

CITY COUNCIL MEETING
May 11, 2015

MAYOR & COUNCIL

F. Lee Hendrickson
Saundra Hubbard
Travis Kunz
Todd Thomas
Randy Harris

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, Guy Beazer, Dirk Bowles, Gordon Brewster, Chuck Chesney, Patty Chesney, Bob Fellows, Shawn Greaves, Sheryl Kimball, Cody Ralphs, Del Rumsey, Angela Smith, H.K. Smith, Tim Whitmore, Berni Winn, Thane Winward

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, Harris.

Item Mayor Hendrickson asked that an Executive Session to discuss
Added To personnel as allowed by Idaho Code 67-2345(1)(b), be added to the
Agenda agenda.

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to add an Executive Session to discuss personnel as allowed by Idaho Code 67-2345(1)(b). This received unanimous approval.

Consent The consent calendar includes items which require formal Council
Calendar 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 (April 27, 2015)
B. Bills (May 11, 2015)

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

Business The following business license was presented:
License Sheldon Coburn (Sheldon Coburn Construction)

It was moved by Councilmember Kunz and seconded by Councilmember Hubbard to approve the above business license. This received unanimous approval.

Required Sheryl Kimball sought direction from the Council regarding the
Improvements construction of a single family dwelling near 1300 North 8th West
1300 North on property that already includes two horse stables, a pasture, and
8th West corrals, located in a Transitional zone, and what improvements she would be required to make before she made a final decision whether or not to purchase the property. After discussion, the Council requested she prepare a detailed outline of her proposed plan and present it at the next council meeting.

County County Commissioner Scott Workman requested \$300 from the City for
Commission its half of the cost to design plans for the Fair Grounds/Rodeo
Report Arena, as per the Memorandum of Agreement between The City of Preston and Franklin County approved on March 23, 2015. He also gave an update on the Area of Impact.

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Nuisance Complaints Police Chief Geddes reviewed nuisance complaints, two of which had been resolved, one still in progress, and two complaints about Valley Wide Co-op encroaching on residential property. The complainants, Delbert Rumsey and Gordon Brewster, stated Valley Wide is driving large trucks up and down 1st West, a residential street, creating safety issues for their neighborhood. Since the City does not have an ordinance prohibiting semi's from driving on residential streets, the Council informed Mr. Rumsey and Mr. Brewster the Council would need to seek City Attorney Nelson's advice on the issue, and discuss it at the next council meeting.

East Oneida Project Guy Beazer, 766 East Oneida, requested reimbursement of his improvement bond in the amount of \$11,645.10. He stated that the **Guy Beazer Bond** East Oneida Reconstruction Project will install those improvements, and therefore his improvement bond should be reimbursed. He also stated the only way he would enter into an agreement with the County for 300 feet of his frontage was if the bond was reimbursed. Franklin County Commissioner Dirk Bowles explained the offer made to Mr. Beazer was for \$2,000 for the frontage property, plus moving his water and fence lines. Since the County wished to avoid going through the condemnation procedure to acquire the frontage property, and in order to move the Project along, they were also requesting that the Council reimburse the bond to Mr. Beazer. It was moved by Councilmember Thomas and seconded by Councilmember Harris to refund \$11,645.10 to Mr. Beazer, less 7% of his share of the East Oneida Reconstruction Project. The vote was as follows:

Councilmember Hubbard	Nay
Councilmember Kunz	Nay
Councilmember Thomas	Aye
Councilmember Harris	Aye

Due to a tie, Mayor Hendrickson cast the tie breaking vote.
Mayor Hendrickson Aye

Motion passed by majority vote.

Clarification from the Council was sought regarding when and for what amount Mr. Beazer should be reimbursed. Motion was amended as follows: It was moved by Councilmember Thomas and seconded by Councilmember Harris to refund an amount to be determined upon the opening of bids for the East Oneida Reconstruction Project to Mr. Beazer, less 7.34% of his share of the East Oneida Reconstruction Project. The vote was as follows:

Councilmember Hubbard	Nay
Councilmember Kunz	Nay
Councilmember Thomas	Aye
Councilmember Harris	Aye

Due to a tie, Mayor Hendrickson cast the tie breaking vote.
Mayor Hendrickson Aye

Motion passed by majority vote.

Construction Approval & Easement Agreement H.K. Smith requested the option to be allowed to install his improvements at the same time his house is being constructed. City Engineer Kimball referenced the Construction Approval and Easement Agreement entered into on February 23, 2015, by and between the City of Preston and Hyrum Kingston Smith, Jr. and Angela F. Smith, Section 2, wherein it states Mr. Smith will construct and complete all improvements on 1400 West, and the east leg of the intersection at 1100 North to the east right-of-way line of 1400 West by September 1, 2015, and it was his recommendation as long as all work is completed by September 1st, Mr. Smith's request should be granted. It was moved by Councilmember Kunz and seconded by Councilmember Hubbard to allow Mr. Smith to install his improvements at the same time his home is being constructed, as long as all the work is completed by September 1, 2015. This received unanimous approval.

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PUD Development Ordinance Amendments City Engineer Kimball discussed proposed amendments to Chapter 16.34, Preston Municipal Code, relating to planned unit developments, and the Council's questions regarding lot sizes and specific uses to be allowed. After discussion, the Commission stood by their previous recommendations of allowing 10% of the PUD area to be used for business purposes, requiring 30% open space and establishing lot sizes at 6,000 square feet. After Council discussion, City Engineer Kimball was asked to finalize revisions to present at the next council meeting.

Roger Woolley Resignation From Planning & Zoning It was moved by Councilmember Harris and seconded by Councilmember Hubbard to accept the letter of resignation from Planning and Zoning Commissioner Roger Woolley, and to thank him for his many years of service. This received unanimous approval.

Motion To Appoint Steve Call Mayor Hendrickson appointed Steve Call to the Planning and Zoning Board.

To Planning & Zoning It was moved by Councilmember Kunz and seconded by Councilmember Hubbard to approve the appointment of Steve Call to the Planning and Zoning Board to complete the unexpired term of Roger Woolley, which term expires December 13, 2017. This received unanimous approval.

Motion To Appoint Cindy Burbank to Festival Of Lights Committee Mayor Hendrickson appointed Cindy Burbank to the Festival of Lights Committee.

It was moved by Councilmember Hubbard and seconded by Councilmember Kunz to approve the appointment of Cindy Burbank to the Festival of Lights Committee. This received unanimous approval.

Executive Session It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to enter Executive Session to discuss personnel, as allowed by Idaho Code 67-2345(1)(b). The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Aye
Councilmember Harris	Aye

Motion passed by unanimous vote.

Entered Executive Session at 6:25 P.M.

Returned from Executive Session at 7:11 P.M.

The Council discussed problems that exist with companies not allowing changes to existing participants and not allowing new enrollees to participate in the annuity benefit provided to the mayor and council. Following that discussion, it was moved by Councilmember Hubbard and seconded by Councilmember Thomas to allow funds designated for the council annuity benefit to be deposited directly by the city into financial institution accounts of their choice for Mayor Hendrickson, Councilmember Hubbard, and Councilmember Harris. The annuity for Councilmember Kunz and Councilmember Thomas will remain with Great American Financial Services. This received unanimous approval.

It was moved by Councilmember Thomas and seconded by Councilmember Hubbard to adjourn the meeting at 7:17 P.M. This received unanimous approval.

Jerry C. Larsen, Clerk

F. Lee Hendrickson, Mayor