

**CITY OF MARSING  
COUNCIL MEETING MINUTES  
APRIL 10, 2019  
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 Tony Malmberg, Councilman Marie Herman, Councilman Jolyn Green, Councilman Chris Even, City Attorney Stephanie Bonney, City Engineer Kirby Cook, City Clerk/Treasurer Janice Bicandi, Deputy Clerk Kim Spagnolo and Public Works Supervisor Philip Gibson were all present.

Others present in the audience were: Julie Franklin/Marsing Chamber of Commerce, Elsa Moreno, Noyam Hale, Robert Pierson, Tammy Pierson, Greg Gundersen, Georgia Wirth, Cpl Atanacio Montes, Nikki Kiesel, Charlene Stanfill, Gloria Nagel, Todd Kleppinger/Owyhee Avalanche and Bill Pastoor/Westown Disposal.

**CONSENT AGENDA:**

**Councilman Chris Even moved and Jolyn Green seconded to approve the minutes of the March 13, 2019 City Council Meeting and the Claims Against the City for the approximate amount of \$55,802.74 from March 13, 2019 to April 9, 2019. 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 and CUP to develop an RV Resort for Hannah & Martin Maisel, 1206 W Main Street. Applicants requested a continuance until May 8, 2019.

**Councilman Jolyn Green moved and Chris Even seconded to continue the public hearing for Hannah & Martin Maisel, 1206 W Main Street until May 8, 2019. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

**PUBLIC INPUT:** Mayor Ferdinand asked if anyone in the audience would like to address the Council for anything that was not on the agenda. Nobody wished to address the Council.

**City Engineer Kirby Cook/Civil Dynamics:** Kirby Cook addressed the Council regarding the ITD project. He said they have been doing a pretty good job regarding sending out updates. Cook also said that ITD was in the process of replacing the box on the northside of the intersection at Hwy 78 and Hwy 55.

There was a waterline break on Kerry Street and has been fixed. When the street is cut on the southside, they will go back in and cut it and cap it the correct way at the tee.

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The SH-55 Water Relocation is done unless there are issues when the other side of the road is dug out.

The docks are down at the river. The pilings will be driven in the next couple of weeks. There will be four pilings on the long side of the dock and one at the corner. The old pilings and old dock will be removed.

A dechlorination system will be installed at the wastewater plant. There have been some E. coli hits. There was one at the beginning of the previous fall and Cook thought it was figured out. It started happening again in January. There were a couple of hits in April also. To get the problem fixed, a dechlorination system will be installed so the chlorine can be increased to prevent additional E. coli hits.

City Attorney Stephanie Bonney did not have anything to report.

Code Enforcement Officer Harvey Gist was absent.

Cpl. Atanacio Montes with the Owyhee County Sheriff's Office reported that there have been some complaints regarding handicap parking spots being used by construction workers. He spoke with ITD supervisors. One supervisor said ITD would have a meeting with all of the contractors to make sure the violations did not continue. The speed radar has been set up by the school.

Councilmember Even asked Cpl. Montes if he could report on citation statistics at the May Council meeting.

**NEW BUSINESS:** Robert Pierson represented his uncle, John Gunderson of 225 Canal Street. Gunderson purchased the property not knowing there were any zoning issues or setback problems. Nothing was disclosed nor did they show up in title. Pierson said Gunderson would like to make it right. It appeared the Council approved the waiver for the setbacks on June 14, 2017.

They were going to pay the required building permit fee and leave the existing carports in place. They did not believe they were impacting traffic.

Mayor Ferdinand said this situation has been ongoing and the building inspector has been directly involved. The waiver refers to the inspector approving it but the plans were not in compliance. The Council granted a waiver for one side. The compliance with the stop sign was the issue if he recalled correctly.

Bonney said the line of sight triangle was needed.

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Pierson said the carport was 19 feet to the blacktop on Volkmer and 23 feet to the edge of the carport. He said there is also a shed too close to the fence and they are in agreement that it is out of compliance and willing to move the shed.

Mayor Ferdinand said he would speak with Steve Pierson, the building inspector, regarding the situation and have him look at the property.

Bonney said Pierson/Gunderson would still need to get Council's approval for a variance which needs a public hearing. A waiver could be done for the carport but an actual building would require a variance.

Gloria Nagel from the Brynlee Academy said she still needed to complete four hours with the IdahoSTARS program.

Ferdinand explained to Council that the Brynlee Academy opened without a business license. They closed for three days and the mayor approved a temporary license until all requirements were met. They still need to submit their license from Health & Welfare

**Councilman Jolyn Green moved and Chris Even seconded to approve the business license for Brynlee Academy as long as they were in compliance. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Elsa Moreno addressed Council regarding her business, Mi Chihuahua. She will have a food truck and a candy store. The food truck will be parked outside in the Owyhee Plaza, 429 W. Main, parking lot and she will use space #102 for her candy store. She will sell burritos, tacos and hamburgers out of the food truck. She plans on having the candy store open from 11:00 a.m. to 6:00 p.m. The food truck will be open early in the morning until 7:00 p.m. She has attended the classes required by the Department of Health & Welfare but is still waiting for her license from them.

**Councilman Jolyn Green moved and Marie Herman seconded to approve the business license for Mi Chihuahua, Elsa Moreno located at 429 W. Main pending the certification from the Department of Health and Welfare. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Carl Peterson was not in attendance regarding the BLM property.

Charlene Stanfill, manager for Family Dollar located at 150 Main Street, asked the Council for a waiver so they can hang large flags for approximately two months so they can encourage business.

Bonney said Council could approve a waiver subject to a set period of time.

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Mayor Ferdinand said traffic could not be impeded. Council is interested in success of the business but the request for a waiver needs a little more defined. He requested that Stanfill submit a plan showing where the signs/flags were going to be and how big they were going to be.

**Councilman Tony Malmberg moved and Jolyn Green seconded to approve the sign waiver for Family Dollar located at 150 Main Street as long as a more defined description of the signs/flags was submitted. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

The Conditional Use Permit for the Jess Ferdinand is for pigs for 4H. A public hearing is required as well as the hearing needs to be noticed in the local paper. Mayor Ferdinand asked Council for a waiver to have the pigs on property located at 319 Bruneau Hwy until the next City Council meeting OR to have a Special City Council Meeting.

**Councilman Tony Malmberg moved and Jolyn Green seconded to grant a waiver for the pigs for the Ferdinands until the May City Council Meeting. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Councilman Jolyn Green addressed the Council regarding the Community Health Coalition that Surine Greenway put together with the school, the City and the community. Greenway is with the U of I Extension Office. Last September, the Coalition put together a list of items that they thought was a priority for the physical health of the children and for the community as a whole. More clearly marked road crossings, better condition of sidewalks and a barrier around the park were on the list.

Green let the Coalition know that sidewalks were being installed. Prior to the road construction, the crossings were clearly marked. The coalition wants the crossings more defined and the children to be safe inside the park.

The last meeting that Green attended was more focused on the mental health of the children of the community. There is a need for counseling services because a lot of the students leave school and go to counseling services. Green said the school district has a plan to have counseling services in the district office. That way the students do not have to leave school to go to appointments, they can see a counselor on campus.

Everyone in the community is invited to the meetings. The next meeting will be held on May 20<sup>th</sup> at 6:00 p.m. at the University of Idaho Extension Office.

Bill Pastoor from Westtowns Disposal spoke to the City Council regarding renewing the trash service contract early. For the past 24 years, the existing contract that was in place previously had a renewal clause in it.

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Mayor Ferdinand asked Pastoor if he was just asking for a renewal of the contract and not increasing fees.

Pastoor said he was going to ask for an increase in fees also. He is asking for a 3.5 % increase, 1.75% per year.

**Councilman Chris Even moved and Tony Malmberg seconded to renew the contract with Westowns Disposal early and to approve a 3.5% increase in fees. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Public Works Supervisor Philip Gibson addressed the Mayor and Council with his monthly report.

#### **New Business**

- Prepped Parks, Arboretum, and Sprinkler Systems for Spring
- Irrigation Repairs
- Installed a Dechlorination System at W/W Treatment Plant to meet EPA Limits of E. coli and Chlorine
- Spraying Sterilant
- Patched Potholes

#### **Next Months Planned Projects**

- Irrigation System Startup
- Maintaining Parks
- Patch Potholes

#### **Discussion for City Council**

- Ed is Back to Nearly 100%
- Temporary Worker Tina Lemmon's Last Day was March 29<sup>th</sup>
- We will Need to Purchase Road Chips for Chip Sealing this Year
  - Showalter Construction - \$2,200/100 yards
  - Rambo Sand and Gravel - \$2,418/100 yards
  - Idaho Sand and Gravel - \$3,862/100 yards
- Rent a Street Sweeper for the City Roads
  - Curtis Clean Sweep – \$1,400/10 hours
  - Metro Quip - \$2,800/week (or \$933/day) plus \$60/inch of broom wear, includes training

Mayor Ferdinand said he thought the repaving of Highway 55 in the City limits would be done by June 1<sup>st</sup>. The entire project to the ION Junction should be done in September. The Mayor suggested waiting until the road construction was finished.

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The Mayor also suggested that street sweeping wait until after chip sealing.

Councilman Chris Even said there are some spots in town that could be swept now.

**Councilman Chris Even moved and Jolyn Green seconded to schedule ten hours of street sweeping with Curtis Clean Sweep now. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.**

Mayor Ferdinand said that three weeks prior, someone had run into the crosswalk light and asked if there had been any follow up with ITD. He also said that there were signs all over the City that had been "whacked".

Kirby Cook said he would follow up with ITD the next morning.

The Mayor said there was an offer to purchase the Honda 1100 Generator for \$1,000.00 that was declared as surplus.

**Councilman Jolyn Green moved and Chris Even seconded to accept the offer of \$1,000.00 from John Larson for the Honda 1100 Generator. 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 City Council meeting at 8:52 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: May 8, 2018