

**CITY COUNCIL SPECIAL MEETING
NOVEMBER 21, 2017 – 6:00 P.M.
IONA COMMUNITY CENTER**

PRESENT: Mayor Brad Andersen, Council President Dan Gubler, Council Member Rob Geray, Council Member Dan Garren, Council Member Kathy McNamara, City Clerk Shara Roberts, and City Attorney Dale Storer.

ABSENT: Public Works Director Zech Prouse and Chief of Police Karl Bowcutt.

VISITORS: Council Elect Michael Thompson.

Review of the Proposed Amendments Relating to Title 7 – Building Regulations: Attorney Storer explained many local jurisdictions decide to make unique modifications to their building codes to provide for flexibility. However, these modifications can be no less stringent than what is mandated by the State. Additionally, if any modifications are made to the Residential Building Code it requires a public hearing.

Attorney Storer expressed Building Inspector Allen Eldridge's initial thought was to get into lockstep with surrounding jurisdictions in regards to modifications to their building code regulations, such as the City of Ammon and the City of Idaho Falls. The proposed modifications they were making to the Residential Building Code would have required a proper public hearing process.

However, based on the Council's direction from the last city council meeting they would prefer to go into lockstep with what the State has directed and do no more or no less.

Mayor Andersen expressed that's how the Council feels, but would like his legal perspective as the City's Attorney.

Attorney Storer expressed it has been a very time consuming and frustrating process to try to go back and figure out what exactly the State has adopted so the City can cross reference the correct codes. He then passed out a memo from Terri Ottens who is the Administrative Director for the Idaho Association of Building Officials for the Council's review. He explained it includes a list of the codes that were adopted by the State in May of 2017.

By adopting exactly what the State has with no modifications the City is not required to go through a proper public hearing process. He explained the draft ordinance the Council has in front of them for review tonight is black lined against the version last week, and now includes cross references to additional amendments contained in the Idaho Building Council or other administrative rules.

Attorney Storer recommended to the Council they move forward with approving the ordinance, recognizing nothing is ever set in concrete and they can always make changes in the future. Additionally, the codes are designed to complement one another and work together, and recommended that the Council look at updating a number of the building regulation codes in

their city code book that aren't being updated in this particular ordinance. When referencing Title 7 of the Iona City Code, 6 out of the 11 chapters are being amended to 2015 versions. Some of the remaining codes currently go back to 2006 or 2009.

Council Member Geray suggested a more generic ordinance be drafted which outlines the City hereby adopts all the codes mandated by the State so the Council isn't having to revisit this every few years.

Attorney Storer followed up by explaining the draft ordinance outlines exactly what the State has adopted, but leaves in place the other codes the State has not adopted. Additionally, the ordinance includes a provision which would allow the Council to simply continue to be in lockstep with the State, as long as, the Council was comfortable with what the State was doing in regards to building code regulations. If ever a time comes the Council is not comfortable with what the State is doing they would go through the proper notice and public hearing process.

After further discussion, Council Member Geray agreed the ordinance captured his intent of the City simply going into lockstep with the State mandates he was just suggesting a more simplified version that didn't list out the specifics. However, he outlined for clarification there is a direct correlation between the chapters which are being outlined in the ordinance to be repealed with what is currently written in city code. With the exception of Chapter 6 which is titled the International Residential Code, and inquired if the International Existing Building Code directly correlates its replacement. He would like to ensure there is proper alignment between what the ordinance is outlining the Council is agreeing to adopt and repeal.

Attorney Storer will go back and recheck for proper alignment before the next regularly scheduled city council meeting on January 16th so the Council can move forward with approval of the ordinance.

Council Member Garren suggested Council President Gubler as Mayor Elect pursue direction with the Association of Idaho Cities (AIC) to implement a one stop shop for cities to be able to find exactly what codes are being amended instead of the current complex process.

General Discussion of the Water System Improvement Project with Greg Hansen: Clerk Roberts reported she was never able to confirm with Mr. Hansen he could be present for tonight's meeting. The discussion will be tabled for the work meeting on Tuesday, January 16th.

Meeting adjourned 6:57 p.m.

COUNCIL APPROVED: January 16th, 2018

Brad Andersen, Mayor

ATTEST:

Shara Roberts, City Clerk