

CITY COUNCIL MEETING MINUTES
October 2, 2023 @ 7:00PM
at Notus City Hall, 375 Notus Rd, Notus, ID, 83656

1. Meeting Called to Order

Mayor, David Porterfield called meeting to order at 7:07 PM.

2. Roll Call

Roll call was taken with the following results: Councilwomen Michelle DeGiorgio and Bonnie Emly, Council President, Steve Ahlborn, and Councilman Devin Krasowski were present. Also present were Mayor, David Porterfield, City Planner, Antonio Conti, and City Attorney, Joe Borton.

3. Pledge of Allegiance

4. Public Concerns/Comments, limited to 3 minutes each

None

5. Consent Agenda, Action Items

5.1 Disbursement List

Ahlborn stated there was a duplicate charge on the disbursement list for the library in the amount of \$95.61. Subtracting that, the new disbursement total is \$18,494.89. Ahlborn motioned to approve the disbursements in the amount of \$18,494.89. Emly seconded. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, DeGiorgio; yes, Krasowski; yes. Motion carried.

5.2 Council Meeting Minutes

Krasowski motioned to approve the meeting minutes for July 17, Aug 7th and 8th of 2023. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio, yes, Emly; yes. Motion carried.

5.3 Committee Meeting Minutes: Library, Community Events, Vision Tomorrow

Krasowski motioned to accept into record the Community Events Committee September 26th, 2023 meeting minutes. Emly seconded. Roll call was taken with the following results: Krasowski; yes, Emly; yes, Ahlborn; yes, DeGiorgio; yes. Motion carried.

6. Business

6.1 Continue deliberation discussion of Proposed Short plat of 2.91 acres consisting of 4 lots located at 364 Jasper Ave, Notus, ID 83656, Township 5N, Range 3W, Section 34 on parcel R38559000. ACTION ITEM

City Planner Antonio Conti met with Tyler about the assumption that there was a sewer manhole when, in reality it is a discharge for the well. It does not connect to the sewer system but to Conway Gulch. So Tyler is suggesting water and sewer connection come from along Jasper Ave. The developer intends to put service line in the 20 ft easement running along the east side of his property and bring water and sewer to all the lots. The first lot is already an existing house. The other three lots (connections lines) will be coming through the easements. There is enough room to safely connect to water and sewer. All this is at developer's expense. The other item discussed was lots 1 and 4 access to Jasper through a private road to Jasper. Lots 2 and 3 will be accessed along the existing 16 ft easement by the wellhouse and fire station. Some of the questions that came up was the level of agreement between the city and Devin for road maintenance. The challenge we had to find a solution is just the time frame. It could be beneficial to the city to entertain to approve this project with the understanding that a maintenance agreement needs to be recorded on the parcel prior to occupancy permits. That will give time to come to an agreement and give time for the Mayor to get into these

conversations versus waiting for a public hearing or meeting and going back and forth. That is pretty much the conversation he had with the developer. Devin commented that he was in agreement with City staff about running the utilities from Jasper. It is a good plan as it would keep lots 3 and 4 from connecting to a really old line that doesn't serve anyone and may be decommissioned soon. As far as a sewer goes it would keep lots 3 and 4 from connecting sewer anywhere near the well house, since Tyler had concerns about making connections near the city water source. As far as access in reality he has entitlements to an existing 16 ft easement that does not have any maintenance obligations to it. So the City gets back to its well house on the paved part and after the paved part the easement continues. He was thinking that parcels 3 and 4 are going to have a kind of natural interest to maintain it since they will be using it for access every day. Part of him doesn't think an agreement that locks in terms may just complicate things but if Council wants to entertain a maintenance agreement, he is more than willing to do that. But they are not proposing any substantial improvements to the easement. They are still asking for the variance of the paving standard for that little bit that's not currently paved. If willing he just asks that the council come up with general terms tonight, then a condition to turn that into a written agreement that we enter into before certificate of occupancy. DeGiorgio asked if Devin has talked with his neighbors about this. He stated he has, except the Browns. They know about it but he hasn't talked to them. City Attorney Joe Borton asked if there is a list of conditions for the maintenance agreement? If so, it would be a good idea to list them tonight because they will ultimately get drafted and recorded. Devin stated that the direction at last meeting was to discuss this with City staff. If it's a condition of approval we would walk away with general terms, his idea is to put it in general terms and then submit that to the City. Mayor commented, to make it more simple than he was originally thinking and just describe an agreement that would encompass the area that is currently non paved from the City gate, at well house up to the property line and asked that the developer be responsible for that area. Whether that is to maintain the gravel passageway or whatever additional maintenance he may desire to do there. Making just that section the responsibility of the developer. Devin is agreeable and asked if this can just be part of the conditions of approval or is there need for another recorded document. The City Attorney stated that it should be recorded so that it is a encumbered on the property title search. By recording it, that ensures that obligations run to any new owners as well. Mayor stated unless there is anything else to discuss, he asked if Council is ready to make a decision. Ahlborn asked what the conditions are again for the maintenance portion. Mayor commented the only conditions would be the maintenance agreement for the upper portion of the 16 ft easement from Notus Road. The City also uses that road. Owner already said they would do snow removal. Ahlborn motioned to approve the short plat of 2.91 acres consisting of 4 lots located at 364 Jasper Ave. Emly seconded. Discussion. Ahlborn amended motion adding that a road maintenance agreement be recorded before certificate of occupancy is issued. Emly seconded. Roll call was taken with the following results. Ahlborn; yes, Emly; yes, DeGiorgio; yes. Motion carried.

6.2 Findings of Fact, Conclusions of Law, Decisions, & Order, LEMP MANOR: ACTION ITEM

Ahlborn motioned to approve the Findings of fact, conclusions of law and order for Triple Dot Development. (Lemp Manor). Krasowski seconded. Roll call was taken with the following results: Ahlborn; yes, Krasowski; yes, DeGiorgio; yes, Emly; yes. Motion carried.

6.3 Engineer RFQ, ACTION ITEM

Council reviewed the changes from last meeting. The evaluation score 1-10 with multiplier. Mayor stated that document was written by our attorney some time ago but seems pretty standard. Mayor reviewed the Evaluation Criteria scoring. Krasowski asked what do we mean by "Range" on #6. Mayor indicted it would mean a broader scope of services provided. Some may only have water and sewer while others have water, sewer, and transportation. Those would score differently. Krasowski asked if response time was addressed in the agreement? He believes we should have something in the contract about reasonable response time to requests, email or phone. Mayor stated the RFQ gives a standard to start with. Then interview

the top candidates. DeGiorgio commented that last time Council was involved in the interview process and had a list of questions they asked each firm. Mayor indicating that was the process last time. Krasowski is in favor of taking the multiplier out of the RFQ and having Council participate in the interview process. Mayor stated that the RFQ would be sent to the paper and advertised. The clerk will send out invitations to bid to any and all engineering firms that are suggested by staff and Council. Mayor commented that there are two ways to approach this. Hiring one firm, a full-service firm or group of firms as the city engineer. Like building a stack or grouping of firms from which you could assign tasks and projects. Ahlborn favors one engineering firm that knows Notus. Emly agreed. Krasowski commented the best thing to consider is referrals and checking the references. Ahlborn and Krasowski are in favor of the criteria multiplier for scoring. Krasowski motion to approve the RFQ document. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio; yes, Emly; yes. Motion carried. Mayor asked council direction on choosing one or more firms. Depending on the RFQ responses, it will be stated in the RFQ as "one or more firms".

6.4 Development Debriefing

At Attorney's suggestion we will wait for 30 days before any specific discussion takes place.

6.5 Infrastructure Improvements Review

Mayor updates Council about the meeting with transportation agencies last Thursday. Reviewed the projects that need to be addressed. As an example, the transportation projects are broken down as 5 year projects, 10 year, etc. Some we will get done soon. #4 is planned and applied for but are a couple years down the road. Others are longer range. Looking at how to fit this all in. Making a planning document for future. The agencies gave some hope of extra resources to the fixing of the culvert situation on 1st street. The possibility of sidewalks, "safe pathway to school" type of funding was discussed. #1-#3 are self-funded. #4-#8 need to be on the (funding) list to get anything done. That may be a 2-3-year list or 5-8-year list. Depending on what we want to get done, we must make those preparations as far ahead as we can. Item #4 we have been placed in the top three for the 2025 Lhrip funding. That is to chip seal the older streets throughout town. Another application is due in November for #4. Krasowski commented that #6 and #7, 1st street culvert and the erosion along Notus Road may move up the list due to disaster. We may want to move them up the list as a goal. Mayor stated that these can all move up as needed or as funding becomes available. No action to take tonight but just information. Priorities can change.

7. Mayor & Council Comment

Krasowski asked about a Canyon County Notice sent to City about a proposed rock pit. Clerk stated that this was to keep Council informed about proposed land use applications within the city area of impact and that a hearing date had not been set yet by the County. She will let them know when she is notified of any such hearing date.

8. Adjournment

Ahlborn motioned to adjourn at 8:40 pm. Krasowski seconded. All in favor. Motion carried.

Respectfully submitted by Loretta Vollmer, idCMC Notus _____

Approved by David Porterfield, Mayor _____