

CITY COUNCIL MEETING
October 22, 2018

MAYOR & COUNCIL

Mark Beckstead
Todd D. Thomas
Terry D. Larson
Allyson Wadsworth

STAFF

Linda Acock, City Clerk
Kelly Mickelsen, City Treasurer
Tyrell Simpson, City Engineer
Shawn Oliverson, Economic Development
John Balls, Public Works Director
Tyler Olson, City Attorney

OTHERS PRESENT:

Bruce Nate, Kim Nate, Larry Ralphs, Scott Palmer, Sandra Hubbard, Berni Winn, Cody Ralphs, Krystal Harmon, Robert Swainston, LuCinda Harris, Brian Taylor, Alexis Beckstead, Chuck Chesney, Cuyler Stoker

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 (October 10, 2018)
- B. Bills (November 5, 2018)
- C. Treasurer's Monthly/Quarterly Report (September 30, 2018)

It was moved by Councilmember Larson and seconded by Councilmember Thomas to approve all items on the Consent Calendar, including Minutes of October 10, 2018, Bills through November 5, 2018, and the Treasurer's Report dated September 30, 2018. This received unanimous approval.

Public
Hearing
Drinking
Water
Project

Mayor Beckstead called for the following public hearing for the purpose of review of project activities and accomplishments to date, summary of expenditures description of remaining work and changes made to the scope of work of the Idaho Community Development Block Grant from the Idaho Department of Commerce, as follows:

**NOTICE OF PUBLIC HEARING ON THE
STATUS OF FUNDED ACTIVITIES**

The city of Preston received an Idaho Community Development Block Grant in the amount of \$500,000 from the Idaho Department of Commerce. This funding is allocated to the State of Idaho from the U.S. Department of Housing and Urban Development. These funds are currently being used to improve the drinking water system.

The hearing will include a review of project activities and accomplishments to date, a summary of all expenditures to date, a general description of remaining work and any changes made to the scope of work, budget, schedule, location or beneficiaries.

The hearing has been scheduled for October 22, 2018 at 5:00 PM at the City of Preston City Hall located at 70 W Oneida, Preston, Id. Project information will be available for review at 70 W Oneida, Preston, ID 83263. Verbal and written comments will be accepted up to and at the hearing.

Information provided at the public hearing will be available, upon request, five days prior to the hearing. Special accommodation or alternative formats for non-English speaking persons and persons with disabilities will be available, upon request, with minimum of five (5) days' notice is accessible to persons with disabilities. For more information, contact Linda Acock, City Clerk (208) 852-1817.

This Notice can be provided in a format accessible to persons with disabilities and/or persons with limited English proficiency upon request.

Se le puede proveer esta notificación en un format accesible para las personas discapacidades y/o personon conocimientos limitados del inglés a pedido.

Krystal Harmon, representing SICOG, reported that the water improvement project is substantially complete.

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The project status being that they have removed over 7,000 feet of old ductile pipe, replacing it with over 9,000 feet of new pipe. There is also installation of new air vacs, a meter and water valve. The block grant total was for \$500,000 with \$19,200 being spent on administration fees. \$427,500 has been spent on construction, and there is a total of \$53,300 remaining for the project. The DEQ fund total was for \$1,506,577. \$444,042.42 has been spent on transmission and distribution. There is a total of \$420,677.77 remaining for the project. The project is approximately 99% complete.

City Engineer Simpson stated that, the contractor only has a few items left, and the meter was scheduled to be placed on Thursday, October 25th. There are a few minor items to be finished up, and then they would be ready for the final walk through.

There being no further comments, verbal or written, it was moved by Councilmember Wadsworth and seconded by Councilmember Larson to close the public hearing. The vote was as follows:

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

The motion passed by unanimous vote.

Public Hearing to Vacate Portions of 3rd North Between 3rd & 4th East

Mayor Beckstead called for the following public hearing for the purpose of considering the request of Cody Ralphs/Blue Sage Planned Unit Development to vacate portions of unimproved streets to include 3rd East to 4th East.

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 22nd day of October, 2018, at the hour of 5:20 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 Cody Ralphs/Blue Sage Planned Unit Development, for the purpose of allowing development on said real property and which the applicant represents 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 is described as follows:

Street commonly known as 3rd North between 3rd and 4th East, Preston, Idaho.

More specifically described as:

A sixty (60) foot wide parcel of land, being thirty (30) feet on each side of the following described centerline:

Commencing at the Northeast corner of the Southwest Quarter of Section 23, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, from which the West Quarter corner of said Section 23 bears North 89° 47' 30" West'
Thence North 89° 47' 30" West 476.78 feet along the North boundary of said SW1/4 to the centerline of 3rd East Street;
Thence South 00° 09' 22" East 375.68 feet along said centerline to a 5/8" rebar and cap at the centerline of 3rd North Street, the Point of Beginning.
Thence South 89° 44' 56" East 421.24 feet to the East boundary of the parcel of land depicted and described on record of survey instrument number 267929.

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

Mayor Beckstead called for comments from those present regarding this public hearing.

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Cody Ralphs, owner of the Blue Sage Planned Unit Development asked the Council to consider the request to vacate this portion of 3rd North, as 3rd North between 2nd and 3rd East has been vacated, and the property to the East of 3rd East is in the hollow. He stated that the vacation of the street will also allow for more room and flexibility within the planned unit development.

There being no further comments, verbal or written, it was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to close the public hearing. The vote was as follows:

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

The motion passed by unanimous vote.

Ord#2018-10 Councilmember Thomas introduced Ordinance #2018-10, an ordinance
Vacating vacating a portion of 3rd North Street between 3rd and 4th East
Portion of located on property within the Blue Sage Planned Unit Development,
3rd North belonging to Cody Ralphs.
Between

3rd & 4th East It was moved by Councilmember Thomas 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>Aye</u>
Councilmember Larson	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

The motion passed by unanimous vote.

The ordinance was read once in summary by City Clerk Acock.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve Ordinance 2018-10, vacating a portion of 3rd North between 3rd and 4th East. The vote was as follows:

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

The motion passed by unanimous vote.

Block Krystal Harmon, SICOG, appeared before the Council on behalf of the
Grant For Oneida Stake Academy Board. They are seeking a block grant for an
Elevator in the Oneida Stake Academy. They are asking that Preston
At Oneida City sponsor the block grant for the Oneida Stake Academy.
Stake

Academy It was moved by Councilmember Larson and seconded by Councilmember
Thomas to have the City of Preston sponsor the Block Grant for the
Oneida Stake Academy, to obtain an elevator in the building. This
received unanimous approval.

Franklin Robert Swainston reported that he is in contact with the State of
County Idaho Road Department, and they are predicting that they will be
Commission finished with the bridge project, on the west side of Preston, by
Report November 15, 2018.

Decision On October 10, 2018, the Preston City Planning and Zoning Commission
Variance held a public hearing for the consideration of a variance request at
295 N 8th E 295 North 8th East, for Brian and Jan Taylor, to construct a 40'x50'
B. Taylor accessory building in the side yard setbacks.

Citing topographical restrictions, the Planning and Zoning Commission voted unanimously to recommend to City Council, approval of the variance for a 40'x50' accessory building to be in the side yard setbacks.

During discussion and review, City Council observed that the accessory building would be built on the proposed 3rd North Street. Attorney Olson advised that the street should be abandoned before allowing a permanent building to be placed in the easement.

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It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to waive the application fee for a Request to Vacate a Street, and continue the decision on the Request for Variance submitted by Brian and Jan Taylor for an accessory building in the side yard setbacks. This received unanimous approval.

Business License Pitcher's LLC 472 N State It was moved by Councilmember Thomas and seconded by Councilmember Larson to approve a business license for Bart Pitcher 472 North State Preston, Idaho for Pitcher's LLC, conditional upon cleaning the rear of the property and removing items that are more suitable for a salvage business. This received unanimous approval.

Infra-Structure Priority Report City Engineer Simpson, and City Treasurer Mickelsen, presented priority and rate reports for the upgrading of the city's infrastructure.

City Engineer Simpson prioritized the projects as 1. A secondary water source, 2. Upgrading the sewer treatment plant to meet DEQ regulations, and 3. The transmission line from Bergquist Spring to the water tanks.

City Treasurer Mickelsen presented the projected 20, 30 and 40 year rates with scenarios of CDBG Grants, USDA loans, etc.

After discussion, it was determined that, beginning in January 2019, City Council will hold informational town hall meetings to educate the citizens of Preston City of the repairs needed and the rate increases.

Business License Storage 365 LLC 315 W 8th N Cuyler Stoker explained that he has property at 315 West 8th North, and has a business license application on file with Preston City for storage units. He is varying his business license request for winter storage of recreational vehicles, campers, boats, etc.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to approve a business license for Cuyler Stoker at 315 West 8th North, for Storage 365, LLC. This received unanimous approval.

Drafted Ordinance Amending Chapter 17 Preston Municipal Code Economic Development Specialist/Assistant Planner Oliverson presented a draft of amendments to Chapter 17 of the Preston Municipal Code. He asked the Council to review the amendments and report any changes, deletions or additions that need to be made. This matter shall be set for public hearing.

RDBG Grant For Hotel Feasibility Economic Development Specialist/Assistant Planner Oliverson asked Council to consider participating in an RDBG grant to update the hotel feasibility study. He stated that with changes to the county's tax incentive, the Bear River Massacre site, and the fact that the previous analysis only included the 83263 zip code, excluding outlying towns, an update could be beneficial.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to have Economic Development Specialist/Assistant Planner Oliverson pursue a block grant to update the hotel feasibility study. This received unanimous approval.

F.O.L. Board Member S. Thane It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to appoint Sharla Thane to serve as a Festival of Lights Board Member for a term of three years, effective October 22, 2018. This received unanimous approval.

Recreation Board Member L. Morrison It was moved by Councilmember Thomas and seconded by Councilmember Larson to appoint Larry Morrison to serve as a Recreation Board Member for a term of three years, effective October 22, 2018. This received unanimous approval.

November & December Meeting Schedule It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to hold regular city council meetings on November 5th and November 26th 2018 and to cancel the December 24th meeting, holding only one meeting in December, on December 10, 2018. This received unanimous approval.

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Staff Report Assignments Staff members gave brief updates on their various assignments.

Executive Session It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to enter Executive Session to discuss interest in real property, as allowed by Idaho Code 74-206(1)(c) and possible litigation, as allowed by Idaho Code 74-206(1)(f). The vote was as follows:

Councilmember Thomas Aye
Councilmember Larson Aye
Councilmember Wadsworth Aye

Motion passed by unanimous vote.

Entered Executive Session at 7:35 P.M.
Returned from Executive Session at 7:50 P.M.

Adjourn Meeting was adjourned at 7:50 P.M. by Mayor Beckstead.

Linda Acock, Clerk

Mark W. Beckstead, Mayor