

MINUTES–CITY OF ASHTON

COUNCIL MEETING

Wednesday, November 8, 2023

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: John Scafe
CALL TO ORDER & WELCOME
PLEDGE LED BY: John Kaelberer

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

Also, in attendance: City Clerk Stegelmeier, City Attorney Angell, P&Z Administrator Bowersox, Chief Griffel, Deputy Clerk Warnke, Tyrel Clark, Jaden Jackson, Kyle Jones, Nate Finley, Andrew Hood, Kurt Eidam 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 10-11-2023
- 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 Funke 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 Street Water Line Engineering Contract – City Clerk Stegelmeier, Tyrel Clark, Jaden Jackson ACTION ITEM

Tyrel Clark from Keller Associates is here to discuss the contract for the design of the Maple Street water line replacement. City Clerk Stegelmeier asked for some clarification on the \$60,000 time and materials information. He said it was based on the time that Todd thought he would like to see Keller Associates in Ashton to inspect the project. The thought process is to do what's right for the City and its project. There was some discussion on timing and the bid process. The project should be able to be completed in 2024.

Councilwoman Hansen made a motion to approve the contract for engineering with Keller Associates for the Maple Street water line as presented. Councilman Kaelberer seconded the motion. The motion passed unanimously.

2. Railroad Avenue Project Update and Contract –City Clerk Stegelmeier, Tyrel Clark, Jaden Jackson ACTION ITEM

Tyrel explained that a rerouting of a sewer line from the customers across Idaho Street to move the line out of the street has added some costs in surveying and rock profiling. He has brought an amendment to the contract. Councilman Kaelberer asked how deep the rock was in the area. Tyrel said they are not sure yet but they are planning on getting that information for the plans. They will have the rock profiler

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do the work on this project at the same time as the profiling on the Maple Leaf Drive project so that there is only one mobilization cost.

Councilman Funke made a motion to approve the contract for additional engineering with Keller Associates for the Railroad Avenue Project as presented. Councilman Kaelberer seconded the motion. The motion passed unanimously.

3. Wastewater Reuse Permit Contract and Screen Project Update – Jaden Jackson, Tyrel Clark, City Clerk Stegelmeier *ACTION ITEM*

Tyrel explained that this is an update to the reuse permit with the state on land applying the effluent at the sewer lagoon. The cost will be \$2000 for time and material. Tyrel also reported that he brought draft plans for the wastewater screen project (headworks) for the City's public works department to review. He expects to report at the next City Council that the plans for the screen project are complete and out for review by the DEQ.

Councilman Kaelberer made a motion to approve the contract with Keller Associates for the wastewater reuse permit update. Councilwoman Hansen seconded the motion. The motion passed unanimously.

4. Ashton City Ordinances 507-23 & 508-23 – Update to 17.20 – City Clerk Stegelmeier, P&Z Administrator Bowersox *ACTION ITEM*

P&Z Administrator Bowersox explained that the City's Planning and Zoning Commission is looking at the comprehensive plan to update it. Part of the discussion they had was about the Highway Commercial Zoning District. The Ashton municipal code specifically calls out Highway Commercial Zoning district is only on Highway 20. The commission held a public hearing to consider updating the code to be more general. Instead of reading 'Highway 20' it will read 'any us or state highway'. This change does not rezone those areas. It just changes the definition. In the future, if a zone change is needed/requested, there will be another public hearing. P&Z Administrator recommended, as part of this update, that the list of requirements for Highway Commercial be updated to add a 20-foot buffer between commercial and residential uses to help those who live in the current or future Highway Commercial Zone a separation from any commercial uses. Councilwoman Hansen asked if a conditional use permit would allow commercial at this time. P&Z Administrator Bowersox explained that the Highway Commercial Zone was specifically left out of the zones where a conditional use permit is allowed. P&Z Administrator Bowersox went on to report to the Council about a hearing before the Fremont County Planning & Zoning Commission on a conditional use permit in Ashton's area of city impact. The hearing is on Monday the 13th and if the Council would like to attend, they should check with City Clerk Stegelmeier so as not to form a quorum by accident. As a reminder she explained that the City and the County have an agreement that 1 mile around the City is the City's area of impact. In that area, the City Code is used by the County. P&Z Administrator then reported that the City Planning & Zoning Commission will have a hearing on a conditional use permit on the corner of 6th and Pine Street on November 16th.

5. Ashton City Resolution 23-03 – Records Destruction – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier explained that now that the records have been organized, this is a yearly resolution to destroy the records that are scheduled to be destroyed as per the City's Records Retention schedule.

Councilman Kaelberer made a motion to approve Ashton City Resolution 23-03 – Records Destruction. Councilwoman Hansen seconded the motion. The motion passed unanimously.

6. Ashton City Resolution 23-04 – Surplus Sale – City Clerk Stegelmeier *ACTION ITEM*

City Clerk Stegelmeier explained that this is a resolution for the sale of the surplus items that they have discussed at a couple of meetings. She will bring back bids for their approval at the next meeting.

Councilwoman Hansen made a motion to approve Ashton City Resolution 23-04 – Surplus Sale. Councilman Scafe seconded the motion. The motion passed unanimously.

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

City clerk Stegelmeier went over the tentative schedule with the City Council. Councilwoman Hansen asked City Clerk Stegelmeier if it would be possible for her to report on the AIC training that she went to at the next meeting. City Clerk Stegelmeier said she would report. They also discussed the newly elected official training that will be held online on November 30th. Councilman Funke asked about the hole at the old Ott's Place on Main Street. Mayor Mattingly explained that Todd has been checking with the owner and the Fire Department. The owner has to put in a sprinkler fire system and has had some trouble passing inspection. It should be closed up soon. Councilman Funke feels that it is dangerous and hopes that it will be closed soon.

8. 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 communication) subject to applicable legal requirements, the Council may enter executive session by roll call vote to discuss such matters.

(a) To consider hiring a public officer, employee, staff member, or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

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

The Council entered Executive Session at 6:45 pm.

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

The Council exited Executive Session at 7:01 pm

Mayor Mattingly explained that in the next months he is hoping to work on some sort of city entrance at the corner of Highways 20 and 47. He will keep them informed.

Councilman Funke brought up the subject of having a public comment section on the agenda. There was some discussion. City Attorney Angell expressed concern about the discussion having not been on the agenda. City Clerk Stegelmeier was directed to put a discussion on public comment on the agenda for next month's meeting.

Councilman Funke then explained that he feels that the police are lackadaisical in enforcing laws in the city. He has some concern about old cars, yards not in order, etc.

9. ADJOURNMENT

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

The meeting ended at 7:10 pm

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest

Cathy Stegelmeier
City Clerk

Tom Mattingly
Mayor