

CITY COUNCIL MEETING
May 10, 2021

MAYOR & COUNCIL

Daniel M. Keller, Mayor
Todd D. Thomas, Council
Terry D. Larson, Council
Allyson Wadsworth, Council
I. Brent Dodge, Council

STAFF

Linda Acock, City Clerk
Dan McCammon, Chief of Police
Tyrell Simpson, City Engineer
Kelly Mickelsen, Treasurer
Shawn Oliverson, Community Development
Lyle Fuller, City Attorney

OTHERS PRESENT:

Berni Winn, Scott Palmer, Robert Swainston, Quinn Corbridge, Zack Corbridge, Bryon Martin, Jeff Call, Jim Summers, Amy Choules

Council Meeting was called to order at 5:00 P.M. by Mayor Keller.

At the onset of the meeting, Councilmember Dodge gave a brief community message. He spoke of the Comprehensive Plan, that it guides and direct the future development of Preston City. The Planning and Zoning Commission have put in countless hours considering the different elements of the plan, and will continue to do so.

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 (April 26, 2021)
- B. Bills (May 10, 2021)
- C. Treasurer's Monthly Report (April 30, 2021)

It was moved by Councilmember Wadsworth and seconded by Councilmember Larson to approve all items on the Consent Calendar, which include Council Minutes of April 26, 2021, Bills through May 10, 2021, and the Treasurer's Monthly Report dated April 30, 2021. This received unanimous approval.

Public
Hearing
Comp.
Plan
Element 2:
Land Use

Mayor Keller gave guidelines for the public hearings, and then called for the public hearing to consider amendments to Element 2: Land Use, of the 2003 Comprehensive Plan, City of Preston Goals and Objectives, as follows:

NOTICE OF PUBLIC HEARING
City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 2: Land Use

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 2: Land Use.

Revising ELEMENT 2: Land Use, to remove major land use issue, promotion of infill rather than expansion, small amounts of commercial zone, housing shortage, dairies, Residential A-1 zone, Residential A-2 zone, Residential B zone, Transitional zone, Business zone, Industrial zone and General Policy Statement; adding land use needs, infrastructure for roads, water and sewer, a well-defined city zoning map, development without added cost to current residents, limited housing, addressing minor subdivisions compromising future roads and back-lot development, growth in the commercial, industrial and downtown zones, protecting agriculture, animal rights and open spaces.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:05 p.m. or a soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 2: Land Use of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.

s/Linda Acock, City Clerk

Publish April 21, 2021

Community Development Specialist Shawn Oliverson stated that the Comprehensive Plan is meant to be a general guideline to guide the city in the way the ordinances will go, and the ordinances will be more specific. Element 2: Land Use has some good things in it, for example, the need for zones, parks, open space, business, etc., however it does get into matters that are very specific, and outdated. The Planning and Zoning Commission removed reference to specific zones, specific square footage and looked at what is needed in the community and defining it in a general sense. The policy of Element 2 is to accommodate for well-planned growth.

Councilmember Thomas asked why the Planning and Zoning Commission is removing the reference to agriculture being a driving source of Preston's economy.

Community Development Specialist Shawn Oliverson explained that agriculture enterprise has not been removed, it was moved to the economic development element of the Comprehensive Plan.

Mayor Keller stated that Planning and Zoning has made the entire Comprehensive Plan more salient and readable, by removing outdated and overly specific language.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, it was moved by Councilmember Thomas and seconded by Councilmember Larson to close the public hearing, and open the meeting to discussion amongst council. The vote was as follows:

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

Motion passed by unanimous approval.

There being no further discussion amongst the Council, it was moved by Councilmember Larson and seconded by Councilmember Thomas to approve amendments to Element 2: Land Use portion of the Comprehensive Plan. The vote was as follows:

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

Motion passed by unanimous approval.

Public Hearings
Comp. Plan
Element 3: Transportation
Element 4: Community Design & Special Sites
Element 5: Economic Development
Element 7:

Mayor Keller inquired about the option of holding all public hearings pertaining to the Comprehensive Plan simultaneously, without having to open and close the hearing for each element. Attorney Fuller confirmed that all proposed amendments can be heard within the same public hearing. Therefore, Mayor Keller called for the public hearing to consider proposed amendments to Element 3: Transportation, Element 4: Community Design & Special Sites, Element 5: Economic Development, Element 7: Public Services, Facilities & Utilities, and Element 11: Housing, as follows:

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 3: Transportation

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Public
Services,
Facilities
& Utilities
Element 11:
Housing

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 3: Transportation.

Replace overview of ELEMENT 3: Transportation, to replace the listed speed limit along U.S. 91 from 25 mph to 30 mph; replace the listed city limits encompassing four (4) miles to city limits encompassing seven (7) square miles.

Amend Policy 1 - Transportation Planning, to remove language relating to the Idaho Transportation Department Highway 91 Corridor Study; incorporate transportation plan to include trails and bike paths.

Amend Policy 2 - Circulation to include a committee investigation of through streets, providing efficient traffic circulation, causing less congestion; remove the classification of Major Arterial and Minor Arterial to encompass those street classifications as Arterial; include storm water standards and remove phrase relating to the Runoff Study of 1998;

Amend Policy 3 - Economic Development to state the city should seek to develop business to accommodate city residents, county residents and outlying areas; and seek to implement downtown parking;

Amend Policy 4 - Entrance Corridors Goals to remove landscaping set back of thirty feet (30') on entrance of business corridors.

Amend Policy 5 - Transportation Financing, to remove additional traffic signals on U.S 91 and the rebuilding of South State Street as prioritized Planned Improvements; add language that Preston City should seek grants to improve street and sidewalks; and add paving streets that are not fully paved to the Prioritize Planned Improvements.

Amend Policy 6 - Airport area to add the location of the public airport.

Amend Policy 7 - Public Transportation to remove taxi service and charter air as provided services; and to add Cache Valley Transit, Pocatello Regional Transit and School Bus Service to students from kindergarten through grade twelve.

Amend Policy 8 - School Safety to add the review of streets and sidewalks near school facilities; create safe environment for the community.

Amend Policy 10 - Multi-Jurisdictional Planning to reference the city's desire to continue working with Franklin County officials.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:10 p.m. or a soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 3: Transportation of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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s/Linda Acock, City Clerk

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Mayor Keller introduced Element 3: Transportation, of the Preston City Comprehensive Plan.

Engineer Simpson stated that a lot of the changes to Element 3 are updates to the current status. Many policies of this element refer to old (1998-2000) studies, taxi services, and transit available in Preston City.

Councilmember Dodge asked about policy two, that relates to the city's growth, the traffic along State Street and through streets, and what the plan is for this.

Engineer Simpson stated that there's no set plan right now, but that this is what needs to be studied, discussed and followed going forward, as the Preston City grows.

Councilmember Thomas asked if the current transportation study would evaluate the congestion, through streets, alternative routes.

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Engineer Simpson stated that it could possibly cover some of those matters.

Mayor Keller added that the transportation committee will most likely use the Comprehensive Plan for guidance as they do their work this year.

Engineer Simpson stated that they'll also have the Capital Improvement Plan to work along with the Comprehensive Plan.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller asked for discussion amongst the council. There being no further discussion, the public hearing was moved on to Element 4: Community Design and Special Sites of the Comprehensive Plan.

Mayor Keller introduced Element 4: Community Design and Special Sites, of the Preston City Comprehensive Plan, as follows:

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 4: Community Design and Special Sites

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 4: Community Design and Special Sites.

Amend General Policy Statement: Downtown -to remove reference to zoning classification C2; remove maximum height of two (2) stories for businesses. Adding pedestrian oriented theme for downtown business area; providing identification signs of historical significance, navigation, and amenities.

Amend General Policy Statement: Shopping Centers - to remove specification to generalized retail districts or linear strip commercial; remove specification to allowed shopping centers within the C3 Zone.

Amend General Policy Statement: Regional Shopping Centers - to remove this general policy statement, which discourages regional shopping centers, typified by anchor stores, factory outlets, warehouse/club stores, etc., in its entirety.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:15 p.m. or a soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 4: Community Design and Special Sites, of the City of Preston Comprehensive Plan, is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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s/Linda Acock, City Clerk

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Community Development Specialist Shawn Oliverson explained that this element portion of the Comprehensive Plan pertains to design of the downtown area, store sites, etc.

Planning and Zoning has recommended the removal of specific zones, as well as language that is overly specific or no longer relevant. They've added a need for signage that identifies sites of historical significance, enhances navigation, and highlights the city's amenities.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller opened the meeting to discussion amongst council.

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Councilmember Larson asked about the Planning and Zoning's goal to encourage a compatible pedestrian oriented design in the downtown business area, as stated in 3e of Element 4.

Community Development Specialist Shawn Oliverson stated that it is meant to encourage foot traffic downtown, and encourage people to walk throughout the downtown.

There being no further discussion, the public hearing was moved on to Element 5: Economic Development, of the Comprehensive Plan.

Mayor Keller introduced Element 5: Economic Development, of the Preston City Comprehensive Plan, as follows:

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 5: Economic Development

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 5: Economic Development.

Remove agriculture as the largest contributor in Preston City; adding major industries to include education, healthcare, retail, manufacturing and construction; listing largest employers in Preston City.

Remove reference to Preston City being a bedroom community to Logan, Utah; add large contingent of people who live in Preston work in Utah.

Add extension of high speed internet to as many neighborhoods as possible.

List 2019 data for median yearly income for Preston City and Franklin County.

Remove paragraphs referencing development of industrial site, SICOG, and individually named businesses and activities; to include encouragement of the growth, development and expansion of local businesses.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:20 p.m. or a soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 5: Economic Development of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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s/Linda Acock, City Clerk

Publish April 21, 2021

Community Development Specialist Shawn Oliverson explained that there are quite a few changes to the economic development element of the Comprehensive Plan. He addressed Councilmember Thomas' previous question about agriculture. The amendment will remove agriculture as being the largest contributor to the economy of Preston City, and add that it has played a large role in the local economy and continues to do so. However, agriculture within the city limits is on the decline.

Statistics referring to the median income for people in Preston City was updated, listing Preston City, Franklin County, and the nation.

Reference was also made to Preston City partnering with internet service providers to extend high-speed internet to as many neighborhoods as possible.

Mayor Keller stated that he doesn't like the specificity of the income measurements that are stated within the Comprehensive Plan. He would

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prefer that it simply list that 25.88% of Preston City households earn more than the national average, instead of mentioning specific wage amounts.

Attorney Fuller advised that in some cities, the partnering with internet service providers has proved controversial, and council should take that into consideration.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller opened the meeting to discussion amongst council.

Councilmember Dodge commented that one of the items under Element 5: Economic Development is the goal of encouraging growth, development and expansion of local business. It is important to keep our labor jobs here in our community.

Councilmember Larson asked if the entire paragraph referring to the median income could be removed from the Comprehensive Plan.

Community Development Specialist Shawn Oliverson stated that the information for the median income is simply a "snapshot" of the times.

Mayor Keller asked legal counsel, if the council elects to eliminate the paragraph relating to median income, is it a significant enough change to warrant another publication notice and public hearing.

Attorney Fuller advised that Idaho State Code 67-6509 states that after the Planning and Zoning Commission forwards its recommendation, if the governing board makes a material change in the recommendations, then there needs to be further notice and hearing before it's adopted. In his opinion removing a whole paragraph would constitute a material change.

Councilmember Wadsworth stated that the information regarding median income is crucial for those that process grants and to have it already inside the Comprehensive Plan is informative and useful.

Councilmember Thomas stated that, so long as the Comprehensive Plan is updated annually, it will be informative information.

Councilmember Dodge stated that the information could be useful to a business that is looking into investing in, or relocating to, Preston City.

There being no further discussion, Mayor Keller moved the public hearing on to Element 7: Public Services, Facilities and Utilities, as follows:

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 7: Public Services, Facilities and Utilities

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 7: Public Services, Facilities and Utilities

Revise ELEMENT 7: Public Services, Facilities and Utilities removing reference to lawn watering restrictions and need for water meters, former engineer, former facilities planning studies, 1996 wastewater study, 1998 storm study, summation of protective services, incorporation of Fire District in 1999, relocation of county landfill and general policy statement; implementing water facility plan, wastewater facility plan, design and building of new wastewater facility plan, updated summary of protective services in Preston City, Franklin County Landfill, Larsen-Sant Library, Franklin County Medical Center, exploration of revenue from Impact Fees and General Policy Statement.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:25 p.m. or a soon thereafter as can be heard.

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HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 7: Public Services, Facilities and Utilities of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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s/Linda Acock, City Clerk

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Community Development Specialist Shawn Oliverson presented the amendments to Element 7, stating that this portion deals with our water, sewer, protective services, medical facility. The new section discusses how we are doing a study for new water systems, how we are upgrading our wastewater facility, and an inventory of our emergency and medical facilities.

Councilmember Thomas clarified that the removal of the watering hours and restrictions in the Comprehensive Plan does not preclude the City Council, in a time of water shortage, from implementing watering restrictions.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller opened the meeting to discussion amongst council.

Councilmember Larson asked about an update on the water facility plan grant that is mentioned in the first paragraph.

Engineer Simpson explained that the city did not receive that grant, but there are still plans to move forward.

Councilmember Dodge asked if Keller and Associates would automatically be chosen for the study.

Engineer Simpson stated that the study will move forward as the council directs.

There being no further discussion, Mayor Keller moved the public hearing onto Element 11: Housing, as follows:

NOTICE OF PUBLIC HEARING
City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 11: Housing

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 11: Housing

Amend paragraph 2, to remove the words restrictive standards, and add the words current zoning ordinances.

Amend paragraph 3, to remove the words apartment complexes and add the words multi-unit housing and PUD development.

HEARING DATE AND TIME: Monday, May 10, 2021 at 5:30 p.m. or a soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 11: Housing, of the City of Preston Comprehensive Plan, is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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s/ Linda Acock, City Clerk

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Community Development Specialist Shawn Oliverson introduced the amendments to Element 11 of the Comprehensive Plan. He stated that

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changes made were superficial. He did comment that the first paragraph states that available housing in Preston is minimal, especially affordable housing for low to moderate income families. This was true twenty years ago, and still an issue today.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller opened the meeting to discussion amongst council.

There being no further discussion, Mayor Keller asked for a motion to close the public hearing.

It was moved by Councilmember Wadsworth and seconded by Councilmember Dodge to close the public hearing and approve the amendments to Element 3, Element 4, Element 5, Element 7 and Element 11 of the 2003 Comprehensive Plan of the City of Preston. The vote was as follows:

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

Motion passed by unanimous vote.

Resolution 129
Comp. Plan
It was moved by Councilmember Dodge and seconded by Councilmember Thomas to approve Resolution 129, authorizing amendment of the 2003 Comprehensive Plan City of Preston Goals and Objectives, as recommended by the Planning and Zoning Commission. The vote was as follows:

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

Motion passed by unanimous vote.

Public Hearing
Flag Lots
16.24.045
Mayor Keller called for the public hearing to consider amendments to Preston Municipal Code 16.24.045, Flag Lots, as follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on the 10th day of May, 2021, at the hour of 5:35 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Mayor and City Council to consider an amendment to the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code, as follows:

AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, AMENDING THE SUBDIVISION ORDINANCE OF THE PRESTON MUNICIPAL CODE AS FOLLOWS: 16.24.045 - FLAG LOTS, REVISING NUMBERING OF PARAGRAPHS, ELIMINATING THE RESTRICTION OF FLAG LOTS ONLY WITHIN THE CORE AREA OF THE CITY; AUTHORIZING THE CITY ENGINEER TO REQUIRE SCREENING AND LANDSCAPING; REQUIRING ALL PLANS BE APPROVED BY THE LOCAL FIRE PROTECTION AGENCY, THAT ALL DWELLINGS BE LOCATED WITHIN A MAXIMUM DISTANCE OF FOUR HUNDRED FIFTY FEET (450') FROM THE STREET CENTERLINE, FIRE HYDRANTS, TURNAROUNDS, SIGNS, AND THAT ALL IMPROVEMENTS SHALL BE COMPLETED AT THE OWNER/DEVELOPER EXPENSE; REVISE THE BEFORE-AFTER INFILL ILLUSTRATION TO A FLAG LOT ILLUSTRATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after April 21, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

s/ Linda Acock, City Clerk

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Engineer Simpson explained that the amendments will eliminate the requirement that flag lots can only be in the core area of the city, but must front on an improved, dedicated city street. It also amends

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the 150' drive lane length restriction to allow up to 450' from the centerline of the access road. Fire hydrants must be installed in accordance with the local fire protection agency requirement at the expense of the owner/developer. Turnarounds shall be provided at the end of the access road or driveway. And, street address signs will be required.

Engineer Simpson proposed that, in paragraph 16 of the amended code, the words, "And shall be located within five (5) feet of the required access road or driveway." be stricken. It will provide for fire hydrants to be located on all required access roads or driveways as required by the local fire protection agency and/or Preston City engineer.

Attorney Fuller cited Preston Municipal Code 17.32.070, that if the council makes a material change from what is presented at the public hearing, further notice and hearing shall be provided before the council adopts the amendment, and advised that he did not see this as a material change.

Mayor Keller asked for comments in favor of amendment to Preston Municipal Code 16.24.045.

Bryon Martin stated that the amendments to the flag lot, allowing the drive to be up to 450' affects him directly because his home is 170' back. It allows him to now create a flag lot on his property, and will allow many people to develop in the core area.

There being no further testimony in favor, Mayor Keller asked for neutral comments.

There being no neutral comments, Mayor Keller asked for comments in opposition to the amendments. There being none, Mayor Keller asked for written comment received in the City Clerk's office. Clerk Acocock stated that no written comments have been received by the City Clerk's office.

Mayor Keller asked for a motion to close the public hearing.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to close the public hearing, and open the meeting to council discussion. The vote was as follows:

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

Motion passed by unanimous vote.

Councilmember Dodge stated that the revisions align with the city's growth plans.

It was moved by Councilmember Thomas and seconded by Councilmember Dodge to approve the amendments to Preston Municipal Code 16.24.045, Flag Lots, with the change to paragraph 16, by striking the words, "and shall be located within five (5) feet of the required access road or driveway".

The vote was as follows:

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

Motion passed by unanimous vote.

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Ordinance 2021-4 Councilmember Wadsworth introduced Ordinance 2021-4 relating to the amendment of Preston Municipal 16.24, Flag lots.
Flag
Lots

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 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>
Councilmember Dodge	<u>Aye</u>

Motion passed by unanimous vote.

Ordinance 2021-4 was read once in summary by City Clerk Acock.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve Ordinance 2021-4. The vote was as follows:

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

Motion passed by unanimous vote.

Public Hearing Off-Street Parking & Loading Mayor Keller called for the public hearing to consider amendments to Preston Municipal Code 17.22, Off-Street Parking and Loading, as follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on the 10th day of May, 2021, at the hour of 5:40 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Mayor and City Council to consider an amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code, as follows:

AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, AMENDING THE ZONING ORDINANCE, PRESTON MUNICIPAL CODE AS FOLLOWS: 17.22 - OFF-STREET PARKING, CHANGING CHAPTER TITLE OF 17.22.010 FROM INCREASE IN INTENSITY OF USE TO ENLARGEMENT OR INCREASE OF USE; REMOVING LANGUAGE REFERENCING INTENSITY OF USE TO THAT OF ENLARGEMENT OR INCREASE; AND ALLOWING PLANNING AND ZONING COMMISSION TO GRANT EXCEPTIONS BASED ON SUFFICIENT STANDARD.

17.22.030 ACCESS: ADDING 12' WIDTH MINIMUM FOR ONE-WAY ACCESS; AND 24' WIDTH MINIMUM FOR TWO-WAY ACCESS.

17.22.040 EXISTING BUILDING NOT DEEMED NONCONFORMING: EXISTING BUILDINGS MAY NOT REDUCE PARKING AREA OR CAPACITY.

17.22.050 ROUNDING UP OF FRACTIONAL NUMBERS: CALCULATION FOR REQUIRED PARKING SPACES SHALL BE ROUNDED UP.

17.22.070 MIXED USES: REMOVE EXCEPTION FOR DWELLINGS AND MOTELS

17.22.080 HARD-SURFACED PARKING SPACES: INCLUDE CONCRETE OR ASPHALT AS HARDCAPED, IMPERMEABLE SURFACE; REQUIRE FRONT YARDS OF COMMERCIAL AND INDUSTRIAL BUILDINGS TO BE LANDSCAPED OR HARDCAPED; NEW COMMERCIAL OR INDUSTRIAL BUILDING, OR ADDITIONS OF 500 SQUARE FEET SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION.

17.22.090 LIGHTING-SCREENING: ADDING PRIVACY FENCE; FENCING AND SCREENING TO BE MAINTAINED IN GOOD CONDITION; IF TERRAIN OR NATURAL FEATURES PROHIBIT SCREENING, PLANNING AND ZONING COMMISSION MAY NOT REQUIRE SCREENING; LIGHTING AND SCREENING PLANS SHOULD BE APPROVED BY THE PLANNING AND ZONING COMMISSION; CREATE TABLE FOR REQUIRED PARKING SPACE PER USE.

CREATE 17.22.100 TABLE FOR REQUIRED PARKING SPACE PER USE.

CREATE 17.22.110 PARKING STANDARDS: CREATING A PARKING SPACE DIMENSION TABLE

CREATE 17.22.120 STATE STREET PARKING 1ST SOUTH TO 1ST NORTH - BUYOUT OPTION: CREATE A STATE STREET 1ST SOUTH TO 1ST NORTH BUYOUT OPTION; CREATE THE DOWNTOWN PARKING FUND, ESTABLISH RATES FOR BUYOUT BY RESOLUTION; REQUIRING THE CANDIDATE FOR BUYOUT TO PRESENT EVIDENCE AS TO WHY THE BUYOUT IS NECESSARY; NO STAFF PARKING ALONG STATE STREET.

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CREATE 17.22.130 REQUIRED LOADING ZONES: REQUIRING LOADING AREAS FOR NEWLY CONSTRUCTED COMMERCIAL/INDUSTRIAL BUILDING; LOADING AREAS SHALL NOT ENCROACH UPON PUBLIC PROPERTY; PARKING AREAS SHALL NOT DOUBLE AS LOADING AREAS DURING OPERATING HOURS.

CREATE 17.22.140 FINES FOR VIOLATIONS: ESTABLISHING PENALTY FOR VIOLATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after April 21, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

s/ Linda Acock, City Clerk

Publish: April 21, 2021

Community Development Specialist Shawn Oliverson stated that most of the changes to Chapter 17.22 are to clarify some of the vague language within the code. There is an addition to the code, called the Buy-Out Option. This allows existing businesses along State Street, between 1st South to 1st North that were built with inadequate space to voluntarily opt for a parking alternative, to deposit money to the Downtown Parking Fund, in lieu of required off-street parking spaces. The fund will be used for purchasing and improving public parking.

Councilmember Dodge asked if the rate for each parking spot, which shall be established by resolution, had been established.

Community Development Specialist Shawn Oliverson stated that the Resolution setting that fee is in process and will be coming within the next couple months.

There being no public testimony in favor, neutral, or opposition, as well as no written comment received in the City Clerk's office, Mayor Keller asked for a motion to close the public hearing.

It was moved by Councilmember Thomas and seconded by Councilmember Larson to close the public hearing, and open the meeting to discussion amongst the council. The vote was as follows:

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

Motion passed by unanimous vote.

Councilmember Thomas asked if the requirement for lighting and screening and privacy fencing was only applicable to commercial and industrial zones.

Community Development Specialist Shawn Oliverson stated that it applies to commercial and industrial properties that abut residential property.

Councilmember Thomas stated that there are issues with off-street loading and the blocking of streets while loading/unloading. Does any of the amendments alleviate the current situation?

Community Development Specialist Shawn Oliverson explained that it affects newly constructed commercial/industrial building requiring shipments in or out. This will not affect existing businesses.

Mayor Keller stated that this is the same principle with Fed Ex and UPS as with semi loading and unloading.

Councilmember Dodge asked how the parking ratio in 17.22.100 was formed.

Community Development Specialist Shawn Oliverson explained that the Planning and Zoning Commission did comparisons with our current standards, and those in communities that are our size.

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Councilmember Larson asked how far in the future the resolution setting the price per parking space for the downtown parking fund is set. He stated that for all intents and purposes, the city could have a request for the buyout next week, and there isn't a set fee for the city to go with.

Clerk Acock stated that the resolution has been drafted, and given to each council member for their review and input. As soon as council is ready for it to be set for publication and hearing, it will be set.

It was moved by Councilmember Wadsworth and seconded by Councilmember Dodge to approve the amendments to Chapter 17.22, relating to off-street parking and loading. The vote was as follows:

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

Motion passed by unanimous vote.

Ordinance
2021-5
Off-Street
Parking &
Loading

Councilmember Thomas introduced Ordinance 2021-5 relating to the amendment of Preston Municipal Code 17.22, Off-Street Parking and Unloading.

It was moved by Councilmember Thomas and seconded by Councilmember Dodge 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>
Councilmember Dodge	<u>Aye</u>

Motion passed by unanimous vote.

Ordinance 2021-5 was read once in summary by City Clerk Acock.

It was moved by Councilmember Thomas and seconded by Councilmember Dodge to approve Ordinance 2021-5. The vote was as follows:

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

Motion passed by unanimous vote.

Public
Hearing
Animal
Rights

Mayor Keller gave guidelines for the public hearings, and then called for the public hearing to give consideration to revocation of Chapters 17.20.010, 17.20.020 and 17.24.090, and the adoption of Chapter 17.19, pertaining to animals rights, of the Preston Municipal Code, as follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on the 10th day of May, 2021, at the hour of 5:45 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Mayor and City Council to consider the creation of a new Chapter to the Preston Municipal Code, Title 17 Zoning, 17.19 ANIMALS and eliminating 17.20.010, 17.20.020, and 17.24.090 of prohibited uses in the Preston Municipal Code, as follows:

AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, ELIMINATING PRESTON MUNICIPAL CODE 17.20.010 CERTAIN ANIMALS PROHIBITED A-1 AND A-2 DISTRICTS, IN ITS ENTIRETY; ELIMINATING PRESTON MUNICIPAL CODE 17.20.020 CERTAIN ANIMALS PROHIBITED RESIDENTIAL B AND TRANSITIONAL DISTRICTS, IN ITS ENTIRETY; AND ELIMINATING PRESTON MUNICIPAL CODE 17.24.090 LIVESTOCK ON PROPERTY IN ITS ENTIRETY AND CREATING A NEW CHAPTER IN THE PRESTON MUNICIPAL CODE, 17.19 ANIMALS.

17.19.010 PURPOSE - PROVIDE FOR KEEPING OF ANIMALS WITHIN CITY LIMITS.

17.19.020 DEFINITIONS - DEFINE ANIMAL; ANIMAL EQUIVALENT UNIT (AEU); ANIMAL RIGHTS; BONAFIDE AGRICULTURAL, COMMERCIAL OR COMPETITIVE ENTERPRISES; HOUSEHOLD PETS; AND NONCONFORMING ANIMAL RIGHTS.

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17.19.030 CONTINUANCE OF NONCONFORMING ANIMAL RIGHTS - ALLOWS PROPERTY OWNERS TO MAINTAIN, BUT NOT ENLARGE, NONCONFORMING ANIMAL RIGHTS.

17.19.040 EXEMPTIONS FOR EXISTING BONAFIDE AGRICULTURAL, COMMERCIAL, OR COMPETITIVE ENTERPRISES - CITY SHALL NOT TAKE ACTION TO RESTRICT EXISTING BONAFIDE AGRICULTURAL, COMMERCIAL, OR COMPETITIVE ENTERPRISE, EXCEPT A) PROHIBITED ANIMALS, B) LIVESTOCK PER PRESTON MUNICIPAL CODE 6.04 C) PROVISIONS WITHIN 17.19.070, 17.19.080, 17.19.090, 17.19.100, 17.19.110, 17.19.120, 17.19.130, D) USE IS DISCONTINUED FOR A PERIOD OF TEN (10) YEARS, E) BULLS AND STALLIONS MUST BE IN COMPLIANCE WITH PRESTON MUNICIPAL CODE 6.04.

17.19.050 NUMBER OF ANIMALS PERMITTED - CREATING MINIMUM REQUIRED LOT SIZE; CLASSIFICATION OF ANIMAL; NUMBER OF ANIMALS ALLOWED BASED ON ANIMAL EQUIVALENT UNIT (AEU); ANIMAL DENSITY; TABLE PER CLASSIFICATION AEU AND LOT SIZE.

17.19.060 YOUNG ANIMAL ALLOWANCE - MEDIUM CLASSIFIED ANIMALS UNDER ONE (1) YEAR WILL COUNT AS HALF AN ANIMAL EQUIVALENT UNIT.

17.19.070 REGULATIONS OF FEEDING AND HOUSING ANIMALS - LARGE AND MEDIUM ANIMALS MUST BE FED AND CORRALLLED AT LEAST FORTY-FIVE FEET (45') FROM ANY NEIGHBORING BUILDING WITH HUMAN OCCUPANCY; JOINT FENCING PROHIBITED UNLESS ADJOINING PROPERTY OWNER GIVES CONSENT; FEEDING AND HOUSING ANIMALS SUBJECT TO ALL OTHER SECTIONS OF THE PRESTON MUNICIPAL CODE.

17.19.080 OTHER REGULATIONS - PROVISIONS OF PRESTON MUNICIPAL CODE TITLE 6 ANIMALS, CHAPTER 4 SHALL APPLY

17.19.090 TRESPASS BY ANIMALS OR FOWLS - IT SHALL BE UNLAWFUL FOR ANIMAL OR FOWL TO TRESPASS UPON THE PREMISE OF ANOTHER

17.19.100 PROHIBITED ANIMALS - HOGS OR PIGS; ALLIGATORS AND CROCODILES; BEAR; CAT FAMILY, EXCLUDING COMMON DOMESTIC CAT; DOG FAMILY, EXCLUDING DOMESTIC DOG; OSTRICH; PORCUPINE; PRIMATES; RACCOON; ROOSTER; SKUNK; VENOMOUS FISH AND PIRANHA; VENOMOUS SNAKES, LIZARDS, REPTILES; WEASEL INCLUDING ALL MUSTILIDAE FAMILY; WILD ANIMAL SUCH AS BIG GAME ANIMALS WHICH ARE RESTRICTED BY STATE OR FEDERAL LAW. AN EXCEPTION MAY BE MADE FOR THE RAISING OF 4-H ANIMALS ON A STRICTLY TEMPORARY BASIS.

17.19.110 TRANSFERRING ANIMAL RIGHTS - THE RIGHTS TO KEEP ANIMALS ON A PARCEL IS NOT TRANSFERABLE TO ANOTHER PARCEL.

17.19.120 ANIMAL RIGHTS IN PLATTED SUBDIVISIONS - LOTS IN MAJOR AND MINOR SUBDIVISIONS ARE NOT ELIGIBLE FOR ANIMAL RIGHTS, EXCEPTING SMALL ANIMAL AND FOWL, UNLESS EACH AND EVERY LOT MEETS REQUIRED ACREAGE; HOA MAY FURTHER RESTRICT.

17.19.130 PENALTIES - ESTABLISHING PENALTY FOR VIOLATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after April 21, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

s/ Linda Acock, City Clerk

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Community Development Specialist Shawn Oliverson gave a brief analysis of the amendments. The current animal codes, prohibited animals in different zones, and grandfathering has caused a lot of confusion for residents. The code was amended to simplify keeping of animals to go by the lot size instead of the zone, and the amount of animals allowed will go by an Animal Equivalent Unit. The needs of existing agricultural will be considered by extending the grandfathering period from one year to ten years. And, to protect the subdivisions, any major or minor subdivision is not eligible for animal rights, excepting small animals and fowl, unless all lots within the subdivision are built for the keeping of animals.

Mayor Keller stated that there is a list of prohibited animals in Section 17.19.100. What if there is an animal that is not listed in this chapter? Would the Planning and Zoning have to revisit the list and animals that could be allowed with each situation?

Attorney Fuller stated that by adding more animals to the list, it could make it a material change that will have to be revisited by the Planning and Zoning Commission.

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Mayor Keller asked for comments from those in attendance, in favor of the amended animal rights.

Jim Summers, Preston resident, stated he appreciates the work the Planning and Zoning Commission has put into the clarification of animal rights.

Quinn Corbridge, Preston resident, also gave thanks to the Planning and Zoning Commission, and City Council, for the time and effort put into the animal rights ordinance.

Zack Corbridge, Preston resident, thanked the council and the Planning and Zoning Commission for their efforts in putting this ordinance together. Animals mean a lot to Preston residents.

Mayor Keller asked if written favorable comment had been received in the City Clerk's office. Clerk Acock stated there was no written comments.

There being no further comments in favor of this matter, Mayor Keller called for neutral comments.

There being no neutral comments, Mayor Keller asked if written neutral comment had been received in the City Clerk's office. Clerk Acock stated that there was no written comments.

Mayor Keller asked if anyone in attendance would like to offer comments in opposition to the amended animal rights ordinance.

Amy Choules, Preston resident, stated that not allowing animals on multi-family lots penalizes those who have large lots, with maybe a basement apartment, or mother-in-law apartment.

Jeff Call, Preston resident, stated that for at least 25 years, the Municipal Code and Comprehensive Plan has discouraged the keeping of large animals, especially in the Residential A-1 zone. The best place for keeping large animals is in the County. Passing these animal ordinances will set the city back instead of moving forward.

Bryon Martin shares concern for the 17.19.010, Purpose section. The last sentence of the purpose statement is that animal rights are not permitted with multi-family housing. This is not the right place for this. Mr. Martin stated that the exclusion prohibits him from having any animals on his acreage. He suggested that the council allow the landlord or the HOA to prohibit animals on multi-family lots.

There being no further comments in opposition, Mayor Keller asked if written comments, in opposition, had been received in the City Clerk's office. City Clerk Acock stated that there were no written comments.

Mayor Keller asked for a motion to close the Public Hearing.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to close the public hearing and open the meeting to discussion amongst the council. The vote was as follows:

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

Motion passed by unanimous vote.

Councilmember Larson stated that the ordinances are being amended, to alleviate variance and special use permit requests. Requiring a special use permit for multi-family dwellings to house animals, will again inundate the Planning and Zoning and City Council with Special Use Permit requests.

Councilmember Thomas stated that he doesn't want to cause a rise in special use requests, but that he doesn't see allowing animals on lots with duplexes or tri-plexes as harmful. Large apartment buildings, or multi-family dwellings on small lots could be prohibited.

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Mayor Keller asked if the council could delete the last line of the purpose section, which prohibits animals on lots with multi-family housing. And is it in the appropriate section of the code?

Attorney Fuller advised that it is a material change and would need to be republished and set for public hearing. It maybe is not in the right section and would be better off in a separate section.

Councilmember Thomas asked if the multi-family dwelling could be sub-defined to allow animals in duplexes or tri-plexes, but not in the larger multi-family dwelling units.

Councilmember Larson stated that the animal equivalent unit is based on the size of the lot, in all zones and cases. The only exception is multi-family housing, and nowhere in the code is a Planned Unit Development listed.

Mayor Keller asked if the sentence could be changed from, "Animal rights are not permitted with multi-family housing", to say "Animal rights are strongly discouraged with multi-family housing."

Attorney Fuller stated it would still be a material change and need to go back to publication and hearings.

Community Development Specialist Shawn Oliverson stated that the allowance of animals on lots that contain multi-family dwellings, including duplexes, was prohibited in section 17.20.020.

Councilmember Dodge stated that there seems to be a premise of an owner-occupied multi-family dwelling being more vigilant at keeping up with the property and animals.

Mayor Keller stated that Preston has always been an agricultural based community, and he hopes to see us stay an agricultural community for a long time. Municipal Code 6.04 requires compliance with fencing, odor, feed, trash, dirt... and if you have these instances, you are out of compliance.

Councilmember Dodge agreed that we do want that rural feel. Some other things to consider is the use of culinary water to water these animals.

Councilmember Larson stated that watering lawn and garden with culinary water is also taxing on the system. It depends on what your priority is.

Councilmember Wadsworth stated that if you use more water than allotted, you pay the extra price for it.

Mayor Keller stated that he doesn't want this matter to have to go back to the Planning and Zoning Commission, primarily because the council hasn't given direction to them in this matter.

Councilmember Thomas stated that he has concern over the enforcement of the code changes.

Chief McCammon stated that police department will enforce the code, whichever way the council goes.

Councilmember Dodge asked Chief McCammon if there are many complaints towards animals and multi-family dwellings.

Chief McCammon stated that there are very few complaints.

Councilmember Dodge stated that there are prohibited animals listed in Section 17.19.100 and item A lists hogs or pigs. But, item P states that an exception may be made for the raising of 4-H animals on a strictly temporary basis. He asked what animals could be considered 4-H animals.

Mayor Keller asked Zack Corbridge to address Councilmember Dodge's question.

Mr. Corbridge stated that there is a wide variety of animals in the 4-H program. From hogs, pigs, cows, steers, beef cattle, horses, sheep, rabbits, roosters, pigeons, etc.

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Councilmember Larson explained that 4-H animals are specific in that there is a limited time for the raising of the animals.

Councilmember Wadsworth stated that she's not against raising of 4-H animals, but wonders about interpretation and enforcement of the temporary basis. She does agree that if the ordinance is passed, it needs to be enforced. She feels that, overall, the ordinance is complete.

Jim Summers explained the weigh-in to fair times for various animals. There is a difference between the market program, which is temporary, and the breeding program. The breeding program is more extensive and would need the farming property to do so.

Mayor Keller asked if there was flexibility, or anything at all that could be done with the matter of disallowing multi-family housing for the keeping of animals.

Attorney Fuller stated that it is a fairly definitive statement, and therefore any change would be material.

Councilmember Larson asked if the council needed to consider exceptions to the prohibited animals for the schools.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve the amendments to the animal portion of the zoning code. The vote was as follows:

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

Motion passed by majority vote.

Ordinance
2021-6
Animal
Rights
Animal
Rights

Councilmember Larson stated that though he does oppose the changes to the animal rights, he also believes in the democratic process. He therefore introduced Ordinance 2021-6, repealing 17.20.010, 17.20.020 and 17.20.090 of Preston Municipal Code and Creating Chapter 17.19 Animals.

It was moved by Councilmember Larson 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>
Councilmember Dodge	<u>Aye</u>

Motion passed by unanimous vote.

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to approve Ordinance 2021-6. The vote was as follows:

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

Mayor Keller voted in the affirmative, breaking the 2-2 tie. The motion carried by majority vote.

Business
Licenses

Councilmember Wadsworth and Councilmember Thomas declared conflict of interest in this matter, and abstained from voting.

Community Development Specialist Shawn Oliverson explained that there is two not-for-profit entities before the Council with unique circumstance. The Franklin County Theatre Arts Council and the Franklin County Medical Center are both working to receive grants. The grant application requires business license numbers. Therefore they are seeking a business license.

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It was moved by Councilmember Dodge and seconded by Councilmember Larson to approve a business license for The Franklin County Theatre Arts Council and The Franklin County Medical Center, and to waive the business license fee for both entities. The vote was as follows:

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

Motion passed by majority vote.

Craner Field Councilmember Thomas gave a brief update on the progress at the Craner Field. There is an available CDBG grant, which can help with Development of a walking path, playground and pavilion.

Exec. Session It was moved by Councilmember Larson and seconded by Councilmember Dodge to enter into Executive Session to discuss Possible Litigation as allowed in Idaho Code 74-206(1)(f). The vote was as follows:

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

Motion passed by unanimous vote.

Enter Executive Session: 7:40 p.m.
Exit Executive Session: 8:19 p.m.

Adjourn Meeting was adjourned at 8:19 P.M. by Mayor Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor