

CITY COUNCIL MEETING AUGUST 18, 2009 6:30 P.M. IONA COMMUNITY
CENTER
PUBLIC HEARING 6:30 P.M. 2009/2010 BUDGET

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: Adrian Beazer, Lance Ellis, Ruby Taylor, Nathan Letterman

Mayor Andersen welcomed everyone, and Supervisor Prouse led with the Pledge of Allegiance.

Consent agenda. The Consent agenda was reviewed. Mayor Andersen asked Supervisor Prouse and Council member Gubler if they had received bids for the tennis courts. Supervisor Prouse said he had received bids from two companies. One would be a seal coat that would cost \$9,000 and last 7 to 8 years. The other was an overlay that would cost \$16,000. Mayor Andersen said the money was budgeted for the repairs and recommended that the City go with the seal coating. The Council agreed to move forward with the repairs.

Mayor Andersen asked Treasurer Nelson to add a description with the monthly financial report for payments made. Clerk Keyes said she would help with descriptions on receipts. The Mayor wanted grants added to the budget report.

Council member Elliott noted a typographical error in the minutes Clerk Keyes said she would correct the mistake.

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.

Public hearing 6:30 p.m. 2009/2010 budget. See Appendix A. The budget for the fiscal year of 2009, 2010 was reviewed and approved.

Chicken ordinance. Lance Ellis from the Planning and Zoning Commission reviewed the recommendations regarding the chicken ordinance drafted by the City Attorney. Mr. Ellis said he was not in favor of a conditional use permit for the chickens, and instead would prefer a fine. Mr. Ellis also recommended the minimum acreage be set at 1/3 of an acre instead of 1/2 acre.

President McArthur asked if someone could reapply for chickens if they had lost the privilege. Mr. Ellis said that under his recommendation, the homeowners would have had 4 separate legitimate offenses before the chickens were taken away, and with that many incidents they should not be allowed to have chickens again.

Mayor Andersen asked if the acreage was decreased to 1/3 acre, would the number of chickens allowed remain at 10. The Mayor said the Attorney stressed the point of keeping

the limited number allowed at a minimum. Council President said it would be too confusing to have different numbers of chickens for different lot sizes. The Mayor said it would only add one more lot size and number, and then the guidelines would remain as they were.

Mr. Ellis was against the slaughter of hens on the homeowners premises, and stated it would invite pests and disease.

Ruby Taylor asked if there was a time limit set for complaints and follow-up. Chief Basaraba said it would depend upon the nature of the complaint, and if it were considered a health hazard. The Chief said he would set a reasonable amount of time for each incident.

Mayor Andersen asked why Mr. Ellis wanted the word hen changed to female chicken. Mr. Ellis said that a hen could mean any type of fowl.

Council member Gubler said most of the complaints against chickens came from high density areas with smaller lots.

Council member Shaw said most of the people that showed up for the hearings had smaller lots. Council member Shaw also stated that more people wanted some self reliance with gardening and raising chickens. Council member Shaw pointed out that development with restrictive covenants would supercede the City ordinance. Mayor Andersen said that sometimes that caused a lot of problems between neighbors.

Council member Elliott did not want to reduce the minimum lot size to 1/3 acre.

Council member Gubler said he was against requiring a permit. Chief Basaraba said a permit was not necessary if the code book was worded correctly.

Council President McArthur was in favor of allowing chickens on 1/3 acre lots with a 50 foot setback for coops, and he was not in favor of a permit.

Mrs. Taylor said often times people will get an animal because it is allowed, but they really do not know how to take care of the animal and it can cause problems.

Council member Shaw said she lives on 1/3 of an acre and the neighbors that she talked to were in favor of allowing chickens.

Chief Basaraba said the County animal control would not do anything about the animals unless a formal complaint was made. Mayor Andersen asked the Chief if he would enforce violations with the chickens, he said he would, but when he was off duty the County would respond. Council member Shaw said repercussions needed to be added to the violations of ordinances. The Chief agreed. Council member Shaw suggested adding fine information under Section 4 of the proposed ordinance.

Council member Gubler said that everyone was in agreement with the exception of allowed lot size.

Mayor Andersen asked the Council who was in favor of allowing chickens on 1/3 of an acre. Council member Shaw and Council President McArthur raised their hands. Mayor Andersen asked the Council who was in favor of allowing chickens on 1/2 of an acre. Council member Elliott and Council member Gubler raised their hands.

Mayor Andersen said he could see both sides of the issue and after much thought recommended the Council stay with the original decision of allowing chickens on 1/2 of an acre, or larger.

Mayor Andersen asked Clerk Keyes to send the changes to the attorney for final draft.

Planning and zoning report. Chairman Beazer said that Dan Garren had been invited to join the Planning and Zoning Commission and Mr. Garren worked for the Department of Fish and Game.

Council member Gubler made a motion to accept Dan Garren as a member of Planning and Zoning. Council President McArthur seconded the motion. All were in favor. Motion carried.

Chairman Beazer said he would like to invite the public for comment regarding residential windmills. The Council agreed.

Mayor Andersen noted the issue of swales in the Planning and Zoning minutes. The Mayor said the City was addressing the problem areas within the city. Council member Gubler asked if trees were allowed in the swales. Supervisor Prouse said certain trees were allowed. Council member Gubler recommended that no trees should be planted in the swales, Supervisor Prouse agreed.

Storage container issue. The homeowner did not attend the meeting. The Council decided to give the homeowner until September 30, 2009 to remove the storage unit, or put it behind his house.

Youth Advisory Council AIC report. Nathan Letterman and Ruby Taylor gave a report on the AIC conference that some members of the Youth Council attended. Mr. Letterman said the conference was educational and helped with cooperative learning, and leadership skills.

Chief Basaraba asked if the Council helped with advising the City regarding local area youth interest in recreational activities and equipment for the park. Mrs. Taylor said they did.

Mr. Letterman reported on a summer camp the Council offered for at-risk youth.

Mayor Andersen said the Youth Council was very successful, and Rexburg's Council asked if they could join with the Idaho Falls group for the New Year's Eve Activities.

Mayor Andersen and the City Council thanked Mr. Letterman and Mrs. Taylor for their report.

Zoning ordinance. The Council decided to table the zoning ordinance issue until further information was received from the City Attorney.

Land and water development proposal. Mayor Andersen informed the Council about a proposed development on 55th north of the City. The proposal was for a subdivision, and the developer approached the City regarding involvement through water use and possible annexation. The Mayor asked the Council members to review the proposed agreement, and make note of any concerns. The Mayor said the project was in the beginning stages and would not take place for a few years.

Council member Gubler said it appeared to be a good opportunity for the City. The Mayor agreed.

Council member Elliott said it was a good idea for the City to be involved with the growth that affected it.

Reports.

Supervisor Prouse said seal coating was complete and the street sweeper would be out soon. Supervisor Prouse said he received a bid of \$9,100 for paving Walker Ave. Council member Gubler said that was a good price. Supervisor Prouse said he would get other bids too.

Supervisor Prouse said they decided not to test the pump on the hill and that he had a price of \$2,225 to clean the well house #2 and paint it. The Council approved the cleaning and paint.

Supervisor Prouse said he was still collecting bids for repairs to #3 well in the park, and he would be repairing a water pipe on Owens Ave. before school started.

Chief Basaraba said he had been in training for radar and DUI. The Chief said he and the Mayor were interviewing people for the grant writer position and they would make a decision soon.

Clerk Keyes said everything for the movie in the park was set to go, and the refrigerator had gone out in the City building. Council member Shaw said she had a refrigerator the City could have.

Mayor Andersen asked to have a Special Council meeting for September to the 8th due to conflict with conferences. The Mayor and Supervisor Prouse would be gone during the regular scheduled date. The Council agreed to meet on September 8th.

Mayor Andersen suggested that the City wait to begin the Safe Routes to School walking path until the money was available. The Mayor said he had heard of some cities starting their projects early and they did not receive reimbursement right away. The Mayor said he would rather wait until the grant money was available to start the project.

The Mayor showed the Council a picture of a half-pipe for skateboarding that was for sale for \$90 and asked if the Council was interested in purchasing the equipment. The Council approved the purchase.

Mayor Andersen said the land trade with the LDS church was still under review with the Church.

Mayor Andersen reminded the Council that any issues or complaints involving the City employees were to go through him; he also reminded the Council to respect, and to support the City employees and to be mindful of their personal time.

Council President McArthur said the tree inventory was scheduled for the next few weeks, and the Lion's Club was doing well and had a successful 4th and 24th of July.

Council member Elliott had no further report.

Council member Shaw said Iona Days was successful.

Council member Gubler said the sound system had arrived and he was working on the rostrum.

Council President McArthur thanked the Council for working together even though they had a difference of opinion.

Council member Elliott made a motion to adjourn. Council member Shaw seconded the motion. All were in favor.

Adjourned 9:40 p.m.

APPENDIX A

Public Hearing 2009/2010 budget. 6:39 p.m.

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: Adrian Beazer, Lance Ellis, Ruby Taylor

Mayor Andersen welcomed the audience and thanked them for attending.

Mayor Andersen noted the general revenue had changed to include the Police Chief's court revenue. The change increased from \$3,000 to \$15,000. Chief Basaraba said that \$15,000 reflected some revenue from this year that was not used because it was not part of the budget.

The Mayor explained that by adding \$12,000 to the revenue then \$12,000 had to be added to the expense. The Chief had created line-item expense categories for the police department.

Mayor Andersen asked the employees to help Treasurer Nelson with itemizing during the year.

Mayor Andersen said the water revenue had increased slightly from last year.

Supervisor Prouse said the company the City leased the backhoe from was bought out by another company, and they will no longer offer a lease. The City would probably need to purchase a backhoe this next year.

Mayor Andersen pointed out that this year's budget was within \$10,000 of last year's budget. The Mayor said that was good considering the cost of inflation, and the City was being conservative.

Mayor Andersen asked Treasurer Nelson to find out which savings account was set up for water and which savings was set up for the general fund.

Mayor Andersen said with the changes, the 2009/2010 budget would be 830, 300.

The Mayor asked if anyone in the audience had questions or comments. Mrs. Taylor asked if the City had taken into account the purchase of a backhoe. Mayor Andersen said there was money available for the backhoe.

Mayor Andersen asked the Council if they wanted to increase the property tax from \$200,000. They could increase it to \$217,000 if necessary, which would be based upon new construction. The Council decided to stay with the \$200,000.

Council member Gubler made a motion to approve the 2009/2010 budget at \$830,300. 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.
Budget approved.

Public hearing closed 7:00 p.m.