

CITY COUNCIL MEETING
May 12, 2014

MAYOR & COUNCIL

F. Lee Hendrickson
Saundra Hubbard
Neal Larson
Travis Kunz
Todd Thomas

STAFF

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

OTHERS PRESENT:

Robert Merrill, Scott Workman, Dave Bosen, Kaleb Fenton, Tucker Fenton, Don Kofoed, Clint Streadbeck, Robert Harris (via tele-conference)

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, Larson, 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 (April 28, 2014)
B. Bills (May 12, 2014)

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

Business Licenses The following business licenses were presented:

Angie Weeks (Savvy Chic Boutique)
Thomas Morley (Honeyville Food Products)

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

Eric Radack (Hail Blast, LLC)

It was moved by Councilmember Hubbard and seconded by Councilmember Kunz to table the above business license until more information can be obtained. This received unanimous approval.

Homeland Security Grant Police Chief Geddes informed the Council there is a Homeland Security Grant available to install cameras in three of the City's police vehicles. He explained this is a one-time grant, leaving the City to budget for cameras installed in any of the other vehicles or any future vehicles. It was moved by Councilmember Thomas and seconded by Councilmember Larson to approve the installation of cameras in three police vehicles and the installation of cameras in other vehicles will be assessed year to year. This received unanimous approval.

County Commission Report County Commissioner Scott Workman stated the County is moving forward with their plan to employ four full time dispatchers to increase the efficiency of the County/City dispatch center, and asked the Council to consider raising the dispatch budget for fiscal year 2015 to help with the costs of hiring another full time dispatcher.

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Outside City Water Connection 1254 South 8th East

Attorney Robert Harris, representing Glenn and Kelle Alder and the Alder Mink Ranch, of the law firm Holden, Kidwell, Hahn & Crapo (via tele-conference), requested that the name and billing address of the utility bill for 1254 South 8th East, be changed from Ruby Hoggan to Glenn Alder, 1060 West 4000 South, Preston, because the deed to the property on which water connection number 1534 is located is in Glenn Alders name. He addressed the two following issues; first, who owns the water connection, and second, if it is determined to be Glenn Alder will the City discontinue water service to the home occupied by Ruby Hoggan? City Attorney Nelson responded it is his opinion the water connection should service the home occupied by Ruby Hoggan since the Amended Contract between the City of Preston and the West Whitney Water Association, dated August 21, 1980, allows 2,160 gallons of water per day per household and therefore was intended for culinary use. He also pointed out that it was the determination of the Council that this is a civil matter between the Alders and Ruby, and that another water connection on the property cannot be allowed. He suggested Attorney Harris approach his clients about the possibility of either Ruby or the Alders using the well located on the property and the other party using the water connection. After Council discussion, this matter was taken under advisement in order to give Attorney Harris a chance to meet with his clients and see if they would be willing to work out an agreement with Ruby regarding who would use the well and who would use the water connection, and time for the Councilmembers to review the correspondence between City Attorney Nelson and Attorney Robert Harris regarding this matter, the original agreement in 1968, the amended agreement in 1980, and the quit claim deed made by Bruce Alder on September 15, 2010.

Street Right of Way 1st W. & 3rd N.

Don Kofoed requested a decision on the 30 foot easement at 1st West and 3rd North, allowing him to sell the property and allowing the new owner to demolish the existing house and build a new one. It was moved by Councilmember Larson and seconded by Councilmember Thomas to have City Attorney Nelson draft an agreement for the easement and to have Mayor Hendrickson sign the agreement. This received unanimous approval.

Executive Session

It was moved by Councilmember Larson and seconded by Councilmember Thomas to enter Executive Session to consider and advise legal representatives in pending litigation or where there is a general public awareness of probable litigation as allowed by Idaho Code 67-2345(1)(f), and to discuss personnel as allowed by Idaho Code 67-2345(1)(b). The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Larson	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Aye

Motion passed by unanimous vote.

It was moved by Councilmember Larson and seconded by Councilmember Hubbard to add acquiring an interest in real property which is not owned by a public agency, as allowed by Idaho Coed 67-2345(1)(c) to the Executive Session. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Larson	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Aye

Motion passed by unanimous vote.

Entered Executive Session at 5:55 P.M.

Councilmember Thomas was excused from meeting during Executive Session.

Returned from Executive Session at 6:48 P.M.

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It was moved by Councilmember Larson and seconded by Councilmember Hubbard to offer the same dollar amount per lineal foot to Larry Forsgren (710 East Oneida) and Guy Beazer (766 East Oneida) for right of way acquisitions on the East Oneida reconstruction project, based on Larry Forsgren's amount per lineal foot proposal that is being negotiated with Right Of Way Specialists, Inc. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Larson	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Absent

Motion passed by majority vote.

Reconvened Executive Session at 6:52 P.M.

Returned from Executive Session at 7:45 P.M.

It was moved by Councilmember Larson and seconded by Councilmember Kunz to adjourn the meeting at 7:45 P.M. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Larson	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Absent

Motion passed by majority vote.

Jerry C. Larsen, Clerk

F. Lee Hendrickson, Mayor