

CITY COUNCIL MEETING
September 11, 2017

MAYOR & COUNCIL

Mark W. Beckstead
Todd D. Thomas
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:

Quinn Corbridge, Pam Corbridge, Sandra Hubbard, Straton Roberts, Laura Roberts, Brandon M. Roberts, Scott Palmer, Trish Checketts, Berni Winn, Jerry Larsen, Marie Larsen, Becky Cox, Vance Broadhead, Wade Ward, Cameron Rounds, Linda Hansen, Blair Porther, Lee Hendrickson, Bailey Beckstead, Kathy Talbot, Cheryl Nielson

Council Meeting was called to order at 5:00 P.M. by Mayor Mark 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. Bills (September 11, 2017)

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to accept the bills of September 11, 2017. The vote received unanimous approval.

Public
Hearing
Annexation
And Zoning
Tricon
Properties
& Roberts

Mayor Beckstead called for the following public hearing regarding the annexation and zoning of the Tricon Properties, LLC and Brandon and Laura Roberts properties located at 1415 West Highway 36.

NOTICE OF PUBLIC HEARING

ON PROPOSED ANNEXATION AND ZONING OF PROPERTY TO BE ANNEXED

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Mayor and City Council of the City of Preston, Idaho, on the 11th day of September, 2017, at the Preston City Hall, 70 West Oneida, Preston, Idaho, at the hour of 5:00 P.M., or as soon thereafter as this matter may be heard, for the purpose of giving consideration to the application of Tricon Properties, Brandon M. and Laura A. Roberts, 1415 West Highway 36, Preston Idaho for the annexation of certain property to the City of Preston, Idaho. Said properties are located in Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho, and is more particularly described in Exhibit "A" which is attached hereto and made part of this Notice. Also attached is Exhibit "B", a map indicating the boundaries of the annexation.

NOTICE IS FURTHER GIVEN, that simultaneously with said Public Hearing on Annexation, that a Public Hearing shall be held by the Mayor and Council at the above-stated time and address for the purpose of giving consideration to the request by the above-stated property owners that said property be zoned Transitional on annexation of said properties to the City and the Comprehensive Plan be amended in accordance with this request.

All persons present will be given the opportunity to be heard concerning said annexation and zoning requests. Written comments or objections may be submitted to the Office of the City Clerk, Preston City Hall, Located at 70 West Oneida, Preston, Idaho 83263.

Dated this 11th day of August, 2017.

s/Linda Acock, City Clerk

Publish in The Preston Citizen: August 16, 2017

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Exhibit "A"

Parcel "A" (RP01851.02)

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Beginning 1100 feet, more or less, East of the South West corner of Section 21, thence East 220 feet, more or less, thence North 1007 feet, more or less, to the right-of-way of Highway 36, thence following the right-of-way of Highway 36 in a Southwesterly direction 220 feet, more or less, thence South 1007 feet, more or less, to the point of beginning. Containing approximately 5.09 acres.

And also:

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

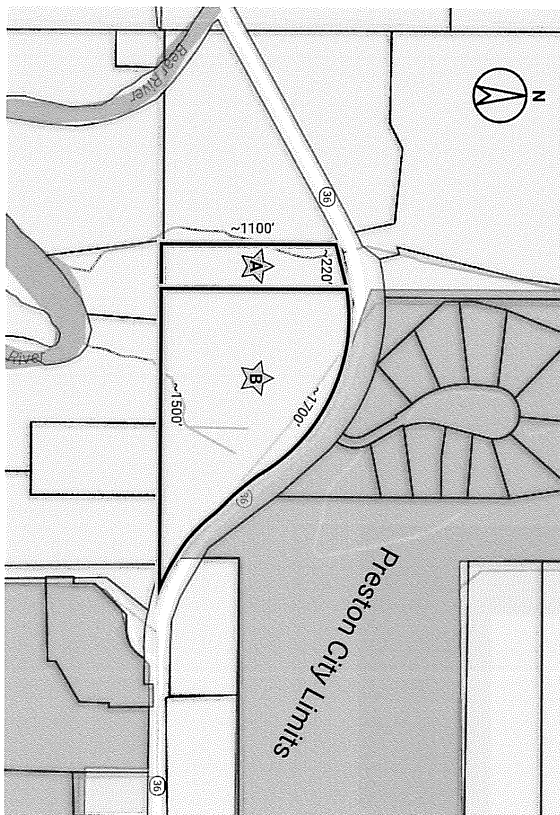
All that portion of the South West of the South West of Section 21 lying South of Highway 36 and East of the East Edge of the Creek known as Erickson Hollow, containing approximately 0.25 acres.

Parcel "B" (RP01849.01)

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho.

Section 21: Commencing at the Southwest corner of the E1/2 SW ¼ of Section 21, thence running North 800 Feet, more or less, to the South boundary line of State Highway 36 right-of-way; thence East and Southeasterly following the said Highway right-of-way to a point which is 1000 feet East of point of beginning; thence West 1000 feet, more or less, to place of beginning. Containing approximately 19 acres.

Exhibit "B"



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Brandon Roberts stated that he is requesting the properties at 1415 West Highway 36 be annexed into the City of Preston, and that they be zoned Transitional.

Engineer Owens stated that the Planning and Zoning has held a public hearing, and is recommending approval of the annexation and Transitional Zoning. It is also the recommendation of Engineer Owens that the city council approve the annexation and zoning.

Mayor Beckstead asked for supportive comments from those present. There being none, he asked for neutral comments, then comments in opposition to the annexation and zoning of said property. There being none, Mayor Beckstead asked if any written comments had been received. There were no written comments received. Mayor Beckstead then closed the public hearing and opened the meeting to discussion amongst the council.

After discussion, it was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to accept the Planning and Zoning Commission's recommendation of approval for the annexation and zoning of 1415 West Highway 36. This received unanimous approval.

Councilmember Thomas introduced Ordinance 2017-12, an ordinance for the annexation and zoning of the Tricon Properties, LLC and Brandon and Laura Roberts properties.

Ord. 2017-12 It was moved by Councilmember Thomas and seconded by Councilmember Annexation Wall to dispense with the rules requiring the reading of ordinances & Zoning on three separate days, and ordered the ordinance to be read once in summary. The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

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

It was moved by Councilmember Wadsworth and seconded by Councilmember Wall to approve Ordinance 2017-12. The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

Annexation Water Agreement Tricon Properties & Roberts It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to accept the Annexation Water Agreement between the City of Preston and Brandon and Laura Roberts in the amount of \$3000., and to accept the Annexation Water Agreement between the City of Preston and Tricon Properties, LLC in the amount of \$3000. For the transfer of water rights to the City of Preston, upon annexation. The motion further authorizes Mayor Beckstead to sign said agreements. This received unanimous approval.

Public Hearing Vacate 4th East 1st North Mayor Beckstead called for the following public hearing regarding the vacation of a portion of 4th East and 1st North, as follows:

Corrected NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing shall be held before the Mayor and City Council of Preston, Idaho, on the 11th day of September, 2017, 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 83263, for the purpose of giving consideration to the request of Patricia Checketts to vacate a portion of unimproved street to include 4th East, where the same is located on real property belonging to Patricia Checketts, and to give consideration to the request of Carolyn Rounds to vacate portions of unimproved streets to include 4th East and 1st North, where the same are located on real property belonging to Carolyn Rounds for the purpose of allowing development on said real property and which the

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applicants represent are not necessary for the future development of the city. If vacated by the city, the vacated streets will be transferred to the property owners adjoining said vacated streets. The property owned by Patricia Checketts on which she seeks to vacate said street is described in Exhibit "A" attached hereto and made a part of this Notice of Public Hearing. The property owned by Carolyn Rounds on which she seeks to vacate said streets are described in Exhibit "B" and Exhibit "C" attached hereto and made a part of this Notice of Public Hearing.

All persons present at the hearing will be given the opportunity to be heard. Written comments or objections may be submitted to the City Clerk at the address set forth above and will be considered by the Mayor and Council.

s/Linda Acock, City Clerk

Publish: August 16, 2017; August 23, 2017

EXHIBIT "A"
LEGAL DESCRIPTION FOR 400 EAST STREET ABANDONMENT
TRISH CHECKETTS PORTION

A parcel of land located in Section 23, Township 15 South, Range 39 East, Boise Meridian, Preston City, Franklin County Idaho and more particularly described as follows:
Beginning at the South quarter corner of said Section 23, from which the center of Section 23 bears North 00° 04' 24" West 2651.76 feet;
Thence North 35° 16' 58" West 60.70 feet to a point on the Northerly right of way line of Oneida Street, the True Point of Beginning;
Thence North 00° 04' 24" West 320.52 feet to a point on the South line of Glenn Call Subdivision, the plat for which is recorded as Instrument #141469 in the official records of Franklin County;
Thence South 89° 52' 09" East 21.05 feet along said South line;
Thence South 89° 39' 08" East 48.95 feet;
of way line of Oneida Street;
Thence North 89° 55' 02" West 70.00 feet to the True Point of Beginning.
Containing .5 acres of land.

EXHIBIT "B"
LEGAL DESCRIPTION FOR 400 EAST STREET ABANDONMENT
CAROLYN ROUNDS PORTION

A parcel of land located in Section 23, Township 15 South, Range 39 East, Boise Meridian, Preston City, Franklin County Idaho and more particularly described as follows:
Beginning at the South quarter corner of said Section 23, from which the center of Section 23 bears North 00° 04' 24" West 2651.76 feet;
Thence North 35° 16' 58" West 60.70 feet to a point on the Northerly right of way line of Oneida Street;
Thence North 00° 04' 24" West 320.52 feet to a point on the South line of Glenn Call Subdivision, the plat for which is recorded as Instrument #141469 in the official records of Franklin County, the True Point of Beginning;
Thence North 00° 04' 24" West 104.49 feet;
Thence South 89° 54' 39" East 70.00 feet;
Thence South 00° 04' 24" East 104.72 feet;
Thence North 89° 39' 08" West 48.95 feet;
Thence North 89° 52' 09" West 21.05 feet.
Containing 0.2 acres of land.

EXHIBIT "C"
LEGAL DESCRIPTION FOR 100 NORTH STREET ABANDONMENT
CAROLYN ROUNDS

A parcel of land located in Section 23, Township 15 South, Range 39 East, Boise Meridian, Preston City, Franklin County Idaho and more particularly described as follows:
Beginning at the South quarter corner of said Section 23, from which the center of Section 23 bears North 00° 04' 24" West 2651.76 feet;
Thence North 00° 04' 24" West 759.01 feet along the meridional centerline of said Section 23;

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Thence South 89° 51' 07" East 159.11 feet to the True Point of Beginning;
Thence North 00° 05' 20" West 30.00 feet;
Thence South 89° 51' 07" East 137.09 feet;
Thence South 00° 05' 20" East 60.00 feet;
Thence North 89° 51' 07" West 137.09 feet;
Thence North 00° 05' 20" West 30.00 feet to the True Point of Beginning.
Containing 0.2 acres of land.

Patricia Checketts, Developer of the Patricia Checketts Minor Subdivision at 353 East Oneida presented the request to abandon 4th East from Oneida street to the back of her property. She explained that if the street were to be developed, it would go through her shop and garage, and the neighboring property's garage. 4th East has already been abandoned two blocks to the south of her development.

Cameron Rounds, developer of the Arbor View Subdivision at 1st North and 4th East presented the request to abandon 4th East continuing from the back of the Patricia Checketts Minor Subdivision to 2nd North Street, and 1st North street running from 4th East approximately 356 feet to the East.

City Engineer Owens recommended, due to topographic conditions, development, and existing buildings, that city council vacate the portion of 4th East, from Oneida street to 2nd North, and the portion of 1st North, from 4th East, running east through the proposed Arbor View Subdivision.

Mayor Beckstead asked for comments from those present. There being none, Mayor Beckstead asked for any written comments. There being none, Mayor Beckstead closed the public hearing, and opened the meeting up to discussion amongst the council.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth the approve vacating the portion of 4th East Street from Oneida Street to 2nd North, and a portion of 1st North from 4th East to the East side of the proposed Arbor View Subdivision. This received unanimous approval.

Ord. 2017-13 Councilmember Wall introduced Ordinance 2017-13, an ordinance to Vacate Street 4th East & 1st North vacate a portion of unimproved street to include 4th East, where the same is located on real property belonging to Patricia Checketts, vacate portions of unimproved streets to include 4th East and 1st North, where the same are located on real property belonging to Carolyn Rounds for the purpose of allowing development on said real property and which the applicants represent are not necessary for the future development of the city. If vacated by the city, the vacated streets will be transferred to the property owners adjoining said vacated streets. Councilmember Wall also moved, and it was seconded by Councilmember Thomas, to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in summary. The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

Clerk Acock read Ordinance 2017-13 once in summary.

It was moved by Councilmember Wall and seconded by Councilmember Thomas to approve Ordinance 2017-13, an ordinance vacating a portion of unimproved street to include 4th East and 1st North. The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

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Public Hearing
 Amend
 FY 2017
 Budget

Mayor Beckstead called for the following public hearing regarding the amendment to the Fiscal Year 2017 budget, as follows:

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the City Council of Preston, Idaho will hold a public hearing for consideration of a proposed amendment to the fiscal year 2017 budget. The hearing will be held at the Preston City office 70 West Oneida at 5:00 p.m. or as soon after as this matter can be heard on Sept 11, 2017. The proposed amendment reflects additional revenues and expenditures in the form of a grant for fiber optic installation at the industrial park and additional expenditures for repair and replacement of city streets.

	FY 2015 ACTUAL EXPENDITURES	FY 2015 REVENUES	FY 2016 ACTUAL EXPENDITURES	FY 2016 ACTUAL REVENUES	FY 2017 BUDGETED EXPENDITURES	FY 2017 BUDGETED REVENUES	FY 2017 INCREASE OVER ORIGINAL APPROPRIATION
INDUSTRIAL PARK	\$995	\$0	\$260	\$0	\$3,000	\$0	\$24,760
STREET FUND	\$432,607	\$529,895	\$583,315	\$639,848	\$981,246	\$693,848	\$230,000

At said hearing any interested person may appear and show cause, if any he has, why such proposed appropriations ordinance amendment should or should not be adopted. City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities related to the hearing, please contact City Hall, 208-852-1817 at least 48 hours prior to the public hearing.

Linda Acock, City Clerk

Publish August 23rd and 30th, 2017

City Treasurer Mickelsen presented the need to open the budget for street improvements in the amount of \$230,000. and a fiber optics grant that was received in the amount of \$24,760.

Mayor Beckstead asked for comments in support of amending the 2017 budget. There being none, Mayor Beckstead asked for neutral comments. There being none, Mayor Beckstead then asked for comments from those in opposition to the amendment of the 2017 budget.

Jerry Larsen, 147 North 1st West, provided a statement, opposing the amendment to the 2017 budget, and asked the council to vote no to amend the budget to spend additional money. (Mr. Larsen's statement follows Minutes)

There being no further comments, written or verbal, Mayor Beckstead closed the public hearing and opened the meeting for discussion amongst the council.

Ordinance
 2017-14
 Amend
 FY 2017

Councilmember Wall introduced Ordinance 2017-14, an ordinance to amend the Fiscal Year 2017 budget, to appropriate additional money to the street budget, in the amount of \$230,000. and a grant for fiber optics in the Industrial Park, in the amount of \$24,760.

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in summary. The vote was as follows:

Councilmember Thomas	<u>Nay</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Clerk Acock read Ordinance 2017-14 once in summary.

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It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to approve Ordinance 2017-14, an ordinance to amend the Fiscal Year 2017 budget, allowing additional money to be appropriated for streets, in the amount of \$230,000. And \$24,760. for a fiber optics grant at the Industrial Park. The vote was as follows:

Councilmember Thomas	<u>Nay</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by majority vote.

Cooperative Agreement & Resolution 103 City Engineer Owens presented a Cooperative Agreement and Resolution between the City of Preston and the Idaho Transportation Department, for luminaire street lights at the intersection of US-91 and West 8th North. The agreement states that the Transportation Department will furnish the lights and installation. The city will pay the power for said lights.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to enter into the Cooperative Agreement with the Idaho Transportation Department, approve Resolution #103, and authorize Mayor Beckstead to sign the agreement and resolution. This received unanimous approval.

Leadership Lunch Councilmember Wadsworth invited the Mayor and council to a lunch, hosted by the Franklin County Medical Center, held at the Oneida Stake Academy. The purpose of the luncheon is to network businesses and community.

Staff Report Staff Members reported on their various assigned designations.

Adjourn Meeting was adjourned at 6:30 P.M. by Mayor Mark Beckstead.

Linda Acock, Clerk

Mark W. Beckstead, Mayor