

MINUTES
City of Lewisville Regular Meeting
July 11, 2018

Meeting was called to order by Mayor George Judd at 7:04 p.m. at the Lewisville Community Center at 3451 E 480 N, Lewisville, Idaho. Present were Mayor George Judd; Council Members, Del Heward, Leisa Watkins, James Ball and Mark Williamson; City Attorney, Kris Meek; Clerk/Treasurer, Donetta Fife; Officer John Dunn; Resident, Randy Johnson; and Louise Street from Searle Hart Associates.

ROLL CALL:

- Mayor Judd -- present
- Leisa Watkins -- present
- Del Heward -- present
- James Ball -- present
- Mark Williamson -- present

MINUTES:

Minutes for the regular City Council meeting held June 13, 2018 had previously been distributed by the Clerk. Mayor Judd asked if everyone had received the minutes, all had. There were no additions or corrections to the minutes. Leisa moved that the Minutes be approved, Mark seconded, the motion passed.

Minutes for the Special City Council Work Meeting held June 28, 2018 had previously been distributed by the Clerk. Mayor Judd asked if everyone had received the minutes, all had. There were no additions or corrections to the minutes. Leisa moved that the Minutes be approved, Mark seconded, the motion passed.

Minutes for the Special City Council Work Meeting held July 5, 2018 had previously been distributed by the Clerk. Mayor Judd asked if everyone had received the minutes, all had. There were no additions or corrections to the minutes. Leisa moved that the Minutes be approved, Mark seconded, the motion passed.

POLICE REPORT:

- Officer Dunn reported that during the period of June 2, 2018 through June 29, 2018, 103 hours were spent patrolling in the City with 18 incidents, 2 arrest, 8 citations and 14 traffic stops. He indicated that the hours patrolling during June were higher than usual as the resource officers that are normally in the schools are out on patrol. The number of complaints, arrests and traffic stops are fairly consistent with previous months. They are working on moving the speed sign to 480 North.
- The Mayor informed the Council that the Sheriff had contacted him to let us know that there is not an increase in the cost of services from the Sheriff's Department for FY 2019.

AUDITOR'S REPORT:

- Louise Street from Searle Hart & Associates was present to give the Council a report on the FY 2016 and FY 2017 audit they recently finished. She indicated that because we are around the \$100,000 annual expenditures, we are only required to do an audit biannually. She explained

the different criteria that is required for government audits. Due to the fact that we run on a cash basis and have no debt, we are not required to comply with many of the new laws that are going into effect. She reviewed the audit page by page and answered questions. She indicated that the City of Lewisville is in sound financial condition. She suggested that the Council would be wise to do a fraud assessment each year and identify areas that could be improved.

ORDINANCE AMENDMENTS:

- **Bill 2018-5** addressing Title 1, Chapter 5, Subsection 5, 5.A and 5.B of the Lewisville Code setting the Mayor and Council Salaries as discussed in the budget work meeting on June 28, 2018 was presented. Leisa moved to suspend the rules requiring the reading of Bill 2018-2 on three different days and once in full in accordance with Idaho Code 50-902 and to read the Summary only once, Del seconded. A roll call vote was taken: Mark - yes; Leisa - yes; James - yes, Del - yes. Motion passed. Mark read the summary once. Mark moved to adopt Bill 2018-5 which would change the Mayor's salary to \$300 per month starting on January 1, 2019, James seconded, roll call vote was taken: Del - yes; James - yes; Leisa - yes; Mark - yes, motion passed. Donetta will rename the bill as the next consecutive ordinance and amend all Code books and update the Code on the website. (Ordinance 2018-3)
- **Bill 2018-6** addressing Title 8, Chapter 8, Subsection 8.B modifying penalties for violations of Title 8 to include infractions was presented. The bill was discussed and a Kris suggested a minor wording change. James moved to change the wording of the Bill, Mark seconded, motion passed. Leisa moved to suspend the rules requiring the reading of Bill 2018-6 on three different days and once in full in accordance with Idaho Code 50-902. Del read the summary once. James moved to adopt Bill 2018-6 as amended, Del seconded. A roll call vote was taken: James - yes; Del - yes; Leisa - yes; Mark - yes. Motion passed. Donetta will rename the bill as the next consecutive ordinance and amend all Code books and update the Code on the website. (Ordinance 2018-4)
- **Bill 2018 -7** addressing Title 4 Chapter 1 Subsection 2 which would allow unlicensed automobiles, automobile body parts, vehicles or items of machinery that are not licensed with a current registration or are not in operating condition, to be towed or otherwise removed from the City right of way seven (7) days after a violation notice is posted on the item and at the owner's expense. There was a discussion on proper wording to accomplish the desired outcome. Minor wording changes were made. James moved to accept the changes, Mark seconded. Roll call vote was taken: Mark - yes; Leisa - yes; James - yes; Del - yes. Leisa moved to suspend the rules requiring the reading of Bill 2018-7 on three different days and once in full in accordance with Idaho Code 50-902 and to read the Summary only once, Mark seconded. A roll call vote was taken: Leisa - yes; James - yes; Del - yes; Mark - yes. Motion passed. Mark read the summary. Mark moved that Bill 2018-7 be adopted as changed, Del seconded. A roll call vote was taken: Del - yes; James - yes; Leisa - yes; Mark - yes. Motion passed. Donetta will rename the bill as the next consecutive ordinance and amend all Code books and update the Code on the website. (Ordinance 2018-5)
- **Bill 2018-4** addressing dog licensing, non-commercial kennel licensing and commercial kennel licensing within the City of Lewisville. A discussion was held with regard to dog numbers required for each type of license and percentage of adjacent resident signatures required to apply for a commercial kennel license. It was determined that the zoning ordinance 8-5-8 of the Lewisville Code would need to be changed in order to limit the number of dogs for each type of license and to set zoning restrictions. A public hearing will need to be held for a zoning ordinance change as it is a land use matter. Other changes are administrative and proper for this amendment. This will be set up for hearing at the same time as the Budget Hearing on August 8, 2018, which will give adequate time for publication of the notices. The verbiage in Bill 2018-4 was modified to reflect the results of the discussion.

- Leisa moved that Bill 2018-4 be presented as amended, Del seconded, dissenting no vote by Mark Williamson. Motion passed by a majority. Leisa moved to suspend the rules requiring the reading of Bill 2018-4 on three different days and once in full in accordance with Idaho Code 50-902 and to read the Summary only once, Del seconded. A roll call vote was taken: Leisa - yes; James - yes; Del - yes; Mark - yes. Motion passed. Leisa read the summary. Leisa moved that Bill 2018-4 be adopted as changed, Del seconded. A roll call vote was taken: Leisa - yes; Del - no; James - yes; Mark - no. Mayor Judd was required to enter a vote to break the tie vote. Mayor Judd voted yes. Motion passed by simple majority. Donetta will rename the bill as the next consecutive ordinance and amend all Code books and update the Code on the website. (Ordinance 2018-6)
- Donetta will draft a bill to change Zoning Ordinance 8-5-8 and will set up a work meeting for the Council to discuss the particulars.

MAINTENANCE:

- The Mayor indicated that Gary Wilde has been moved into the maintenance supervisor position. Mayor Judd will ask Gary to attend the next City Council meeting.
- The mowing looks good. We have had good comments on the work that is being done. The new mower has been delayed but should be here and paid for before the end of the fiscal year.

CITY ATTORNEY:

- Kris Meek, the City Attorney, indicated that Jefferson County has been a little confused as to who should be representing the City with regards to misdemeanors and that his office often does not get notification as needed in order to make appearances. The new Jefferson County prosecutor's office has expressed an interest in representing the City of Lewisville on all criminal charges, both misdemeanor and felony charges. This would probably be very economical for the City and would relieve some of the work load on Kris's office and the confusion at the County Clerk's office. Kris would still act as the City's Attorney with regard to all civil matters. Kris will address the issue with the Jefferson County Commissioners and report on the progress at the next Council meeting. James moved that the Mayor be given authority to sign a contract with the Jefferson County Prosecutor's office to represent the City of Lewisville on all criminal matters, Leisa seconded, motion passed.
- Kris updated the Council on the Smith matter. He advised the City to keep a close eye on the progress and track the situation.

Amendment of Agenda:

Leisa moved to amend the agenda to allow Randy Johnson, a resident, to address the Council and to place the Executive Session as the last item on the Agenda, Del seconded, motion passed.

VISITOR:

- Randy Johnson addressed the City Council and asked that two elm trees on the City's property be removed as the seeds are constantly sprouting and growing in his yard. The Mayor explained that the City is in the process of looking for a Mitigation grant to help with the pruning and removal of trees that are dangerous in the City. This is a long-term plan and would not be immediate. It may be some time before money is available for this. The Council indicated that if Randy would like to take personal responsibility for removing the trees, this would be all right with them as long as Randy signs a liability waiver. Leisa moved that Randy Johnson be allowed to remove the elm trees next to his property and across the street as long as he signs a liability waiver, Mark seconded, motion passed.

CLERK/TREASURER:

- The Council reviewed the list of bills that have been presented to the City between June 14, 2018 and July 11, 2018. James moved that the bills be paid, Del seconded, motion passed.
- A current Profit and Loss statement had been distributed to the Council. The Mayor asked if there were any questions. There were none.
- The proposed 2019 Fee Schedule was reviewed and proposed changes in fees were noted. This will be presented at a public hearing at the same time as the Budget for FY 2019.
- Donetta indicated that we have very old minute books that should be digitized. At the time the budget was proposed, this item was overlooked. She requested that \$500 be moved from the Capital Investment fund to the line item identified as Records Update. Kris noted that we may be able to contact Ricks College and get help with this. James moved that \$500 be allocated to records update from Capital investment, Mark seconded, motion passed.

MAYOR'S REQUEST:

- Mayor Judd indicated that he has been looking into what the cost might be for a library update. Since the last issue of the Jefferson Star we have been receiving calls from contractors to see if they could bid. He has advised the contractors to keep an eye on the Jefferson Star for a notice when the bidding is open. We are still just in the planning stage and have a lot of work to do before we get to that point.

EXECUTIVE SESSION:

- Mark Williamson, City Council Member, moved that the board, pursuant to Idaho Code §74-206(f), convene in executive session to communicate with counsel regarding the Rounds water shares issue with possible likely litigation, Leisa seconded. A roll call vote was taken: Mark - yes; Leisa - yes; James - yes; Del - yes. Motion passed. The Council went into Executive session at 10:08 p.m. Mark moved that the executive session be closed, Leisa seconded, motion passed. Executive session was closed at 10:12 p.m.

ADJOURNMENT:

Leisa moved that the meeting be adjourned at 10:13 p.m., Del seconded, motion passed.

Minutes approved by the City Council of the City of Lewisville on the 8th day of August, 2018.

Mayor /s/ George A Judd
George A. Judd

Date 8 August 2018

ATTEST:

Clerk /s/ Donetta R Fife
Donetta R. Fife

Date 8/8/2018