

**CITY OF MARSING**  
**COUNCIL MEETING MINUTES**  
**June 13, 2018**  
**7:00 P.M.**

Mayor James Ferdinand called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Roll Call: Mayor James Ferdinand, Councilman Marie Herman, Councilman Chris Even, and Councilman Jolyn Green were present. Councilman Tony Malmberg was absent. Staff members present were City Clerk/Treasurer Janice Bicandi, Deputy Clerk Kim Spagnolo, City Attorney Stephanie Bonney, Harvey Gist Code Enforcement, and Amy Woodruff from Civil Dynamics.

Others that were also present in the audience were: Steve Derricott with Gfeller Casemakers, Pat Grimme, Julie & John Franklin, Ginger Loucks, Bob Bell, Rod Redford, Georgia Wirth, Todd Kleppinger with the Owyhee Avalanche, Dennis Achy, Noyam Hale, Bryan Grenfell, Andres Flores, Jessy Barger, Megan Barger and Tim Steele.

**CONSENT AGENDA:**

**Councilman Jolyn Green moved and Chris Even seconded to approve the minutes of the May 9, 2018 meeting and the Claims Against the City for the approximate amount of \$157,613.21 from May 9 to June 2, 2018. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**PUBLIC HEARING: Rezone from residential to commercial for property located at 111 2<sup>nd</sup> Avenue W, owner Harvey and Patricia Grimme/ Tim Steele with Tru North Industries.** Mayor Ferdinand opened the public hearing for questions about the use of the property. There was discussion about what type of use permit was required for Steele; Commercial/Industrial, Special Use Permit or a Conditional Use Permit.

**Councilman Chris Even moved and Jolyn Green seconded to rezone the property located at 111 2<sup>nd</sup> Avenue W from residential to commercial. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**PUBLIC HEARING: Proposed sale of public property, city property located at 410 Simpkin Lane.** Mayor Ferdinand opened the public hearing for discussion and questions. Dennis Achy from AMVAC was present for any questions. Stephanie Bonney will review the process, determine if this property is surplus property or if it is needed for any other purpose. Selling it can be subject to the current lease that is on the property. The City can reject the bids by setting a minimum value or use other type of options to sell the property through an auction.

Mayor Ferdinand asked Achy if AMVAC could fence property that is behind it.

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Achy said they couldn't fence the property off a county lane. They tried approximately 15 years ago.

The property is approximately 2.5 acres and zoned Commercial/Industrial. Council did not have a minimum bid. Councilman Jolyn Green will research the going price for Commercial/Industrial property.

**Councilman Chris Even moved and Marie Herman seconded to sell the property located at 410 Simpkin Lane but requested to table the sale until Councilman Green researched prices of land. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried**

Mayor Ferdinand stated a minimum bid price will be set subject to the existing lease at the next Council Meeting.

The Mayor stated that the City did not have a Vicious Dog Ordinance. Stephanie Bonney said that state law states a dog has to attack a person in order to be declared dangerous and to be put down. Mayor Ferdinand asked and the Council agreed for Bonney to write an ordinance for vicious dogs.

Mayor Ferdinand discussed that the City Handbook needed to be updated regarding trucks/overnight parking. Bonney stated that she needed to clean things up to make the ordinance clearer. She said there is to be no overnight truck parking in Marsing. The only truck routes within the City of Marsing are HWY 55, HWY 78 and Bruneau HWY.

**RESOLUTION: R-139** Corporative Sidewalk Contract; Agreement for Federal Aid Highway Project A013 (932).

**Councilman Jolyn Green moved and Chris Even seconded to approve Resolution R-139. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**RESOLUTION: R-140** Cooperative Utility Contract; Agreement for Federal Aid Highway Project A013

**Councilman Jolyn Green moved and Marie Herman seconded to approve Resolution R-140. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**PUBLIC INPUT:** Bill Pastoor from Westowns Disposal asked the Mayor and Council if there had been any problems with garbage service. There had been complaints. Pastoor also asked if there was anything he needed to know regarding the "bridge project". The Mayor stated that the bridge project will begin sometime in the fall.

Julie Franklin, president of the Marsing Chamber of Commerce, spoke to the Council regarding the 3<sup>rd</sup> of July event at Island Park. She asked Councilman Even to contact the Canyon County Sheriff's Office for traffic control on the Canyon County side of the bridge as Even is a deputy with Owyhee County Sheriff's Office.

**OLD BUSINESS: Amy Woodruff Civil Dynamics**

- A. **Island Park Boat Ramp** – This project is completed and contractor has been paid.
- B. **City Park Restroom** – There were few problems with the electrical inspection and Rural Development came out.
- C. **ITD SH-55 Sidewalk Grant** – This project will be rolled into the ITD Project which was planned. This has to be constructed by the November 25, 2018 deadline or the money will have to be refunded.
- D. **ITD SH – 78 Sidewalk** – The contractor will be back to do this after the school project is finished.
- E. **School Project** – The school campus is being reconstructed. Marsing Public Works Supervisor Philip Gibson and his staff and Engineer Kirby Cook provided support with this project.
- F. **Boring under HWY 78** - The boring is complete. The 4" and 6" main will be cut, capped and abandoned when the new main is in and active on school property.
- G. **Boat Docks at Island Park** – They will work on the L-shaped dock and pull out the existing dock and dispose of it. Councilman Jolyn Green suggested that the old dock be given to the Marsing Senior Class for their bonfire.
- H. **Consideration of Christensen Street Right-of-Way Deed/Dedication** – A Lot Split application is required as well as dedication of 25 feet of right-of-way in the area south of the Morning Dove Subdivision. The City plans to rehabilitate Reich Street all the way to Christensen if possible. This 25-foot right-of-way is on the west side of the street. Bonney said that as a reminder this was the application the Council had turned down because the "lot split process" couldn't be used because the City required this dedication. Once the dedication is done, Loucks is eligible to do the lot split too, only two, not three. Lamon Loucks bought back the Hedrick's home. There are only two owners of that property now, not three.

**Councilman Jolyn Green moved and Chris Even seconded to accept the Christensen right-of-way deed and dedication The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Kirby Cook is now a certified engineer with Civil Dynamics.

**City Attorney Stephanie Bonney** – The property located at 316 Christensen Street is now Loucks'. He has paid off everything the previous owner (Hedrick) owed and most of his portion of the irrigation. Kim Spagnolo stated there was still a small balance that Loucks owed for irrigation but nothing worth taking action over.

**Code Enforcement Officer Harvey Gist** – Gist asked Bonney about weeds that are outside the property owner's fence and in the right-of-way.

Bonney said that the right-of-way is just an easement, they still own the property and the property owner is still responsible for those weeds.

Gist has sent out many weed violations. Several citations will be issued soon on Main Street.

Mayor Ferdinand said for Gist to follow all the steps that are put into place. Gist stated some violations could be a health code issue like the property located at 119 1<sup>st</sup> Street N. The Mayor said that if they don't comply, Gist needed to issue them a citation.

Gist stated he was having trouble identifying who owns a piece of railroad property. The weeds are really bad there and need immediate attention. Councilman Green suggested a title search through Alliance Title be performed.

Gist said he needed a new camera. The Mayor said not to use his personal camera and to go buy a new camera.

Gist said he issued citations to two pieces of properties. Bonney said if they are not in compliance another citation could be issued.

He also spoke with the manager at the Labor Camp about unlicensed vehicles with flat tires. Mayor Ferdinand said that is private property and it was up to the property owner. The manager at the Labor Camp has to have the vehicles towed not the City of Marsing. Bonney stated that any vehicle in the right-of-way has to have a current registration and license per Marsing City Code 3-4-1 A & B. The Mayor asked Bonney to clarify the ordinance pertaining to vehicles parked on the owner's property.

#### **REPORTS:**

- A. Maintenance Supervisor Philip Gibson** – Gibson stated that everything was ready to go for the 3<sup>rd</sup> of July (globe lights, porta potties, trash dumpsters). He said that he ordered 10 more totes for garbage for the event.

The City of Eagle gave playground equipment to the City of Marsing but requested \$5,000 for the cost to dismantle the equipment.

Gibson and his crew are on top of the irrigation repairs.

Trees were replaced at the Arboretum Park.

Gibson hoped to repair pot holes in the upcoming month.

Grass carp for Marsing Island pond and wastewater treatment plant cost approximately \$1,200 - \$1,500.

Gibson had three bids to powder coat the wastewater chamber cover. The Mayor asked Gibson to see if RPMS would match the lowest bid.

**Councilman Jolyn Green moved and Marie Herman seconded to reimburse the City of Eagle their cost of \$5,000.00 to dismantle playground equipment that was donated to the City of Marsing. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Mayor Ferdinand asked Gibson for a plan for the equipment. He requested that most of the equipment be placed at Island Park and some placed in the enclosed area for the younger children.

**Councilman Chris Even moved and Jolyn Green seconded to approve the purchase of grass carp for the Island Park pond and for the wastewater treatment plant for the approximate cost of \$1,200 - \$1,500 The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**Councilman Jolyn Green moved and Marie Herman seconded to approve powder coating the wastewater chamber cover for the cost of \$4,000 or less. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**Councilman Jolyn Green moved and Marie Herman seconded to approve sealcoating for 1<sup>st</sup> and 2<sup>nd</sup> Avenue W, 1<sup>st</sup> Street S, Wye Street and 3<sup>rd</sup> Avenue W for the cost of \$33,600 for Winn & Company, Inc. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

#### **New Business**

The American Legion requested permission to place a 3' x 4' box in Front of City Hall to drop retired flags off in.

**Councilman Jolyn Green moved and Chris Even seconded to table the placement of the American Legion flag drop of box until a further description is given to the City Council. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

#### **Mayor's Report:**

**Councilman Chris Even moved and Jolyn Green seconded to approve a catering permit for the Pour House for the Percifield Softball Tournament on July 27-29, 2018, The**

Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Jolyn Green moved and Chris Even moved to approve a catering permit for the Pour House for the 3<sup>rd</sup> of July event on July 3, 2018 at Island Park. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Jolyn Green moved and Chris Even seconded to approve a Vendor Permit for Andres Flores, Flores Produce, at the Marsing Labor Camp based upon the permission from the property owner for 2018. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Chris Even moved and Jolyn Green seconded to approve a new business license for Gfeller Casemakers, 218 Main Street. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Jolyn Green moved and Chris Even seconded to approve a new business license for Cones & Coffee, 901 W Main Street, based upon the Southwest District Health Certificate and Melissa or Lamon Loucks signing the application. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Jolyn Green moved and Marie Herman seconded to table the new business license for True North Industries, 211 Main Street table until next meeting based upon the approval of their conditional use permit. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Chris Even moved and Jolyn Green moved to approve Zwygart John & Assoc. PLLC - Audit Proposal Services for 2017-2018 - \$6,050.00. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

In previous years the City of Marsing sponsored the Marsing Booster Club with a \$125.00 donation for their annual calendar. Mayor Ferdinand recused himself because he is the president of the Booster Club. Councilman Jolyn Green led the discussion.

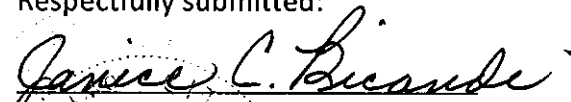
Councilman Chris Even moved and Marie Herman seconded to approve a Marsing Booster Club Sponsorship for the 2018-2019 Year for a small ad at the cost of \$125.00. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

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Councilman Jolyn Green moved and Chris Even seconded to approve the purchase of a new flag pole to be placed on west side of City Hall not to exceed \$2000.00. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Chris Even moved and Jolyn Green seconded to adjourn the meeting at 8:40 p.m. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Respectfully submitted:

  
Janice C. Bicandi, City Clerk-Treasurer

  
James Ferdinand, Mayor

Date: July 11, 2018

