

MINUTES  
**City of Lewisville Regular Meeting**  
August 8, 2018

Meeting was called to order by Mayor George Judd at 7:05 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 Alan Fullmer; Residents, Parley Williams, Janet Williams, Chris Hinckley, Natalie Hinckley, Wade Ball, Joe Johnson and Larry Johnson; and Robin Dunn, counsel for Chris Hinckley.

**ROLL CALL:**

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

**BUDGET HEARING:**

- Copies of the proposed FY 2019 Budget were handed out to residents. Clerk, Donetta Fife, presented the proposed 2019 budget and explained where funds would be coming from and where they would be allocated to. The proposed budget for FY 2019 was set at \$135,509. The Mayor asked if there was any public input. There was none. Leisa moved to suspend the rules of reading the 2019 Annual Appropriations Ordinance on three different days and once in summary in accordance with Idaho Code 50-902 and to read the 2019 Annual Appropriations Ordinance only once in summary, Del seconded the motion, a roll call vote was taken: Mark - yes; Leisa - yes; James - yes; Del - yes. Motion passed. George read Ordinance 2018-7 the 2019 Annual Appropriations Ordinance in summary. James moved that Ordinance 2018-7 the 2019 FY Appropriations Ordinance be passed, Del seconded. A roll call vote was taken: Mark - yes; Leisa - yes, James - yes; Del yes. Motion passed. Leisa moved that the Budget Hearing be closed, Mark seconded, motion passed.

**FEE SCHEDULE HEARING:**

- Mayor Judd opened the hearing on the proposed Fee Schedule for 2018-2019 at 7: 14 p.m. The Mayor explained the rules for speaking at the hearing. The Mayor called for advocates for the Fee Schedule to speak. No one came forth. The Mayor called for neutral input. No one came forth. The Mayor asked for contrary input. Robin Dunn, attorney, came forth in behalf of his client, Chris Hinckley, and suggested an amendment to the wording in the fee schedule relating to Commercial Dog Licenses. Mark moved that the wording be amended, Del seconded, motion passed.
- Leisa read the summary for Resolution 2018-3 adopting the 2018-2019 Fee Schedule as amended. Del moved that the Council approve Resolution 2018-3 as amended, Leisa seconded, motion passed. James moved that the hearing on the fee schedule be closed, Del seconded, motion passed.

**Amendment of Agenda:**

Leisa indicated that she had not been able to read the minutes sent out by the clerk and asked that she be given that opportunity. James moved that the Agenda be Amended and that Minutes be placed further down the Agenda, Del seconded, motion passed.

**POLICE REPORT:**

- Officer Fullmer indicated that he did not have a copy of the current report from the Sheriff's Department. The Clerk also had not received a copy. Officer Fullmer indicated that the key to

move the portable stop sign had been misplaced and they will work on moving it as soon as the key is located.

**MAINTENANCE:**

- Gary Wilde was unable to attend City Council this evening. The Council indicated that the mowing and trimming is looking very nice. Janet Williams asked to be heard and indicated that there is a large pot hole in front of her house. The Mayor indicated that he has purchased a load of cold patch and that Gary will be starting on patching very soon.

**COMMERCIAL KENNEL LICENSE APPLICATION:**

Robin Dunn acting in behalf of his client, Chris Hinckley, addressed the City Council about the Kennel License that his client has had and needs to have to legally operate his business. Due to a misinterpretation of the code by the Administration and himself, Chris did not know that he needed both a business license and a kennel license. Therefore his kennel license has lapsed but his business license is valid. Mr. Dunn advocated that his client had "done what was necessary" to maintain his kennel license. The Mayor indicated that he had talked with other cities in the area and most are agreeable that a kennel license could be renewed after it had lapsed rather than being required to go through the reapplication process. The City Attorney clarified the legal points. The Council discussed the matter. Mark was asked to recuse himself from the discussion due to his proximity to the kennel. The Mayor indicated that he would accept a motion to allow Mr. Hinckley to renew rather than reapply for his license. No motion was made. James moved that the application needs to be made as a new kennel application and not a renewal, Leisa seconded, motion passed. Chris presented his new Application to the Council. Under the Amendment to the Lewisville City Code passed on July 11, 2018, an application for a Commercial Kennel License needs to have 75% of the signatures of neighbors within 300 feet of any portion of the applicant's property. Mr. Dunn explained that Mr. Hinckley was unable to procure the needed signatures. Therefore, he asked that Mr. Hinckley be allowed to petition the City Council for approval of his application at the September 12, 2018 City Council meeting. Donetta was instructed to place Chris Hinckley on the Agenda and to notify all residents within the designated area. Only residents of the City will be permitted to testify. Robin Dunn asked to be placed on the mailing list.

Mr. Dunn asked that his client be given a stay of prosecution until the time the matter can be resolved. Leisa moved that the City Council stay prosecution until after the next city council meeting, Del seconded, motion passed.

**Amend the Agenda:**

James moved that visitors be move up the Agenda before the City Attorney, Del seconded, motion passed.

**VISITOR:**

- Wade Ball wanted to know why he received a notification that he has unregistered, unlicensed vehicles on his property. The Mayor indicated that the letters are a suggestion that those vehicles need to be moved or screened from view from a public road as stated in the Code. At this time we are not issuing citations for vehicles on private property, but vehicles on the City right-of-way will be towed.

**CITY ATTORNEY:**

- Kris addressed the issue of the Rounds Water Certificate. He indicated that he was still in negotiations with the attorney for the Rounds family.
- Kris then reported on his negotiations with the Jefferson County Prosecuting Attorney's Office about the criminal prosecution within the City of Lewisville. He indicated that the Prosecuting

