

*CITY COUNCIL MEETING
November 13, 2023*

MAYOR & COUNCIL

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

STAFF

Dan McCammon, Police Chief
Lyle Fuller, Attorney
Shawn Oliverson, Community Dev.
Kelly Mickelsen, Treasurer
Tyrell Simpson, City Engineer
John Balls, Public Works Director

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

Mayor/
Council
Community
Comment

Councilmember Terry Larson stated that he was proud of our community with the flags that the Elks put up for Veterans Day. He expressed thanks to everyone in the community that serves in any way.

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	October 23, 2023
B.	Bills	November 13, 2023
C.	Treasurer's Monthly Report	October 31, 2023
D.	Refund Surety Bond 812 N 8 th E	\$23361.55
E.	Refund Swale Bond 812 N 8 th E	\$4500.00
F.	Refund Surety Bond 314 W 1 st N	\$40721.04
G.	Refund Swale Bond 314 W 1 st E	\$3625.00
H.	Refund Swale Bond 585 Eagle Dr.	\$4325.00
I.	Refund Swale Bond 132 E. Eagle Way	\$1500.00
J.	Refund Swale Bond 179 E. Eagle Way	\$1750.00

It was moved by Councilman Terry Larson and seconded by Councilman Chris Larsen to approve the minutes of October 12 2023. This received unanimous approval with the exception of Councilman Thomas who was absent at that meeting.

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve the Consent Calendar including the Bills through November 13, 2023, the Treasurer's Monthly Report dated October 31, 2023, and the refund of Surety and Swale Bonds listed above for a total amount of \$79782.59. The motion passed unanimously.

ROAD
DISCUSSION

City officials met with Todd Hubbard of ITD to discuss a crosswalk on the highway by the Junior High and the Road behind Burger King. Todd sympathizes with the city but they cannot do anything until 2031.

OPEN
SEALED
BIDS
MINI
EXCAVATOR

City Treasurer Kelly Mickelsen opened the bids for a Mini Excavator. The bids were - Cache Equipment \$76841.00
- Valley Implement \$80982.50

It was moved by Councilman Terry Larson and seconded by Councilman Thomas to have the City Attorney and Public Works director John Balls review the bids and report to the council at the next council meeting.

PROCLAMATION Shop Local Weekend November 17 & 18. The mayor read the proclamation declaring the weekend of November 17 & 18 as Shop Local Weekend. The purpose of the proclamation is to recognize our local businesses and their contribution to our community and to encourage residents to shop locally. He made mentioned the variety of businesses we have that make our community great.

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Councilman Dodge made the motion to Proclaim November 17 & 18 as Shop Local Weekend. It was seconded by Councilman Chris Larsen. The motion passed unanimously.

RESOLUTION #158 It was moved by Councilman Dodge and seconded by Councilman Terry Larsen to approve Resolution #158 authorizing purchase of real property, providing for related matters, and providing an effective date, and AUTHORIZED the Mayor to sign. This received unanimous approval. (A copy of Resolution #158 will follow the minutes).

CULVERT REPAIR Chelsea Tomlinson of 506 West 8th North approached the council with a problem with a culvert that goes along the highway in front of her house. The culvert is collapsing and also has holes in it. The culvert is in the state right of way and she did not know where to start to get the culvert replaced. The City feels that it is the homeowners responsibility to replace the culvert if they want it replaced. Councilman Terry Larson moved and Councilman Thomas seconded the motion to table the discussion for two weeks and to have John, Tyrell and Chelsea meet to see if they can come up with a solution. The motion passed unanimously.

DECEMBER MEETING SCHEDULE Councilman Thomas moved and Councilman Dodge seconded to cancel the December 25th council meeting. This received unanimous approval.

COUNCIL & DEPT. HEAD REPORT ON ASSIGNED DESIGNATIONS Councilmembers Larsen, Larson, Thomas and Dodge reported on their assigned designations. Public Work Director John Balls, Community Development Specialist Shawn Oliverson and City Engineer Tyrel Simpson reported on their assigned designations. Chief Dan McCammon reported that the Police Dept. has been awarded a \$125,000 hiring grant. He asked the council for approval to hire a new officer. Councilman Thomas made the motion to approve the hiring of an additional police officer. Councilman Terry Larson seconded the motion. Motion passed unanimously.

COUNTY COMMISSION REPORT Commissioner Swainston gave a short report on the DMV moving to the Courthouse and an update on the 2nd hollow on East Oneida.

EXECUTIVE SESSION It was moved by Councilman Terry Larsen and seconded by Councilman Chris Larsen to enter into Executive Session to discuss possible Litigation as allowed in Idaho Code 74-206(1) (f). The vote was as Follows:

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

Motion received unanimous approval.

Entered Executive Session at 6:20 P.M.

It was moved by Councilman Thomas and seconded by Councilman Terry Larson to exit Executive Session at 7:00 P.M. This received unanimous approval.

AJOURN Meeting was adjourned to 7:00 P.M. by Mayor Keller


Kelly Mickelsen -Deputy Clerk

Daniel M. Keller - Mayor

The Office of the Mayor
City of Preston
State of Idaho

PROCLAMATION

WHEREAS, for generations, small businesses across America have shaped and embodied our Nation's entrepreneurial spirit and driven our economy forward; and

WHEREAS, locally owned businesses build strong neighborhoods by sustaining communities and contributing to local causes during times of prosperity and hardship; and

WHEREAS, the City of Preston values and celebrates our local businesses and the contributions they make to our local economy and community; and


WHEREAS, we recognize the unique blend of locally owned businesses as part of our unique culture;

NOW, THEREFORE, I Daniel M. Keller, Mayor of the City of Preston, Idaho, do hereby proclaim the weekend of November 17th and 18th, 2023 as

SHOP LOCAL WEEKEND

in the City of Preston and urge the residents of our community to shop local, patronize local merchants, and otherwise utilize the services of local enterprises this weekend and throughout the year.

IN WITNESS WHEREOF, I have hereunto
set my hand on this 13th day of
November, in the year of our Lord two
thousand and twenty-three.



Daniel M. Keller, Mayor of Preston, Idaho

Resolution # 158

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PRESTON, IDAHO,
AUTHORIZING PURCHASE OF REAL PROPERTY, PROVIDING FOR RELATED
MATTERS, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City is empowered under Idaho Code § 50-301 to acquire real property; and

WHEREAS, the City has determined that it is in the best interests of the health and welfare of the citizens of Preston to purchase from Franklin County, Idaho certain real property, consisting of approximately 20 acres plus water shares (the legal description of which is attached hereto as Exhibit A) (the "Property") which may be used for parks and recreational purposes; and

WHEREAS, the City intends to enter into a purchase contract to acquire said property and receive in return a deed for said property;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF PRESTON, IDAHO AS FOLLOWS:**

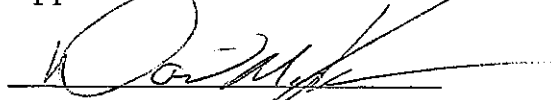
Section 1: The foregoing recitations are hereby adopted as findings of fact by the City.

Section 2: The Mayor and designees are authorized, upon review and approval of transactional documents by the City Attorney, to execute an appropriate purchase and sale agreement and such other documents as may be necessary to acquire the Property, for the purchase price of Six Hundred Seventy Five Thousand Dollars (\$675,000.00) and such closing and title insurance costs as are reasonably necessary.

Section 3: This resolution shall take effect immediately upon passage.

ADOPTED by the City Council and APPROVED by the Mayor on November 12, 2023.

Approved:


Daniel M. Keller, Mayor

Attest:

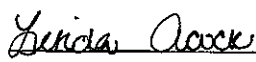

Linda Acock, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land located in the North one-half of Section 23, Township 15 South, Range 39 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Compensing at the North quarter corner of said Section 23 from which the Northwest corner of Section 23 bears North $89^{\circ} 45' 05''$ West;

Thence North $89^{\circ} 45' 05''$ West 114.53 feet along the North boundary of Section 23;

Thence South 46.42 feet to a $5/8$ " rebar and cap labeled "A.L.S., PLS 9163", at the South right of way line of Highway 34, the Point of Beginning.

Thence South $89^{\circ} 40' 30''$ East 491.05 feet along said right of way line to the beginning of a 1544.67 foot radius non-tangent curve concave to the Northwest, whose center bears North $00^{\circ} 18' 24''$ East;

Thence Easterly along said curve (right of way line) through a central angle of $00^{\circ} 16' 42''$ a distance of 7.50 feet to a $5/8$ " rebar and cap at the northerly extension of a fence line (chord = South $89^{\circ} 49' 56''$ East 7.50 feet);

Thence South $03^{\circ} 38' 00''$ East 117.00 feet along said fence line and its Southerly extension to a $5/8$ " rebar and cap;

Thence East 210.45 feet to a $5/8$ " rebar and cap;

Thence North $00^{\circ} 08' 00''$ West 126.31 feet to a $5/8$ " rebar and cap at the South right of way line of 800 North;

Thence South $89^{\circ} 36' 05''$ East 361.57 feet along said right of way line to a $5/8$ " rebar and cap at the Northerly extension of a fence line;

Thence South $00^{\circ} 05' 30''$ East 919.79 feet along said fence line to a $5/8$ " rebar and cap;

Thence North $89^{\circ} 49' 00''$ West 885.80 feet to a $5/8$ " rebar and cap;

Thence North $00^{\circ} 02' 28''$ West 217.95 feet to the beginning of a 300.00 foot radius curve concave to the Southwest;

Thence Northwesterly along said curve through a central angle of $30^{\circ} 57' 32''$ a distance of 162.10 feet to the point of tangency (chord = North $15^{\circ} 31' 14''$ West 160.14 feet);

Thence North $31^{\circ} 00' 00''$ West 210.97 feet to the beginning of a 300.00 foot radius curve concave to the Northeast;

Thence Northwesterly along said curve through a central angle of $31^{\circ} 19' 30''$ a distance of 164.62 feet to the point of tangency (chord = North $15^{\circ} 20' 45''$ West 161.98 feet);

Thence North $00^{\circ} 19' 30''$ East 203.44 feet to the Point of Beginning.

Containing approximately 20.0 acres.

