

CITY COUNCIL MEETING MARCH 16, 2010, 7:00 P.M. PUBLIC HEARING
DECREASING MINIMUM LOT SIZE FOR CHICKENS 7:10 P.M. IONA COMMUNITY
CENTER

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

ABSENT: Council President Jane Shaw,

VISITORS: Allen Horton, Ryan Walker, Ron Roberts, Joe Probert

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

Consent Agenda. The minutes, financial report, and expense report were reviewed. Mayor Andersen said he talked with the City's bank regarding the suggested move of \$250,000 by the auditor for Federal Insurance purposes, and the City's money is Federally Insured and does not need to be moved.

Treasurer Nelson said after 5 months into the fiscal year, the City was at 42% revenue.

Mayor Andersen asked about the sale of dog tags. Chief Basaraba said the tags would be sold at both the City office and the County Animal Shelter.

Mayor Andersen entertained a motion from the Council.

Councilmember Gubler made a motion to approve the consent agenda.

Council member Case seconded the motion. All were in favor.

Public Hearing 7:10 p.m. After holding a public hearing to decrease the minimum allowable lot size for keeping chickens, the Council approve the proposed decrease to 1/3 acre or greater. See Appendix A for hearing details.

Ramona Horton. Allen Horton represented Ramona Horton to present a proposal for a commissioned painting for the Council Chambers. Mr. Horton showed two possible paintings and said Mrs. Horton would paint something different if so requested. The Council discussed the possibilities of the paintings and the type of surface the painting would be on. The Council thanked Mr. Horton for his time and said they would discuss the issue and get back with him.

Reports.

Chief Basaraba went over the details of his proposed ordinance change regarding dogs in Iona. The Chief proposed changing the ordinance to an infraction based ordinance with the first 3 warnings resulting in a monetary fine and the 4th warning resulting in a monetary fine and

misdemeanor charge. The Chief also went over other proposed changes that involved non-commercial kennel licensing, barking dogs, dogs running at large, and license fees.

Ryan Walker expressed his support for the ordinance and his concern with the criteria for making a complaint. Mr. Walker said he was afraid that his neighbors would not make a complaint with another neighbor's dogs because so many of his neighbors also have dogs. Chief Basaraba said a formal written complaint would not be necessary with the new ordinance. Mr. Walker said he was tired of all the barking dogs in his neighborhood and wanted to see some enforcement.

Ron Roberts asked if there was a maximum amount of dogs allowed with the non-commercial kennel license. The Council and Police Chief agreed that would be a good item to add.

The Council agreed to have the City Attorney draft a new ordinance with the recommended changes and have a public hearing in April.

Council member Case said he looked over the museum property and did not believe the property was big enough to build a second building for a senior center. Council member Case said he would talk with the Historical Society members to see their plans for an addition instead of a second building.

Mayor Andersen said the old Ernie's building would be a good location, and Council member Gubler suggested the Ralph Steele property.

Council member McArthur said the City, along with the Lion's Club, had submitted a grant for the statue in front of the City building.

Council member Gubler talked about the Spring clean up day on May 1st.

Clerk Keyes said Arbor Day would be April 9th.

Mayor Andersen asked the Council's thoughts on approaching the developer of Country Haven to change their plans for patio homes and add more 1/3 acre homes instead.

Council member Case asked if the infrastructure had been set of the patio homes. Supervisor Prouse said it had.

Mayor Andersen asked the Council to review the criteria for conditional use permits and variances before the next public hearing so everyone understood the regulations of both.

Council member Gubler made a motion to adjourn. Council member McArthur seconded the motion.

Meeting adjourned 8:17 p.m.

APPENDIX A
PUBLIC HEARING DECREASING MINIMUM LOT SIZE ALLOWED FOR CHICKENS
7:10 P.M. MARCH 16, 2010
COMMUNITY CENTER

PRESENT: Mayor Brad Andersen, Council member Dennis McArthur, Council member Bruce Case, Council member Dan Gubler, Treasurer Ron Nelson, City Clerk Robyn Keyes. Public Works Supervisor Prouse, Police Chief Shannon Basaraba

VISITORS: Allen Horton, Ron Roberts, Ryan Walker, Joe Probert.

Mayor Andersen welcomed everyone and went over the procedure for a public hearing. The Mayor explained the Planning and Zoning Commission made a recommendation to decrease the minimum allowable lot size for chickens to 1/3 acre or greater.

Mayor Andersen asked if anyone in favor would like to speak.

Joe Probert said he was in favor of the change.

Mayor Andersen asked if anyone that was neutral would like to speak, no one did.

Mayor Andersen asked if anyone that was against would like to speak, no one did.

The Mayor closed the public portion of the hearing and opened the discussion up for the Council.

Council member McArthur said he was in favor of the change as long as the other requirements of the ordinance did not change.

Council member Gubler said he was neither for nor against the change, but he would rather see the ordinance stay as is and issue permits as a means of regulation. Council member Gubler asked Clerk Keyes how many people had requested a Conditional Use Permit for chickens, Clerk Keyes said 3. Council member Gubler said that was not very many.

Council member Case said he was in favor of the change to accommodate more homeowners. Council member Case said he thought the Conditional Use Permit process would become misused if the chickens were to become allowed under it.

Mayor Andersen said 3 requests were a lot compared to the short time the ordinance had been in effect. The Mayor also said the complaints regarding chickens were at ¼ acre lots. The Mayor agreed that granting Conditional Use Permits for chickens would be over-using the permits. Mayor Andersen was in favor of the lot size change.

The Mayor entertained a motion from the Council.

Council member McArthur made a motion to approve the recommendation from Planning and Zoning and allow the minimum lot size for chickens to be 1/3 acre or greater.

Council member Case seconded the motion.

Mayor Andersen asked if there were any further discussions.

Council member Case asked if the lot size changed, could people that had $\frac{1}{4}$ acre apply for a Conditional Use Permit.

Mayor Andersen said they could not because their land was too small to meet the setback requirements for chickens.

Council member Case said it was too confusing to say something was not allowed, but then tell the people they could apply for a Conditional Use Permit.

Roll call as follows:

AYE: Council member McArthur
Council member Case

NAY: Council member Gubler

Motion carried, recommendation approved.

Public hearing closed 7:25 p.m.