

**CITY COUNCIL MEETING**  
**February 25, 2013**

---

MAYOR & COUNCIL

Lee Hendrickson  
 Saundra Hubbard  
 Travis Kunz  
 Todd Thomas

STAFF

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

OTHERS PRESENT:

Robert Merrill, Scott Workman, Joel Wilson, Weldon Cheney, Mike Wilson, Jody Shumway, Jordan Winward, Pratt Griffeth, Nate Palmer, Jayston Wolf, Brody Smith, Wyatt Jacklin, Jackson Burnett, Logan Lindhardt, Wyatt Egbert, Alex Winward, Jeannine Groll

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. Councilmember Larson was excused from meeting.

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 11, 2013)
- B. Treasurer's Monthly Report (January 31, 2013)
- C. Bills (February 25, 2013)

It was moved by Councilmember Hubbard 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:

Justin Carter (Justin Carter, DDS, P.C.)

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

Community Recreation Center Joel Wilson, Superintendent of the Preston School District, reported that the School District has plans to place a metal shell over the foundation already in place for the future Community Recreation Center, located on school property directly east of the gym, in order to preserve it until funds become available to finish the inside of the Center. He also invited the Mayor and Council to attend a meeting with Ed Bala and the Idaho Transportation Department on Friday, March 1, 2013, at 11:00 a.m. to address issues concerning access to the Jr. High School.

Secondhand Store Ordinance Mike Wilson addressed the Council regarding Section 5.40.060(D), of the Preston Municipal Code, dealing with pawnbrokers, secondhand precious metals dealers and secondhand stores, wherein it states that all pawnbrokers, secondhand storekeepers and secondhand precious metals dealers shall keep records of "the date when such property is disposed of and the name and address of the person receiving the same". Mr. Wilson requested that this condition be removed from the Preston Municipal Code. After Council discussion, this request was taken under advisement and will be reviewed by City Attorney Nelson.

Street Repair Costs Public Works Director Balls addressed the issue of contractors and private individuals repairing broken sewer lines and failing to repair the streets, thereby impacting the City's budget at the City's cost. After Council discussion, the possibility of requiring permits was raised and a consensus reached that the issue needs to be studied as soon as possible to implement procedures to avoid future problems.

**CITY COUNCIL MEETING**  
**February 25, 2013**

---

Zoning Change      City Clerk Larsen sought direction on whether or not to proceed with an application received by Scott Beckstead Realty, on behalf of Marion N. Adamson, Trustee of the Edwin J. Nuffer Estate, to rezone lots 4 and 5 in the Preston East Commercial Subdivision, consisting of two corner lots fronting 6<sup>th</sup> South Street, located between 3<sup>rd</sup> & 4<sup>th</sup> East Streets. After Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Hubbard that this application would result in spot-zoning, and would not be in accordance with the City's Comprehensive Plan. The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Kunz	Nay
Councilmember Thomas	Aye

Motion passed by majority vote.

Highway 91 & 4<sup>th</sup> East Project      Mayor Hendrickson addressed the Council regarding the opening of 4<sup>th</sup> East Street onto South Highway 91 and stated that after conversing with Lynn Ransom, of Ransom's Country Store, located at 770 South Highway 91, his recommendation is to reopen the intersection at the same location it was before the widening of Highway 91. After Council discussion, it was moved by Councilmember Hubbard and seconded by Councilmember Thomas to move ahead with reopening the intersection at the same location it was before the widening of Highway 91. This received unanimous approval.

Flood Mitigation      City Engineer Kimball reviewed the draft of the Franklin County Multi-Jurisdiction All Hazard Mitigation Plan. He stated that the study appears to be correct and that he agrees with the recommendations set forth in the plan.

Executive Session      It was moved by Councilmember Hubbard 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 62-2345(1)(f). The vote was as follows:

Councilmember Hubbard	Aye
Councilmember Kunz	Aye
Councilmember Thomas	Aye

Motion passed by unanimous vote.

Entered Executive Session at 5:35 P.M.

Returned from Executive Session at 6:22 P.M.

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to adjourn the meeting at 6:22 P.M. This received unanimous approval.

---

Jerry C. Larsen, Clerk

---

F. Lee Hendrickson, Mayor