

7:00 pm

November 18, 2016

## **615th MEETING OF THE HORSESHOE BEND CITY COUNCIL**

Councilwoman Cooper called the meeting to order with Councilpersons Green and Riley present. Also present, City Clerk Gina Elmer and Attorney Tony Pantera.

Pledge of Allegiance

Councilwoman Green made a **motion** to approve the agenda Councilman Riley **seconded**. All ayes. **Motion carried.**

Councilwoman Green made a **motion** to approve the minutes for October 19, 2016. Councilman Riley **seconded**. All ayes. **Motion carried.**

Councilwoman Cooper made a **motion** to approve and pay the bills. Councilwoman Green **seconded**. All ayes. **Motion carried.**

### **New Business:**

- Mayor Hanson's resignation:  
Councilwoman Cooper thanked everyone for attending the meeting. She stated that she and the other Councilmembers had not seen or read the resignation letter from Mayor Hanson. Councilwoman Cooper and the other Councilmembers received an email from the City Clerk on October 27, 2016 informing them that the Mayor had resigned. Gina Elmer, City Clerk, read into record the letter she accepted from Mayor Hanson on October 27, 2016. Tony Pantera added that the resignation was effective upon submission and acceptance of the resignation letter. Councilwoman Cooper said that the current Councilmembers do not wish to be Mayor at this time.
- Appointment of Councilmember:  
Tony Pantera informed the Council that a new member can only be appointed by the mayor. IC 50-704 states that a vacancy on the council shall be filled by appointment made by the mayor with the consent of the council, which appointee shall serve only until the next general city election, at which time such vacancy shall be filled for the balance of the original term. Councilwoman Cooper said that a local business woman has shown interest in being on the Council and she feels that this individual would be an asset. Melissa Seibel asked if there was a specific time limit for the Council to appoint a Councilmember. Tony Pantera stated that there was not.
- Appointment of Mayor:  
Councilwoman Cooper said that there is no one at this time to appoint as mayor and there has not been any residents that have shown interest. Councilwoman Cooper said that anyone interested in being mayor should turn in a letter of intent at City Hall. The City

will run an ad in the Idaho World to encourage anyone interested in this position. Letters of intent will be accepted until December 14, 2016 by the City Clerk. There was discussion on the requirements for being mayor. To qualify for the mayor position a person must be eighteen years of age, a registered voter, and reside within the city limits. This position will also be listed on Boise County Happenings, Horseshoe Bend Happenings and on Facebook.

- **Water/Sewer Rates:** Gina Elmer, City Clerk, says there have been questions concerning water/sewer rates. Tony Pantera and Amy Woodruff feel that it would be best to plan a public hearing, so that residents can voice their concerns. The City could then discuss what is allowed as far as billing practices and whether the City will need to find a different approach to billing. Amy Woodruff discussed the formula used by USDA Rural Development to establish water/sewer rates for the bulk of rural communities across the State of Idaho. She also explained how the EDUs , Equivalent Dwelling Unit, are used to determine the charge for water usage. There was also discussion about a charge for water on the Eddins property when they have a well. Councilwoman Cooper suggests that we have the public hearing to evaluate water/sewer rates on January 18, 2017. There was discussion about the purchase of a piece of property, now a proposed park, why it was purchased and what funds were used. Lynn Maxwell wrote a 500 word article on this purchase describing this purchase and the many uses the City would have for that property. Jon Dufresne does not believe that the City was transparent about the purchase of this property and their reasons for buying it. The purchase of this property was discussed during three different Council meetings and the Council agreed to the purchase.

#### **Department Updates:**

- **EMS:** Judith Hutton, director, was not present
- **Public Works:** Michele Brothers says they have been working to get ready for the winter weather. They are also having the computers in the water and sewer plants updated. The water plant made four million gallons of water last month and 590,000 gallons this month so far. A power bump caused some electrical issues but those issues have been addressed. Councilwoman Cooper asks if they are ready for winter as far as keeping vehicles off the streets so that they can plow snow. Michele says that it would be greatly appreciated if everyone could keep their cars pulled in the driveways.
- **City Engineer:** Amy Woodruff says that it has been a pretty quiet month. They have just been supporting public works and responding to DEQ comments on the waste water facility. The City is currently working on a lease with Idaho Department of Lands for the facilities that will be running beneath the Payette River.
- **City Attorney:** Tony Pantera has prepared a Findings of Fact for the Mulligan application for amending the Zoning Ordinance Table 2A to allow surface automobile sales and

recreational vehicle sales within a C1 zone with a Conditional Use Permit. The findings tell of the conditions set forth by Council for Mr. Mulligan's CUP, and his request for a variance. Tony states that if the Findings are approved there will need to be an amendment to the Ordinance Table 2A. **Councilwoman Green** made a **motion** to approve the Findings of Fact, Conclusions of Law and Decision for John and Tina Mulligan's request for a Zoning Ordinance Amendment, Conditional Use Permit and a Variance. **Councilman Riley seconded. Roll call: Councilman Riley-aye, Councilwoman Green-aye, and Councilwoman Cooper-aye. Motion carried.**

**Public comment:**

Sandy Fenton, EMT, asked Tony Pantera when they could expect the new policies manual. Tony will have a draft prepared for the EMS meeting on December 20, 2017

**Councilwoman Cooper** made a **motion** to enter into executive session pursuant to IC 74-206 1(B&F) at 7:55pm. **Councilwoman Green seconded. Roll call: Councilman Riley-aye, Councilwoman Cooper-aye, Councilwoman Green-aye. Motion carried.**

Council came out of executive session at 8:22pm.

**Councilwoman Cooper** made a **motion** to pay the obligation to PERSI of past City personnel due to an over sight that generated the obligation. **Councilman Riley seconded. All ayes. Motion carried.**

Councilwoman Cooper asked that Councilwoman Green stay in contact with Judith Hutton, EMS Director, as a liaison for the City.

Meeting Adjourned at 8:23 pm.

**ATTEST:** \_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Acting Mayor**