

**CITY OF MARSING
COUNCIL MEETING MINUTES
JANUARY 9, 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 Clerk/Treasurer Janice Bicandi, City Attorney Stephanie Bonney, City Engineer Kirby Cook, Deputy Clerk Kim Spagnolo, Code Enforcement Officer Harvey Gist and Public Works Supervisor Philip Gibson were all present.

Others present in the audience were Keith Berends, Martin & Hannah Maisel, Lori & Steve Derricott, Nancy Edwards, Stacy Gulley, Marsing Chamber of Commerce President Julie Franklin and Todd Kleppinger from the Owyhee Avalanche.

CONSENT AGENDA:

Councilman Jolyn Green moved and Chris Even seconded to amend the agenda by adding Ordinance No. A-208, Annexing Certain Lands into the City of Marsing; Amending the Zoning Map to Residential and a business license for Franklin Auto. 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 the minutes of the December 12, 2018 City Council Meeting and the Claims Against the City for the approximate amount of \$41,085.42 from December 13, 2018 to January 9, 2019. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

PUBLIC HEARING: Meadow Brook Preliminary Plat

Councilman Chris Even moved and Tony Malmberg seconded to continue the public hearing for the Meadow Brook Preliminary Plat until the following meeting on February 13, 2019. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

ORDINANCE A-208; An Ordinance of the City of Marsing, Idaho, With Respect to Certain Land Within the City of Marsing, Idaho, Annexing Certain Lands Into the City of Marsing; Amending the Zoning Map to Residential; Repealer; Severability; Effective Date.

Councilman Jolyn Green moved and Tony Malmberg seconded that pursuant to Idaho Code, Section 50-902, the rule requiring an ordinance be read on three different days with one reading being in full be dispensed with and that Ordinance A-208 be considered after reading

once by title only. The Mayor asked all Councilman in favor to say aye with all Councilmen present voting aye. Motion carried.

Councilman Jolyn Green moved and Tony Malmberg seconded to adopt Ordinance A-208, An Ordinance of the City of Marsing, Idaho, With Respect to Certain Land Within the City of Marsing, Idaho, Annexing Certain Lands Into the City of Marsing; Amending the Zoning Map to Residential; Repealer; Severability; Effective Date. The Mayor called for a roll call vote with all Councilmen present voting aye. Motion carried.

RESOLUTION R-143; Development & Construction of SH55; SH78 to 14th Avenue Sidewalks

Councilman Tony Malmberg moved and Jolyn Green seconded to adopt Resolution R-143 for the Development and Construction of SH55; SH78 to 14th Avenue Sidewalk. The Mayor called for a roll call vote with all Councilmen present voting aye. Motion carried.

PUBLIC INPUT: Mayor Ferdinand asked if there was anyone in the audience that would like to address the Council about something that was not already on the agenda.

Steve Derricott said he and his wife were there to thank the Council and the community of Marsing for the warm welcome they had received in establishing their leather business (Gfeller Casemakers) in Marsing. He said the main reason they were there was because in developing the materials needed for their business, they were considering new letter head, envelopes, mailing labels and advertising labels. They were interested in the "Gateway to the Owyhees" logo and were wondering if they could use it for their business.

Mayor Ferdinand said the logo was copyrighted and the City of Marsing owns it and that it was something that they would consider.

Councilman Chris Even asked how hard it would be to let businesses in town use the logo if it is copyrighted by the City of Marsing.

Stephanie Bonney said it was just a license. She recommended that it be revocable so if for some reason, Derricott's business did something, it could be revoked. Basically, the City would just give permission through a license to use the logo.

The Mayor said the Council would get back to the Derricott's on the issue.

Hannah and Martin Maisel addressed the Council regarding starting an RV resort in Marsing. Hannah gave her and her husband's background. They want to start their own business and are interested in "outdoorsy" feel so they thought a recreation kind of business would be great. They are looking to come into Marsing.

Martin Maisel said the property that they are looking at is 1206 W Main Street on the west side of town. The property is five acres and surrounded mostly by agricultural and commercial properties. The property is split into two parcels. The south parcel is up against Hwy 55 and is zoned commercial already. The north parcel is zoned residential. They are currently working with Horrocks Engineering. They will have rezone documents submitted in the following week. They thought that the location encourages a lot of traffic through town, a lot of businesses would be exposed to their customers. They want to create an upscale tourist stop. Instead of park, it is a resort which would come with detailed landscaping and they would participate in holiday lighting. They would like to build off a theme of the wine region. They want to bring in the people that normally visit the wineries across the river. They would have RV age restrictions.

They want to offer a temporary and residential services but specialize in offering accommodations for the wine region visitors to stay and shop in Marsing rather than visit wineries and never experience the town.

The Maisels plan on participating in local events and connect with businesses that would also benefit from their customers. They are really interested in the winery shuttle.

Hannah Maisel said they had been researching for several years and feel they have a good team behind them. They are flexible and willing to work with the City and find a happy medium for everybody.

Mayor Ferdinand asked if they had purchased the property.

They have put down an offer and it has been accepted. The Maisels are hoping that everyone can come together and make it work for everybody.

Councilman Jolyn Green asked how many lots they were looking at and how many RV spaces.

Hannah said it was approximately 60 – 75 depending on what their engineer comes up with.

Martin said that in the Treasure Valley there are only two RV resorts. Both are in Caldwell, Canyon Springs and the Ambassador. He thought there was a void in the market. They would have water, sewer and electricity hook-ups to every lot.

The Maisels left their business plan for the Council to review.

City Engineer Kirby Cook/Civil Dynamics

Kirby Cook said that the next step after signing the State/Agreement for SH55; SH78 to 14th Avenue Sidewalk is to move forward with hiring a consultant to do the design work. They did the project in front of the school but are no longer on the project list. Civil Dynamics has a consultant they have worked with quite a bit on projects and he is very capable and does a really good job. His name is Joe Grounds and he owns Precision Engineering. Cook has spoken with LHTAC and they are good with hiring him.

Councilman Tony Malmberg moved and Jolyn Green seconded to utilize Joe Grounds with Precision Engineering for the SH55; SH78 to 14th Avenue Sidewalk project. The Mayor asked all Councilmen in favor to say aye with all Councilmen present voting aye. Motion carried.

Civil Dynamics has been in contact with ITD over the last week. They have an emergency services meeting on January 10, 2019 at 2:00 pm to go over the lights that will be installed on the west end of town. The plan is to have lights that will either detect an emergency vehicle or to have a clicker. The school drain will be done first and then the C canal.

Cook has been working with Idaho Power to secure new service lines for the bathrooms down at Island Park. Idaho Power had to cut the old service lines. They are planning on having everything reconnected the following week.

Our contractors have been in contact with Wadsworth Brothers and they are planning on starting as close to them as they can. There is a possibility that we don't have to pave back. They can just do the work, dig it up and would be right behind them so we won't have to pay for the extra asphalt.

When the contract comes in, Cook is going to ask them to do the work for the SH-55 Water Relocation project at the same time. The work should be able to be done in a day and a day and a half.

We are currently still at the same exact spot with the School Project. Cook will email Beniton to have their contractor come back.

Mayor Ferdinand said to let them know that they will be invoiced for the repairs.

The SH-78 Sidewalk is finished. The only thing that Cook is currently working on is getting a final invoice from the contractor so LHTAC can pay the City.

The Reich Street Rehabilitation Project is completed. Striping will be done in the spring when there is better weather.

Marsing City Council Meeting
JANUARY 9, 2019
7:00 P.M.

City Attorney Stephanie Bonney did not have anything specific for the Council. She asked that based on the earlier discussion, whether the Council wanted a draft license agreement to allow people to use the City's logo. She also asked Council if they wanted to charge people for it.

Mayor Ferdinand said he didn't think it was necessary to charge for the logo other than if the City had to do any work to make it possible for them to license it, the City would need to get paid for that.

Bonney said the City would need to give them a license to use the logo and she would put that they would need to pay for the digital image reimbursement in the agreement. The agreement would stay in place until it was revoked. If the City decided they didn't want them to use the logo anymore, the City would send a written notice and they would have to stop using the City's logo.

Code Enforcement Officer Harvey Gist said there were two properties regarding condemnation, 220 1st Street N and 220 Main Street. The Building Inspector Steve Pierson has looked at both properties. Pierson has mailed letters to owners of both properties notifying them that if they don't do anything, it is the intent of the City of Marsing to condemn the buildings. Danny Bowers, owner of the Marsing Hardware, is concerned about 220 Main Street because of the integrity of his building which is next door. There is a building in back of 220 1st Street N and it is caving in on itself.

Gist stated that 936 Gem Street has been sold which has had issues.

He also stated that the owners have cleaned up the property at 225 Patton but there is still a vehicle there without any wheels and tires. Gist said the owner couldn't be served as she lives out of town.

Bonney said they need to file it directly as a suit and then it can be served out of town as opposed to having officers serving a citation.

Gist said he could finally identify that Tim Renz has over five dogs on his property so he will write it up.

All the vehicles at 230 Wye Street are licensed. Gist could write up the owner for clutter in the yard. The vehicles across the street are parked on someone else's property. He can't do anything about it unless the owner complains about the vehicles.

NEW BUSINESS:

Councilman Chris Even moved and Jolyn Green seconded to approve the new business license for Franklin Auto located at 5591 Bruneau Hwy. The Mayor asked all Councilmen in favor to say aye with all Councilmen present saying aye. Motion carried.

Mayor Ferdinand discussed the property located at 205 Motzko. Harvey Gist brought it to his attention the previous fall where there was commercial building materials being stored on the property. The Mayor and Gist have been in communication with the property owners who have been served three citations. The first citation was issued in the beginning of October and was served around the end of the month. The next citation was issued about the time the first one was served and it was served three or four weeks later. The Mayor personally served the last citation two weeks prior to the meeting and it was issued on December 4th. There has been a large lag between the length of time between the citation date and the service. By the time all three citations were served, they overlapped each other. The Mayor had a conversation with the owner who had applied for a fence permit so she could fence the material. The material that is there is construction material but it is for the owner's own use to build themselves a cabin in Donnelly.

The fence permit was issued shortly after the first citation was served and nothing has happened with that. It looked like it was just a permit that was purchased. The owner was waiting for the City to approve it. There was no diagram on the permit. The Mayor believes there has been some miscommunication from her getting a fence permit, waiting for the City to approve it and getting cited two more times after that.

The owner wants to put up a six-foot privacy fence. There is also the issue of the citations continuing after the fence permit application was submitted.

Bonney stated that the citations were correct if the fence hasn't been installed yet because the owner hadn't fixed anything. She also said that some of the citations could be dismissed.

Mayor Ferdinand said that according to Gist the City hasn't had a single citation that has ever been paid since the City started issuing them. When the Mayor spoke with the owner in Murphy, she was there to pay her citations. Once again, the owner was waiting for the approval of her fence permit. The Mayor didn't believe the second two citations needed to be enforced considering it was the owner's understanding that she was waiting for the City to approve the fence permit.

The Mayor was going to request that the owner write up something showing where the fence would be so it can be determined if it met City Code.

REPORTS:

A. Maintenance Supervisor - Philip Gibson

City of Marsing Maintenance Report – January 2019

New Business

- New picnic tables (13) and trash cans have been ordered. They will be shipped January 25th.
- Shops are being cleaned.
- Picnic tables are being painted.
- Utility mark-outs for ITD/Idaho Power are taking up a lot of time.
- Christmas lights are being taken down.

It was suggested that 13 of the old picnic tables could be donated to the Hope House for their use but a resolution would be needed declaring the tables as surplus and useless. Bonney will work on a resolution for February's City Council meeting. Philip Gibson will contact the Hope House.

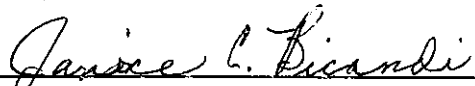
Next Month's Planned Projects

- Maintain equipment/clean shops.
- Paint picnic tables
- Compliance evaluation inspection of Wastewater Treatment Plant and collection system for DEQ on January 15th at 9am
- Complete Backup Generator Installation at City Hall

Mayor Ferdinand asked about the F-150 pickup. Gibson said the heater core had been replaced as it was completely plugged. It is a 2001 and has 60,000 to 70,000 miles on it.

Councilman Jolyn Green moved and Chris Even seconded to adjourn the City Council meeting at 7:43 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: February 13, 2018