

**MINUTES OF THE
City Council Meeting for the City of Menan held May 11, 2023.**

Presiding: Mayor Chauncey Haight

Present: Mayor Chauncey Haight, Ron Jones, Amy Gahn, Troy Hanson, Ben Smith, Matt Walker, Kris Meek, Allyson Pettingill, Shirley Smith, Noel Raymond, Richard Ball, Gerald Brown, Danielle Andrew, Victor and Megan Cammans, Rand and Caroline Watson, Jessica Murdock, Chandra Day, Allen Fullmer, and Adam Clark.

INCOME: May 11, 2023 to June 8, 2023:

Sewer Payroll	4713.42
Garbage Payroll	124.76
Apr. 2023 Property Taxes	1346.83
Building Permit Application Fee	25.00
Pacific Recycling Check-Clean up day Metal	99.05
Town Hall Rental	75.00
City Park Shelter Rental	40.00
Motor Vehicle Fines	199.35
General Fund Money Market Interest	27.64
General Fund Collateralized Money Market Interest	18.65
Sewer Fund Money Market Interest	14.78
Sewer Fund Collateralized Money Market Interest	11.19
Garbage Fund Money Market Interest	2.40
LGIP State Pool	2.53
TOTAL	\$6,700.60

Income from Sewer Account Jun.:	\$19,272.18
Income from Garbage Account Jun.:	\$ 3,869.00

Meeting called to order at 7:00 pm.

Meeting starts with the Pledge of Allegiance.

Law Enforcement Report: Law Enforcement Report is postponed until a representative from the Sheriff's Office is present.

Discussion of Anderson Conditional Use Permit Application, RV Park: Mayor Haight asks if anyone in attendance has any questions or needs any information on what the Public Hearing for the Anderson Conditional Use Permit regarding a RV Park is. No one has any questions or comments.

Ron Jones made the motion to enter into a Public Hearing. Amy Gahn seconded the motion. Motion passed.

Enter Public Hearing at 7:04 pm.

Mayor Haight welcomes everyone and goes over the procedure for the Hearing. He explains that the Andersons will have time to present their proposal. If they choose to answer any questions, they may. After their presentation, the Mayor will ask those who have signed the appropriate sheets of in Favor of, Neutral to, or Opposed to, to speak. Each speaker will have three minutes to express their opinion. He also states that if any would like to speak, they must sign the appropriate sheet with their name and address.

Justin and Alysha present their proposal. They pass out packets and pictures. They state they will mimic the landscaping already in Menan. There is discussion of the amount of pads allowed. There is discussion of a park area. There is discussion of a privacy fence along the side of the property that borders residential property.

There is discussion of development and what can be put on the property. There is discussion of a turn around on the north side so the traffic would not exit onto 665 N. Ron asks about sewer and water. Justin states that the site would average about 25 gallons per day per unit. There will be no on site manager. There will be a manager on call close by and maintenance and landscaping would be taken care of. There is discussion of the code requiring the hook ups of the sewer as improving the property, which would be costly. There is discussion of the attaching to the sewer. There is discussion of advertising. There is discussion of how to enforce the issue of overstaying without a RV ordinance. Discussion of a 6-7-month season. Discussion of contracts being on a month to month basis. Discussion of how to police, possibly someone in administration to police. Discussion of if City cares how long people can stay. Discussion of including 30 days as longest stay. There is discussion of what is in the rules packet passed out by the Anderson's. There is discussion of how to evict if there is overstaying. Matt is asked if the sewer can handle the addition of the RV park. He says it can.

Mayor Haight starts the public input process.

In Favor Of:

A letter from Jon South is read into the Hearing.

Neutral to:

Danielle Andrew: Danielle states that she is torn on the subject. She states that it's the Andersons risk to undertake the project and make the property nice. She is afraid that if it doesn't go well, they will leave and the property will be left. She also states that she doesn't think it's the best location, especially with the school nearby. She is concerned with not being able to see who is staying there, for safety reasons. She doesn't think it is the best place for an RV Park.

Victor Cammans: Victor states he is more for it, as he sees it as the best place in the City for an RV Park. He also states he thinks it would be a great place for families to stay, if visiting. He thinks it would be better than the weeds that are there now.

Allen Fullmer: Allen states he is not opposed, but he would suggest looking at an ordinance before approval. He states that the RV Park in Rigby is a nice park, but people are staying longer than allowed and the ordinance there is not helping. He also states that parks have problems getting people to leave, he would again suggest an ordinance with teeth to enforce the laws and rules. He also would suggest conditions on the age of the trailer/ motorhome. He states the City should seek guidance with an ordinance.

Opposed to:

Gerald Brown: Gerald states that the concern at the P&Z Hearing was to put into place policy that would address overstaying and those that wont leave. He then states that there are issues in other states of not being able to put a policy in place guaranteeing no overstaying. In some instances, it can take up to 2 years to remove someone. He also states it would be good to see something done on the property, but he wonders what would attract people to Menan. He is concerned who the clientele would be, as it is so close to the school. He does question the location. He states there may be too many unknowns.

Rand Watson: Rand states that he is against the CUP and agrees with the concerns mentioned. He also states that he doesn't know how it has gotten this far as it isn't ½ acres for each RV. He is concerned with how it will look as the City aesthetic can't be mimicked as there are no other trailers. He also doesn't agree with giving a discount on the sewer hook up fee and monthly EQU fees as residents with small families pay the full amount.

Caroline Watson: Caroline states she is against. She states that she agrees with everything that has already been said.

Jessica Murdock: Jessica states that she agrees with all of the comments. She states that she has researched RV parks online and found groups that suggest living at RV parks as it is cheaper than rent. She states that there are many drawbacks and she checked the Comprehensive Plan and couldn't find anything that would mesh with an RV park. She then stated one of her main concerns is the RV park would be at the west entrance into town and it may not be the best sight. She is also concerned that it will become another trailer park. She then states that she just built a house and spent full price on the sewer hook up fees, and doesn't think it is fair to give a

discount on the hook up to the sewer. She is also concerned with more traffic on the corner of 3500 E and Menan Lorenzo Hwy.

Chandra Day: Chandra states she lives next door to the proposed RV Park. She states that her biggest concern is the length of time allowed to stay. She then states that she believes there need to be rules and laws in place before moving forward. She would like to see an ordinance set. She also states she doesn't want 15 new neighbors that never leave. She is concerned it will become a trailer park as well. She again stresses the need for rules and stipulations before moving forward.

Gerald asks if he can make one more comment. He states he would like to see if there is a way of asking about criminal history or background checks because the school is so close.

Justin and Alysha are allowed to offer a rebuttal.

Rebuttal: Justin states that there is a difference between a Macro and a Micro RV park. He states that a micro park is easier to control and maintain, and this would be a micro park. Alysha states she will review the suggestions for adding questions regarding safety. They state they will work with the City to find fair pricing for the sewer hook up. Justin then says that as the zone for the park is Light Industrial, the ½ acre lot sizing doesn't apply. They then address the demographics of the percentages of those using RV parks and why Menan is a perfect place for a small park. They state that as people are driving through Jefferson County trying to get to the many attractions nearby, like Yellowstone, they are in need of places to stay. Alysha then states that the trend is changing to more out of the way spots that are quieter and more rural. They then state that all of the issues raised can be addressed in the conditions placed in the CUP. There is discussion of sewer dump and tanks. They address the willingness to enforce the permit if someone is paying but wont leave when their time is up. They state they have several rental properties they own and manage and have experience of how to evict and enforce. Troy brings up laws protecting renters and what their experience is in the timeline of eviction. There is discyssion of the law and how to evict. There is discussion of 30 day tenancy. There is discussion of being able to pull the CUP if there is a violation. There is discussion of Idaho law regarding RV Parks and tenancy.

Mayor Haight asks if there are any questions before closing the Hearing.

Ron Jones made a motion to close the Public Hearing. Troy Hanson seconded the motion. Motion passed.

Exit Public Hearing at 8:16 pm.

The P&Z recommendation is read into the record. The recommendation states that the P&Z Commission recommend a denial of the Conditional Use Permit as there were so many residents against the CUP and there were too many unanswered legal issues to move forward. Ron states that the Council needs to either look at putting together an ordinance or start putting together the conditions for the permit. It is discovered that the letters submitted by residents not in attendance were not read into the record during the Public Hearing.

Ron Jones made a motion to reopen the Public Hearing. Amy seconded the motion.

Re-enter Public Hearing at 8:20 pm.

The letters submitted are all against. (all letters are attached to the paper minutes on file)

Keith and Lisa Ewell: Against

Marilyn Nielson: Doesn't support

Val and Kathryn Jones: Against

Greg Vansteenkiste: Against

Jack Reinwand: Against

Linda Reinwand: Against

Rebuttal: Justin states that with the letters and the public in attendance, the opinions expressed are still 1% of the residents against. He then states that no one wants to be limited as to how their property is used as we live in a free country. People shouldn't be able to tell others what can be done on their property, especially if allowed legally. He also states that the proposed project is a small park, not a large one.

Troy Hanson made a motion to exit the Public Hearing. Ben Smith seconded the motion. Motion carried.

Exit Public Hearing at 8:31 pm.

The Council discusses the issue. Amy asks Allen what the eviction process is in Rigby. He states that he has gone out to Squealers for non-payment evictions. Ben states he has questions and concerns. He states he has concerns about kids and thinks there needs to be remedies. He asks if possible to do background checks. There is discussion of this. No way to do background checks. There is discussion of the path forward. The Council needs to work on stipulations and conditions. There is discussion of a work meeting to work through some of the concerns and questions. There is discussion of whether Light Industrial can grant a CUP for a RV Park. There is discussion of the Land Use Table and 7-3-5 (C). In the Land Use Table, an RV Park is allowed with a CUP. Discussion of what is legal and what can go forward. Kris advises that the code doesn't authorize if approved and the P&Z recommends against it. There is discussion of whether it fits with the Comprehensive Plan.

Ron Jones made a motion to take the issue under advisement for 60 days. Troy Hanson seconded the motion. Roll call vote: Troy Hanson- aye; Ben Smith-aye; Ron Jones-aye; Amy Gahn-nay. Motion passed.

It is decided to have a work meeting to discuss the issue on May 25, 2023, at 7:00 pm at the city building.

P&Z Update: Danielle reports to the Council. She states that other than the Public Hearing, not much else was discussed as they ran out of time. They did discuss roads and what Noel found in the code regarding roads and designations. There is discussion of this.

Discussion of Procedure for Plat/Subdivision Hearing-Action: Discussion of Plat submitted for The Buttes subdivision. There is discussion of letting the applicant know that the Plat is not complete and not per code.

Discussion of Roads, Ordinances, & Agreement: Noel addresses the Council. He states that after looking at the proposed AOI draft with the County, he would recommend requiring the County to follow the road grid. He also states that this would solve the problem of building permits being allowed where a street would go. He also states that he doesn't think that Public Hearings are scheduled right, as the reviewing body needs to be able to review the applications before the meeting. There is discussion of enduring the pushback of requiring things in the code without caving. He then states that the P&Z needs help, not an administrator. There is discussion of this. He then states that the City should put Long Island Irrigation on notice that the headgate by the Gahn property needs to be moved when the time comes as it is right in the middle of where 3600 E should continue south. He also states that the P&Z and Council should be putting together a list of items in the code that either don't mesh or don't work so they can fix them. He then states that development is coming, and the city needs to decide where the roads will go. There is discussion of this.

County Area of Impact Agreement-Action: Kris states that he is still working on it and the ball is in the County's court.

Personnel Policy Discussion-Action: Amy states she has no updates.

Public Discussion: Rand states he is concerned about some of the properties in the city needing to be cleaned up. He is concerned about the tires on the Gunderson property, they need to be removed from town. He is concerned about the old Menan Produce building and having that building conform as there was a change in use. He also states that the Council needs to take the residents into account when making decisions, not just personal opinion, he doesn't see how the Council can approve of things when residents are against it. Mayor Haight addresses the Menan Produce building issue and states that the City has talked to Justin about it. Justin addresses the issue of how the building has been used and is being used. He states that he has followed the code and that the work done had the state permits for what was needed. There is discussion of this. Victor asks about the car show on the 4th of July. He states that they would like to have a coffee trailer at the breakfast.

There is discussion of this and how the City doesn't want to split the booths into two areas and have to work between two places. There is discussion. Cup o Bliss will just be at the breakfast serving coffee and hot chocolate. There is a comment about the new stop sign needing signs alerting drivers that its is there. Danielle defends the City, Council, and P&Z stating they are doing a great job.

Maintenance Update: Matt addresses the Council and states he put the stop signs up at the 3565 E & 665 N intersection. There is discussion of this. He states that the Christmas lights are still up because the bucket truck is broken and he can't get them down without it. There is discussion of this. There is discussion of the sewer dump at the lagoons and how Matt is still working on it. He is still working on the potholes and is talking to the county to see if we can pay them to do it, they have better equipment. There is discussion of city clean up day. There is discussion of the new hires for the summer.

Treasurers Report-Action: There is discussion of the financials provided.

Amy Gahn made a motion to accept the Treasurer's Report. Troy Hanson seconded the motion. Motion passed.

Bills-Action: There is discussion of the bills from last month.

Ron Jones made a motion to accept and pay the bills. Amy Gahn seconded the motion. Motion passed.

Minutes: There is discussion of the minutes from last meeting.

Troy Hanson made a motion to accept the minutes from the Apr. 13, 2023 meeting. Ben Smith seconded the motion. Motion carried.

Ron Jones made a motion to adjourn. Ben Smith seconded the motion. Motion carried.

Council Meeting ended at 10:13 pm.

Allyson Pettingill,
City Clerk/Treasurer