

CITY COUNCIL MEETING
March 13, 2023

MAYOR & COUNCIL

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

STAFF

Linda Acock, City Clerk
City Engineer, Tyrell Simpson
Shawn Oliverson, Community Development
John Balls, Public Works Director
Kelly Mickelsen, Treasurer
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 was excused from this meeting.

Community
Comment

Mayor Dan Keller recapped a commentary he had recently heard on the Idaho Farm Report. He stated this most likely is not the toughest winter, it's not the snowiest winter we've ever had, and it's not the coldest winter we've ever had. But, it's definitely the longest! We have been blessed with moisture this winter, and it is much appreciated. We do have issues ahead of us, with the potential flooding in our community.

Our city crews are working tirelessly to clear drains and clean gutters, but city resources are not sufficient to take care of everybody's piles of snow.

Mayor Keller also thanked the Franklin County Commissioners for sand bagging efforts.

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 (February 27, 2023)
- B. Bills (March 13, 2023)
- C. Treasurer's Monthly Report (February 28, 2023)

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 February 27, 2023, the Bills through March 13, 2023, and the Treasurer's Monthly Report dated February 28, 2023. This received unanimous approval.

Rotary
Club
Donation

Chad Hansen, representing the Rotary Club, presented Preston City with a donation of Five Thousand Dollars (\$5,000) toward the pickleball courts at the City Park, and another donation in the amount of Five Thousand Dollars (\$5,000) toward the walking path at the Craner Field Park.

Amendment
To
Owner-
Engineer
Agreement

Colter Hollingshead, Keller Engineers, presented an amendment to the Owner-Engineer Agreement between Keller Associates and The City of Preston for additional services that will be performed by the engineers. When the original agreement was set up, it was still unknown who would be providing the system integration at the wastewater Treatment Plant. Automation Werx, LLC has been selected as the subconsultant to the engineer. The amount of the amendment to the agreement is Two Hundred Forty Thousand Dollars (\$240,000). This amount was included in the total project budget under line item, "Controls Integration" and will be moved from that category to the Owner-Engineer Agreement. This does not change the amount of the total project budget.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to allow for the Two Hundred Forty Thousand Dollars (\$240,000) listed under the Controls Integration be moved to the Owner-

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Engineer Agreement and to authorize Mayor Dan Keller to sign said Agreement. 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 approval.

Notice To Proceed & Work Change Directive Mr. Hollingshead then presented a Notice to Proceed for the contractor, Record Steel and Construction. They shall begin on April 10, 2023. Along with the notice, Mr. Hollingshead recommended that the council determine a work change directive that will allow the mayor and city engineer to approve work orders under the determined amount. This is common with municipalities, as the council only meets twice a month, and if there's a change that the contractors can do, and keep moving forward without having to halt the job for two weeks, it will save time and money.

Attorney Lyle Fuller concurred that this is common practice, and advised that the council should allow a determined amount in the work change directive, that will allow the mayor and city engineer to authorize work changes, but also advised that the work order would still need to be ratified by City Council.

After discussion, it was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to approve a work change directive, allowing for the mayor and city engineer to collectively authorize change orders up to Thirty Thousand Dollars (\$30,000) and then have such work order ratified at the next regular city council meeting. 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 approval.

CAPSA April Sexual Abuse Awareness Month Alena Ohling of Citizens Against Physical and Sexual Abuse (CAPSA) presented the council with lapel buttons supporting CAPSA's message of Hope. Hope begins when survivors feel supported. In order to best support survivors, CAPSA has developed incredible relationships with law enforcement, investigators, and the hospitals. The collaboration they share with our community is what it takes to give hope to survivors.

April is sexual abuse awareness month.

Proclamation Week Of The Young Child April 1st through April 7th is the Week of the Young Child. The Idaho Association for the Education of Young Children (Idaho AEYC) works to promote and inspire high-quality early childhood experiences, and has asked Preston City to proclaim April 1-7 as the Week of the Young Child and encourage all citizens to work to support and invest in early childhood.

It was moved by Councilmember Chris Larsen and seconded by Councilmember Terry Larson to proclaim April 1st through April 7th, 2023 as Week of the Young Child, and to authorize Mayor Dan Keller to sign said Proclamation. This received unanimous approval. (a copy of the Proclamation by Mayor for Week of the Young Child follows Minutes)

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

Patrick Maddock	309 East Oneida	(Dirty Head Epoxy)
Val Sorensen	1565 E 1385 N Logan UT	(Sorensen & Gnehm Const)
McKenzie Huff	2 North State #244	(Massage by McKenzie)

Motion passed by unanimous vote.

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Discussion Councilmember Todd Thomas briefly updated the council as to the
Recreation progress of a community recreation center and director. He wanted
Center & to let the community know that the council is mindful of a recreation
Director center, and they will be discussing the center and a full-time
 director.

Discuss In October, the council budgeted for an increase in water and sewer
Utility connections from \$5,000 to \$7,500, but they have not moved forward to
Rates & complete the process.
Connection

Fees Attorney Fuller advised that the city cannot increase water and sewer
 fees as, "an undisguised tax", or a revenue collection matter, it has
 to be directly related to the capitalization of the system the fee
 improves. Consideration needs to be given to the costs involved in
 placing a new water or sewer connection. He suggested the city engineer
 review Idaho Supreme Court requirements, studies, and engineering for
 the costs of water and sewer connections. His findings should give the
 council sufficient actual basis for any increase in the water and sewer
 connection.

 It was moved by Councilmember Terry Larson and seconded by
 Councilmember Todd Thomas to instruct City Engineer Tyrell Simpson to
 put together a study and direct Clerk Linda Acock to set a public
 hearing for the connection fee increase on April 24, 2023. This
 received unanimous approval.

 It was moved by Councilmember Terry Larson and seconded by
 Councilmember Todd Thomas to table discussion on the utility rates to
 April 2023. This received unanimous approval.

Extend It was moved by Councilmember Chris Larsen and seconded by
Lift On Councilmember Terry Larson to extend the lift on the compensatory
Comp. Time time to April 28, 2023. This received unanimous approval.

Engineer's City Engineer Tyrell Simpson met with persons from the Idaho
Update Transportation Department on February 10, 2023. He reported that they
Meeting discussed four different matters.
State

Highway 1. Lowering the speed limit in town to twenty-five miles MPH.
Dept. The highway department will place tubes out and collect data this
 spring.
 2. New Preston signs with a more current population posted.
 The highway department has the signs ordered and will be posting them
 soon.
 3. Improvements to the South Island that intersects state street and
 highway 91.
 The highway department claims that the responsibility of the island
 belongs to Preston City, and that the city will be the ones to repair,
 replace, or do anything within the island. The city will need to get a
 right-of-way permit from ITD and Union Pacific to work in the right-of-
 way.
 4. Widening State Street to create turn lanes, especially at the
 intersections with stop lights.
 The highway department stated that the city needs to hire an
 engineering firm to come up with cost estimates and preliminary design.
 Afterwards, ITD will have discussions with Preston City as to the costs
 and when the project would actually go on the docket for construction.

 It was moved by Councilmember Terry Larson and seconded by
 Councilmember Todd Thomas to direct City Engineer Tyrell Simpson to
 research the island repairs, and costs associated with improvements.
 This received unanimous approval.

 It was moved by Councilmember Chris Larsen and seconded by
 Councilmember Todd Thomas to have City Engineer Tyrell Simpson do cost
 estimates on engineering fees for widening State Street, but to not
 commit any money. This received unanimous approval.

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

Executive Session It was moved by Councilmember Terry Larson 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 6:18 P.M.

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to exit Executive Session at 6:52 P.M. This received unanimous approval.

Adjourn Meeting was adjourned at 6:52 P.M. by Mayor Dan Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor