

# MINUTES–CITY OF ASHTON

## COUNCIL MEETING

Wednesday, March 12, 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: Tom Mattingly**

**CALL TO ORDER & WELCOME**

**PLEDGE LED BY: John Scafe**

In Attendance: Tom Mattingly, John Kaelberer, John Scafe and Nate Finley. Councilwoman Hansen was not able to attend the meeting.

Also in attendance: City Clerk Stegelmeier, Deputy Clerk Warnke, P&Z Administrator Bowersox, Chief Griffel, City Attorney Angell, Aaron Denney, Kyle Jones, Chantae Jones, Lynette Baum, LaDawn Baum, Jaden Jackson, Kurt Eidam, Rachel Hatton, Taci Stoddard, Nicole Adams and Justin Angell.

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 2-12-2025
- 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 Scafe 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. Public Hearing – Ashton Ordinance 512-25 – Zoning Map Amendment – 82 N. 7<sup>th</sup> Street – City P&Z Administrator Bowersox, City Clerk Stegelmeier ACTION ITEM**

City Clerk Stegelmeier opened the hearing at 6:03 pm. She noted that the proper notice had been given and that a copy of the affidavit of publication is included in the packet. She then asked if anyone on the City Council had a conflict of interest. Hearing no conflict, she then asked P&Z Administrator Bowersox to present her report on the proposed amendment.

P&Z Administrator Bowersox went over the administrator's report with the council. She explained that she had received an application to change the zoning map at 82 North 7<sup>th</sup> Street. She reminded the Council that a few years ago, the City had changed that same property under previous ownership to low density residential so that they may remodel the building and live in it. The owners subsequently sold it and it has been operating as a home business since then. Once the City changed the Community Core

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Zoning District regulations that would allow residential usage on the ground floor. The current owners believed that it would better fit their operation to be back in the Community Core Zone so they have put in this application. Administrator Bowersox said that the Planning & Zoning Commission has already gone through the public hearing process and voted to recommend that the City Council approve the change in the zoning.

City Attorney Angell had taken over as hearing officer and now called the applicant representative up to speak.

1408 N. 3800 E., Ashton, Idaho. Ladawn Baum is here to speak for her and her husband Rex Baum. They are the owners of the property. They are formally requesting a change in zoning classification at 82 North Seventh Street, from residential to commercial. Rex and LaDawn lease the property to their daughter, Lynette Baum, for her business Yellow Sally River Shuttle. They believe that this change is not only beneficial to Yellow Sally River Shuttle but also aligns better with the broader goals of the community. The property is situated within an area that is already mostly designated as a commercial zone. Operating the Yellow Sally River Shuttle from this location has been advantageous for the business and its many employees. In the summertime, the shuttle service provides vital transportation for fishermen and guide shops. It also provides any other shuttle service that is needed such as taking guests to the airports in Idaho Falls, Jackson or Bozeman. This business encourages community interaction and tourism which in turn can support other local businesses. Hopefully, the people using the service will stop at the other businesses for dining, getting fuel, etc. Changing the property's classification will create a more cohesive and functional commercial area. Yellow Sally River Shuttle is operated in a manner that is respectful to the needs and concerns of the residents of Ashton. They have tried really hard to improve the looks of the outside of the business and make improvements inside. LaDawn expressed appreciation for the Council's consideration of this application.

City Attorney Angell asked if the Council had any questions for the applicant. Hearing none, he then opened the hearing for public comment. There was no one who signed up to speak so he asked if there were any comments in favor, neutral to the application and finally, against the application. There was no comment. He closed the public hearing at 6:10 pm.

### **2. Ashton Ordinance 512-25 Discussion – Zoning Map Amendment– City Clerk Stegelmeier **ACTION ITEM****

Councilman Kaelberer said approving this permit makes sense and he agreed with the applicant's statements. He is for approving it. Councilman Finley said he agreed. Councilman Scafe expressed that Yellow Sally River Shuttle is a very reputable business that takes care of its customers well.

Councilman Kaelberer made a motion to read the City of Ashton Ordinance 512-25 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 Finley read the ordinance into the record by title.

Councilman Kaelberer made a motion to that Ashton City Ordinance 512-25 be approved and published. Councilman Hansen seconded the motion. Roll call vote was called. The motion passed unanimously.

### **3. Public Hearing – Status of Idaho Community Block Grant – Taci Stoddard, Rick Miller, City Clerk Stegelmeier**

Mayor Mattingly asked Taci Stoddard to give an overview of the Idaho Community Block Grant (ICDBG) status. Taci Stoddard from Altura Consulting explained that her company has been helping the city with the Wastewater Screen project with the funding and grant administration. This is just a public information hearing that we are required to hold, that the block grant program requires us to hold, when the project gets closer to getting wrapped up. So the amount of the funds that were granted by the Idaho Department of Commerce for this project was \$500,000. The following activities have been

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completed during the duration of the project - all sewer line replacements are complete; all site work at the treatment plant is complete, or mostly complete, along with the wastewater head works improvements, including the new head works building. The screen has been installed and the startup of that should happen next week. When the weather is warmer, they will start the evaporators. Altura is estimating that the project should hopefully be able to close out by the end of May. The ICDBG funds were \$500,000 and the Department of Environmental Quality ARPA grant funds were \$2,383,000 just a little over that. So the total project budget was \$2,883,000 a little over that and currently there is little over \$954,000 left to be spent on the remaining work that needs to be done. The total expenses incurred for the project are \$1,928,000, almost \$1,929,000 have been spent and Taci wants that noted for the record. Also, comments can be made for five days following this hearing. Any comments will be responded to within 15 days. Taci noted that the funding for the ICDBG comes from the Idaho Department of Commerce from grants to the state from the US Department of Housing and Urban Development. Taci asked if the Council had any questions. Mayor Mattingly asked if the project would be complete this spring. She replied that she hopes it will be completed by the end of May.

Mayor Mattingly then opened the public hearing at 6:16 pm and called the first speaker.

Kurt Eidam, 524 North Highway 20, Ashton, Idaho. Mr. Eidam is wondering where the money is going. He wonders if there is a spreadsheet available or something that can say where the heck all the money is going. He said that up and down the valley, Ashton residents pay more for water and sewer. He wonders where all the money is going. He is wondering if there would be more oversight and maybe a stewardship report of where the money goes.

Mayor Mattingly asked if there was any more comment. Hearing none, he closed the public hearing at 6:19 pm. Mayor Mattingly then said that any information on budgets, audits, etc. is available at the City Business Office.

#### **4. Ashton Resolution 25-2 – Notice Under American with Disabilities Act – Taci Stoddard *ACTION ITEM***

Taci Stoddard explained that this is a part of the US Housing and Urban Renewal Department (HUD) requirements for the project. One of the requirements with the contract with Idaho Department of Commerce for the ICDBG grant money was that the City needed to adopt this resolution and then it needs to be published.

Councilman Kaelberer made a motion to approve Ashton Resolution 25-2 as presented. Councilman Scafe seconded the motion. The motion passed unanimously.

#### **5. Park Grant Discussion –City Clerk Stegelmeier, Rick Miller, Taci Stoddard *ACTION ITEM***

Rick Miller from Altura is here to speak to the Council tonight. He explained the question of whether the city wants to pursue another ICDBG grant for the City Park. He and Altura assisted the City with a grant about six, seven years ago now, when we did all the swimming pool improvements, the walking path, the parking, and the ADA connectivity over there. City Clerk Stegelmeier has asked us where the City is on eligibility or could the City submit another application? The answer is yes. However, things have changed a little bit for eligibility. For the City of Ashton, in the past, you guys qualified through the Census as a community that has a 51% or higher LMI, or low to moderate income based on the population. Ashton has always qualified in the past, at least for the last 15 to 20 years that Rick can remember. But this year, you that changed, and your LMI percentage went down by Census it shows 33.8% which pretty sure there is something with the census. Altura saw this happen with several communities this year. Victor, good example of actually went up and they actually are eligible for block grants now, and we have not had them ever eligible for block grants. So there is some stuff on the census that does not add up right? When that happens, the state allows us to do a survey, a door-to-

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door survey to conduct that to determine if the census information is not as accurate as it appears. So we would need to do a survey prior to being able to apply for or submit a block grant application. We put together a methodology that the state approves. We do not have to get every household, but we put all the addresses into a random sequence calculator, and then it goes out and tells us how many addresses to get, spreading that out through the community. And they work. They work pretty well. They're usually a little more accurate than what the census information is. Usually, if a community is in the 30s, I say, yeah, it's not worth doing a survey, but knowing that there's a lot of issues on the Census this year and the past where Ashton has always been over that 51%. I think you'd still stand a pretty good chance of still qualifying. The City of Newdale was another community a few years ago that they were 33% and we surveyed them twice, and every time they're over 60% LMI, so, so I think Ashton would still qualify. We send out mailings, let all the community know what's going on, sample of that survey, and then we just hire anonymous people to go and do those surveys, they're kept confidential, so there's no addresses linked to who's answered each survey, and we send a sample of what that looks like. So it's a pretty straightforward process, but it does take a little bit of time, usually about a month and a half, to get that process done, if it's something the city did want to do. Also - the good part is, is that's eligible for five years. So if you pass the survey, any other projects that may come up, water, sewer, downtown revitalization, but whatever those might be, that survey is good for five years. So it's not just you have to do it every time you apply, it wouldn't just be for a part project. City Clerk Stegelmeier asked what the survey would cost. Rick said it would cost between 3 and 4 thousand dollars but he would need to know how many addresses, etc. to come up with a firm number. City Clerk Stegelmeier said that the City could finish the curb and gutter on the west and north of the park. The application for grant is due in September so Rick said he would bring a contract for consideration to the City Council next time.

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

City Clerk Stegelmeier explained the spreadsheet that she had put together on hiring someone to put in the signs. The Council talked over the bids. Councilman Scafe said that the project needs to be completed. There was more discussion discussing whether a sort of 'in-house' solution would work or not. There are some issues with worrying about hitting power or communication lines as well as getting the signs put in correctly. A contractor may be the best solution.

Councilman Kaelberer made a motion to accept bid from JAM contingent on getting their public works license by April 30<sup>th</sup>, if not then the bid will be awarded to the second bidder. Councilman Scafe seconded the motion. The motion passed unanimously.

### 7. **Wastewater Screen Project Update – City Clerk Stegelmeier, Justin Angell** **ACTION ITEM**

Justin Angell explained that the automatic screen is in and is scheduled to begin working on March 18<sup>th</sup>. Right now the sewage is going through an emergency bar screen like it would if there was a problem with the automatic screen. If the Council would like, they could come and watch it get going. The contractor will be training Justin that day to run it all. The evaporators are here and ready to start when the weather warms up.

### 8. **Planning & Zoning Report – Mayor Mattingly, P&Z Administrator Bowersox, Aaron Denney** **ACTION ITEM**

Mayor Mattingly explained that Sara Bowersox has been the P&Z Administrator for quite a few years but she has now taken another position at the county. Mayor Mattingly then introduced Aaron Denney who is the City's new P&Z Administrator. Administrator Bowersox then explained that a Comprehensive Plan Update Open House will be held April the 3<sup>rd</sup> from 5 to 7 pm. The Council then set times to be at the open house so as not to have a quorum. Administrator Bowersox then went on to say that it is springtime and that means time for things to start hopping and popping around Ashton. In addition to the comprehensive plan work and the zone change that the City just had tonight, be prepared for some more activity to come your way. Including a potential zone change and Class II kinds of projects. So it is

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time, and there are things happening, and she thinks they are all very good things for Ashton. She thinks that Aaron brings some good experience, and it is going to be awesome to help you through some of these things. And she will be available to help him. He has her phone number, so she is not going far. Administrator Bowersox said that this job has been great fun. She really enjoyed her time working for the City of Ashton. She then thanked them all. The Mayor and City Council thanked Administrator Bowersox for all that she has done.

### 9. **Short-Term Rental Discussion – City Clerk Stegelmeier ACTION ITEM**

City Clerk Stegelmeier asked if the letter that was in the packet seemed good to the City Council. She is planning to send the letter, a copy of the ordinance, a copy of the resolution, an application and an inspection sheet in a packet to each short-term rental owner. City Administration Assistant Lenz is going through websites as well as a list that the City had put together to try to send a packet to them. City Clerk Stegelmeier will bring the list to the next meeting for the Council to look over. Mayor Mattingly said the letter looked good. Councilman Scafe said it looks like everything they had talked about sending.

### 10. **Text Communication Discussion - City Clerk Stegelmeier ACTION ITEM**

City Clerk Stegelmeier explained that through the winter some citizens suggested that a text service could work to get the word out about plowing. She has had a few companies call or send information on texting but this company had all the items that Ashton would need. She is just asking the Council if she should pursue learning the costs, etc. Councilman Scafe thought that it would be a good idea – even just for emergency situations. Councilman Kaelberer thought it would be a good idea as well. City Clerk Stegelmeier will bring information to them at the next meeting.

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

City Clerk Stegelmeier went over the next several months schedule with the Council.

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

The Council entered executive session at 6:54 pm.

Councilwoman 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 6:59 pm.

### 13. **ADJOURNMENT**

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

The meeting ended at 7:00 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