

*CITY COUNCIL MEETING
October 9, 2017*

MAYOR & COUNCIL

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

STAFF

Kelly Mickelsen, City Treasurer
Mark T. Owens, City Engineer
John Balls, Public Works Director
Ken Geddes, Police Chief
Tyler Olson, City Attorney
Wendy Merrill, Clerk

OTHERS PRESENT:

Adrienne Alvey, Kellen Alvey, Mel Ball, Bailey Beckstead, Scott Beckstead, Trish Checketts, Charles Chesney, Pam Corbridge, Quinn Corbridge, Jessie Hampton, Mary Hampton, Pat Nealy, Scott Palmer, Bryan Shuman, Tyrell Simpson, Richard Westerberg, Berni Winn

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

Councilmember Wall declared a conflict of interest on the deferral agreement with Lizbeth Tena, 1097 North 8th West.

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. Bills (October 9, 2017)

It was moved by Councilmember Wadsworth and seconded by Councilmember Larson to accept the bills of October 9, 2017. The vote received unanimous approval.

Final
Plat
North
Junction
Subdivision
Phase I

After discussion, it was moved by Councilmember Thomas and seconded by Councilmember Wall to approve the final plat for the North Junction Subdivision, Phase I, contingent upon the construction plans being changed to include a fire hydrant at the entrance to the subdivision, and 2" water lines, and to authorize Mayor Beckstead to sign said final plat. The vote received unanimous approval

Motion was rescinded.

It was moved by Councilmember Thomas and seconded by Councilmember Larson to approve the final plat for the North Junction Subdivision, Phase I, contingent upon the construction plans being changed to include a fire hydrant at the entrance to the subdivision, 2" water lines, and a bond agreement with the developer for infrastructure improvements as per city policy, and to authorize Mayor Beckstead to sign said final plat. The vote received unanimous approval.

Final
Plat
Patricia
Checketts
Minor
Subdivision

After discussion, it was moved by Councilmember Thomas and seconded by Councilmember Larson to approve the final plat for the Patricia Checketts Minor Subdivision on the condition that she provide 3 shares or \$3,000 in lieu of secondary water, and that this condition be satisfied prior to signing of the final plat, whereupon Mayor Beckstead was authorized to sign said final plat. The vote received unanimous approval.

Business
License
Cuyler
Stoker

At the September 25, 2017 meeting of the City Council, Cuyler Stoker's application for a business license for storage units at 315 800 South was presented. No decision was made at that time due to zoning issues. The property is located in Business C-2, which does not allow for storage units, therefore Mr. Stoker will need to rezone the property. Mayor Beckstead directed clerk Wendy Merrill to notify Mr. Stoker in writing that he needs to rezone the property before he can operate storage units at this location.

After discussion, it was moved by Councilmember Thomas and seconded by Councilmember Larson to notify Mr. Stoker of the need to apply for a rezone of the property, after which he can reapply for this business license. The vote received unanimous approval.

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Deferral Agreement It was moved by Councilmember Thomas and seconded by Councilmember Wadsworth to approve the following Deferral Agreement, and authorize Mayor Beckstead to sign said agreement.

Lizbeth Tena 1097 North 8th West

The vote was as follows:

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

Motion passed by majority vote.

Bear River Publishing Lease It was moved by Councilmember Wall and seconded by Councilmember Wadsworth to accept the Lease Agreement between the City of Preston and Bear River Publishing LLC; and the Assignment and Assumption of Lease Agreement between Bear River Publishing LLC and APG Real Estate Investments, LLC, and to authorize Mayor Beckstead to sign said agreements. The vote received unanimous approval.

Waive Building Permit Fees Councilmember Thomas and Councilmember Wadsworth declared a conflict of interest on this issue.

44 N 1st E At the request of the Franklin County Medical Center, it was moved by Councilmember Wall and seconded by Councilmember Larson to waive Preston City's portion of the building permit fees for the Franklin County Medical Center at 44 North 1st East. The vote was as follows:

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

Mayor Beckstead cast the tie breaking vote, with an Aye vote.

Motion passed by majority vote.

Legal Description 129 W. 1st N. Bailey Beckstead Bailey Beckstead, Beckstead Realty, appeared on behalf of Wendee Reid, who is selling the home at 129 West 1st North. He explained a portion of the lot had been purchased by Philip Nielson, 135 West 1st North, back in the early 90's, but no property deed for this transaction had been recorded. He requested a letter from the City stating that this is a legal non-conforming lot. City Attorney Tyler Olson asked Mr. Beckstead for some type of documentation and back history on the sale of the portion of the property that was sold to Mr. Nielson, and advised the Council not to grant his request.

It was moved by Councilmember Thomas and seconded by Councilmember Wall to authorize Mayor Beckstead to sign a letter from the City stating that this is a legal non-conforming lot of record, against legal advice. The vote received unanimous approval.

Council-Member Todd Thomas Special Use Permits And Business License Fees Councilmember Todd Thomas suggested the Council consider an incentive for new businesses required to obtain Special Use Permits by offering to waive the fee for the first year's business license. The Council briefly discussed the option.

Staff Report City staff reported on their various assigned designations.

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Pre-Plat After discussion, it was moved by Councilmember Wall and seconded by
Countryside Councilmember Larson to approve the preliminary plat for the
Subdivision Countryside Subdivision on the conditions that the preliminary plat
include notes for off-site property in lieu of open space and
installation of privacy fencing along 800 East Street. The vote was
as follows:

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

Mayor Beckstead cast the tie breaking vote, with an Aye vote.

Motion passed by majority vote.

Meeting was adjourned at 7:00 P.M. by Mayor Mark Beckstead.

Linda Acock, Clerk

Mark Beckstead, Mayor