

# City Council Minutes

## December 8, 2008



Meeting started at 7:05 pm

Mayor Rex Jardine; Councilmen: Orville Armstrong (at 7:12), Tom Abbott, Tiera Ball, Deck Green; Clerk: Lyndsey Anderson; Planning Consultant: Jan Gallup and spouse Tom Gallup; Community: Billy Cutler, Bob Foster.

- Minutes from last meeting reviewed:
  - **Ball moves to accept minutes from the November 10<sup>th</sup> meeting as written. Seconded. All in favor: aye, aye, aye, aye, and aye. Motion carried.**
  - **Ball moves to accept minutes from the November 20<sup>th</sup> special meeting as written. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- November claims & revenues are reviewed & discussed:
  - **Ball moves to accept November's claims & revenues including property taxes as presented & written. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- **ANNEXATION - THREE PARCELS INTO THE CITY OF TETONIA: PARCEL 1 LEADERSHIP SYSTEMS INC. – PROPOSED ZONE C3; PARCEL 2 PALISADES PROPERTIES LLC – PROPOSED ZONE R2; PARCEL 3 WILLIAM CUTLER III – PROPOSED ZONE C3**
  - Bob Foster Questions:
    - This is already Developed Property, how is this handled? – **Gallup** – *Existing buildings will be grandfathered in but any improvements or anything new will have to follow current ordinances & procedures.*
    - The Zoning of C3 will not cover what is currently on the property? – **Gallup** – *Existing will be grandfathered in and C3 will work; anything new will need to follow the C3 zoning and the current ordinances.*
    - Well on property is for the pond and irrigation. – **Jardine** – *We have a letter from the IDWR that says that it can be used for the pond only no irrigation. We have to follow what IDWR says.* – **Armstrong** – *All residences had to turn their wells over to the city when they were annexed in. MUCH DISCUSSION*
    - What is the status on the building permit on file? – **Gallup** – *The city can not provide a building permit at this time or before because you are not within city limits. You will need to resubmit it under the new guidelines but we can put the fee that you have already placed towards your new application.*
    - I think you have problems and I'm willing to pursue it and you better have deep pockets. – **Jardine** – *I don't know what to say. The city*

*dropped the ball; if you don't want to annex at this time the choice is yours. If you don't then it will be your own ball.*

- We'll let the annex and figure out the building permit after words. – **Jardine** – *We can't go against the ordinances now, even if the city did in the past.*
- I've been held up for 2 building seasons and it's cost me a lot of money. And this is unacceptable behavior.
- Jardine – Are all your questions answered? Sorry it's taken so long; it's hard to right wrongs. – Foster – I will sign the agreement and get it to you with both signatures tomorrow.
- **Green moves to suspend the rules and wave the three readings. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Ball reads Ordinance 2008-9 Annexation of three parcels into the City of Tetonia: Parcel 1 Leadership Systems INC. - Zone C3; Parcel 2 Palisades Properties LLC – Zone R2; Parcel 3 William Cutler III – Zone C3.
- **Green moves to reinstate the rules. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- **Ball moves to adopt Ordinance 2008-9 Annexation of three parcels into the City of Tetonia: Parcel 1 Leadership Systems INC. - Zone C3; Parcel 2 Palisades Properties LLC – Zone R2; Parcel 3 William Cutler III – Zone C3. Seconded. Roll call vote: Ball - aye, Armstrong - aye, Abbott - aye, Green - aye. Motion carried.**
- Gallup – I'll see if Joette wants to publish the ordinance in full or if a summary will work. This will be published, sent to the county, and sent to the Idaho Tax Commission. The ordinance is official after all this is done and 30 days after publication.
- Planning Office Business, Jan Gallup:
  - Impact Area - I'm giving them until the New Year before we move to a Committee of 9 because they are dragging their feet.
  - P&Z will be taking Title 9 Chapter 10 Article 3 Scenic Corridor & Natural Open Space & a proposed Tetonia Zoning Map to a Public Hearing on January 5<sup>th</sup>. They have already accepted Tetonia's Scenic Corridor & Natural Open Space Plan.
  - Jardine – Should the P&Z present it to us before they take it to a public hearing? – **Gallup** – *No, it's illegal. You will have your turn after the P&Z.*
  - Jardine – Are you willing to stay on with us? – **Gallup** – *Yes.* – **Jardine** – *We appreciate all your help; one of the best things Joette did for us.*
- City Attorney Update:
  - Two candidates for the job: Bart Birch & Herbert J. Heimerl.
  - Jardine - Heimerl is asking more then what we can afford and Birch is asking for what we can afford. What do you all think . . .
  - Ball – I've always respected Bart Birch and know he respects the rules and the municipal code.
  - Abbott – Birch seems the one to go with.

- Green – I’ve worked with him and feel comfortable.
- Armstrong – I don’t know him, but he’s local so I’m okay.
- **Ball moves to extend an offer to Bart Birch to be Tetonia’s City Attorney. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Bathroom Addition Bids:
  - Anderson – I’ve typed these up so that they are anonymous. So you don’t judge the bid by the name only.
  - Jardine – The carpet is out of date, I’ve had Sam Hatch give us a bid for \$600 (same stuff that he did for the courthouse).
  - Council reviews & discusses bids (1, 2, & 3).
  - Ball - Bid #3 gives us the best idea for the whole cost of the project - \$13,000.
  - Ball – Would we meet the alley setbacks? – **Anderson** – *Look in your books. All the ordinances & codes are in there. What you knew from the past might have changed. Just some advice.*
  - Jardine – We will need to apply for a building permit.
  - Green – No matter what, this building still needs a bathroom even if it becomes a city shop later on.
  - Council makes their picks:
    - Green – Bid #3
    - Ball – Bid #3
    - Abbott – Bid #3, if windows aren’t that big of deal.
    - Armstrong – Bid #3, are they all insured? We need to make sure this one is insured.
  - Jardine – We will need to open the budget to cover this and the water study so we will do it at the same time.
  - Anderson states the Bids:
    - Bid #1 – AAA+ Construction
    - Bid #2 – Beard Building
    - Bid #3 – Lagana Construction (Mike Weaver)
  - **Abbott moves to accept Bid #3 from Lagana Construction Company for the addition of the bathroom pending proof of Licenses & insurance. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Street Signs:
  - Anderson – We need to order new street name signs for the two new streets in town: Elderberry Ave & Jorgensen St; along with the most needed that are missing around town.
  - Green – Elderberry? – **Anderson** – *I wanted Dam Ave but it wasn’t allowed.*
  - Ball – Could we get a Grant? – **Jardine** – *We did that application for the Transportation Grant.*
  - **Ball moves to table the street sign issue until we find out about the Grant. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- City Banking:
  - Jardine – Just so you are aware, we are switching to the Bank of Commerce for all our banking needs starting in December.

- Variance for Lynda Olesen:
  - Anderson – The P&Z are notifying you that they have granted Lynda Olesen a setback variance because it meets the existing structures setbacks.
  - Jardine – the P&Z don't have the authority to grant anything.
  - Anderson – It's in your books under Title 9 Chapter 8. The P&Z followed what the ordinances said. They made sure that they didn't go against our Codes. They followed the rules correctly.
  - Jardine – Title 50 says that the P&Z don't have final approval on anything.
  - Anderson – Jan and them discussed it, read Title 9 Chapter 8, and made sure they were following our rules. I'm sure Jan didn't put something in here that wasn't allowed. I can look it up to make sure if you would like.
- **Ball moves to adjourn meeting. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**

Meeting closed at 9:43 pm

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Mayor, Rex Jardine

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Date

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Clerk/Treasurer, Lyndsey L. Anderson

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Date