

CITY COUNCIL MEETING
August 9, 2021

MAYOR & COUNCIL

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

STAFF

Linda Acock, City Clerk
Dan McCammon, Police Chief
Kelly Mickelsen, Treasurer
Shawn Oliverson, Community Development
Tyrell Simpson, City Engineer
John Balls, Public Works Director
Lyle Fuller, City Attorney

OTHERS PRESENT:

Reginald Hyde, Robert Kooren, Jed Fellows, Arlen Mickelson, Lisa Ray, David Kunze, Rhonda Pbillips, Amanda Collins, Kati Dahlstrom, Halene Dahlstrom, Len Nelson, Sharon McLing, Robert Child, Dixon Beckstead, DavaKay Beckstead, Robert Swainston, Robert Merrill, Chris BartonRobert Swainston, Dixon Beckstead, Chuck Chesney, Patty Chesney, Jim Jensen, Steve Coleman, Val Porter

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

At the onset of the meeting, Clerk Acock read thank you notes received from Governor Brad Little and his scheduling assistant, Joan Varsek.

Chief McCammon also stated that as he rode the parade route, he noticed the patriotism and respect the spectators had for the presentation of the flags.

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 (July 26, 2021)
- B. Bills (August 9, 2021)
- C. Swale Bond Refund Scott Palmer 596 North State \$4,000.00

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to approve all items on the Consent Calendar, which include Council Minutes of July 26, 2021, Bills through August 9, 2021, Treasurer's Monthly Report dated July 31, 2021 and a swale bond refund to Scott Palmer at 596 North State, in the amount of \$4,000.00. This received unanimous approval.

Public
Hearing
Comp. Plan
1, 6, 8, 9,
10, 13, 14,
15, 16, &
Proposed
Land Use Map

Mayor Keller explained that all of the following hearings would be consolidated into one, as they all deal with updates and creation of elements in the Comprehensive Plan. He gave guidelines, then called for the public hearing as follows:

NOTICE OF PUBLIC HEARING
City of Preston

Amendments to City of Preston Comprehensive Plan
ELEMENT 1: Population

A public hearing will be held before the Mayor and Council, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 1: Population.

ELEMENT 1: Population, to update statistics relating to Preston's growth rate, average number of persons per household, and median age per city, county and state; to address housing needs, anticipated growth, medical needs, and youth activities; to create Appendix A, Statistical Data.

HEARING DATE AND TIME: Monday, August 9, 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 1: Population, 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 July 14, 2021

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 6: Natural Resources

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 6: Natural Resources**

ELEMENT 6, Natural Resources, to remove language referring to outdated surveys, and add need for second source of municipal water; add the need to expand availability of secondary irrigation water; add consideration to the adequacy of infrastructure and the impact of development on Preston City's natural resources.

HEARING DATE AND TIME: Monday, August 9, 2021 at 5:06 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 6: Natural Resources**, 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 July 14, 2021

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 8: Recreation

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 8: Recreation**

ELEMENT 8, Recreation, to create a table listing 3 year participation in the youth sports program; address soccer's increase in popularity; address acquisition of Craner Field and the need to develop an indoor recreation center; add need for walking path; add implementation of surveillance at Preston City recreation facilities; remove language referencing an activity bus.

HEARING DATE AND TIME: Monday, August 9, 2021 at 5:07 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 8: Recreation**, 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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NOTICE OF PUBLIC HEARING
City of Preston

Amendments to City of Preston Comprehensive Plan,
ELEMENT 9: Schools, Facilities and Transportation

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 9: Schools, Facilities and Transportation

ELEMENT 9, Schools, Facilities and Transportation, to remove outdated language regarding bonding elections for construction of a new middle school; remove reference to former courses offered through area continuing education facilities; add growth statistic; add elementary school expansion concerns; add growth at middle school; add growth and parking expansion at high school; add professional-technical programs offered through a district charter and strategic partnerships with area universities to allow students to obtain significant portion of bachelor's degree while still in high school; add importance of sidewalks for student safety; add reference to Franklin County High School to provide an alternative path for students to receive a diploma.

HEARING DATE AND TIME: Monday, August 9, 2021 at 5:08 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 9: Schools, Facilities and 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
Publish July 14, 2021

NOTICE OF PUBLIC HEARING
City of Preston

Amendments to City of Preston Comprehensive Plan,
ELEMENT 13: Public Airport Facilities

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on additions to the 2003 Comprehensive Plan of City of Preston, Goals and Objectives, ELEMENT 13: Public Airport Facilities

ELEMENT 13, Public Airport Facilities, to create a new Element 13: Public Airport Facilities, of the 2003 Comprehensive Plan City of Preston Goals and Objectives; List Preston City and Franklin County as joint sponsors with representation on the airport board of directors; airport is primarily utilized for smaller planes and agricultural use; safety upgrade; runway challenge; general policy statement to work with airport board to ensure the airport remains viable as the community grows.

HEARING DATE AND TIME: Monday, August 9, 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 13: Public Airport Facilities, 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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NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston. Comprehensive Plan,
ELEMENT 14: Agriculture

A public hearing will be held before the Mayor and City Council, of the City of Preston, to hear public comment on additions to the 2003 Comprehensive Plan of City of Preston, Goals and Objectives, ELEMENT 14: Agriculture

ELEMENT 14, Agriculture, to create a new Element 14: Agriculture, of the 2003 Comprehensive Plan City of Preston Goals and Objectives; Historically Preston has been an agricultural community; agriculture on the decline within city limits; city should recognize importance of agriculture to the local economy; general policy statement to support agriculture and preserve it as an integral part of Preston's unique identity.

HEARING DATE AND TIME: Monday, August 9, 2021 at 5:11 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 14: Agriculture, 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 July 14, 2021

NOTICE OF PUBLIC HEARING
City of Preston
Amendments to City of Preston Comprehensive Plan,
ELEMENT 15: National Interest Electric Transmission Corridors

A public hearing will be held before the Mayor and City Council^ of the City of Preston, to hear public comment on additions to the 2003 Comprehensive Plan of City of Preston, Goals and Objectives, ELEMENT 15: National Interest Electric Transmission Corridors

ELEMENT 15, National Interest Electric Transmission Corridors, to create a new Element 15: National Interest Electric Transmission Corridors, of the 2003 Comprehensive Plan City of Preston Goals and Objectives; to state that the City of Preston does not currently have National Interest Electric Transmission, Corridors, but will reserve Element 15 if such infrastructure should be developed.

HEARING DATE AND TIME: Monday, August 9, 2021 at 5:12 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 15: National Interest Electric Transmission Corridors, of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

Councilmember

Grant Admin. Wadsworth to award the Southeast Idaho Council of Government (SICOG) as Grant Administrator for the Craner Field Community Development Block Grant (CDBG). This received unanimous approval.

**Sidewalk
Issues**

Katie Dahlstrom, Arlen Mickelsen, and Patrick Phillips came before council to request that the sidewalks on State Street, between 1st and 2nd North be repaired. They are members of the Preston DDA community, and walk on these sidewalks daily.

Public Works Director Balls will assess the needs and costs of replacing the sidewalk on State Street between 1st and 2nd North. (copies of letters follow Minutes)

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Final Plat AMR5 Minor Subdivision Engineer Simpson presented a final plat for the AMR5 Minor Subdivision at 624 South 4th West. The developer has submitted bylaws for the AMR5 homeowner association and is requesting he be allowed to provide a performance bond on improvements. Engineer Simpson stated that there are still issues with a culvert that crosses 4th West, at a diagonal, towards lot one and an irrigation lateral that parallels 4th West.

Councilmember Dodge asked for clarification, that the preliminary plat was initially given approval, then, the issues with the culvert and irrigation lateral were discovered. He asked if the preliminary plat could be rescinded. Attorney Fuller explained that approval of the preliminary plat does not automatically mean approval of the final plat. The preliminary plat would not necessarily be rescinded.

Dixon Beckstead, Developer of the AMR5 Minor Subdivision stated that he has asked to have the final plat put on the agenda, as he feels there are reasoning issues between him and Engineer Simpson. He met with Engineer Simpson and Public Works Director Balls to discuss solutions, besides moving the culvert. He does not feel that a minor subdivision is required to do "off-site" improvements. They are subject to asphalt, curb and sidewalks. This minor subdivision has nice, fairly good-sized lots and fits nicely in the neighborhood.

Mr. Beckstead further stated that the culvert is a non-working culvert that is full of dirt and debris. The appropriate time to address this would be whenever 6th South is developed.

Mr. Beckstead addressed the issue with the irrigation lateral that parallels 4th South, by stating that the pipe is in the approximate location of where the swales will be in the minor subdivision. It is within an easement granted to Consolidated Irrigation and has senior property rights.

After discussion amongst the council, regarding placement of the irrigation pipe, placement of the culvert, direction of water movement, water within the culvert, and minor subdivision code, it was moved by Councilmember Thomas and seconded by Councilmember Dodge to table any approval of the final plat for this minor subdivision to the August 23, 2021 city council meeting, and instruct legal counsel to work with Mr. Beckstead's legal counsel. This received unanimous approval.

State Street Road Diet Mayor Keller read a brief statement regarding the State Street road diet, and stated that he will be asking for a resolution to begin negotiation with the State Highway Department to reverse the street's current layout.
(a copy of Mayor Keller's statement follows Minutes)

Resolution #133 Downtown Parking It was moved by Councilmember Dodge and seconded by Councilmember Larson to approve Resolution 133, a resolution setting forth the mode and manner of the downtown parking buyout option, and authorize Mayor Keller to sign said resolution. This received unanimous approval.

Funding Request Worm Creek Len Nelson, President of the Franklin County Theatre Arts Council, requested funding for building improvements and repairs to the Worm Creek Opera House.

He explained that theaters were forced to shut down during the Corona Virus Pandemic, and the Worm Creek Opera House was completely shut down for four months.

It was moved by Councilmember Wadsworth and seconded by Councilmember Thomas to commit to donate a minimum of three thousand dollars (\$3,000) to the Worm Creek Opera House and to instruct Treasurer Mickelsen to research the budget to see if Preston City can afford to donate more. This received unanimous approval.

Franklin County Commission Franklin County Commissioner, Robert Swainston, asked the council to be generous when considering the donation to the improvements and repairs to the Worm Creek Opera House.

Council & Dept. Head Report On Assigned Designation Councilmember Thomas, Councilmember Wadsworth, Councilmember Dodge, Treasurer Mickelsen, Community Development Specialist Oliverson, Engineer Simpson, Public Works Director Balls, and Chief McCammon reported on their assigned designations,

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Executive Session It was moved by Councilmember Larson and seconded by Councilmember Thomas to enter into Executive Session to discuss personnel as allowed in Idaho Code 74-206(1)(b). 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: 7:36 P.M.

Exit Executive Session: 8:15 P.M.

Adjourn Meeting was adjourned at 8:15 P.M. by Mayor Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor