

MINUTES-CITY OF ASHTON

REGULAR CITY COUNCIL MEETING

Wednesday, February 14, 2007

7:00 p.m.

714 Main (west entrance)

*The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of **Public Hearings**. Any individual who wishes to address the Council on any other subject should plan to speak when **Item 3- Public Comments** is identified by the Mayor. The Mayor will not normally allow audience participation at any other time. Idaho Law prohibits council action on items brought under this section except in an emergency circumstance.*

CALL TO ORDER & WELCOME

PRAYER OFFERED BY: Linda Janssen

PRESENT: Mayor Teddy Stronks, Linda Janssen, Richard Huntsman, Brett Pincock, Matt Brady

ALSO PRESENT: Cathy Stegelmeier-City Clerk, Joette Lookabaugh-City Attorney, Steve Lookabaugh, Del Jensen, Luke Floyd, John Scafe, Dick Dyer, Kurt Christensen, Todd Stoughton, Richard Severson, Todd Martindale, Richard Severson, Dorene Severson, Kurt Christensen, Connie Hansen.

Mayor Stronks welcomed everyone and called meeting to order at 7:03 p.m.

1. CONSENT AGENDA:

Being considered routine by the City Council, these items will be enacted by one motion unless requested by a Councilman or a citizen that one or more items be removed for later discussion.

- A. **Minutes** – Approval of Regular Council Meeting January 10, 2007
- B. **Treasurers Report & Financial Statement**– As Submitted
- C. **Payables** – Bills for Council approval as a result of City expenditures
- D. **Employee Expenses** – As Submitted

Motion to approve the minutes was made to approve the Consent Agenda as presented by Councilman Brady, the motion was seconded by Councilman Janssen. ROLL CALL: All in favor, Motion carried.

2. PRESENTATIONS, CEREMONIES, APPOINTMENTS, ANNOUNCEMENTS:

None

3. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the Mayor/Council.)

None

4. PUBLIC HEARINGS:

None

5. ORDINANCES/RESOLUTIONS:

- A. Resolution 07-01 – Record Retention Schedule

Resolution 07-01 was read into record by City Clerk Cathy Stegelmeier. A copy of said resolution is attached.

Motion to approve Resolution 07-01 was made by Councilman Janssen. The motion was seconded by Councilman Brady, ROLL CALL: all in favor. Motion carried.

6. NEW BUSINESS/PETITIONS:

- A. Kurt Christensen & Connie Hansen representing Valley Wide. Connie Hansen spoke first and told us that they are still trying to find a solution to the dumpster problem. They are paying \$190 per month. It is becoming overwhelming. The cost is making it non profitable. They are thinking of solutions such as fencing. The cans are becoming a community service. Connie did say that it's not like its people from Ashton. It is people coming down from the forest with two or three bags at a time. There is only a one time pickup per week. It makes it so they can't use their own dumpsters. Councilman Huntsman explained that the cans at the Visitor Center get full too. Councilman Brady mentioned that there are fines and we had gotten some placards the dumpsters at Trails Inn. Cathy Stegelmeier mentioned that

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Chief Mattingly wanted to let them know that they would have to sign complaint and follow through. Kurt Christensen needs to fix this to keep profitable. Fines won't stop everyone. People obviously need the service and they don't want to lose business by prosecuting. Mayor Stronks said that we will discuss this issue as a council and see if they could come up with a solution. Councilman Brady asked how many dumpsters they have. They have four dumpsters. Councilman Janssen says that as a council we will follow the precedent that has been set, such as the placards at Trails Inn. Councilman Pincock mentioned that Jackson's have the same problem and they have three dumpsters. Connie asked if they are visible from the road. Several council members said yes, they are visible. Connie said it is not profitable to have an employee to watch dumpster. Having a camera system is mentioned by Councilman Brady. Councilman Huntsman said they could also have signs that say that a camera is there to deter dumping. Connie mentioned that because they close at 10 there would be no one to watch and that is when quite a lot of dumping occurs. Mayor Stronks thanked Kurt & Connie and told them that the council will try to come up with a solution and get back with them.

- B. Todd Stoughton – Questions on old Musher's Building. Todd would like to purchase Musher's building. There is no partition in basement. He would like to put in a footer and wall to separate to have storage etc. He also needs permission to do so to be sure he can get financing, insurance, etc. He is here to make sure he has an answer in the minutes/in writing. He has measured it and the line is right under a structural beam and as far as he can tell there is no shared electrical. Mayor Stronks asked Joette if there is a problem. Joette said there is none.

Councilman Jansen makes motion to allow Mr. Stoughton to construct barrier after purchase of building. Councilman Brady seconded the motion. Call for vote. Motion passed unanimously.

- C. John Scafe – American Dog Derby. John is here to ask tell us about how the races will be held. The races will not be using Main Street. Instead, they will have their DJ mentioning all the businesses and try to get people to swing up town. Main Street will not be closed. He is asking for assistance in getting parking areas ready. He asked if the city can level snow out along Pacific Avenue. Also push snow off by the north side of trees near where the road crosses the track. Todd Martindale asked if he also wanted the snow removed between the properties Tuk Atchley and Lane Armstrong. John said that would be nice also. The council and John agree that they want to try to keep road open and keep down congestion. Todd asked that the dog sled committee try to make sure that the busses do not try to park off the roads so they don't get stuck. Councilman Brady mentioned that the busses could park on the east side of EMS building where they are out of the way in case the fire truck or ambulance is needed. John says they will have someone directing parking. Councilman Huntsman asked about where seniors and handicapped would be allowed to park and/or watch the race. John said that they will be at the farthest east in their cars. From the road it will be the DJ first, then search & rescue and then handicapped. John mentioned that for another year the city might want to do a Winter Carnival in connection with the dog races. Mayor Stronks agreed that it is a good idea for the future. Todd Martindale wanted to make a suggestion to the Dog Race Committee that they have a better schedule of contingency plans. John explained that there was contingency plan but that maybe they could be more specific. John talked about the vendors having problems because of the need for electricity, etc. Councilman Janssen says vendors should be on own anyway. She also said she will take business information to chamber. Business people need to get information to committee tomorrow. John then asked for some trashcans in Wye area during the races. Mayor Stronks says the city will provide them. Todd & Del say they have two and that they can put more out. John wanted the council to be aware that the mushers have told the committee that they love our race because of the family atmosphere. That is why they love to come and we get more mushers than other races. John also wanted to tell the council that he appreciates the city's support. Councilman Janssen expressed that the City Council appreciates the dog derby committee and their commitment to keeping the race going.
- D. Linda Kerbs – Marathon Breakfast. Cathy Stegelmeier was asked by Linda to ask the city council if they would donate the same amount of money for the marathon breakfast this fall. Discussion continued with council members mentioning that the marathon is a great thing for Ashton.

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Councilman Brady made a motion to donate \$350 dollars to the marathon breakfast. Councilman Pincock seconded the motion. The motion passed unanimously.

- E. Richard Severson – Personalized Transportation. Introduced himself. He now works out of Challis & Salmon transport Medicaid clients. He would like to provide such a service for Ashton. Transporting people from Ashton to Rexburg or Idaho Falls. He is getting information together to try to start moving forward with this service. Looking at costs, trying to get information. Mayor Stronks explained that he has been working on this for years, trying to get CART to come up to serve our needs. Mr. Severson has worked with that company and says there has been problems and doesn't think a solution will be reached soon. Mayor Stronks told him that there is definitely a need for senior service as well as some INL workers who would also be interested. Councilman Brady suggested that he contact the nursing home and Senior Center for more information. As of now, his van would have to come up from Rigby. Mayor Stronks explained that we would be willing to work with them on a sight to load and/or park. Mr. Severson is tentatively thinking of leaving at 6 then come back 5 to 7. Tracy Sessions (who is with the Idaho State Health & Welfare) has been listening to us about our need for service and that is why the Seversons are starting the company. Mayor Stronks said he would have the support of the council for grants, etc. Mr. Severson then talked about the state transportation wanting to produce a non stop system to police all providers together. It would be a 9 year project copying Iowa's current system. There will be a central dispatch. But there would be dead spots. We would probably fall into that. We would need to look at satellite. Mr. Seversons drivers all required being EMTs and first responders. He would like to hire people who have this training so they can work close to home and not have to go elsewhere for jobs. He will have to meet with mass evacuation emergency responder, fire chief because his service is more than just transportation. He will also be talking to Driggs, Swan Valley, etc. Mayor Stronks we would like to hear again when you have more answers. Mayor Stronks expressed the council's appreciation for his attendance and wished him the best in getting started.
- F. Four Paws – American Dog Derby. They need a place to set up for giving away dogs. John says it wouldn't be good to set them up with the vendors because they would have to be 20 feet away from food vendors. The other problem would be with getting them mixed up with other dogs. Kurt Christiansen with Valley Wide had offered to let them set up at the convenience store. The council thought that would be really good. Then the DJ can announce that they are there for people who are interested. John wondered if the Valley Wide right there would let them set up. It might keep people from parking right in front of their business. Mayor Stronks asked if Cathy would set that up with Jay. Another idea is on Main Street in the empty lot by city drug. That might even be a better location. Cathy needs to call Fishers or Bob Comstock.
- G. Todd Martindale – Todd wanted to present to the council about some products that might help with the frozen pipes. He had a guy come to the office with some ground heaters to help keep pipes from freezing or to thaw them out. There are three different machines from 28 thousand to 58 thousand. A small machine would do everything. If we bought one with budget next year we could possibly rent it out to other cities like St. Anthony & Island Park. We are 2 to 2 ½ months earlier with frozen lines this year. Todd thought it was something the council should look into. Mayor Stronks would like to see a demonstration. Councilman Janssen wanted to know if this would be a cure or prevention. Todd said it could be used for both. The City's concern is: who is going to foot the bill? The question was asked if we could rent one. Todd said yes we could rent one weekly, monthly...etc. The heaters work on both water & sewer lines. Mayor Stronks wants Todd to set up a demonstration. Also, it was asked if there a lease buying plan, etc. The city could charge a fee if we had to take this out. Todd will set up a demonstration. Todd asked if all the city council would be there. One of the members asked how long it would take to thaw. Todd said sometimes days, the council then said they thought they would be able to all get to it.
- H. Ott's Place – Alcohol Catering Permit. Police Chief Tom Mattingly & Brad Purcell met at Mayor Stronks' store today and Brad agreed to have his service area cordoned off. Brad doesn't have a problem with it being 300 square feet. Councilman Pincock mentioned that it's not very big. Tom does not want

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drinkers out wandering. The next question was where are they going to put it? John Scafe mentioned that Brad had not spoken to any member of his committee. Councilman Janssen explained that Brad wants to do this to get his business advertised and that he will have other things to sell. Councilman Brady's concern is family atmosphere of the American Dog Derby. John Scafe told the council that part of the reason the Dog Derby Committee dropped Budweiser as a sponsor was because of family atmosphere they want. Councilman Brady was also concerned about the hours of 8 am to 3 pm. Alcohol is more an evening activity. Councilman Huntsman does not like the permit as is. Councilman Janssen asked if we could change the timing. John explained that the mushers are usually back in by 2 or 3 in the afternoon so it wouldn't help to take it further into the afternoon. Again, John Scafe mentioned that Brad hasn't asked to be in the vender area. Councilman Janssen asked if his vending business can put on one end. It was mentioned that maybe the timing can be changed to 11 to 3. Councilman Janssen said that from a business standpoint we can't tell someone they can't be there. John said as far as the Dog Derby Committee is concerned, JoAnne Anderson is in charge of whether he can be in the vendor area. Mayor Stronks thought that maybe Brad could come in and meet with him, Tom and a member of the Dog Derby Committee. Councilman Pincock asked what happened last year. Last year was not a concern during the dog races because people could just go into Ott's Place. At the Fourth of July celebration, the alcohol selling area was cordoned off.

Councilman Brady made a motion to disapprove permit. Councilman Huntsman seconded the motion.

City Attorney Joette Lookabaugh interjects to tell the council they can't be arbitrary. We can set the time and manner and then the business can decide if they want the permit. If time is the problem change it, and they can decide. Councilman Pincock asked if we could get Brad to come over and meet with us. Mayor Stronks asked Cathy if she would call him. The council took a break. After the break, John Scafe explained that he talked with his committee and they do not want Ott's Place to be with the other vendors. Ott's could set up across the street, possibly in the triangle by Armstrong's. The committee's concern is that all the other vendors have asked for and been approved to be at the race. Brad has not. The council reconvened with a conference call with Brad Purcell. Brad explained that he wanted to support the community by having his business involved in the dog races. Mayor Stronks had John Scafe talk to him about the family atmosphere that has been important to the dog races. Brad said that he wasn't going to do anything but then that he wanted to support the community. Councilman Pincock asked Brad if it would be possible to put Ott's across the street by the home of Lane Armstrong. That would mean that he would not need to cordon off the area and it is less than 20 yards away. Brad said that he thought we should make this workable for everyone, but that if we wanted to make him like a leper and be that far away, then he would like to be open for the time originally requested (8 am to 3 pm). Councilman Pincock said that would be alright. Brad then wanted the council to know that for his business' centennial this year he will be asking for a permit similar to the one he had for the city's centennial. Mayor Stronks then asked Brad to stay on the phone while they voted.

Councilman Pincock made a motion to issue a catering permit to Ott's Place to be used February 16 & 17 from 8 am until 3 pm in the triangle area by Lane Armstrong's home. Councilman Huntsman seconded the motion. Vote was called for: 3 for - 1 against. Motion passed.

7. UNFINISHED / OLD BUSINESS:

- A. Maple Street Appraisal – City Attorney Joette Lookabaugh received a letter from the Fremont County School Board's attorney Scott Marotz with a request to fulfill their requirement of an appraisal. Joette recommends we go ahead and be done with this matter.

Councilman Brady made motion for the city to hire an appraiser. Councilman Pincock seconded the motion. Vote was called: 3 for - 1 against. Motion passed.

- B. Completed Audit. The completed audit was received by the city clerk and copies were given to each of

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the councilman. Mayor Stronks asked if Cathy would call Sheri Poulsen and have her come to our next council meeting.

This item was tabled by the Mayor until our next meeting.

8. STAFF AND COMMITTEE/SPECIAL REPORTS

- A. MYAC Report – Luke Floyd. Luke presented the council with the committee's updated bylaws for approval. Luke then told the council that the youth committee is here to serve the city council. He wanted to know if the city council needed help with anything at this time. Several members of the committee are helping at the dog races this week. City Clerk Cathy Stegelmeier mentioned that the youth committee had brought in the money they earned from their cotton candy sale. Council members expressed their appreciation for the committee and congratulated them on the cotton candy sale. Luke told the council that the committee had a meeting Monday afternoon. Councilman Janssen asked Luke to suggest to Amanda Bolland that she send out an e-mail so everyone is better informed of meeting times. Mayor Stronks asked Luke to ask the other committee members if they are interested in attending the Lincoln Day dinner on February 24th. The Fremont County Republican Central Committee will sponsor any student interested in attending with \$10 and the city council is willing to pay the rest for any of the youth committee who would like to go. Luke has a conflict that day but will let the rest of the committee know about the offer. Luke told us that they have approved two logos for their committee. The first has a formal centennial look while the other is a graffiti youth look. The next Mayor's Youth Activities Committee meeting will be held February 28th right after school in the North Fremont High School library.

9. MAYOR AND COUNCIL REPORTS

- A. Mayor Stronks – Day at the Legislature. Mayor Stronks reported that going to day at legislature is very interesting. He got to meet the new chair for Idaho's House of Representatives. They listened to some great speakers. Senator Brent Hill some very interesting facts about what are some of the important items the legislature will be discussing this session. Crime in Idaho is on the rise and there is a need for more inmates housing. Medicaid is huge part of our budget in the state of Idaho. Mayor Stronks especially enjoyed the speech by our new governor, Butch Otter. Governor Otter was very knowledgeable and answered questions quickly and well. He is very down to earth and says it like it is. One of his biggest concerns is Idaho's water. City Attorney Joette Lookabaugh and her husband Steve also attended and they and Mayor Stronks talked to the new Economic Development person for the state. They also spoke to the new head of DEQ. Joette told her that we will need support when the fine from the EPA is billed. She said she would step in and help us get the fine minimalized. The council then spoke of their need to get their legislators and others involved in helping us to lessen the damage from the EPA fine.

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Councilman Janssen made a motion to move into executive session Councilman Brady seconded.

Motion passed.

10. EXECUTIVE SESSION:

I.C. 67-2345 *Certain City-related matters may need to be discussed confidentially as a matter of law (Acquisition of real property, personnel matters, attorney-client communications) subject to applicable legal requirements, the Council may enter executive session by roll call vote to discuss such matters.*

Realty Items, Lease Negotiations, Legal Matters, Utility Concerns.

Councilman Janssen made a motion to exit executive session, Councilman Brady seconded. Motion Passed

Councilman Janssen made a motion to give the committee over Community Center power to negotiate with the Rinas' with the raise in rent to \$1500 plus utilities paid at an equitable share. Councilman Brady seconded. The motion passed unanimously.

Councilman Brady made the motion to authorize the appraisal of the church farm property. Councilman Pincock seconded the motion. The motion passed unanimously.

Mayor Stronks then told the council that he had been asked if the VFW could use the city building to meet. Councilman Huntsman could let them in the building as he is a member of the VFW.

Councilman Janssen motion to let VFW use the city building. Councilman Brady seconded the motion. Councilman Huntsman abstained. Motion passed.

City Attorney Joette Lookabaugh asked about whether the council felt it's ordinances were complete. Discussion was brought up about an ordinance for business licenses. Possibly just a token license to help out the businesses. The council said that we do have ordinance for junk cars. Joette asked about an ordinance on Initiatives and referendums. She thinks the city needs to have one to bring it up to speed. We don't need now but will need them so we should get going on it. The council agreed to talk about it at the next meeting.

11. Adjournment

Councilman Pincock made a motion to adjourn. Councilman Brady seconded the motion. The motion passed. The meeting was adjourned at 8:25 p.m.

NEXT MEETING

♦ Regular Council 7:00 p.m. – Wednesday, March 14, 2007 Council Chambers. Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk or call 208-652-3987.

Minutes respectfully submitted by Cathy Stegelmeier, City Clerk.

Attest:

Cathy Stegelmeier
City Clerk

Theo R. Stronks
Mayor