

CITY COUNCIL MEETING APRIL 21, 2009 6:30 P.M. IONA COMMUNITY CENTER

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

VISITORS: Marvin Burger, Joshua Burger, Robert Wright, Roger Nielsen, Larell Greenhough, Troy Cook, Jerry Coon, Everett Coon, Emily Johnson

Mayor Andersen welcomed everyone and Council member Elliott led with the Pledge of Allegiance.

Robert Wright gave the annual library report. Mr. Wright stated that the library committee and staff were pleased with the library's success. Mr. Wright said when the library opened in March of 2007 there were 1,819 items for patrons to choose from and currently there are 4,007 items. Mr. Wright said the library was working on installing an electrical box that would support a copy machine for the patrons to use. Mayor Andersen said the City had budgeted \$2,000 for library expenditures, and Mr. Wright said perhaps some of that money could go toward the cost of upgrading the electrical system. Mayor Andersen also stated concern with older patrons using the stairs and suggested a long term plan for a more adequate entrance might be necessary. Council member Gubler asked what the long term goals for the library were. Mr. Wright said obtaining more space was a goal. Council member Gubler said some other areas had brought in a modular unit as a solution for more space. Mr. Wright said if the City wanted to provide more space for the library what would be great. Mr. Wright said he was very pleased overall with the outcome of the library and looked forward to future use. Mayor Andersen thanked Mr. Wright for his time.

Consent Agenda. The minutes were reviewed. Mayor Andersen said the windmill ordinance was still under review by Planning and Zoning and the some of the members were talking with a company in Shelley that sells windmills to gather more information. Planning and Zoning stated that due to setback regulations and lot size, currently windmills are not allowed in Iona. The issue was still under review.

Mayor Andersen asked Council member Shaw for an update on the meter for the welcome sign. Council member Shaw said Rocky Mountain Power typically charged \$900 to install a meter, but they would install one for the City at no charge if the City prepared the site and installed a pole for the meter. Council member Shaw estimated the cost of the pole installation to be \$200. The Council agreed to continue with the project.

Mayor Andersen thanked everyone involved with the Easter Egg Hunt for their help and said the event was a success. Treasurer Nelson said having everything in the back of the building worked out well. Mayor Andersen agreed and said next year a better sound system would be necessary.

Council member Elliott said the Historical Society was organizing fundraisers for the museum and said it would be quite awhile before the museum was ready to open. Council member Elliott said the Historical Society decided not to cap off the sewer as required by the sewer district for non-use and instead pay the monthly bill even though the sewer was not in use.

Mayor Andersen asked Council member Gubler if he had information regarding updating the sound system and council chambers. He said he did not and had not talked with Joel Keyes about the issue.

The financial report was reviewed. Mayor Andersen asked about the retirement and health insurance expenditure and why it was over budget to date. Treasurer Nelson said he believed it was because the City did not budget for health insurance for Chief Basaraba's family.

Mayor Andersen questioned the increased payment from the cable franchise. Clerk Keyes said it could be due to increased cable customers in the City.

Chief Basaraba said the water shut-off fees should add up to at least \$3,500 a year.

Council member Gubler asked what the AT&T bill was for. Clerk Keyes and Treasurer Nelson said it was the final bill from them since the City cancelled service.

Council member Elliott asked about the Diamond T bill, and Treasurer Nelson said it was February's service.

Mayor Andersen entertained a motion from the Council. Council President McArthur made a motion to approve the consent agenda. Council member Elliott seconded the motion. All were in favor. Motion carried, consent agenda approved.

Chicken issue. Jerry Coon gave each Council member a paper which listed the reasons he believed chickens should be allowed in residential areas. Some of the items on the list included; chickens are quieter than dogs, they eat bugs, they produce good fertilizer, and they produce fresh eggs. Mr. Coon also handed out a list of example cities that allowed backyard chickens in residential areas. Mayor Andersen said a public hearing was scheduled with Planning and Zoning next month to address the issue and invited Mr. Coon to attend the public hearing. Mr. Coon said the Code Officer told him he had to have his chickens gone by the end of the week and asked the Council for an extension until after the public hearing. The extension was granted. Mayor Andersen said information would be posted on the City's homepage and if anyone wanted to submit written comments, they had to do so seven days in advance of the hearing.

Recognize citizens from the floor. Larell Greenhalgh said he was concerned with the private property behind his house being used for dirt bikes and ATVs and the dust, noise, and destruction involved from their use. Mr. Greenhalgh viewed the dirt bikes and ATV's as a public nuisance, and stated that Idaho Code protecting adjacent property owners

from the noise and dust should be enforced. Mr. Greenhalgh asked the City Council to consider the rights of the property owners regarding the noise and enforce a public nuisance code. Mayor Andersen thanked Mr. Greenhalgh for his comments and asked if the property the ATV's were being ridden on was behind his house in the Rockwell development. Mr. Greenhalgh said it was, and he had contacted a representative from Rockwell who said they did not want motorcycles or ATVs on the property and would post a sign stating so. Mr. Reynolds said he lived at Camas Creek and Barnes and that Mr. Bigelow had given verbal permission for people to ride on his property. Mr. Reynolds said he was sympathetic to both side of the situation and suggested a compromise could be made by all parties involved. Mr. Reynolds said stipulations of times of operation and speed could be placed. Mayor Andersen asked who would police the stipulations since the area was private property. Mr. Greenhalgh said he was against dust and noise and that Rockwell said they did not want people riding dirt bikes on the property. Chief Basaraba said he had not received a call from anyone in the area to complain about the situation and in order for him to do anything he first needed to be made aware of the situation when the dirt bikes were there, not after the fact. Mr. Greenhalgh asked if minors could ride ATVs on the road by themselves. Chief Basaraba said if he sees minors riding on the road without a helmet he gives them warnings to wear a helmet. Council member Gubler said if people are riding safely on the side of the road to get from point A to point B he does not see a problem with street use. Chief Basaraba agreed. Council member Shaw said the biggest issue was if private property owners give permission to ride ATVs, then the City can only enforce the noise. Chief Basaraba said he would talk with the owner of Rockwell development and Mr. Bigelow to discuss the issue. Mayor Andersen suggested the neighbors involved work together for a resolution and the issue was tabled until next Council meeting. Mayor Andersen thanked everyone for their time.

Resolution 2009-01. Clerk Keyes explained that resolution 2009-01 was regarding the identity theft policy. She explained the methodology of the resolution; any new water account would be required to fill out an application and show proof of identity which Clerk Keyes would photo copy and keep on file in the safe. The purpose of the resolution was to prevent identity theft and was a mandate by the Federal Trade Commission, and supported by the Association of Idaho Cities. Council member Gubler said he was against the idea and the responsibility of preventing identity theft was being put upon the City. He also stated the City was not under the jurisdiction of the Federal Trade Commission. Council member Gubler was against the idea of requiring identity and of the City storing such sensitive material. Council member Shaw asked if all current water users would have to come in and fill out an application and show identification. Clerk Keyes said current water users would not; this policy is for new water users.

Mayor Andersen entertained a motion from the Council. Council President McArthur made a motion to approve Resolution 2009-01 which stated WHEREAS, Section 114 of the Fair and Accurate Transaction Act of 2003 (FACTA) and 12 CFR41.90 and 41.91 require the City as a utility providers that provide utility services to customers on a credit basis to adopt an Identity Theft Prevention Program to protect the customer now, therefore, be it resolved by the Mayor and Council of the City of , Idaho that the city hereby adopts the Identity Theft Prevention Program. The administrative staff of the City

is authorized to take all necessary steps to carry out the Identity Theft Prevention Program provided by this Resolution. Council member Shaw seconded the motion. Roll call as follows:

AYE Council President McArthur, Council member Elliott, Council member Shaw

NAY Council member Gubler

Motion carried. Resolution 2009-01 approved.

Resolution 2009-02. Mayor Andersen read resolution 2009-02 which stated that April was proclaimed as Fair Housing Month as per the guidelines set forth from the Civil Rights Act of 1968. Mayor Andersen entertained a motion from the Council. Council member Gubler made a motion to approve resolution 2009-02. Council member Elliott seconded the motion. All were in favor.

Motion carried.

Farmers Market. Annette Morrell did not show up for her request for a farmers market in Iona. The Council discussed the possibility and was in favor of having a farmers market. Council member Gubler was against having it in the parking lot by the City building. Council member Shaw suggested using the empty lot on the corner of Owens and Main. Council member Shaw said Ammon required a business license from the person organizing the event. Council member Elliott said he was in favor of events to rejuvenate Iona. Council member Gubler suggested limiting the number of vendors. The Council was in favor of a farmers market.

Spring Clean-up. Mayor Andersen said the City will provide hotdogs and drinks for those helping with the spring clean-up on May 2nd. The Mayor asked for someone to help him with the hotdogs, Clerk Keyes said she would help. Mayor Andersen noted that the LDS church in the area cleaned up different areas around the City annually. The Mayor said the City clean-up will be held at the park and along Main Street from 10:00 a.m. to 2:00 p.m. on May 2nd and encouraged everyone to help out. Council member Gubler said the cost of renting a dumpster was \$50 for delivery, \$2/day rent, and \$160 to dump it each time. The Council agreed that having a dumpster was a good idea. Council President McArthur said he will have a crew to prune many of the park trees the Tuesday before the clean-up, and on clean-up day, the brush could be hauled away. Chief Basaraba said he sent code enforcement letters to 17 homes to clean-up their property and said for this year, if they make prearrangements for dumping in the dumpster, they will be allowed as a means to help them with their yard. Next year however; they will need to be responsible for hauling away their own trash.

Arbor Day Grant. Clerk Keyes said Arbor Day for Iona will be May 15th and the City was awarded a \$300 grant. Clerk Keyes said she would like to plant some trees behind the City building to help with the aesthetics of the back of the building. Council President

McArthur said he would like to replace a tree that fell over last year along east side of the park by the tennis courts.

Treasurer report. Treasurer Nelson said the hotdog sales at the Easter Egg Hunt were a big success, and they sold out of hotdogs. The cost to the City was only \$40. Treasurer Nelson said he would like to continue to offer each item at 25¢ as a means to make it affordable for families.

Public Works report. Supervisor Prouse said the water tank inspection was scheduled for tomorrow. The street sweeper would begin sweeping the streets. He was delayed by the weather and personal issues last month. H&K would begin taking care of patching the pavement, and Supervisor Prouse would probably turn the sprinklers on by the end of the month.

Clerk Report. Clerk Keyes said she had been working with Municipal Energy Consultants regarding an excise tax rebate for gasoline used in City vehicles. Clerk Keyes said the rebate was nearly \$700, but that figure would be split with the consulting group. Next year Clerk Keyes said she could file for the rebate herself to receive the full amount and this year was a learning experience. Clerk Keyes said one person requested a property annexation and she had received the certificate of occupancy form from the building inspector so she could begin issuing the certificates herself. Clerk Keyes said several citizens had asked if the City would offer more movies in the park during the summer, and Clerk Keyes said she was willing to help organize the effort. Mayor Andersen said she should coordinate with Albert Davidson and the only problem last year was inadequate sound. Council member Gubler said he knew where some good speakers could be located and would check into the possibility of the City using some.

Police report. Chief Basaraba said he had been talking with P/Z Chairman Case regarding the possibility of issuing a conditional use permit for Larry and Terry Call as a means of bringing resolution toward the storage of vehicles on their property. Chief Basaraba said the Call brothers were willing to cooperate and were eager for resolution as well. Chief Basaraba said that by issuing a conditional use permit, the Call brothers would have guidelines and the City could enforce those guidelines. Mayor Andersen suggested consulting the City attorney over the issue.

Chief Basaraba said that suspicious individuals had been loitering around school bus stops, so he had increased patrol during the times children would be at the bus stops. The Chief said he would work with Joel Keyes to have a spot on the website for public awareness information.

Mayor report. Mayor Andersen asked for input regarding honoring various individuals in Iona that have helped enhance the community. The Mayor read a note from Beth Sanderson's family thanking the City for the flowers at her funeral. The note said how much Mrs. Sanderson enjoyed actively helping the community of Iona.

The Mayor informed the Council of a training opportunity for budgeting issues. The training will be held May 12th at EITC.

Mayor Andersen said if the City joins with Ammon's building inspection department, the City would get 40% of the building permit fee.

The Mayor said the Youth Committee would attend the next Council meeting to give a report on their trip to France. Mayor Andersen said the vice president of Areva would also be in Idaho Falls at the same time. The Mayor asked if the Council would be in favor of sponsoring a member of the Youth Committee to attend the annual AIC conference in Boise. The Council agreed to sponsor one youth. Council member Gubler requested that the youth reside in Iona or within the City's impact area.

Council reports.

Council President McArthur had no further report.

Council member Elliott asked if weed abatement was underway in the park. Clerk Keyes said the weeds were scheduled to be sprayed tomorrow.

Mayor Andersen asked the council for their input regarding the development of the Barnes Addition Park or the possibility of approaching the LDS church to see if they would want to trade the land in the Barnes Addition for the land behind the new church. The issue would be revisited.

Council member Shaw had no further report.

Council member Gubler asked about the issue with Lynn Rockwood and the City garage. Supervisor Prouse said it appeared Mr. Rockwood did own the strip of land, and the City could either buy the land at a fair price or move the gate off of the land. Mr. Rockwood was asking \$20,000 for the small strip of ground, and the Council agreed that was too much money for such a small area. Mayor Andersen said he would continue to consult with the City attorney for a resolution.

Council member Gubler asked if the Council wanted to continue developing the new ball diamond, or use the money for other projects. The Council decided to leave the ball field like it was for the summer.

Council member Gubler said Lance Ellis had finished drafting an Emergency Operations Plan and asked Supervisor Prouse if he could get the siren working. Council member Gubler said the school could house people in the event it was necessary, and the school has a backup generator.

Mayor Andersen entertained a motion to adjourn.

Council member Shaw made a motion to adjourn.

Council President McArthur seconded the motion.

Meeting adjourned 9:15 p.m.

