

# MINUTES–CITY OF ASHTON

## REGULAR COUNCIL MEETING

Wednesday, April 12, 2023

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: Teresa Hansen**

**CALL TO ORDER & WELCOME**

**PLEDGE LED BY: Tom Mattingly**

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

**Also, in attendance:** City Clerk Stegelmeier, City Attorney Angell, Detective Belew, P&Z Administrator Bowersox, Kurt Eidam, Tim Eidam, Todd Martindale, Marvin Fielding, Robyn Fielding, Nate Finley, Susan Sullivan, Andrea Simpson, Rachel Hatton and Sheryl Hill.

Mayor Mattingly welcomed everyone and opened the meeting at 6:00 pm.

Mayor Mattingly explained that one of the hearings will need to be heard at 7 pm because it was advertised in the paper as starting at 7 pm. It is the hearing for Ordinances 501-23 through 503-23. This will mean that there will need to be a motion to go out of order for that hearing.

Councilman Kaelberer made a motion to amend the agenda by moving items 6 through 9 to the end of the agenda to right before adjournment so that it can be heard after 7 pm. Councilman Scafe seconded the motion. The motion passed unanimously.

### 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 11-09-2022, Minutes 3-8-2023
- 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 Kaelberer seconded the motion. The motion passed unanimously.

There was some confusion on the motions to amend the agenda and accept the consent agenda. Councilman Kaelberer had made accepting the consent agenda a part of the amend agenda but City Clerk Stegelmeier did not hear the motion correctly, so she asked them to vote again on the consent agenda. The above motions show the actions that were taken.

### Regular Business:

*Each speaker will be allowed a maximum of 5 minutes unless repeat testimony is requested by the Mayor/Council.*

#### 1. **Public Hearing – Ordinances 497-23 and 498-23**

Mayor Mattingly opened the public hearing at 6:09 pm. He asked City Clerk Stegelmeier if the proper notice had been given. City Clerk Stegelmeier replied that it had, and a copy of the affidavit of publication is in their packets. Mayor Mattingly then asked the Council if any of them would like to declare a conflict of interest. Hearing none, he asked City Clerk Stegelmeier to give them an overview of the ordinance. City Clerk Stegelmeier explained that 497-23 is an amendment to the parking restrictions. It had been brought

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as a new ordinance earlier but the police went back over it and came back with a different version. The police are confident that it will serve the purposes that they had needed and took into consideration what everyone who had testified at the last public hearing and the council had suggested. In the past, the police have been having some people park on the road surface, where traffic should be able travel. This should provide for the free flow of traffic. The police needed something in the code that they could use for ticketing. City Clerk Stegelmeier went on to explain that Ordinance 498-23 is an ordinance adding penalties for infraction citations in the general penalties portion of the Ashton City Code. There are a few codes that say that the penalty is an infraction but there was no infraction penalty listed in the general penalties.

Mayor Mattingly asked if everyone had signed up on the sheet who wished to give testimony. Councilman Kaelberer retrieved the list from the sign-in table and gave it to him. He then called the first name on the list to come and speak. He asked them to give their street address for the record.

Sheryl Hill, 308 Highland, Ashton. Sheryl had spoken against the proposed ordinance on February 8<sup>th</sup> and she knows that there were other people who also did because of concerns they had about the way the term roadway, well she is not sure the term roadway was used. But the inclusion of right of ways in the road and the exclusion of delivery and service vehicles. Both of those items have been addressed and she really appreciates that. She appreciates the fact that the Council took the time to look at this again and hold another hearing. So the addition of 'improved roadway' is defined as the drivable maintained portion of the street easement whether asphalt, gravel or other surface addresses one of the issues that came up and the addition of 'any commercial service' under exception B.1 addressed the other concern. She then went ahead and commented neutral on Ordinance 498-23 which are just technicalities in the grammar and construction that she notices when she reads the code. She reads the code a lot. There are a couple of commas missing in the first line and she will email a correction to Cathy. But the thing that she noticed is City of Ashton is mentioned four times. City of Ashton, under the Idaho Statutes, all cities are incorporated. Municipal Corporations are incorporated and they are done so with the authority of the state legislature and Idaho statutes. In Title 50, the first line is 'the corporate name of each city governed by this act shall be know as the City of' and City is capitalized. That is the fine line that she is getting at. As the ordinance is written now the city is not capitalized. According to code it actually should be capitalized because that is the proper name under Title 50.

The Mayor asked Attorney Angell if there would need to be a public hearing to fix the capitalization. Attorney Angell said he would look at it but if it is just typographical errors – a change can be made without a hearing.

The Mayor explained that there are no more names on the agenda and asked if anyone else would like to make a comment. Hearing none, Mayor Mattingly closed the public hearing at 6:13 pm.

## **2. City of Ashton Ordinance 497-23 – Parking Amendment **ACTION ITEM****

Mayor Mattingly explained the Council will now discuss the ordinance. Councilman Funke inquired about family parties or others at ballparks. He thinks there needs to be a permit for those things. Councilwoman Hansen is unsure whether a permit is necessary. Mayor Mattingly thinks that the ballpark parking has been made so that the cars can get off the pavement. Councilman Funke still thinks that a permit should be made. Councilwoman Hansen said that the police can ask them to move off the road. Councilman Scafe said that on the 4<sup>th</sup> of July there are people who park on lawns. Councilwoman Hansen asked Chief Griffel his opinion. He explained that on holidays like the 4<sup>th</sup> of July the police give exceptions because of it being a special event. Unless there is a public safety concern, etc. Making sure that there is an open lane and people can see to be safe. Councilman Scafe explained that he thought that this ordinance was more about giving the police leverage if there is a constant violator who parks for

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long periods of time or quite often on the street. That is the intent of the ordinance. Councilman Scafe said he likes the new version and thinks it will be good. Councilman Kaelberer thinks that it is well written. It is about common sense.

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 497-23 by title only and dispense with the second and third readings. Councilwoman Hansen seconded the motion. Roll call vote was called. Councilman Funke, nay; Councilman Scafe, aye; Councilwoman Hansen, aye; and Councilman Kaelberer, aye. The motion passed.

Councilman Kaelberer read the ordinance into the record by title.

Councilman Kaelberer made a motion to that City of Ashton Ordinance 497-23 be approved and published. Councilwoman Hansen seconded the motion. Roll call vote was called. Councilman Funke, nay; Councilman Scafe, aye; Councilwoman Hansen, aye; and Councilman Kaelberer, aye. The motion passed.

### **3. City of Ashton Ordinance 498-23 – General Penalties Update *ACTION ITEM***

City Clerk Stegelmeier explained that at the last hearing there had been no comments on this ordinance and at this hearing the only comment was from Sheryl Hill about the grammar. Councilwoman Hansen asked if anyone had any comments. Councilman Scafe asked what happens if they don't pay the fine. Chief Griffel said that that would be another violation. These fines would be paid to the City.

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 498-23 by title only and dispense with the second and third readings. Councilwoman Hansen seconded the motion. Roll call vote was called. Councilman Funke, abstain; Councilman Scafe, aye; Councilwoman Hansen, aye; and Councilman Kaelberer, aye. The motion passed.

Councilman Kaelberer read the ordinance into the record by title.

Councilman Kaelberer made a motion to that Ashton City Ordinance 498-23 be approved and published. Councilwoman Hansen seconded the motion. Roll call vote was called. Councilman Funke, nay; Councilman Scafe, aye; Councilwoman Hansen, aye; and Councilman Kaelberer, aye. The motion passed.

### **4. Public Hearing – Ordinance 499-23 – Vacation of Alley at City Park**

Mayor Mattingly opened the public hearing at 6:26 pm. He asked City Clerk Stegelmeier if the proper notice had been given. City Clerk Stegelmeier replied that it had and the affidavit of publication is in the packet. Mayor Mattingly then asked the Council if any of them would like to declare a conflict of interest. Hearing none, he asked City Clerk Stegelmeier to give them an overview of the ordinance. City Clerk Stegelmeier explained that this ordinance will vacate the original platted alley that would have gone through the middle of the park. It was platted that way but it has never been used that way, there are no utility lines there. A letter was sent to all property owners within 300 feet just in case someone had a problem with it being vacated. City Clerk Stegelmeier reported that as part of the completion of the grant documents for the Multi-purpose Court, the Idaho Department of Parks & Recreation wanted an updated map of the park. When the map was complete, it showed a platted alley at the park. They asked that the City vacate the alley.

The Mayor explained that there are no more names on the sign up sheet and asked if anyone in attendance would like to make a comment. Hearing none, Mayor Mattingly closed the public hearing at 6:29 pm.

### **5. City of Ashton Ordinance 499-23 – Vacation of Alley at City Park *ACTION ITEM***

Councilwoman Hansen asked if the other councilmembers wanted some discussion. There was no discussion.

Councilwoman Hansen made a motion to read the City of Ashton Ordinance 499-23 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.

Councilwoman Hansen read the ordinance into the record by title.

Councilwoman Hansen made a motion to that Ashton City Ordinance 499-23 be approved and published. Councilman Kaelberer seconded the motion. Roll call vote was called. The motion passed unanimously.

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### **6. Plat Amendment – North Fork Village – P&Z Administrator Bowersox *ACTION ITEM***

P&Z Administrator Bowersox explained that the North Fork Village townhome plat has been completed. When the public hearings for the development were heard by the Council it was explained that the townhome plat would be coming later in the process as a plat amendment. This is a condominium type plat making it so each unit is a county parcel number that is separate from the parcel number for the ground surrounding them. This is an administrator review plat. She has reviewed it and has checked with the Fremont County Assessor and all to make sure that this has been done correctly. She is recommending that they make a motion and approve this plat amendment. Councilman Scafe asked for verification that this is for Phase 1 of their development. P&Z Administrator Bowersox said yes, there will be more coming as they move forward with development.

Councilman Scafe made a motion to accept the Phase 1 Plat amendment for North Fork Village. Councilwoman Hansen seconded the motion. The motion passed unanimously.

### **7. Visitor Center Discussion – City Clerk Stegelmeier, Abby Rossman *ACTION ITEM***

Abby Rossman is here to discuss the lease agreement with option to purchase with the Idaho Department of Parks & Recreation (IDPR). It is a 60 month lease duration with \$500 per month lease payments beginning on June 1<sup>st</sup>, 2023. IDPR will have access to and start utilizing the premises on or before Memorial Day Weekend 2023. The City of Ashton will retain the dump station and will maintain the park for the summer of 2023. The City of Ashton and IDPR will share costs if the parking lot or watering system needs repair during the lease. During the lease, IDPR may exercise their right to purchase with a 60 day notice. IDPR will pay the costs of the appraisal, environmental assessments, etc. There is more in the document for everyone to go over. Abby asked if the Council had any questions for her. Councilman Funke asked who is responsible for water & sewer costs. In the lease it says that the utilities are included in the costs that IDPR pays. Councilwoman Hansen asked about the payments starting in July but the lease starting earlier. Mayor Mattingly explained that he had asked IDPR to do that so that the Center would be open and giving out information as soon as the summer season started. Abby also said that this is a draft and will have to be approved through the IDPR Board. Tonight she is just hoping for the City's approval of the draft to take to the IDPR Board. Councilman Scafe asked about whether the City is still responsible for the dump station. Abby replied that they are for the first year, then there will be more discussion. City Attorney Angell explained that the language of the agreement looks good. The Mayor and Council just need to be sure that the terms are acceptable to them. He thought the appraisal looked appropriate. City Clerk Stegelmeier said there may need to be some fine tuning of the park maintenance part of the park. Councilman Scafe inquired about special events that may want to use the park. Abby explained that there are permits that the IDPR works out all the time for their parks and they would be able to work that out. Sheryl Hill asked if she could ask a question and Mayor Mattingly allowed her to ask. She asked for clarification of when the IDPR will move into the Center. City Clerk Stegelmeier asked if she could respond and explained that the contract says on or before Memorial Day Weekend so if the contract is approved then the Mayor could approve them moving in on a date the IDPR requested. Mayor Mattingly again asked Abby that she get with the Ashton Area Chamber of Commerce also to make sure that everything is ready for Memorial Day weekend.

Councilwoman Hansen made a motion to approve the Ashton Visitor Center draft lease agreement with the Idaho Department of Parks and Recreation. Councilman Scafe seconded the agreement. The motion passed unanimously.

### **8. Water Line Discussion – City Clerk Stegelmeier *ACTION ITEM***

City Clerk Stegelmeier explained that in their packet they have an estimate of what construction costs would be for replacing the water line on Maple Leaf Drive. The estimate was done prior to a raise in construction costs so the project would now cost close to \$350,000. This is in the packet for them to have in their minds for the budget. City Clerk Stegelmeier also wanted to tell them that Marvin Fielding will be leaving Keller Associates for a job at the INL. The City will still be working with Keller Associates

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on the Railroad Avenue Project. They helped us with an application and the application was approved by LTHAC for another \$100,000 to continue upgrading Railroad Avenue. Mayor Mattingly asked City Clerk Stegelmeier to get another estimate on cost as well as estimates on the other lines (that had been frozen during the winter) that need to be fixed.

### **9. Budget Hearing Discussion – City Clerk Stegelmeier *ACTION ITEM***

City Clerk Stegelmeier explained that by Idaho Law, each City must have a budget hearing. Also, the County Clerk must be given notification of the date of the hearing by April 30<sup>th</sup> of each year. City Clerk Stegelmeier is proposing August 23<sup>rd</sup> at 6 pm. This date will go out on the tax notices sent out by the County Assessor in June.

Councilman Scafe made a motion to set the City of Ashton Budget Hearing for fiscal year 2024 on August 23, 2023. Councilman Funke seconded the motion. The motion passed unanimously.

### **10. Pool Discussion – City Clerk Stegelmeier *ACTION ITEM***

City Clerk Stegelmeier explained that there are already a couple of applicants for lifeguard who have applied so she is optimistic that there will be enough lifeguards. Last year all lesson revenue had to be refunded. This year lesson registration will not be done until we know that we will have enough staff. She also talked about lifeguard training. Last year in budget talks and with the auditor – raising the rates was brought up. She is proposing raising the fee to \$4.00 per swim. This would require a public hearing. The Council will need to tell her to set a hearing. Councilwoman Hansen asked how long it has been since the rate was raised. City Clerk Stegelmeier said the rate has been the same for at least the last 13 years. A pool committee was discussed and fundraising was brought up.

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

City Clerk Stegelmeier went over next month's schedule with the Council. She explained that in the packet there is a policy for their consideration that they will be working on next month.

Mayor Mattingly called for a break for a couple of minutes before the final items on the agenda.

### **12. Public Hearing – Ordinances 501-23 through 503-23**

Mayor Mattingly opened the public hearing at 7:06 pm. He asked City Clerk Stegelmeier if the proper notice has been given. City Clerk Stegelmeier replied that it has and that the affidavit of publication is in their packet. Mayor Mattingly then asked the Council if any of them would like to declare a conflict of interest. Hearing none, he asked Administrator Bowersox to give a report on the proposed changes.

Administrator Bowersox explained that the City's Comprehensive Plan is like a blueprint for what we would like to do in the City. The City Code is how the blueprint is implemented. Idaho State law requires that the Comprehensive Plan and the Code match. When we make a change to the Code, then you also have to change the Comprehensive Plan. Over the last several years, the City has hosted some public meetings to discuss the potential for some residential usage in the Community Core Zoning District (CCZD). Over the years we have learned that the people who own businesses on Main Street would like to have some more flexibility. In the Comprehensive Plan and in the current Code it says that residential use in the CCZD is only allowed above the first floor, not the ground floor. Many of the businesses in the CCZD do not have a second floor, only a ground floor. What is proposed is a change that allows residential use in the back portion of these ground floor buildings. The process is that the P&Z Commission had a hearing on these changes to the Comprehensive Plan and two of the Ashton City Codes that would need to be adjusted. The public hearing was held and the Commission voted to recommend bringing the changes to you for approval. Administrator Bowersox explained that she gave them an exhibit showing the original versions as well as the updated versions for their review. She then went over the changes with the Council. The end result of the changes would be residential use allowed in 50% of the building with an active commercial business. The business must be fronted on the street and if the building has two floors, residential use must be on the second floor. The changes will also add parking regulations for residential usage in the CCZD. In

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accordance with the vote from the Planning & Zoning Commission voting to recommend to the Council that these changes to the code be made, Administrator Bowersox is recommending that the City Council make these changes to the Comprehensive Plan and Development Code. Councilwoman Hansen asked about parking. Councilman Kaelberer also asked about the parking. A dwelling needs 2 spaces. A lodging establishment needs 2 plus one for each additional unit.

Mayor Mattingly asked that each speaker give their street address for the record. He explained that only Sheryl Hill had signed up to speak but said that he would ask the audience again after her if they would like to speak. City Councilwoman Hansen asked if they could speak on each ordinance now or if they need to speak on one and then later another. City Clerk Stegelmeier explained that they would speak on all the ordinances at one time. There is only one hearing for all three ordinances.

Sheryl Hill, 308 Highland Street in Ashton. She is speaking in opposition to this ordinance because she thinks that it is overly restrictive. She supports residential use of properties in the Community Core Zone. She thinks that it is woefully underutilized. She thinks that the 50% limit on the amount of space that can be used is arbitrary, it is not based on any data or evidence. Restricting residential use to less than 50% of the building will maintain the objectives of the Comprehensive Plan. The Comprehensive Plan describes the Community Core commercial classification as: "the 'Main Street' development pattern that serves the day to day needs of the community as well as surrounding neighborhoods and residential areas. The Community Core commercial areas typically allowed but not limited to banking, office, government use, apparel stores, personal service establishments such as beauty shops, automobile parts and service and restaurants. Residential uses are allowed but above the first floor." Now, keep in mind that the Comprehensive Plan was approved in 2008, which means they probably started writing it in 2004 or 2005. It is almost 20 years old. It is a living document; it needs to be updated. It should be updated constantly by the zoning commission but it hasn't been because our planning commission has been in a state of chaos much of the time that the Comprehensive Plan has existed. So she looked at all of the properties that are in the Community Core Zone. You need to know that the Community Core Zone extends from US 20 all the way and ends at the High School property. In fact, the Comprehensive Plan says that it encompasses something like 55 acres. Well, in fact, it encompasses much more than that and again, that points out just how outdated the Comprehensive Plan is. There are 97 properties, they cover 79 acres, they have an assessed value of 9.2 million dollars in 2022 but they produce only \$143,000 in taxes. Of the 97 properties, 28 are owned by local and state government entities, churches or non-profit organizations that are tax exempt. Approximately 52 of the total 79 acres or 66% of the properties produce no property tax. So more than half of all the property in the Community Core Zone produces no property tax. Almost 70%. Only 35 of the 97 properties currently house businesses. That is only 34% of the acreage or area. Six (6) of these are lodging, 5 are short term rentals, 1 is long term rental (which is the apartment complex, 6 provide food services (1 is only open intermittently and is currently for sale). So, only 23 of 97 properties in the Community Core District meet the Main Street development pattern in the Comprehensive Plan. So, again, that indicates that the Comprehensive Plan is out of date. Of the 34 remaining properties, 12 are vacant lots, 8 are storage (some have partially collapsed), 7 are vacant or being remodeled or house a business in the back of the building but not in the front of the building that faces Main Street. Then 7 are private residences. There are 7 private residences within the Community Core Zone. They pay much higher property taxes because they are assessed as residential. She thinks that the Comprehensive Plan desperately needs to be updated. Sheryl's time ran out and she asked for more time to speak. The Mayor gave her some more time. Sheryl went on to say that she would love to as much residential use. She would like to see the vacant lots with apartment buildings. That is what the City needs. She believes that there is this misconception that somehow the City is going to return to 1950s Main Street in Ashton. That is not going to happen. That is not the business environment that we live in any longer. Main Street Ashton got hit when Walmart opened in Rexburg. We all know that. We all know that everyone shops out of town. Mayor Mattingly asked Sheryl to wrap up her

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statements. Sheryl said that modifying the Comprehensive Plan and modifying the Code little bits at a time with, really, changes that have no basis in reality is not a good way to go. She absolutely opposes this.

Mayor Mattingly asked if there was anyone else who would like to speak about the ordinance

Rachel Hatton, 969 Cherry Street, Ashton. Rachel is in favor of this change. She has been since the beginning. She has been to all of the meetings except for the last public hearing because she had a class. She is in favor of this. She feels that it is very important. She disagrees with Sheryl about the businesses down Main Street. She thinks that by being creative, we can have businesses down Main Street. The businesses that still exist are working hard to stay open. She appreciates the efforts of the public that came to the meetings to come up with the percentages. She agrees with the 50% being a business as that shows that we have a lively town that is still thriving. She likes the fact that some of the buildings are quite long and can be used for residential. She is in favor of this and hope that Council approves it.

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

Councilwoman Hansen said she went to the P&Z Commission meeting and everything that was said there was in favor of the change.

The Mayor closed the public hearing at 7:20 and opened discussion for the Council.

Sheryl Hill spoke up and asked if there were going to be hearings on the other ordinances. City Clerk Stegelmeier explained that the hearing was to cover all three as they are the same subject. Sheryl said that City Clerk Stegelmeier could not expect that one hearing for all three would be sufficient. City Clerk Stegelmeier replied that the Commission heard them all in one hearing, this hearing was noticed as one hearing and the agenda listed it as one hearing. Mayor Mattingly asked City Clerk Stegelmeier whether motions would need to be made. City Clerk Stegelmeier explained that discussion for all three ordinances could be had if they wanted and then the motions needed to be made the way that the other ordinances were done.

### **13. City of Ashton Ordinance 501-23 – Comp Plan Update for CCZD *ACTION ITEM***

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 501-23 by title only and dispense with the second and third readings. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Kaelberer read the ordinance into the record by title.

Councilman Kaelberer made a motion to that Ashton City Ordinance 4501-23 be approved and published. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

City Councilwoman Hansen said that she agreed with Sheryl Hill that it would be hard to go through all three ordinances at one. Mayor Mattingly asked if they could allow it again. City Attorney Angel said that he sees no problem with opening it again for the other ordinances. Mayor Mattingly then opened a public hearing on 502-23 at 6:25pm. Sheryl Hill said she had no comment for 502-23 but she does have one for 503-23. Mayor Mattingly closed the hearing for 502-23 at 7:26 pm. Mayor Mattingly then opened the hearing for 503-23.

Sheryl Hill. These are neutral comments. Once again, they are intended to address clarity of the way the code is written. The code is not necessary to write things in shorthand or use mathematical symbols when something is written. There should not be an equal sign in the code. There should be verbiage that explains it. She appreciates Councilwoman Hansen's question because one of the reasons it seems

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so difficult for people to read the code is that it is poorly written. So – eliminate the equal sign. Either write out the word 'equals' or use a different word that explains exactly what that means. Then when SLUC is used, in the definitions – yes, it is there. But it is under the Standard Land Use Code not SLUC. It should be SLUC in the beginning and then Standard Land Use Code in the parenthesis. Also, US Department of Transportation, Federal Highway Administration – those are all proper nouns. It would be nice if the code could reflect that.

Mayor Mattingly asked if there is anyone else who would like to comment. Mayor Mattingly closed the public hearing at 7:30 pm.

### **14. City of Ashton Ordinance 502-23 – Code Amendment for CCZD *ACTION ITEM***

Councilman Kaelberer said he is in favor of the change although he is not a great fan of residential use in the Community Core Zone. He thinks the shop owners could use the help and additional income from renting out residential use will be appreciated. Councilman Funke said that in the past it was used that way. Councilman Scafe said that with the current economy the Council should support the businesses and this is a good way to help. The Council should be proactive. The Commission did not take this lightly and went over the information. The Council thanked Administrator Bowersox and the P&Z Commission for their work on these ordinances.

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 502-23 by title only and dispense with the second and third readings. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Kaelberer read the ordinance into the record by title.

Councilman Kaelberer made a motion to that Ashton City Ordinance 502-23 be approved and published. Councilman Scafe seconded the motion. Roll call vote was called. The motion passed unanimously.

### **15. City of Ashton Ordinance 503-23 – Parking Code Amendment Update for CCZD *ACTION ITEM***

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 503-23 by title only and dispense with the second and third readings. Councilman Scafe seconded the motion. Roll call vote was called. The motion passed unanimously.

Councilman Kaelberer read the ordinance into the record by title.

Councilman Kaelberer made a motion to that Ashton City Ordinance 503-23 be approved and published. Councilwoman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

### **16. ADJOURNMENT**

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

The meeting ended at 6:40 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