

MINUTES–CITY OF ASHTON

CITY COUNCIL MEETING

Wednesday, November 11, 2020

7:00 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.*

Due to the COVID-19 pandemic, social distancing will be required which may impact the amount of people able to attend the meeting.

ALSO: Temperature screening will be required.

Please do not attend the meeting if you feel sick or have been around those who have been sick.

CALL TO ORDER & WELCOME

PRAYER OFFERED BY: Teresa Hansen

PLEDGE LED BY: Tom Mattingly

In Attendance: Tom Mattingly, Jerry Funke, Tadd Atchley, Teresa Hansen and John Kaelberer.

Also, in attendance: City Clerk Stegelmeier, City Attorney Angell, Deputy Clerk Warnke, Chief Griffel, P&Z Administrator Sara Bowersox, Sandy Kaelberer, Jaden Jackson, Matt Britton, Katie Litton, Kris Edinger, Byron Stutzman, Greg Crites, John Scafe and Rachel Hatton.

Mayor Mattingly welcomed everyone and opened the meeting at 7:00 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 Special Meeting Minutes 10-14-2020, Special Meeting 10-27-2020
- B. **Treasurers 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 approve the consent agenda as presented. Councilman Funke seconded the motion. The motion passed unanimously

2. PUBLIC HEARINGS:

- A. Proposed Ordinance 481-20– FY2020 Budget Amendment
- B. Public Comment (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.) Mayor Mattingly called for public comment. There was none. The public hearing closed at 7:05.
- C. Conditional Use Permit at 115 N. 2nd Street
City Attorney Angell acted as the hearing officer for this public hearing. He asked if proper notice had been given. City Clerk Stegelmeier replied that it had. He then asked Administrator Bowersox to give a report.

P & Z Administrator Bowersox reported that this property is in the Community Core Zone. In this zone, residential use is not allowed on the ground floor. This is the reason for the application for conditional use. The property is located off of Main Street and this use is not a consumer enterprise. The use would not take away from the 'main street feel' and would add to the current 'small town feel'. Councilwoman Hansen asked if the owner is planning on building on a second level. Administrator Bowersox said they are not.

City Attorney Angell asked the applicant representative to give his presentation.

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The applicant representative, Matt Britten, explained that he has lived in Ashton for many years. He loves it and would like to stay here. The reason he and his business partner, Carlos Huerta, decided to fix up the armory instead of tearing it down was because it was the armory. It has a lot of history. They looked for financing, but as a commercial venture – it did not qualify. They can get financing as a residential use. They feel that fixing up the armory will have a positive influence in Ashton. Right now, they operate the Eagle Point Lodge and the armory will be used for housing for their family members who come to help run the lodge in the summer. It will be nice for them to have a home atmosphere and not live out of a suitcase each summer. The preservation and beautification will be a great addition for the City of Ashton. They love the park and it will be nice to have a nice building next to the park. There were no questions for Mr. Britton.

- D. Public Comment (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council. Chief City Attorney Angell opened the floor for public comment.

Chief Griffel expressed his opinion that it is a great idea to fix up the armory. When a building is unkept and uncared for it becomes an eyesore. It will be nice that it is made into something useful.

City Attorney Angell asked if there were any other members of the audience who would like to give public comment. There was none. City Attorney Angell closed the public comment period at 7:14 pm.

City Attorney Angell asked Mr. Britton if he had anything to add. He said he did not.

City Attorney Angell asked P&Z Administrator Bowersox if she had anything to add. Administrator Bowersox explained that the conditions that will be placed will be that the permit is for this particular (residential) use. If the applicant would want to change the use they would need to apply for a change of use. The permit will also not be transferrable. It is for this owner at this location. Councilman Kaelberer asked if the permit had a time limit. Administrator Bowersox replied that it did not.

City Attorney Angell closed the hearing and turned the time to the Council for a discussion and/or a decision. Councilman Atchley that he thought it was a good application and asked the other Councilmembers if they needed any discussion. The reply was that they had heard all that they needed for a decision.

Councilman Atchley made a motion to approve the conditional use application at 115 N. 2nd Street making the property permitted for a single-family residence with any changes requiring approval by the City Council. The permit would also not be transferrable without written permission from the City Council. Councilman Funke seconded the motion. The motion passed unanimously.

3. ORDINANCE/RESOLUTION:

- A. City of Ashton Ordinance 482-20 – City Budget Amendment for Fiscal Year 2020 **ACTION ITEM**

Councilman Atchley made a motion to read the City of Ashton Ordinance 482-20 by title only and dispense with the second and third readings. Councilman Kaelberer seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Atchley read the ordinance into the record by title.

Councilman Atchley made a motion to that Ashton City Ordinance 482-20 be approved and published. Councilman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

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B. City of Ashton Resolution 20-03 – Surplus Sale **ACTION ITEM**

City Clerk Stegelmeier explained that at the employee meeting several items were added that the Council had not approved prior. The Council had no questions.

Councilman Atchley made a motion to approve City of Ashton Resolution 20-03. Councilman Funke seconded the motion. The motion passed unanimously

C. City of Ashton Resolution 20-04 – 2nd Amendment Sanctuary City **ACTION ITEM**

Councilman Kaelberer read the motion into the record.

Councilman Atchley made a motion to approve City of Ashton Resolution 20-04. Councilwoman Hansen 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.

4. Soft Ball Diamond Discussion – Byron Stutzman **ACTION ITEM**

Byron Stutzman spoke to the council about the news report that ran in the Standard Journal. He explained that he had no misunderstanding and knew there was still a lot of negotiation concerning the possibility of the school district's acquisition of the City's softball field. Byron explained that he had spoken to the school board and they feel it would be a good solution to their field problem to fix that field up properly for the girls' softball program. There is no need for speed in the process/negotiation as it will probably be another season before anything could be completed at the site. There is a need for decent dugouts and the backstop updated. Councilman Atchley expressed his willingness to help in the negotiation process. He is of the opinion that if the district is given the field it is a win for the taxpayers. Right now – only the citizens living within the City of Ashton are paying for the upkeep of the field so this would be a relief. Also – the upgrades and repairs needed would be less expensive for the district taxpayers instead of building an entire new facility. Councilman Funke is concerned about giving ownership to the district. He would like to see a memorandum of understanding or some other way of facilitating the upgrade. Parking, irrigation and emergency services access to the field during a game were discussed. The Council would like to move forward in negotiations and Mr. Stutzman will come back for more discussion in the new year.

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

Administrator Bowersox explained that it has been a little quiet for Ashton's planning and zoning. Just a fence or shed here and there. She would like to get back to working on the comprehensive plan with some more community meetings. The intent would be to have seven different groupings to meet with 5 to 7 member per group. She would like to have one councilman to each meeting. Her plan is to have in depth conversations about the comprehensive plan. What she is hoping to receive from the Council is some recommendations on the group ideas and who to invite. Councilman Atchley has some people in mind. Councilwoman Hansen expressed her willingness to attend the meetings. Mayor Mattingly explained to the Council that he has been having a hard time getting members for the Planning and Zoning Commission. The Council discussed disbanding the commission and handling the responsibilities as a City Council. Several small cities in Idaho handle this themselves because the volunteer pool is not large. It would not mean an additional meeting every month but maybe an additional meeting every few months. The Council will discuss this further in the future. Administrator Bowersox asked the council to contact her and give their input on the comprehensive plan groups.

6. Engineering Discussion RR Avenue & Street Signs – Marvin Fielding, Jaden Jackson **ACTION ITEM**

Jaden Jackson came to City Council to discuss engineering contracts on the Railroad Avenue project and the street sign project. First, he asked if the Council had any questions about the LRIP grant through LTHAAC.

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City Clerk Stegelmeier explained that the grant does not pay for engineering – only for construction. The Council had decided at the last meeting to have the engineers plan a project that would use the \$100,000 grant for as much of street improvements as have been discussed. The other grant is for new signs and it is for \$200,000. There is a little more oversight in what can be used for the signs and bidding. The engineers will have more to do in preparing bid documents, etc. There are 169 regulatory signs that need to be replaced. The City is responsible for a 7.34% match on this project. The engineers had figured that the project would cost approximately \$1000 per sign. Councilwoman Hansen expressed her concern that grants cost more than the value received sometimes. She then asked how long the new retro-reflective signs would last. Jaden replied that they should last at least 17 years but then the City could plan and replace them in a measured way in the future. For example – the plan could be that 10 signs are replaced each year on a replacement schedule. The other issue is that signs have to be placed at certain heights and the City's signs need to be fixed so that the heights are correct.

Councilman Atchley made a motion to contracts with Keller Associates for the Railroad Avenue and Street Sign projects. Councilman Funke seconded the motion. The motion passed unanimously

7. Park Restroom Update – Councilman Funke, Marvin Fielding, Jaden Jackson **ACTION ITEM**

Jerry asked if there was more information from Keller Associates on the restroom project. Jaden said that they are still waiting for bids prior to coming back to the Council.

8. American Dog Derby – John Scafe

John reported that the American Dog Derby will be the 19th and 20th of February. They may need some help with staging as he is unsure whether the work camp will be able to help due to COVID-19 restrictions. The committee is excited that the snowmobile race is being planned to add to the festivities. The games, etc. at the dog race may not happen. The mushers are excited and want to race. John will keep the Council updated.

9. IMR Snowmobile Race – Kristopher Eidinger

Kristopher is here again to talk about a snowmobile race. He has been in contact with Carlos Huerta but has not received an answer back on giving the City permission to place snow on the property. He is thinking the race will need to take place over two days. It will be held Friday and Saturday just like the dog race. Alcohol and parking were discussed. There will be no alcohol sold at the event. They will work on parking. They want the race to be a family event. The snow cross and ovals will be on the old football field and the drag race will happen on the west side going south along HWY 20. Police Chief Griffel asked that they absolutely do not allow alcohol and designate people to work the grounds. Parking will need to be marked well and the snowmobile trailers will need to park on the race grounds. Kristopher will keep the Council informed of his progress.

10. Discussion on 87 Maple Street Property – Mayor Mattingly

The Mayor asked the Council if they had any interest in pursuing this proposal. The Council was not interested in the proposal.

11. Scheduling – City Clerk Stegelmeier **ACTION ITEM**

City Clerk Stegelmeier went over the next month's schedule with the Council.

12. Executive Session – City Attorney Angell, City Clerk Stegelmeier

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 public agency to discuss the legal ramifications of and legal options for pending litigation, or

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controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement

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

The Council entered Executive Session at 8:15 pm.

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

The Council exited Executive Session at 8:19 pm

12. ADJOURNMENT

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

The meeting ended at 8:20 pm.

NEXT MEETING

- ◆ City Council 7:00 p.m. – Wednesday, December 9, 2020 Council Chambers, Ashton City Building – 714 Main, Ashton.
- ◆ Questions concerning items appearing on these Agendas 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.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

Cathy Stegelmeier
City Clerk

Tom Mattingly
Mayor