

**CITY COUNCIL MEETING**  
**October 23, 2017**

---

---

MAYOR & COUNCIL

Mark W. Beckstead  
Todd D. Thomas  
Terry D. Larson  
Bradley J. Wall  
Allyson Wadsworth

STAFF

Linda Acock, City Clerk  
Kelly Mickelsen, City Treasurer  
Mark T. Owens, City Engineer  
John Balls, Public Works Director  
Ken Geddes, Police Chief  
Tyler Olson, City Attorney

OTHERS PRESENT:

Donny Curtis, Susan T. Curtis, O. Jody Curtis, Chuck Chesney, Patty Chesney, Berni Winn, Corey Krantz, Taylor Smith, Tara Smith, Robert Talbot, Jeffrey Macinanti, Cheryl Nielsen, Kathy Talbot

Council Meeting was called to order at 5:00 P.M. by Mayor Beckstead.

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. Minutes (September 11, 2017 & October 9, 2017)
- B. Bills (October 23, 2017)
- C. Treasurer's Monthly & Quarterly Report (September 30, 2017)

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to approve the City Council Minutes of September 11, 2017 and October 9, 2017, as presented. This received unanimous approval.

It was moved by Councilmember Wall and seconded by Councilmember Larson to accept the bills for October 23, 2017, as presented. This received unanimous approval.

It was moved by Councilmember Wadsworth and seconded by Councilmember Wall to accept the Treasurer's Monthly and Quarterly Reports for September 30, 2017. This received unanimous approval.

Final  
Plat  
Sandy  
Acres  
(Smart)

Council reviewed a final plat for Sandy Acres Minor Subdivision, presented by Brent and Ruth Smart, at approximately 6<sup>th</sup> East on 8<sup>th</sup> South.

After review, it was moved by Councilmember Thomas and seconded by Councilmember Larson to hold approval on the Sandy Acres Minor Subdivision until 7<sup>th</sup> South, from 6<sup>th</sup> East to 8<sup>th</sup> East has been vacated. This received unanimous approval.

Final  
Plat  
Smith  
Estates  
(Smith)

Council reviewed a final plat for Smith Estates Minor Subdivision, presented by Taylor and Tara Smith, at 547 East Oneida.

Engineer Owens advised that the final plat is ready for approval, with the exception that a note needs to be added to the Mylar, that secondary is being provided to the subdivided property.

It was moved by Councilmember Larson and seconded by Councilmember Thomas to approve the final plat for the Smith Estates Minor Subdivision, contingent that a note be added for secondary. This received unanimous approval.

A. Jay  
Hansen  
Plat  
636 S.  
1<sup>st</sup> E.

Engineer Owens presented a plat for A. Jay Hansen at 636 South 1<sup>st</sup> East. He stated that there are circumstances to this plat, and he has been advised that the city can use the Waiver and Exemption rules.

After discussion amongst the council, it was determined that the Waiver and Exemption rules could not be applied in this situation, and a minor subdivision would need to be created.

**CITY COUNCIL MEETING**  
**October 23, 2017**

---

---

**Business Licenses** It was moved by Councilmember Wall and seconded by Councilmember Thomas to approve the following business licenses:  
Michael Bartholomew 227 Park Ave (Mike's Express Services)  
Kent D. Merrill 1359 Box Elder Cir (Tenko Metals, Inc.)  
Dallas Spencer 5 East Oneida (Compassionate Care)  
It was further moved to table the following business license until tax numbers and general contractor's license numbers are provided:  
Joshua Perkes 95 Valley View Dr. (G.P.S.)

This received unanimous approval.

**Pacificorp Hydro Agreement** Treasurer Mickelsen stated that the current Preston City and Pacificorp Hydro Agreement expires in December 2017, and he is currently in negotiation with them on a new agreement.

Pacificorp has offered new rates for the energy created by the hydro. With the rates, the city needs to determine if they prefer levelized rates or non-levelized rates and the term of the agreement.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to enter into agreement with Pacificorp for levelized rates on a twenty (20) year agreement. This received unanimous approval.

**State Street Re-Striping U.S. 91 to 8<sup>th</sup> South** Kory Krantz from the Idaho Department of Transportation (ITD) stated that the chipping, sealing and striping project along State Street is ready to go to bid, for the summer of 2018. Before they send the project out for bid, ITD would like confirmation from the City of Preston for the striping. The goal is to eliminate one of the four lanes, making State Street a three lane road with designated left turn lanes.

It was moved by Councilmember Larson and seconded by Councilmember Wall to approve the three lane road diet, with a designated left turn lane. This received unanimous approval.

**ADA Rodeo Grounds** Wendy Austin came before the Council with concerns about ADA compatibility and the seating in the grandstand arena at the rodeo arena. She would like to raise awareness to the need for handicap accessibility at the rodeo grounds.

The council offered support for Mrs. Austin's endeavor to make the rodeo arena more ADA compatible. Councilmember Wall will work with Mrs. Austin in approaching the Rodeo Committee to see what can be done.

**Consent To Mortgage On Leasehold** Bear River Publishing, now APG Real Estate Investments, LLC, at 1250 Industrial Park Road, are working with Attorney Olson on financing with the Stockman Bank of Montana and are entering an Agreement for Consent to Deed of Trust on Leasehold Interest. This gives consent to APG Real Estate Investments to encumber on the Industrial Park property financially.

Attorney Olson stated that the final financial amount is \$23,009,924.67. Aside from a few typographical errors within the Deed of Trust that need correction, the Agreement for Consent to Deed of Trust on Leasehold Interest is ready for authorization.

It was moved by Councilmember Wall and seconded by Councilmember Thomas to approve the Agreement for Consent to Deed of Trust between the City of Preston, Stockman Bank of Montana and APG Real Estate Investments, LLC, and after the final dollar amount of \$23,009,924.67, the Parcel A legal description in Deed of Trust, and the Document number from the records of Franklin County have been correct, authorize Mayor Beckstead to sign stated agreement. This received unanimous approval.

**Roberts Tricon Prop. Amended Annexation** The Annexation for Brandon and Laura Roberts and Tricon Properties was denied at the State of Idaho level, due to technical errors in the legal descriptions of the property.

Attorney Olson has corrected those errors, and created an amended Ordinance 2017-12A.

**CITY COUNCIL MEETING**  
**October 23, 2017**

---

---

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to introduce Ordinance 2017-12A, dispense with the reading of ordinances on three separate days, and ordered Ordinance 2017-12A to be read once in summary. This received unanimous approval.

Clerk Acock read Ordinance 2017-12A once in summary.

It was moved by Councilmember Wadsworth to approve Ordinance 2017-12A, an amended ordinance annexing certain lands located in Franklin County into the Preston City Limits, pursuant to Idaho Code 50-222 and zoning said property as Transitional. The vote was as follows:

|                         |            |
|-------------------------|------------|
| Councilmember Thomas    | <u>Aye</u> |
| Councilmember Larson    | <u>Aye</u> |
| Councilmember Wall      | <u>Aye</u> |
| Councilmember Wadsworth | <u>Aye</u> |

Motion passed by unanimous vote.

**December Meeting Schedule** It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to cancel the December 25, 2017 city council meeting due to the Christmas holiday. This received unanimous approval.

**Council Report Assigned Designation** Council discussed the assigned designations of each member, and the importance of each member taking charge of their designations.

After discussion, each councilmember gave brief updates on their various assigned designations.

**Executive Session** It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to Executive Session to discuss personnel as allowed by Idaho Code 74-206(b). The vote was as follows:

|                         |            |
|-------------------------|------------|
| Councilmember Thomas    | <u>Aye</u> |
| Councilmember Larson    | <u>Aye</u> |
| Councilmember Wall      | <u>Aye</u> |
| Councilmember Wadsworth | <u>Aye</u> |

Motion passed by unanimous vote.

Entered Executive Session at 7:50 P.M.

Returned from Executive Session at 9:10 P.M.

**Adjourn** Meeting was adjourned at 9:10 P.M. by Mayor Mark Beckstead.

---

Linda Acock, Clerk

---

Mark W. Beckstead, Mayor