

**CITY COUNCIL REGULAR MEETING
IONA COMMUNITY CENTER
JANUARY 16, 2018 – 7:00 P.M.**

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

ABSENT: None.

VISITORS: Todd Brewington, James West, Heather Thompson, Kyle Gubler, Kelsey Poole, Robalyn Gubler, Sunnie Dunthorn, Terry McNamara, Shad Dunthorn, Kaleb Gubler, Troop 196 Scouts, Erica Jones, Brandon Jones, Ron Roberts, Pam Parris, Heather Marley, Troop 607, Paul Scoresby, Susan Gardner, Suzanne & Brad Schwendiman, Ryan Walker, Gayle Terry, and Marilyn Lowell.

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 Special Work Meeting Minutes of December 19, 2017, City Council Minutes of December 19, 2017, and Special Meeting Minutes of January 4, 2018 were reviewed. Council reviewed the finance reports for the period ending December 31, 2018 (25% of the fiscal year elapsed). The City had \$838,703.05 in the bank and routine bills had been paid, “Exhibit A”.

Mayor Andersen entertained a motion. Council President Gubler made a motion to approve the consent agenda with a revision to the minutes for the absence of Council Member Garren’s roll call votes in the December 19, 2017 minutes. Council Member Geray seconded the motion. All in favor, motion carried.

ITEMS OF BUSINESS:

2017 State of the City & Farewell Address from Mayor Andersen: Mayor Andersen reported the 2017 State of the City Address was published in the City’s January Newsletter and is available on the City website. Mayor Andersen then requested his farewell address be made part of the record and read, “Exhibit B”.

Presentation of City Plaques & 10 Minute Recess: Clerk Roberts presented a plaque of appreciation to City Attorney Dale Storer for 29 years of service to the City of Iona from 1989 – 2018. Clerk Roberts presented a plaque of appreciation to Council Member Garren for 9 years of service to the City of Iona from 2009 – 2018. Clerk Roberts presented a plaque of appreciation to Mayor Andersen for 20 years of service to City of Iona from 1998 – 2018, “Exhibit C”.

Swear-in Recently Elected Officials: Mayor Dan Gubler, Council Members Kathy McNamara and Michael Thompson: Mayor Andersen swore-in recently elected official

Council Member Michael Thompson. Clerk Roberts swore-in recently elected official Mayor Dan Gubler and Council Member Kathy McNamara, “Exhibit D”.

Elect President of the Council: Mayor Gubler entertained a motion. Council Member McNamara moved to elect Council Member Geray to serve as the Council President. Council Member Thompson seconded the motion. Approval of the Council President was taken by a roll call vote:

Council Member Geray: Yes
Council Member Garren: Yes

Council Member McNamara: Yes

Fiscal Year 2017 Audit – Searle Hart & Associates: Dana Izatt, Auditor from Searle Hart & Associates, presented the annual audit report for Fiscal Year 2017 (FY2017). He referenced page 30 of the report that outlines the budget actual for the City. It was budgeted to spend \$887,700 and the City spent \$766,072. Mr. Izatt commented it represented a good variance as the City spent under what they budgeted for.

He noted in the Management Report the same finding as previous years in which the City does not have enough employees to adequately separate their duties. The City’s response to this finding is the cost would outweigh the benefit received. However, Mr. Izatt recommended the Council and Mayor continue to remain active in reviewing and approving all bills and periodically reviewing bank reconciliations.

As always, the City needs to continue to make sure all forms (I-9’s, W-4’s) are in the personnel files and updated each year.

Mayor Gubler entertained a motion. Council President Geray moved to approve the audit as presented by Searle Hart & Associates. Council Member McNamara seconded the motion. All in favor, motion carried.

Discussion of Belnap Christmas Show: Mayor Gubler reported the Belnaps were invited by Clerk Roberts to attend this meeting for the purpose of discussing and collaborating on concerns and suggestions regarding the future of the Christmas show. However, they were unable to be here tonight. He further expressed he requested it remain on the agenda so he can update the Council on some of the reports and concerns which have been received. He then handed the time over to Chief Bowcutt.

Chief Bowcutt reported the Belnaps have expressed concern to him regarding the amount of police coverage and have requested the City provide such coverage for special events such as when they schedule Santa Claus or Olaf to be in attendance. However, the Police Department is not budgeted to allow for overtime hours. Additionally, from his perspective when they are scheduled to be here they can’t provide sole coverage at the Christmas show and leave the remainder of the City unprotected. He further explained there have been some traffic concerns and accidents due to the expansion of the show. In closing, he believes the Belnaps are upset the City is not providing the additional service they have requested.

Mayor Gubler explained historically about 5 -6 years ago there was a meeting with the Belnaps which resulted in a handshake agreement that the extent of the City's responsibility was such that if there was an officer on duty he could pass by so his presence would be felt, and hopefully slow drivers down. However, since then they have expanded the Christmas show and the impact has changed.

He doesn't want the Council to make any type of decisions this evening because he wants the Belnaps to be present so they can express their perspective and expectations moving forward.

Council Member McNamara reported she talked with Loann Belnap who suggested the City lower the speed limit just on that section of the road or have flashing lights set up.

In closing, Mayor Gubler explained Mrs. Belnap will probably come to a city council meeting in the near future and would like the Council to think about the amount of city resources they feel is appropriate to commit in supporting this event.

General Discussion of the Water System Improvement Project: Mayor Gubler reported the City has received the loan offer from the Department of Environmental Quality (DEQ) which requires signing authority from the Mayor to move forward on the project.

Clerk Roberts reported the document arrived certified in the mail today, and opened up the envelope to give the information to Mayor Gubler.

Mayor Gubler further reported the Council met with the President of Rockwell Homes Greg Hansen regarding their financial contribution to the water system improvement project during the work session which took place prior to this meeting. Mr. Hansen was made aware the City raised their water connection fee from \$3,000 to \$4,859. Due to the increase, Mr. Hansen indicated he would have to take this information back to the owner of Rockwell Homes for further discussions before he could make any commitments to their involvement.

Mayor Gubler further explained Mr. Hansen indicated to the Council as a result of in the increase in the water connection fee he could easily take the proposed development to Bonneville County and Falls Water Company instead. Mayor Gubler asked Attorney Storer if the City can force annexation on new development which is occurring in the City's Impact Area and require them to hook up to the City's water system.

Attorney Storer expressed that cities do have authority to annex development as long as it is contiguous with land already annexed into the City. Additionally, the City can adopt an ordinance which makes the water system exclusive.

Mayor Gubler indicated the loan offer he received from DEQ is for the requested amount of \$3.9 million dollars and is identified as loan project number DW1805. He expressed he would like to sign this document so they can keep the ball moving forward on the project.

Council President Geray shared concerns the approval and signing of the DEQ loan was not specifically listed as an item of business on the agenda, and they need to stay in the parameters of the open meeting act laws.

Mayor Gubler expressed he felt it was adequately covered by the general discussion of the project and inquired if Attorney Storer agreed.

Attorney Storer disagreed and suggested the approval and signing of the document be listed out as a separate agenda item on a future agenda.

Mr. Hendricks noted the Council could opt in the future to authorize a resolution which would allow the Mayor to execute all documents related to the water system improvement project without having to schedule separate or special meetings and helps with the streamlining of the process. He will bring a sample resolution along with him the next time the Council meets.

Attorney Storer expressed it just depends on how much involvement the Council wishes to have in terms of the agreements.

Council President Geray expressed he wasn't adverse to the idea, but would prefer any proposed resolutions be reviewed by the City Attorney.

Mayor Gubler asked the Council how soon they could schedule a separate meeting to approve the loan paperwork.

Council President Geray asked what the notification requirements were for a special meeting. Clerk Roberts reported for a special meeting it requires a 24 hour notice.

After further discussion, the Council agreed to schedule a special meeting for Friday, January 19th at 6:00 pm for the purpose of moving forward on the loan paperwork.

Review of the Amendments to the Facility Planning Study: Engineer Paul Scoresby reported he was charged with making necessary amendments to the Facility Planning Study to update where the City's water system has changed and to the point where it is now and handed out "Exhibit E" for the Council's review.

He further expressed not a ton has changed, and the water system improvement project is nearly the same project recommended in the first two facility planning studies conducted in 2007 and 2009. The only real difference is the size of the tank the City is proposing to build. The previous studies recommended a 500,000 thousand gallon water tank, but the City is proposing to size it up to a 1,000,000 million gallon water tank and build an asset which will last 80 years. The studies already indicate the City needs more than 500,000 thousand gallons of storage capacity. Additionally, the City's current water storage tank only has approximately 20 years of life left and when it becomes decommissioned the City will only have the 1,000,000 million gallon water tank left to service all the City's connections.

Mr. Scoresby expressed he would like the Council to review the document and provide comments and feedback before it is finalized.

Mayor Gubler directed Clerk Roberts to add it as an item of business for the Special Meeting scheduled on Friday, January 19th.

Dave Noel with Forsgren Associates inquired if the location of the tank was the same as previous studies.

Mr. Scoresby reported the location of tank was never established in either of the studies from 2007 and 2009.

Mr. Scoresby further reported they did make a minor change to the original scope presented after consultation with Public Works Director Prouse, and that was the removal of the generator at existing well #2. The calculations make it very hard to justify when you have enough redundancy to meet demands during a power outage and didn't feel it was money well spent. The City had originally budgeted \$75,000 for that line item. However, they did determine fencing around the well site was a better way to spend those funds.

Mayor Gubler asked Ted Hendricks with East-Central Idaho Planning & Development Association (ECIPDA) if he had any indication of when the City would hear back on from Congressman Simpson's office in regards to the grant money available with the Army Corps of Engineers.

Mr. Hendricks reported he doesn't expect a budget to be passed anytime soon. However, they will typically receive the same budget as they have in previous years. They have the City's letter of interest to seek funding. However, he is estimating it will take a few months to hear any updates in regards to this.

Mayor Gubler reported Mr. Hendricks has submitted his contract for approval to him in regards to the professional administrative services regarding the project. He indicated he would distribute the contract to Clerk Roberts to distribute for the Council's review and directed her to put it on the agenda for the special meeting scheduled on Friday, January 19th for approval.

In closing, Mr. Hendricks explained upon the submittal of the amendments to the Facility Planning Study DEQ will schedule what they call a scoping meeting where they will outline the level of Environmental Review they want the City to conduct.

Amendment to the Agreement for the Environmental Review: Mayor Gubler presented "Exhibit F" to amend a pre-existing Professional Services Time and Materials Contract with Engineer Paul Scoresby representing Schiess & Associates for the purpose of preparing an environmental assessment in regards to the water system improvement project.

Council President Geray noted a typo in regards to the effective date of March 31, 2008.

Mayor Gubler entertained a motion. Council President Geray moved to approve the amendment to the professional services agreement contingent upon updating the effective date to be January 16, 2018. Council Member Thompson seconded the motion. All in favor, motion carried.

Repealing of Chapters 1, 4, 5, 6, 7, 8, 10, and 11 of Title 7 of the Iona City Code and the Adoption of A New Chapter 1, Title 7 Entitled "Health and Safety Codes" (217-01-18): Mayor Gubler thanked Council President Geray for his efforts of working with Attorney Storer

to ensure accuracy and proper alignment of the ordinance and presented the document for approval.

Mayor Gubler entertained a motion. Council President Geray moved to approve the Ordinance No. 217-01-18 repealing chapters 1, 4, 5, 6, 7, 8, 10 and 11 of Title 7 of the Iona City Code and adopting the 2015 International Building Code, the 2015 International Existing Building Code, the 2015 Idaho (Uniform) Plumbing Code, the 2015 International Energy Conservation Code, the 2015 Idaho Fire Code, the 2017 National Electrical Code, the 2012 Idaho Residential Code, the 2012 International Fuel and Gas Code, and the 2012 International Mechanical Code and dispense with the rule of reading on three separate occasions. Council Member McNamara seconded the motion. The ordinance was approved by a roll call vote, "Exhibit G":

Council Member Geray: Yes
Council Member Garren: Yes

Council Member McNamara: Yes

Discussion of Country Haven Park: Mayor Gubler reported citizen Austin Catlin contacted the City with hopes to get a target budget for the establishment of a park in the Country Haven Subdivision.

Council President Geray suggested approximately \$20,000 would be a reasonable and sufficient amount considering the size of land he would be working with pending a more detailed estimate. Mr. Catlin would also be in charge of securing volunteers for the majority of the project, but city resources/equipment would be available to help out with the project.

Mayor Gubler directed Clerk Roberts to communicate tonight's discussion with Mr. Catlin.

Discussion of Idaho Sod: Mayor Gubler explained Kirt Schwieder the owner of Idaho Sod approached the City Council not too long ago asking for guidance in regards to land use and the nature of his business. After some discussions took place, Mr. Schwieder informed the City he moved the business to the City of Ammon. Mayor Gubler requested Clerk Roberts to provide further information as to why it is listed as an item of business on the agenda again.

Clerk Roberts explained each year the business licenses throughout the City expire on December 31st and the Clerk's office sends out a notification with instructions on how to renew those licenses. Idaho Sod was mistakenly left on the spreadsheet to receive the annual notification, and Clerk Roberts realized after it was sent out they didn't need to complete the task of renewing the license since the business was moved to the City of Ammon. However, a few days later Treasurer Sullivan received a response from Mr. Schwieder indicating there was still a need for him to renew the business license as they are still doing business in the City of Iona. Clerk Roberts expressed the issue is the land which is zoned as Single Family Residential (R-1) is still being used for commercial purposes which is not permitted.

Council President Geray asked Chief Bowcutt if there had been any follow up code enforcement since the last discussions with Mr. Schwieder. Chief Bowcutt expressed he was going to take action but was informed by Mr. Schwieder he moved the business to the City of Ammon. However, it appears he has slowly started to move farming equipment back to his land.

Clerk Roberts asked direction from the Council if they would prefer she did not issue a business license to Mr. Schwieder until the land was zoned appropriately. After further discussion, they agreed this was a good course of action.

Mayor Gubler directed Clerk Roberts to send out correspondence indicating if Mr. Schwieder intends to continue to store commercial farming equipment and sell sod it needs to be zoned appropriately which can be either Residential Agriculture (R-A) or Commercial (C) and invite him to discuss this with the Council further at the next regularly scheduled city council meeting on Tuesday, February 20th.

Approval of Backup Generator Quote for City Shop: Director Prouse presented a proposal to install a 16 kilowatt natural gas generator which would solely power the Public Works Shop in the event of an emergency or extended power outage. This would allow for full operation of their shop and the SCADA controls for the water system. Currently, there are battery backups which only provide for a limit amount of time, and require all the City's well to be operated manually. He is seeking approval from the Council for the purchase of the generator for a quote of \$7,800.

Mr. Hendricks explained the City could consider putting that into the scope of the water system improvement project as it would qualify.

Council President Geray expressed he would be reluctant to go that direction because it continues to kick the can down the road in terms of having adequate backup power supply for the system, and adds overall cost to the project which will incur interest.

Mayor Gubler entertained a motion. Council President Geray moved to approve the quote for \$7,800 for the purpose of purchasing the backup generator for the City Shop. Council Member Thompson seconded the motion. All in favor, motion carried.

Staff Reports: Chief Bowcutt reported he is still looking to hire another full time officer.

Council Member McNamara reported the Iona Historical Museum is hosting a meeting Thursday evening for the purpose of organizing and gathering the ideas for the time capsule.

Mayor Gubler discussed the departure of Attorney Storer, and explained there are not a lot of law firms in the area which specialize in municipal law. Even though Attorney Rawlings doesn't have the depth of experience Attorney Storer has the contract the City signed to continue services with Holden Kidwell Hahn & Crapo secures the services of all of the attorneys in the office who do have years of experience in municipal law.

Meeting adjourned at 9:17 p.m.

COUNCIL APPROVED: February 20th, 2018

Dan Gubler, Mayor

ATTEST: _____
Shara Roberts, City Clerk

DRAFT