

CITY COUNCIL MEETING JANUARY 20, 2009 6:30 P.M. AT THE COMMUNITY CENTER

PRESENT: Mayor, Brad Andersen; Council President, Dennis McArthur; Council members; Steve Elliott, Jane Shaw, Dan Gubler; Treasurer, Ron Nelson; Public Works Supervisor, Zech Prouse; City Clerk, Robyn Keyes.

ABSENT: Police Chief, Shannon Basaraba

VISITORS: Sally Price, Herb Wilde, Darlene Wilde, Barbara Schreier, Michael Schreier, Adrian Beazer

Mayor Andersen welcomed everyone and Clerk Keyes led with the Pledge of Allegiance.

Consent Agenda Mayor Andersen pointed out that at three months into the fiscal year, the City is about \$20,000 under in expected revenue, and noted that with the tight economy, the City needed to be frugal with its spending. Treasurer Nelson informed the Council the budget report did not reflect the property tax revenue yet and he should have that amount added in by next month. Mayor Andersen asked why the Community Care expense for Chief Basaraba's physical was \$3, 147. Treasurer Nelson said that was an error and the amount should read \$31.47 and he would make the correction. Council member Gubler asked if the Schiess & Associates expense was related to the Safe Routes to School project, Mayor Andersen said it was. Mayor Andersen asked if there were any other questions. There were none, so the Mayor entertained a motion to approve the consent agenda. Council member Gubler made a motion to approve the consent agenda with the amount for Community care corrected. Council member Elliott seconded the motion. The Mayor asked if there was any further discussion, there was not. All were in favor.

Motion Carried, consent agenda approved.

Approval of City Clerk Mayor Andersen explained that the clerk, treasurer, City attorney, and Council President positions needed to be approved each year and then entertained a motion to approve Robyn Keyes as City Clerk. Council President McArthur made a motion to approve Robyn Keyes as City Clerk. Council member Gubler seconded the motion. The Mayor asked if there was any further discussion, there was not. Roll call as follows:

Aye: President McArthur, Council member Elliott, Council member Shaw, Council member Gubler.

Nay: None

Motion carried, Robyn Keyes approved as City Clerk.

Approval of City Treasurer Mayor Andersen entertained a motion to approve Ron Nelson as City Treasurer. Council member Elliott made a motion to approve Ron Nelson as City Treasurer. Council member Gubler seconded the motion. Mayor Andersen asked if there was any further discussion, there was not. Roll call as follows:

Aye: President McArthur, Council member Elliott, Council member Shaw, Council member Gubler.

Nay: None.

Motion carried, Ron Nelson approved as City Treasurer.

Approval of City Attorney Mayor Andersen entertained a motion to approve Dale Storer as City Attorney. Council member Shaw made a motion to approve Dale Storer as the City Attorney. Council member Elliott seconded the motion. Mayor Andersen asked if there was any further discussion, there was not. Roll call as follows:

Aye: President McArthur, Council member Elliott, Council member Shaw, Council member Gubler.

Nay: None.

Motion carried, Dale Storer approved as City Attorney.

Snow Removal Mayor Andersen noted that last year the City spent a little over \$15,000 for snow removal, not counting the removal that Supervisor Prouse did with the snowplow. The Mayor noted just for the month of December this year the bill was \$3,980 and asked the Council's input regarding the expense and the possibility of cutting back on plowing in some places. Mayor Andersen asked if Idaho Falls plowed sidewalks. Council member Elliott said they did not plow side walks but hired a private contractor to clear driveways where the plow has placed snow from the road. Mayor Andersen said the contractor that the City had hired was plowing the sidewalks on both sides of Main Street, Cliff Long Park, the walking paths around the square, Stanger Memorial and City building parking lots, and the steps and walkway in front on the City building. The Mayor asked if the Council thought it might benefit the City to hire a person to use the City's equipment, therefore cutting down on the expense. Council member Elliott asked if the City could hire a semi-retired person that might be available during the winter to plow. Council Elliott said that \$4,000 for one month seemed like a lot of money for snow removal. The Mayor noted that the contractor had plowed twice on the same day a couple of times and came when the City building was not open during Christmas. Supervisor Prouse said the contractor did a great job, but believed he charged too much. Council member Elliott agreed with both comments. Council member Gubler asked how much the City had budgeted for snow removal. The Treasurer said that it was part of the maintenance budget. Mayor Andersen noted that since it was part of a general fund, then less money will be available to go toward other maintenance needs. Council member McArthur said he liked the idea of hiring part time employees and suggested hiring two semi-retired people to take turns so that it did not become over whelming for one. And in the event that one wanted to go somewhere, the other one would be available. Council member Elliott said that the person hired would need to be dependable. Council member McArthur liked the idea of saving money but would like to keep the sidewalks clear, because he sees a lot of older folks walking to get their mail on the sidewalks. Mayor Andersen said in the spring the City would put a request in the newsletter for people interested in snow removal for next year. Council member Gubler suggested making it clear with the new people to clear snow only during business hours, and if the building is rented plow only once a day. Barbara Schreier said that on days with heavy snow fall the snow needed to be moved right away, or it becomes hard and slippery. The Council

agreed with her. Clerk Keyes suggested hiring a part time seasonal employee that is around in the event twice a day removal is necessary. Mayor Andersen said the issue will be looked at over the summer.

Windmill issue Clerk Keyes said she had received a phone call from someone in the county asking if the City had a windmill ordinance and suggested the City look into the issue. Clerk Keyes said that renewable energy systems were becoming more common and found a couple news articles that discussed some of the issues with windmills. Which included; height restrictions, setback requirements, glare, and noise. Clerk Keyes said the Planning and Zoning Commission was in the process of gathering information to help compile an outline for an ordinance. Mayor Andersen said if the City was going to adopt a windmill ordinance, it would be in the best interest to make the ordinance a tall structure ordinance that would include cell phone towers and ham radio towers. Council member Gubler suggested in the interim with developing an ordinance, perhaps we should place a moratorium on the structures. Mayor Andersen said the City Attorney discouraged placing moratoriums. The Mayor said he would like to get the Attorney's opinion and perhaps a resolution or ordinance might be a better way to go. Mayor Andersen agreed with Council member Gubler that something needed to be done, and the Mayor said he would talk with the attorney. Everyone agreed.

Reports

Treasurer Nelson, no report.

Public Works Supervisor Prouse reported the SCADA system was installed and online, and a fiber optic cable installation project went out for bid that will run up 55th and down Iona Road. Supervisor Prouse said that the company is keeping Prouse informed, and he will be at the preconstruction meeting to represent the City's best interest.

City Clerk Keyes reported she had created an annexation/zoning application for small annexations. Planning and Zoning had looked at the application and approved it. Mayor Andersen asked the Council to look at the application and make comments or suggestions to Clerk Keyes by Friday. Mayor Andersen noted the City Attorney drafted larger annexation and the application would be beneficial for smaller annexations like one or two homes. Mayor Andersen said Supervisor Prouse was compiling some basic information for larger developments regarding requirements for homes. Clerk Keyes said that no businesses had come forward to purchase or renew their business license yet for 2009 and she would send letters out next week reminding the businesses of the requirement. Mayor Andersen said he knows of some people that have a beauty salon in their home and some of these smaller, in home businesses probably don't know they need a license. Mayor Andersen suggested that Planning and Zoning come up with a recommendation for the Council regarding conditions that would require the business to obtain a business license. Planning and Zoning member Beazer said the issue was already on the agenda for next month.

Dana Izatt, Auditor Mr. Izatt gave each Council member a copy of the City's annual financial report, compliance report, auditor's report, and management report (attached). Mr. Izatt said in his report, the City was given the best opinion it can get from an auditor,

called a clean opinion. Mr. Izatt went through the report page by page to explain the way the report was compiled. Mr. Izatt asked if anyone had any questions, and Mayor Andersen asked if the people hired to work as umpires for t-ball needed a W-2. Mr. Izatt said that they did not if they were contracted by the recreational director. Mr. Izatt thanked the City for being in compliance and easy to work with and said that if anyone had any questions that he would be glad to meet with them at anytime. Mayor Andersen thanked Mr. Izatt for his time.

State of the City Mayor Andersen handed out copies of the State of the City Address to members of the audience and noted what a historical day it was with the inauguration of the President and said it was fitting that the State of the City Address fell on the same day. The Mayor proceeded to read the State of the City Address (attached).

Approval of Council President Mayor Andersen recommended that Dennis McArthur remained Council President for 2009 and entertained a motion from the Council. Council member Elliott made a motion to appoint Dennis McArthur as Council President. Council member Shaw seconded the motion. Roll call as follows:

Aye: Council President McArthur, Council member Elliott, Council member Shaw, Council member Gubler.

Nay: None.

Motion carried, Dennis McArthur appointed as Council President.

Council Reports

Mayor Andersen said that he will be attending the annual legislative conference to lobby with the legislators regarding City and County issues.

Mayor Andersen asked Clerk Keyes to send a copy of the meeting schedule to the Attorney so he would be available for questions during those times. The Mayor also reminded the Council that the meetings would be as scheduled unless Clerk Keyes called to say otherwise.

The Mayor asked Council member Elliott to get with Betty McKinlay and continue the project of displaying historical pictures of the City throughout the Community Center.

Mayor Andersen thanked Supervisor Prouse and Chief Basaraba for their work toward the delinquent water bills and asked the Council for advice on how to handle the delinquent water bills for the apartments across the street since it is the landlord that is responsible for the bill and not the tenants. Council President McArthur asked if the tenants could pay the landlord \$23 less each month on their rent and then the tenants can pay the City directly for their water. Council members Shaw and Gubler said they do not think that legally the tenants can do that. Mayor Andersen stated concern that shutting off the water would not affect the landlord, only the tenants. Council member Shaw said if the water got shut off, the tenants can pay the bill, keep the receipt for reimbursement from the landlord, or hold it out of their rent, and potentially sue the landlord. Mayor Andersen said he would contact the Attorney regarding the issue.

Mayor Andersen asked if each Council member had received a copy of the letter to Lynn Rockwood. Council President asked if anyone had checked with the Attorney to see if the City had to pay the rent Mr. Rockwood was billing the City. Mayor Andersen said the issue was addressed in the letter from the Mayor to Mr. Rockwood, and the Attorney was looking further into the matter to locate the paper work regarding the donation of the land from Bill Storer and Lynn Rockwood's father. Council member Elliott said the proper thing for Mr. Rockwood to do would be deed the easement strip to the City and then the City could pay the taxes on the land. Mayor Andersen commented if Mr. Rockwood was expecting the City to pay the taxes on the land, then the City should own the land. Council member Elliott noted the land in issue was an easement and not large enough to even worry about. Mayor Andersen said the letter he sent to Mr. Rockwood addressed the property issue and the issues that Mr. Rockwood had with his development.

Mayor Andersen entertained a motion from the Council to authorize himself and the Treasurer Nelson to talk with a financial advisor regarding diversification of the money the City has in savings. Due to the state of the economy and the hardships that many banks were experiencing, the Mayor believed that it was wise to diversify the City accounts and would like to roll the money over from savings to CD's to make sure that the money is insured. Council member Gubler asked if the Treasurer could add to the monthly financial report, the amount of CD's and their maturity date. Council member Gubler made a motion to authorize the Mayor and Treasurer Nelson to meet with an advisor regarding the savings in Key Bank and diversify the money according to the Advisors recommendation. Council President McArthur seconded the motion. All were in favor.

Motion carried. Mayor Andersen reiterated that he wanted the Council involved with what was happening with the City money.

Mayor Andersen asked the Council to look at the Planning and Zoning (P/Z) minutes and address some issues and question that P/Z had. P/Z was not sure where the City got their maps. The Mayor said that the County will print a map for the City.

Mayor Andersen suggested that the City meet with County Commissioner Roger Christensen regarding the impact area and the Iona cemetery issue. Currently, the Iona cemetery is part of Ammon's impact area. Council President McArthur asked if the issue of future expansion of the cemetery had been discussed. Mayor Andersen asked if it were that big an issue whether the cemetery was in the City's impact area. Council member Gubler said it is not that big of issue unless down the road someone would want to change the name of the cemetery. Mayor Andersen and Council member Gubler suggested talking directly with Ammon regarding the issue. Council member Shaw said that through conversations at the Ammon city building, she thought Ammon might agree to the changes.

Mayor Andersen addressed the issue of an agreement between the County and the City which stated the County was required to enforce City zoning regulations within the City's

impact area. The Mayor said such an agreement already existed and is on file in the City office.

Mayor Andersen addressed the issue of properties being annexed into the City that were not hooked up to the sewer system. The Mayor stated that under the advice of the City attorney, it was in the best interest of the City to require sewer and water hook-ups.

Mayor Andersen asked the Council to check their mailboxes once a week in the City office and, if they can not get into the office, to call Clerk Keyes and have her forward any important information on to them.

The Mayor said he was informed of a possible community block grant. The City would pay \$100,000 and the grant would pay \$400,000 toward upgrading and enhancing the commercial zone. The grant is designed to help city's bring in a larger commercial business such as a hardware store or a smaller grocery market that would strengthen the City's economy. Mayor Andersen asked the Council to think about the idea.

Mayor Andersen said Lance Ellis would be implementing an emergency response, civil defense plan for the City of Iona as a project for a college course he is taking, and he would be working with Council member Gubler.

Mayor Andersen also noted the issues this winter with some of the Christmas light displays and the problems between neighbors and traffic. The Mayor said this spring the Council should create some conditions and limits regarding the time the lights could be on and how the display might affect the neighbors. The Mayor suggested those who want to put up a bigger display might be required to obtain a conditional use permit through a public hearing. Michael Schreier commented on the problems he had with access into his property and the trash and litter left behind by the people.

Council member Gubler gave his report and said the City would have to eventually purchase the new radios that would be used with the new emergency response system. Council member Gubler said he originally thought the grant would include a radio for the City, but that was not the case. Mayor Andersen asked how much the radios would cost. Council member Gubler said they were expensive and the City can use their existing radio for awhile longer. Council member Gubler said new equipment had been installed on the Iona hill and generators would be installed. Council member Gubler said he needed to coordinate with the churches, school and local ham radio users in the area regarding emergency response. Mayor Andersen suggested informing the public through the newsletter about using the siren in the event of an emergency or natural disaster and to educate the public about what to do. Council member Gubler suggested supplying the City office with a secondary radio for communication purposes. Council member Gubler also mentioned a grant through Homeland Security that was specifically for water pressure and deficiencies in the system. The purpose of the grant was to enable the municipal water system to still work effectively in the event of a natural disaster or terrorist attack. Council member Gubler said he would look into the grant.

Council President McArthur gave his report. The tree committee will meet on Tuesday to discuss the tree inventory and suggested advertising the spring clean up scheduled for May 2nd in the newsletter a month in advance. Council President McArthur also suggested only serving hot dogs during the clean up.

Council member Elliott, no report.

Council member Shaw, no report.

Mayor Andersen entertained a motion to adjourn. Council President McArthur made a motion to adjourn. Council member Elliott seconded the motion. All were in favor.

Adjourned at 8:30 p.m.