

FRANKLIN CITY COUNCIL MEETING

APRIL 7, 2016

7:30 PM

Meeting was called to order at 7:30 pm by Mayor Todd Hawkes.

Present: Mayor Todd Hawkes, Council Member: John Packer, Bryce Wood and Emily Chatterton. Joyce Bayles was excused.

Also present: Barbara Packer, Corey and Brooke Richards, Mark Dietrich, Stella Sharp, Ammon Sharp, Lana Duke from USDA, Derek Kimball from JUB Engineers, Merl Marble, Carelyn Marble, Aaron Bergman City Attorney, Herb Sturm, Becky Cox from Preston Citizen, Glen Seamons, Don Newbold, Leon McGuire, Max Richards, Kerry Blau, and Bryan Tolbert.

The minutes of City Council Meeting held on March 9, 2016 were read. Bryce Wood made the motion to accept the minutes as written. John Packer seconded. Unanimous.

The March bills were reviewed. John Packer made the motion to pay the bills. Bryce Wood seconded. Unanimous.

Decision of Sewer Rate Change: Mayor Hawkes stated that we just had a public hearing on the sewer rate change. Bryce Wood stated that there is a need for the raise of the sewer rates. Emily Chatterton stated that she likes the \$6 raise instead of the higher rate if we do not continue with what is being done.

Bryce Wood made the motion to raise the rates \$6.00 to \$57.00 per month. John Packer seconded. Roll call vote: Emily Chatterton – Yes, Bryce Wood – Yes, and John Packer – yes. Joyce Bayles was absent.

Motion passes. Mayor Hawkes stated that the city do their very best to watch this project to see if there are some areas that can be cut.

Formally disband the Planning and Zoning: Mayor Hawkes stated that a few months ago the council discussed the option of disbanding the planning and zoning committee. Mayor Hawkes stated that he has talked with Ben Berrett the Planning & Zoning Chairman to get his feelings on this and he was in favor of dropping this. Mayor Hawkes stated that he was in a meeting with ICRMP/AIC and they were unaware that Franklin even had a planning and zoning. Bryce Wood suggested that the council needs to show gratitude to them for serving. There

could be a committee put together if something comes up that is needed. Based on how many times they meet this is not needed. Mayor Hawkes stated that by Idaho Law the planning and zoning had to meet 9 times a year and they could not be paid. This is a voluntary position only. Ben had no opposition to disbanding this. Mayor Hawkes stated that he has only talked with Ben Berrett. He would like to send them a thank you card. Everything that they have been doing can be handled by the city council. These items will be added to the city council agenda.

Bryce Wood made the motion to disband the planning and zoning subject to city attorney review. John Packer seconded. Unanimous. Aaron Bergman stated that the ordinance needs to be repealed in the code book. There has to be a public hearing on any ordinance even repealing one. Mayor Hawkes stated that this could happen next month. A public hearing on this right before the regular city council meeting. Mayor Hawkes asked for a roll call vote on this when the proper steps have been taken. Roll call vote: Bryce Wood – yes, Emily Chatterton – yes, John Packer – yes, Joyce was absent. Motion passes. Aaron Bergman was given an action item to make sure this is followed through and finished correctly.

Merl and Carelyn Marble request a Kennel License for their 5 dogs: Carelyn Marble stated they need a kennel license as she has two dogs and her mom has three dogs. Carelyn stated that they have filled out the necessary forms and had all the neighbors sign a paper. There was only one that would not sign. Carelyn Marble stated that they have a fenced yard. The dogs are four poodles and a Chihuahua. They are inside dogs. Mayor Hawkes stated they have complied with the ordinance.

John Packer made the motion to grant the Kennel license to Merl and Carelyn Marble. Emily Chatterton seconded. Unanimous

Brooke Richards – Ammon Sharp Dogs: Brook Richards asked Ammon Sharp if he has a current kennel license. Ammon stated that he thought he was current but they are renewed every January so he does not have a current one now. Brooke Richards stated that her concern is that they are barking all night or most of the night. Ammon Sharp works at night so he does not hear them. They have a dog door that they use to go outside and her bedroom window is right over the dog run. There are four dogs and when one starts barking they all start barking. Brooke stated that she has no resource as Ammon works at night so they cannot call him to

keep the dogs quiet. In the winter it has not been a big problem but now as the weather warms up they go out more and more at night and her windows are open at night. She would like the dogs kept in the house at night especially when he is at work and cannot stop them from barking. Brooke stated that she signed the paper on the kennel license last year with the promise that they would keep the dogs inside at night. Ammon Sharp stated that his dogs do not go out at night. Mark Dietrich stated that there are things out there to stop the barking. Brooke stated that he needs a kennel license and they only signed the paper if Ammon would keep his dogs inside. Mayor Hawkes does not want to get involved in neighborhood issues. Ammon stated that he tries to keep his dogs inside especially when they bark. Mayor Hawkes stated that Ammon could get something to stop the barking. Mayor Hawkes is hesitant to step in with more government intervention. Ammon stated that for the most part his dogs are inside. They react to other dogs when they start barking. Mark Dietrich stated that the unit he has used stopped two Great Danes from barking. Stella Sharp stated that everyone in Franklin has dog issues. Brooke Richards stated that this is usually a problem when Ammon is not home. Ammon stated that he will take care of the renewal of the kennel and dog license soon.

Tiffany Lowe – Craig Lowe Property Development: Tabled for now as it was their father's funeral today.

Darrell Sims – Needs Conditional Use Permit for Goats: Mayor Hawkes stated that Darrell is not here but he wants to put a couple of goats behind his house. He needs a conditional use permit for the 2-4 goats. Mayor Hawkes stated that he has met with Jeremy Kimpton and was told what he needed to do to apply for a conditional use permit. Mayor Hawkes stated that he will steer him back to the office to follow the conditional use permit and a variance codes.

Park Tree Trimming Bids: Mayor Hawkes went over the three bids that came in for the trimming of the trees in the main park. The IMT bid is \$1000 per day and estimating 5 days. Branch to Bud is a more detailed bid. The council can set a price and they will take out the lower priority trees. That is the final bid amount. John Packer likes Branch to Bud as it is itemized. Mayor Hawkes stated that Hull Tree Service is higher in their bid than the other two. Mayor Hawkes suggested that we cap this at \$5,000 this year. Bryan Tolbert stated that he met

with all three of the bidders and the Branch to Bud is the only company with a certified arborist from USU on staff. The trees definitely need work this year. Mayor Hawkes stated that the city will work on the tree health each year. Mark Dietrich stated that he knows a person from one of the companies and having a degree means nothing. Emily Chatterton stated that she has met with all three companies and they are all good companies but the bid from Branch to Bud is itemized clearly for each tree. Bryan Tolbert stated that all three companies will trim differently.

Bryce Wood made the motion to use Branch to Bud Company with a cap of \$5,000. John Packer seconded. Unanimous.

Business License – Half-Box-W Custom Holsters – Bryce Wood: Mayor Hawkes stated there is a business license request from Bryce Wood. Mayor Hawkes asked Bryce Wood if he needs a business license. Bryce Wood stated that he does need a business license for his business so he can ship items across state lines. He builds custom holster He works with higher end customers. He would not have any traffic. He will have a license FFL license that will give him the option to ship across state lines. He does build custom gun holsters. His holsters are unique. The holsters will fit the gun perfectly. Mayor Hawkes stated that since Bryce Wood cannot vote on this and you need a quorum to vote he will call Joyce Bayles so she can vote and make it a quorum vote. Bryce Wood asked that he be recused from voting on this.

John Packer made the motion to grant Bryce Wood – Half-Box-W Custom Holsters a business license. Emily Chatterton seconded. Unanimous with Bryce recused and Joyce Bayles by phone. Motion passes.

Bryan Tolbert – Ball Diamond Fence: Bryan Tolbert stated that the ball diamond fence needs to be taken out and replaced with a grand slam mesh fence. This is a fence that is 4 feet that is collapsible. This will be \$1200 to \$1500 cost for the new fence. (Copy follows minutes) This type of fence could be put up when the little league starts and keep it up until after Idaho Days. Bryan Tolbert stated that the fence out there is not safe. John Packer wants to know what will stop people from taking out the fence. The fence could be moved out for the tournament on Idaho Days. He would also like the back stop removed from the other diamond as it is not safe. Brooke Richards stated that the backstop does have sharp edges on this back

stop down the sides. Mark Dietrich stated that the Idaho Days tournament uses special balls. John Packer asked about the use of the other ball diamond. Mayor Hawkes stated that this is not used very often but just a t-ball team practices on it and they do not need a back stop. Mayor Hawkes suggested to stay on the topic of the fence as this is on the agenda.

Emily Chatterton stated that this needs to be fixed.

Bryce Wood made the motion to accept Bryan Tolbert proposal on the fence. Emily Chatterton seconded. Unanimous. But the council and Bryan Tolbert will do more research on the type of fence needed for this before purchasing the fence.

Mayor Hawkes thanked Brooke Richards for the letter she wrote opposing the letter to the editor that was in the paper this past Sunday and today's paper.

Bryce Wood made the motion to adjourn at 8:25 pm. Emily Chatterton seconded. Unanimous.

City Clerk

Mayor