

MINUTES–CITY OF ASHTON

COUNCIL MEETING

Wednesday, January 14, 2026

6:00 p.m.

714 Main Street

*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.*

PRAYER OFFERED BY: Tom Mattingly

CALL TO ORDER & WELCOME

PLEDGE LED BY: John Scafe

In Attendance: Tom Mattingly, Teresa Hansen, John Kaelberer, John Scafe, Nate Finley and James Allen.

Also in attendance: City Clerk Stegelmeier, Detective Owens, Officer Vega, City Attorney Angell, James Allen, Meilie Allen, Kathy Scafe, Jacob Jones, Nathan Cardan, Kyle Jones, Sheryl Hill, Kim Grover-Haskin and Kurt Eidam.

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 12-10-2025, Special Meeting 12-17-2025
- B. **Treasurer’s Report** - As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As submitted

Councilwoman Hansen made a motion to accept the consent agenda as presented. Councilman Kaelberer 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. City Councilor Recognition of Service – Mayor Mattingly

Mayor Mattingly thanked Councilman Kaelberer for his service on the Ashton City Council and presented him with a plaque honoring his service.

2. City Councilor Swearing In – Mayor Mattingly

Mayor Mattingly administered the Oath of Office to Councilman Scafe. He then called James Allen forward and administered the Oath of Office for him. Councilman Allen then took his council seat.

3. Election of Council President – Mayor Mattingly *ACTION ITEM*

Mayor Mattingly announced that it was time to vote in a Council President.

Councilman Finley made a motion to nominate Councilwoman Hansen to serve as Council President.

Councilman Scafe seconded the motion. The motion passed unanimously.

4. Rocky Mountain Power Grant Discussion - City Clerk Stegelmeier, Nathan Cardon *ACTION ITEM*

Mayor Mattingly explained that the City was pleased to have a special guest in attendance. Nathan Cardon introduced himself and explained that he was here to present the City with a \$20,000 grant from Rocky Mountain Power for the City’s Park Project. Nathan is the Regional Business Manager for Rocky

MINUTES–CITY OF ASHTON

COUNCIL MEETING

Mountain Power and works with the City. Mr. Cardon had heard that the City was hoping for more funds and when he found an opportunity for funding, he quickly contacted City Clerk Stegelmeier. He and City Clerk Stegelmeier were able to put a quick proposal together and were successful in getting the grant. Mayor Mattingly thanked Mr. Cardon for his assistance and Rocky Mountain Power for the funding.

5. Public Hearing – Property Sale – Mayor Mattingly, City Attorney Angell, City Clerk Stegelmeier *ACTION ITEM*

Mayor Mattingly opened the hearing. He then asked City Clerk Stegelmeier if the proper notice had been given. She replied that it had and that the affidavit of publication had been included in the packet. Mayor Mattingly then asked the City Council each of the councilmembers if any of them had a conflict of interest. Hearing none, he then asked City Attorney Angel to explain the process required by Idaho Code for a city to sell property.

City Attorney Angell apologized for not being able to at the meeting in person and explained the process is roughly as follows. The City Council has already voted, at the last meeting, to declare that the property is being underutilized. City Clerk Stegelmeier then put out a notice for this public hearing. At this point, the City Council will take public comments and then close the public hearing. The Council can then deliberate as to whether or not they want to move forward with selling the underutilized city property. If the Council decides to move forward with a sale tonight, then they will set a date certain by which the City will receive confidential or sealed bids for the property. The Council will open the bids at the meeting following the date. The public will be able to submit any offers that they want to make. I will note that, and I think it is appropriate to say this much, the Council has decided on a figure that is the floor of the sale. In other words, there is a reserve on the property. If the reserve is not met, then the property will not be sold. State Law allows Council to set that in Executive Session so that, obviously, the bidders do not know where that level is. That is the process. In summary, the Council will go through complete the public hearing, take public comments, deliberate among Council and decide if, after hearing comment, you are comfortable moving forward.

Mayor Mattingly asked if there were any questions from the Council for City Attorney Angel. Questions at the time should be solely for the purpose of clarifying the reasons a sale is being considered. Hearing none, the Mayor then opened the public comment period by reminding the audience that any comments address the sale of the City property. He also explained that each speaker will be given three minutes and that they must state their name and physical address prior to speaking. He then asked the audience if there was anyone who had not had the chance to sign up to speak. Hearing none, Mayor Mattingly called the first name on the list.

Jerry Funke, 417 Cherry Street, Ashton. Mr. Funke had a few questions he wants the Council to consider. The first is whether they have an assessed valuation of the property? The second question is what the acquired funds will be used for? Will it go into a general fund or projects ongoing that need the money in the City? Will the successful builder have guaranteed public access to the property, roads, highway, etc.? Environmental concerns, liability of water, runoff access for power and installation of grids, contamination of subsurface property that is there now? Water sources if you can drill wells there, etc.? What is the city's liability there? And wildlife mitigation? What has incited this disposal of this piece of property? You said it was under use and so forth. There is an old saying in this world, and we do not know what the future may be. The saying is that there are two things you do not sell in this world, property and water. Okay, thank you.

Sheryl Hill, 308 Highland Street, Ashton. Ms. Hill stated that the notice for this public hearing did not explain whether the sale of the parcels the City proposes to sell will be a public sale, or whether a buyer for these parcels has been identified. Attorney Angel clarified before the hearing that it will go to bid, but

MINUTES–CITY OF ASHTON

COUNCIL MEETING

that was not made, that information was not made available to the public in the public notice. I suspect that this sale is intended to resolve the breach of contract lawsuit filed against the City of Ashton by Ashton Seven Properties on August 2, 2024. If that is the case, I believe that fact should have been stated in the hearing notice, and the public should be fully informed of the reasons the City of Ashton chose not to negotiate a resolution to this case through mediation instead of pursuing litigation. According to public court records, the City of Ashton disputed the claim by seven by Ashton Seven Properties that it had a valid right of way agreement with the City of Ashton to utilize one of these parcels to reach its own adjacent property. The case was scheduled for jury trial next month, but this was vacated after District Court Judge Steven Boyce denied the City's attempt to have the case dismissed and to allow sufficient time for mediation, in which the city is currently engaged with Ashton Seven Properties. I believe the people of Ashton, who are paying for this litigation through property tax dollars, deserve an explanation of why the City chose not to honor the contract granting a right of way to Ashton Seven Properties, but is now willing to sell the property. In the interest of transparency, I recommend that you repeat this public hearing and clarify that it is the City's intent to sell the property through the bid process. I also support many of the comments that Jerry Funke made. Thank you.

Mayor Mattingly then asked if there was anyone else who would like to give public comment. Hearing none, he closed the public comment section of the hearing and asked City Attorney Angell if he had any rebuttal statements or wanted to clarify any earlier statements.

City Attorney Angell said it was good to hear from former councilman Jerry Funke and then clarified that the notice was appropriate as State Code on land sales would have all the information Sheryl was questioning.

Mayor Mattingly then closed the public hearing at 6:19.

6. Property Sale Discussion – City Clerk Stegelmeier, City Attorney Angell *ACTION ITEM*

The Mayor then asked for discussion on the property sale. City Clerk Stegelmeier explained to the Council that in the packet there was a form for the bidders to use for the property/land sale. The due date on the form is 4 pm on February 10th, 2026, which is the day before the council meeting but she would change it to whatever date they would prefer. She then explained that the form also tells the bidder that they will be notified on Thursday, February 12th of the outcome of the bidding. Mayor Mattingly asked if there would be an announcement on the night of the meeting. City Clerk Stegelmeier said that they would announce the bids and the bidders followed by an announcement of the apparent winning bid, if any.

Councilman Scafe made a motion to go ahead with the property sale. Councilman Finley seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Finley, Aye; Councilman Scafe, Aye; Councilwoman Hansen, Aye; and Councilman Allen, Nay. The motion passed.

7. Parks Grant Discussion – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier reported that with the grant from Rocky Mountain Power and the grant from Blue Cross of Idaho there is \$40,000 to go along with the Idaho Community Block Grant. Hopefully, we can do the parking on the west of the park as well as much of the pool repairs or updates as we can afford. The bid the City received in order to have numbers for the grant application was for half a million so there will be some items the City will not be able to complete.

8. Water Study Update – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier reported that the water study has been completed but has not been approved. The DEQ sent some notes on items that need to be updated prior to approval.

9. Street Light Discussion – Mayor Mattingly, City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier made a list of lighting companies for the Council to research online to look at the

MINUTES–CITY OF ASHTON

COUNCIL MEETING

different fixtures, etc. The Council will then start looking at replacing the back street lighting in small sections each year. It would be good to replace them. Councilman Scafe asked if the City had an inventory of the lights. City Clerk Stegelmeier was not sure, she had not seen an inventory. It would be nice to replace them with LED lights.

10.P&Z Discussion – P&Z Administrator Denney *ACTION ITEM*

P&Z Administrator Denney explained that the P&Z Commission is doing a final review of the updated Comprehensive Plan next evening. They are planning to hold a public hearing on its adoption in February which would then mean that the City Council could hold their hearing on the plan in March. There have been some zoning permits, but not many. He then asked the Council if they had any concerns about items like housing affordability, land use concerns that they would want the Commission to focus on. Councilwoman Hansen suggested that the Council think on that and bring the concerns back with them at the next meeting.

11.Council Schedule – City Clerk Stegelmeier *ACTION ITEM*

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

12.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 an executive session. Councilman Scafe seconded the motion. Mayor Mattingly called for a roll call vote. Councilman Finley, aye; Councilman Scafe, aye; Councilwoman Hansen, aye; and Councilman Allen, aye. The motion was passed by a unanimous vote.

The Council entered an executive session at 6:38 pm.

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

The Council exited an Executive session at 7:02 pm.

13.ADJOURNMENT

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

The meeting ended at 7:04 pm.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

Cathy Stegelmeier
City Clerk

Tom Mattingly
Mayor