

**CITY COUNCIL MEETING**  
**October 23, 2023**

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MAYOR & COUNCIL

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

STAFF

Linda Acock, City Clerk  
Lyle Fuller, Attorney  
Tyrell Simpson, City Engineer  
John Balls, Public Works Director  
Shawn Oliverson, Community Dev.  
Kelly Mickelsen, Treasurer

Council Meeting was called to order at 5:00 P.M. by Mayor Dan Keller.  
Councilmember Todd Thomas was excused from meeting.

Mayor/  
Council  
Comments

Mayor Dan Keller stated that the Festival of Lights Committee has already started decorating for the festival. They donate a lot of their time and talent to make the festival successful. The Festival of Lights fund raising dinner is on Saturday November 4<sup>th</sup> with a seating at 5:00 and 7:30.

Mayor Dan Keller also stated that the Preston High School football team made it to the play-offs, and the cross country, both boys and girls, took district and are headed to state finals this weekend. He complimented the students and coaches on the exemplary way they represent their school and community.

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 09, 2023	
B.	Bills		October 23, 2023	
C.	Treasurer's Monthly/Quarterly/Annual report		September 30, 2023	
D.	Swale Bond Refund	Shad Moser	732 E. 750 S.	\$2250.00
		Shad Moser	748 E. 750 S.	\$2200.00

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to approve the consent calendar, which includes the Council Minutes of October 9, 2023, the Bills through October 23, 2023, the Treasurer's monthly/quarterly/annual report, a swale bond refund to Shad Moser for the property at 732 East 750 South in the amount of Two Thousand Two Hundred Fifty Dollars (\$2250.00) and a swale bond refund to Shad Moser for the property at 748 East 750 South in the amount of Two Thousand Two Hundred Dollars (\$2200.00) This received unanimous approval.

Approved  
Business  
Licenses

The following business licenses have been approved:

Makall Memmott	223 N. State	Makall's Massage
Don McMullin	4383 S. 800 W.	Don Mac Plumbing
Spencer Heninger	64 N. 1 <sup>st</sup> E. Ste 200	Mountain View Foot & Ankle
Sawyer Hemsley/Lance Hemsley	516 E. 8 <sup>th</sup> S.	Polar Bear Eats

Revisit  
Decision  
Made On  
Oct. 09  
Assisted  
Living  
Centers

Attorney Lyle Fuller advised that at the October 9, 2023 meeting, the council had before them, a recommendation from the Planning and Zoning Commission for a proposed ordinance to amend the Preston Municipal Code relating to assisted living facilities. An additional public hearing before the city council was required. Earlier in the year, the city amended the code where we impose upon ourselves as a city, an additional public hearing requirement that's not found in state code. Municipal Code 17.50.070 was omitted from the ordinance.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to rescind the decision made by City Council on October 9, 2023 to deny the recommendation of the Planning and Zoning Commission.

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The vote was as follows:

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

Motion passed by unanimous vote.

Request            Matt Glead, Fire Marshall of the Franklin County Fire District, came  
Waiver Of        before the council to request a waiver of the building permit  
Building         application fee, building permit fee, and requirement for a land  
Permit            survey. The building permit is to construct two additional bays at  
Fees &            the fire station located at 55 West 1<sup>st</sup> South.  
Land Survey

It was moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to waive the building permit application fee, the city's portion of the building permit and the survey requirement for an additional two bays at the Franklin County Fire District, 55 West 1<sup>st</sup> South. This received unanimous approval.

County            Commissioner Robert Swainston gave a brief update on the progress of  
Commission     the Oneida Street repairs. He stated that they have run into a few  
Report            issues, so the project was not complete by their October 1<sup>st</sup> goal. The  
                      construction crew of the project state that the road should be drivable  
                      by the first part of December.

Executive        It was moved by Councilmember Terry Larson and seconded by  
Session         Councilmember 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:

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 5:31 p.m.

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to exit Executive Session at 6:26 p.m. This received unanimous approval.

Adjourn         Meeting was adjourned at 6:26 P.M. by Mayor Dan Keller.



Linda Acock, Clerk

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Daniel M. Keller, Mayor