

**CITY COUNCIL REGULAR MEETING
IONA COMMUNITY CENTER
JUNE 27, 2017 – 7:00 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, and City Clerk Shara Roberts.

ABSENT: Chief of Police Karl Bowcutt.

VISITORS: Jonathan & Chelsea Stubbs and Ryan Walker.

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

CONSENT AGENDA: City Council Minutes of May 19, 2017 were reviewed. Council reviewed the finance reports for the period ending May 31, 2017 (67% of the fiscal year elapsed). The City had \$1,050,240.54 in the bank and routine bills had been paid, “Exhibit A”.

Mayor Andersen entertained a motion to add items of business to the agenda. Council President Gubler moved to add to the agenda Fuel Reserve for the Eclipse. Council Member McNamara seconded the motion. All in favor, motion carried.

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

ITEMS OF BUSINESS:

Public Hearings: None.

Business License Application – A Tale to Sing: Citizen Chelsea Stubbs located at 5306 E. Buchanan Dr. presented a business license application for the purpose of teaching voice lessons from her home. She reported she generally has one to three students at a time, and she doesn’t foresee any issues regarding parking or traffic in her neighborhood.

Mayor Andersen inquired if the Council had any questions. The Council didn’t have any questions or concerns regarding this particular business license application.

Mayor Andersen entertained a motion. Council President moved to approve the business license application for Chelsea Stubbs’s business A Tale to Sing. Council Member McNamara seconded the motion. The license was approved by a roll call vote, “Exhibit B”:

Council Member Geray: Yes
Council Member Garren: Yes

Council Member Gubler: Yes
Council Member McNamara: Yes

Council Member Geray inquired for clarification when he reads the city code regarding home occupations it outlines a conditional use permit is required, and is concerned home occupations are not being processed in line with city code.

Clerk Roberts agreed it is an issue of concern as most all home occupations in the City do not hold a conditional use permit and just have a business license so it is a question whether we need to go back and have all those individuals apply for the conditional use permit in addition to their business license or is a matter of just processing them correctly moving forward.

Council Member Geray further expressed the City needs to take a look at how they are administering the home occupations, and again make sure they are in line with city code. Additionally, including verbiage which exempts things such as piano and voice lessons. He asked everyone to send him ideas for clarifying the verbiage and will work on putting together a draft proposal.

Mayor Andersen asked Clerk Roberts to include it as an item of business for next month's agenda.

Presentation of City Survey Results: Matt Hendricks explained he represented the team who was contracted by the City to conduct the city wide survey. He provided a copy of the results for the Council's review "Exhibit C", and reported out of 808 households 524 responded which is approximately a 65% response rate. During the first three weeks they received 425 surveys, but hadn't quite reached the goal of a 60% response rate so they reconvened the City a seconded time and received another 99 responses. Mr. Hendricks explained he solely conducted the quantification process of the data to maintain a higher level of quality control and spent more time in the quantification process than he actually did going door-to-door. He then provided a brief summary of the results for the Council.

Mayor Andersen explained when the Council first started this project the intention was for the survey to be 8 to 10 yes/no questions. However, it evolved to a 16 question survey with a mixture of yes/no and open ended questions. As a result of this, it ended up taking Mr. Hendricks and his team a lot more time to complete and quantify the data. He feels the original contract amount didn't cover the additional time and effort which was put in, and recommended the Council consider additional compensation.

Council President Gubler directed Mr. Hendricks to submit a bill to the Council for the additional time and effort for consideration.

Amending Section 8-2-36 Establishing a Monthly Water Service Fee for New Construction: Mayor Andersen reported the Council has been discussing this item for the last couple of months, and turned the time over to Attorney Storer to further explain the amendments.

Attorney Storer explained the proposed amendments addresses two issues of concern. First, the ordinance now includes verbiage which outlines it is the responsibility of the homeowner to terminate services upon vacating a property. He further explained failure to do so will not constitute that the City have any obligation to refund all or any portion of the payments for water service provided at the premises. Secondly, the ordinance now includes verbiage clarifying the

billing for water service will begin upon the issuance of a building permit for any structure upon the premises, connection of any service line serving the premises to any main line or meter box owned by the City, and a change in the nature of the water service classification for any building or structure located on the premises.

Mayor Andersen entertained a motion. Council President Gubler moved to approve the amendments to Title 8, Chapter 2, Sections 36 and 37 clarifying the verbiage relating to water service as written and to dispense with the rule requiring reading in full on three separate occasions. Council Member Garren seconded the motion. The ordinance was approved by a roll call vote, “Exhibit D”:

Council Member Geray: Yes
Council Member Garren: Yes

Council Member Gubler: Yes
Council Member McNamara: Yes

Discussion of Idaho Sod Zoning: Clerk Roberts reported last month the Council directed her to send correspondence to Kirt Schwieder expressing the true use of his land is commercial and therefore it needs to be zoned appropriately and brought into compliance. She further explained she requested a response from Mr. Schwieder by today’s date, and has not received further communication at this time. Additionally, she spoke with Building Inspector Allen Eldridge in which he informed her Mr. Schwieder was in the process of making arrangements to move his business office to his other property in the City of Ammon.

Council President Gubler expressed Mr. Schwieder has a belief the nature of his business is exempt from the commercial statutes outlined in city code. He is exempt from some costs when it comes to taxes at the State level. However, he is still responsible for having a commercial business compliant as all other commercial businesses regardless if the office is located in a different jurisdiction because he is still selling sod from his property here in Iona.

Mayor Andersen asked Attorney Storer if the Council should move forward on scheduling a public hearing through Planning and Zoning for a recommendation, and a second hearing for final approval with the Council to address this concern.

Attorney Storer recommended at this time the Building Inspector Allen Eldridge and the Chief of Police Karl Bowcutt sit down with Mr. Kirt Schwieder to clarify the issues and expectations for resolution.

2016 Water Quality Report: Mayor Andersen presented the 2016 Water Quality Report and explained it is required to be completed once a year, “Exhibit F”. A copy is available on the City website and in the City Clerk’s office.

General Water System Discussion: Ted Hendricks with the East Idaho Central Planning and Development Association began by expressing he was pleasantly surprised by the survey results to learn the Council has a lot of support to move forward on the water system improvement project related to constructing a new storage tank and well.

He then discussed how the City went about getting on the Department of Environmental Quality’s (DEQ) priority list for a loan with a 2.75% low interest rate for Fiscal Year 2018 to be

able to fund this project, and what the process would require moving forward. He explained municipalities can only borrow money in two ways. First, they can organize a revenue bond election which requires a simple majority vote (50% plus 1 vote). Alternatively, the Council can declare the cost ordinary and necessary and take it through judicial confirmation in which a judge would agree or disagree. He recommended to the Council to do a revenue bond election. The only time in which these can fail is if the public are ill advised or if you have a very strong opposition to the election in which people are going out campaigning against it. Additionally, if there is a disconnection with the Council's support this can cause revenue bond elections to fail. He confirmed with the Association of Idaho Cities (AIC) this morning there are two times a municipality can have a revenue bond election which is in November and May. Overall, revenue bond elections are the easier and less expensive route and if you get the support of your citizens through education and putting the facts out there. From his perspective, he feels the Council has pretty high support based on the survey results and would start holding some public information meetings and move ahead with this improvement.

He explained the terms and conditions for receiving federal money are becoming harder and harder to get. Historically, a few years ago the City had a similar opportunity to receive grant money with a zero interest loan. However, the Council elected to not move ahead because of some opposition which ended up costing thousands of dollars in the long run for the same improvements the Council is considering now because constructions costs and interest rates have increased. He further recommended the Council move forward with the improvement project and take advantage of the opportunity they have with the DEQ funding.

He further explained the Council needs about 120 days to do a revenue bond election, and they can hire an attorney who specializes in bond election or use Attorney Storer. If the Council decided to move forward and wants the election to be held in November there is time to do it, but not time to waste.

He also discussed the potential for the City to receive an Army Core Grant which is a non-traditional resource in addition to the DEQ funds.

He expressed if the Council decides not to move forward they will be removed from the priority list and have to start the process all over again, if at any point a future council decides to pursue this again in the future.

Council Member Geray expressed the real question to him is if the Council is aligned on moving forward with this DEQ funding and the new storage tank. From his perspective, it would be difficult to get all of the ducks in a row in time for the November bond so he is inclined to support waiting until May. He would like to see updated current numbers reflecting the project and how much it could potentially raise user rates so they can decide whether they are in alignment to move forward.

Mr. Hendricks suggested the Council scheduled a work meeting in the next 10 or 12 days and have Paul Scoresby update the entire scope of potential water improvements, and make a final decision by the end of July. He believes the Council could meet the November election date if they decided to move forward.

After further discussion, the Council scheduled a special work meeting for Tuesday, July 11th at 6:00 pm. Director Prouse will work with Engineer Paul Scoresby to have the information prepared for the meeting.

Updates on Leak Detection Survey: Director Prouse reported they just completed the bi-annual leak detection survey and did not find any significant leaks.

Geographic Information System (GIS) Mapping Project: Director Prouse reported himself and his staff have already mapped a majority of the system, with the exception of 23 areas they still need to locate. He is hoping to have that completed by the end of next week.

Discussion of Obstruction of Right-of-Ways Ordinance: Director Prouse explained since Chief Bowcutt resolved the issue on 55th there have been several other areas identified where larger boulders or obstructions are being placed in the right-of-ways. In the process of trying to address these issues, himself and Chief Bowcutt identified how inconsistent the city code is in comparison to state code.

After further discussion, the Council agreed the ordinance needed to be amended to further clarify what is allowed and what isn't allowed in the right-of-ways. Mayor Andersen asked Director Prouse to communicate tonight's discussion with Chief Bowcutt and have him work with Attorney Storer to draft a proposal.

Fiscal Year 2018 Preliminary Budget Discussion: Mayor Andersen requested the Council review the draft preliminary budget sheet and bring suggestions, changes, or large projects not captured to the special work meeting on Tuesday, July 11th. He suggested if they had any questions to call himself or Treasurer Sullivan.

Mayor Andersen reported Clerk Roberts will provide more information to the Council on a proposal for purchasing tablets and an electronic dual records management system to create more administrative efficiencies and safeguards.

Additionally, they will need to discuss how much to take on property taxes and if they are going to take any forgone amounts.

Iona Days: Mayor Andersen reported Iona Days Coordinator Emily Downey has been doing a great job organizing the event so far. He further explained he believes she has East Idaho Credit Union in line to sponsor the breakfast. However, some volunteers may still be needed to help with cooking and serving.

Council President Gubler inquired if it would still be a fundraiser for the Mayor's Youth Advisory Council (MYAC). Mayor Andersen explained with East Idaho Credit Union sponsoring the event it would be free to the community. However, if MYAC members came and assisted with the fun run and staffed the breakfast perhaps the City could give them about \$400 similar to what they made last year from the breakfast.

Council President Gubler reported he hasn't received a confirmation from the Army National Guard for the climbing wall.

Mayor Andersen reported Chief Bowcutt will be arranging for two additional officers with Bonneville County for coverage for the fun run.

Fuel Reserve for the Eclipse: Council President Gubler reported he attended a meeting this last week regarding the Solar Eclipse. The City needs to identify someone with a mobile ham radio for communication in case cell phones are inoperable. Mayor Andersen expressed he may know of someone who could fulfill this need. Additionally, the Council needs to plan for a fuel reserve in the event city staff or vehicles need to operate. He sees a need for at least 500 gallons of a fuel reserve to be put in place prior to this event.

Council President Gubler asked the Council and city staff to bring ideas or contact local companies to fulfill this need for the special work meeting on Tuesday, July 11th so they can make a decision and move forward.

Staff Reports:

Council Member McNamara reported she was contacted by Marilyn Diehl with the Iona Historical Museum who would like to see their budget increased to \$2,000 this next fiscal year.

Meeting adjourned at 9:19 p.m.

COUNCIL APPROVED: July 18th, 2017

Brad Andersen, Mayor

ATTEST: _____
Shara Roberts, City Clerk