

City Council Minutes

Regular Meeting

January 10, 2011



Regular meeting opened at 7:00 p.m.

Pledge of Allegiance with roll call by City Clerk Lenz

Mayor: Rex Jardine; Council President: Matt Berry; Councilmember: Tom Abbott, Tiera Ball, Bucky Matkin; Bart Birch, City Attorney; Citizens: see sign-in sheet.

Consent Agenda

- **Amend Agenda** according to IC 67-2343:
 - **No action.**
- **Minutes:**
 - December 13, 2010, Regular Meeting
 - **Berry moved to accept the minutes as presented. Ball seconded. Motion carried unanimously.**
- **December Claims and Revenue**
 - **Berry moved to accept claims as presented. Matkin seconded. Motion carried unanimously.**
 - **Ball moved to accept revenue as presented. Berry seconded. Motion carried unanimously.**
 - Water/Sewer Delinquencies reviewed by account number only.
 - Request by account holder [POA] to not abandon # 02-0010 was brought before the Council. After discussion, Council stipulated that POA be requested to attend a pre-termination hearing prior to the Council's February meeting.

Old Business

- **Egbert Lawsuit**
 - Attorney Birch reported on the hearing held December 17, 2010. Judge Darren Simpson took the four Teton residents' intervention request, presented by VARD attorney Anna Trentadue, 'under advisement' pending a decision by the Idaho Supreme Court in *City of Shelley vs. Lynch*
 - Birch noted that judicial review of council decisions is typically required within 28 days of approval. He also noted that Idaho State law does not currently have a provision for review of annexations. Without a stated time-line, Birch expressed concern that a challenge after an extended length of time, such as one-year, may be construed as being prejudicial
 - No action taken.

New Business

- **City Attorney Contract Renewal**
 - **Berry moved to approve the 2011 City Attorney contract with Barton Birch and the law firm Thompson Smith Woolf Anderson, PLLC. Ball seconded. Motion carried unanimously.**
- **Planning Consultant Contract Renewal**
 - **Ball moved to approve the 2011 Planning Consultant contract with Janet Gallup [DBA Planning Concepts]. Berry seconded.** Discussion: One change was noted from the 2010 contract. Under I. Scope of Work A. Land Use Applications, "Assist applicants with land use applications," is not in the new 2011 contract. **Question Called: Motion carried unanimously.**
- **Garage Door Quote**

- A quote from The Garage Doorman was reviewed. Discussion focused on the need for the repairs and cost. Comparative quote(s) were requested.
- Will be brought before the Council again in February.
- **City Well Clay Valve Repair**
 - A verbal quote of \$200 for a Clay Valve repair kit; plus \$400 labor was received from American Pump out of Ucon, ID.
 - Public Works personnel report that the well is “working okay at this time”
 - Consensus was reached by the Council to bring this issue back during the summer months to discuss/determine how to fix the valve correctly
- **Rails-to-Trails Parking Lot Plowing (Mike Robson)**
 - Discussion focused on the “gentleman’s agreement” (per Bobby Hansen – snowmobile grooming association member) between Teton County and Idaho Parks & Rec to plow the trailhead parking lot and the fact that it is not being done; Mayor and Public Works department are getting calls from trail users
 - Mike Robson, Idaho Park & Rec, called City Hall to determine City’s agreeability to plowing the lot on a reimbursement basis. Council discussion centered on cost to the City.
 - **Matkin moved to submit a proposal to Idaho Park & Rec to plow the Tetonia Rails-to-Trails parking lot for an annual fee of \$250.00 for up to ten (10) annual plowings. Berry seconded. Motion carried unanimously.**
- **Introduction to Council: John Bingham**
 - John Bingham introduced himself to the council
 - He gave a brief history (30 years experience as a city manager) and offered his pro bono services to the City as grant writer, investigator, etc.
 - No action taken.

Departmental Reports

- **Planning & Zoning** (Emily Nichols, Chair)
 - No report from 1/3/2011 public hearing.
 - **Jan Gallup**, Planning Consultant (no report)
- **Public Works Department**
 - **Abbott moved to enter Executive Session per Idaho Code 67-2345 (b) Personnel. Berry seconded. Question called by roll: Abbott – aye; Ball – aye; Berry – aye; Matkin – aye. Motion carried.**

Executive session was entered at 7:35 p.m.

Executive session was exited at 7:45 p.m.

- **Berry moved to retain Charlie Robison as a back-up operator for the City’s water/wastewater system at \$50 per license effective January 2011. Ball seconded. Motion carried unanimously.**
- **City Clerk**
 - PERSI increased slated to begin July 1, 2011 has been postponed for one (1) year.
 - The 2011 Social Security payroll tax rate has been reduced for the employee to 4.2% from 6.2%. Employer rate remains at 6.2%.
 - Copies of a letter from Nancy Nead, hand delivered today, 1/10/2011 at 5:45 p.m., were handed out and reviewed. No action taken.

- **Adjourn Meeting**
 - **Ball moved to adjourn. Berry seconded. Motion carried unanimously.**

Meeting Adjourned at 7:55 p.m.

Rex Jardine, Mayor

Date

Carol Lenz, City Clerk/Treasurer

Date