen, John Scafe, John Kaelberer and Nate Finley.

Also in attendance: City Clerk Stegelmeier, City Attorney Angell, P&Z Administrator Bowersox, Chief Griffel, Jaden Jackson, Tyrel Clark and Rachel Hatton.

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 6-12-2024
- 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 Scafe 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. Maple Leaf Drive & Railroad Avenue Construction – City Clerk Stegelmeier **ACTION ITEM****

City Clerk Stegelmeier explained she met with public works, city engineers, Reed Hill (owner of 3H construction) and Mayor Mattingly met to discuss the project. Reed Hill explained that they are hoping to start the project in late August and it will begin on Maple Leaf Drive. The Mayor & Council asked City Clerk Stegelmeier to contact Ashton Elementary School to let them know that there will be some construction on Railroad Avenue in August, September. They also asked her to get some door hanger notifications out to the residents on Maple Leaf Drive.

### **2. Railroad Discussion – City Attorney Angell, City Clerk Stegelmeier **ACTION ITEM****

City Attorney Angell explained that he and City Clerk Stegelmeier have been getting some notifications from the Railroad concerning some utility crossing easements. Mayor Mattingly would like to make an agreement with them to trade the mowing, spraying, etc. that the City already does for payment on easements. City Attorney Angell would just bill them for the same amount as the easements with no agreement. Councilwoman Hansen asked if there any way to have a discussion with the company. City Attorney Angell says the problem is that the notices are coming from a company that does the collections for the railroad. They only collect the money on these agreements and cannot negotiate. Councilwoman

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Hansen asked City Attorney Angel what solution he would suggest. Councilman Kaelberer asked if it is negative if we just go without answering the notices. Mayor Mattingly would like to locate the Idaho branch and have a discussion. Maybe they don't know that this is going on. He explains that we have been trying to be good neighbors. He asked City Clerk Stegelmeier to find someone to discuss these issues here in Idaho.

### **3. Wastewater Screen Project Update – City Clerk Stegelmeier **ACTION ITEM****

City Clerk Stegelmeier explained she did not know that Tyrel Clark was going to be here at the meeting and he could give a better update. Tyrel explained that the pipe construction planned in town is almost completed. They have also completed excavation for the construction of the building at the lagoon. Rebar has held up the project but they are close to getting that started. There have been some normal construction issues. The pay application is 13% of the project with 12% of the project being complete so the contractor is on a good track on their schedule. It is early in the project and there is every indication is so far, so good. They are anticipating a 20-week construction schedule. The construction contract is a 35-week contract. In the engineering agreement, progress meetings were planned every other week on the Microsoft Teams meeting platform. Mayor Mattingly wants in-person meetings. That is why an amendment to the engineering agreement is needed.

Councilman Scafe made a motion to approve the amendment to the engineering contract for the Wastewater Screen Project. Councilman Kaelberer seconded the motion. The motion passed unanimously.

### **4. Utility Discussion – City Clerk Stegelmeier, Braide Sessions **ACTION ITEM****

Braide Sessions is here to speak to the Council about his sewer services. He has the old Husky Station on Idaho and Hwy 20. The City's sewer main will sometimes freeze so he had been running water as requested by the City. The line froze and there was some flooding. Everything is covered but Braide is asking that there be some forgiveness on billing. City Clerk Stegelmeier explained that the City is hoping to solve the freezing problem with their project on Railroad Avenue. The Council said they would take his comment into consideration and get back to him.

### **5. Budget FY2025 Discussion – City Clerk Stegelmeier **ACTION ITEM****

City Clerk Stegelmeier went over the budget with the Council. She explained that there are some concerns with the Parks & Rec Fund as well as the Water Fund. The General Fund may have to help and there are some increases in the General Fund expenditures that may make it hard for it to assist. There will need to be a work session on the budget following receipt of the final revenue numbers from Fremont County. The County Clerk must have that information to City Clerk Stegelmeier on the fourth Monday of July. The Council set the date for a work session for July 25<sup>th</sup> at 6 pm.

### **6. Short Term Rental Discussion – City Clerk Stegelmeier **ACTION ITEM****

City Clerk Stegelmeier brought a rough draft of an ordinance on Short Term Rentals to the Council. Councilman Kaelberer asked that a carbon dioxide detector might need to be added for those rentals with a fireplace or wood stove. Also – maybe a fire extinguisher, 2 ½ pound. Inspections were discussed and Chief Griffel offered help from the Ashton Police Department. City Clerk Stegelmeier will bring a draft to the Council for consideration in setting a public hearing for September.

### **7. P&Z Report & Comp Plan Discussion – P&Z Administrator Bowersox **ACTION ITEM****

P&Z Administrator Bowersox explained that she is giving a quick report on stats. She reported that there have been some remodels, fences and decks. There is a class 1 permit in the industrial zone for a communications tower. That is a standard usage in that zone and just goes through the administrator. Administrator Bowersox then discussed the comprehensive plan update with the Mayor and Council. She would like to send out a Request for Proposals (RFP) to an engineering firm to help with the plan. She is also working to get a Gem Grant which could pay up to half of the costs.

Councilman Kaelberer made a motion to approve the Request for Proposals for Professional Services for engineering services on a comprehensive plan update. Councilwoman Hansen seconded the motion. The motion passed unanimously.

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### 8. City of Ashton Resolution 24-03 – Personnel Manual Update – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier explained where the changes in dates were made for this update.

Councilman Kaelberer made a motion to approve the resolution. Councilman Scafe seconded the motion. The motion passed unanimously.

### 9. Public Comment Discussion – Mayor Mattingly **ACTION ITEM**

Mayor Mattingly opened up a discussion on having public comments at the meetings. He explained that while he attended the AIC conference, most of the other cities said it is a way that folks use it for a way get up and talk without taking responsibility to get on the agenda. Councilwoman Hansen explained that she feels like anyone can be on the agenda if they ask. Councilman Kaelberer explained that at times those speaking do not know the background and the Council cannot comment back without it being an agenda item. So it just becomes confusing and frustrating for the commentor. Councilman Scafe explained that former Councilman Funke had brought it up so he wants to finish the conversation. Councilman Scafe can see it going both ways, it would have to be well controlled. The Mayor and Council asked City Clerk Stegelmeier to put something in the newsletter about getting on the agenda to speak in City Council.

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

City Clerk Stegelmeier went over the upcoming schedule with the Council.

### 11. 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.

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

The Council entered Executive Session at 7:10 pm.

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

The Council exited Executive Session at 7:27 pm

### 12. ADJOURNMENT

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

The meeting ended at 7:30 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