

*CITY COUNCIL MEETING*  
*August 22, 2022*

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MAYOR & COUNCIL

Daniel M. Keller, Mayor  
Todd Thomas, Council  
Terry Larson, Council  
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 Dan Keller reminded everyone that comments made to individual council members, or comments written on Facebook are not considered public comment, and not considered in the decisions of public hearings.

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 (August 8, 2022)
- B. Bills (August 22, 2022)
- C. Swale Bond Refund      180 East 1100 North      Brady Bourne \$1,525
- D. Swale Bond Refund      117 Eagle Way      Jesse King    \$5,000

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to approve all items within the Consent Calendar which include the Council Minutes of August 8, 2022, Bills through August 22, 2022, a Swale Bond Refund for Brady Bourne at 180 East 1100 North in the amount of One Thousand Five Hundred Twenty-Five Dollars (\$1,525) and a Swale Bond Refund for Jesse King at 117 Eagle Way in the amount of Five Thousand Dollars (\$5,000). This received unanimous approval.

Preliminary  
Plat  
Hillside  
Subdiv.

City Engineer Tyrell Simpson presented the Preliminary Plat for the Hillside Subdivision, McKay Cordner, owner and developer, at 1200 East 800 South.

M. Cordner

Mr. Cordner will replace the 6" water lines with 12" lines going East/West and 8" lines on the smaller section going North/South, of which he is asking for the city's participation in covering the costs of the upgrades. There will be 44 shares of secondary water required. Planning and Zoning has recommended approval of the preliminary plat.

McKay Cordner, owner/developer, asked the city council to consider help with the costs of upgrading the water line from 6" to the 12", as the upgrades will benefit more water users throughout that section of town.

After discussion, it was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to table a decision on the preliminary plat for Hillside Subdivision until Mr. Cordner and City Engineer Tyrell Simpson can gather accurate costs for the upgrade to the water lines, and present a proposal to city council. This received unanimous approval.

Mr. Cordner agreed to the extension by mutual consent.

Waiver  
Building  
Permit  
Fees  
Franklin Co.  
Medical  
Center

Richard Westerberg, Board Chairman of the Franklin County Medical Center, explained that the medical center is applying for a building permit to build a new building in front of the surgery center, to house a new MRI machine. They are requesting a waiver of the city's portion of the building permit.

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve waiving the city's portion of the building permit fees for an accessory building to the Franklin County Medical Center. The vote was as follows:

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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.

**Business License A Wojcik** It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to approve a business license for Alicja Wojcik of 11350 Buffalo Road, Pocatello, Idaho, to sell books door to door. This received unanimous approval.

**Public Hearing FY 2023 Annual Approp. Budget** Mayor Dan Keller gave guidelines for a public hearing, then called for the public hearing, as follows:

**CITY OF PRESTON IDAHO**  
**NOTICE OF PUBLIC HEARING**  
**PROPOSED BUDGET FOR FISCAL YEAR 2022-2023 (FY2023)**

Notice is hereby given that the City of Preston, Idaho will hold a public hearing for the consideration of the proposed budget for the fiscal period October 1, 2022 to September 30, 2023, pursuant to the provisions of section 50-1002, Idaho Code. The hearing will be held at City Hall, 70 West Oneida, Preston Idaho at 5:00 p.m. or as soon thereafter as this matter can be heard on August 22, 2022. All interested residents are invited to appear and offer testimony concerning the proposed budget. Copies of the proposed budget are available at City Hall during regular office hours (8:00 a.m. to 5:00 p.m. weekdays). City Hall is accessible to persons with disabilities. Anyone desiring special accommodations for disabilities, please contact the City Clerk at (208) 852-1817 at least 48 hours prior to the hearing.

Fund Name	EXPENDITURES		
	FY 2021	FY 2022	FY 2023
	Actual Expenditures	Budgeted Expenditures	Proposed Expenditures
<b>General Fund</b>			
Administration	\$816,435	\$2,283,930	\$1,132,497
Police	\$962,744	\$1,157,610	\$1,199,603
<b>General Fund Total</b>	<b>\$1,779,179</b>	<b>\$3,441,540</b>	<b>\$2,332,100</b>
Street Fund	\$640,488	\$1,327,651	\$1,381,038
Water Fund	\$759,272	\$1,543,943	\$1,447,036
Sewer Fund	\$782,111	\$2,550,379	\$11,701,748
Garbage Fund	\$0	\$0	\$0
Hydro Fund	\$179,003	\$222,961	\$240,157
Fund Transfers	\$0	\$0	\$0
<b>Grand Total All Expenditures</b>	<b>\$4,140,053</b>	<b>\$9,086,474</b>	<b>\$17,102,079</b>

Fund Name	REVENUES		
	FY 2021	FY 2022	FY 2023
	Revenue	Revenue	Revenue
<b>Property Tax Levy</b>			
General Fund	\$927,071	\$876,000	\$944,617
Street Fund	\$229,215	\$292,000	\$315,539
<b>Total Property Tax Levy</b>	<b>\$1,156,286</b>	<b>\$1,168,000</b>	<b>\$1,260,156</b>
<b>Revenue Sources Other Than Property Tax</b>			
General Fund	\$1,020,481	\$917,638	\$1,136,721
Street Fund	\$488,562	\$567,925	\$493,148
Water Fund	\$1,283,088	\$1,355,970	\$1,386,483
Sewer Fund	\$2,053,835	\$979,000	\$1,094,792
Garbage Fund	\$0	\$0	\$0
Hydro Fund	\$134,823	\$164,000	\$150,000
Grants	\$74,163	\$2,723,644	\$11,196,000
Reappropriation	\$0	\$1,210,297	\$384,779
<b>Total Non-Property Tax Revenues</b>	<b>\$5,054,952</b>	<b>\$7,918,474</b>	<b>\$15,841,923</b>
<b>Grand Total All Revenues</b>	<b>\$6,211,238</b>	<b>\$9,086,474</b>	<b>\$17,102,079</b>

The proposed expenditures and revenues for fiscal year 2022-2023 have been tentatively approved by the City Council. Publication dates for the notice of public hearing are August 3, 2022 and August 10, 2022 in the Preston Citizen.  
Kelly Mickelsen, Treasurer

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Treasurer Kelly Mickelsen explained that City Council has approved the fiscal year 2023 preliminary budget, which was then published twice as a notice of public hearing. He gave a quick synopsis, stating that the city chose not to take the 3% property tax increase and will apply it to the forgone amount. The employees were given a 5% cost of living increase. And, we have reappropriated Three Hundred Eighty-Four Thousand Dollars (\$384,000) for reserves.

Councilmember Todd Thomas asked if the 5% employee cost of living increase would be given to part-time employees as well. Treasurer Kelly Mickelsen explained that the maximum part-time hourly rate is set by resolution, and the part-time employees are at that maximum rate, so no, the 5% increase did not include part-time employees.

Mayor Dan Keller asked for comments in favor of the Fiscal Year 2023 budget. There being no one present to offer comment, he asked for written testimony. Clerk Acock stated that no written testimony, in favor of the budget, had been received in the clerk's office.

Mayor Dan Keller asked for neutral comments from those present.

Dixon Beckstead stated that he feels that the forgone amount is like kicking the can down the road for an administration in the future to impose and take all that money back. If you need it, use it, if you don't need it, don't put it in forgone.

There being no further comments, Mayor Dan Keller asked for written neutral comment. Clerk Acock stated that no written testimony had been received in the clerk's office.

Mayor Dan Keller asked for comments in opposition to the Fiscal Year 2023 budget. There being none, Mayor Dan Keller asked for written testimony in opposition to the budget.

Clerk Linda Acock read a statement from Robert Kooren dated August 19, 2022, in opposition to the proposed budget, stating that there is an inequity in the proposed budgeted utility rates. (A copy of the letter follows minutes).

There being no further comments, it was moved by Councilmember Chris Larsen and seconded by Councilmember Todd Thomas to close the public hearing portion, and open the meeting up for discussion amongst council. This received unanimous approval.

Attorney Lyle Fuller advised that after the public hearing is closed, the mayor and council do not take testimony, but if they choose, the mayor and council may deliberate on items brought up during the hearing.

Councilmember Chris Larsen asked if the city has met legal obligations for the public hearing and passing the Fiscal Year 2023 budget.

Attorney Lyle Fuller stated that, yes, the city has met the public notice requirements.

Councilmember Todd Thomas addressed Mr. Kooren's letter, in that it states there has not been public hearings, as there should be. Councilmember Todd Thomas stated that each and every budget has had a public hearing. As for utility rates, they can be raised up to 5% without a public hearing.

Councilmember Brent Dodge stated that the comments are appreciated, although the statement that the city is treating our citizens without equity is disparaging. We are giving public notice, and holding public hearings properly.

Councilmember Terry Larson stated that within the prior 5 years, the city did have a substantial increase in the utility rates, and there was a public hearing held.

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Ordinance 2022-10 Annual Approp. Ordinance FY 2023 Councilmember Todd Thomas introduced Ordinance 2022-10, the Annual Appropriations Ordinance for Fiscal Year 2023, and moved to dispense with the rules requiring the reading of ordinances on three separate days and to have Clerk Linda Acock read the ordinance one time in summary. Councilmember Chris Larsen seconded the motion. 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.

Ordinance 2022-10 was read once in summary by City Clerk Linda Acock.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to approve Ordinance 2022-10, the Annual Appropriations Ordinance for Fiscal Year 2023. 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 146 Employee Salary Schedule It was moved by Councilmember Chris Larsen and seconded by Councilmember Brent Dodge to approve Resolution 146, Employee Salary Schedule. 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 Resolution 146 follows Minutes)

Resolution 147 Reserve Forgone Amount It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to approve Resolution 147, reserving the forgone amount fiscal year 2023, in the amount of Thirty-Five Thousand Eighty-Seven Dollars (\$35,087). 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 Resolution 147 follows Minutes)

Form L-2 2022 Dollar Certificate Of Budget County Commission It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve the 2022 Dollar Certification of Budget Request to the Board of County Commissioners, Form L-2, and to authorize Mayor Keller to sign said form. 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 Form L-2 follows Minutes)

Schedule Open House For Water Study City Engineer Tyrell Simpson explained that Keller Associates has asked the council to set a date for an open house relating to the water study.

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It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to set an open house at the City of Preston council chambers on September 26, 2022 6:00 - 8:00 P.M. The regular city council meeting will start at 5:00 P.M., as scheduled, and if needed, will recess for the open house and reconvene at 8:00 P.M. This received unanimous approval.

County Commission Report      County Commissioner Robert Swainston stated that the 2022 County Fair was successful, and thanked the city council and staff for their help in making it a successful event.

Adjourn      Meeting was adjourned at 6:06 P.M. by Mayor Dan Keller.

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Linda Acock, Clerk

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Daniel M. Keller, Mayor