

REGULAR CITY COUNCIL MEETING MINUTES  
HELD NOVEMBER 13, 2017 AT 7:00 P.M.  
CITY COUNCIL CHAMBERS, 401 VIRGINIA STREET, NEW MEADOWS

**Agenda Item 1 - Welcome, Roll Call, Pledge of Allegiance:**

Present were Council Members Rob Hines, Julie Good, Shannon Fairchild, Darla Weber, and Mayor Tony Koberstein.

Staff present were Mac Qualls, Angie Mettie, Doug Buys, Gregg Tankersley, and Dick Stubbs.

Public present were Angela Edwards (CEDA), Philip Good, Wes & Dixie Jeffs, Carol Bond, Sheriff Ryan Zollman and Deputies Victoria Hansen and Ryan Picard.

Mayor Koberstein opened the meeting at 7:10 and led the Pledge of Allegiance.

**Agenda Item 2 – Public Requests:**

There were no public requests.

**Agenda Item 3 – Water Bond Project:**

**PUBLIC HEARING: Proposed Grand Activities:**

Angela Edwards of CEDA explained that the City of New Meadows is submitting a proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant in the amount of \$500,000. The proposed project is to make improvements to the domestic water system. Edwards explained the application, scope of the work, budget, schedule, benefits of the project, and how the CDBG funds will benefit low and moderate-income households, as well as the location of the proposed project. The related documents, and the ICDBG Handbook were available for review. The application will be available Friday for review.

Council President Good wanted to make clear that the total cost amount of \$3.7 million was assuming that the project was done in full as presented by the engineer. Edwards confirmed and added that the City will only complete the amount of the project that is reasonably affordable.

There were no questions or comments from the public.

**Idaho Community Development Block Grant Citizen Participation Plan:**

The Council reviewed the participation plan outlining how the public can participate and respond with comments. Qualls stated that ways for the public to participate would include a minimum of two public hearings at different stages during the project and the sharing of funding activities.

**Grant Certification:**

The Council reviewed the Grant Certification document outlining specific provisions for the Community Development Block Grant, civil rights and equal opportunity provisions, property acquisition provisions, environmental and labor standards, anti-lobbying certifications, and administrative and financial provisions. Edwards stated that not all of the provisions will apply, and many can be updated with the city's current procedures.

- Council President Good moved to approve the ICDBG Citizen Participation Plan and the Grant Certification; Council Member Weber seconded the motion. Voice vote indicated no opposition to the motion with all members signifying aye. Motion carried.

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**Agenda Item 4 – Land Application Project:**

City Engineer Tankersley gave an update on the land application project, stating that the contractors are working on the mechanical components. DC is working on SCADA and telemetry. The goal is to start up later this week and to allow discharge by the end of the week or next week at the latest. The contract ends Dec. 12<sup>th</sup>, which Tankersley felt was plenty of time to finish the work.

Tankersley informed the Council on Change Order #3 (SCADA & Telemetry System). He stated that the money has already been set aside for these components. This was not part of the contractor's contract and should be completed by the City. He felt this was the best way to use the funds through USDA without having to bid. He stated that part of the change order was to upgrade or replace radios at water facilities. Buys stated that he was leery about having a custom-built system and then changing it in case a problem arises. He stated that the company comes highly recommended and has alleged they can provide adequate or better service than is currently being received.

- Council Member Hines moved to approve Change Order 3; Council Member Fairchild seconded the motion. Voice vote indicated no opposition to the motion with all members signifying aye. Motion carried.

**Agenda Item 5 – Council Discussions / Decisions:**

**Alcoholic Beverage License Ordinance TBD - 2017**

Fairchild noted that it was the hopes of the Council to have the City and County Alcoholic Beverage License Ordinances match. Qualls stated that no response was received from the County on the issue. City Attorney Stubbs confirmed that the City Ordinance covers what happens in the city limits, regardless of what the County Ordinance states. Fairchild stated that the times in Section 10a and 10b, and Section 10.2 should be changed from 1am to 2am.

- Council Member Fairchild moved to approve the Alcoholic Beverage License Ordinance TBD-2017 with changes; Council Member Weber seconded the motion. Roll Call Vote: Hines - aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

**Wellhead Protection Ordinance / Surface Water Protection Policy**

Council President Good stated that a City Wellhead Protection Ordinance should give the City authority to be aware of the wells and their specifications in the City. The City could also require that property owners notify the City before they drill and state the purpose of their well. The Council would like to meet with a representative from Drinking Water Protection. They also suggested DEQ provide the language for the Ordinance so that it does not infringe upon the well driller's rights. This item was tabled until the next meeting.

**Planning & Zoning Requested Changes**

The Council reviewed the requested changes from the Planning and Zoning Committee in the areas of parking, footprint, RVs & RV parks, and setbacks. The P&Z increased the footprint in the R-3 zone from 40% to 50%, but did not make any other changes. RVs and RV parks were a major issue that the Council wanted to resolve. Mayor Koberstein suggested sending a letter to property owners regarding RVs on their lots. Good did not want to send a letter without having a path to compliance. Ideas to remedy the problem included creating an area in the City where RVs are permitted, issuing 30-day permits to park RVs at homes, setting stipulations for RVs in residential zones, and inquiring of community members on how the problem could be solved. The Council chose to have the Planning & Zoning Committee revisit the issue. Mayor Koberstein will attend their next meeting to explain the Council's request.

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**Citizen Advisory Group**

Council President Good suggested a Citizen Advisory Group to help solve zoning issues around the City. This group could be composed of developers, community members, and others who would like to see changes to help promote growth. The Council chose to discuss the idea further in January 2018.

**Law Enforcement Contract FY 2017/2018**

Sheriff Ryan Zollman and Deputies Picard and Hansen attended the meeting. Zollman shared his disappointment with the proposed Law Enforcement Contract which was \$18,000 less than last year. He was not aware of the cut and had his budget in place. He asked that the contract remain at the same amount as last year. He and Deputy Picard explained all that they do for New Meadows. He shared about their work in the school, and their philosophy of educating the public rather than issuing citations. He shared how they are involved in the community and the amount of work an arrest or felony warrant requires. Council President Good stated that the Citizens of New Meadows inquire as to how the money is spent and the Council must answer to them. Zollman stated that without a law enforcement contract, they would be required to respond to emergency calls only. They would not be required to respond to fire calls, ordinance compliance, or animal control issues. Good asked that an officer come once per quarter to a City Council meeting to give an update on their activities. She would like to expand the contract in April to include a more detailed list of duties and activities.

- Council President Good moved to approve the Law Enforcement Contract between Adams County and the City of New Meadows for November 13, 2017 for \$33,000; Council Member Fairchild seconded the motion. Roll Call Vote: Hines – aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

Mayor Koberstein commended the Sheriff and his deputies for all the work they have done in the community.

**Building Official Contract FY 2017/2018**

Qualls stated that the County's amount and the city's amount do not yet agree. He will work to get the exact amount. Good noted that 50% has already been budgeted for this contract. She wanted to ask to keep the same amount and let them know that the budget has already been approved for this amount.

**Request for Proposals**

The Council and Mayor reviewed proposals for a municipal attorney. Two proposals were submitted by Worst, Fitzgerald & Stover, P.L.L.C., and by MSBT Law. Good stated that having the attorney attend City Council meetings was very helpful. After reviewing the proposals, Mayor Koberstein chose to remain with the current Perkins, Mitchell, Pope & McAllister LLP. He stated that Stubbs' response time is usually within the hour, he attends all meetings, and has done an outstanding job. Qualls stated that criminal prosecution will be removed from his contract. The Council was in agreement with the Mayor's decision to retain Stubbs as City Attorney.

**Agenda Item 6 – Communications and Reports:**

City Attorney Stubbs reported that the case he is working on may be appealed in order to prosecute. The trial is set for November 28<sup>th</sup>.

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Buys stated that snow removal equipment is being prepared, filters have been ordered, annual maintenance is being completed and winterizing is taking place. He would like to wait until December to discharge. Many roads and some alleys have been graded. The rain is causing the roads to fall apart. Parts are being stockpiled for winter.

City Engineer Tankersley reported that he attended a road funding meeting and prioritized projects for the community. Work continues on the water project. ITD will want to start their plans with the City in the near future. Peterson Pathway and Intersection Improvement grants may be applied for. Several projects were added to the wish list to show priorities for New Meadows. Tankersley stated that New Meadows ranked high for transportation funding.

Mayor Koberstein gave a report on the Parks & Recreation activities, stating that they are working to get the kiosk at the park completed by the appropriate group. Good asked about the Community Foundation's restrictions on funds for the park, per Parks & Recreation minutes. It was unclear what this money was for. Regarding Music Fest proceeds, Mayor Koberstein noted that the Community Foundation would like an invoice to release funds instead of simply writing a check. Qualls suggested sending an invoice for the use of the park to bring the funds from the Community Foundation to the City. Good stated that there should be an agreement that any funds that are generated on behalf of the City need to be returned to the City. Qualls will call Schultz for more information.

City Clerk Qualls informed the Council regarding the tree that was planted next to the bathrooms at the park as a memorial. He spoke with the family and they approve of having an Anne Frank Memorial stone in that location, but would like to see a flowering bush added as well. Qualls will talk with Mrs. Barker-Hicks about the addition of the bush. The Council also received a thank you card from the class of 2022 for the approval of their Anne Frank Memorial.

Qualls suggested a plaque be created by S&S for recognition of the work of Jack Hellbusch on the Planning & Zoning Committee. Mayor Koberstein could present the plaque to Hellbusch at the next Planning & Zoning Meeting.

Mettie shared an idea with the Council from training regarding dog tags and licensing. Instead of licensing dogs, require a tag with name, address and phone number. Neighbors could then return dogs to their homes without involving the Sheriff's department or animal control. Another idea was to raise the dog-at-large fee high enough to prevent dogs running free. Issues with this included keeping track of rabies vaccinations and losing licensing fees. Buys explained that no impound fee is charged for licensed dogs. If a dog has a license, he is returned to the home. He may get a dog-at-large fine, but not an impound fine.

**Agenda Item 7 – Consent Agenda:**

Items on the consent agenda included minutes from October 10 and October 31, 2017, invoices to date, financial reports for August, September and October 2017, Payroll Summary for October 2017, and Resolution TBD-2017 to update Parks & Recreation Committee Members.

Regarding the Parks & Recreation Resolution TBD -2017, Council President Good would like to add the phrase "on city property" regarding holiday lighting by the Committee.

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- Council President Good moved to adopt Resolution TBD-2017 with additional phrase to holiday lighting; Council Member Fairchild seconded the motion. Roll Call Vote: Hines – aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

Good found two corrections on the October 10<sup>th</sup> minutes. The date that training information was made available for Bowles should be changed to the 10<sup>th</sup>. In agenda Item 3, the spelling of *eight* should be corrected. On the October 31<sup>st</sup> minutes, Lamont Lloyd and Vikki Purdy should be added to the list of public in attendance. Under agenda Item two, the spelling of *statutes* should be corrected.

Also added were Crestline invoices numbers 1239, 2840 and 1231. Invoice 1230 was not included. Qualls noted that Neopost and John Deere Financial were also not included. Financial reports were not yet available.

- Council President Good moved to approve the consent agenda with corrections to the minutes, noted additions, payroll summary, and without the financial reports; Council Member Hines seconded the motion. Roll Call Vote: Hines – aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

**Agenda Item 8 - Executive Session:**

- Council Member Fairchild moved to go into Executive Session for 74-201(1)(c) to acquire an interest in real property which is not owned by a public agency; Council President Good seconded the motion. Roll Call Vote: Hines – aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

Executive Session was opened at 9:32 P.M. Executive Session was closed at 9:49 P.M.

- Council President Good moved to approve the City Clerk to bid on property discussed in Executive Session up to the amount discussed in Executive Session; Council Member Hines seconded the motion. Roll Call Vote: Hines – aye, Good – aye, Fairchild – aye, Weber – aye. Motion carried.

**Agenda Item 9 – Items for the Next Meeting:**

- Ridgeview Subdivision information
- Wellhead Protection
- Dog ID tags
- Citizen Advisory Group (January)

**Agenda Item 10 – Adjourn:**

- Council Member Hines moved to adjourn; Council Member Fairchild seconded the motion. Voice vote indicated no opposition to the motion with all members signifying aye. Motion carried. Meeting adjourned at 9:50 P.M.

/s/ Anthony Koberstein  
Tony J Koberstein, Mayor

ATTEST: /s/ Jacob M Qualls  
Jacob M. Qualls, City Clerk / Treasurer