

**NOTUS PUBLIC HEARING
AND CITY COUNCIL MEETING MINUTES
March 4th, 2024 @ 7:00PM
at Notus City Hall, 375 Notus Rd, Notus, ID, 83656**

1. Meeting Called to Order

Meeting was called to order at 7:01 pm by Mayor David Porterfield.

2. Roll Call

Roll call was taken with the following results: Councilwomen Bonnie Emly and Lupita Connor, Council President Steve Ahlborn, and Councilman Rob Hartsock, all present. Mayor David Porterfield and City Planner, Antonio Conti also present.

3. Pledge of Allegiance

4. Public Hearing to receive public comment regarding a proposed Community Center use fee increase.

Mayor opened public hearing, city clerk verified that the meeting was correctly advertised and published. Mayor stated that a few years ago when the building changed owners and we made an agreement with the new owners (Watson) to allow the Library and Community Center to remain, we would pay \$500 monthly. Since then, the rental fees received do not cover the expenses of operation. He suggested raising from \$50 for a 4-hour rental to \$70.00 and 8-hours rental to \$140.00. Hartsock commented that paying \$6000 a year is ridiculous as well as giving the owner ½ of the rent received from the rentals. Mayor stated that giving Watson ½ of the rental was a way to make us advertise/push to get more rentals, with no success. Hartsock stated that he thought this was temporary until we get a new building built. Connor likes the idea of a new building. There was no written correspondence submitted. No one signed in to speak either for, neutral, or against. Mayor closes the public hearing at 7:13 pm.

5. Consent Agenda, Action Items

5.1 Disbursement List

Ahlborn motioned to approve the disbursements in the amount of \$13,678.05. Emly seconded. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, Hartsock; yes, Connor; yes. Motion carried.

5.2 Council Meeting Minutes

Emly motioned to approve the council meeting minutes of February 20th, 2024. Hartsock seconded. Roll call was taken with the following results: Emly; yes, Hartsock; yes, Ahlborn; yes, Connor; yes. Motion carried.

5.3 Committee Meeting Minutes: Library, Community Events committee

Ahlborn motioned to accept into record the Library Board meeting minutes from July 12th, and 26th, August 9th, September 9th, October 12th, and November 9th, 2023. Emly seconded. Roll call was taken with the following results: Ahlborn; yes, Emly; yes, Hartsock; yes, Connor; yes. Motion carried.

6. Business

6.1 Youth Sports Support request, Brandon Smith, ACTION ITEM

The Mayor introduced Brandon Smith. Brandon addressed the Council with the idea of starting a youth sports program in Notus. He is currently taking his kids to Homedale to play sports. He needs community support. He has talked with Notus School Superintendent, Mr. Doramus and has his support. He just needs help getting it up and running. He cannot do it by himself. Needs a governing entity to take over the program for the long term. This is good for the community kids. Sports teach them good sportsmanship, how to win and lose gracefully. He needs a central place for kids to register, collect the fees and a place to store the equipment. He has done a community survey with 18 people responding. It was favorable for flag football and low contact flex football. Homedale has a youth sporting league. He believes we are missing out on a positive thing. Ahlborn wondered if we can partner with the school. Hartsock commented that he has some knowledge of this and thinks we may be too small of a city to handle this. Brandon stated there is a Optimist club meeting on the topic this Saturday at 9:00 am. Connor stated she would like to attend that meeting to get more information.

6.2 Adam, Building Stronger Veterans, Land Donation request, ACITON ITEM

Adam Arriero of Building stronger veterans presented his plans for the proposed donation of the property at Wagner and 20/26. It would consist of 6 tiny homes. Once the City has committed to the donation of the property, he will move forward with funding requests and a soil test to see where the septic and well will be placed. Entry will be from Wagner Road. Entire area will be fenced. He is proposing a rehabilitation facility as well as a community outreach program. Community service like helping local residents with property clean up. The zoning would be that of an RV park. They will have drug and mental health Councilors on site to help people. This would be the first tiny home community of its kind in Idaho. They will offer classes on health, food preparation, and financial topics. They will help with any community projects needed. He would like to expand beyond veterans in time. April is the deadline for grant applications, but he needs the City commitment before he can proceed. There will be only one person per home. Tiny homes will be built off site and then moved onto property. To answer the question of how does this location fit? We don't want it in a heavily populated area. These are Veterans, after all. Mayor recognized Randall Taylor to speak. Mr. Taylor reminded Council they are elected to represent the residents. He read excerpts of Idaho state code 50-1401 and 50-1402 about conveyance of municipal property which indicates a public hearing will need to be held before property conveyance or exchange.

6.3 City Engineer Agreement review and approval, ACTION ITEM

The City Clerk reviewed with Council the changes requested and made to the agreement. Termination by engineer section wording change to allow termination for convenience. Meaning terminate for any reason as long as it is in writing, with 60 days' notice. Another change is Ackerman-Estvold mailing address. The terms of the agreement shall remain in effect, unless terminated by either party until March 4th, 2029. After this initial period, this agreement will be renewed for successive one-year periods unless either party provides written notice of their desire not to renew this agreement. Connor commented that she doesn't like the automatic renewal. Ahlborn stated he likes the wording that either party can terminate. Hartsock commented he is satisfied with the terms; we are not locked in to it. Connor motioned to remove the successive one-year renewal periods after the first five years. Motion dies for lack of second. Antono reminded the Council that task orders will be used for projects, and they can approve or reject any of them. Ahlborn motioned to approve the engineering agreement with Ackerman-Estvold for 5 years with one-year automatic renewal periods. Hartsock seconded. Connor wants on the record that the interview and scoring data didn't seem to matter. The selection seemed to be biased and doesn't agree with it. Council President Ahlborn reminded her to choose her words carefully since this discussion took place in executive session and she could be in violation of state code. She still does not agree with the way it was done or the outcome. Mayor stated that the scoring was to help us determine what firms were the most acceptable to our current situation. After that it became a matter of fitting and picking things that fit most particularly with us. So, it's not that the scoring was thrown out. It is more just two different processes at that point. Hartsock stated that the changes to the termination wording have alleviated his concerns. Connor wants on the record that the process for the RFQS, looking at data and scoring interview and then the scoring data didn't seem to matter. She felt the public should have been involved and not in the executive session. The selection seemed to be biased and didn't sit well with her. Ahlborn commented that the attorney made it clear that in executive session (for open discussion without repercussion) having bias is ok and to take input from everyone. Roll call was taken with the following results: Ahlborn; yes Hartsock; yes, Emly; yes, Connor; no. Motion carried.

6.4 Proposed Fee increase, ACTION ITEM

Mayor reviews increase of fees, \$70.00 for 4 hours or less and \$140 for 4-8 hours to help cover expenses. This would be a 40% increase. Emly motioned to approve the fee increase. Hartsock seconded Roll call was taken with the following results: Emly; yes, Hartsock; yes, Ahlborn; yes, Connor; yes. Motion carried.

6.5 PFAS Cost Recovery Program, ACTION ITEM

Mayor stated that part of the original agreement has been found not sufficient to allow for judgements to pay-over-time structure and we need to sign an amendment. Ahlborn motioned amended agreement for PFA cost recovery program to cover the long-term reimbursements being requested. (with Napoli Shkolnik Attorneys at Law) Connor asked for more information. Ahlborn directed her to the email the Mayor sent with the explanation letter and amended agreement for review and answers. Hartsock seconded. Roll call was taken with the following results: Ahlborn; yes Hartsock; yes, Emly; yes, Connor; yes. Motion carried.

6.6 Sewer Line for 1st street South, ACTION ITEM

Mayor stated that there is a problem with a resident's sewer line on 1st street south. There seems to be questions if it is a city line or a private line. We are still investigating. City may have to have camera the line and clean out some tree roots.

6.7 Notus Road-Purple Sage intersection, ACTION ITEM

Mayor reported the intersection of Purple Sage and Notus Road had a cave in around the sewer manhole which we had fixed. There are other areas that are showing signs of sinking. It may be that the irrigation main line that crosses the intersection may be liable. When the new school project was done the area seemed to lack the correct compaction testing according to the records reviewed. Notus Parma Highway will be fixing the intersection. Depending on what they find, we may have to pay for some of the costs. Ahlborn would like to reach out to them and see if we can help to keep a good partnership with them. Notus Parma Highway has closed the road with barriers and cones, but people keep driving around or moving them.

6.8 Community Center Reader Board Use, ACTION ITEM

Council woman Connor wants all meetings posted on the sign as well as neighborhood meetings held. City Clerk stated that neighborhood meetings for land use applications will not be on the board as they are not City meetings. Ahlborn is concerned with who will manage it. Hate to burden busy City Staff with it. Wonders if there is a community member that would do it? Connor asked to move the sign to Notus Road. She is reminded that the board says "Community Center" with a pointing arrow. Mayor stated that the school tried to change their existing sign and ITD would not give permission. 20/26 is under Idaho Department of Transportation jurisdiction. Clerk reminded Council that if left up too long, the letters blow away. Ahlborn asked what the cost of a new sign would be? Maybe secure letters for "Council Meeting" and just change the dates. Connor would like the next Council meeting to be put on the board stating if more people knew about the meeting they would attend. City Clerk reminded Council that meetings are posted on the city bulletin board, Post office bulletin board, one City website and emailed to residents contact email list members. (74 members). Lupita will post the next meeting on the board. City Clerk reminded her that office hours are 8:30 am to 5:00 pm, M-Th and closed Fridays, to get the letters needed.

7. Mayor & Council Comment

Mayor reminded Council of the COMPASS community outreach meeting at the community center for the collector street rebuild project. Those are Notus Rd, 1st Street and Jasper Ave. This is to get the community input for the project. The last meeting was attended by 3 people. Ahlborn would like for us to send a condolence card to Mrs. Watson. Ahlborn also looked up the state codes that Mr. Taylor referenced. He read them in their entirety and Council is following code concerning the possible land donation. City Clerk indicated she does have Attorney directions on the next steps needed if Council so desires to move forward. She will forward the state codes 50-1401 and 50-1402 to Council for their review.

8. Adjournment

Ahlborn motioned to adjourn at 9:22pm. Hartssock seconded. All in favor. Motion carried.

Respectfully submitted by Loretta Vollmer, idCMC Notus _____

Approved by David Porterfield, Mayor _____