

7:00 pm

September 18, 2019

**671st MEETING OF THE  
HORSESHOE BEND CITY COUNCIL**

Mayor Pat Goff called the meeting to order with Councilpersons Cooper, Riley, Corvinus and White present. Also present Treasurer Terrie Nolan as acting clerk and Attorney Tony Pantera.

Pledge of Allegiance

Councilman White made a **motion** to approve the agenda. Councilman Riley **seconded**. All ayes.

**Motion carried.**

Councilman White made a **motion** to approve the minutes for the August 21, 2019 meeting of the City Council. Councilman Corvinus **seconded**. All ayes. **Motion carried.**

Councilwoman Cooper made a **motion** to pay the City's bills as presented. Councilman Riley **seconded**. All ayes. **Motion carried.**

**Public Comments:**

- No public comment

**Public Hearing:**

- CUP (Conditional Use Permit) – Back Country Dirt Works  
7:02p.m. - Jay Robert, 5932 Hwy 55, P.O. Box 339, Horseshoe Bend, Idaho 83629 explained that he and his wife moved from Star and one of his goals is to service this community. He has brought his equipment over and he works with Dobson and other gravel pits and has an arrangement with the railroad to lease their property. He will erect a fence and keep all his equipment behind it. There will be a small office that will be kept mobile and temporary per railroad request. He will run an excavation and landscaping business. Attorney Pantera asked about ingress and egress from Highway 55 and Mr. Robert replied that he will work with ITD. Councilman White questioned him about water and sewer and what he will be selling. He answered that he will have a 250 gallon tank for water and a porta potty kept in back of the office. He will sell antiques, yard art, rock etc. and will be able to sell it at a lower price than Boise.

Staff report – Amy Woodruff - A nursery and contractor shop is generally supported in the Comprehensive Plan. If the Council should approve the CUP she has provided them with her suggestions for conditions. If the use changes they will have to come and get a new CUP. There is no specific site plan for an office yet and she suggests they keep specific for trash and porta potty.

No oral or written testimony. Public hearing is closed at 7:15p.m.

Attorney Pantera cites codes for guidance for the Council. He asks them to consider whether this promotes business and economic development, is it compatible with the Comprehensive Plan, does it negatively affect any political subdivision. Councilman Riley **moved** that this business is not in conflict with the Comp plan and is an improvement to the City and will not affect political subdivisions adversely.

Councilwoman Cooper **seconded**. Councilman Riley – aye, Councilman Corvinus – aye,

Councilwoman Cooper – aye, Councilman White – aye. **Motion Carried.** Councilman White **moved** to approve the CUP for Backcountry Dirt Works to allow operation of a contractor shop and nursery on proposed site with the following conditions: 1. The Contractors Shop use should be defined and limited to the uses identified in the application: parking equipment, mobile office with generator for power, landscaping rocks, antiques/yard decorations. 2. The Nursery conditional use permit will allow the sale of shredded bark and landscaping perma-bark as described in the application. 3. Any other uses not defined as Contractors Shop of Nursery will be required to be permitted if required. 4. Sanitation facilities (trash and bathrooms) should be required. 5. The applicant will be required to comply with all the applicable provisions in the Horseshoe Bend City Code including the sign ordinance and off-street parking requirements. As a condition of occupancy, sufficient parking for the requested use must be in place. 6. The Conditional Use Permit shall be reviewed two years after approval and conditions may be adjusted as necessary and further reviews, if necessary, shall be designated at that time. Councilman Riley **seconded.** Councilman Riley – aye, Councilman Corvinus – aye, Councilwoman Cooper – aye, Councilman White – aye. **Motion Carried**

#### **New Business:**

- Cliff Ohler – Riverside parking lot  
Mr. Ohler stated that he and his wife are the new owners of the Riverside Restaurant and they have been trying to mend fences with the community. They have made improvements and reopened the Bed and Breakfast. They have doubled business and doubled staff. There is a parking problem for the business so he purchased the adjoining lot for parking. The problem is this lot is not zoned for a parking lot and he doesn't want to rezone it because he doesn't know what he wants to do with it in the future. It is a benefit to the City to use as parking. Councilman Riley request Attorney Pantera to check into it. Jim Sleight – He is all for a zone change but a commercial use is against the neighborhood covenants. He has land next to the proposed parking lot and wants his land considered in a rezone. Jon Dufresne – He states that a majority of the land owners can change the covenants.
- David Gerber – Dog issues  
Mr. Gerber would like to address the dog ordinance. He lives on River Avenue, Space #6. He has a 3 year old yellow lab. His yard is fenced but dogs keep jumping his fence and injuring his dog. He has spent over \$1600.00 on Vet bills and his dog almost died. His dog is annoying the neighbors because he barks at all the dogs running loose. He would like to take flyers door to door but he is discouraged from doing so by Mayor Goff. Councilwoman Cooper asks if he has called law enforcement. He replied that he has and the officer told him they do not enforce City Ordinances. Councilman White stated that he has personally sent the sheriff a copy of our dog ordinance and the Council agreed that Boise County is supposed to enforce the City Ordinances. Mr. Gerber added that at his last address he had 11 burglaries and Boise County only documented 3 and told him they are tired of addressing his complaints. Councilman White told Mr. Gerber that he will do

his best to contact the Sheriff's office to address his concern. Mr. Gerber would like the Council to arrange a meeting with the Sheriff for him and Mayor Goff said he will call the Sheriff.

- Letter from HSB School concerning baseball/softball scoreboard  
Principle Chestnut provides the Council with a letter requesting permission to erect scoreboards on the softball and baseball fields. Councilwoman Cooper thinks it is a good deal and nice to have. She sees no problem with the softball field but is concerned with the baseball field placement. A discussion is held about where the scoreboards will be placed. Attorney Pantera adds that they need to fill out an application. Councilwoman Cooper **moves** to forego the sign permit fees. Councilman Corvinus **seconds**. All Ayes.  
**Motion carried.**

#### **Department Updates:**

- EMS:  
Michele Brothers: They had 19 runs last month. The new ambulance is here and invites the Council to inspect it after the meeting. She has questions about where it will be stored, about stocking it with supplies, putting on logos. She is told that the sale of the extrication truck will pay for all they need. Ms. Brothers requests life flight membership for active EMT's. This request will be put on the agenda for next month.
- Public Works:  
Michele Brothers: The new employee has started and she introduced Jake Wolsleben to the Council. Councilman Riley joked, "How are you with dogs?" Work has begun on a new dog holding facility. There was a new water and sewer service put in at the end of Hoff Street. They have been having issues with the redwood tank. For a project, Eagle Scouts have repainted benches and picnic tables. They have been dealing with high turbidity in the water and they are working with the Engineer on the Barreto sewer main.
- City Engineer:  
Amy Woodruff: The new City well has been approved by DEQ. She is working with DEQ on discharge issues. She has not had any update on when ITD will start the new bridge.
- Attorney:  
Anthony Pantera: The law students working on the zoning ordinance review did not get it done so he has Geoff Schroeder is working on it. The Chevron station is selling City water and Mr. Pantera will follow up on that.

#### **Public Comment:**

Councilwoman Cooper wondered about the new City Hall sign. Mayor Goff will follow up. ARM: They are considering buying the Tamarack property and had questions concerning City water for fire suppression. They are at the design stage for a production facility, retail space and shooting range.

Meeting Adjourned 8:25 pm.

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

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**Mayor**