

*CITY COUNCIL MEETING
November 14, 2022*

MAYOR & COUNCIL

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

STAFF

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

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

Councilmember Brent Dodge and Treasurer Kelly Mickelsen were excused from the meeting.

Mayor &
Council
Community
Comments

Mayor Dan Keller recognized the work that the Elks Lodge does for the community, and thanked them for the flags on State Street and the dinner honoring all Veterans.

Councilmember Chris Larsen stated that the Festival of Lights Dinner was a great success. Saturday November 26th will be the Festival of Lights events. He thanked the committee for their hard work to make the event a success.

Councilmember Terry Larson also expressed thanks to the committee for their efforts to make the Festival of Lights a successful event. Councilmember Terry Larson stated that Allyson Wadsworth was named to 2022 Lamplighter.

Mayor Dan Keller added his thanks to the Festival of Lights Committee.

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 (October 24, 2022)
- B. Bills (November 14, 2022)
- C. Treasurer's Monthly Report (October 31, 2022)
- D. Improvement Bond Refund Larry Checketts
295 South 4th West \$16,092.22
- E. 50% Cut Permit Bond Refund Blue Sage
320 North 3rd East \$417.00
- F. Improvement Bond & Cut Permit Refund Joe Rich
270 West 1st South \$15,590.00 & \$444.50

Mayor Dan Keller stated that he would like to have the outline of his comments from the meeting of October 24th attached to the Minutes. The original minutes will reflect the addition.

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 October 24, 2022, Bills through November 14, 2022, the Treasurer's Monthly Report dated October 31, 2022, an Improvement Bond Refund for Larry Checketts at 295 South 4th West in the amount of Sixteen Thousand Ninety-Two Dollars and Twenty-Two Cents (\$16,092.22), the final 50% Cut Permit Bond for Blue Sage at 320 North 3rd East in the amount of Four Hundred Seventeen Dollars (\$417.00) and an Improvement Bond and Cut Permit Refund for Joe Rich at 270 West 1st South. The Improvement bond is in the amount of Fifteen Thousand Five Hundred Ninety Dollars (\$15,590.00) and Cut Permit in the amount of Four Hundred Forty-Four Dollars and Fifty Cents (\$444.50). The motion received unanimous approval.

Decision
Variance
Request
Blanch &
Canson LLC
Approx.
260 S 2nd W

City Engineer Tyrell Simpson presented the variance request for Kevin and Jeniel Blanch and Canson LLC at approximately 260 South 2nd West, to vary from code 16.282.020(N) that requires secondary non-culinary water to be used for irrigation purposes within a subdivision.

The Planning and Zoning Commission held a public hearing on October 26, 2022 to hear this matter and allow for public comment. The Planning and Zoning Commission recommended that the request for variance be denied, listing the fact that xeriscaping is a good idea and can look

CITY COUNCIL MEETING
November 14, 2022

nice but is unenforceable by the city, concerns about current water availability, and setting a precedence for other property in the area that doesn't have access to secondary water.

Nicole Nielson, representing Canson LLC, summarized the benefits of xeriscaping as a good alternative to bringing in secondary water that is unavailable in the area.

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to uphold the Planning and Zoning's recommendation and deny the request for a variance from Preston Municipal Code 16.28.020, by Kevin and Jeniel Blanch and Canson LLC to xeriscape their proposed subdivision development. The vote was as follows:

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

Motion passed by unanimous vote.

Business Licenses It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to approve a business license for the following:

David Gordon	20 South State	(The Adventure Zone)
Toby Vollmer	241 Park Avenue	(MV Innovations LLC)
Arnoldo Montano	33 West 1 st South	(El Tapatio LLC)
Craig Willis	39 South State	(Willis Orthodontics)
Riley Broadhead	290 East 8 th North	(Creating Your Oasis)

It was further moved, that due to Mr. Montano not renewing his license for 2021 and 2020, the license for El Tapatio will be back billed for those years.

The motion received unanimous approval.

Council & Dept. Head Report On Assigned Designation Public Works Director John Balls, Community Development Specialist Shawn Oliverson, Police Chief Dan McCammon, City Engineer Tyrell Simpson, Councilmember Todd Thomas, Councilmember Chris Larsen, and Councilmember Terry Larson reported on their various assigned designations.

Executive Session It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen 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 Chris Larsen	<u>Aye</u>

The motion received unanimous approval.

Entered Executive Session at 5:46 P.M.

It was moved by Councilmember Chris Larsen and seconded by Councilmember Terry Larson to exit Executive Session at 6:15 P.M. This received unanimous approval.

Adjourn Meeting was adjourned at 6:15 P.M. by Mayor Dan Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor