

**CITY COUNCIL REGULAR MEETING
IONA COMMUNITY CENTER
MARCH 20, 2018 – 7:00 P.M.**

PRESENT: Mayor Dan Gubler, Council President Rob Geray, Council Member Michael Thompson, Council Member Kathy McNamara, City Attorney Andrew Rawlings, Public Works Director Zech Prouse, City Clerk Shara Roberts, Chief of Police Karl Bowcutt, and Police Officer Chris Hinton.

ABSENT: None.

VISITORS: David Hollis, Jolyn Louck, Angela Fransen, Andrew Bodily, Sally Price, Porter Smith, and Darrin Smith.

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

CONSENT AGENDA: City Council Special Work Meeting Minutes of February 20, 2018 and City Council Minutes of February 20, 2018 were reviewed. Council reviewed the finance reports for the period ending February 28, 2018 (41% of the fiscal year elapsed). The City had \$921,619.15 in the bank and routine bills had been paid, “Exhibit A”.

Mayor Gubler noted there was a typo on page 4 of the work meeting minutes.

Mayor Gubler entertained a motion. Council President Geray made a motion to approve the consent agenda pending the revision to the minutes as noted by Mayor Gubler. Council Member Thompson seconded the motion. All in favor, motion carried.

ITEMS OF BUSINESS:

Approval of Ordinance 2018-03-18 Amending Title 11, Chapter 15, and Section 8 Relative to the Qualifications of Members for the Planning and Zoning Commission: Mayor Gubler explained the purpose of the amendment is to require member of the Planning and Zoning Commission to reside within city limits or the Area of Impact.

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

Mayor Gubler closed the public portion of the hearing.

Mayor Gubler expressed the City would honor Chairman Keyes time and service with a plaque, and this was not an intent to get rid of her. However, she chose to resign prior to the hearing which could have resulted in the Council exempting her.

Mayor Gubler entertained a motion. Council Member Thompson moved to approve Ordinance 2018-03-18 relative to the qualifications of members of the Planning and Zoning Commission

and dispense with the rule of reading in full and on three separate occasions. Council Member McNamara seconded the motion. The ordinance was approved by a roll call vote, “Exhibit B”:

Council President Geray: YES
Council Member Thompson: YES

Council Member Price: YES
Council Member McNamara: YES

Official Oath of Office and Swearing in of Police Officer Chris Hinton: Chris Hinton was sworn in as a Police Officer by Chief Bowcutt, “Exhibit C”.

Citizen Concern Relating to Mud and Debris on Roadways: Dave Hollis residing at 3143 Sagebrush Avenue expressed he would like to propose the Council consider passing an ordinance which would prohibit lawn debris and mud on public streets. He has a neighbor who parks his construction vehicles on public streets after work which is covered in mud and drops piles of mud all over the roadway. As a result, other neighbors, the mailman, FedEx/UPS drivers, or visitors spread it all over and it eventually ends up in his driveway. Additionally, this same individual blows his lawn debris all over the public streets.

Mayor Gubler asked Chief Bowcutt if there was any verbiage currently written in code that would help address Mr. Hollis’s concerns.

Chief Bowcutt explained there is some verbiage which already exists in Title 5, Chapter 5, and Section 1 which doesn’t necessarily address piles of mud, but does address debris in the roadways. However, the ordinance currently recognizes this violation as a misdemeanor instead of an infraction.

Council President Geray expressed he feels the verbiage should be amended to an infraction opposed to a misdemeanor since it wouldn’t require someone to hire legal defense. Historically, the Association of Idaho Cities (AIC) as advised cities to minimize the use of misdemeanor offenses when possible.

After further discussion, Mayor Gubler directed Attorney Rawlings to draft an amended ordinance to be presented to the Council for consideration at the next regularly scheduled meeting.

Adoption of Police Policy: Mayor Gubler explained during last month’s city council meeting Chief Bowcutt reported the Idaho Counties Risk Management Program (ICRMP) notified the City in order to maintain insurance coverage the City needed to adopt a separate police policy.

Mayor Gubler entertained a motion. Council President Geray moved to adopt the Idaho Police Policy as presented. Council Member Thompson seconded the motion. All in favor, motion carried.

Adoption of Resolution 2018-01 for Idaho Counties Risk Management Program (ICRMP) Police Policy: Mayor Gubler explained the Council now needs to adopt the resolution stating the City has adopted the police policy.

Mayor Gubler noted the adoption date of the ordinance needed to be revised from February to March. Attorney Rawlings was tasked with making the revision to get back to Clerk Roberts to gather final signature from the Mayor.

Mayor Gubler entertained a motion. Council President Geray moved to approve resolution 2018-01 as previously adopted. Council Member McNamara seconded the motion. All in favor, motion carried, "Exhibit D".

Discussion of Category B Annexation: Mayor Gubler explained he asked Attorney Rawlings to come to the meeting prepared to explain category b annexation. He expressed concerns of Rockwell Homes submitting a plat proposal to Bonneville County consisting of 0.25 acre lots ultimately resulting in higher density housing.

Attorney Rawlings reported the legal specifics of all categories of annexation can be found in Idaho Code Section 50-222. In regards to category b annexation, the land in question must be contiguous to the City and in the City's Area of Impact which in this case meets those requirements. However, there could be an issue in regards to number of lots. Category b annexations are appropriate when the land contains less than one hundred (100) recorded separate private ownerships and where not all such landowners have consented to annexation. He further expressed to date a plat has not been recorded.

Mayor Gubler expressed when he last met with Rockwell Homes they were planning to approach the City with an alternative plat proposal based on 0.33 acre lots. Ultimately, the City doesn't have the tools to force 0.50 acre lots because it meets the City's zoning ordinances. Additionally, if Rockwell was to submit a plat proposal to the County the Area of Impact Agreement hasn't been updated since 2001 and currently allows for a minimum lot size of 0.25.

Council President Geray questioned what recourse the City has to ensure the development is incorporated into the City.

Attorney Rawlings expressed category b annexation is going to be the only tool the City has, and at this moment is the easiest to do without requiring the consent of the majority of the landowners. Once a plat is recorded, majority consent is required. However, there could be significant ramifications if Rockwell decided to fight it with the City and appeal it with the courts which can ultimately be very expensive.

After further discussion, the Council agreed to table the matter until Rockwell submits a plat so there is more information.

Discussion and Approval of Speed Limits and Reduction of the School Zone on Iona Road: Mayor Gubler explained years ago the Council changed the school zone distance to encompass an additional crosswalk on Main Street, and through that process they reduced the speed limit to 25 mph in that area.

Mayor Gubler would like to propose to the Council to vote on moving the western school zone sign to the beginning of the school property and increase the speed limit throughout the entirety of Iona Road up to the school zone where 20 mph will be enforced. This proposal is concurrent

with most school zones. Additionally, he would like to propose instead of the signs flashing all day long while school is in session rather programming the signs to turn on 3 times a day while the kids are entering and dismissing from school.

Furthermore, he reported Director Prouse has spoken with Bonneville County Road & Bridge who is supportive of the change since a speed study has already been completed supporting a 35 mph speed zone.

Council President Geray asked Chief Bowcutt for his perspective.

Chief Bowcutt expressed support towards the change since it is concurrent with other school zones and less confusing for the public. However, the only issue he sees is if you bump the speed limit to 35 mph down the entirety of Iona Road people tend to go over 5 miles over the speed limit.

Mayor Gubler expressed the Department just needs to enforce it at 35 mph and not allow for that misperceived buffer.

After further discussion, the Council agreed the proposed changes made sense.

Mayor Gubler entertained a motion. Council Member Thompson moved to approve the proposed changes to the school zone consisting of increasing the speed limit to 35 mph down the entirety of Iona Road with the exception of 20 mph within the school zone and moving the school zone signs to begin at the property of the school and program the flashing signs to only go off during the times of the day when kids are entering and dismissing from school. Council Member McNamara seconded the motion. All in favor, motion carried.

Review of Employee & Council Assignments for 2018: Mayor Gubler expressed most assignments haven't changed from previous years, but there are some slight adjustments. A handout was given to each employee and member of the Council for review, "Exhibit E".

Staff Reports: Director Prouse reported starting next week with weather permitting the public works staff will begin cleaning up the streets and roadways from the winter season. Additionally, they have scheduled the street sweeper to come through the first week in April.

He further reported the City will be able to utilize Bonneville County this year for seal coating and save approximately \$10,000.

Lastly, he met with citizen Austin Catlin in regards to the development of the Country Haven Park and discussed some different options. He encouraged Mr. Catlin to try to communicate with the residents of the subdivision to see what they envision for that space.

Chief Bowcutt reported they are in week 4 of the field training for Officer Hinton and he just recently purchased body cameras for the Department.

PUBLIC COMMENT:

Citizen Jolyn Louck inquired if the Council is considering hiring a third part-time officer to help cover the City and provide a presence if and when one of the other officers is on vacation.

Mayor Gubler explained the Council has yet to define the metric for hiring another officer, but it's certainly something they can add to the agenda for future discussion.

Meeting adjourned at 8:05 p.m.

COUNCIL APPROVED: April 17th, 2018

Dan Gubler, Mayor

ATTEST: _____
Shara Roberts, City Clerk

DRAFT