

# MINUTES–CITY OF ASHTON

## COUNCIL MEETING

Wednesday, October 9, 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 Kaelberer**

**CALL TO ORDER & WELCOME**

**PLEDGE LED BY: Teresa Hansen**

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, Chief Griffel and Gregg Bowman.

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 9-11-2024
- 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. 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.*

**1. ITD Highway Update – Gregg Bowman ACTION ITEM**

Gregg Bowman is here to give the City Council an update on ITD projects in the area. He thanked the Mayor and Council for having his update on the agenda. Gregg then handed out a sheet showing a draft of a new traffic light that the ITD is planning for the intersection of HWY 20 and the Yale/Kilgore road. He reported that on September 22<sup>nd</sup> the state allocated funds to put a safety improvement there. They are working with property owners and others to get the project fast tracked and are hoping to go out to bid in the spring. Signal poles are out 9 months once they are ordered so the project will take some time. The St. Anthony interchange will open in the springtime. When the interchange opens then the two south entrances near it will close permanently. Everyone can still look at all the maps and information on the PEL website for the Ashton to HWY 89 project. They can also leave comments if they would like. They are compiling the information and hope to complete the PEL at the end of the year. One thing that they have heard from the public is that they need better ways to get the information out to the public. They are meeting with the Island Park Chamber and hope to meet with the Ashton Chamber soon. Gregg asked Councilman Scafe if he would facilitate getting on the agenda with the Chamber. Mayor Mattingly asked when the Chester to Ashton project will be completed. Gregg explained that they are trying to finalize the environmental documents this month and the funding for

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construction is slated for 2028-2029. They have acquired properties and are hoping that there may be a shift in scheduling. Mayor Mattingly and the Council thanked Gregg for his update.

### **2. Ashton Ordinance 311-24 – Short Term Rentals Discussion *ACTION ITEM***

City Clerk Stegelmeier explained that the discussion ended last month with the Council taking the draft home to look over it and bring back any changes after hearing the public comment. She explained that she changed the wording that the Council had requested at the last meeting. In the comments heard, City Clerk Stegelmeier explained that the majority were on how the City was going to apply the penalties but she thinks it is pretty well stated in the draft. Councilman Kaelberer said the other item that needs to be decided is cost. He had gone over the schedule that City Clerk Stegelmeier had included in the packet of what neighboring cities are charging. Councilman Kaelberer is thinking of a \$75 initial fee with \$25 each year following. Councilman Scafe is concerned about the inspector. He is wondering how we will know the inspector is qualified. City Clerk Stegelmeier explained that the inspector would have to bring proof of his certification to the City. She went on to say that the applicant could also have the City inspection but if they do not like the City doing the inspection – then they would have to hire a certified inspector at their own cost. There was some discussion on building codes with City Attorney Angell recommending that the ordinance just list the building code and have City Building Inspector Bowman in charge of those codes. The Council went back to a fee discussion. Councilwoman Hansen thought \$100 initially and then \$25 per year. Councilman Scafe thought \$75 to start and \$25 after and Councilman Finley agreed. City Clerk will prepare a resolution with \$75 for initial fee and then \$25 each year following for public hearing in November. The ordinance will not need a second public hearing but will need to be voted into a code. City Clerk Stegelmeier asked if she could put in the resolution that the owners would have until September 2025 to get their license and then it would renew in September starting from then. The Council agreed.

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

City Clerk Stegelmeier prepared a resolution draft with users using more than 150,000 gallons would be charged \$2.00 per thousand gallons for the gallons over the 150,000. It would be more than 5% so it will need to go to a public hearing. Councilman Scafe explained that the City is just trying to cover the expenses in treating the water. The Council said it looked good and would like City Clerk Stegelmeier to get it ready for a public hearing in November.

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

City Clerk Stegelmeier explained that the contractor has tested the lines for bacteria. When the testing shows the lines are good, they will get all the homes hooked back up to the new lines. On Railroad Avenue, they have the sewer line lowered and fixed. They are now ready for asphalt.

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

City Clerk Stegelmeier explained that the change order that they will be considering tonight has a manhole that did not need to be replaced so there is a credit of \$14,000 but then Water Supervisor Todd Martindale asked them to replace a manhole on North 2<sup>nd</sup> Street. The result is a change order of \$3,651 for them to consider. The contractor will finish the gravel road today and should have the building built soon so that it will be enclosed for work in the winter. The big pond is drained and there is a pipe they will be installing so that the test results will be better.

Councilwoman Hansen made a motion to approve the change order #3 as presented. Councilman Kaelberer seconded the motion. The motion passed unanimously.

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### **6. Liquor License Transfer – City Clerk Stegelmeier *ACTION ITEM***

City Clerk Stegelmeier explained that this is a transfer of the current liquor license into the new owner's name which is the Imperial Club Preservation Group, LLC. Councilman Scafe and Councilwoman Hansen have both looked at the cleaning/restoration they have done at the bar and say that it looks great. The Council expressed their appreciation for the past owner's work and excitement for the new owner's continued success with the bar.

Councilman Kaelberer made a motion to approve the liquor license transfer for the Imperial Club. Councilman Scafe seconded the motion. The motion passed unanimously.

### **7. Council Schedule – City Clerk Stegelmeier *ACTION ITEM***

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

### **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 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.**

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

The Council entered executive session at 6:48 pm.

Councilman Scafe made a motion to exit executive session. Councilman Kaelberer seconded the motion. The motion passed by a unanimous vote.

The Council exited Executive session at 6:52 pm.

### **9. ADJOURNMENT**

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

The meeting ended at 6:53 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