

City Council Minutes

November 10, 2008



Meeting started at 7:08 pm

Mayor Rex Jardine; Councilmen: Orville Armstrong, Tiera Ball, Deck Green. Clerk: Lyndsey Anderson; City Attorney: Joette Lookabaugh and spouse Steve Lookabaugh. Community: Tom Abbott; and Lisa (TVN).

- **Ball moves to amend agenda to add, remove, or shift items as needed during the meeting. Seconded. All in favor: aye, aye, and aye. Motion carried.**
- Jardine calls for Pledge of Allegiance
- Jardine presents a name for empty City Council seat: **Tom Abbott**
 - **Green moves to accept Tom Abbott as the new City Councilmen. Seconded. All in favor: aye, aye, and aye. Motion carried.**
 - Tomas Abbott sworn into office by city clerk Lyndsey Anderson.
 - Abbott takes his place on the bench
- Jardine mentions that all four council positions will be up next year for reelection.
 - Armstrong mentions that he might not run next year.
- Minutes from last meeting reviewed:
 - **Ball moves to accept minutes from the October 13th meeting & public hearing as written. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
 - **Green moves to accept minutes from the October 20th special meeting as written. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Consider Annexation of three parcels into the City of Teton as Recommended by the Teton P&Z (including Facts & Findings from P&Z):
 - Parcel 1 Leadership Systems – proposed zone C3 (Bob Foster, Teton Mt. View Lodge & RV Park); Parcel 2 Palisades Properties LLC – proposed zone R2 (between Crestview Ln. and Lumber Yard); Parcel 3 Billy Cutler III – proposed zone C3 (Lumber Yard).
 - Anderson reads & presents P&Z's *Findings and Report of Action* (Oct. 23, 2008) for annexation:
 - **P&Z Findings and Report of Action (October 23, 2008)**
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
 - *Ordinances and Standards Used in Evaluating the Application/Annexation:*
 - Parcel 1: Leadership Systems Inc. – Proposed Zone C3:

- The annexation is compatible with the 2008 Tetonia Comprehensive Plan as listed below:
 - Conforms to Land Use Map
 - Facilitates proactive growth
 - Occurs in an area that establishes commercial use
 - Meets economic development of city & scope
 - Provides a C3 zone that the city doesn't have anywhere else in town
 - Comes into compliance with city zoning
- Parcel 2: Palisades Properties LLC – Proposed Zone R2:
 - The annexation is compatible with the 2008 Tetonia Comprehensive Plan as listed below:
 - Impact on residential along Crestview Lane is minimal.
 - Encourage varied types of housing to meet the needs of a growing population.
 - First annexation request was for R2 zoning.
- Parcel 3: William Cutler III – Proposed Zone C3:
 - The annexation is compatible with the 2008 Tetonia Comprehensive Plan as listed below:
 - Creates another C3 zone for further development within the city.
 - Conforms to Land Use Map.
 - Facilitates economic growth within the city.
 - First annexation request was for C3 zoning.
 - *Approved by P&Z with conditions:*
 - Each parcel owner accepts the annexation agreement approved October 23, 2008.
- Annexation Agreement looked over and discussed:
 - Ball – We need an appropriate Notarization page
 - Armstrong – What about Foster's new well?
 - Lookabaugh – Agreement reads that any well that is not culinary is okay.
 - Jardine – I don't think they can have any wells within city limits.
 - Lookabaugh – I wanted to make this Annexation Agreement specific to all three. The Development Agreement will be more specific to each individually.
 - Jardine – Isn't this Agreement like a Development Agreement?
 - Lookabaugh – No, an Annexation Agreement is just allowing them into the city. A Development Agreement is more specific and detailed.
 - Jardine – Lets make sure we have to right names for the signatures
 - Ball asks to review P&Z's Public Hearing minutes from October 6, 2008
 - Armstrong – Foster's property lists land that has already been annexed
 - Lookabaugh – Jan included the property as a whole so that the zoning would be correctly placed and so that we could refer to it as a whole.

- **Green moves to follow P&Z's Findings and send the Annexation Agreements to the three parcel owners. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- **Ball moves to send out the Annexation Agreements after some legal clarifications on the notarized part is amended and after proper documentation is ready for Parcels 2 & 3. Parcel 1 to be sent out after more clarification is done on the well. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- **Wastewater Revenue Bond Canvassing of Ballots & Resolution 2008-12:**
 - Jardine reads *Return of Judges & Clerks* document for the Wastewater Revenue Bond:
 - Yes – 73; No – 32; Total Ballots received/cast – 105
 - Anderson explains ballot breakdown:
 - Voters Eligible – 138
 - Ballots Used – 116
 - Ballots Not Returned – 7
 - Ballots Spoiled – 4
 - Ballots Received/Cast – 105 (yes – 73; no – 32)
 - Voter Turnout – $105/138 = \underline{76\%}$
 - Anderson – We had a very good turn out, by around 9:00 am we were already around 71 ballots handed out. I think we had such a good turn out because we were able to have it in the same building as the General Elections and were stationed right after the General Election ballot hand out table. Voters went from that table to ours (when asked if they were within city limits) and then on to vote. It worked out great.
 - **Ball moves to accept Canvassing of Ballots. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
 - **Resolution 2008-12**
 - Canvassing of Ballots
 - Jardine reads aloud one time
 - **Ball moves to adopt Resolution 2008-12 Canvassing of Ballots as written. Seconded. Roll call vote: Green – aye, Ball – aye, Armstrong – aye, Abbott – aye. Motion carried.**
- **City Attorney Update:**
 - Jardine congratulates Lookabaugh on winning Fremont Counties Prosecuting Attorney position.
 - Lookabaugh states that she will be taking that office in January 2009 and would like to be finished here as soon as possible, so the city needs to be looking for a new city attorney.
 - Jardine states that we are currently looking for a new city attorney.
- **Resolution 2008-13**
 - Wastewater Rate Chart & Federal EDU Schedule

- Ball moves to suspend rules and read by title only one time. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.
- Jardine reads Resolution 2008-13 by title only aloud one time
- Discussion:
 - Jardine – Green brought this up and I feel that if we are allowing some to be seasonal then we should allow everyone to be seasonal.
 - Green – Didn't we decide that the RV Park wasn't seasonal?
 - Ball – yes
 - Jardine – Lyndsey, didn't you have the RV Park as seasonal?
 - Anderson – When I first presented the rates I did have them as seasonal, but you all along with Ted Hendricks decided to change them to full due to the meter usage.
 - Green – I felt like we went through the rates really thorough
 - Ball – I agree; we really discussed this in depth.
- **Ball moves to adopt Resolution 2008-13 Wastewater Rate Chart & Federal EDU Schedule as written. Seconded. Roll call vote: Green – aye, Armstrong – aye, Ball – aye, Abbott – aye. Motion carried.**
- October claims & revenues are reviewed & discussed:
 - Revenue:
 - Ball – What is this \$35 Mechanical bill from Jan Beard?
 - Anderson – That would be Jason Letham (building inspector) & my fault. When Letham gave me the fees for her Building Permit he forgot to add the mechanical final. He remembered when he returned from his trip.
 - Claims:
 - Anderson – If you will notice, we had a lot of yearly contracts and dues due this month due to the beginning of the new fiscal year.
 - Council okays – Election Poll workers pay; Food bill for Election; and Denning Well & Schiess bills for sewer project.
 - Schiess bill for the Water Study (75%) will have to wait until after FY2009 budget is reopened.
 - **Ball moves to accept October's claims & revenues as presented & written. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Bathroom addition for City Hall:
 - Jardine – If we start charging the Fire Station w/s then they probably won't let us use their bathroom. I think the cost might be around \$4-5,000 for the building part.
 - Ball – Do you think there might be a public grant for these things?
 - Jardine – Don't know
 - Robison – Does it have to be ADA?
 - Green – Yes
 - Armstrong – Does it have to have Federal Funding?
 - Jardine – No, because we already have the funds.
 - Jardine – I'm not sure whether or not we have to have a Public Works Permit

- Council reviews plans that were drawn up awhile ago
- **Green moves to put the bathroom plans up and see what bids would come in at. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Annual Road & Street Report:
 - Anderson – I’ve actually already mailed this in. I didn’t realize until after that it had to be approved by the council and then published once in the paper (sometime January 1-15). So we get to do this backwards.
 - Jardine – I don’t think we have even seen this in the previous years.
 - Council reviews
 - **Ball moves to approve the FY2008 Annual Road & Street Report as written; to publish it in the paper; and to send it (sent 2 wks ago) in. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Holiday Gifts:
 - Ball – Didn’t last year, the city council received a Christmas turkey or ham?
 - Jardine – Last year we gave them \$25. Usually the Council doesn’t get for anything for Thanksgiving but it’s up to the council.
 - Ball – I would say giving a ham or turkey to the P&Z for Christmas since they don’t get paid.
 - More discussion
 - **Green moves to give the Mayor the authorization to get Thanksgiving gifts for the employees as he see’s fit. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**
- Liquor Licenses:
 - Dave’s Pubb would like to stay open till 2 am. Not serve until then but let people finish what they have.
 - Ball – It’s a State Statue: no open containers on the counter after 1:30 am; so we can’t do anything.
 - **Ball moves to accept and approve a 2009 Liquor License Permit for Dave’s Pubb, Classic Stop, and North End Bar & Grill (if they meet all requirements) once their fee is paid. Seconded. All in favor: aye, aye, aye, and aye.**
- **Ball moves to adjourn meeting. Seconded. All in favor: aye, aye, aye, and aye. Motion carried.**

Meeting closed at 9:01 pm

Mayor, Rex Jardine

Date

Clerk/Treasurer, Lyndsey L. Anderson

Date