

CITY COUNCIL MEETING OCTOBER 20, 2009 6:30 P.M. IONA COMMUNITY CENTER

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

**ABSENT:** Council member Steve Elliott.

**VISITORS:** Virginia Russell, Steve Russell, Ron Roberts, Kathy McNamara, Sally Price, Deb Sorenson

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

**Consent agenda.** The minutes, financial, and expense report were reviewed. Mayor Andersen said the revenue and expenses for the general fund were very close to the projected budget, and the over \$40,000 left over would go into the savings account.

The Mayor said the City was still working on the grant reimbursement from The Department of Environmental Quality for the water study.

Council President McArthur made a motion to approve the consent agenda. Council member Gubler seconded the motion. All were in favor.  
Motion carried, consent agenda approved.

**Previous action items.** Mayor Andersen said the Safe Routes to School grant for the walking path and the flashing lights for the school zone would be installed next summer if the money is received from the State.

Under the advice of Attorney Storer, Mayor Andersen said the Council could make small changes to an ordinance after it was approved and before it was adopted, but larger changes would require another public hearing before adopting.

Mayor Andersen said the Attorney was still in the process of looking over the final contracts for Malinda Edwards and Joel Keyes.

Mayor Andersen said leasing the backhoe every year as opposed to purchasing one was advisable. By leasing the equipment it did not obligate any future Council to the purchase of one.

The Mayor said he had spoken with the Andersons regarding the Christmas light display on Barnes Way. The Andersons were still unhappy with the amount of inconvenience made upon them by the traffic which the display incurred. Council member Gubler suggested the Police Chief cruise by the display on a regular basis to help keep traffic moving and make sure people were not blocking any driveways.

**Building rental agreement.** Mayor Andersen entertained a motion from the Council to approve the changes to the building rental agreement through a Resolution. The Council agreed.

Council member Gubler made a motion to approve raising the deposit to \$300, which would include the use of the television if requested, raising the building rental to \$200 for the day, and offering a discount of 20% to Iona residents for the rental fees. The building rental rules were approved to not allow alcoholic beverages, or loud music that might disturb the neighbors. All music must be turned off by 11:00 p.m. and the building must be cleaned up, and all renters must be gone by midnight.

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

Motion carried.

**Tree inventory.** Council President McArthur said the tree inventory was effective, and information such as, tree species, size, and condition was gathered.

Mayor Andersen said the Code Book did not clearly define trees in the easements, and the Mayor thought trees in the easements were a good idea because they added beauty and value to the area.

Council member Gubler said he was concerned with future pruning of the trees.

Clerk Keyes said if the species of trees were limited to small or medium deciduous trees, they would not require much pruning.

Public Works Supervisor Prouse stated concern with underground utilities in the easements.

After a brief discussion, the Council decided that residents would be allowed to plant trees in the easements according to the regulations in the Code Book. All were in favor except Council member Gubler. He was not in favor of allowing trees in the City easements.

Mayor Andersen said he would talk with Attorney Storer regarding the issue of homeowners taking responsibility of the trees.

**Mr. and Mrs. Russell's chickens.** Mayor Andersen welcomed Mr. and Mrs. Russell to the meeting and turned the floor over to them. Mrs. Russell said she was very displeased with the new chicken ordinance and said the Council was trying to micromanage the residents of Iona. Mrs. Russell stated that even though she met the ½ acre requirement for chickens, she did not have a back yard to put them in and was upset that she was not allowed to have chickens in her front yard. Mrs. Russell said her neighbor that bordered the side yard did not oppose the chickens.

Mr. Russell said the Code officer should attend to the people who were not following the rules instead of making everyone pay for someone else's mistakes.

Kathy McNamara said she agreed with the Russell's.

Sally Price said she also agreed with the Russell's and was opposed to the restrictions on side yards and front yards.

Mayor Andersen said the Council had weighed the issue for 5 months and gathered much information from the community. The Mayor said the Council made their decision based upon the input from the survey and public hearings. The Mayor said many people had moved here because Iona is a city and not part of the county. The Mayor also said that regulations on animals were necessary, or there would be some people who would have 20 dogs on their property.

Deb Sorenson agreed that regulating animals was not a new thing, and the City has had an animal ordinance for many years.

Council member Gubler stated that several public hearings were held, and the people who did want chickens allowed also wanted regulations on those chickens.

Chief Basaraba made clear that the Council was trying to help the community because since 1998, chickens had not been allowed in Iona. This Council was willing to allow chickens, and they were doing what was best for the entire community but putting regulations on the animals allowed.

Council member Shaw said she agreed with the Russell's. Council member Shaw said she was in favor of allowing chickens and that by limiting the lot size to ½ acre that eliminated 90% of the community. Council member Shaw said she grew up in Iona and has lived here her entire life. She said there have always been cows and horses in Iona. Council member Shaw said it was unfortunate that some people have moved into the community and were trying to change the community to conform to city regulations.

Council President McArthur said the debate regarding chickens was mostly about the conditions in which chickens would be allowed, and there was not an ordinance that could not be amended.

Council member Gubler asked the Russell's what they would like to have changed.

Mr. Russell said he wanted chickens allowed in his front and side yard.

Council member Gubler told The Russell's they could apply for a conditional use permit to allow chickens in their side yard

The Russell's thanked the Council for their time. Mayor Andersen thanked the Russell's for sharing their thoughts.

**Building rental agreement.** Mayor Andersen acknowledged Mr. Roberts in the audience and told him the Council had approved changes to the rental agreement to not allow loud music, alcohol, and the renters had to turn the music off by 11:00 p.m. except for special occasions such as New Year's Eve.

Mr. Roberts thanked the Council and Clerk Keyes for their efforts toward a more peaceful neighborhood. Mr. Roberts asked who would have control over a key to the

building during the rentals. Mayor Andersen said that would be up to the discretion of Clerk Keyes.

## **Reports.**

**Treasurer Nelson** said he and Clerk Keyes were gathering the information to take to the auditor, and the auditors report should be available by January.

**Supervisor Prouse** said the water tank was still leaking, but a much slower rate than before the repairs. Supervisor Prouse said the company that did the repairs would stand behind their work. Supervisor Prouse said the leak maybe an ongoing issue. Supervisor Prouse said that after the incident at the Post Office last month, the City had purchased five more camera's to place around the City building.

**Chief Basaraba** said he had purchased one I-Lead system for his vehicle and a safe for his office. The Chief said he had followed up on code enforcement issues. Chief Basaraba asked the Council if they wanted to pursue a grant that would pay for the salaries of one, or two new officers for the next three years. The grant would not cover equipment expenses, and the City would be required to employ the officers for either one, or two years after the grant was done. The Council decided to wait until there was more revenue to support more officers.

**Recognize citizens from the floor.** Mayor Andersen acknowledged Kathy McNamara whom was in the audience. The Mayor asked Mrs. McNamara if she had something she would like to talk to the Council about. Mrs. McNamara said she did, and she was concerned with the fact that Council member McArthur had tenants living with him in his house.

Mayor Andersen read a letter that had been delivered anonymously to the Mayor and Council regarding the same issue. The letter stated that someone was concerned that Council President McArthur was renting an apartment from his home which was in violation of the Code Book. Mayor Andersen said the issue had been visited awhile back by the Council and the Attorney said if Council President McArthur was not advertising an apartment for rent, did not have a rental agreement, and was not collecting a rental check, then there was not anything the City could do.

Mrs. McNamara said Council President McArthur had approached the City twice to approve a rental apartment, once to rezone from R-1, to R-2, and once for a conditional use permit. Both times the City did not approve the requests. Mrs. McNamara asked how Council President McArthur could still have people living in his house.

Council President McArthur said he did not charge rent, the people living there just helped with the utilities and living expenses, and there was not a rental agreement.

Council member Gubler asked Council President McArthur what the difference was between paying rent and helping out with living expenses. Council President McArthur said the difference was he was not collecting rent.

Mrs. McNamara was upset that the Council would allow Council President McArthur to continue letting people live in his house, and said such activity reflected negatively toward the entire Council. Mrs. McNamara said it was not right what Council President McArthur was doing.

Mayor Andersen said without a rental agreement and rent check legally, there was nothing the Council could do.

Mayor Andersen thanked Mr. McNamara for her time.

Mayor Andersen asked Deb Sorenson if he would like to speak. Mr. Sorenson stated concern with the parking signs that were in front of the Koepplin's easement. Mr. Sorenson said the easement belonged to the City, not the Koepplins, and did not think they should receive special privileges. Mr. Sorenson said he lived next to the park too, and people park in front of his house on the easement that he maintains for the City, which was not a problem.

Council President McArthur and Council member Shaw said the no parking signs were part of the conditions the Koepplin's wanted for the new museum across from them. Mr. Sorenson said there was plenty of parking in front of the museum, and in front of the Stanger building. Mr. Sorenson said he owns two houses near the new museum, and he did not receive notice of the hearing. Clerk Keyes said she would look at the list of addresses she sent notices to and try to determine why he did not receive a letter.

Mayor Andersen said the Council would revisit the parking issue at the next Council meeting and thanked Mr. Sorenson for his time.

**Reports continued.**

**Clerk Keyes** asked the Council what they wanted to do with water accounts that were left unpaid, and the people had moved away. The Council agreed to hire a collection agency to help recoup some of the money.

**Mayor Andersen** said there was recreation grant money available, and he wanted to know if the Council was interested in installing a swimming pool for the City. Council President McArthur asked Council member Shaw how Ammon handled their pool. Council member Shaw said they used to contract the pool with other people, but now Ammon runs the pool, Council member Shaw said she would check into the expense and revenue form the pool.

Council member Gubler suggested waiting until the land was secured to put the pool on.

Mayor Andersen said the Veteran's Memorial was scheduled for a ceremony on Veteran's Day, and that Dixie Hunting had succeeded in obtaining enough donations for the monument. The City would pour the foundation for the monument. The Mayor invited the Council to join the ceremony at 10:00 a.m. on November 11<sup>th</sup>.

**Council President McArthur** said the Lion's Club was working on installing the first statue for the monument in front of the City Building.

**Council member Shaw** said Rocky Mountain Power was wondering when the City would begin using the meter box installed on the corner of Owens and Main. Council member Shaw suggested putting up some Christmas lights on the corner.

**Council member Gubler** said he knew some people that were interested in purchasing the old police car, and asked if it was ready to sell. Supervisor Prouse said he would get it ready.

Council President McArthur made a motion to adjourn. Council member Gubler seconded the motion. All were in favor.

Adjourned 9:15 p.m.