

MINUTES
CITY OF LEWISVILLE REGULAR CITY COUNCIL MEETING
AND HEARING ON ANIMALS IN RESIDENTIAL & COMMERCIAL ZONES

Wednesday, August 11, 2021

Lewisville Community Center, 3451 E 480 N, Lewisville, Idaho

Meeting was called to order by Council President James Ball at 7:09 p.m. at the Lewisville Community Center at 3451 E 480 N, Lewisville, Idaho. Present were Council President James Ball; Council Members, Linda Linsenmann, Mark Williamson and Brigham Briggs; Mayor George Judd was in attendance via Zoom; City Attorney, Kris Meek; Clerk/Treasurer, Donetta Fife; Officer Mike Miller from the Jefferson County Sheriff's Department and residents and nonresidents.

ROLL CALL:

- Mayor Judd – present Zoom
- Mark Williamson – present
- James Ball -- present
- Linda Linsenmann -- present
- Brigham Briggs -- present

PLEDGE OF ALLEGIENCE – Linda Linsenmann

Mark moved to move the police report to the first item on the Agenda, Brigham seconded, motion passed.

POLICE REPORT:

Officer Mike Miller reported that it was a pretty quiet month with 108 hours in the City, 9 calls and 16 traffic stops. The calls were pretty minor incidents. It was noted that the officers have been more visible in the City this past month. James asked about the vandalism on the City right of way and private property where ground killer was sprayed on lawns and fields. The Sheriff's Office is aware of the situation and it is under investigation. It will be covered in the report next month.

PUBLIC HEARING ON FY 2022 BUDGET:

- Councilman Ball opened the hearing
- Copies of the proposed Budget for FY 2021-2022 had been posted on the City's website and published in the Jefferson Star. Copies of the proposed Budget for FY 2022 were made available to those in attendance. Donetta explained the proposed income and expenses and the reason for the updated budget figures from one publishing to the next. This was due to the necessity of recalculation of property tax by the County Clerk as mandated by the Legislature's tax relief bill at the end of the session. This had caused a delay in providing timely figures to the City prior to the publication of the proposed budget. The budget hearing date of August 11, 2021 had been set in April. The budget figure includes \$56,000 in ARPA funds which represents half of the total allocation the City will receive from the Federal Government through the State. Public input was received and questions were answered.
- Mark moved to approve the proposed budget for FY 2022 at \$220,900.00 to defray expenses, Linda seconded, motion passed.
- Mark moved to suspend the rules of reading the Annual Appropriations Ordinance for FY 2021-2022, Ordinance 2021-2, on three different days and once in summary in accordance with Idaho

Code 50-902 and to read Ordinance 2021-2 only once in summary, Brigham seconded. Roll call vote: Linda, yes; Brigham, yes; Mark yes; James, yes. Motion passed.

- Mark read the summary of Ordinance 2021-2 The Annual Appropriations Ordinance for FY 2022. Brigham moved to approve Ordinance 2021-2, Linda seconded. Roll call: Linda, yes; Brigham, yes; James, yes; Mark, yes. Motion passed.

ANIMALS IN RESIDENTIAL AND COMMERCIAL ZONES PUBLIC HEARING:

- Councilman Ball opened the hearing on revising Section 8-5-8 of the Lewisville Code relating to animals in residential and commercial zones. This is the second public hearing. The Council also had a work meeting on July 28, 2021 where the Bill was formulated. Notice of the hearing was published on August 4 and August 11, 2021 in the Jefferson Star as well as posted on the City of Lewisville website, cityoflewisville.org and at the Lewisville Community Center as required by law and also at the Post Office and Library.
- Councilman Ball explained that the problem was created with interpretation of the original code and nuisance ordinance and that some of the wording was unclear. Brigham also noted that the previous ordinance did not specify how to allocate the acceptable number of different species on the same piece of property.
- Councilman Ball asked persons who would like to testify Pro to come forward, state their name and address. The following came forward:
- Gayle Anderson testified that she doesn't like the 50 feet setback for animal housing and manure pile storage. She thinks that is a little excessive. She had a question that if the City passes the ordinance are they going to enforce it or is it being left to neighbors to enforce the ordinance? She thought the numbers were fine.
- Patsi Hinckley testified in favor of the ordinance proposal. She has 4 cows on 2 acres that is about just right. If there is less, then there isn't enough feed. She thinks that the 50 feet setback is good.
- Linda Wolcott thinks it is heading in the right direction.
- Councilman Ball asked for anyone wanting to testify neutral 3 times. No one came forward
- Councilman Ball asked for anyone wanting to testify against the ordinance 3 times. No one came forward.
- Brigham moved to close public hearing, Mark seconded, motion passed.

COUNCIL DISCUSSION AND ACTIONS ON ANIMALS IN RESIDENTIAL & COMMERCIAL ZONES:

- City Attorney, Kris began by expressing that he thinks the verbiage is somewhat confusing and pointed out that with the current language the ordinance would be difficult to prosecute.
- The Council discussed possible resolutions.
- Mark moved that the Bill be taken back to a work meeting for revision, Brigham seconded, motion passed. The work meeting was set for August 26, 2021 at 7:00 p.m.

MINUTES:

- Minutes for the regular City Council meeting and hearings held July 14, 2021 had previously been distributed by the Clerk. Brigham moved that the Minutes be approved, Linda seconded, motion passed.
- Minutes for the work meet of the City Council meeting held July 28, 2021 had previously been distributed by the Clerk. Mark moved that the Minutes be approved, Linda seconded, motion passed.

MAINTENANCE REPORT:

- Mayor Judd reported via Zoom that the County had indicated that they were not going to do the chip and seal of the roads that are partially done until spring and until they are packed down a little more. Residents indicated that they would like to have the roads completed before winter to avoid having to fix the problems caused by winter weather. The Mayor will address the problem with the County.

CITY ATTORNEY:

- Councilman Ball expressed a concern that we are still not getting an accounting for fines and fees that we receive from the County. Donetta confirmed that. She was asked to check with the County Clerk to see if the problem of disclosure of fund sources has been resolved by the County as we were promised.

CLERK/TREASURER:

- Donetta submitted a list of bills between July 15, 2021 and August 11, 2021. She asked if there were any questions. There were none. Brigham moved that the bills be paid, Mark, seconded, motion passed.
- The Amended Budget Hearing for FY 2021 has been set ahead to September 8, 2021 so we can project if the road resurfacing money will need to be included.
- The FY 2021-2022 Fee Schedule hearing will be set ahead to September 8, 2021.
- Annexation hearing of Timothy L. Kriser is set for September 8, 2021.
- The Council will consider possibilities for a subdivision ordinance on August 26, 2021.
- Election forms are on the website, from the Clerk and at the Library. The first day for filing a Declaration of Candidacy is August 23, 2021 at 8:00 a.m. and the last day is September 3, 2021 at 5:00 p.m.
- The Treasurer's 3rd Quarter Report for FY 2021 had been provided to the Council and was available to those in attendance. Donetta asked if there were any questions, there were none. Brigham moved to approve the Treasurer's 3rd Quarter Report for FY 2021, Linda seconded, motion passed.

COMMUNITY CENTER:

- Councilman Ball has been checking on possibilities for a sound system and acoustical options for the Community Center to make it easier for people to hear in the building. He has not received a bid for the sound system yet but they are working on it. There are a couple of options for acoustics. Brigham indicated that he would be more interested in dampening the echo. The Council will work on options.

BEAUTIFICATION:

- There have been some problems with reconstruction of the right of way after the broadband installation. Kris indicated that we need to have an exact list of grievances to take to Direct Communications. They have been very willing to address any issues that have been brought up. Donetta was instructed to put a sign up in the Post Office asking for resident input. The Council was asked to each make a list and they will go over it in the work meeting on August 26, 2021.

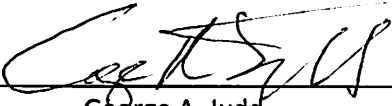
ITEMS FOR SEPTEMBER AGENDA:

- Items identified in work meeting on August 26, 2021.

PADJOURNMENT:

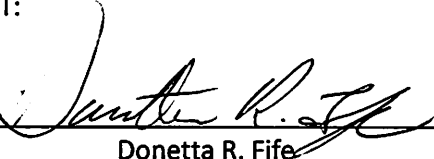
Mark moved that the meeting be adjourned at 9:05 p.m., Brigham seconded, motion passed.

Minutes approved by the City Council of the City of Lewisville on the 8th day of September, 2021.

Mayor 
George A. Judd

Date 8 Sep 2021

ATTEST:

Clerk 
Donetta R. Fife

Date 9-8-2021