

**MINUTES OF THE  
City Council Meeting for the City of Menan held January 12, 2017.**

**Presiding:** Chauncey T. Haight, Mayor

**Present:** Chauncey T. Haight, Ron Jones, Noel Raymond, Brian Storms, Keith Nelson, Allyson Pettingill, Kris Meek, Matt Walker, Lt. Fullmer, Jeff Geisler, Jeff Otley & wife, Rick Gunderson, Karen South, Representative from ITD, and Tim Hale.

INCOME January 12, 2017 to February 16, 2017:

Sewer Payroll	3053.96
Garbage Payroll	124.76
City Building Rental	60.00
Dog tag license	10.00
December Property Taxes	44,123.79
Payment for Old City Building- Brian Storms	1000.00
Intermountain Gas Franchise Fee	4403.74
Building/Zoning Permit Application Fee	25.00
State of Idaho Highway Distribution	8700.72
State of Idaho Revenue Sharing	6190.98
General Fund Money Market Interest	2.94
General Fund Collateralized Money Market Interest	10.79
Sewer Fund Money Market Interest	3.29
Sewer Fund Collateralized Money Market Interest	1.11
Garbage Fund Money Market Interest	.41
LGIP State Pool (Sewer)-	24.89
	<b>TOTAL 67,736.38</b>

**Income from Sewer Account January: \$13,663.88**  
**Income from Garbage Account January: \$ 2291.00**

**Meeting called to order at 7:03 pm.**

**Pledge of Allegiance**

**Police Report:** Lt. Fullmer addresses the Council. He informs the Council that the report is from the dates 11/14/2016-12/16/2016. The Sheriff's Deputies logged in 74 hours on patrol with 1 arrest, 9 citations and 20 traffic stops. He proceeds to discuss the report and the separate incidents reported with the Mayor and Council. There is discussion of the Police Report. The Council thanks Lt. Fullmer and the Jefferson County Sheriff's Office.

**Presentation by Jefferson County Planning and Zoning:** Greg Otley from the Jefferson County Planning and Zoning addresses the Council. He expresses his concern over the confusion that there is no one certified as Inspectors at the County. He informs the Council that both he and Jeff are certified Inspectors and can take care of anything the City needs per the contract with the County. He then asks if the Council has any questions for him. The Council thanks Greg for coming out to the Meeting.

**Eclipse 2017- Elected Officials Meeting report:** Ron Jones reports to the Council on the meeting he attended with the Cities and Counties in the area about the Eclipse. They will be making a Type 3 Management Team and creating a regional plan. They will include Menan. He reports that the Team will need to know where the venues and meeting places will be in the area for Emergency Services. They will also need a 15 foot wide turnaround on the roads for the emergency vehicles if needed. The subject was also brought up that there might be the possibility of the National Guard called to protect the BLM property on the Buttes. The discussion turns to how the City could possibly make money to recoup costs for the Eclipse. The Council discusses several ideas. Rick Gunderson and Randy & Karen South address the Council about the plans they are making for the land they own

up on and around the South Butte. They discuss with the Council their ideas for parking, camping, vendors and souvenirs. They also express their desire to work with the City for the event. There is discussion of the event and what is being proposed. Ron Jones will head a Community committee to oversee what and how the City can do the things needed to prepare for this event. He will hold a meeting to start the process with the Community. There is also discussion of food booths and vendors on Saturday and Monday. Allyson states she has blocked off the Town Hall and the City Park for the weekend of August 18-21 as per instructed by the Mayor to ensure whatever the City may need or decide to do.

**Beer and Wine Ordinance:** Allyson starts by reminding the Council of the inconsistency in the Ordinance regarding Corporations to apply for a beer & Wine license that was discussed in October of last year. As it is the new year, there needs to be a change in the Ordinance that would make it possible for Valley Wide Coop to apply for the license each year. The wording refers to making sure that the applicant lives in Jefferson County and several other restrictions that make it hard for a corporation to apply. Kris makes the suggestion that the way to modify the statute is to say that the applicant has to provide a copy of the exact application that they submitted to the State. Then they must provide a copy of the State's approval since the State has an extremely stringent vetting process. This takes the pressure off of the City as the State will have completed the investigative process. The Council discusses Kris's suggestion and overwhelmingly agrees. He states that he will modify the Ordinance to read as suggested. He would also like to modify the way the fee reads. He would like it to read that the fee for that will be set by the Fee Schedule which is set by resolution. There is discussion on how much the fee can be set for on-site consumption of beer and wine. Kris will look it up and draft the changes needed.

**Beer and Wine License Renewal:** Allyson explains that Janice has brought her application for renewal and a copy of her County license. There is discussion of what has been received and what may still be needed. As per City Ordinance, they must supply a copy of the State license and proof of residency. There is discussion of how to process license without having to come to Council meeting again.

**Noel Raymond made a motion allow the City Clerk issue a Beer and Wine license Janice Voyles as long as all items in City Code 3-4-3 and 3-4-4 are compliant. When compliant, the City Clerk may issue license. Brian Storms seconds the motion. Motion Passes.**

**State Building Inspector- Possible Contract:** Kris reports he has reviewed the contract sent to him by Jeff Geisler and made the changes requested by the Council. The biggest question was office space if needed. It was discussed with Jeff and decided that if it is needed, he can jump on Matt's computer or Allyson can look up what is needed. The contract is discussed. Kris's biggest concern is on the Administrative end, having the forms needed and the proper stickers/official supplies. There is discussion of making sure all fees are paid and the best way to document that. The Council does decide that the best way to make sure all of the fees have been paid to the City is to have a joint sign off sheet with the State Building Inspector, that way the City can be assured all of the necessary fees have been taken care of before a certificate of occupancy is issued. That should be a part of the process. There is further discussion of lists and permits and where to keep them. Noel expresses his interest in a comparison of the fees between the County and the State. Kris informs him that at present the County P & Z keeps all of the revenue from the fees, other than the \$25.00 processing fee paid up front when the permit is brought into the City office. Under the State contract, the City will recoup 30% of the Building permit fees and the liability is the same, with other added benefits through the contacting with the State. There is discussion of the contract proposed.

**Keith Nelson moved to accept the State's proposal for Building Inspection subject to the changes that were requested by the City Attorney and give notice to the County of our termination of contract.**

Before accepting the motion, Noel asks if there is a need to add dates. Kris states that yes there do need to be dates involved so as to give time to give the 30 day termination notice to the County and then have the contract go into effect.

**Keith Nelson moves to revoke his motion.**

**Keith Nelson made a motion to accept the States proposal for Building Inspections to be effective February 15, 2017 and notify the County by January 16, 2017 of termination of contract. Noel Raymond seconded the motion. Motion carries.**

The Council asks Allyson to hand deliver the notice of termination to the Jefferson County P & Z office.

Kris has a slight side note. He has discovered that the City should be charging tax on the rentals of the Town Hall and the City Park. He asks Allyson to call the State Tax Commission about what we need to do to report the taxes and if we need to pay for 2016. He thinks it is a form 850. Allyson states she will call Joel and ask.

**Sewer Hookup Fees:** The Mayor presents the table showing all of the Cities in Southeast Idaho and their sewer hookup fees. The Council discusses the chart, hookups, and changing the amount of the City's fee. Mayor Haight points out that if the Council decides to raise the fee to \$5000.00, Menan will be tied with Victor as the highest hookup rate in the region. The Council discusses this issue. Kris states the changes he made to the current Ordinance regarding the sewer hookup rate. He states that he has worded it to read that the rate will reflect what the Council sets the Fee Schedule to be by resolution. The Mayor states his opinion is not for a large change. Kris reiterates that the way he has drawn up the change is to reflect the resolution the Council passes. There is then discussion of what is legally needed to raise the rate. Kris informs the Council that if the rate is raised more than 5%, the Council must hold a Public Hearing. There is discussion of this.

**Brian Storms made a motion to accept Bill 2017-1 an amendment to Title 5 Chapter 1 of City Code of the City of Menan a political subdivision of the State of Idaho to modify the Sewer connection fee. Ron Jones seconded the motion. Motion carries.**

Kris then states that there is a slight mistake on the Bill submitted, he will fix the issue and then email the correction to Allyson. The Mayor states that he will do his best to engage and inform the community of the Public Hearing.

**City Fee Schedule- Resolution:** The Council discusses the need to pass a Fee Schedule by Resolution. There is discussion of raising some of the fees on the current fee schedule. Noel proposes due to an aging sewer system, there is a need to raise the sewer hookup fee to \$5000.00 per having a Public Hearing to inform the residents of the proposed change. The Council discusses the income generated by raising the sewer hookup fee and also the monthly charge for the sewer. It is discussed that a Hearing must be held to raise either rate more than 5%. It is then discussed to give the public options at the proposed Hearing. For the Sewer hookup rate, there are three options, \$3000.00, \$5000.00, and \$7500.00. The three options discussed for the monthly sewer fee are a 1 ½%, 5%, and 10% potential fee hike. The Council discusses listening to the residents and hearing their feedback at the Hearing. The Council then discusses a possible date for the Public Hearing, February 23, 2017 is the date decided on. Allyson will publish the Hearing notice in the Jefferson Star.

**Brian Storms made a motion to amend the Agenda in order to discuss the intersection on Highway 48. Keith Nelson seconded the motion. Motion passes.**

**Highway 48 Intersection Update:** Noel briefly discusses the meeting he and Matt had with the ITD regarding the intersection of Menan Lorenzo Hwy and Hwy 48. The discussion was on what needs to happen to fix the curve per the Transportation Plan approved by the City of Menan. The Council discusses what needs to be done to be compliant with the approved Transportation plan. The Council addresses the Representative from the ITD with questions as to why change the curve. The ITD will gather some counts from cars in the affected area. That way the Council and the ITD will be able to make a more informed decision. There is discussion of where the counting boxes will be placed. There is then discussion of the funding and the timeline for the project.

**Market Street Sewer Hookups:** Allyson explains the situation. As per requested, she has looked to see if all of the homes in the Market Street Subdivision had paid the sewer hookup fees. She reports that there are hookup fees in the system, but the way they have been put in the system, it's not possible to determine which house paid. The Council discusses ways to solve that issue for the future. Allyson will find a way to correct the system so it can track the payments better.

**Meeting with the State Legislature- January 26, 2017:** Noel inquires if any of the other Council Members or Mayor Haight are planning to attend the meeting. He also would like to know if there are any questions anyone would like him to ask as he is planning on attending. The Council discusses the dates and if anyone else would be able to attend. Mayor Haight remarks it might be a possibility for him. Brian also states he also may be interested.

**Water Rights from Subdivided Property in the City:** Noel explains the concern he has with the loss of water rights due to the sale of property throughout the City. The canal company adopted a new bylaw stating that if the

owner is not using the water they can sell it to someone else. His concern is losing the water in the ditches that the City may need in the future as possibly an input of water for a future City water system. He asks Kris what can be done to stop that. Kris explains what the person to talk to would be Richard Warner. He knows all about the water rights. He then asks if there are any water rights being sold, does the City want any. He is attending the scheduled meeting to talk to the Canal Company about it. There is discussion of how to get in touch with Richard. Noel then asks if the City would be interested in purchasing any water rights. Keith replies it would depend on what happens with the property owned by the LDS Church and if the City were to acquire it. The Council discusses ground and surface water rights. Noel will get in touch with Richard Warner about the issue.

**Mosquito Abatement and Butte Landfill Fees:** Kris explains that both fees are a non-issue simply because there is no way of getting out of paying the fees. Both Districts were set up years ago and so they trump any other Districts set up after. The only way to get out of their District is to exempt you and they won't because they want your money, hence no way of getting out of paying the fees. Kris has explained he has looked into it extensively per previous Council, and there is nothing that can be done. The fee or tax has to be paid.

**P & Z Update:** Mayor Haight and Allyson explain that there was no P & Z Meeting due to lack of a Quorum. There was a resident that showed up to the meeting with a request for a variance. Those in attendance and the Mayor did offer advice on what he could do instead of the variance, since the code for a variance makes it almost impossible to have one granted. The resident's property abuts to City property, this brings about a discussion on City property on the edges of town and what to be done with it.

**Maintenance Update:** Matt asks the Council if they are interested in the kind discussed at previous meetings on the south side of town. Matt had the owner of the property ask if the City is interested. The Council discusses the option. They also discuss the price and how to pay for the land. It is decided to have Noel talk with the land owner and see what kind of price may be negotiated. The terms of what should be negotiated are discussed. Matt then mentions that he has been doing normal winter maintenance, plowing and sanding. He is finishing his end of the year sewer report. There is discussion of the roads and plowing. The Council then asks about the salt solution Matt has been applying. There is discussion of the salt solution on the roads. Ron asks the Council has any opposition to issuing the yearly Christmas bonus checks for the City Employees. It is discussed the checks were signed with the bills, this is just a way to keep the Council informed of the yearly practice of issuing the bonus. Ron wanted to keep the new Council informed. Kris mentions that is a Mayoral decision. There is no objection.

**Public Discussion:** The Council asks if there is any comments from those in attendance. There is no comment.

**Bills:** The Council looks over the bills. The Mayor asks if there are any questions.

**Ron Jones made a motion to pay the bills for January. Noel Raymond seconded the motion. Motion carries.**

**Treasure's Report:** Allyson explains that the City is taking the 3% increase every year. She explains further that the way to increase the income to the City would be through the levy rate on the taxable property in the City. There is discussion on the difference of income in raising the rate and how to raise it. Kris states that the rate is raised when the budget is approved and the Mayor and Council have the authority to raise it. There is discussion of a Public Hearing on the matter, Kris informs the Council that it can be addressed at the Hearing for the budget. The Council asks Allyson to look into how much it would effect a house at a \$100,000.00 value. Also a \$150,000.00. This is for the Council to know what the effect it will be on the residents. She will get the figures and report back.

**Keith Nelson made a motion to approve the Treasure's Report. Ron Jones seconded the motion. Motion passes.**

**Minutes: Noel Raymond made a motion to accept the minutes from the December 8, 2016 Council Meeting and the minutes of the Special Meeting held on December 13, 2016 as written. Ron Jones seconded the motion. Motion passes.**

**Ron Jones made a motion to adjourn the meeting. Keith Nelson seconded the motion. Motion carries.**

Council Meeting ended at 11:15 pm.

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Allyson Pettingill, City Clerk/Treasurer