

CITY COUNCIL MEETING MINUTES
November 20th, 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 7:04 PM.

2. Roll Call

Roll call was taken with the following results: Councilwoman Bonnie Emly, and Council President, Steve Ahlborn, present. Councilman Devin Krasowski, present by speakerphone. Also present were Mayor, David Porterfield, and City Attorney, Joe Borton. Councilwoman, Michelle DiGiorgio absent without notification.

3. Pledge of Allegiance

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

NONE

5. Consent Agenda, Action Items

5.1 Disbursement List

Ahlborn motioned to pay the disbursements of \$5,502.52. Emly seconded. Ahlborn clarified for the record that the items paid prior to the meeting are \$2,484.75 plus \$99.93 for a total of \$2584.68. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, Krasowski; yes. Motion carried.

5.2 Council Meeting Minutes

Emly motioned to approve the meeting minutes for August 21, 2023. Krasowski seconded. Roll call was taken with the following results: Emly; yes, Krasowski; yes, Ahlborn; yes. Motion carried.

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

Ahlborn motioned to accept into record the Community Events meeting minutes from October 10th and November 14th, 2023. Emly seconded. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, Krasowski; yes. Motion carried.

NOTE Mayor stated that we will be skipping all of item 6 due to time constraints of council member. We will table other items as we go on.**

6. Staff /Professionals Reports

6.1 Library Liaison

Tabled

6.2 Treasurer

Tabled

6.3 Public Works

Tabled

6.4 City Clerk

Tabled

6.5 Public Safety and Law Enforcement

Tabled

7. Business

7.1 Resident Thanksgiving Feast Donation request, Ann Ersland, ACTION ITEM

Ann Ersland is not present yet, moved onto 7.2.

Returned to topic after item 7.6 when Ann arrived.

Ann Ersland addressed Council. She is holding a private thanksgiving dinner for the community on Thanksgiving Day from 4-7 pm. The onion shed has donated a bag of onions and potatoes. They are in need of more food and drink donations and volunteers to help set up and serve. Items can be dropped off at the community center or contact Ann directly.

CLERK NOTE Return to item 7.7**

7.2 Acceptance of Canvas of Election Results, ACTION ITEM

Krasowski motioned to accept the official Canyon County Election results for November 7th, 2023, from district no. 005. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, Emly; yes. Motion carried.

7.3 Appointment of Member to COMPASS group Regional Transportation Advisory Committee, ACTION ITEM

Mayor asked the Council to approve the appointment of incoming Council member, Rob Hartsock, as the Notus representative to the COMPASS Regional Transportation Advisory Committee. Ahlborn motioned to appoint Rob Hartsock to the COMPASS Regional Transportation Advisory Committee. Emly seconded. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, Krasowski; yes. Motion carried.

7.4 Employee bonuses, ACTION ITEM

Tabled

7.5 Thriving communities Program letter of commitment, ACTION ITEM

Mayor stated he has prepared a letter of commitment to Matt Stolls with COMPASS. This relates to a grant application that is being submitted for us. This allows COMPASS to apply for grants that will make them a partner with us, doing work for us and leading us through the grant application process. This is labeled a Capacity Builder which means they will be a coach for the City. They need to apply for national grant approval in order to do this. They get federal funds to be able to participate in this project. COMPASS is asking for our commitment to follow through on this 2 year program that will lead us through the steps, so we are ready for bigger grant applications for street construction. The federal grant, if approved, takes 2 -3 years to fulfill. This particular move is just to approve COMPASS to help us work through this program. The grants are not guaranteed.

Krasowski motioned to approve the letter of commitment for the Thriving Community Program Regional Capacity Builder. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, Emly; yes. Motion carried.

7.6 LRHIP FY25 Chipseal Funding Application Commitment, ACTION ITEM

Mayor stated that this is for a \$100,000 grant for chip seal of some streets. This takes place in 2025. But the application is due by the 30th of this month. This is also asking for a commitment, if awarded, to complete the project by the year 2027 or we will be required to return the funds.

Ahlborn motioned to approve the Lhtac/Lhrhip chip seal funding application, project to be completed within the next 3 years. Krasowski seconded. Roll call was taken with the following results: Ahlborn; yes, Krasowski; yes, Emly; yes. Motion carried.

NOTE Ann Ersland has arrived. Move back to item 7.1.**

7.7 Method and Manner of Land Use Decisions, City Attorney, Joe Borton

City Attorney, Joe Borton stated that this is not specific to any project, it is more what the Council role is in the annexation process. As a Council member you have a lot of discretion on these annexation requests to ask all the questions you can, to determine whether or not it is in the city' best interest. What is the impact on the schools, water system, sewer system, streets and public safety. One of the tools that you will always have as part of these applications, is the development agreement. That is a separate contract that is part of the approval process. It has conditions of approval that the council can say yes to a project, subject to certain conditions. Those conditions are very unique to that project, but they can cover all sorts of things. As an example, it might be a concern of a large development about phasing. How quickly houses can be built. You may, for example, approve a project but have a condition of approval, and put in the development agreement, that you can't pull more than 15 building permits, in a particular year. Phasing it over six years, as an example. Things like that are a way you don't risk everything being built all at once, when you don't have the tax revenue or the ability to serve. The council can say we want to phase this project over 10 years and these are the reasons why. The developer may choose to say no, we don't like that condition and they don't sign the development agreement, and nothing goes forward. That is the strength the Council has. It could be that you can only build so many until the new well is put in or until the school bond passes or the road is improved. Those are conditions that, if they never get triggered, then no additional units can be built and put an impact on the city. Sometimes those conditions are deal breakers where for example, during the public hearing you said until the well gets replaced, we are uncomfortable adding more than 5 units, of the 50 you are proposing. And if we were to approve it, that

is one of the conditions we are going to impose on you. What do you think? That can all be hashed out in the public hearings, as long as you explain your reasons for whatever conditions as long as they are based on actual data. That is the strength you have to protect the interests of the City. Now, you're able to maintain service levels going forward. We are going to see some larger applications, with the city being so small, the size of the application is such a daunting impact that it is hard to on board all of the services you would have to provide for right away. That is a good example of how you can condition or stretch out, the on boarding of the residential units or the commercial square feet or whatever the application is. Just wanted to put that out there because more applications will be coming your way in 2024. Ahlborn asked if a developer came and is going to have a lot of traffic on a particular roadway. Can we ask them to improve that roadway as a condition? Joe commented that some applicants understand that and will voluntarily offer to do that but it's not a condition you can put on them. That could become problematic, but we can certainly accept voluntary donations and that might alleviate the concerns, but it can't be a condition of approval. An example is we can't add more residential units until "X" is improved. That's not your fault developer, it's just where we are at. So, we are inclined to deny the application until "X" is improved. If someone wants to provide "X" they are free to do so, but we can't require them or condition them to. As a reminder when applications come forward these discussions are within your wheelhouse, during the public hearings. Most developers are aware of that. The development agreement is the contract where we put those conditions or deadlines in it. It gets recorded so that if the developer sells the project a month after they get approval, whoever owns the land is subject to all those terms and conditions. As a side note, plat's can expire if they don't start the work but annexations don't.

7.8 Commercial Zone Vision

Tabled

8. Mayor & Council Comment

None

9. Adjournment

Ahlborn motioned to adjourn at 7:51 pm. Emly seconded. All in favor. Motion carried.

Respectfully submitted by Loretta Vollmer, idCMC Notus _____

Approved by David Porterfield, Mayor _____