

CITY COUNCIL MEETING
June 11, 2012

MAYOR & COUNCIL

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
Val Sparrow, Police Chief
Wendy Merrill, Clerk

OTHERS PRESENT:

Robert Merrill, Scott Workman, Ryan Burton, Cheryl Burton, Tylor Reilley, Cedar Hodges, Dan Keller, Cameron Arial, Gerald C. Cole, Braeden Snapp, Vern Fielding, Kevin Thompson, Jim Read

Council Meeting was called to order at 4:30 P.M. by Mayor Hendrickson.

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 (May 14, 2012)
B. Treasurer's Monthly Report (May 31, 2012)
C. Bills (June 11, 2012)

It was moved by Councilmember Hubbard 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:

Jacob DeLong (Jake's Home Service, Inc.)
Brandon Brown (Brown's Insurance Agency)
Devcon Security Services (Devcon Security Services Corp.)
JayDee Barr (JayDee Barr Construction)
Steve Wanner (Rascals)
LaVon Anderson (Flooring America)
Tyler Gessel (B&J Custom Building, Inc.)

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

Lanis Duke (Brokers Group Real Estate Of Idaho, LLC)

It was moved by Councilmember Thomas and seconded by Councilmember Hubbard to approve the above business license subject to providing a Federal Tax ID number. This received unanimous approval.

Nick Trail (Trail Construction)

It was moved by Councilmember Hubbard and seconded by Councilmember Kunz to deny the above business license since the application was not filled out correctly. This received unanimous approval.

Bond Refund It was moved by Councilmember Hubbard and seconded by Councilmember Larson to refund the improvement bond in the amount of \$941.48 to Shawn Marlow, 765 McIntosh Circle. This received unanimous approval.

Zions Bank Proposal To Refinance Water Loan Cameron Arial, Vice President of Zions Bank Public Finance, presented a proposal to refinance the DEQ water loan through Zions Bank. After his presentation and Council discussion, it was moved by Councilmember Thomas and seconded by Councilmember Larson to proceed with the Bond Bank Loan application. This received unanimous approval.

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- Industrial Park Lease Jim Read asked the Council for a long-term lease with the City for a Machine Shop/Fabrication business on property that was previously leased by Moser Truss in the Industrial Park. City Attorney Nelson advised Mr. Read that 20 years should be enough time to realize his investment on the building. He also suggested the City give him an option to renew based on a mutually agreeable rent as long as he complies with the terms of the prior lease after he has been there for 20 years, and that the remaining 2½ acres of land would be available to Mr. Read if expansion takes place within 5 years and that 10 employees be hired. After Council discussion, it was moved by Councilmember Larson and seconded by Councilmember Hubbard that Mayor Hendrickson, City Attorney Nelson and Attorney Steve Fuller meet together to work out the terms of the lease, and that this issue be placed on the next Council agenda. This received unanimous approval.
- Request For Variance Of Street Improvement Kevin Thompson asked the Council for a variance on required street improvements for construction of a single family home on 19 acres of ground, on 4th South between 8th and 9th East. The home is proposed to be built within the 19 acres, with the rest of the acreage being farm ground. Future streets 2nd, 3rd and 4th South, as well as 8th and 9th East run through the property, and the Thompson's feel that being required to build the streets, curb, gutter and sidewalk would be excessive for a single family home and farm ground. He attended Planning & Zoning on May 23, 2012, and they recommended that he take this matter to the City Council. City Attorney Nelson advised Mr. Thompson he needs to apply for a building permit and file a formal application for variance with the Planning & Zoning Commission. He further advised Mr. Thompson that variance procedures require that he prove to the Planning & Zoning Commission that this would be a hardship imposed on him that would not be imposed on other people, and it would not be proper for the Council to consider this issue unless Planning & Zoning denies his request for a variance, at which time he may appeal that decision to the Council.
- Ord #2012-1 Residential Wood Combustion Councilmember Hubbard introduced Ordinance #2012-1, an ordinance establishing air quality designations and alert criteria, prohibiting the burning of certain fuels or refuse within a solid fuel heating appliance or the burning of materials when air pollutants reach a certain level.
- It was moved by Councilmember Hubbard 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. Motion died for lack of a second.
- Lease Agreement Gerald Cole Gerald C. Cole requested a Lease Agreement for the easement and property he maintains near the City's water line in Glendale, as per instructions he received from the ASC. City Attorney Nelson advised him to provide a copy of the legal description for the property. After Council discussion, it was moved by Councilmember Larson and seconded by Councilmember Hubbard to have City Attorney Nelson draw up a Lease Agreement that would go year to year with an option on both sides to terminate said Lease, and to have Gerald C. Cole continue to maintain the land. This received unanimous approval.
- Recreation Board Appointment Kelly Ransom Mayor Hendrickson appointed Kelly Ransom to the Recreation Board. It was moved by Councilmember Hubbard and seconded by Councilmember Thomas to approve the appointment of Kelly Ransom to the Recreation Board, for a term of three years. This received unanimous approval.
- Street Repair Projects 2012 Public Works Director Balls outlined some of the street repair projects for 2012. He suggested chipping 1st East from Oneida Street to 2nd South, Oakwood Drive, and North State from Burger King to the north. City Engineer Kimball was directed to prepare an advertisement for bids for these projects.
- Cub River Water Shares Mayor Hendrickson advised the Council that he had been approached by an individual wanting to sell 13 acres of Cub River Water Stock. After Council discussion, it was moved by Councilmember Larson and seconded by Councilmember Thomas to make an offer to purchase 7 shares of Cub River Water Stock for \$25,000.00. This received unanimous approval.

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County Commission Report County Commissioner Scott Workman reiterated the importance of each city in the county to adopt a Residential Wood Combustion Ordinance.

Ord #2012-1 Residential Wood Combustion The Council readdressed Ordinance #2012-1.

Councilmember Larson introduced Ordinance #2012-1, an ordinance establishing air quality designations and alert criteria, prohibiting the burning of certain fuels or refuse within a solid fuel heating appliance or the burning of materials when air pollutants reach a certain level.

It was moved by Councilmember Larson and seconded by Councilmember Hubbard 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 Attorney Nelson read Ordinance #2012-1 in it's entirety.

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

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

Due to a tie, Mayor Hendrickson cast the tie breaking vote.
Mayor Hendrickson Aye

Motion passed by majority vote.

Executive Session It was moved by Councilmember Kunz and seconded by Councilmember Thomas to enter Executive Session 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.

Entered Executive Session at 7:07 P.M.

Returned from Executive Session at 7:54 P.M.

It was moved by Councilmember Larson and seconded by Councilmember Thomas to adjourn the meeting at 8:01 P.M. This received unanimous approval.

Jerry C. Larsen, Clerk

F. Lee Hendrickson, Mayor