

*CITY COUNCIL MEETING  
September 12, 2022*

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MAYOR & COUNCIL

Daniel M. Keller, Mayor  
Todd Thomas, Council  
Terry Larson, Council  
Brent Dodge, Council  
Chris Larsen, Council

STAFF

Linda Acock, City Clerk  
John Balls, Public Works Director  
Shawn Oliverson, Community Development  
Dan McCammon, Chief  
Tyrell Simpson, City Engineer  
Kelly Mickelsen, City Treasurer  
Lyle Fuller, Attorney

Council Meeting was called to order at 5:00 P.M. by Mayor Dan Keller.

At the onset of the meeting, Councilmember Todd Thomas gave the community a brief update on the progress of the playground at Craner Field. There has been delays during the process, but it is coming together and should be done before the end of September.

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. Council Minutes (August 22, 2022)
- B. Bills (September 12, 2022)
- C. Treasurer's Monthly Report (August 31, 2022)
- D. Swale Bond Refund Karen Higley 1114 N. 3<sup>rd</sup> E. \$1,375
- E. Swale Bond Refund Nicholas Golightly 251 E. Eagle Way \$1,800

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to approve all items within the Consent Calendar which include the Council Minutes of August 22, 2022, Bills through September 12, 2022, the Treasurer's Monthly Report dated August 31, 2022, a Swale Bond Refund for Karen Higley at 114 North 3<sup>rd</sup> East in the amount of One Thousand Three Hundred Seventy-Five Dollars (\$1,375) and a Swale Bond Refund for Nicholas Golightly at 251 East Eagle Way in the amount of One Thousand Eight Hundred Dollars (\$1,800). This received unanimous approval.

Beer/Wine  
License  
T. Montes  
Tattles

Chief McCammon presented a beer and wine license for Trisha Montes. Ms. Montes has a temporary Idaho State license. She is working on the state license, and has received the county license.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to approve the beer and wine license for Trisha Montes, owner of Tattles at 790 West Oneida, conditional upon receiving the permanent state license. This received unanimous approval.

Business  
License  
T. Murri

It was moved by Councilmember Brent Dodge and seconded by Councilmember Terry Larson to approve a business license for Taylor Murri, 377 South 440 West, Murri's Bakery. This received unanimous approval.

Business  
License  
C. England

It was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to deny the business license, due to the location for the business being located in the Industrial Zone, for Colton and Elizabeth England, 807 West Oneida, The Pivot. This received unanimous approval.

Resolution  
#148  
License &  
Fee  
Schedule  
& Water  
And Sewer  
Rate  
Schedule

Council reviewed the proposed Resolution #148, License and Fee Schedule and Water and Sewer Rate Schedule. They held a discussion as to whether the rate increase was necessary at the present time, and whether a 5% increase would be the appropriate increment.

After discussion, it was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to table the decision on Resolution #148, adjust the water and sewer rate increase from five percent (5%) to two and one-half percent (2½%), and present the proposed resolution at the September 26, 2022 City Council meeting. This received unanimous approval.

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Resolution #149  
Amend  
Forgone Amount  
FY 2023

City Treasurer Kelly Mickelsen presented Resolution #149, to amend the forgone amount for fiscal year 2023.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to approve Resolution #149 amending the forgone amount for fiscal year 2023 and authorize Mayor Dan Keller to sign said Resolution. This received unanimous approval.  
(A copy of Resolution #149 follows Minutes)

Resolution #150  
Authorizing  
Mayor's  
Signature  
WWTP  
Project

The State of Idaho Department of Environmental Quality submitted a Resolution authorizing the mayor to sign all applications, funding Agreements, and other documents relating to the wastewater project.

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to approve Resolution #150, authorizing the mayor to sign future applications, agreements and documents relating to the wastewater treatment plant project, and to authorize the mayor to sign said resolution. This received unanimous approval.  
(A copy of Resolution #150 follows Minutes)

Infra-  
Structure  
Improvement  
Proposal  
237 W.  
Oneida  
B. Gochberg

Ben Gochberg, developer of the apartment housing development at 237 West Oneida, came before the council with a proposal for cost sharing on replacing the current 6" water line along West Oneida with a 10" water line. He feels that the upgrade in the size of the line will not only benefit the new construction, but those already established in the area. He also asked for additional time to build the green area at the project.

After discussion, Mayor Dan Keller asked Community Development Specialist Shawn Oliverson to investigate whether this type of development for residential property could qualify for the Incentives Program.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Todd Thomas to deny the request for a shared cost agreement between Ben Gochberg and The City of Preston, for the costs involved in upgrading the water line from a 6" line to a 10" line. This received unanimous approval.

Infra-  
Structure  
Improvement  
800 S.  
1100 E.  
M. Cordner

McKay Cordner, developer of the Hillside Subdivision at 8<sup>th</sup> South 1100 East, came before the council to propose that the city pay a portion of the cost of replacing approximately 1,800 feet of 6" water line with a 12" water line, (Mr. Cordner would pay the difference of a 6" line to an 8" line and Preston City would cover the difference from an 8" line to a 12" line) and approximately 1,250 feet of 8" water line with 12" water line. This project will loop the water line and give all residents in the area better water pressure.

It was moved by Councilmember Chris Larsen and seconded by Councilmember Brent Dodge to deny the request for Preston City to cover the cost difference of 8" pipe to a 12" pipe to the Hillside Subdivision. This received unanimous approval.

Preliminary  
Plat  
Hillside  
Subdivision  
8<sup>th</sup> South  
1100 East

It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to approve the Preliminary Plat for the Hillside Subdivision, as recommended by the Planning and Zoning Commission. This received unanimous approval.

Request  
Amendment  
to PMC  
8.06.040

At the August 8, 2022 City Council meeting, Robert Kooren requested an amendment to Preston Municipal Code 8.06.040 to include wording that the city would have the option to apply vegetation control to property that has required abatement for a second time.

Community Development Specialist Shawn Oliverson explained that he researched the implications of the amendment, in that the city would incur costs of having supplies for large-scale application on hand, licensing for the city employees to store and apply large-scale

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herbicide, and the possibility of herbicide drift when applying such herbicides.

Mr. Oliverson further stated that the current ordinance does not preclude the use of herbicide as part of the abatement process, so the amendment is not necessary.

I was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to leave Preston Municipal Code 8.06.040 as is currently written and not make an amendment to it at this time. This received unanimous approval.

Complaint            Tonya Sharp entered a complaint that in August, LeRoy Johnson was given  
Accessory            an address of 711 West 4<sup>th</sup> South on a property that does not have a  
Building            legal dwelling, but an accessory building that is being used as living  
Being Used        quarters. She said that the building does not have a sewer disposal.  
As Dwelling  
& Given            Ms. Sharp asked the council how this matter slipped through, and asked  
Address            that this matter be addressed and rectified.

Mayor Dan Keller gave Ms.Sharp assurance that this matter will be researched, and that she will be notified of the findings.

Council &            Councilmember Todd Thomas, Councilmember Chris Larsen, Councilmember  
Dept. Head        Terry Larson, Councilmember Brent Dodge, Chief Dan McCammon, Public  
Report On        Works Director John Balls, City Engineer Tyrell Simpson, and Community  
Assigned        Development Specialist Shawn Oliverson gave brief reports on each of  
Designations    their assigned designations.

Executive            It was moved by Councilmember Terry Larson and seconded by  
Session            Councilmember Todd Thomas to enter into Executive Session to discuss  
Personnel, as allowed in Idaho Code 74-206(1)(b). The vote was as  
follows:

Councilmember Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by unanimous vote.

Entered Executive Session at 7:04 P.M.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Todd Thomas to exit Executive Session at 7:29 P.M. This received unanimous approval.

Adjourn            Meeting was adjourned at 7:29 P.M. by Mayor Dan Keller.

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Linda Acock, Clerk

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Daniel M. Keller, Mayor