

**CITY COUNCIL MEETING**  
**March 25, 2019**

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MAYOR & COUNCIL

Mark Beckstead  
Todd D. Thomas  
Terry D. Larson (via phone)  
Bradley J. Wall (via phone)  
Allyson Wadsworth

STAFF

Linda Acock, City Clerk  
Kelly Mickelsen, City Treasurer  
Tyrell Simpson, City Engineer  
Shawn Oliverson, Economic Development  
John Balls, Public Works Director  
Mike Peterson, Police Chief  
Tyler Olson, City Attorney

OTHERS PRESENT:

Chuck Chesney, Robert Swainston, Warren Wilde, Reggie Hyde, Nile Checketts, Leanne Sant, Lynn Sant, Reva Boyack, Gayland Taylor, Karen Taylor, Bailey Beckstead, Colleen Nash, Michelle Greene, Joe Greene, Howard Thomas, Penny Wright, Bob Wright, J. David Cole, Kenneth Compton, Dixon Beckstead, Sandra Hubbard, Brett Jensen, Janene Jensen, John Brough, Scott Palmer, Jim Summers

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

Conflict Of Interest     At the onset of the meeting, Mayor Beckstead declared that he has a conflict of interest with agenda item 6F, Sewer Connection for Dixon Beckstead, and that he would not be involved in discussion on this matter.

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 (February 25, 2019 & March 11, 2019)
- B. Bills (March 25, 2019)

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to approve the items on the Consent Calendar, which include the Council Minutes of February 25, 2019, City Council Minutes of March 11, 2019 and the Bills through March 25, 2019. This received unanimous approval.

Hazard Mitigation Plan Agreement     It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to participate in, and accept, the Multi-Jurisdiction All Hazard Mitigation Plan, and authorize Mayor Beckstead to sign the agreement. This received unanimous approval.

Public Hearing     Mayor Beckstead called for the following public hearing for the purpose of considering public comment regarding the institution of new or increased municipal utility fees, development agreement fees, encroachment/street cut permit fees and bond and water from city hydrant fees, as follows:

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, in accordance with Idaho Code 63-1311A, that a public hearing will be held on March 25, 2019, before the City of Preston Mayor and Council at the hour of 5:00 P.M., or as soon thereafter as this matter may be heard, at the city hall located at 70 West Oneida St., Preston, Idaho, to consider public comment regarding the institution of new or increased municipal utility fees, development agreement fees, encroachment/street cut permit fees and bond, and water from city hydrant fees. A copy of the proposed LICENSE AND FEE SCHEDULE AND WATER AND SEWER RATE SCHEDULE RESOLUTION is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk.

All persons present will be given the opportunity to be heard. Written comments or objections may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to March 25, 2019.

Dated this 1st day of March, 2019.

Linda Acock  
Publish: March 13, 2019 & March 20, 2019

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Clerk Acock introduced the proposed Resolution with an explanation of the added development agreement fees and encroachment/street cut permit fees with bond, the increase in water from city hydrant fees, sewer rates, water base rates, and base overage rates, as well, a decrease in the allowed monthly gallons.

Councilmember Wall further explained that the proposed rates come from a compromise of information and opinions received from the town hall meetings.

After reviewing the guidelines for public hearings, Mayor Beckstead opened the meeting for public testimony and comment.

Reggie Hyde, Preston Idaho: Lack of communication. He didn't receive notice of the town hall meetings, and feels that it could have been advertised better. He heard there had been a juvenile comment made about those that live in the golf course can afford to pay higher rates. They pay excess amount of property taxes. A fair approach would be an across the board increase for everybody's water, and not decrease the allowed monthly gallons.

J. David Cole, Preston Idaho: Thought that the \$15.00 across the board increase was the consensus of the town hall meetings. Lowering the allowed gallons from 50,000 to 35,000 gallons would be o.k., but then raising the overage charges by 50% is excessive. Their lawn may have to be brown, because they can't afford the overage.

Commissioner Wall stated that the estimated monthly rates given at the town hall meetings did include overage rates within the graphs.

Nile Checketts, Preston Idaho: The increase in rates was addressed at the town hall meetings, and the majority wanted the \$15.00 rates. What was the purpose of the meetings if Council wasn't going to follow the majority? Most wanted \$15.00 across the board.

Sandra Hubbard, Preston Idaho: Served on Council while the 50,000 gallons per month allotment was discussed. The monthly 50,000 was to keep the city green and beautiful. Her water will go to about \$130.00 per month. An increase in rates is understandable, but the outside of the city limits water users have an agreement to pay 1½ times the rate as those in the city limits. This should include the overage amount as well as the base amount.

Councilmember Larson asked for clarification as he couldn't hear Ms. Hubbard's comments over the phone.

Ms. Hubbard explained that the base amount on the proposed resolution is 1½ times for the outside of city limits water users, but the overage amount is proposed to be the same as those within the city limits. She would like the overage rates to be 1½ times, as well.

Karen Taylor, Preston Idaho: They have a big yard, but no children at home. They do like to take care of their yard and garden. All residences should have access to secondary water for the yards and gardens. Her daughter pays \$125.00 annually for their secondary water. This would be a better solution. There's going to be lots of dry yards in Preston City because people can't afford the increase.

Councilmember Larson explained that not every irrigation company charges \$125.00 per year for the secondary water. There are different assessments with different companies.

Lynn Sant, Preston Idaho: Yard work is his therapy, and he already pays a large overage to keep his yard manicured and green. Those in the golf course don't necessarily have large yards. He takes pride in his yard, and feels he is being penalized for taking care of the yard. The city should have participated in getting the secondary irrigation system into Preston, and, should have turned the Cub River water shares into culinary water instead of selling the shares.

Mayor Beckstead stated that it is the goal of the Mayor and Council to assure that we have water in the future, not to dry up yards, etc.

Mr. Sant asked if the Church of Jesus Christ of Latter Day Saints are sent water bills for their water usage.

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Clerk Acock stated that they have numerous bills, including the meetings houses, Benson Park, Cranner Field, Seminary building, Deseret Industries.

Howard Thomas, Preston Idaho: Would like more precise numbers. How much does the city need to raise? How much does each project cost? Is the city actively pursuing grants?

Mayor Beckstead stated that the most recent endeavor cost 1.2 million. It is the city's goal to pay that loan off very soon, and the proceeds from that loan will be used towards the emergency water source.

Councilmember Thomas stated that there isn't an exact dollar amount, but it is obviously in the millions. Much of the amount will be determined by the going rates, the amount of grants, and the reserves.

Councilmember Larson stated that our current utility rates are low, and because of that, we may not qualify for certain grants.

John Brough, Preston Idaho: New houses are not paying enough to connect to our services, and new citizens are riding on the backs of us that have lived here for a long time.

Mayor Beckstead explained that we cannot use water and sewer connections to build revenue. They must be reasonable costs.

Councilmember Larson added that everybody is riding off someone else's back. Our grandparents and great-grandparents paid for the system we are now using, that was once state of the art. We rode off their backs, our kids ride off our backs, and it goes on and on.

Brett Jensen, Preston Idaho: We need to invest in our children and grandchildren's future. There needs to be a reasonable approach, and the city council is looking for that reasonable approach.

Dixon Beckstead, Preston Idaho: Lives in a townhouse, and doesn't use the 35,000 gallons that will be allotted. He doesn't feel the across the board approach would be fair to those who don't use the water.

John Brough, Preston Idaho: What happened to all the shares that were sold to the city years ago?

Mayor Beckstead explained that the city has shares in Consolidated Irrigation, to use for the emergency water source. Any new subdivisions created within the city have to provide secondary water for the subdivision.

Clerk Acock read written comments received in the Clerk's Office, from David Kunze and from Sharon McLing. (a copy of the comments follows Minutes

There being no further comments, it was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to close the public hearing and open the floor to discussion amongst the council. This received unanimous approval.

Councilmember Wadsworth stated that some feel that they're being double charged because they have large lots and the lowered usage and increase overage charges hit them. Others, like those that have secondary water, feel that they are being hit double because they will have to pay higher rates, and are paying for secondary water. There's no answer that won't impact everyone.

Councilmember Thomas stated that he's perplexed on how to be fair, and even what is fair. At first, it seems that paying for what you use is the fairest way. He now would like to re-examine not dropping the gallons or not raising the overage schedule, to find a more fair way.

Councilmember Wall stated that his research shows that 63% of users don't normally go over 50,000 gallons. We need to assure that the rates will cover the costs of the projects.

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Councilmember Larson stated that he is not quite sure what the best method of increase should be. The majority of citizens understand the cost increase is necessary, but don't want a decrease in the water allotment. He is in favor of no reduction or not as drastic of a reduction.

Mayor Beckstead stated that not lowering the allotment only works in theory. Reality is that the projects need to be done to assure water in the future, and that it comes with a price.

Councilmember Wadsworth stated that extra efforts, beyond what is required, were taken to get the message of the town hall meetings and public hearing to all the citizens of Preston.

Attorney Olson advised the council that a decision did not have to be made immediately, and could be made at a later City Council meeting.

It was moved by Councilmember Wall to approve the proposed Resolution, as written. Motion died for lack of second.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to table the decision to the April 8, 2019 meeting. The vote was as follows:

Councilmember Todd D. Thomas	<u>Aye</u>
Councilmember Terry D. Larson	<u>Aye</u>
Councilmember Bradley J. Wall	<u>Nay</u>
Councilmember Allyson Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Rotary Park Re-Plant Bushes & Trees Bailey Beckstead came before the Council to request that he be allowed to replant trees and shrubbery in the Rotary Park, which is approximately 33 South on State Street. The current landscaping is overgrown, and needs upgrading.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to approve Mr. Beckstead moving forward with upgrading the landscaping in the Rotary Park, with the assistance and guidance of the Rotary Club. This received unanimous approval.

Wall Excused Councilmember Wall was excused at 6:40 p.m.

Business License M. Mundell It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve a business license for Michelle Mundell 46 South State, Preston, Idaho for Rae's Bake Shoppe & Café. The vote was as follows:

Councilmember Todd D. Thomas	<u>Aye</u>
Councilmember Terry D. Larson	<u>Aye</u>
Councilmember Bradley J. Wall	<u>Absent</u>
Councilmember Allyson Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Bids 2019 Chip Seal Project City Engineer Simpson presented the bids received for the 2019 Chip Seal project that includes approximately 69 blocks of chip sealing on Preston City streets.

Bids received:  
1. Geneva Rock \$430,370.00  
2. Staker Parsons \$454,910.00

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to accept the bid received by Geneva Rock for \$430,370.00. The vote was as follows:

Councilmember Todd D. Thomas	<u>Aye</u>
Councilmember Terry D. Larson	<u>Aye</u>
Councilmember Bradley J. Wall	<u>Absent</u>
Councilmember Allyson Wadsworth	<u>Aye</u>

Motion passed by majority vote.

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Cracksealer Lease City Attorney Olson presented the Municipal Lease Agreement documentation from Mountain West Bank, for the Cimline Cracksealer. Included with the documents is the Attorney Opinion Letter, for Council to approve Attorney Olson to sign.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to approve the Municipal Lease Agreement between the City of Preston and Mountain West Bank for a Cimline Cracksealer, to authorize Mayor Beckstead to sign said agreement, and to authorize Attorney Olson to sign the Attorney Opinion Letter. The vote was as follows:

Councilmember Todd D. Thomas	<u>Aye</u>
Councilmember Terry D. Larson	<u>Aye</u>
Councilmember Bradley J. Wall	<u>Absent</u>
Councilmember Allyson Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Decision S.U.P. B. Jensen Council reviewed the Decision and Recommendation received from the Planning and Zoning Commission, for a Special Use Permit to build a storage building on a vacant lot near 420 North 8<sup>th</sup> East. Planning and Zoning recommends approval of the Special Use Permit.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve a Special Use Permit for Brett and Janene Jensen 420 North 8<sup>th</sup> East, for a storage building on a vacant lot. The vote was as follows:

Councilmember Todd D. Thomas	<u>Aye</u>
Councilmember Terry D. Larson	<u>Aye</u>
Councilmember Bradley J. Wall	<u>Absent</u>
Councilmember Allyson Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Decision S.U.P. Hatch Holdings Mayor Beckstead explained that there was an issue with the posting of the public hearing notice. Staff will rectify the error, and it will be back for decision.

Sewer Connection 2<sup>nd</sup> West D Beckstead Dixon Beckstead asked City Council to consider crediting him the cost of a sewer connection, for extending the sewer line approximately 85 feet, along 2<sup>nd</sup> West.

Attorney Olson advised that city ordinances allow for reimbursement of the cost of pipe and installation of the pipe.

This matter will be placed on the April 8, 2019 agenda.

Council Report Council Members reported on their various assigned designations.

Adjourn Meeting was adjourned at 7:08 P.M. by Mayor Beckstead.

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Linda Acock, Clerk

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Mark W. Beckstead, Mayor