

CITY COUNCIL MEETING
January 23, 2017

MAYOR & COUNCIL

Mark W. Beckstead
Todd D. Thomas
Terry D. Larson
Bradley J. Wall
Allyson Wadsworth

STAFF

Linda Acock, City Clerk
Kelly Mickelsen, City Treasurer
Tyler Olson, City Attorney
Mark T. Owens, City Engineer

OTHERS PRESENT:

Chuck Chesney, Patty Chesney, Clayton Gefre, Berni Winn, James Chavarria, Faye Lynn Owen, T. Mark Owen, Kevin Graham, Chris Kirby, Mike Hopkins, Ernest Dixon, Delbert Rumsey, Linda Hansen, Don Bartlome

Council Meeting was called to order at 5:00 P.M. by Mayor 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. Council Minutes (December 19, 2016)
- B. Bills (January 09, 2017)
- C. Treasurer's Monthly Report (December 31, 2016)

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to approve the Council Minutes of December 19, 2016, as presented. The vote was as follows:

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

Motion passed by majority vote.

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to accept the bills of January 23, 2017. The vote received unanimous approval.

Business
Licenses

The following business licenses were presented:

Carl Myler 6078 W Haven Ridgeway, West Valley, UT (Carl Myler Const)
Jill Parrish 615 West 4th South, Preston, ID (Grateful Spirits)

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

Planning &
Zoning
Advisory
Committee

Engineer Mark Owens expressed a need for a Planning and Zoning advisory committee, to study the comprehensive plan, land use plan, street maps, etc. and make recommendations to the Planning and Zoning Board. It would be a volunteer committee made up from two council members, two planning and zoning members and two members of the city.

It was moved by Councilmember Larson and seconded by Councilmember Thomas to proceed with the formation of an advisory committee to the Planning and Zoning Board. This received unanimous approval.

Public
Hearing
Rezone
IPEX USA

Mayor Beckstead called for the following public hearing for the purpose of giving consideration to a zone change, as requested by IPEX USA, LLC, from its current classification of Residential A-1 to Industrial I-1.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on January 23, 2017, before the City of Preston Mayor and City Council at the hour of 5:05 P.M. at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of IPEX USA LLC, 640 South Highway 91, Preston Idaho for the rezoning of certain property located in the City of Preston, Idaho, from its present classification of Residential A-1 District to a

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classification of Industrial I-1. More specifically, a small portion in the southwest section and a small portion of the west section of parcel 4347.01 is zoned residential. IPEX USA LLC desires that the entire parcel 4347.01 be zoned Industrial I-1. A copy of the legal description of the property requested to be rezoned is attached hereto together with a copy of a map showing the location of the property in proximity to adjoining streets.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said rezoning may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 21st day of December, 2016.

S/Linda Acock, City Clerk

Mayor Beckstead asked Kevin Graham, of IPEX USA to come forward to present the request for a rezone of property.

Kevin Graham stated that IPEX USA learned that not all of their property is zoned Industrial, and the request is to zone all of IPEX's property as Industrial. At the public hearing held before the Planning and Zoning Commission, it was their recommendation that the "finger" of the property that fronts 1st East Street remain Residential A-1 and that IPEX seek a Special Use Permit. IPEX does agree to the rezoning of all property within their lot as Industrial I-1, except for the "finger" of property between the residential dwellings, that fronts 1st East.

City Engineer Owens recommended that the City Council follow the Planning and Zoning's findings, and approve the rezone, denying the Southwest portion that fronts 1st East.

Mayor Beckstead asked for supporting testimony. There being none, he asked for those with neutral comment. There being no neutral comment, he asked for those with opposing comments.

T. Mark Owens stated that he wants the Council to come to a decision and not keep setting this matter for more hearings and meetings.

Mr. Owens was advised that this public hearing is the time and date for decisions.

Kris Kirby, IPEX stated that he wanted to alleviate any rumors or fears that IPEX is going to sell the property. IPEX acquired the property in 2015 with intentions to grow the United States, portion of their business. They are in the piping business and the acquisition is long term.

There being no further comments, Mayor Beckstead closed the public hearing and opened up discussion amongst the Council.

After brief discussion, it was moved by Councilmember Wall and seconded by Councilmember Thomas to follow the recommendation of the Planning and Zoning Board, and approve the rezone of the property at 640 S Highway 91, IPEX USA, LLC, denying the southwest finger of the property that fronts 1st East. This received unanimous approval.

Ord#2017-1 Councilmember Thomas introduced Ordinance 2017-1, an ordinance
Rezone rezoning certain property from its present classification of
640 Hwy 91 Residential A-1 to Industrial I-1.

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 summary. This received unanimous approval.

City Clerk Acock read Ordinance #2017-1 once in summary.

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It was moved by Councilmember Thomas and seconded by Councilmember Wall to approve Ordinance 2017-1. The vote was as follows:

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

Motion passed by unanimous approval.

Special Use On December 28, 2016, the Planning and Zoning Commission held a public hearing to hear public testimony regarding a request for IPEX USA special use permit on the southwest finger of the property owned by 640 Hwy 91 IPEX USA to use the property for ingress and egress to the property should the railroad tracks become blocked.

The Planning and Zoning Commission has presented their findings to City Council, recommending approval of said Special Use Permit.

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to approve the Special Use Permit for ingress and egress to the property along 1st East should the railroad tracks become blocked, to IPEX USA at 640 South Highway 91, as found in the Planning and Zonings Findings and Recommendation, with the following stipulations:

1. The subject property shall comply with all applicable laws and regulation of the City.
2. Emergency ingress and egress shall be limited to when the railroad is blocked or access to Highway 91 is otherwise obstructed, or in the event of fire or other emergency.
3. Emergency ingress and egress shall be limited to vehicles that can safely negotiate conditions on 1st East without detriment to neighboring property.
4. Access to and from 1st East shall conform to Preston City access standards.
5. Applicant shall install a minimum six (6) foot fence on the east boundary of the subject property with a crash gate.
6. Applicant shall install an identification sign in compliance with Preston City Code 17.92-SIGNS, indicating use is for emergency access only.
7. Applicant shall landscape and maintain the lot to be harmonious and appropriate in appearance with the existing residential neighborhood.

This received unanimous approval.

Executive Session It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to enter Executive Session to discuss personnel/individual agent as allowed by Idaho Code 74-206(1)(a)(b). The vote was as follows:

Councilmember Thomas	Aye
Councilmember Larson	Aye
Councilmember Wall	Aye
Councilmember Wadsworth	Aye

Motion passed by unanimous vote.

Entered Executive Session at 5:52 P.M.
Returned from Executive Session at 6:25 P.M.

Hire Police Officer Macinanti It was moved by Councilmember Larson and seconded by Councilmember Thomas to hire Jeffrey Macinanti at a beginning annual wage of \$42,500., his hire date being March 6, 2017. This received unanimous approval.

Terminate Building Inspector Services John Burg It was moved by Councilmember Thomas and seconded by Councilmember Wall to authorize Mayor Beckstead to issue a termination letter for the October 1, 2015 Professional Services Agreement for Building Inspection Services between the City of Preston and John Burg. This received unanimous approval.

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Building Inspection Services Franklin County It was moved by Councilmember Larson and seconded by Councilmember Thomas to contract with Franklin County for building inspector services, and to have Attorney Olson draft an Agreement For Professional Services for Building Inspection, between the City of Preston and Franklin County. This received unanimous approval.

Adjourn Meeting was adjourned at 6:28 P.M. by Mayor Beckstead.

Linda Acock, Clerk

Mark W. Beckstead, Mayor