

CITY COUNCIL MEETING

MAY 11, 2016

7:00 PM

Meeting was called to order by Mayor Todd Hawkes at 7:00 pm.

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

Also Present: Susan Lorenz from SICOG, Stuart Parkinson, Darek Kimball from JUB Engineers, Bryan Tolbert, Becky Cox from Preston Citizen, and Dee Burgess.

Mayor Hawkes welcomed everyone to this meeting.

The minutes of regular council meeting held on April 7, 2016, public hearing held on April 7, 2016 and special city council meeting held on April 28, 2016 were read. Bryce Wood made the motion to accept the minutes as written. Joyce Bayles seconded. Unanimous.

The April bills were reviewed. Joyce Bayles made the motion to pay the bills. Bryce Wood seconded. Unanimous.

**Susan Lorenz – SICOG – Administrator Contract:** Susan Lorenz is here as we have the DEQ loan is secured and USDA funds requires an interim financing for the USDA money. DEQ and USDA money falls under federal rules. Susan Lorenz stated that she has secured the \$800,000 DEQ loan money and one half of this amount will be forgiven and does not have to be paid back. Also she has a \$1.5 million RD loan for the project. SICOG has a contract that needs to be signed so they will handle the money and paying the bills during construction. This will not cost the city anything extra.

Bryce Wood made motion to authorize Mayor Hawkes to sign the Grant Administration Contract with SICOG. John Packer seconded. Unanimous.

John Packer asked what progress will be seen by next month. Susan Lorenz stated that the bid documents will be going out within the month. And within 45 days there should be a contract with a contractor.

Darek Kimball stated that these are the reasons the city hires Susan Lorenz from SICOG.

Darek Kimball stated that USDA is waiting for a map of the land showing rights of ways and easements. Darek Kimball stated that he has talked with Tim Christensen and he is getting that ready for them now. Darek Kimball stated that DEQ is slow in getting the answers back to them. There could be a change after construction starts if DEQ comes back with a change that they require. Darek stated that the letters back from DEQ has come back vague in some areas. Mayor Hawkes stated that we have done everything possible and DEQ will have to take the city to court if they want more than what is needed now. The city has done everything and JUB has responded to DEQ within 24 hours and then we wait again for DEQ to respond again. The city has done everything we can. We are ready to go to bid now. Susan Lorenz stated that a lot of work can be done this year and then shut down for winter then finish this up early next year. There will be substantial completion by fall. Mayor Hawkes stated that it has to be done by then by EPA mandate. Susan Lorenz had a meeting with the funders and together find the best way to spend the money and what money to use first.

**Brooke Richards – Dog Kennel:** Did not show up.

**Building Permit Fees:** Mayor Hawkes stated that this was a discussion started since last meeting but has been talked about for years. There has been a lot of information since last meeting that has been given to the council to review. Mayor Hawkes stated that he has talked to Leon Duce from the Association of Idaho cities and he said that what the city is doing is standard. Options can be what the city wants to do but you cannot charge more than what it costs. There are cost involved in a building permit. Mayor Hawkes and Jeremy Kimpton stated that they have done some research and talked to inspectors from Franklin County and Preston City and they do things a little differently. We are disbanding the planning and zoning that will help with our costs. We have talked to the other building inspectors and their costs. The numbers are about the same on how much a square foot they charge. At the county level Randy Henrie is the county building inspector and he is doing other work for the county. What we want to look to at is how to come up with the numbers. We need to set the fee schedule and then find someone to do it for that amount. The county is about ½ of what the city is charging now. The council needs to decide what will be charged. Randy Henrie has told Mayor Hawkes that he will do it for what the county charges which is their square footage charges and

he will charge 70% of that fee. The planning and zoning is being disbanded as we do not need them. Most of the work is done in the office. As we discuss the fee schedule this is done by resolution. We need to get all the fees in the same spot in the resolutions and have it on the web site. This is part of what city administrator is taking care of right now. Mayor Hawkes stated that he would like to have all the fees done by next meeting and we can have the resolution ready by then. Mayor Hawkes has talked to Scott Womack about the fees and he said that personally he does not want to go down on the fee he charges and how he comes up with the amount. That is not what we want to discuss now. That is not the issue. The issue is are the fees too high on the building permit per sq. foot. The council needs to decide if the fees are too high as the surrounding county and Preston City are a lot lower than Franklin City. The fees can be put on the web site and everyone can see what it would cost for things.

Mayor Hawkes stated that this has been talked about for many years. Joyce Bayles stated that if we are that much higher then we need to look at this. John Packer asked where those numbers came from. Mayor Hawkes stated that in the International Building Code book the numbers are from a regional area that covers small cities and large cities. Just here in Franklin City the average mean for the citizens is lower than those who live in the surrounding area in the larger homes. Mayor Hawkes stated that he thinks the numbers from the county would work for us. Preston City charges \$58 sq. foot and county is \$60 per sq. foot. Randy Henrie stated that he would do this at the 70/30 split using county's numbers. John Packer asked about Randy Henrie and the car he would use. Mayor Hawkes stated that he would not charge any more than the 70% of the fee. The county commissioners have stated that they would like all the cities to use the county building inspector as he is in the process of getting licensed for electrical and plumbing besides building inspections. Preston City subcontracts with John Burg. John Burg has told him that he is semi-retired and does not want to take on more work. He would like to be fully retired in two years.

Mayor Hawkes stated that the fees have been too high and this has been addressed differently in some cases over the years. Bryce Wood asked what the costs are for the city. He wants to see these numbers first. Mayor Hawkes stated that that is impossible to come up with. The city needs to find a balance. This is a public issue. We have been through this for

years. Leon Duce for Association of Idaho Cities stated that no matter what you do, you will be yelled at. Mayor Hawkes stated that we have put the best information possible. The building construction numbers change all the time. You have to get close to what it is and make it work. Joyce Bayles stated that she thinks about the cost and wants to do something about it. Mayor Hawkes went over the different cost in the county and Preston City. Mayor Hawkes stated that the building in Preston who is 6 miles away the cost of building is not different from there to here. Those two entities make it work. Right now is a good time to do this because the building at legacy is coming to a close until the fire lane road problem is fixed.

Mayor Hawkes stated that this is not a new issue. We have had this issue for years. John Packer is concerned about the conflict of interest as he is needing a building permit now. Mayor Hawkes stated that this is not a conflict of interest as this has been talked about for years.

Bryce Wood stated that he is still uncomfortable with changing this. He does not like the timing of this. He does not want this taken the wrong way. He does not want to rush this decision. Bryce Wood stated that he does see the big difference in the charges, but he does not want to rush this decision. He does not want any decision made to reflect poorly on anybody. He stated that his conscious will not let him get behind this at this time.

Mayor Hawkes stated that this issue has been going on for a long time. We need to get this taken care of. He would like the council to give him a date that this will be taken care of.

Bryce Wood stated that the perception of this is not good. Bryce stated that this has not come before the council in the 4 years he has been on the council. He would like January 1<sup>st</sup> as the date.

Stuart Parkinson stated that if Bryce is afraid of conflict you invite it every time you meet and that is natural. Bryce Wood stated that he is not afraid to stand up for what he believes and he does not mind conflict but the perception of this is wrong as the city clerk's home is what is bring this up now. Stuart Parkinson stated that the others did not come to the council expressing concern of the excessive charges. Bryce Wood stated that he signed a paper that states he would not do anything that is a conflict of interest. He stated that if he was in Stuart's shoes he would probably be here too as he knows that this is really expensive. He is

not faulting anybody. He stated that there have been building permits given and this has not come up before the council for the three to four years he has been on the council. He stated that if this was something that the council has been talking about for months and now coming to a decision he would be fine with it. Bryce stated that John Packer is needing a building permit and even if he did not bring it up the perception would be bad.

Mayor Hawkes stated that Leon Duce from Association of Idaho Cities told him that whatever you do, you will be yelled at by someone. Bryce stated again that he has to vote his conscious, and that is where he is coming from.

Mayor Hawkes stated that this has been going on for a long time. There has been several people that have brought it up like Shawn Atkinson, Robert Ogden, Jeff Hobbs and several others over the years. Mayor Hawkes stated that a few years ago the city tried to put together a committee to look at this and they did not follow through. Bryce stated that if this has been talked about it he would like to see it and then he would be willing to do something about it now.

John Packer asked how many pending permits and Mayor Hawkes stated that there is two now.

Joyce Bayles stated that we need to be more in line with the county.

Mayor Hawkes stated that the cost of a building permit is based on the square footage of what is built.

Joyce Bayles stated that she does not understand this.

Bryce Wood stated that if a change is made then put the start date with the new fiscal year. Draft the resolution and have it adopted by then. If this is done this way he can get behind this.

No decision tonight.

Joyce Bayles stated that she does not understand it well enough to discuss it.

Mayor Hawkes stated that moving forward there will not be a lot of time to get more numbers together. The information that has been put together for you now and has been presented to you.

Bryce Wood stated that he would like to put something together and have it ready by the next fiscal year.

Mayor Hawkes stated that the council needs to come with the numbers then put it out to bid to see who wants to do it for that.

Bryce Wood stated that he will do some homework on this and work with John Packer. Mayor Hawkes stated that Emily Chatterton has been working on this but he does not know what she has found out. The information that has been presented before you is everything from the individuals doing it, to people paying the bills, AIC directors, county and Preston inspectors. Mayor Hawkes stated that he doesn't know what else you can find as building costs are always fluctuating. John Packer asked about the county inspector and if we have to pay him mileage. Bryce Wood asked if he would have the time to do Franklins inspections. Mayor Hawkes stated that you might not have to change to Randy Henrie if Scott Womack or another inspector will do the inspections for what the city is charging. Mayor Hawkes stated that Randy Henrie is currently getting his certification for HVAC and electrical. This will make it so that the state will not have to come down to do those inspections. Mayor Hawkes wants the council to look at this and if they want to address it then it needs to be done.

**Other Business:**

Joyce Bayles wanted to know about a dog catcher. Mayor Hawkes stated that we need to get another one who is around more. Joyce Bayles stated that this is a bad problem with all dogs in town. John Packer stated that there is only a small percentage of the dogs that are licensed. John Packer stated that he thinks that there are more dogs in the trailer park than people.

Mayor Hawkes stated that we need to have someone other than the employees catch dogs. They do not have the time to go around catching dogs. The city needs a dog catcher who is not working for the city. Joyce Bayles asked if the city has advertised for a dog catcher before. Mayor Hawkes stated in the past the city has advertised and got nothing back.

Mayor Hawkes asked the council for suggestions for a dog catcher. Joyce Bayles asked if they get paid. Mayor Hawkes stated that they get \$35 per dog they catch and they can put

them in the city dog pound that is behind the shops. We try to adopt them out if they are not claimed.

John Packer stated that every week in the newspaper the sheriff's office and Preston police are always catching dogs.

Mayor Hawkes stated that he is still working toward getting an officer of our own. There are other things they can do around the city like working with youth programs. He is still looking into this. Bryce Wood suggested getting someone who has a law enforcement background that has maybe retired. Mayor Hawkes stated that they could write citations also. John Packer stated that there are a lot of kids on dirt bikes and scooters that are driving too fast.

Mayor Hawkes stated that there are a lot of complaints coming in from people concerning the 3 stop signs on 3<sup>rd</sup> East and 1<sup>st</sup> South. So there are people that are noticing the signs.

Bryce Wood made the motion to adjourn at 8:00 pm. John Packer seconded.  
Unanimous.

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City Clerk

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Mayor