

MINUTES–CITY OF ASHTON

COUNCIL MEETING

Wednesday, September 11, 2024

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: Teresa Hansen
CALL TO ORDER & WELCOME
PLEDGE LED BY: Tom Mattingly

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

Also in attendance: City Clerk Stegelmeier, Deputy Clerk Warnke, P&Z Administrator Bowersox, Detective Owens, Jerry Funke, Hammonds, Andrew Rogers, Rosie Owens, Kim Reynolds, Heather Cordingly, Abbie Rossman, Audrey Tibbitts, Sheryl Hill 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 8-14-2024, Special Meeting 8-28-2024
- 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.

2. **PUBLIC HEARING:**

Each speaker is allowed 3 minutes for testimony. Speakers may sign in to speak.

A. **Ashton Ordinance 311-24 – Short Term Rentals**

Mayor Mattingly opened the hearing at 6:04 pm. He asked City Clerk Stegelmeier if the proper notice was given. She replied that it had been noticed correctly and a copy of the affidavit of publication is included in the packet. He asked Cathy for an overview. City Clerk Stegelmeier explained that the Mayor & Council wanted a simple way to ensure safety for the neighbors and renters of short-term rentals. They felt that the document would be easy to comply with the requirements while giving the neighbors a peace of mind.

Mayor Mattingly then opened the hearing for public comment. He called the first person from the list to speak.

Jerry Funke, 473 Cherry Street, Ashton. Jerry is testifying as neutral at this time. He noticed some holes in the ordinance that need to be fixed. He explained that when he was on the council, business licenses had been discussed and it was found that they deter businesses from coming to town. There is nothing in the ordinance about parking. He asked if the permits/licenses would be renewed each year and if any would be grandfathered. The then asked who would manage the compliance with the

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ordinance/code and inspecting. He then told them that there are already have campers being used. He said there are over thirty in town right now. He then went on to ask who would decide if it was an infraction, etc. Mr. Funke said that public nuisance ordinances, already on the books, are not being enforced now and it could take the place of some of the items in this ordinance.

Kim Reynolds, 573 Maple Leaf Drive, Ashton. Kim Explained that he has not testified prior and asked for redirection as needed. He has an both short-term and regular rentals. He explained that short-term rentals taxed and pay utility fees. They are no different than the residents. He does not understand why the City would want to control something that is already working. There are rules for any short-term rental who wants to be booked on the Air BnB site that already cover items that are in the proposed ordinance. Renters rate the Air BnB after renting and if it is not nice, less people would rent. He feels that the City is not that big and there is a town police officer. The City should have contact information for the owners already as they pay utilities and they could call the owner. Any amount for a license fee is would just increase over time and everyone is having a hard time as it is. He is of the opinion that the City should think about cutting back and not increase the costs for everyone. Where does this end? Is it going to go on to regular rentals? He just feels like the City is going in the wrong direction.

Mayor Mattingly asked if there was anyone else who would like to comment.

Cristi Spinner, 283 N 3rd, Ashton. Cristi does not have a short-term rental. She works as a realtor out of Island Park. She explained that several years ago, the Idaho House bill 216 passed and it is really informative. This bill defined short-term rentals as a residential use not commercial use. There are some regulations that cannot be applied to them. There can be a fee to obtain a permit but any additional fees are prohibited. She would like the City to look into this bill to make sure that the ordinance takes it into consideration. She also wonders how much the City wants to police residential use.

Mayor Mattingly thanked everyone their comments and asked if there was anyone else who would like to comment. There was no more comment and Mayor Mattingly closed the public hearing at 6:18 pm.

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 – Short Term Rentals Discussion **ACTION ITEM**

City Clerk Stegelmeier read part of the email from the Rankin Motel that included the suggestion to excluding hotels & motels in the ordinance. City Clerk Stegelmeier said that would be a simple change. City Clerk also suggested changing wording in the first paragraph to say 'within the City of Ashton' instead of 'within residential neighborhoods. Councilman Kaelberer explained that the City needs someone to contact if there are issues/complaints and an inspection to make sure there are no safety issues. Councilwoman Hansen agreed. Requiring a permit is for basic reasons, the City is not trying to make money. Councilman Scafe said this area is becoming more of a vacation area and the City needs to make sure make sure it is taking care of its citizens. Councilman Finley says the ordinance is written with common sense safety in mind for the people who live close to the rentals. The Council discussed wanting input from the community to make the document work for Ashton for the next 15 to 20 years. From the input tonight, the Council discussed looking into the parking and when infractions need to be given. City Clerk Stegelmeier was directed to put in the email comment suggested wording as well as

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changing the wording to 'within the City of Ashton'. The Council will go back over the ordinance and think about fees prior to next month's meeting. City Clerk Stegelmeier explained that then a public hearing could be held in November if the Council decided to keep moving ahead at the next meeting.

2. 2025 Liquor Licenses – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier explained that all the applications for renewal were filled out and payments received. The Council has a copy of the applications.

Councilman Scafe made a motion to approve the 2025 Liquor Licenses. Councilman Kaelberer seconded the motion. The motion passed unanimously.

3. Visitor Center Sewer Dump Discussion – City Clerk Stegelmeier, Abby Rossman *ACTION ITEM*

Jess Brumfield is the Manager for Harriman State Park and Rails to Trails. He said the Council has a copy of the lease agreement for the sewer dump station. Abby, the ranger for the Rails to Trails, did speak to him and others at Idaho Department of Parks & Recreation but the sentiment at this time is that they are not interested in managing the dump station. If the Council wants to give them the information that City Clerk Stegelmeier had spoken with Abby about, then they would need to submit that to the IDPR Board of Directors. They will be meeting the third week of October. Jess invited the Mayor and Council to come to the Visitor Center Open House which will be held September 23rd. He hopes they will all attend as well as any community members who would like to attend. Everyone is invited. Councilwoman Hansen expressed her appreciation for the wonderful work the IDPR has done on the Visitor Center. The Mayor and Council also agree that everything there looks nice.

4. Heavy Water Users Rate Discussion – City Clerk Stegelmeier, Deputy Clerk Warnke *ACTION ITEM*

City Clerk Stegelmeier explained that the Council just needs to decide what cost schedule they think works. She does not feel that it needs a lot of sections to the chart. Maybe just one setting the price fifty cents more per thousand gallons or so than the regular base rate. Councilwoman Hansen is concerned that the City should reach out to those who may be affected. There has been an enormous amount of water going out of which the City cannot account. Citizens should not have to pay for this water. Councilman Scafe is concerned that raising the fee as we want the town to look nice. After discussion, City Clerk Stegelmeier was asked to bring back a sample ordinance with just an example of one price raise for large water users to \$2 per thousand gallons. If it looks good, they may set the resolution for public hearing in November.

5. P&Z Administrator Report – P&Z Administrator Bowersox *ACTION ITEM*

P&Z Administrator Bowersox said that building has been slow. The Planning & Zoning Commission will be meeting with the consultant for the Comprehensive plan on September 12th and some of the Council could attend – as long as there was not a quorum. Councilwoman Hansen and Councilman Finley will be attending. P&Z Administrator Bowersox had brought some information to talk about the cell tower permit. A cell tower is a Class I usage in that zone which means it is approved by the administrator if they meet the requirements.

6. Sign Project Bid Discussion – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier explained that the bids were in the packet. Councilman Kaelberer asked if the contractors had actually been on site and looked at the project. City Clerk Stegelmeier said she was unsure; the Council has the information of how the bid was sent out. She had gotten one contractor who asked if the holes had to be square like they were in the drawings. She is wondering if the City

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shouldn't reject the bids and put it out for construction next summer. There may be lower bids as this is getting quite late in the season. City Clerk Stegelmeier thought a walk through and a different construction schedule would make a difference in the bids. Councilman Kaelberer said he thinks everything needs to get clarified and bid again.

Councilman Scafe made a motion to reject all bids for the sign project. Councilman Kaelberer seconded the motion. The motion passed unanimously.

7. Maple Leaf Drive & Railroad Avenue Construction – City Clerk Stegelmeier *ACTION ITEM*****

City Clerk Stegelmeier reported that 3H Construction has hit rock on the project and will be bringing a rock saw in to finish the waterline on Maple Leaf Drive. Everyone on the drive is on temporary water. 3H will move to the other end of the project and come back towards the rock then move on to Railroad Avenue until the rock saw is here.

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

Mayor Mattingly reported that Edstroms should be starting with the block and trusses for the sewer building. They will also bring in gravel to bring up the road. They are going to finish the work on the City streets starting on Pine Street and 2nd Street in getting the manhole replaced. This is the last work to be done in town.

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

City Clerk Stegelmeier reported that Arbor Day was held in last week and the Mayor enjoyed planting a tree with the third graders. Also, the Mayor was asked to Proclaim September 17-20 as constitution week as the Constitution was signed on September 17th. City Clerk Stegelmeier had put a FY2025 pay schedule in the packet. She then went over the Council's upcoming schedule with them.

10. ADJOURNMENT

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

The meeting ended at 7:09 pm.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

Cathy Stegelmeier
City Clerk

Tom Mattingly
Mayor