

**CITY COUNCIL REGULAR MEETING  
IONA COMMUNITY CENTER  
MAY 19, 2017 – 5:30 P.M.**

**PRESENT:** Mayor Brad Andersen, Council President Dan Gubler, Council Member Rob Geray, Council Member Kathy McNamara, Council Member Dan Garren, Attorney Dale Storer, Public Works Director Zech Prouse, City Clerk Shara Roberts, and Chief of Police Karl Bowcutt.

**ABSENT:** None.

**VISITORS:** Susan Moore, Marilyn Diehl, Dale & Janet Steele.

Mayor Andersen welcomed everyone and Clerk Roberts led with the Pledge of Allegiance. A roll call was taken to open the meeting.

**CONSENT AGENDA:** Special City Council Minutes of April 18, 2017, City Council Minutes of April 18, 2017, Special City Council Minutes of May 16, 2017, and City Council Minutes of May 16, 2017 had been reviewed. Council reviewed the finance reports for the period ending April 30, 2017 (58% of the fiscal year elapsed). The City had \$996,746.80 in the bank and routine bills had been paid, “Exhibit A”.

Mayor Andersen entertained a motion. Council Member Geray moved to approve the consent agenda as presented. Council Member Garren seconded the motion. All in favor, motion carried.

**ITEMS OF BUSINESS:**

**Public Hearings:**

***Dale Steele Variance Application located at 3813 Dayton St. for purpose of requesting less than the 1/3 acre requirement in the Single Family Residential (R-1) Zoning:*** Mayor Andersen explained the public hearing process and asked Dale Steele to present the variance application for the property in question, “Exhibit B”.

Citizen Dale Steele residing at 5332 E. Steele Ave. explained he owns the property located at 3813 N. Dayton St. and currently rents it out. He expressed the individuals have been great tenants, and have approached him about purchasing the property, but they have no use for the shop that sits on the back of the property. He would like to separate the shop from the home, and replat it to be included with his parcel at 5332 E. Steele Ave. However, in doing so the lot would not meet the 0.33 acre requirement in the Single Family Residential (R-1) Zoning which is why he is applying for the variance.

Mayor Andersen opened the public portion of the hearing; those in favor, one; neutral, none; opposed none.

Mayor Andersen closed this portion of the public hearing.

Council Member Garren asked for further clarification on where Mr. Steele intended to draw the new property line.

Mayor Andersen inquired if Mr. Steele had any intentions to split either property further. Mr. Steele indicated he did not, and the shop would permanently become part of Lot 7.

Based on Council President Gubler's calculations the property located at 3813 N. Dayton St. would remain 11,417 square feet which is larger than 0.25 of an acre.

Mayor Andersen entertained a motion. Council President Gubler moved to approve the variance for the property in question. Council Member Geray seconded. The variance application was approved by a roll call vote:

Council Member Geray: Yes  
Council Member Garren: Yes

Council Member Gubler: Yes  
Council Member McNamara: Yes

Attorney Storer noted Mr. Steele will not have to go through the preliminary plat process since this is simply a lot line adjustment. Rather, he will need to work with an engineer and Bonneville County to complete a record of survey.

**Title 2, Chapter 2 Historic Preservation – Marilyn Diehl:** Marilyn Diehl with the Iona Historical Museum explained she was recently looking through city code when she stumbled upon Title 2, Chapter 2 titled Historic Preservation and was wondering how it related to the museum,. She expressed she would like to receive feedback from the Council to see if there was anything in the ordinance which needs to be revisited.

Mayor Andersen explained when he sat on the Council when Craig Rockwood was the Mayor he was given the lead to work with Attorney Storer on putting together the requirements to make Iona a historical city, and an ordinance to preserve Iona's historical buildings and records. He explained at the time the individual in charge of the museum did not want to comply with open meeting law, and so the museum itself has never been under the purview of the City or it's governing ordinances. Rather, it was established has a separate entity. However, the City does budget each year to help with small expenses when approached by the board members.

Mrs. Diehl expressed since the previous chairwoman's passing they are trying to figure out the history and all the details regarding the museum. She further explained the loan on the museum building is due in 2019, and if not paid by then it could become repossessed. She inquired if the City would be interested in taking over the museum, and asked if there was an established historical commission under the City's ordinance for them to go when they have questions or concerns.

Attorney Storer explained the broad purpose of the ordinance is to serve as a vehicle for preserving and enhancing historical buildings and provide guidance for enhancing them if they don't meet current code requirements. He further explained the old tithing house was acquired originally for the purpose of establishing a museum and is separately owned by a 501(c)(3) private non-profit organization. He clarified the City has never owned or operated the facility and as a result Title 2, Chapter 2 does not apply to the museum.

Council Member Geray asked if the City was in essence out of compliance with the ordinance because a historic preservation commission has never been established.

Mayor Andersen explained the commission has never been established. However, an identified liaison Council Member McNamara comes directly to the Council with any questions or concerns brought to her attention by the museum's board members.

Attorney Storer explained inactive is a better description than non-compliant as there is nothing under state law that requires the City to have a historical preservation commission. Additionally, he noted there is nothing wrong with having this ordinance in place if a future council determines a reason to utilize it. He recommended letting it remain inactive until then.

Mrs. Diehl explained board members have asked on several occasions if the building was paid for if the City would consider taking it over in the future. After further discussion, the Council expressed it would just come down to who represents the City Council at the time the proposal was made.

**Discussion of Idaho Sod Zoning:** Mayor Andersen explained Kirt Schweider the owner of Idaho Sod, approached the City Council a couple of months ago about options he was looking at in regards to building a small office on his property and possibly rezoning a section to commercial instead of residential. He further expressed the true use of the land is commercial and it should be zoned appropriately and brought into compliance. After further discussion, the Council directed Clerk Roberts to include it as an agenda item for June's meeting and send out correspondence to Mr. Schweider.

**Discussion of Temporary Water Service Fee for New Construction Ordinance:** Attorney Storer explained the Council last directed him to draft an ordinance providing for a \$150 flat fee to be charged to contractors when they connect to the City's water system during new construction. He reported one of the ordinances in front of them tonight for review did exactly that. However, he further explained while he was drafting this ordinance he identified other approach the Council may want to consider.

The alternative ordinance presented depends upon the size of the water line which is being requested by the contractor, and would match the consumption the contractor might be using during construction. He then opened up the discussion to receive feedback from the Council on the two draft ordinances up for consideration.

Council President Gubler expressed from his perspective it makes sense to initiate payment for water services once a contractor pulls a permit to start building a home at the regularly flat rate fee of \$30 a month. However, he suggested including a provision in the ordinance which would allow for a contractor to come into the City office and possibly apply for a reduction in costs if the home sits vacant for a long period of time before a buyer is identified. Alternatively, he suggested meters could be put on all new construction and billed at a metered rate so contractors would be paying precisely for their water consumption.

Mayor Andersen expressed he was in favor of charging all new construction at the same rate already established by ordinance, and putting in a couple of meters on new construction for data

collection only to see if the flat rate was capturing new construction consumption. If the data showed new construction consumption was high the Council could readdress it at that time.

Council Member Garren expressed concerns with putting meters in even just for data collection until the results of the city-wide survey were received.

After further discussion, the Council agreed charging all new construction at the same flat rate from the time a permit is signed for and picked up in the City office. Clerk Roberts inquired if the ordinance would require a public hearing. Attorney Storer indicated it would not.

Mayor Andersen entertained a motion. Council President Gubler directed Attorney Storer to draft an ordinance which would provide all new construction to be billed at the same monthly flat rates already established by ordinance. Council Member McNamara seconded. All in favor, motion carried.

**General Water System Discussion:** Mayor Andersen reported the City was approved for a \$3.2 million low interest loan with the Department of Environmental Quality (DEQ) to help fund the needed infrastructure improvements to the City's water system. He explained the deadline to move forward is the end of their fiscal year which is June 30, 2018 so the Council needs to decide if they want to submit the application. He further explained the Council would also need to decide if they would like to try and educate the public about the City's water system needs and put it out for a bond election or take it to the courts for judicial review, either way would require raising the monthly water rates to pay back the loan.

Attorney Storer clarified if the City was borrowing money for the needed infrastructure from a bank or lender it would require a public vote. However, this is loan grant money from the DEQ and from his experience is done through judicial confirmation where the courts make the determination.

Council President Gubler expressed concerns about arbitrarily expanding the City's water system.

Attorney Storer explained the steps a city takes when they are considering expansions to the water system. He explained first a feasibility study is conducted by an engineer who then makes a recommendation on priority improvements with a cost estimate.

Mayor Andersen noted the City has already completed these steps, which also includes the facility planning study.

Attorney Storer further explained once that is completed, the next step is to look at how the City will fund the needed improvements either through a loan with the DEQ and judicial confirmation process, or alternatively put it out for a public vote to issue a bond election to generate the funds to construct the expansions.

Council Member Garren discussed acquiring additional water rights is still an option to consider as they look at deficiencies in the City's water system, and expressed the City is chasing that plus the possibility of constructing a new storage tank. He feels the Council needs to have a cohesive

plan on the priorities first before moving forward on this application. Additionally, he would feel more comfortable once the city wide survey was completed.

Public Works Director Prouse explained when the facility planning study was conducted deficiencies in the City's water system were outlined, and the only thing the City has done to address these deficiencies is upgrade well #3 and the rehabilitation to the storage tank. The City's system is still deficient.

Council Member Geray expressed from his perspective, water rights will always be something running in the background and something the City is always going to be looking to acquire more of. However, in regards to infrastructure deficiencies the City Council can actually execute, the priority is a new storage tank and well. He doesn't have a problem waiting to move forward on anything until the feedback is collected from the city wide survey. However, he feels the Council has kicked this can down the road long enough and it's time to move forward on addressing the system's necessary infrastructure improvements.

Council President Gubler agreed, but also outlined acquiring additional water rights also would fix the issue of over pumping and would help satisfy the immediate problem.

Director Prouse explained it would help meet existing usage, but does not cover any expansion.

Council President Gubler expressed if the Council determines this is the course of action, and requires water rates to be increased to fund the necessary infrastructure improvements he would like to see a meeting held to educate the public on the reasons why it is necessary, and receive public input.

Council President Gubler asked what the top infrastructure improvement need is, and asked if the improvements could be broken down in segments opposed to being completed all at once. Director Prouse responded it is a new tank, new pump, and a new transmission line down 55<sup>th</sup>. Mayor Andersen explained the DEQ loan is up to \$3.2 million, but does not mean the entirety of the loan has to be utilized.

Council Member Garren inquired how much the Council budgeted for the purchase of acquiring additional water rights. Council President Gubler responded approximately \$450,000. Council Member Garren further explained they could authorize that to go towards these other priority improvements if needed.

After further discussion, the Council gave direction to Mayor Andersen to bring back further details for moving forward on the loan application to the next meeting, and in the meantime wait to receive the results back from the city wide survey.

**Boiler Maintenance:** Director Prouse reported there is necessary and preventative maintenance which needs to be performed on the boiler. He further reported he received a quote from Rocky Mountain Boiler for the entire heating system and what the priority needs are. The quote he received would cost \$5,330, and he is seeking approval from the Council to move forward to have the project completed during the off season. After further discussion, the Council expressed it was a necessity and authorized Director Prouse to move forward.

**Country Haven Estates Update:** Director Prouse reported the remaining asphalt has been installed in Country Haven Estates. Additionally, he was contacted by Greg Hansen with Rockwell Homes about issuing building permits in Phase 4 prior to receiving inspection reports for the infrastructure. He discussed it further with Attorney Storer who drafted a letter outlining the stipulations and time limit the City would allow to issue permits prior to receiving these reports. The deadline for Rockwell Homes is July 31, 2017. At that point, if Rockwell has not provided the inspection reports the City will have the authority to not issue building permits, issue stop work orders, and withhold any Certificate of Occupancies.

**Chip Sealing on Iona Road:** Director Prouse reported he contacted Bonneville County regarding the chip sealing which was supposed to be completed on Iona Road. It was mistakenly skipped, and they will be chip sealing the entirety of the road later this summer. However, because Iona's roads are wider than the average road they will not be including the chip sealing for the bike paths. Director Prouse had them provide an estimate for the bike paths, and it will cost approximately \$6,000. This project would be completed the first or second week of August. After further discussion, the Council instructed Director Prouse to move forward with the necessary improvements to the bike path on Iona Road.

**City Survey Update:** Mayor Andersen explained he has been in contact with the individuals conducting the city wide survey, and because the survey questions ended up being more extensive in nature, it is taking a little bit more time to conduct door to door, and potentially could end up costing the City more money than originally anticipated. He inquired how much the Council originally approved for this project.

Council President Gubler responded not to exceed more than \$5,000.

Mayor Andersen explained he just wanted to keep the Council in the loop of the updates he received, and he will continue to keep them informed once he knows more.

**Library Improvement Update:** Council Member Garren explained he had nothing new to report on this item at this time.

**Softball Tournament:** Mayor Andersen reported he discussed this further with the Sports Director, and the individual who approached her about this would be providing all the setup, and the City would receive \$15 per game depending of course on how many teams sign up for the tournament. The only cost the City would be labor for the Sports Director's time to oversee the event.

Council President Gubler asked if the gentleman putting up the temporary fence for the setup of the event understood if he penetrated any water lines it would be his financial responsibility to fix them. Mayor Andersen acknowledged this was correct, and will get with Director Prouse to set up flags where the sprinkler heads are before setup.

**Mayor's Youth Advisory Council (MYAC) Funds Proposal Update:** Mayor Andersen reported MYAC reached out to several local businesses the City works with to inquire if they would be willing to make a donation towards the youth attending the Association of Idaho Cities

(AIC) Conference in June. He further reported the following entities donated towards this opportunity for the youth: Holden, Kidwell, Hahn & Crapo (\$300), Keller Associates (\$295), Idaho Truck Service (\$295), and Rocky Mountain Power (\$1,000). He further explained they were planning on presenting each sponsor with a certification during June's City Council meeting, but Rocky Mountain Power contacted the City Clerk and asked if he could meet with the Council and the youth next Wednesday, May 24<sup>th</sup> at 6:30 pm to present a check and take some pictures. Mayor Andersen further reported he is going to be out of town, and asked if any of the councilmembers could be in attendance. Council Member Geray and Council Member McNamara will be in attendance.

**Idaho Counties Risk Management Program (ICRMP) Training:** Clerk Roberts reported she contacted Jim McNall with ICRMP and he inquired if Monday, June 5<sup>th</sup> at 6:00 pm would work for the Council. Overall the Council was available for that date, and instructed Clerk Roberts to extend an invitation out to the Planning and Zoning Commission and other small surrounding cities.

**Annual Easter Egg Hunt Thank You Recognition:** Mayor Andersen read "Exhibit C" prepared by Treasurer Sullivan recognizing all of the sponsorships and volunteer time put into making the annual Easter egg hunt a successful event.

**Arbor Day and Spring Clean Up:** Mayor Andersen reported the annual Arbor Day/Spring Clean Up will be held on Saturday, June 10<sup>th</sup> beginning at 8:00 am. Additionally, a citizen is organizing a city wide yard sale from 8:00 am – 12:00 pm.

Director Prouse reported he will be out of town for this event, but he scheduled the dumpsters with PSI Environmental. He recommended planting another tree in Pioneer Park, and will coordinate with Council Member Garren, Clerk Roberts, and Public Works Laborer Bryce Stucki.

**Iona Days:** Mayor Andersen reported Iona Days will be held on Saturday, July 22<sup>nd</sup> this year, and is being coordinated by Emily Downey. He expressed he would need a couple of council members to help oversee the Mayor's Youth Advisory Council (MYAC) breakfast fundraiser.

Council President Gubler reported he put in a request with Idaho National Guard to bring their climbing wall, and the Fire District will be bringing fire trucks.

Mayor Andersen directed Clerk Roberts to contact PSI Environmental to see if they would willing to bring out another truck for the children to check out like they did during the egg hunt, and if they would be willing to donate one roll off dumpster for the garbage from that day.

Clerk Roberts explained Susan Stucki with the Church of Jesus Christ of Latter-Day Saints contacted her regarding the community dinner they host each year, as well as, evening entertainment. She inquired if they can use the sound system the City is paying for the entertainment in the evening. The Council indicated that would be fine.

### **Staff Reports:**

Council Member McNamara reported she attended the Targhee Regional Public Transportation Authority (TRPTA) meeting and they are currently discussing a short range transit plan they want to implement, charging a monthly rate to ride the bus instead of a per ride charge, and providing Saturday services for individuals out of state who may want to go site and for special events. They are additionally working on making improving the branding on their buses to make them more noticeable.

Clerk Roberts announced Kelly Packer who is running for Lieutenant Governor will be coming to visit the City of Iona Monday, May 22<sup>nd</sup> from 1:00 – 2:00 pm at the Iona Square and wanted to extend an invitation to the City Council.

Director Prouse reported he will be on vacation June 2<sup>nd</sup> to June 11<sup>th</sup>.

Chief Bowcutt reported he had to move forward on enforcing a state code regarding obstructions in the right of way on 55<sup>th</sup>, and wanted to let the Council know it could be a potential issue if the citizen chooses not to comply.

Council President Gubler reported on the most recent meeting himself and Chief Bowcutt attended regarding the Eclipse. He explained the major concern is communication during a mass casualty event, and explained the course of action they have established if it becomes necessary. They will be utilizing the Chief's radio for dispatch, using the City building as a collection point for any casualties, and using part of the Police Department's budget to purchase a few general mobile radio service (GMRS) devices. Additionally, they are going to make sure the siren functions appropriately, and purchase blankets, cots, and bandages in the event they are needed. A flow chart will also be available in the City office. Furthermore, the Chief's response this weekend is not writing tickets, but to be available in the event something major happens.

Meeting adjourned at 8:20 p.m.

COUNCIL APPROVED: June 27<sup>th</sup>, 2017

\_\_\_\_\_  
Brad Andersen, Mayor

ATTEST: \_\_\_\_\_  
Shara Roberts, City Clerk