

**MINUTES OF THE
City Council Meeting for the City of Menan held March 9, 2017.**

Presiding: Chauncey T. Haight, Mayor

Present: Chauncey T. Haight, Ron Jones, Noel Raymond, Brian Storms, Keith Nelson, Allyson Pettingill, Kris Meek, Matt Walker, Deputy Antonio Gonzales, Jeff Geisler, Wade & Sheree Peterson, Dana Izatt, Jolyn Haight, Becky Nelson, Brigham Nelson, Victor Cammans, and Tim Hale.

INCOME March 9, 2017 to April 13, 2017:

Sewer Payroll	5070.74
Garbage Payroll	124.76
Building Permit Application Fees	75.00
February Property Taxes	426.87
Town Hall Rental	150.00
Beer & Wine License Fee-Teton House	125.00
General Fund Money Market Interest	6.80
General Fund Collateralized Money Market Interest	10.45
Sewer Fund Money Market Interest	3.95
Sewer Fund Collateralized Money Market Interest	1.08
Garbage Fund Money Market Interest	.38
LGIP State Pool (Sewer)-	
	TOTAL
	5995.03

Income from Sewer Account March:	\$ 21,678.53
Income from Garbage Account March:	\$ 2612.20

Meeting called to order at 7:01 pm.

Pledge of Allegiance

Police Report: Deputy Gonzales addresses the Council. He informs the Council that the report is from the dates 1/14/2017-2/10/2017. The Sheriff's Deputies logged in 76 hours on patrol with 15 arrests, 18 complaints, 9 citations and 21 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 Mayor and Council ask if the burglaries on the report are just an issue in Menan, Dep. Gonzales informs them that the issue is County wide. There is concern with the 2 firearms reported missing in the City. There is discussion on this issue. The Council thanks Dep. Gonzales and the Jefferson County Sheriff's Office.

2015-2016 Audit: Dana Izatt from Searle Hart & Assoc. addresses the Mayor and Council. He would like to start with the Financial Report. He then explains the packet as the Council opens it. He then explains the letter he has included which is a clean opinion or a report of a good audit. Dana takes the Mayor and Council through the report. He further discusses the assets of each City account, General, Sewer, and Garbage. He then discusses the pension liability in Persi. The statement of activities is then discussed. He then discusses the depreciation of the City's assets. The Council listens as Dana explains the audit further. Noel asks Dana about the loss in the General fund. Dana explains that the General fund spent more than it made, but because of the budget process, it was budgeted that way. The Council discusses the audit. Keith asks Dana if his roll is mainly to go through the City's books and make sure the accounting of funds is in compliance, any questions on spending is for the Council to research by going through the financial records. Dana continues with discussion on the graph section of the report. There is further discussion of persi and pensions. The report continues with Dana explaining the budget of each account, what was budgeted and what was spent. There is discussion. Dana reports that his letter of report he writes every year he is included, reporting a clean audit other than the issue of the City office being understaffed, as it has been for the past years. His admonition is for the Council to be as involved as possible in all of the accounting processes to help Allyson and the City. He then discusses making sure all of the

IRS papers are in order, W4's etc. He then discusses the graphs and the trends shown. The Council discusses the funds in the General account and what needs to be looked at in the future to slow down spending and how to start budgeting more efficiently. The Mayor asks for a statement of general health in the General fund. Dana responds that for now the City is doing well, but if the trend of spending more than what the revenue is, the City will be in trouble in a few years. **There** is further discussion. The Mayor and Council thank Dana once again for his work and report.

Noel Raymond made a motion to accept the 2015-2016 Audit of the City of Menan as presented by Dana Izatt of Searle Hart & Assoc. Ron Jones seconded the motion. Motion passes.

The Council further discusses the audit. Keith asks if on next months Agenda the Council review past years budgets and financial records, going back 5 years. Allyson explains that the new computer and software go back as far as 2013, she can pull the reports going back that far. The discussion continues on budgeting in the general fund.

***Draft Development Agreement for Council:** Wade and Sheree Peterson address the Mayor and Council. They have brought a Draft Development Agreement as a proposal to the Council. They have been to the P&Z and the P&Z have sent it to the Council with their recommendation. It was decided that the property Wade and Sheree own does qualify for a Short Plat Application as laid out in the City Code. They had drawn up an agreement as per required in the Code. Discussion ensues. Victor verbally gives the P&Z recommendation that the proposal from Wade and Sheree is in compliance with the City Codes and Ordinances. The Council discusses further. Kris counsels the Council that what is being proposed is a conditional approval based on what is discovered in the official survey. Wade and Sheree are looking for the Council to give a conditional approval of going forward before they spend the money on the official survey. He further states that the agreement is such that the Council is stating it will approve the final plat with the condition the survey supports what is proposed and all of the City Codes are met.

Brian Storms made a motion to conditionally approve the subdivision application on the condition that Wade and Sheree Peterson will submit a final subdivision plat which is signed off by a professional land surveyor and meets the requirements of subsection (A) of Code 8-2-4. Noel Raymond seconded the motion. Motion carries.

Judiciary Review of Ordinances, Steve Jackson: Steve addresses the Council. He is concerned about the process in the City when nuisances are reported between residents. He would like clarification on the City Ordinances. He would like to know how the process might be able to protect residents from arbitrary complaints against them and the fines that follow. He is asking the Council if there is a way to have several members of the Council act as witnesses then report to the Mayor on whether or not there should be a report filed or not. Kris states that all complaints should go through the Sheriff's office. He further explains that the Deputies will do their job, they can decide when they arrive on scene whether or not a complaint should be filed depending on the evidence they see. If the complainant is adamant about filing a complaint, then Kris will look at the filing and if he can see problems or no reason to move forward, he can refuse to prosecute the offense. He goes on further to explain this alleviates the pressure on the Mayor and Council, they are not made out to be the bad guys to either party, and it also alleviates the potential issue of favoritism by the Mayor and Council. By letting a neutral third party mediate the issue, it will keep the community much calmer. He states he doesn't mind being the bad guy that is what he is there for. This process is also what the City pays the Sheriff's office for. There is discussion of this issue.

***Roles and Responsibilities:** Mayor Haight address the Council about what the Roles of the Council are vs. what the roles of the Planning and Zoning Commission are. He would like the Council to work with the Commission and not take on any of the responsibilities from the Commission. His push is to let the P&Z do their job and the Council do their own. He would also like to stick to the Agenda more during meetings. He worries that sometimes issues are discussed and the issue is talked around with no decisions made. The Council then discusses what is on the agenda and how to put enough details on each subject to discuss what is wanted to discuss legally. Kris suggests having everyone able to make changes or additions before Allyson posts the agenda or include the phrase "ancillary discussions of relating issues". Discussion ensues. Mayor Haight brings the point forward that when discussing an item and no decision is made the issue needs to be tabled and move on. It is then suggested that when tabling an item, make a motion and state in the motion what later date to discuss item again and if there is any further information needed to continue said discussion so it is on the record

and in the minutes. Keith asks what the steps are again. The choices are; table, motion, move on (item dies), and then reschedule to next agenda.

***Planning and Zoning Update:** Victor addresses the Council and asks first about written recommendation to Council. Allyson states she will get the forms to Victor so he has some on hand. Noel asks if Victor in writing the recommendations could quote the City Code which would either support the recommendation or the Code which would negate the proposed recommendation before the Council. The Council asks for as much detail as possible in recommendations for the Council. There is a discussion that ensues. There is discussion of the Comprehensive plan. The Council suggests having the P&Z look at the Comprehensive plan. Allyson informs the Council she is working with Jeff Geisler to create building permit applications with the information Jeff needs. She will have them ready for next P&Z meeting for review. There is a question about any current permits out in the City. She reports on the garage that was started without a permit being issued. The original contractor was fired and a new contractor is hired. Noel asks Victor how the P&Z determines what the property line is to measure the setbacks from. It is discussed that the drawing provided is what is referenced. Brian then states that if the line is disputed then a survey is required. There is a discussion. Brian makes the statement that is whatever structure is in noncompliance with the City's Codes, ie. setbacks, etc., the structure is torn down or taken out so as to comply with the Code. Kris agrees. That is the law. More discussion ensues.

* Allyson is asked to put on April's agenda the item Determination of legal property lines and who will be responsible to review where the property line is verified to be.

Ron Jones made a motion to amend the Agenda to include allowing discussing information about the solar eclipse in August. Noel Raymond seconded the motion. Motion passes.

Noel Raymond made a motion to have a recess for 5 minutes. Ron Jones seconded the motion. Motion carries.

Back in session at 9:18 pm.

Activities Updates- Easter, 4th of July and Eclipse: Mayor Haight starts by informing everyone that Alice Wilcox is in charge of the Easter activity this year. Allyson states that Alice has been bringing in donations already and has been getting all kinds of donations. Discussion ensues. Alice is doing a great job. The Mayor then turns to Victor to give an update on the 4th of July. He reports he has talked to a few of the residents living on 3550 E and asked their opinion on shutting down that road for the 4th. He is looking to possibly have a Harley Davidson show or car show or a tractor show. Possibly all three. The discussion turns to rerouting the power for the celebration as the vendor booths have to move to a new area. Matt talks about where and how he will reroute the power. Another discussion ensues. There is then discussion of the new layout for the vendors this year as the venue must be moved off of the LDS Church property. Victor mentions he has been in contact with Ben Burke who is the traffic engineer for the State of Idaho in regards to the traffic on the 4th and mentions it might be worth asking Ben about the Eclipse. He will pass the information on to Ron for the Eclipse. The discussion moves on to the eclipse. Ron then reports on the eclipse. He has set a Community Meeting for the 30th of March where Rebecca Squires will attend and let the community know what is coming, what is expected and what the residents can do during the eclipse. Kris asks Allyson to ask Rigby to share a copy of their Ordinance allowing camping on City property. He then asks to have a review of said Ordinance on next month's agenda. Ron goes on to discuss possibly offering camping on the City's spur streets and putting a sewer dump behind his house. The possible problem to accomplish these items is man power. He is also trying to find the ways the City will have the expenses covered. There is then discussion of renting vendor spaces. There is then discussion of the expenses and the amount of people expected to arrive. It is then mentioned signs of venues would be important. Ron would like to have the City determine prices and what will be offered, that way Rebecca can direct people Ron is going to get a committee going to find the manpower. The Council suggests that after conferring with the Committees for the eclipse, then Ron bring back the proposals of what they recommend and the Council will vote on it. There is more discussion. It is requested that this subject be put on the Agenda for April.

***Questions for the City Attorney:** Mayor Haight asks Kris about a 501(C) for the Activities Committee. Kris recommends that because of cost, legal issues, and paper work it isn't worth it. There is discussion of fundraising and raffling at the 4th of July celebration. He further states that for a once a year celebration it just isn't worth it. More discussion ensues. It is suggested finding another 501 (C) to handle the raffle for fireworks. Kris then states that on the agenda for April to annex the property owned by Becky and Greg Nelson that was annexed in last year but with the wrong legal description. He also informs the Council this is the only way to fix it and get it

right as he has talked to the Tax Commission. There is discussion of this. He further states it will be an easy fix, but has to be done.

Work Meetings- Reminder: This is just a reminder of the work meetings coming up. Noel asks how this will be handled. Brian asks to have a list sent out to all members so that everyone can research and study those to be worked on for the meeting and come prepared with knowing what needs to be done. It is agreed that at the meeting on March 23rd the Council will look at Title 1, Chapters 5, 6, & 7 in the City Codes. Kris recommends the Council refer to Idaho Code Title 50 which deals with municipalities if there are any questions on how to amend or fix these Codes. This Title has the laws of the city councils. He further states that by looking at the state website then looking at other city's codes the Council can amend and draft the codes as needed. After going through those three chapters, then the Council will make a list of the other Codes to go through in the next work meetings. There is further discussion. Noel asks if the date for April change from the 27th to the 20th. The Council agrees to change the date for the work meeting in April from the 27th to the 20th.

Public Discussion: There are no comments.

Maintenance Update: Matt reports that it is pretty slow. He is studying to take his test. He has fixed the tractor and it is up and running. He has been asked if the bathrooms at the park will be open and turned on for Easter, he states it depends on the weather. If it is warm enough not to freeze the pipes he will have the bathrooms open. Mayor Haight asks Matt if it would be possible to have the Council take a tour of the sewer lagoons, either as part of a Council meeting or a work meeting sometime. If any of the residents would like to attend to see the ponds they would be welcome to. Matt agrees to take anyone out anytime. There is discussion of the sewer ponds.

Bills: Ron Jones made a motion to pay the Bills for the City of Menan. Noel Raymond seconded the motion. Motion passes.

Treasurer's Report: Allyson explains that the levy rate in which the City levy's its property tax is a set formula that is regulated by the state. It has to do with the budget and property taxes. The City cannot raise the levy rate on its own. There is discussion of the levy rate and the L2 form that is filled out every year. There is then discussion of fees the City charges and how the City can increase its revenue. Allyson then explains she added new reports to the packets which show the amount spent in each account as of today's date and also the amount budgeted for the fiscal year in that account. The usual monthly report is included also. There is discussion of the budget reports and expenditures. Keith would like to limit the City's spending to about 2/3 of the actual budget per account so as to not spend over the revenues made for the year.

Minutes: Keith Nelson made a motion to accept the minutes as written from the February 16, 2017. Brian Storms seconded the motion. Motion passes.

Noel Raymond made a motion to adjourn the meeting. Ron Jones seconded the motion. Motion carries.

Council Meeting ended at 10:45 pm.

Allyson Pettingill, City Clerk/Treasurer