

**MINUTES OF THE
City Council Meeting for the City of Menan held May 14, 2015**

Presiding: Betty Day, Mayor

Present: Ed Watson, Kent Clark, Matt Walker, Gary Maples, Brian Storms, Cathy Harding, Ron Jones, Gary Olaveson, Justin Olaveson, Brandon Close and Kris Meek.

INCOME May 14 through June 10:

Sewer Payroll	2,560.53
Garbage Payroll	124.76
Jefferson County-April property tax	3,764.71
Townhall donations	185.00
Park donations	60.00
P&Z application fee	25.00
Valleywide Dividend	152.60
General Fund Money Market Interest	7.46
General Fund Collateralized Money Market Interest	16.05
Sewer Fund Money Market Interest	2.59
Sewer Fund Collateralized Money Market Interest	6.25
Garbage Fund Money Market Interest	.27
LGIP State Pool (Sewer)- March	<u>5.79</u>
	\$6,911.01

Income from Sewer Account May:	\$14,789.33
Income from Garbage Account May:	\$ 2,298.90

City Council Meeting called to order at 7:00 pm

Betty Day welcomes all to the meeting. Mayor expresses condolences to Kent and his family for his mother, Lucy Clark's passing.

Pledge of Allegiance

Brian Storms said he needs to leave at 8:30 tonight.

Police Report: No police present so skip the report.

Eagle Project: Skip until they are present.

Franchise Agreement- Rocky Mountain Power:

Gary Maples made a motion to read the Franchise Agreement Ordinance by title only. Brian Storms seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Gary Maples made a motion to suspend the rule of reading the Franchise Agreement ordinance on three separate occasions. Brian Storms seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Cathy reads the title of the ordinance.

Gary Maples made a motion to pass the Franchise Agreement ordinance and having been read by title only. Brian Storms seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Kent Clark made a motion to publish the Franchise Agreement by Summary only. Ed Watson seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Brian Storms made a motion to pass the ordinance by title only. Gary Maples seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

[This is later redacted as state code provides the Franchise Agreement is published in whole prior to passing as an ordinance. To be passed in June meeting.]

Eagle Project/Justin Olaveson: Justin introduces himself to the Council. He explains his project of re-doing the sign on Menan-Lorenzo Highway for the LDS Stake Center. He explains the sign and post being re-done. He will contact Matt prior to putting it in for proper placement. Discussion ensues on it being approved by City Council and that the church had just agreed with it in the past. Gary Olaveson discusses the trailhead signs at the Butte. Discussion ensues on signs. Brian said that the contact for that is Monica Zimmerman with BLM for trailhead improvements. Discussion ensues on his plan for the materials. Discussion then ensues on needing scouts for the breakfast on the 4th of July. Gary Maples gives his contact information to Gary Olaveson.

Planning and Zoning: Ron Jones said they are inviting Ben Schiess as a Commission Member. He explains it will change the quorum number but all agree it is worth it. Now there will be six. He said they elected Roy Storer as Vice Chairman and tabled electing Secretary until next meeting. Ron discusses Rushton's latest work in the trailer park.

Discussion ensues on road requirements and AASHTO. He said they had discussion to change it by removing the AASHTO reference but decided it didn't need to be changed because it provides to rely on our Code if more restrictive. Matt said the engineers suggested we change it from AASHTO to something else. Ron then talks about the verbage for sewer use in the Conditional Use Permit application as we work on the re-write. Discussion ensues on Valleywide. He said no non-commercial kennel application came in as expected.

Betty then asks Brandon Close if he would like to talk now for Public Input so he does not have to wait until the end of meeting. He said he didn't think he needed to talk.

Maintenance Projects: Matt asks opinions on the new backhoe situation. He found a lease for a brand new one. He said with a new one it will have a warranty and they will do the maintenance. Matt discusses Pioneer and John Deere. Discussion ensues on leases and the difference in the leases and the old backhoe. Matt explains the logistics of the leases with respect to the hours. Discussion ensues on doing the lease just for the warranty. Discussion then ensues on having the "opt out" in it each year for government purposes. Kris discusses this through the court's viewpoint. Discussion ensues on reserves and budgeting. Cathy said she does not want to touch our reserves for this equipment because the reserves are there for us to operate for several months if no revenues came in due to an emergency situation. Discussion ensues on joint purchasing agreement between us and the state or county. It is decided to table this so Kris can research the statutes for municipalities.

Matt got the definite for Straight Arrow to start on our addition to the maintenance building after Memorial Day. Matt describes a parts cabinet with John Deere. He said it takes \$2,000 to fill it initially and they come out and fill it with what you need replaced twice a month and only charge to refresh it. Discussion ensues on whether this is in the budget and Cathy said it is so they tell him to go ahead with it. Matt will get with Cathy on how it will be divided up between the General and Sewer Funds. Kris discusses state law on necessary expenses. Matt said there was a dead skunk in the pivot line so Golden West came out to help get it out. Discussion ensues on the re-built ditch looking good. Matt said he has some kids working for the City mowing.

Family Crisis Center/Cathy Harding: Cathy discusses the partnership with the crisis center located in Rexburg. She explains that they serve 3 counties; Jefferson, Madison and Fremont. There is a large need to help the center. Cathy and a representative from the center have been working on a pilot program where the City Hall can be a "go to" place locally. Donations can be brought in, information for families in need or crisis and eventually,

community nights to help create awareness. Cathy said the recent food drive through the post office was donated to the crisis center and it filled a huge need. Cathy said she will be at the City building on Cleanup Day taking any donations for the crisis center.

Council Projects/Cleanup Day: Cathy said the dumpsters will be here tomorrow. Gary Maples said there is an Annis group and flower bed groups. Karie asked for a match on flowers of \$50 from the City. Discussion ensues on not doing pickup door to door this year.

Council Projects/4th of July Update: Gary said the theme for the parade is "Land of the Free". So far, we are on track for the event. We still need donations.

Transportation Plan Update: Cathy reminds everyone that the CAC meeting is scheduled for May 20th at 7:00 pm. Kent won't be attending due to his wife JoAnn's surgery.

Menan Code Revisions: Cathy explains the Bill 2015-01 with regards to updating our Code to reflect Mayor and Council rather than Board of Trustees. Gary said he likes it. Kris said it has only what we need and had asked Cathy to add the extraterritorial powers to it.

Brian Storms made a motion to read Bill 2015-01 by title only. Kent Clark seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Brian Storms made a motion to suspend the rule of reading of Bill 2015-01 on three separate occasions. Kent Clark seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Cathy reads the title of the ordinance.

Brian Storms made a motion to pass Bill 2015-01 having been read by title only. Ed Watson seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Brian Storms made a motion to publish Bill 2015-01 by Summary only. Kent Clark seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Kris explains Bill 2015-2 modifying the litter ordinance because it should mirror state code with respects to penalties. Kris explains the changes.

Brian Storms made a motion to read Bill 2015-2 by title only. Gary Maples seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Brian Storms made a motion to suspend the rule of reading of Bill 2015-2 on three separate occasions. Gary Maples seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Cathy reads the title of the ordinance.

Brian Storms made a motion to pass Bill 2015-2 having been read by title only. Kent Clark seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Brian Storms made a motion to publish Bill 2015-2 by Summary only. Ed Watson seconded the motion. Roll call vote: Kent Clark – aye, Ed Watson – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Legislative Update/Cathy Harding: Cathy discusses the legislative updates that will become effective July 1, 2015 after the work done in this legislative session. She talks about how many bills went before the House and Senate this year and how many of them were tracked by the Association of Idaho Cities to protect our interests. Some of the bills passed this year included penalties for open meeting violations, retitle government laws into new

Title 74, Transportation funding, and misdemeanor reclassifications. Cathy explains how each of these bills affect us directly when it becomes law July 1st.

Pivot/Sprinkler Lease: Cathy explains that after numerous contacts with Diversified and Golden West to change the lease to be uniform throughout (the lease contradicted itself throughout) we have yet to get an answer back. She spoke with Rick at Golden West and he suggested calling the financial person through Diversified.

Bills: Gary asks Cathy what the 941 payment is. She explains that it is federal withholding, Social Security and Medicare taxes we are required to pay each payroll. Discussion ensues on publication costs and Cathy explains we have to publish the financial quarterly report within 30 days of the quarter ending.

Gary Maples made a motion to approve the bills as submitted. Kent Clark seconded the motion. Motion passed.

Treasurer's Report: Cathy asks if anyone has any questions on the financials she provided. Discussion ensues on it looking good and sitting in good financial shape.

Minutes:

Kent Clark made a motion to approve the minutes for the April 9, 2015 meeting. Ed Watson seconded the motion. Motion passed.

Kent Clark made a motion to enter into Executive Session per Idaho Code 67-2345 (f) Gary Maples seconded the motion. Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

**Enter Executive Session at 8:58 pm.
Potential Litigation**

Kent Clark made a motion to come out of executive session. Gary Maples seconded the motion. . Roll call vote: Ed Watson – aye, Kent Clark – aye, Gary Maples – aye, Brian Storms – aye. Motion carried.

Out of Executive Session at 9:45 pm.

Kent Clark made a motion to adjourn the meeting. Ed Watson seconded the motion. Motion carried.

Council meeting ends at 9:46 pm.



Cathy Harding, City Clerk/Treasurer