

**CITY COUNCIL MEETING**  
**December 10, 2018**

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MAYOR & COUNCIL

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

STAFF

Linda Acock, City Clerk  
Kelly Mickelsen, City Treasurer  
Tyrell Simpson, City Engineer  
Shawn Oliverson, Economic Development  
Tyler Olson, City Attorney

OTHERS PRESENT:

Chuck Chesney, Patty Chesney, Amy Manning, Scott Palmer, Berni Winn,  
Brian Taylor, David McKenzie, Adam McKenzie

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 (November 26, 2018)
- B. Bills (December 10, 2018)
- C. Treasurer's Monthly Report (November 30, 2018)

It was moved by Councilmember Wall and seconded by Councilmember Larson to approve all items on the Consent Calendar, including the Council Minutes of November 26, 2018, the Bills through December 10, 2018 and the Treasurer's Monthly Report dated November 30, 2018. This received unanimous approval.

Public  
Hearing  
Street  
Vacate  
3<sup>rd</sup> North  
Between  
6<sup>th</sup> & 8<sup>th</sup>  
East  
B. Taylor

Mayor Beckstead called for the following public hearing for the purpose of giving consideration to the Request for a street Vacate, to vacate a portion of 3<sup>rd</sup> North Street, between 6<sup>th</sup> and 8<sup>th</sup> East, by Brian Taylor of 295 North 8<sup>th</sup> 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 10th day of December, 2018, 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 Brian and Jan Taylor to vacate a portion of unimproved street to include 3rd North between 6th East and 8th East, where the same is located on real property belonging to, or having legal interest, Brian and Jan Taylor, 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. The property is described as follows:

Street commonly known as 3rd North between 6th and 8th East, Preston, Idaho.

More specifically described as:

A tract of land located in the Southeast Quarter of Section 23, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Preston City, Idaho and more particularly described as follows:

Beginning at the East Quarter corner of said Section 23, from which the Southeast corner of Section 23 bears South 00° 07' 20" East 2645.94 feet;

Thence South 00° 07' 20" East 236.00 feet along the East line of said Section 23;

Thence North 89° 55' 00" West 35.00 feet to a found rebar with cap set on the West right of way line of 8th East Street;

Thence continuing on North 89° 55' 00" West 238.70 feet to a rebar with cap;

Thence South 00° 07' 20" East 91.60 feet to a rebar with cap set on the North right of way line of 300 North Street, the True Point of Beginning;

Thence continuing on South 00° 07' 20" East 60.00 feet to a rebar with cap set on the South right of way line of 300 North Street;

Thence North 89° 55' 00" West 1057.52 feet;

Thence North 00° 05' 50" West 60.00 feet;

Thence South 89° 55' 00" East 1057.50 feet to the True Point of Beginning.

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Containing 1.5 acres of land

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.

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Linda Acock, City Clerk

Publish: November 21, 2018; November 28, 2018

Brian Taylor, property owner, stated that he applied for a variance to build an accessory building on the property. The decision on the variance has been table because the building would be built upon a proposed street. He stated that 3<sup>rd</sup> North has been vacated from about 2<sup>nd</sup> East, to 6<sup>th</sup> East. He stated that it would be in the best interest, due to topography and buildings, to vacate this portion of 3<sup>rd</sup> North, between 6<sup>th</sup> East and 8<sup>th</sup> East.

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

There being no comments, Mayor Beckstead asked if any written comments had been received by the City Clerk. City Clerk Acock stated that there were no written comments. Therefore, it was moved by Councilmember Larson and seconded by Councilmember Wadsworth to close the public hearing. 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 vote.

Ordinance 2018-11 Councilmember Wadsworth introduced Ordinance #2018-11, an ordinance vacating a portion of 3<sup>rd</sup> North, from 6<sup>th</sup> East to 8<sup>th</sup> East.

Vacate

Portion Of  
3<sup>rd</sup> North  
Between  
6<sup>th</sup> & 8<sup>th</sup> E.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to dispense with the rules requiring the reading of ordinances on three separate days, and ordered City Clerk Acock to read once in summary. This received unanimous approval.

City Clerk Acock read Ordinance 2018-11 once in summary.

It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to approve Ordinance 2018-11. The vote was as follows:

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

Motion passed by unanimous vote.

Business Licenses It was moved by Councilmember Wall and seconded by Councilmember Thomas to approve the following business licenses:

Brad Shurtliff	1990 N 4000 W Dayton ID	(Tombstone Timbers)
Ryan Hirschi	25 N 1 <sup>st</sup> E Preston ID	(Advanced Dental Center)

This received unanimous approval.

III-A Annual Report Amy Manning, Executive Direct of the Idaho Independent Intergovernmental Authority (III-A), gave the agency annual report for the 2017-18 plan year.

Ms. Manning covered new agencies that have been added to the pool, enhanced benefits, Proact as the pharmacy benefit manager, financial standings in the company, goals and legislation. Council agreed that choosing the III-A insurance plan was a good choice, and thanked Ms. Manning for the report.

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**Proposed Resolution**      City Attorney Olson presented a drafted Resolution declaring the storage building at 50 ½ North State as surplus property.

This matter was tabled for further information regarding the sale of this property, or refurbishing it and replacing the roof. Further discussion will be held at a future meeting, where Mayor Beckstead will report the costs of replacing the roof and Councilmember Thomas will report the square footage needed for storage for the recreation programs, the park, and the Festival of Lights.

**Council Report Assigned Designations**      Councilmembers reported on their various assigned designations.

**Executive Session**      It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to enter Executive Session to discuss possible litigation, as allowed by Idaho Code 74-206 (f). 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 6:13 P.M.  
Returned from Executive Session at 6:36

**Adjourn**      Meeting was adjourned at 6:36 P.M. by Mayor Beckstead.

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Linda Acock, Clerk

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Mark W. Beckstead, Mayor