

CITY COUNCIL MEETING
March 11, 2013

MAYOR & COUNCIL

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, Robert Ruffell

Council Meeting was called to order at 4:30 P.M. by Council President Hubbard.

Roll Call of Councilmembers showed the following members present: Hubbard, Larson, Kunz, Thomas. Mayor Hendrickson was excused from meeting.

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, 2013)
B. Bills (March 11, 2013)

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

Council President Hubbard called for the following public hearing for the purpose of giving consideration to amending the Zoning Ordinance of the City to define restricted residential uses within the business district.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the Mayor and City Council of Preston, Idaho, at the City Hall located at 70 West Oneida Street, Preston, Idaho on the 11th day of March, 2013, at the hour of 5:00 P.M., for the purpose of giving consideration to an ordinance which would amend Chapter 17, Preston Municipal Code, the zoning ordinance of the City, to define restricted residential uses within the Business District; deleting Group Child Care as a permitted use within said district; clarifying height, setback and lot coverage restrictions within said district and prohibiting new residential construction and enlargement of existing residential construction within said district. A copy of the proposed ordinance amending the zoning ordinance is on file with the Office of the City Clerk and may be inspected and reviewed at the City Hall located at the above address.

Written comments or objections may be submitted to the City Clerk, 70 West Oneida, Preston, Idaho 83263. All persons present at the Public Hearing will be given the opportunity to be heard.

Dated: February 14, 2013

s/Jerry C. Larsen, Preston City Clerk

Publish in Preston Citizen: February 20, 2013

Council President Hubbard called for comments from those present regarding this public hearing.

Robert Ruffell voiced his support of the amendment in order to add a garage and make improvements to his property.

There being no more comments, Council President Hubbard closed the public hearing.

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Ord #2013-1 Councilmember Hubbard introduced Ordinance #2013-1, an ordinance
Amend amending Chapter 17.16, to further define restricted residential
Zoning uses in the C-1, C-2 and C-3 zones of the Business District;
Ordinance deleting group child care as a permitted use within said district;
clarifying height setback and lot coverage restrictions; and
prohibiting new residential construction and enlargement of existing
two-family, three-family and multi-family dwellings.

It was moved by Councilmember Thomas and seconded by Councilmember Larson to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in it's entirety. This received unanimous approval.

City Clerk Larsen read Ordinance #2013-1 once in it's entirety.

It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to approve the same as presented. The vote was as follows:

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

Motion passed by unanimous vote.

Business Licenses The following business licenses were presented:

Jonathan Fisher (Greentec Energy Solutions)
Reed Swann (Trout Trackers Of Idaho)

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

East Oneida Road Project City Engineer Kimball informed the Council that plans for the East Oneida Reconstruction Project are in final design, preliminary plans have been reviewed and approved, and construction funding is still slated for FY 2016.

Secondhand Store Ordinance City Attorney Nelson advised leaving Section 5.40.060(D), of the Preston Municipal Code, dealing with pawnbrokers, secondhand precious metals dealers and secondhand stores as it currently is.

Executive Session It was moved by Councilmember Larson and seconded by Councilmember Hubbard to enter Executive Session to discuss acquiring an interest in real property, as allowed by Idaho Code 67-2345(1)©, and to consider and advise its legal representatives in pending litigation or where there is a general awareness of probable litigation, as allowed by Idaho Code 62-2345(1)(f). 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 5:16 P.M.

Returned from Executive Session at 6:58 P.M.

It was moved by Councilmember Larson and seconded by Councilmember Hubbard to accept the advice of Preston City water rights attorney, and not appeal the decisions of the Director of Idaho Department Of Water Resources relating to water transfers placing a volume limitation on the City's summer use water rights. This received unanimous approval.

Meeting was adjourned at 7:01 P.M. by Council President Hubbard.

Jerry C. Larsen, Clerk

Sandra Hubbard, Council President