

CITY COUNCIL MEETING
January 12, 2015

MAYOR & COUNCIL

F. Lee Hendrickson
Saundra Hubbard
Travis Kunz
Todd Thomas

STAFF

Jerry Larsen, Clerk/Treasurer
John Balls, Public Works Director
Darek Kimball, City Engineer
Ken Geddes, Police Chief
Wendy Merrill, Clerk

OTHERS PRESENT:

Robert Merrill, Scott Workman, Chuck Chesney, Patty Chesney, Matt Armstrong, Austin Green, Jack Kohles, Jared Cox, Brett Naylor, Larry Andra

Council Meeting was called to order at 4:30 P.M. by Mayor Hendrickson.

Roll Call Roll Call of Councilmembers showed the following members present:
Hubbard, Kunz, Thomas.

Consent Calendar The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

- A. Council Minutes (December 22, 2014)
- B. Treasurer's Monthly Reports (September 30, 2014; October 31, 2014; November 30, 2014)
- C. Treasurer's Quarterly Report (September 30, 2014)
- D. Bills (January 12, 2015)

It was moved by Councilmember Thomas and seconded by Councilmember Kunz to approve the items listed on the consent calendar. This received unanimous approval.

Business License The following business license was presented:

Scott Madsen (Drive up Soda Shack)

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to deny the above business license until a definite location and more information are provided. This received unanimous approval.

Public Hearing to Vacate Portions of 3rd South & 5th East Mayor Hendrickson called for the following public hearing for the purpose of considering the request of Sharon Naylor to vacate portions of unimproved streets to include 3rd South and 5th East.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing shall be held before the Mayor and City Council of Preston, Idaho, on the 12th day of January, 2015 at the hour of 4:45 PM at the City Hall located at 70 West Oneida St., Preston, Idaho, 83263, for the purpose of giving consideration to the request of Sharon Naylor to vacate portions of unimproved streets to include 3rd South and 5th East, where the same are located on real property belonging to Mrs. Naylor for the purpose of allowing her to construct a single family home on said real property and which the applicant represents are not necessary for the future development of the city. If vacated by the city, the vacated street or streets will be transferred to the property owner or owners adjoining said vacated streets. The property owned by Mrs. Naylor on which she seeks to vacate said streets is described in Exhibit "A" attached hereto and made a part of this Notice of Public Hearing.

All persons present at the hearing will be given the opportunity to be heard. Written comments or objections may be submitted to the City Clerk at the address set forth above and will be considered by the Mayor and Council.

s/Jerry C. Larsen, City Clerk
Publish: December 24 2014; December 31, 2014

CITY COUNCIL MEETING
January 12, 2015

EXHIBIT "A"

A parcel of land located in the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) of Section 26, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of the Northeast quarter of said Section 26, from which the East Quarter corner of said Section 26 bears North 89°59'14" East;
Thence North 89°59'14" East 621.23 feet (record = 604 ft.) along the south boundary of said SW1/4NE1/4 to a mag nail and washer labeled "A.L.S. PLS 9163", the Point of Beginning. Thence North 89°59'14" East 85.00 feet along said south boundary to a mag nail and washer at the southerly extension of a fence line; Thence North 00°15'33" West 187.72 feet along a fence line to a 5/8" rebar and cap (PLS 9163) at a fence corner;
Thence South 89°07'40" East 100.60 feet along a fence line to an iron pipe at the northwest corner of the parcel of land described in instrument number 258281;
Thence South 89°52'49" East 100.11 feet along the north boundary of said parcel an iron pipe at the northwest corner of the parcel of land described in instrument number 224533;
Thence South 89°45'02" East 100.60 feet along the north boundary of said parcel to an iron pipe at the northeast corner thereof;
Thence North 51°58'00" West 546.56 feet to a 5/8" rebar and cap;
Thence South 85°42'45" West 268.47 feet to the center of the Parkinson Canal;
Thence South 27°45'15" East 361.90 feet along said centerline to the northwest corner of the parcel of land described in instrument number 199461;
Then North 89°59'14" East 144.20 feet along the north boundary of said parcel to a 5/8" rebar and cap at the northeast corner thereof;
Thence South 00°00'46" East 182.00 feet along the east boundary of said parcel to the Point of Beginning. Containing approximately 3.43 acres.

Mayor Hendrickson called for comments from those present regarding this public hearing.

Brett Naylor asked the Council if they had any further questions for him regarding the request to vacate portions of 3rd South and 5th East, to which the Council replied they didn't.

Larry Andra stated that his property located at 565 East 4th South would be landlocked if the streets were vacated, and suggested vacating 6th East instead.

There being no further comments, Mayor Hendrickson closed the public hearing.

It was moved by Councilmember Thomas and seconded by Councilmember Hubbard to accept the request of Sharon Naylor to vacate portions of unimproved streets to include 3rd South and 5th East. This received unanimous approval.

Ord#2015-1
Vacating
Portions of
3rd South &
5th East

Councilmember Hubbard introduced Ordinance #2015-1, an ordinance vacating a portion of 3rd South Street and 5th East Street located on property belonging to Sharon Naylor.

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in its entirety. This received unanimous approval.

City Clerk Larsen read Ordinance #2015-1 once in its entirety.

It was moved by Councilmember Thomas and seconded by Councilmember Hubbard to approve Ordinance #2015-1. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Aye

Motion passed by unanimous vote.

CITY COUNCIL MEETING
January 12, 2015

Annual Audit Matt Armstrong, from Deaton & Company, presented the fiscal year 2014 annual audit, explaining that all fund balances are in good shape and that Deaton & Company gives the City a clean audit opinion. It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to approve the audit as presented. This received unanimous approval.

Request for Improvement Agreement 223 South 1st West City Engineer Kimball recommended entering into an Improvement Agreement with Jared Cox, 223 South 1st West, as per Resolution #70, which allows the posting of cash bonds for construction of improvements on unimproved lots. It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to approve the Improvement Agreement as presented. This received unanimous approval.

Memorandum Agreement East Oneida Project It was moved by Councilmember Hubbard and seconded by Councilmember Kunz to have Mayor Hendrickson sign the Memorandum of Agreement among the City of Preston, Idaho, Franklin County, Idaho and the local Highway Technical Assistance Council regarding wetland mitigation for the East Oneida Reconstruction Project. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Nay

Motion passed by majority vote.

Leave Of Absence Cuyler Stoker It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to approve a leave of absence for one week, without pay, to Cuyler Stoker, after his vacation and comp time have been exhausted, to allow him to participate in National Guard officer training. This received unanimous approval.

County Commission Report County Commissioner Scott Workman discussed repairs on 8th West Street this year.

Noise Ordinance Police Chief Geddes updated the Council on the progress of the Noise Ordinance.

Burning Garbage in City Limits The Council discussed Preston Municipal Code 8.04.060 regarding the burning of garbage in the city limits.

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to adjourn the meeting at 5:44 P.M. This received unanimous approval.

Jerry C. Larsen, Clerk

F. Lee Hendrickson, Mayor