

**CITY COUNCIL REGULAR MEETING  
IONA COMMUNITY CENTER  
APRIL 17, 2018 – 7:00 P.M.**

**PRESENT:** Mayor Dan Gubler, Council President Rob Geray, Council Member Michael Thompson, Council Member Kathy McNamara, Council Member John Price, City Attorney Andrew Rawlings, Public Works Director Zech Prouse, and City Clerk Shara Roberts.

**ABSENT:** Chief of Police Karl Bowcutt.

**VISITORS:** Kyle Gubler, Dave Noel, Sally Price, Brian Dilenge, Ron Roberts, House Representative Candidate Doug Ricks, and Senator Brent Hill.

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

**CONSENT AGENDA:** City Council Special Work Meeting Minutes of March 20, 2018 and City Council Minutes of March 20, 2018 were reviewed. Council reviewed the finance reports for the period ending March 31, 2018 (50% of the fiscal year elapsed). The City had \$875,070.98 in the bank and routine bills had been paid, “Exhibit A”.

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

**ITEMS OF BUSINESS:**

**Public Hearing – 7:15 pm: Conditional Use Permit Application for Bonneville School District Allowing for Two Additional Modular Classrooms at Iona Elementary School:** Mayor Gubler reported the Planning and Zoning Commission recommended to the Council to approve the application, and asked the representative to approach the podium for further explanation.

Don Trauntvein expressed he is representing Bonneville School District regarding the request for two additional modular classrooms at Iona Elementary School to resolve crowding concerns. He further expressed they are the same two trailers which were previously housed there before they were taken to Bonneville High School for the same purpose.

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

Mayor Gubler closed the public portion of the hearing.

Mayor Gubler asked for questions or concerns from the Council. There were no concerns and the Council understood the need for the request.

Mayor Gubler entertained a motion. Council Member Thompson moved to approve the conditional use permit for Bonneville School District #93 for the addition of two modular classrooms at Iona Elementary School. Council Member McNamara seconded the motion. Approval of the application was taken by a roll call vote, "Exhibit B":

Council President Geray: YES  
Council Member Thompson: YES

Council Member Price: YES  
Council Member McNamara: YES

**Approval of Ordinance 219-04-18 Amending Title 5, Chapter 5, Section 5 and Title 1, Chapter 3, Section 5 Relating to Debris on Streets:** Council President Geray started the discussion sharing concerns the drafted ordinance was not ready for approval. He expressed the need for a graded approach which defines infraction fines for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> offenses similar to what they did with the dog control ordinance as the model for those changes. Additionally, he is questioning the need to identify the maximum fine of the infraction in the definition.

Attorney Rawlings expressed the reason the maximum is defined within the definition is to serve as the default when an infraction is not specifically outlined in a separate title or chapter of the code.

Attorney Rawlings recommended modifying Title 5, Chapter 5, Section 1 to identify the graded approach and along with any other infraction statues.

After further discussion, Mayor Gubler tabled the amendments for next month's meeting with the necessary clarifications made by Council President Geray.

**Approval of New Business License Application – Razor Edge Lawn Care:** Kyler Gubler residing at 4765 N. 55<sup>th</sup> E. expressed he is starting up a lawn care business which headquarters will be in Iona, but will cover all of Bonneville County.

Mayor Gubler entertained a motion. Council President Geray moved to approve the Business License Application for Razor Edge Lawn Care as presented, "Exhibit C". Council Member Thompson seconded the motion. All in favor, motion carried.

**Approval of Purchase for Marked Police Vehicle:** Mayor Gubler reported a couple months ago he requested to have the Durango become a marked vehicle. He further explained they found a design they really liked. However, the couple of cost quotes they received for the design came in between \$3,500 - \$4,000. After further discussion, the Council directed Mayor Gubler to communicate with Chief Bowcutt to find a more simple design costing in the range of \$1,200 - \$1,300.

**Approval of Tree Removal:** Director Prouse expressed over the course of the last few years the City has been working to address problem trees in rights-of-way that are dead, diseased, and/or pose a threat to power lines and safety of traffic.

He is requesting approval to remove seven trees from the right-of-way on Rushton Road for a total cost of \$8,790.

After further discussion, the Council requested Director Prouse to seek out lower bids if possible.

Mayor Gubler entertained motion. Council President Geray moved to approve the removal of seven trees not to exceed the amount of \$8,790. Council Member McNamara seconded the motion. All in favor, motion carried.

**Discussion and Approval to Implement a City Facebook Page:** Mayor Gubler expressed this has been discussed a number of times in the past, and was always determined the City did not want to move forward on implementing a Facebook page at that time. However, he would like to bring it up again for discussion as it would be a valuable communication tool controlled by the City to advertise community events, meetings etc., and current happenings.

Mayor Gubler inquired if Clerk Roberts would be willing to manage the page if the Council decided to go that direction.

Attorney Rawlings briefly discussed some of the risks associated. However, it can be manageable with proper training and outlined terms and conditions.

Clerk Roberts expressed she would be willing to take it on with some training from Attorney Rawlings to avoid potential risks, but did discuss some of the time constraints with the already existing load of administrative tasks and a growing city.

After further thought and discussion, the Council felt Clerk Roberts had enough existing forms of communication she was maintaining and didn't want to deal with the potential legal ramifications.

**New Idaho Open Meeting Act Laws:** Attorney Rawlings briefly discussed recent changes made to Idaho's Open Meeting Act Laws the Council should be aware of: (1) any agenda items that require a vote by the Council have to be identified on the agenda. It doesn't require the Council to take the action if they determine more time is needed, but they need to make their intent known, (2) when an agenda item is added at the onset of a meeting it outlines the Council cannot take final action on that agenda item unless it is a declared emergency, (3) there were added notice provisions requiring cities to post agendas electronically on websites and social media platforms. Additionally, the City needs to designate a custodian for records by ordinance.

After further discussion, the Council acknowledge understanding of the changes and directed Attorney Rawlings to draft an amended ordinance designating the City Clerk as the custodian for records.

### **STAFF REPORTS:**

Clerk Roberts reported on behalf of Treasurer Sullivan she was able to bring in a total of \$695 in monetary donations for the Easter Egg Hunt, and that doesn't include all of the physical toys and candy which were donated.

Clerk Roberts asked if anyone was interested in attending the Association of Idaho Cities (AIC) Spring District Conference at the Hilton Garden Inn in Idaho Falls on Tuesday, April 24<sup>th</sup> as she needed to complete registration. No one was interested in attending.

Council Member Price handed out a document he put together with information for the City's Annual Spring Clean-Up Event for review and feedback.

Mayor Gubler reported on courses of action he has implemented. He has received numerous phone calls regarding dog control issues and he has directed the Police Department to implement a zero tolerance policy. Additionally, he received a letter from a concerned citizen about the Council's decision to increase the speed limit to 35 mph down the entirety of Iona Road and has directed the Police Department to enforce the speed limit at exactly 35 mph. The decision falls exactly in line with all other school zones in the area.

Mayor Gubler reported on House Bill 643 which involves both cities and counties foregoing a portion of liquor revenue which will be diverted to support magistrate court funding. He will be attending a meeting with the Association of Idaho Cities and the County Commissioner's Office tomorrow to find out further details on how it will affect next year's budget. Treasurer Sullivan has indicated it is approximately \$60,000 from the yearly budget.

**PUBLIC COMMENT:** Doug Ricks expressed he is running for House Representative in District 34A and just wanted to introduce himself to the public.

Meeting Adjourned: 8:04 p.m.

COUNCIL APPROVED: May 17<sup>th</sup>, 2018

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Dan Gubler, Mayor

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