

City of Notus

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CITY COUNCIL MEETING MINUTES

Regular Session: **TUESDAY, September 3rd, 2019**

@ 7:00PM at Notus City Hall

1. Meeting Called to Order

Called to order at 7:01 pm by Mayor David Porterfield.

2. Roll Call

Roll call was taken with the following results: Councilwomen Michelle DeGiorgio and Bonnie Emly, present. Councilman Steve Ahlborn, present. Also present Mayor, David Porterfield.

3. Pledge of Allegiance

4. Public Concerns, Comments

Mary Cooper from 540 Elgin signed in to speak and was recognized by Mayor Porterfield. She stated that this was the 5th meeting she has attended (to complain about the condition of her fence and poor repair of the (40 year old) fence by the sewer line contractor) She states that the fence is ruined. She shared pictures of the fence condition. The chain link fence was laid back on the ground and ran over by excavation equipment, then put back up with creases, bends, holes, and sharp edges that make it too dangerous to allow her to use the pasture. She has not been able to use it for almost 10 months now. When she met with the Mayor, City Engineer Stuart and Contractor John, they told her it would be fixed.

She also commented that the sewer line that was not hooked up (during sewer line repair) causing sewer to back up into her home and her to call a plumber, that plumber's bill still has not been paid by Cascade Pipeline. This situation is a disgrace and the City should be ashamed.

She also commented on the brown water at her residence. She stated that the hydrants have not been flushed since Jessie worked for the city. No matter what the City records show because when they flush, she sees the water on the ground.

She also stated that the fence that was put back up has red paint on it and hers never had red paint on it. She comments that it was asphalt at the gate but that Stuart said he had preconstruction pictures showing no asphalt. Mayor asked for a short recess at 7:15 pm, so that the City Clerk could make copies of her pictures.

Meeting resumes at 7:17 pm.

Mayor recognizes Angel Cooper Warner who signed in to speak. She stated that her dad is a perfectionist and would never had put in a fence that looks the way that it looks now. She is disappointed in the cities treatment of her parents. She commented that if this is not taken care of then they will sue the city.

Randall Taylor signed in to speak and was recognized by the Mayor. He stated that he would like to thank City Maintenance workers for flushing the hydrants by his home, fixing his brown water issue this morning.

CLERKS NOTE* City Engineer, Stuart Hurley joins meeting at 7:18 pm.

Randall Taylor commented that the (irrigation) check box near his property at 422 1st Street was destroyed, he assumes by the construction contractors and must be fixed. He also commented on an agenda item for council appointment, that the city should hold off and wait for the election in November.

5. Consent Agenda, Action Items

5.1 Disbursement List

Emly motioned to pay the disbursement list as presented. Ahlborn seconded. Roll call was taken with the following results: Emly; yes, Ahlborn; yes, DeGiorgio; no. Motion passed

5.2 Council Meeting Minutes

NONE

5.3 Committee Meeting Minutes: Library, Community Events

NONE

6. Professional's Reports

6.1 Engineer, Mountain Water Works

NONE

7. Business, ACTION ITEMS

7.1 Council Seat Appointment and Swearing in of Appointment

Mayor Porterfield thanked Mr. Taylor for his earlier comments but having a full Council is in the best interest of the City to do business effectively. Mayor ask Council to approve appointment of John Higgins to empty Council seat. John states he has lived in the city for over 6 years and is a retired Navy veteran. He has a degree in business administration and quality control management. He is a HAM radio operator and enjoys wood working. He has made most of his own furniture.

DeGiorgio asks John questions.

He would like to see more housing and businesses in Notus.

Emly motioned to approve John Higgins appointment to City Council. DeGiorgio seconded. Roll call was taken with the following results: Emly; yes, DeGiorgio; yes, Ahlborn; yes. Motion passed.

City Clerk swears in John Higgins to Council and he takes his seat at council table.

7.2 City Fee Schedule: Utilities/Community Center/Misc.

Council reviews the current city fee schedule. The potential raise in the Community Center fee's will have to go through a public hearing process. Mayor reminded council of the fee's they agreed to with the new building owner. 4 hours for \$50.00, over 4-8 hours \$100.00. Over 8 hours is charged at \$20.00 per hour. Resident Randall Taylor suggests a nonrefundable deposit of \$25 to cover extra cleaning of bathrooms and floors. Ahlborn commented that this is adding a lot to the old fee.

Council moves on to the water base rate of \$29.85. Mayor suggested adding the normal 3% increase. The water tower will need to have maintenance done, like cleaned and camera inspected. There are signs of rust, oxidation which need fixed. Estimate could be \$100,000. We have that in LGIP to cover. There may also be grants available. But we need to think about what it will take to replenish that money in reserve. DeGiorgio suggested that we check with other cities to see when they are doing water tank inspections and maintenance (to pigging back with them) to save money.

CLERK NOTE* City Attorney, Todd Lakey joins meeting at 8:25 pm.

Mayor commented that we should be trying to set aside 25% of budget for depreciation, although have never made it.

DeGiorgio asks if we can hold a meeting to discuss the fee schedule. She is not comfortable approving these fee's. Mayor comments maybe hold a town hall style meeting. City Clerk, Loretta reminds council that the fee schedule they are reviewing has already been approved by previous councils and only the proposed changes need to be discussed and if increase is 5% or more, then a public hearing will need to be held.

Council returns back to discussion of community center charges. These charge changes will necessitate a public hearing process. City Clerk suggested using \$25.00 of the already charged deposit but rewording so part is nonrefundable. DeGiorgio motioned to make \$25 nonrefundable of the already charged deposit of \$100.00 for cleaning and

make only \$75.00 refundable. Ahlborn seconded. Roll call was taken with the following results: DeGiorgio; yes, Ahlborn; yes, Emly; yes, Higgins; yes. Motion passed.

7.3 Well #4 Building Construction

Mayor stated that the builder said that putting venting through the roof is not beneficial. He strongly suggests to set the building away from the other, instead of trying to work around the existing roof pitch and water main pipes. It would be cheaper to run the electricity and other lines in conduit to the new building. Bobby estimated that cost as about \$1,000.00. Ahlborn motioned to approve the estimate for \$13,440.00 from BC Company baring the small expenses with that for burying the wire (conduit). DeGiorgio seconded. Roll call was taken with the following results: DeGiorgio; yes, Ahlborn; yes, Emly; yes, Higgins; yes. Motion passed.

7.4 Sewer Lagoon Projects: Entrance Road Conditions/Gravel Fencing Upgrades

Tabled

7.5 Property Purchase

Mayor reported that the secondary offer made on the (Lewis) property. Realtor said that the owners has changed mind and wants \$144,000 for all five lots. DeGiorgio commented that it is silly to spend that money when we have a perfectly good property (at Tower Park). The setback from the sewer line is 25ft. not 50ft, but plenty of room for a community center and library.

Ahlborn motioned to table 7.6 and 7.7 and 7.8 temporally and come back after 9. executive session. DeGiorgio seconded. Voice vote. All in favor. Motion passed.

9. Executive Session; (Idaho Code 74-206(1)(c, f)) (c)to acquire an interest in real property which is not owned by a public agency; (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.

DeGiorgio motioned to go into 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. Ahlborn seconded. Roll call was taken with the following results: DeGiorgio; yes, Ahlborn; yes, Emly; yes, Higgins; yes. Motion passed.

DeGiorgio motioned out of executive session at 10:08 pm. Ahlborn seconded. Roll call was taken with the following results: DeGiorgio; yes, Ahlborn; yes, Emly; yes, Higgins; yes. Motion passed.

CLERK NOTE* Council returns to subject 7.6, 7.7, and 7.8 on agenda:

7.6 Sewer Project Close Out

Tabled

7.7 Resident Waste Water Construction Complaint

Tabled

7.8 Full Time Maintenance Position

DeGiorgio handed out job description for the fulltime maintenance position asking Council to review and write down their suggestions. She wants a full time person for \$15.00 per hour and one part time employee, instead of the two part time for \$9.25 per hour. She wants this on the next agenda.

Mayor commented that he is in disagreement with DeGiorgio. He did ask DeGiorgio for a list since she seems to be very interested in the maintenance position. She did bring by a

list for him of what she thought would be mechanical nature for the position. But she has gone a different direction with this and a written up an announcement. I have some particular things that I want in a job announcement and so there are things that we will need to work out there. I am not at a point to say that I'm ready for that to happen by the first part of October, though it will be soon.

8. Mayor & Council Comment

None

10. Adjournment

DeGiorgio motioned to adjourn at 10:15 pm. Ahlborn seconded. Voice vote. All in favor. Motion passed.

Respectively submitted by Loretta Vollmer, City Clerk _____

David Porterfield, Mayor _____