CITY COUNCIL MEETING
August 28, 2023

MAYOR & COUNCIL	STAFF
Daniel M. Keller, Mayor	Linda Acock, City Clerk
Todd Thomas, Council	Lyle Fuller, Attorney
Terry Larson, Council	Shawn Oliverson, Community Dev.
Brent Dodge, Council	Kelly Mickelsen, Treasurer
Chris Larsen, Council	Tyrell Simpson, City Engineer
	Dan McCammon, Police Chief
	John Balls, Public Works Director

Council Meeting was called to order at 5:00 P.M. by Mayor Dan Keller.

Item Added To Agenda Vitruvian Planning Present-ation

At the onset of the meeting, it was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to add a presentation by Chris Danley and Don Kastelec of Vitruvian Planning on the recent Looking Glass walking tour that they did for Preston City. This received unanimous approval.

Mayor/ Council

Mayor Dan Keller informed everyone that on August 23, 2023, after thorough investigation, the Preston Police Department, in coordination with the Franklin County and Cache County Sheriff's offices accomplished a drug arrest that yielded measurable amounts of methamphetamine drugs and resulted in felony charges.

Consent Calendar

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

A.	Council Minutes		August 14, 2023
B.	Bills		August 28, 2023
C.	Swale Bond Refund	Mike Oliverson	589 Eagle Dr. $1,875.00
D.	Improvement Bond Refund	Crookston Corn Walk Minor Subdiv.	$59,048.86

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve the consent calendar, which includes the City Council Minutes of August 14, 2023, the Bills through August 28, 2023, a Swale Bond Refund to Mike Oliverson at 589 Eagle Drive, in the amount of One Thousand Eight Hundred Seventy-Five Dollars ($1,875.00) and an Improvement Bond Refund to JC Properties for the Crookston Corn Walk Minor Subdivision, in the amount of Fifty-Nine Thousand Forty-Eight Dollars and Eighty-Six Cents ($59,048.86). This received unanimous approval.

Public Hearing Amend FY 2023 Budget

Mayor Dan Keller gave guidelines for holding a public hearing, then called for the public hearing regarding amending the fiscal year 2023 budget, as follows:

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the City Council of Preston, Idaho will hold a public hearing for consideration of a proposed amendment to the fiscal year 2023 budget. The hearing will be held at the Preston City office 70 West Oneida at 5:00 p.m. or as soon after as this matter can be heard on Aug 28, 2023. The proposed amendment reflects expenditures made in FY2023 that were budgeted in FY2022 in the General Fund for Playground Equipment for Craner Field. The delay in this expenditure was due to the project not being completed in a timely manner by the contractor.

	FY 2021 ACTUAL EXPENDITURES	FY 2021 ACTUAL REVENUES	FY 2022 ACTUAL EXPENDITURES	FY 2022 ACTUAL REVENUES	FY 2023 BUDGETED EXPENDITURES	FY 2023 BUDGETED REVENUES	FY 2023 AMENDED EXPENDITURES	FY 2023 INCREASE OVER ORIGINAL APPROPRIATION
GENERAL FUND	$1,779,178	$1,964,175	$1,945,541	$2,021,736	$2,332,098	$2,227,337	$2,512,633	$180,535

At said hearing any interested person may appear and show cause, if any he has, why such proposed appropriations ordinance amendment should or should not be adopted. City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities related to the hearing, please contact City Hall, 208-852-1817 at least 48 hours prior to the public hearing.

Linda Acock, City Clerk

Publish August 2nd and 9th, 2023

Treasurer Kelly Mickelsen presented the proposed amendment to the Fiscal Year 2023 Budget. He explained that the city purchased playground equipment for Craner Park at the end of the fiscal year 2022 budget. The equipment wasn't delivered and installed before the end of the fiscal year, so the payment was expended in the 2023 budget.

There being no one present to offer comments, and no written comments received in the City Clerk's Office, it was moved by Councilmember Brent Dodge and seconded by Councilmember Todd Thomas to close the public hearing. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.

Ordinance 2023-4 Amend F.Y. 2022 Budget

It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to introduce Ordinance 2023-4, amending Ordinance 2022-10, the Annual Appropriation Ordinance for the Fiscal Year 2022, beginning October 1, 2022. This received unanimous approval.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in summary. This received unanimous approval.

Clerk Linda Acock read Ordinance 2023-4 once in summary.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Chris Larsen to approve Ordinance 2023-4, and authorize Mayor Dan Keller to sign said Ordinance. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.

Public Hearing — Mayor Dan Keller called for the public hearing to consider the Fiscal Year 2024 Annual Appropriation Budget, as follows:

CITY OF PRESTON IDAHO
NOTICE OF PUBLIC HEARING
PROPOSED BUDGET FOR FISCAL YEAR 2023-2024 (FY2024)

Notice is hereby given that the City of Preston, Idaho will hold a public hearing for the consideration of the proposed budget for the fiscal period October 1, 2023 to September 30, 2024, pursuant to the provisions of section 50-1002, Idaho Code. The hearing will be held at City Hall, 70 West Oneida, Preston Idaho at 5:00 p.m. or as soon thereafter as this matter can be heard on August 28, 2023. All interested residents are invited to appear and offer testimony concerning the proposed budget. Copies of the proposed budget are available at City Hall during regular office hours (8:00 a.m. to 5:00 p.m. weekdays). City Hall is accessible to persons with disabilities. Anyone desiring special accommodations for disabilities, please contact the City Clerk at (208) 852-1817 at least 48 hours prior to the hearing.

Fund Name	Expenditures	Expenditures	Expenditures
General Fund			
Administration	$980,456	$1,132,497	$1,932,635
Police	$965,085	$1,199,603	$1,260,418
General Fund Total	$1,945,541	$2,332,100	$3,193,053
Street Fund	$1,001,257	$1,381,038	$1,102,606
Water Fund	$972,120	$1,447,036	$1,429,033
Sewer Fund	$717,539	$11,701,748	$36,134,191
Garbage Fund	$0	$0	$0
Hydro Fund	$199,475	$240,157	$143,518
Fund Transfers	$0	$0	$0
Grand Total All Expenditures	$4,835,932	$17,102,079	$42,002,401

	REVENUES		
Fund Name	FY 2022 Actual Revenue	FY 2023 Budgeted Revenue	FY 2024 Proposed Revenue
Property Tax Levy			
General Fund	$896,649	$944,617	$926,000
Street Fund	$299,254	$315,539	$309,000
Total Property Tax Levy	$1,195,903	$1,260,156	$1,235,000
Revenue Sources Other Than Property Tax			
General Fund	$1,114,403	$1,136,721	$1,286,478
Street Fund	$1,000,758	$493,148	$634,355
Water Fund	$1,430,117	$1,386,483	$1,456,682
Sewer Fund	$953,138	$1,094,792	$1,138,696
Garbage Fund	$0	$0	$0
Hydro Fund	$158,921	$150,000	$150,000
Grants	$559,891	$11,196,000	$35,075,000
Reappropriation		$384,779	$1,026,190
Total Non-Property Tax Revenues	$5,217,228	$15,841,923	$40,767,401
Grand Total All Revenues	$6,413,131	$17,102,079	$42,002,401

The proposed expenditures and revenues for fiscal year 2023-2024 have been tentatively approved by the City Council. Publication dates for the notice of public hearing are August 2, 2023 and August 9, 2023 in the Preston Citizen.

Kelly Mickelsen, Treasurer

Mayor Dan Keller presented the proposed Annual Appropriation Ordinance for the fiscal year 2024.

There being no one present to offer comments, and no written comments received in the City Clerk's Office, it was moved by Councilmember Chris Larsen and seconded by Councilmember Brent Dodge to close the public hearing. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.

Ordinance 2023-5 Annual Appropr. Ordinance FY 2024

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to introduce Ordinance 2023-5, the Annual Appropriation Ordinance for the Fiscal Year beginning October 1, 2023. This received unanimous approval.

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to dispense with the rules requiring the reading of ordinances on three separate days, and ordered the ordinance to be read once in summary. This received unanimous approval.

Clerk Linda Acock read Ordinance 2023-5 one time in summary.

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve Ordinance 2023-5, and authorize Mayor Dan Keller to sign said Ordinance. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.

County Commission Budget Certif. L2 Form

Treasurer Kelly Mickelsen presented the Fiscal Year 2024 County Commission Budget Certification Form, commonly known as the L2 Form.

It was moved by Councilmember Brent Dodge and seconded by Councilmember Todd Thomas to approve the County Commission Budget Certification for fiscal year 2023, and authorized Mayor Dan Keller to sign said Certification.

Resolution #155 Reserve Forgone Amount

Mayor Dan Keller presented Resolution #155, a Resolution reserving the Forgone Amount for Fiscal Year 2024.

It was moved by Councilmember Terry Larson and seconded by Councilmember Brent Dodge to approve Resolution #155, reserving the forgone amount for fiscal year 2024, in the amount of Thirty-Six Thousand One Dollar ($36,001), and authorize Mayor Dan Keller to sign said Resolution. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.
(A copy of Resolution 155 follows Minutes)

Resolution #156 Employee Salary Schedule

It was moved by Councilmember Chris Larsen and seconded by Councilmember Terry Larson to approve Resolution #156, Employee Salary Schedule, and to authorize Mayor Dan Keller to sign said Resolution. The vote was as follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.
(A copy of Resolution 156 follows Minutes)

Looking Glass Walking Tour

Community Development Specialist Shawn Oliverson introduced Don Kostelec and Chris Danley of Vitruvian Planning. In connection with the 4-CASI Alliance, Don and Chris came to Preston to do a "Looking Glass Walking Tour", to find ways to improve pedestrian safety and walkability throughout the city.

Chris Danley and Don Kostelec gave a presentation to the necessity of safe walking ability in Preston. They encouraged curb extensions and pedestrian refuge islands, enhanced or protected crosswalks, and comfort features. They will provide a detailed walkability improvement plan for Preston.

Mountain West Water Works

Gregg Roderick and Matt Foster of Mountain West Waterworks proposed that the City of Preston contract with them for wastewater management. Their services would include a Level 4 treatment plant operator, bi-monthly on-site direction and training, and on-call relief.

Air BnB

John Kezele came before council to address concerns he has for the neighbors operating a short-term rental out of their house and accessory building. He has had issues of people who are renting from the neighbors coming onto his property as well as coming into his home. He feels there is a safety issue, as well as a disruption to the serenity of the neighborhood, and would like city council to attend to these issues.

Decision S.U.P. Justin Carter

City Engineer Tyrell Simpson explained that per Preston City Code, in order to get a building permit for an accessory building, the lot needs to be occupied with a primary building. Justin Carter is requesting to build a machine shed on an empty lot. The machine shed is classified as an accessory building, so he was required to apply for a Special Use Permit.

The Planning and Zoning Commission held a public hearing on August 23, 2023. They are recommending that City Council approve the Special Use Permit for an accessory machine shed at 1600 North 800 West for Justin Carter.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Brent Dodge to uphold the recommendation of the Planning and Zoning Commission, and approve the Special Use Permit for Justin Carter at 1600 North 8th West, to construct a machine shed on a parcel of property, where there is no existing primary building in which the building can be accessory to. This received unanimous approval.

Business License Groll

Chris and Janine Groll have applied for a business license to operate a short-term rental on their property. They have three separate rental spaces. They have a loft on the second floor of their home, a basement apartment, and an accessory building with living quarters known as, "The Man Cave". The Grolls live on the main level of the home. They have operated the short-term rental for a few years, but only recently learned they need a business license to do so.

Community Development Specialist Shawn Oliverson stated that there are three different spaces for rent. There's the loft upstairs, the

basement and the accessory building. The basement is in compliance. There are three rooms, and they advertise the occupancy as 6. The question with the loft, is that it is one big room, and code states 3 persons per room. It is advertised as 6 maximum occupancy. And the accessory building is not classified as an Accessory Dwelling Unit (ADU).

Attorney Lyle Fuller advised that the council will need to make a determination as to whether or not the basement will be considered an accessory dwelling unit, and if it's the intent of the council that every time someone remodels their basement for living space, it becomes an accessory dwelling unit.

After discussion, It was moved by Councilmember Chris Larsen and seconded by Councilmember Todd Thomas to table a decision on the business license and have the Groll's work with city staff to get everything into compliance and then come back before the council. This received unanimous approval.

Approved Business Licenses

The following business licenses have been approved:

- Maxwell Peeler 94 Pheasant Tail Ct. Kalispell, MT
Peeler Wild Alaska Seafood
- Barry Henline 411 S. Hwy 91 Ste A Preston, ID
Eccles Henline LLC

Executive Session

It was moved by Councilmember Chris Larsen and seconded by Councilmember Todd Thomas to enter into Executive Session to discuss possible litigation, as allowed in Idaho Code 74-206(1)(f) and to discuss possible acquisition of real estate, as allowed in Idaho Code 74-206(1)(c). The vote was a s follows:

Councilmember Todd Thomas	Aye
Councilmember Terry Larson	Aye
Councilmember Brent Dodge	Aye
Councilmember Chris Larsen	Aye

Motion passed by unanimous vote.

Entered Executive Session at 7:08 P.M.

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to exit Executive Session at 7:34 P.M. This received unanimous approval.

Adjourn

Meeting was adjourned at 7:34 P.M. by Mayor Dan Keller.

Linda Acock

Linda Acock, Clerk

Daniel M. Keller, Mayor

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Kelly Mickelsen, Treasurer