

# MINUTES-CITY OF ASHTON

## REGULAR CITY COUNCIL MEETING

Wednesday, August 13, 2008

7:00 p.m.

714 Main (North Entrance)

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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**. Any individual who wishes to address the Council on any other subject should plan to speak when **Item 7- Public Comments** is identified by the Mayor. 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.*

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### CALL TO ORDER & WELCOME

**PRAYER OFFERED BY: Matt Brady**  
**PLEDGE LED BY: Brett Pincock**

**Present:** Councilwoman Janssen, Councilman Huntsman, Councilman Brady and Councilman Pincock.

**Also Present:** City Clerk Cathy Stegelmeier, Todd Martindale, Steve Trafton, Dick Dyer, Barbara Bunsfold.

**Council President Linda Janssen opened the meeting at 7:01 PM**

**Council President Linda Janssen excused Mayor Stronks as he is attending to family business and welcomed everyone to the meeting.**

### 1. CONSENT AGENDA:

*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 Regular Council Meeting July 9, Emergency Meeting July 21, Emergency Meeting July 25 and Special Meeting July 30, 2008.
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As Submitted

Councilman Brady made a motion to accept consent agenda as presented. Councilman Pincock seconded the motion. The motion passed unanimously.

### 2. ORDINANCES/RESOLUTIONS:

- A. Discussion on Proposed Ordinance 437-08-City Budget FY2009-Public Hearing is scheduled for August 28<sup>th</sup>, 7 PM. Cathy explained

Councilman Brady approved for the notice of publication for publication. Councilman Pincock seconded the motion. The motion passed unanimously.

### 3. NEW BUSINESS/PETITIONS:

- A. Main Street Garbage Pick-up – Matthew Chisam

Councilman Pincock made a motion to go out of agenda order to give Mr. Chisam time to get to the meeting. Councilman Brady seconded the motion. The motion passed unanimously.

### 4. UNFINISHED / OLD BUSINESS:

- A. Henry's Fork – Steve Trafton. Steve came to council to discuss a new lease agreement with the City. He expressed his appreciation for the City in keeping on task and getting a draft lease to him. The terms are fine and with a little fine tuning he is ready to sign it for the Henry's Fork Foundation.

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Steve will get with City Clerk Stegelmeier and get it ready for signing.

B. Hess Museum – Tom Hess

Councilman Pincock Made a motion to go out of agenda order to give Mr. Hess time to get to the meeting. Councilman Brady seconded the motion. The motion passed unanimously.

C. Sewer Project Update – Dick Dyer. Mr. Dyer was asked to come to council to give a sewer project progress report. Mr. Dyer handed out a list of discussion items and started down the list. There is good news, the plans have been approved. Mr. Dyer knows that this has been a source of frustration for the council as well as for himself. The DEQ was not happy with site for several reasons and has made the process a challenge. Mr. Dyer then explained that he would be opening the bids on September 3<sup>rd</sup> and then asked when the council would be able to approve the winning bid. Councilwoman Janssen told Mr. Dyer that the council would have a special meeting to be sure and award the bid as soon as possible, hopefully the night of the 3<sup>rd</sup>. Mr. Dyer asked what time the meeting would be (he is opening the bids at 4 PM). The council discussed it and decided to have it at the regular time which is 7 PM. Mr. Dyer was pleased with that as it will give him time to open bids and check references. Mr. Dyer has set a construction completion date of December 19<sup>th</sup> 2008. Everything should be operational for spring. Councilman Pincock asked about references and whether we would have to take the lower bid even if the contractor had no references. Mr. Dyer went through the process of what would take place. Councilman Brady expressed his continuing concern with delays and the accompanying costs. Mr. Dyer again expressed his assertion about the DEQ and the land site concerns. Mr. Dyer then explained that that was all the information he had. Councilwoman Janssen then asked the council for any discussion they had. Councilman Pincock asked what the problem was with the sludge removal costs. Dick explained that it was the fact that the council did not run it through the USDA no have it competitively bid. This does not give the USDA the assurance that it was least cost. Councilman Pincock then asked about the center pivot bidding and Mr. Dyer said that it would need to be done with the right documents etc. Councilman Pincock asked Dick for a time frame for getting the documents together and then to Todd to distribute. Mr. Dyer thought that he could have them ready by Monday. Todd said he would plan on it and then asked about the monitoring well. There was some discussion on the rock, depth and conditions of the well.

Councilman Pincock made a motion for Mr. Dyer to go ahead and get started with the bidding process. Councilman Brady seconded the motion. The motion passed unanimously.

Councilwoman Janssen expressed her concern that we get this project wrapped up as soon as possible. She then expressed her appreciation of Mr. Dyer's cooperation on the tour taken with the DEQ the week prior. Mr. Dyer thanked he for taking the time to come and hoped that it had not been too technical. Councilwoman Janssen said that it was well worth the time and effort. Mr. Dyer then explained that if there was nothing more, he needed to leave.

### **5. STAFF AND COMMITTEE/SPECIAL REPORTS**

A. Mayor's Youth Advisory Committee Report – MYAC. There was discussion on getting the committee back on track. Councilman Brady said he would be glad to help.

Todd Martindale asked Councilwoman Janssen if he could talk to the council about the new no parking signs on Idaho Street for the new pedestrian plan at the elementary school. Todd explained what the change is and cautioned the council that it is possible that there will be several complaints. Councilwoman Janssen explained

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that Principal Hill has been disappointed because the school board changed the plan from the original which she presented it to council last spring. Councilman Brady explained that he had spoken to Principal Hill and that the school board felt that the costs of the first plan were too high. Regardless, Chief Mattingly and Todd have been working with the school and all is in place for the first day.

B. Community Center Committee Report –

C. City Business – Cathy Stegelmeier- City Clerk Stegelmeier presented the council with the bids on the lighting project. Beco Construction from Idaho Falls was the apparent low bid. She explained that the Urban Renewal Agency would be meeting later this month and would also be considering the bid.

Councilman Huntsman made a motion to accept the bid from Beco Construction on the Street Lighting project contingent on the approval of the Urban Renewal Agency. Councilman Pincock seconded the motion. The motion passed unanimously.

City Clerk Stegelmeier then read the bids on the removal of the blue house on 3<sup>rd</sup> Street. The apparent low bidder is Bobby Eck. Councilman Pincock directed Todd to work with the contractor to be sure that there are no health hazards.

Councilman Pincock made a motion to accept the bid from Bobby Eck \$ 6,700. Councilman Brady seconded the motion. The motion passed unanimously.

City Clerk Stegelmeier then explained that there has been a question on the sewer and it brings up a question about the sewer connection fee. The proportion of the sewer connection fee to the monthly sewer cost compared to the water connection fee to the monthly water fee is quite disparate. A city service sewer user has inherited a property on the north side of town. She has torn down the house and for the next several years, will be staying on the property in a motor home in the summers. She will not be building a permanent home for at least two years. She has asked to have sewer capped because it will cost her less to be reconnected than the monthly fees to remain connected will cost until she builds. We have capped sewer connections for others who would not pay for the service. Councilmen Pincock and Brady told Cathy to ask City Attorney Lookabaugh review the ordinance and fees. The council was also concerned that there would be a cap on the sewer that couldn't be tampered with easily so that the service couldn't be stolen.

City Clerk Stegelmeier had been asked earlier about lengthening 1<sup>st</sup> Street so as to service the lots there. She then told the council that Kathy Felix was present and that she was the one inquiring about the road. Kathy's in-laws need to move into town for the winter. They are negotiating on a lot in that area and are hoping to have a street, even if it was just a temporary one. City Clerk Stegelmeier explained that it wasn't clear, but that the city probably does own the street right of way. Councilman Pincock asked that if the City owns the right of way that the City might be responsible to get them access. He then asked Todd what the easiest way would be for this winter. Todd explained that it needs to eventually be built to city specifications but temporarily we could put a gravel drive in. Discussion was had on how far, size of the street, wetland concerns, surveying the right of way, etc. Councilwoman Janssen directed City Clerk Stegelmeier to continue to investigate the right of way. Councilman Pincock asked Kathy Felix if it would be alright to give the City 10 days to have a more complete answer for her. He then explained that City Clerk Stegelmeier would get in touch with her.

City Clerk Stegelmeier explained some issues on ownership at the Wye. The City has a lease with Eastern Idaho Rail but she has learned that it is actually owned by Union Pacific. Councilwoman Janssen asked Cathy to get in touch with Joni and discuss the lease.

City Clerk Stegelmeier asked for input on the newsletter. There was much discussion on the information to citizens on snow plowing this winter.

Councilman Pincock asked to be put on the agenda for next month concerning lowering the speed limit on Hiway

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47 in front of the school. Councilwoman Janssen expressed her concern that the parking situation hasn't been addressed properly. The council was not sure of the City's right's because of how it is annexed.

Councilman Brady asked Todd about the amount of dogs on the loose in town. He asked if he could help with a roundup. Todd said he would check into the problem.

### **6. PUBLIC COMMENTS:** (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

Councilwoman Janssen explained that there is no need for an executive session.

### **7. EXECUTIVE SESSION:**

*I.C. 67-2345 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.*

Advise Legal Counsel, Personnel,

### **8. ADJOURNMENT**

Councilman Pincock made a motion to adjourn. Councilman Brady seconded the motion. The motion passed unanimously.

### **NEXT MEETING**

Regular Council 7:00 p.m. – Wednesday, September 10, 2008, Council Chambers. Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk or call 208-652-3987.