

CITY COUNCIL MEETING

Franklin City Building

May 10, 2023

7:00 P.M.

MAYOR AND COUNCIL IN ATTENDANCE

John D. Packer

Lyle J. Fuller

Stuart Parkinson

Mark Dietrich

Kevin D. Beck

STAFF

Tyona Atkinson, City Clerk

Council meeting was called to order at 7:00 p.m. by Mayor Packer.

Prayer: Councilmember Mark Dietrich

Pledge: Councilmember Lyle Fuller

It was moved by Councilmember Kevin Beck and seconded by Councilmember Stuart Parkinson to approve minutes of April 12, 2023, Council Meeting. Motion passed. Unanimous

It was moved by Councilmember Stuart Parkinson and seconded by Councilmember Mark Dietrich to approve the bills for April 2023. Motion passed. Unanimous.

Idaho Days – Erin Munson (3:25)

Unable to attend.

Councilmember Mark Dietrich stated that there has been a change to the parade route. The route will be reversed and will begin by the city sheds.

Adopt Ordinance 2023-5-10 Issuance of Water Revenue Bond (5:20) See Attachment

Councilmember Lyle Fuller introduced Ordinance 2023-5-10 relating to issuance of water revenue bond.

It was moved by Councilmember Lyle Fuller and seconded by Councilmember Kevin Beck to dispense with the rules requiring the reading of Ordinances on three separate days and ordered the ordinance to be read once in summary.

Roll Call Vote:

Councilmember Stuart Parkinson - Yes

Councilmember Lyle Fuller - Yes

Councilmember Mark Dietrich - Yes

Councilmember Kevin Beck - Yes

Motion passed. Unanimous

Ordinance No. 2023-5-10 was read once in summary by Mayor Packer.

SUMMARY OF
ORDINANCE NO. 2023-5-10

AN ORDINANCE OF THE CITY OF FRANKLIN, FRANKLIN COUNTY, IDAHO, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A WATER REVENUE BOND, SERIES 2023, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$900,000, FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE DOMESTIC WATER SYSTEM OF THE CITY OF FRANKLIN, FRANKLIN COUNTY, IDAHO; DESCRIBING THE BOND; PROVIDING FOR THE COLLECTION AND DISPOSITION OF REVENUES; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BOND; ESTABLISHING FUNDS AND ACCOUNTS; PROVIDING COVENANTS RELATING TO THE BOND; PROVIDING FOR THE SALE OF THE BOND TO THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

It was moved by Councilmember Kevin Beck and seconded by Councilmember Stuart Parkinson to except Ordinance 2023-5-10 effective on publication.

Roll Call Vote:

Councilmember Stuart Parkinson - Yes
Councilmember Lyle Fuller - Yes
Councilmember Mark Dietrich - Yes
Councilmember Kevin Beck - Yes
Motion passed. Unanimous

Adopt Loan Resolution 2023-5-10-1 (9:50) See Attachment

Mayor Packer read Loan Resolution 2023-5-10-1. A resolution of the City Council of the City of Franklin authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water system improvements facility to serve an area lawfully within its jurisdiction to serve.

It was moved by Councilmember Lyle Fuller and seconded by Councilmember Kevin Beck to adopt Loan Resolution 2023-5-10-1 in respect to the loan resolution that was read in summary form.

Roll Call Vote:

Councilmember Stuart Parkinson - Yes
Councilmember Lyle Fuller - Yes
Councilmember Mark Dietrich - Yes
Councilmember Kevin Beck - Yes
Motion passed. Unanimous

Flooding – Emergency declaration (Bridge) (12:30) See Attachment
Mayor Packer read Mayor’s Declaration of Local Disaster Emergency.

CITY OF FRANKLIN, IDAHO

MAYOR’S DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS, the health and safety of all citizens of the City of Franklin, Idaho (the “City”), is of the utmost importance; and

WHEREAS, record breaking snowfall and precipitation during the immediate past winter season has resulted in flooding and/or imminent threat thereof to homes, business, and other properties within the City, to the City’s roads, bridge, and other infrastructure, and to the health and safety of the City’s residents; and

WHEREAS, the flooding and/or imminent threat thereof constitutes a “disaster” and an “emergency,” as those terms are defined in Idaho Code § 46-1002; and

WHEREAS, Idaho Code § 46-1011 provides that the Mayor may declare a local disaster emergency within the City, the effect of which includes, without limitation, to activate the response and recovery aspects of any and all local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance thereunder;

NOW THEREFORE, I, John D. Packer, Mayor of the City of Franklin, by virtue of the authority vested in me by Idaho Code § 46-1011, do hereby declare as follows:

Section 1: That a Local Disaster Emergency exists, and that all reasonable and necessary efforts should be made to protect the citizens, property, and infrastructure of the City of Franklin through activation of all local disaster emergency plans and state emergency assistance.

Section 2: That this Declaration of Local Disaster Emergency shall be given prompt and general publicity and shall be promptly filed with the Franklin County Recorder’s Office.

Section 3: That this Declaration shall be in full force and effect immediately.

DECLARED by the Mayor of the City of Franklin on May 10, 2023.

Councilmember Lyle Fuller stated in terms of procedure it is a two-part process to declare a local disaster. The Mayors Declaration allows the city to receive aid that has been set aside for local disasters, then the City Council has to pass a resolution backstopping the mayor to be able to dip into city funds without opening the budget in an emergency without public hearings to be able use funds to address the emergency. Including sole source vendor, it allows the city to act quickly and use reserve funds if necessary and get more aid.

Mayor Packer stated that when the bank gave way by the bridge on Parkinson Road, he notified Local Highway technical Assistance Council (LHTAC) and they highly recommended the city declare a Declaration of Local Disaster Emergency because it will move the bridge repair up higher on the priority list.

The bridge inspectors from Salt Lake and Murtaugh, ID came and met with Mayor Packer and Public Works, they determined that the bridge was not in imminent danger.

Mayor Packer read a summary of Resolution #2023-5-10-2.

Resolution #2023-5-10-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRANKLIN, IDAHO, DECLARING AN EMERGENCY AND PROVIDING FOR THE AFFIRMATION OF THE MAYOR'S LOCAL DISASTER EMERGENCY DECLARATION.

It was moved by Councilmember Mark Dietrich and seconded by Councilmember Lyle Fuller to approve Resolution 2023-5-10-2. A resolution of the City Council of the City of Franklin, Idaho, declaring an emergency and providing for the affirmation of the mayor's local disaster emergency declaration.

Roll Call Vote:

Councilmember Stuart Parkinson - Yes

Councilmember Lyle Fuller - Yes

Councilmember Mark Dietrich - Yes

Councilmember Kevin Beck - Yes

Motion passed. Unanimous

Dog Ordinance Review – Tabled Item (21:15)

Councilmembers and Mayor Packer discussed the need for a dog catcher that can be available throughout the day and evening.

The dogs are kept in the dog pound by the grandstands which can hold two dogs.

Mayor Packer stated he would like to purchase two dog catching poles that will lock.

Councilmember Lyle Fuller asked if there was a possibility of hiring an off-duty deputy or sheriff to be the dog catcher. Mayor Packer stated in the past both the Police Chief and Sheriff did not want their off-duty officers doing that.

Mayor Packer stated that Mike Waddoups has caught dogs on his own and brought them to the office. Mayor Packer wondered about asking him if he would be the dog catcher. Mayor Packer

stated that an officer spoke to him about the Franklin City dog ordinances and his concern is that the city is not enforcing the ordinances.

The dog catcher is paid from fees collected when they catch the dog, which is a \$35.00 fee. The fine for a first offense of a dog being picked up is \$70.00, the 2nd offense within a twelve-month period is \$100.00, the next offense is \$150.00. Plus, a license fee if a license has not been purchased.

Councilmember Kevin Beck stated that some cities make the owners tag their dogs with a chip. The Council and Mayor are going to research chipping the dogs and other options. Councilmember Mark Dietrich will do some research about the cost of chipping a dog and report back to the Mayor and Council. Mark stated he would like to get some input from the citizens in town.

It was moved by Councilmember Kevin Beck and seconded by Councilmember Mark Dietrich to approve Mayor Packer to ask Mike Waddoups to be the dog catcher for the City of Franklin. Motion passed. Unanimous.

Review Planning & Zoning/Engineer/City Planner – Tabled Item (36:15)

Mayor Packer asked the council if they had ideas on the planning and zoning/engineer/City Planner which had been discussed in April Council Meeting.

Councilmember Stuart Parkinson stated that it seemed like the biggest problem at the last council meeting was the rate schedule that was presented. He stated that the contract was standard and is probably one they sent out to everyone. Much of the contract would not apply to the city. Stuart stated that the city needs help getting the zoning taken care of. If the city puts together a planning and zoning committee that is going to take time and no one will be trained.

Mayor Packer stated that after the last city council meeting, he talked to Lance Evans (Sunrise Engineering) to see if he could give the city a separate rate schedule that was tailored for our city.

Councilmember Lyle Fuller asked what Sunrise Engineering's role would be, he asked if Sunrise Engineering would be training a new planning and zoning committee. He stated there were some things that were approved in terms of ordinance review. His understanding of what was not approved at the last meeting was basically to hire them as ad hoc city planners on a basis to handle things a city planner would handle day to day.

Councilmember Stuart Parkinson stated that the city needs someone to get us going. The way the contract is worded the city can stop using Sunrise Engineering anytime. Once the city gets a planning and zoning committee going and trained then let them take over.

Mayor Packer stated that he would like to suggest that the city hire Sunrise Engineering to use them for line-item projects, for example to help rezone a particular piece of land and help with the publication and everything involved with that.

Councilmember Kevin Beck stated that the planning and zoning needs to be put in place, but he does not have any ideas of who to ask. He stated that based on this last month of thinking he agrees with Stuart that the city needs to start with the engineer. The city needs to start working on the zoning and the future needs of the city.

Councilmember Lyle Fuller stated that before a city starts changing the zoning, they will look at the comprehensive plan to see if what we are doing is in accordance with the comprehensive

plan. If an engineering company comes in to help update the plan, it will involve public meetings and notices. That could get the ball rolling, then look at the ordinances and amend the zoning map which will be a process and take time. His concern with Sunrise Engineering is the cost. He stated he was thinking of looking into hiring a part time city planner.

An application was brought into the office for a building permit for storage sheds like the ones that have been put up previously. Someone needs to review those plans and make sure they follow the city codes. The city now requires a copy of the deed to make sure they own the land. Councilmember Kevin Beck stated that he sees where Councilmember Stuart Parkinson is coming from to hire someone to go over items such as this so these people can get started and the city is not holding them up. Councilmember Stuart Parkinson stated that there should be a cost limit that they must be held to. Councilmember Mark Dietrich agreed. The council agreed to have Sunrise Engineering give the city an estimate for the comprehensive plan and ask SICO to give the city an estimate of their cost. Councilmember Kevin Beck stated that the city should go ahead with Sunrise to help fill in the gap until the city can find someone to fill this type of position. But he does not want to be locked into a contract with anyone right now. The city clerk will be the go between the contractor and Sunrise. Councilmember Lyle Fuller stated that a check list needs to be worked up with what is required for a building permit or any other development or construction.

It was moved by Councilmember Lyle Fuller and seconded by Councilmember Kevin Beck to approve Mayor Packer to contact Sunrise Engineering and have them rework a rate sheet or contract that would be more specific to the City of Franklin for review at the next council meeting. Also, to authorize the expenditure of asking Sunrise Engineering for their help with the building permit applications coming into the city on the storage units. Motion passed. Unanimous.

Truck Bed for Dodge (1:04:05)

Mayor Packer stated that he has mentioned to the council that the Dodge truck needs a new bed. The council discussed the truck and what needs to be done to it. Roberto thinks there is still something wrong with the transmission. Hayden thinks it might be the serpentine belt. Mayor Packer will check with them, and he will also talk with Jaydee Cole who put in the new transmission in the truck. Councilmember Stuart Parkinson asked if there is money in the budget this year to purchase a bed that costs over \$10,000. Mayor Packer stated that the truck bed he is looking at costs \$10,000 for the bed but it is slightly used so they would sell it for \$6,000 and \$2,500 to install it. So, this slightly used bed would cost \$8,500 compared to a new bed at \$12,500. Councilmember Kevin Beck stated that the cost of installing the bed is overpriced. Councilmember Kevin Beck stated that he thinks as the City has declared a State of Emergency that these funds for the bed might go further to help fix a road that has sustained water damage. Councilmember Mark Dietrich will look at the truck and the bed and give his opinion on this next month.

It was moved by Councilmember Mark Dietrich and seconded by Councilmember Lyle Fuller to table the discussion on truck bed for the Dodge. Motion passed. Unanimous

Mayors Report: (1:11:12)

The raw water tank is complete. Waiting for Bracken (BSC Construction) to come back and complete the road.


The treated water tank should be operational by June 15th.

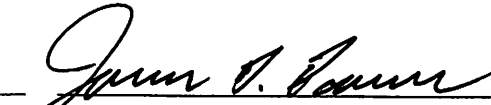
Mayor Packer met with the engineers and Dome Industry, and it was decided there are things they can work on as they are waiting for the grout and cement to dry. They are waiting for the person to come and work on tensioning the cables.

Phase 3 – Waiting on WesTech as they are waiting for the equipment to come.

Sewage in Legacy Ranch was coming up into citizens' homes. Mayor Packer wrote a letter to Heritage Land Development explaining that this was caused by them. Mayor Packer also asked the engineer to explain in writing how he approved something that was not correct.

It was moved by Councilmember Stuart Parkinson and seconded by Councilmember Lyle Fuller to adjourn at 8:20 p.m. Motion passed. Unanimous


City Clerk


Mayor