

CITY COUNCIL MEETING
May 23, 2022

MAYOR & COUNCIL

Daniel M. Keller, Mayor
Todd Thomas, Council
Terry Larson, Council
I. Brent Dodge, Council
Chris Larsen, Council

STAFF

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

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

Mayor/
Council
Community
Comment

Councilmember Chris Larsen advised that, since the last day of school is May 26th, the splash pad will be open on that day, for the summer.

Mayor Dan Keller congratulated the Preston High School and Franklin County High School graduating students. He also congratulated the girls track team who took the Academic State Championship.

Councilmember Terry Larson added that he has the opportunity to travel with the high school athletes. They represent Preston very well, and are great kids.

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 (May 9, 2022)

B. Bills (May 23, 2022)

C. Swale Bond Refund	Kameron Johnson	387 Call Ave	\$1,000.00
Swale Bond Refund	Kameron Johnson	68 N 4 th E	\$4,550.00

It was moved by Councilmember Chris Larsen and seconded by Councilmember Brent Dodge to approve the City Council Minutes of May 9, 2022. The vote was as follows:

Councilmember Todd Thomas	<u>Abstain</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by majority vote.

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to approve the remaining items of the Consent Calendar which includes the Bills through May 23, 2022, a swale bond refund for Kameron Johnson at 387 Call Avenue in the amount of One Thousand Dollars (\$1,000.00) and a swale bond refund for Kameron Johnson at 68 North 4th East in the amount of Four Thousand Five Hundred Fifty Dollars (\$4,550.00). This received unanimous approval.

Request
Waiver of
Building
Permit
Fees
Kiwanis

George Young of the Preston Kiwanis Club came before the Council to request that the council consider a request to waive the building permit fees, the application fee, and requirement for a land survey on a building permit for a hamburger/refreshment booth at the Rodeo grounds.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to waive the application fees for the building permit, the city's portion of the Kiwanis Club's building permit fees, and the requirement for a land survey, whereas the booth is situated directly under the rodeo arena bleachers. This received unanimous approval.

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Discuss
Lighting
Project
At City
Park

George Young of the Preston Kiwanis Club stated that the Kiwanis is doing fundraisers to raise money to help replace the lights at the city park with LED lights.

Councilmember Todd Thomas also stated that he has been working with Rocky Mountain Power to replace some of the existing bulbs. The bulbs that they replaced were all that Preston City has left in inventory. Rocky Mountain Power states that these bulbs are being phased out, and it won't be long before they are not available. Rocky Mountain Power is offering an energy savings rebate up to 70% of the costs of replacing the lights.

Mr. Young has talked with Rocky Mountain Power and has obtained quotes for replacement and the energy savings rebate. They have estimated the lighting around all three diamonds to be seventy-five thousand dollars (\$75,000).

Mayor Dan Keller thanked Mr. Young and the Kiwanis Club for their community support and willingness to help Preston City with the lighting at the ball park.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to table the lighting project for the city park while research is ongoing. This received unanimous approval.

Easement
Discussion
At Approx.
2nd-4th E
On Hwy 91
J. Pitcher

Jane Pitcher appeared before the council to open dialogue with Preston City on land exchange and the easement for the water line that goes through the Craner Field property near Highway 91, south of town.

Mayor Dan Keller suggested that Ms. Pitcher bring an official proposal that the city may entertain.

Hire
New Police
Officer

Chief Dan McCammon presented Levi S. Coon, as the new hire with the City of Preston, as a police officer. He has made the offer of employment, and Chief McCammon and Mr. Coon have both signed the Final Offer of Employment.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Todd Thomas to ratify the hiring of Levi S. Coon as a Police Officer for The City of Preston. This received unanimous approval.

Short
Term
Rentals

Community Development Specialist Shawn Oliverson presented a drafted ordinance for Short-Term Rentals, also known as Vacation Rentals. He stated that the Planning and Zoning Commission has reviewed and researched the short-term rental and the council now has before them the recommended ordinance. He stated that the three main issues with the ordinance are: rent is for thirty days or less, it is only allowed on a single-family parcel, and a business license is required.

Attorney Lyle Fuller also stated that Idaho Code 67-6539 states that you cannot prohibit short-term rentals, but that the proposed ordinance does not prohibit the rentals, but safeguards the public health, safety and general welfare of the community.

Ord. 2022-8
Short
Term
Rentals

Councilmember Brent Dodge introduced Ordinance 2022-8, enacting Title 17, Chapter 62 of the Preston Municipal Code, relating to the use of residential dwelling as vacation rentals or short-term rentals.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Todd 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 Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by unanimous vote.

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Ordinance 2022-8 was read once in summary by City Clerk Linda Acock.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to approve Ordinance 2022-8, enacting Title 17, Chapter 62 of the Preston Municipal Code, vacation rentals or short-term rentals. The vote was as follows:

Councilmember Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by unanimous vote.

Resolution #144 Amend FY 2022 Salary Resolution It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to table this matter to the June 13, 2022 council meeting. This received unanimous approval.

Resolution #145 Cooperative Agreement ITD Radar Feedback Sign City Engineer Tyrell Simpson introduced a Cooperative Agreement and Resolution for a radar feedback sign on State Highway 34 near the Country Club Estates Subdivision. The Idaho Transportation Department has offered Three Thousand Dollars (\$3,000) towards the purchase of the sign. It was moved by Councilmember Chris Larsen and seconded by Councilmember Todd Thomas to enter into the Cooperative Agreement with the Idaho Transportation Department and authorize Mayor Dan Keller to sign the agreement, and approve Resolution 145 for the radar feedback sign on State Highway 34. The vote was as follows:

Councilmember Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by unanimous vote.

(A copy of the Resolution and Cooperative Agreement follows Minutes)

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

Patricia Johnson 615 East 6th South (Empresses LLC)
Corrie Bingham 32 North State (Corrie L Bingham Insurance Agency)

Motion passed by unanimous approval.

Parking Plan City Park Councilmember Todd Thomas presented a plan to stripe-paint parking stalls at the Preston City Park. Part of the parking plan includes the creating of new handicap parking.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to allow Councilmember Todd Thomas and City Engineer Tyrell Simpson to engineer the parking spaces around the ball parks and to add an additional six handicap parking spaces that will be ADA compliant. This received unanimous approval.

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

Councilmember Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by Unanimous approval.

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Entered Executive Session at 6:35 P.M.

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to exit Executive Session at 7:19 P.M. This received unanimous approval.

Adjourn Meeting was adjourned at 7:19 P.M. by Mayor Dan Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor