

CITY COUNCIL MEETING
January 08, 2018

MAYOR & COUNCIL

Todd D. Thomas
Terry D. Larson
Bradley J. Wall
Allyson Wadsworth

STAFF

Linda Acock, City Clerk
John Balls, Public Works Director
Kelly Mickelsen, City Treasurer
Mark T. Owens, City Engineer
Mike Peterson, Chief of Police
Tyler Olsen, Attorney

OTHERS PRESENT:

Charles Chesney, Patty Chesney, Bruce Hodges, David Ward, Scott Palmer, Robert Swainston, Berni Winn, Clint Wadsworth, Landon Wadsworth, H.K. Smith, Angela Smith, Kent Gardner, Robert Talbot, John Brough, Bryon Martin, Kevin Hobbs

Council Meeting was called to order at 5:00 P.M. by Council President Thomas.

County Commission Report Added To Agenda At the onset of the meeting, Council President Thomas proposed that an item, Franklin County Commission Request, be added to the agenda. It was moved by Councilmember Wadsworth and seconded by Councilmember Larson to amend the January 8, 2018 agenda to add a Request from the Franklin County Commission. This received unanimous approval.

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. Minutes (December 13, 2017)
B. Bills (January 08, 2018)

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to approve the City Council Minutes of December 11, 2017, as presented. This received unanimous approval.

It was moved by Councilmember Larson and seconded by Councilmember Wall to accept the bills for January 08, 2018. This received unanimous approval.

Oath For Council Member Wadsworth City Clerk Acock administered the "Oath Of Office" to Allyson Wadsworth for the office of councilmember of the City of Preston for a term of four years.

Oath For Council Member Thomas City Clerk Acock administered the "Oath Of Office" to Todd D. Thomas for the office of councilmember of the City of Preston for a term of four years.

Thomas Elected Council President Council President Thomas called for the nomination for Council President.
Councilmember Wall nominated Councilmember Thomas to serve as Council President for a two year term. Council President Thomas called for a vote and the vote was unanimous for Councilmember Thomas to serve as Council President.

Release P&Z Commissioner B. Hodges Council President Thomas thanked Bruce Hodges for serving two terms on the Planning and Zoning Commission, and presented a plaque to him.

Appoint Scott Palmer To Planning & Zoning Council President Thomas presented Scott Palmer as an appointment to the Planning and Zoning Commission.
It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to approve the appointment of Scott Palmer on the Planning and Zoning Commission. This is a six year term, effective January 8, 2018. The motion received unanimous approval.

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Public
Hearing
Rezone
Res. B To
Res. A-1
B. Martin

Council President Thomas called for the following public hearing for the purpose of receiving and hearing public comment on the following Request for Rezone, Bryon Martin, near 280 North 2nd East.

NOTICE OF PUBLIC HEARING

On recommendation of Preston Planning and Zoning Commission the Preston City Council held a public hearing on November 13, 2017 to give consideration to an application of Bryon Martin for the purpose of rezoning certain properties from the classification of Residential A-1 to Residential B. The Council recommended a material change to the recommendation of the Planning and Zoning Commission. Notice is hereby given that a public hearing will be held to consider this change on January 08, 2018, before the City of Preston Mayor and City Council 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, Preston, Idaho. This hearing is to consider the rezoning of certain property located approximately 280 North 2nd East, in the City of Preston, Idaho, from its present classification of Residential A-1 District to a classification of Residential B. The map and legal descriptions of the properties to be rezoned follows.

EAST OF 2nd EAST

Property 1:

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

Section 23: COMMENCING at a point 88 rods East and 139 rods North from the Southwest corner of Section 23, and running

THENCE East 17 rods;

THENCE South 10 rods;

THENCE West 17 rods;

THENCE North 10 rods to the Place of Beginning.

Property 2:

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

Section 23: Beginning at a point 105 rods East and 138 rods North of the Southwest corner of said Section 23:

THENCE East 187 feet;

THENCE South 165 feet;

THENCE West 187 feet;

THENCE North 165 feet to the PLACE OF BEGINNING.

Property 3:

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

Section 23: Beginning at a point 105 rods East and 128 rods North of the Southwest corner of said Section 23:

THENCE East 187 feet;

THENCE South 138 feet;

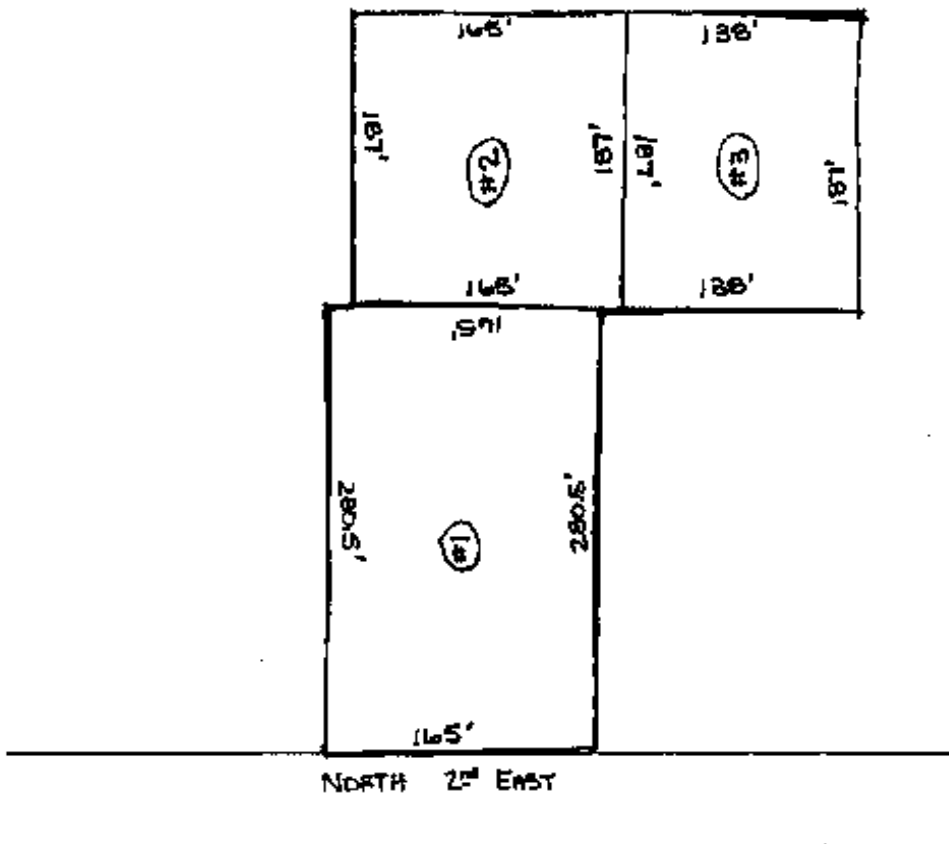
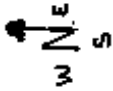
THENCE West 187 feet;

THENCE North 138 feet to the PLACE OF BEGINNING.

SUBJECT TO: Agreement or covenant not to build living or storage structures on above property for a period of 20 years from date herein signed. The purpose of this agreement or covenant is to provide an open space for walkways, gardens, grass areas, sitting areas or other similar uses which would encourage quiet enjoyment of this area.

SUBJECT TO: All easements, right of ways, covenants, restrictions, applicable building and zoning ordinances, and use regulations, and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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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 16th day of November, 2017.

Linda Acock, City Clerk

R. Kent Gardner, attorney on behalf of Bryon Martin, explained that there was a public hearing held on November 13, 2017, but two properties on the west side of 2nd East was included in that public hearing. Mr. Martin wants to proceed with only the three properties on the East side of 2nd East, so the hearing was re-noticed and re-

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held. He reminded the Council that this public hearing is only for the three properties on the east of 2nd East.

Council President Thomas asked for comments from those present, in favor of granting the zone change. There being none, Council President Thomas asked if any written comments had been received by the City Clerk's office. There were no written comments.

Council President Thomas asked for neutral comments pertaining to the request for rezone. There being none, Council President Thomas asked for written comment. There were no written comments.

Council President Thomas asked for comment in opposition to the request for rezone. There being none, he asked for written comment in opposition. There were no written comments, so therefore, Council President Thomas closed the public hearing and opened discussion amongst the Council.

Ordinance 2018-01
Rezone
B. Martin

Councilmember Wall introduced an Ordinance to rezone certain properties from the classification of Residential A-1 to Residential B.

It was moved by Councilmember Wall and seconded by Councilmember Larson to dispense with the rules requiring the Reading of Ordinances on three separate days, and ordered Ordinance 2018-1 to be read once in summary. The vote was as follows:

Council President Thomas Aye
Councilmember Larson Aye
Councilmember Wall Aye
Councilmember Wadsworth Aye

Motion passed by unanimous vote.

Clerk Acock read the Ordinance once in summary.

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to approve Ordinance 2018-01.

Council President Thomas Aye
Councilmember Larson Aye
Councilmember Wall Aye
Councilmember Wadsworth Aye

Motion passed by unanimous vote.

Business License

It was moved by Councilmember Wadsworth and seconded by Councilmember Larson to approve the following business license:

Maria Valdez 770 East McIntosh Cir (Maria Cleaning)

Vacant Lots Available At Industrial

Kevin Hobbs would like space at the industrial park for parking semi-trucks and storing trailers.

Council discussed available space, grant requirements, wetlands and lease terms.

It was determined that Mr. Hobbs should work with City Engineer Owens to determine the regulations, and then to draw up a lease.

Extend Improvement Agreement
1098 N. 1400 W.
H.K. Smith

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to extend the deadline for the Improvement Agreement for H.K. and Angela Smith at 1098 North 1400 West, to September 1, 2018. The motion received unanimous approval.

Purchase Water Shares

Councilmember Wall explained that Barry Campbell has approached him for Preston City to consider purchasing 3 shares of Consolidated Irrigation Water Shares. After discussion, it was determined that Councilmember Wall can offer Mr. Campbell fair market rate for the shares.

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Franklin Co. Request To Place Recycle Bins At Archery Building
Franklin County Commissioner, Robert Swainston, asked if the City would consider allowing the county to move the recycle bins from their current location behind the courthouse, to the side lot of the Archery Building.
It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to enter into an agreement with Franklin County to move the recycle roll offs from behind the businesses and Courthouse to the west portion of the Archery Building. As well, check the deed to the property to assure that snow removal will not be putting snow on neighboring property. This received unanimous approval.

Master Street Plan
Engineer Owens stated that the Advisory Committee has been working on the revision to the 1904 Master Street Plan. They've looked at all the streets, and have determined there are proposed streets that should remain required streets on the master street plan, there are some that should be removed from the master street plan due to topography, etc. and some streets that, depending on the growth and needs of the city may be negotiated at the time of development. They have implemented three classifications to coincide with the State of Idaho, those being local streets, collector streets and arterial streets.
Attorney Olsen suggested that, because the city is including streets that would be in the impact area, that Engineer Owens take the map to the County Planning and Zoning and work with the county on updating the street map.
Engineer Owens will take the map to a County Planning and Zoning meeting, make any further revisions, and then this matter may be set for public hearing before the City Planning and Zoning Commission.

Waste Water Facility Grant
Engineer Owens stated that the waste water facility has been placed on a six year compliance schedule for upgrading the sewer plant. To meet that deadline, he needs to get the facility plan done. DEQ has planning grant.
It was moved by Councilmember Larson and seconded by Councilmember Wall to approve Engineer Owens to apply for the IDEQ Waste Water Planning Grant and to sign the Letter of Interest. This received unanimous approval.

Council Report Assigned Designation
Council members gave brief updates on their various assigned designations.

Adjourn
Meeting was adjourned at 6:38 p.m. by Council President Todd D. Thomas.

Linda Acock, Clerk

Todd D. Thomas, Council President