

# NOTUS CITY COUNCIL MEETING MINUTES

Regular Session: **Monday, April 1<sup>st</sup>, 2019**

@ 7:00PM at Notus City Hall

## **1. Meeting Called to Order**

Meeting was called to order at 7:04 pm by Mayor, David Porterfield.

## **2. Roll Call**

Roll call was taken with the following results: Councilwomen, Michelle DeGiorgio and Bonnie Emly, present. Councilman, Richard Wallace Jr, present. Mayor, David Porterfield, City Attorney, Todd Lakey, Wastewater Operator, Mike Black and City Engineer, Stuart Hurley also present. Clint Berends, absent.

## **3. Pledge of Allegiance**

## **4. Public Concerns, Comments**

Guadalupe Reyes signed in to speak and was recognized by the Mayor. She stated that her family resides in the back of the building where they had a restaurant but have since closed that business. She stated that she would like to get Idaho Power to separate the commercial billing from the residential billing, since the residential rate is much lower. She stated that she talked to Idaho Power and they have requested a letter from the City stating that we have no problems with this request.

\*CLERKS NOTE\* Building is zoned commercial.

Is it a lawful nonconforming use? May need to create a mixed use zone?

This will be placed on the next agenda.

## **5. Approval of Amended Agenda**

Wallace Jr motioned to approve the amended agenda as posted. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; yes. Motion passed.

## **6. Consent Agenda, ACTION ITEMS**

### **6.1 Disbursement List**

Wallace Jr motioned to approve the disbursement list as presented. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; yes. Motion passed.

### **6.2 Council Meeting Minutes**

DeGiorgio comments there is a spelling error at 3-4-19 on #4, sentence "DeGiorgio asks is... "Should be "asks if". Emly motioned to approve meeting minutes from 2-19 and 2-21-2019. Wallace Jr seconded. Roll call was taken with the following results: Emly; yes, Wallace Jr.; yes, DeGiorgio; yes. Motion passed.

Emly motioned to approve meeting minutes from 3-4 and 3-21 with the spelling correction of "is to if" on #4. Wallace Jr seconded. Roll call was taken with the following results: Emly; yes, Wallace Jr.; yes, DeGiorgio; yes. Motion passed.

### **6.3 Committee Meeting Minutes: Library, Community Events**

Wallace Jr motioned to accept the Notus Community Events Committee meeting minutes from 3-25-19 and 2-25-19 into public record. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; no. Motion passed.

## **7. Community Relations**

### **7.1 VRT Liaison**

NONE

### **7.2 COMPASS – RTAC**

Wallace Jr reported that there is a long summer construction season ahead on I-84. There will be a lot of night work to minimize delays and chip sealing work starts soon.

### **7.3 Notus School District**

NONE

## **8. Professional's Reports**

### **8.1 Wastewater**

Mike Black reported that City discharge did violate DEQ limits because of the system upgrades taking place. He would like to wait to discharge again until after the chlorination system is up and running. DeGiorgio asked if the trucks running through the river, (5 miles) upstream has anything to do with our violating testing limits? Mike stated no we don't test the river water and he has not seen any oil sheen on the water.

## **8.2 City Engineer**

Stuart reported that the Rail Road agreement conditions has added to the extra costs of about \$100,000.00 to the Southside sewer project. The Northside project is looking good. DeGiorgio comments that bond was passed 2015 and project was supposed to be completed by September 2017, do we have a firm deadline for completion? Stuart stated the current schedule is June 2019. DeGiorgio asked, "the end of June 2019?" Stuart stated the contractor schedule indicates to be complete by end of May, 2019. Stuart comments "as long as no other unknowns come up along the way".

## **9. Business: ACTION ITEMS**

### **9.1 Business License, 266 Elgin Ave**

TABLED

### **9.2 USDA Loan Resolution and Grant Agreement**

Tobin Dixon and Brian Switzer from USDA were recognized by Mayor. Mayor commented that there was a paper work error from February 16, 2016 council meeting. Council approved the loan resolution but USDA funds were not yet city obligated until the 17<sup>th</sup>. So Council will need to redo the motion. Mayor reads the meeting minutes for council authorizing the increase of USDA funds by \$80,000.00.

Tobin stated that it was a USDA error and not the City's. Wallace Jr motioned to approve the USDA loan resolution and grant agreement and authorize the Mayor to sign. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; no. Motion passed.

Mayor calls for a short recess at 8:00 pm. Meeting resumes at 8:02 pm

City Engineer, Stuart will report at next meeting concerning additional USDA grant/loan option to help cover cost overage due to the Railroad agreement conditions.

### **9.3 Water Meter at 360 Elgin Ave**

Council requested last meeting to have costs for this subject. Mayor supplied cost estimate and asked Council what they want to go with, water meter removal/relocate or curb block or go with an agreement to settle the question of responsibility for the waterline from the meter (current location) to the property line. Mayor reported that the estimate for the curb block is \$2,000.00 and to move the meter is \$3,425.00 to \$4,315.00. The exact location of the water line is unknown since it was done after city waterline installation (at the then owners' request) and is not identified on any map or plans.

City Attorney, Todd commented that he contacted Mr. Lewis's Attorney and during their discussion it seemed that Mr. Lewis MAY be open to sharing the cost of moving the water meter.

DeGiorgio motioned to just get it done and not to exceed \$4,465.00 submitted by Lance Manning of Inselman Plumbing and Excavating. Motion dies for lack of second.

Wallace Jr stated that to appease both parties, let's put in the curb block (shut off) for \$2,000.00. We take responsibility from meter to curb block. DeGiorgio stated wouldn't it be smarter to spend more money and have a location and documentation as to what's happening there, versus not? Emly suggested that Council invite Mr. Lewis to come and discuss the options again. Wallace Jr agrees and motioned to table decision and invite Mr. Lewis to come in and have a conversation. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; yes. Motion passed.

### **9.4 Well #4 Building Plan Update**

Mayor has met with BC Company at the proposed building site. There are main pipe lines in rear of the well house that make it difficult to build on that side. Building on the west side will create restrictions for large vehicles should we need to access the well tank. Mayor suggests moving building towards the fence line just west of the gate. With that location we can easily get a 16x16 or 16x20 structure in there. We will need to trench and lay cable for power and the SCADA System. DeGiorgio motion to stay with option "A" area, (build) 16'x16' for \$16,640.00 from the BC Company. Wallace Jr seconded. Roll call was taken with the following results: DeGiorgio; yes, Wallace Jr; yes, Emly; yes. Motion passed. DeGiorgio would like a start date and a completion date.

### **9.5 Census Proclamation & Public Participation Decision**

Mayor stated that he has met with Mr. Woods and have discussed ways to acclimate people to participate in the census for 2020. He asked Council if they want to participate in the regional effort, theme, and promotion strategy by proclamation. It was suggested to put up flyers and print on water bills. Tina Wilson commented that this information is important and is used for grants and other funding options for schools and cities. Mayor stated that the less obstacles and ease of putting the information out is best. Maybe the Library would be a good outlet for gathering information for census. DeGiorgio stated it is up to each individual to participate or not.

### **9.6 Printer Replacement, Purchase**

Marie's printer is not working properly. To fix it would be about \$1,500.00. New Xerox is \$790.00 with trade in of old for \$125.00, local company for service, with 36 months warranty. DeGiorgio motioned to go with the Xerox for \$790.00 with trade in value of \$125.00. Emly seconded. Roll call was taken with the following results: DeGiorgio; yes, Emly; yes Wallace Jr; yes. Motion passed.

### **9.7 Transportation /Streets, Work Orders**

Chip seal Project, including Bid Selection Process  
Culvert Evaluation & Proposal, if needed

Mayor stated we have an Lhtac grant for chip seal of \$100,000.00. There are several problem areas with road damage that will need fixed before chip seal layer. There are other areas that will profit very well like Kremmwood subdivision. A double layer chip will be needed in the areas with many cracks.

On the other topic, Mayor stated that the culvert on 1<sup>st</sup> Street near Collins home seems to be developing a dip in the road over it just like the other one that we replaced on Notus Road. They were installed in the same time frame. There seems to be a flow difficulty with that one. We will need to get some evaluations made on it.

Crestline will handle the entire project for chip seal for \$12,500.00. Mayor asked Greg for an alternate to this cost. If they prepare plans/exhibits and bid documents, City would take care of the rest of it. Cost to Crestline would be \$4,700.00. City would have some additional expense if we want to repair before chip seal start. Greg also gave \$9,000.00 option for Scope of work using bullets 2, 3, 4. (Evaluation of the 2016 master Transportation Plan... Preparation of project plans/exhibits.... Provide support to the city during bidding....)

Wallace Jr motioned to go with the \$4,700.00 with Crestline for (proposal) bullet 3 (preparation of project plans/exhibits with limited details developed on an aerial overlay and bid documents/specifications) to get this started. Emly seconded. Roll call was taken with the following results: Wallace Jr; yes, Emly; yes, DeGiorgio; yes. Motion passed.

Mayor

### **9.8 Clean-up Day follow-up; date change**

Haulers would charge by the trip to haul in waste. Fox \$125.00 and Westtown is \$225.00 Council suggested we do what we did last year. Try to get neighbors to help each other. City does have a small dump truck we could utilize.

### **9.9 Maintenance/Parks Requests**

Lawn Mower---Mulching Blade & Tune-up

Mayor reported that the mulching blades cost increased by \$150.00 to \$257.65. It was suggested to do a tune up for 100.00. And service for \$204.00.

Wallace Jr commented that if we get the tornado blades, he will put them on and look at the mower to see if it needs a tune up on Thursday at 1:00 pm

### **9.10 Flood Damage Prevention Ordinance, review**

Flood plain workshop will be held on April 20<sup>th</sup>, 2019 at 12:00 pm to review.

### **9.11 Flood Damage Prevention Ordinance, Adoption**

TABLED

### **9.12 Schedule Workshop on Land Use & Economic Development**

Workshop set for April 11, 2019 at 6:00 pm.

10. **Executive Session; (Idaho Code 74-206(1)(f))** to communicate with legal counsel the legal ramification of and legal option for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

NONE

**11. Mayor & Council Comment**

Wallace Jr stated that Paul drove the side by side over a residents fence poles that were on the ground in preparation to put up a fence.

CLERK NOTE\* fence permits required.

Mayor will speak to Paul about this issue.

**12. Adjournment**

Wallace Jr motioned to adjourn at 10:14 pm. Emly seconded. All in favor.

Respectively submitted by Loretta Vollmer, City Clerk \_\_\_\_\_

David Porterfield, Mayor \_\_\_\_\_