

CITY COUNCIL MEETING
April 24, 2017

MAYOR & COUNCIL

Mark W. Beckstead
Todd D. Thomas
Terry D. Larson
Bradley J. Wall
Allyson Wadsworth

STAFF

Linda Acock, City Clerk
Kelly Mickelsen, City Treasurer
Mark T. Owens, City Engineer
O. John Balls, Public Works Director
Ken Geddes, Chief of Police
Tyler Olsen, City Attorney

OTHERS PRESENT:

Jan Harris, Craig Harris, Chuck Chesney, Christine Turner, Robert Kooren, Robert Swainston, Shane Selley, Berni Winn, Patty Chesney, Kim Palmer, Scott Palmer, Bailey Beckstead, Norm Mayhew, Jer Barnard, Brian Mendenhall, Jed Palmer, Robert Swainston, Ande Phillips, Janice Shulsen, Karen Child, Jimmy Carter

Council Meeting was called to order at 5:00 P.M. by Mayor Mark Beckstead

Consent
Calendar

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

- A. City Council Minutes (April 10, 2017)
- B. Bills (April 24, 2017)
- C. Treasurer's Monthly Report (March 31, 2017)

It was moved by Councilmember Larson and seconded by Councilmember Wall to approve the Council Minutes of April 10, 2017, as presented. The vote received unanimous approval.

It was moved by Councilmember Wadsworth and seconded by Councilmember Wall to accept the bills of April 24, 2017. The vote received unanimous approval.

It was moved by Councilmember Thomas and seconded by Councilmember Larson to accept the Treasurer's Monthly Report of March 31, 2017. The vote received unanimous approval.

Public
Hearing
Re-Zone
612 N.
State
S. Palmer

Mayor Beckstead called for the public hearing for the purpose of giving consideration to the request for rezone of property at 612 North State, from its current zones of Transitional, Residential A-1 and Residential B, to Commercial C-3, as follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on April 24, 2017, before the City of Preston Mayor and City Council at the hour of 5:00 P.M., or as soon thereafter as this matter may be heard, at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of PIP, LLC, 612 North State, Preston Idaho for the rezoning of certain property located in the City of Preston, Idaho, from its present classifications of Residential A-1, Residential B, and Transitional Districts to a classification of Commercial C-3. More specifically, PIP, LLC desires that the 14 acre parcel be zoned Commercial C-3. A copy of the legal description of the property requested to be rezoned is attached hereto together with a copy of a map showing the location of the property in proximity to adjoining streets.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said rezoning may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 28th day of March, 2017.

s/Linda Acock, City Clerk

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Legal Description

Township 15 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 13: East half of the West half of the Northeast Quarter of Section 13.
EXCEPT, Commencing at a point 510 feet West and 16 rods South of the Northwest corner of the NE1/4NE1/4 of Section 13, to THE TRUE POINT OF BEGINNING, thence South 236 feet; thence South 55° 30' East 616 feet; thence North along quarter line 726.25 feet to a point 7-1/2 rods South of the Northwest corner of NE1/4NE1/4 of Section 13, thence Southwesterly in a straight line to the True Point of Beginning.
ALSO EXCEPT, Commencing at the Northeast corner of the NW1/4NE1/4 of Section 13, and running thence West 40 rods; thence South 18-1/2 rods; thence Northeasterly to a point which is 7-1/2 rods South of the place of beginning; thence North 7-1/2 rods to the place of beginning.
ALSO EXCEPT portions deeded for Highway purposes.

Section 23: Commencing at a point 58 rods South of the Northwest corner of Section 23, and running thence East 80 rods; thence South 28 rods; thence West 80 rods; thence North 28 rods to the place of beginning.
EXCEPT portions deeded for State Highway.

Section 24: Commencing at a point 70 rods South of the Northwest corner of Section 24, thence East 80 rods; thence South 30 rods; thence West 80 rods; thence North 30 rods to the place of beginning.
EXCEPT portion deeded to the City of Preston, described as follows: Commencing at a point that is South along the Section line 1155.0 feet from the Northwest corner of Section 24, thence South 495.00 feet; thence East 30.0 feet; thence North 495.00 feet; thence West 30.0 feet to the point of beginning.
EXCEPTING therefrom the existing road right-of-way.



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Mayor Beckstead gave guidelines for holding a public hearing, and asked if any council member would be declaring a conflict of interest. There being none, Mayor Beckstead opened the public hearing and asked Mr. Scott Palmer to present the request to rezone the 14 acres at 612 North State from its present classification of Transitional, Residential B and Residential A-1 to the classification of Commercial C-3.

Scott Palmer stated that this is a fourteen (14) acre parcel, which has three (3) separate zones. He would like the entire parcel zoned as Commercial C-3.

Council is in receipt of the Planning and Zoning's Decision and recommendation for approval.

Engineer Owens recommended approval of the rezone.

Mayor Beckstead asked for public testimony. There being none, Mayor Beckstead asked if any written comments had been received. There being none, Mayor Beckstead closed the public hearing.

It was moved by Councilmember Thomas and seconded by Councilmember Larson to approve the request for rezone. This received unanimous approval.

Ord#2017-6
Amending
Zoning Map
Rezone
Property
612 N.
State
PIP, Inc.

Councilmember Larson introduced Ordinance #2017-6, an ordinance rezoning certain property, from Residential A-1, Residential B and Transitional to the classification of Commercial C-3.

It was moved by Councilmember Larson and seconded by Councilmember Wadsworth to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in summary. This received unanimous approval.

City Clerk Acock read Ordinance #2017-6 once in summary.

It was moved by Councilmember Wall and seconded by Councilmember Thomas to approve Ordinance 2017-6. The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Larson	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

Business
Licenses

The following business licenses were presented:
Steven W. Burak 32 E State St, Eagle ID (Rocky Mountain Remodeling)
Cendy James 65 S 4th W (Dandelion Dreams Daycare)
Michelle Mary McNeely 325 E 6th S (Sun Sage Floral)

It was moved by Councilmember Thomas and seconded by Councilmember Larson to approve the business licenses for Steven W. Burak and Michelle Mary McNeely. This received unanimous approval.

It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve the business license for Cendy James, conditional upon her providing a copy of the state license when said state licensing has been approved. This received unanimous approval.

Request
Memorial
Bench At
City Park

Janice Shulsen came before the Council to request a memorial bench be placed in the Preston City Park, for Corbin Hillaker. She further explained that in light of Corbin's tragic death, and his patriotic nature, she felt a memorial bench would be a nice way to honor him.

The council thanked Ms. Shulsen for her kindness and desire to memorialize Corbin Hillaker, but felt that the city park is not the place for said bench.

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Building Permit Fees Preston School District Brian Mendenhall, business manager of the Preston School District, requested that the council consider waiving the city's portion of their building permit, for the classroom addition at the Pioneer Elementary.

It was moved by councilmember Wall and seconded by Councilmember Larson to waive the city's portion of the building permit fee for the classroom addition at the Pioneer Elementary School. This received unanimous approval.

Sewer Connection 650 East 8th South S. Selley Shane Selley is building a house at 650 East 8th South. Currently, the sewer line ends at approximately 550 East. Mr. Selley proposed that the city council allow him to run the sewer line from the manhole at approximately 550 East, to his property at 650 East 8th South, and waive the connection fee.

It was moved by Councilmember Larson and seconded by Councilmember Wall to waive the \$2,500. connection fee for the sewer, that Mr. Selley shall install the main sewer line from approximately 550 East to 650 East, meeting Preston City specifications, and being inspected by the Preston City Public Works Department during the installation process. After installation, the City of Preston will own the line, and Mr. Selley shall have no rights to said main line. This received unanimous approval.

Municipal Incentive Package The Mayor and Council continued discussion of the proposed Municipal Incentive Package for new businesses locating in Preston City. This matter shall be placed on the May 8, 2017 agenda for further deliberation.

Nuisance Vehicle Ordinance & Ordinance Penalty Attorney Olsen presented drafted ordinances for the Nuisance Abandoned Vehicle Ordinance and the Infraction Penalty Ordinance. These proposed drafts will be put into ordinance form, and the ordinances will be placed before the city council at the May 8, 2017 meeting for approval.

Council Reports Councilmembers reported on their assigned designations.

Executive Session It was moved by Councilmember Thomas and seconded by Councilmember Wall to enter Executive Session to discuss pending litigation or where there is a general public awareness of probable litigation as allowed by Idaho Code 74-206(f). The vote was as follows:

Councilmember Thomas	<u>Aye</u>
Councilmember Larson	<u>Aye</u>
Councilmember Wall	<u>Aye</u>
Councilmember Wadsworth	<u>Aye</u>

Motion passed by unanimous vote.

Entered Executive Session at 6:57 P.M.
Returned from Executive Session at 7:58 P.M.

Adjourn Meeting was adjourned at 7:58 P.M. by Mayor Mark Beckstead.

Linda Acock, Clerk

Mark W. Beckstead, Mayor