

NOTUS CITY COUNCIL MEETING MINUTES

Regular Session: TUESDAY September 6th, 2022
7:00 pm @ Notus City Hall, 375 Notus Road, Notus, ID 83656

1. Meeting Called to Order

Meeting was called to order at 7:05 PM by Mayor, David Porterfield.

2. Roll Call

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

3. Pledge of Allegiance

4. Public Concerns/Comments

NONE

5. Consent Agenda, ACTION ITEMS

5.1 Disbursement List

Ahlborn motioned to pay the disbursements in the amount of \$698.18. Krasowski seconded. Treasurer Marie Eilers commented to answer Councilwomen DeGiorgio questions from last meeting, regarding the accident at Kremmwood and Conway: State Farm Insurance has paid the claim and as for the labor costs for the backflow repair, that was \$150.00 per hour. Roll call was taken with the following results: Ahlborn; yes, Krasowski; yes, DeGiorgio; no, Emly; yes. Motion passed.

5.2 Council Meeting Minutes

Krasowski motioned to approve the meeting minutes from July 18th, Aug 1st, Aug 15th, 2022, with corrections. Emly seconded. Ahlborn thanked City Clerk for her time spent on the detailed minutes. Roll call was taken with the following results: Krasowski; yes, Emly; yes, Ahlborn; yes, DeGiorgio; yes. Motion carried.

5.3 Committee Meeting Minutes: Library, Community Events

NONE

6. Business Items

6.1 Discussion of Changes to Librarian Classification and Benefits

Mayor commented that some changes to Librarian benefits are needed. Library Board Member, Roberto Bahruth stated they are working on a job description and paid time off at their next meeting. Fund raising efforts are underway for a new library building. They are seeking donations from Simplot.

Mayor stated that the last Council approval for leave time is not covered under our employee policy PTO. We need to amend section V., C, #2 Add extended sick leave. #3 add extended sick leave. #4 Description of "less than 20 hours per week" and add PTO and Extended Sick Leave. Section E, #1 PTO will not accrue until employee has worked for the for two years. H: adding "in case of part time temporary employees, ESL will not begin until the employee has worked for the City for 3 years". Holiday section adding "Eleven official holidays" "Juneteenth (emancipation Day)". Discussion. Currently the Librarian and part time maintenance are part time temporary classification. Krasowski and Ahlborn agree that PTO should start at the beginning of employment and extended leave should be at one year. Emly agreed.

6.2 Proposed Amendment of Employee Manual, ACTION ITEM

Krasowski motioned to amend manual and use wording of either extended sick time or extended leave, to be consistent. PTO should accrue immediately and extended sick leave to start after one year of employment. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio; no, Emly; yes. Motion passed.

6.3 Impact fee study- consultant, Ann Wescott, ACTION ITEM

Mayor introduced Ann Westcott from Galena, to share her thoughts on impact fees. She helps create the documents needed to set fees. She shares her knowledge and works with communities throughout Idaho. Ann stated she recently worked with Parma to allow a one-time impact fee paid by the developer, that is paid at the building permit stage. Impact fees can only be used for capitol infrastructure plan.

Development impact fees can't pay to fix any current deficiencies, only to add capacity to a system that is needed, because the community is growing. Common funds allowed are Street, Parks, Fire and Police. Growth effect streets and the ability to maintain continuous current level of services. After reviewing city footprint, she feels that we have a lot of flexibility within our development pool. There will be annexations coming. There is a lot of flexibility in the approval of a proposed development plan. As an approval of annexation with conditions, conditions could require developer to make improvements outside of the development. As an example, you know that they will be putting x amount of cars onto Main Street, you could calculate the cost of improvements by the amount of houses, and that could be paid by the developer as a one-time fee. If you don't recoup that cost for improvement with an impact fee or within a development agreement, then you will end up with a need (improve street) and you will need to use tax dollars to pay for it. An impact fee study could cost \$20,000 and requires a public hearing. Unless we have a lot of infrastructure projects, she might suggest that we save that money and go the route of a development agreement to address concerns. Seems that current street width is a concern as well as no curbs. Impact fee cannot be used for current deficiencies but as an example of impact fee use, street would need to be brought up to standards (paid by city) with the addition of a turn lane, turn lane could be paid for with impact fees collected. Impact fee could be used towards a debt service or match for a grant or other funding sources. It would really depend on how robust our capital improvement plan is for over the next 10 years. She does that kind of study for a plan with our engineers, to develop the capital improvement plan. She is concerned that our plan may not generate enough things that would qualify for impact fees for which we would be spending the money for the study. Although they are willing to do the study. They would need to have a capital improvement plan to refer to. Study may not be worth the money. We could talk to our Engineer, Planner, and Attorney to see what our needs are now and what they will be in the future and see if it is worth it or not. She would be more than willing to look at that and tell us if the impact fee would be worth the expenditure of a study or if we would probably need to extract these fees with growth (Development agreements). Development agreements have less rules. Impact fee has stringent rules, by state statute. There are usually no street improvement that are 100% covered by impact fees. Impact fees can be used for debt service if we go for a bond. Would articulate that x percent comes from impact fees and x percent comes from taxes or levy. There are a lot of options. She doesn't want us to spend \$20,000 and not get a lot more than that out of the study.

In the utility infrastructure, hookup fees are to maintain the current system. They are not intended to pay for growth. User fee or development fee could be an alternative funding source. City of Nampa just approved a new impact fee for irrigation, sewer and water. She suggests waiting to see what happens with Nampa when fees are implemented. Consider their methodology to see if it works for Notus. She has looked at our documents and our residents don't want to see their utility bills to continue to go up. But there is a big risk in not investing in the infrastructure that you need. She personally doesn't do that type of work (water or sewer). Krasowski commented that we need to get the capitol improvement plan done and make use of development agreements. Ann suggested making updates or amendments to our facility plans. She would look at them and give her opinion, free of charge. She suggested having our City Attorney look at Nampa's plan and see if it would work for us. State statute indicates "knowledgeable legal process and qualified firm", Engineers are OK. Need to work with professionals that are familiar with those things. Ann suggests spending money on updating the transportation plan with growth projections and street improvements and send to her for free review. She advised Council to get their head around the problem, how big is the problem, how much will it cost and what are the alternatives. Development agreements could specify widening of ½ mile of roadway identified or improve an identified street intersection. Define certain number of services for less costs. Spend money on engineer consultant. Don't rush and have wrong data. Make capitol improvement plans: Roads, water, and sewer plans. Identify growth and non-growth needs. What is bad now? What will get worse? Those are two different funding sources. Ann gave example of annexation and development request. If a developer wants to annex land and develop and city sees that increase in traffic will cause a bottleneck at a certain intersection, City can

ask the developer to improve that intersection, needs to make it safe. Or widen a ½ mile of a certain road that needs to handle the increase traffic. Its different if you have someone asking to be part of your city or if it just someone building a house. That is what you will pay me to do, find some of this stuff, but if you already know this or have staff that do, then use them and that will save some of the study cost. Use your professionals to update the water, sewer, transportation plans and have them articulate both growth and non-growth needs. They will pull from their experience of funding opportunities. She always wants that part of the plan to be robust. A firm that will really help you will know which funds/grants, which process will work for you. You will want a funding plan and there are firms that can provide you with that. Krasowski stated that the take aways from this is the restrictions of impact fees, a qualified professional needs to do the study, they can fund capitol infrastructure that is necessitated by growth, they can be used to maintain the current levels of service. Krasowski commented the we could have had 3rd street widened as a condition of a development agreement. Just need to have improvements in a capital improvement plan to show to developer. We have the three facility plans discussed. Mayor stated we need to nail down projects needed and the costs of those. He feels our new fee schedule left us short. Ahlborn supports growth, but development should pay for it. If we want wider streets, sidewalks then we need to have growth. DeGiorgio commented that it would be interesting to have someone come in and measure out streets. Mayor stated that we do have the information. It was done a while ago by COMPASS as part of a grant for preliminary plans for our street improvements. Marie handed out the chart with that information on it to Council. City Planner may be able to lead Council in the capital improvement plan. City Staff and Professionals may be able to present topics and help Council. No decision.

6.4 Proposed Amendment to Water Facility Plan, ACTION ITEM

Tyler Martin, Public Works Supervisor stated that the work Mountain Waterworks did revolves around growth and his suggestions are about day-to-day items needed. He has ordered VFD's and harmonic filters directly from the manufacturer for \$26,000. Waiting on estimated cost to replace the generator. He would like to change the order of the improvement alternatives suggested in the plan by Mountain Waterworks. We will need DEQ approval before we can install anything. May need to have preliminary engineering report but he has plans and diagrams. Part of 6.3.1 of the water facility plan is what Tyler is suggesting being done. Seems Mountain Waterworks are not happy with some changes since it doesn't follow their plan. All of these items are listed in the facility plan, but all of them are part of a bigger, expensive alternative. Krasowski wanted to know what is required by DEQ. Mayor feels the current plan falls short on alternatives. We have immediate needs now. Mayor asked if Council is in favor of Tyler moving forward with plans to get this amendment in to DEQ. Krasowski would like City to communicate with Mountain Waterworks that we are having a struggle with too many things in alternative (groups). We need smaller, more immediate items from them, and get 6.3.3 of the plans done legally. If we need a P.E.R. (preliminary Engineering Report), get one. Don't want to mess up the rules if we need to seek additional funding (using this facility Plan). Krasowski motioned allow staff to do alternative 6.3.3 which is booster station upgrades well 4, done legally. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio; yes, Emly; yes. Motion carried.

6.5 Strategizing for Future Development

A. Moratorium, possible ACTION ITEM

Mayor commented we are looking down the throat of future development applications and with the action at the last council meeting regarding the development request seem to have shut the door on some activity. So, to direct the City Planner and staff, we need some direction as to where we are going. Discussion. Krasowski stated we need to focus on the capital improvement plan. Ahlborn agreed, what are our viable options and what does the City need? City Attorney commented that it seems that perhaps the best avenue to recoup costs associated with growth and development is the development agreement. Jane (last developer) said they could only go to middle of street (3rd). But they could be asked to pay for the improvement of the other half. That could be a condition of approval or part of a development agreement. If our facility plans have financial numbers to refer to, that could be used for negotiating an agreement. Update/amend facility plans (sewer, water, roads) with financial numbers for reference. Ahlborn stated we know our rights better now. He reads from ID code 67-65 that moratorium can last up to 185 days but ordinance can be amended to decrease the length. Mayor asked if a moratorium is the tool to be put in place now or is there something else? Krasowski motioned to direct staff to prepare a public hearing to consider a possible moratorium. Ahlborn seconded. Krasowski commented that this is

the right thing to do. Ahlborn agreed. Need to know where we are headed and have to answer to our citizens. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio; yes, Emly; yes. Motion carried. Krasowski amends motion to set public hearing on September 19th to consider a moratorium, hear from staff and public, and if staff finds that the 19th doesn't work, staff can correspond with council for the next available date. Ahlborn seconded. Roll call was taken with the following results: Krasowski; yes, Ahlborn; yes, DeGiorgio; yes, Emly; yes. Motion carried.

7. **Mayor & Council Comment**

Ahlborn wants the most time consuming, longest topics on the agenda at the top. Order is important. We can table topics if it starts taking too long. DeGiorgio will be gone Sept 9-19, Oct 7-17, Nov, 16 through Dec 5th.

8. **Adjournment**

Krasowski motioned to adjourn at 10:30 PM. Krasowski seconded. All in favor. Motion carried.

Respectfully submitted by Loretta Vollmer, City Clerk _____

Approved by David Porterfield, Mayor _____