

**MINUTES**  
**CITY OF LEWISVILLE REGULAR CITY COUNCIL MEETING**  
Wednesday, 8 November 2023  
Lewisville Community Center, 3451 E 480 N, Lewisville, Idaho

Prior to the beginning of the meeting Mayor Thomas read the guidelines for conduct in the meeting.

The meeting was called to order by Mayor Thomas at 7:04 p.m. at the Lewisville Community Center at 3451 E 480 N, Lewisville, Idaho. Present were Mayor Curtis S. Thomas; Council Members Brigham Briggs, Blake Ball and Celena Lewis; Officer Mike Miller from the Jefferson County Sheriff's Department; Clerk/Treasurer, Donetta Fife; City Attorney, Kris Meek; residents and non-residents.

**ROLL CALL**

- Mayor Thomas – present
- James Ball – not present due to poor connectivity through Zoom
- Celena Lewis -- present
- Brigham Briggs – present
- Blake Ball – present

**PLEDGE OF ALLEGIANCE – Celena Lewis**

**MINUTES:**

- Minutes for the City Council Meeting held October 18, 2023 had previously been distributed to the Council by the Clerk. Celena moved that the Minutes be approved, Brigham seconded, motion passed.

**POLICE REPORT:**

A report from the Jefferson County Sheriff's Department had been sent to the City and distributed to the Mayor and Council covering the period between September 16, 2023 and October 13, 2023. 122 hours were spent within the City with 14 complaints, 2 arrests, 3 citations and 29 traffic contacts. Officer Miller explained that the calls mostly involved controlled burns, with an animal report, a civil case, one traffic complaint and the sighting of the mountain lion. Council thanked him for coming.

**KELLER & ASSOCIATES:**

- Jaden Jackson reported on the Wastewater Facilities Study. He checked for data on cesspools and sand point wells in the area and was unable to find any data as most homes with these systems are quite a bit older. The Council members indicated that they didn't have any further questions on the study and they felt it was ready for the public hearing. Jaden will send the information for the Notice of public comment to Donetta for publication.

**FORSGREN ASSOCIATES:**

- Kort Ware with Forsgren Associated indicated that the Highway Improvement grant for 500 north results are under consideration. They have a potential list but no awards have been made yet. We anticipate that to be available on November 19, 2023.

### **MAYOR REQUEST:**

Mayor Thomas updated the Council and attendees on the status of the WWII Gun loan to Legacy Flight Museum. A meeting had been scheduled with members of the Committee demanding the return of the gun to the City and Legacy Flight Museum. It was set for Wednesday, November 1, 2023 at the Legacy Flight Museum. Members of the Committee cancelled prior to the meeting. Mayor Thomas and a few members of the community were able to personally view the progress of the restoration. They were very pleased at the appearance and feeling of honor and respect that surrounds the gun in its new location.

- It was determined that the City had exercised due diligence in posting and publicizing the meetings discussing the gun and that an article about the gun had been published in the July 26, 2023 issue of the Jefferson Star. No residents from the City or community attended either City Council meeting in July or August where the gun matter was discussed and where a Memorandum of Understanding was signed with Legacy Flight Museum for the loan of the gun for a period of 20 years. The attendees were reminded that no choice is a choice. By choosing to not participate in the discussion we vote by default to accept whatever decision the council makes. They were also reminded that no contested elections have been held since 2009 and that no physical elections have taken place in the last two elections as there were no contested seats and a 4<sup>th</sup> council member had to be appointed to fill the vacancy. The current council and mayor are serving either unopposed or as appointed due to vacant seats remaining after the election period.
- The Museum agreed to assume all costs of restoration and transportation. The gun would be returned in 20 years if requested by the City and transportation and remounting would be provided by the Museum.
- Celena reported on the progress of the restoration. She indicated that upon inspection the gun had suffered severe rust damage and that many parts had been removed by vandalism or misuse. Many volunteer man hours as well as volunteer out-of-pocket costs have been put into the restoration process and the gun barrel has been repositioned in the recommended position. Some parts that are missing will be remanufactured by volunteers to restore it to its proper frame.
- Neither the City nor members of the Erickson family have a copy of the letter transmitting the possession of the gun to the Village of Lewisville. The only documented reference the City has of the transfer is located in the minutes of the Village of Lewisville dated July 13, 1959 indicating that a request had been made and a letter granting the request would be forthcoming.
- Mayor Thomas gave information with regard to the Legacy Flight Museum: It is a non-profit organization and falls under the government status of the City of Rexburg and Madison County. Its collections consist of mostly U.S. Military artifacts with an emphasis on aircraft. Its mission statement is to honor veterans (past and present) of all branches of the military and to preserve military history and artifacts. Admission monies mainly pay the utilities on the Museum which the City/County do not cover. It is open to the public for a nominal fee. Approximately 3,000 persons, including many veterans, from all over the United States and abroad visit the museum annually. The 40 millimeter U.S. naval gun on loan from the City of Lewisville sits outside of the Museum and can be viewed without admission to the Museum.
- The following input was received: A few residents gave personal testimony of sacrifices that had been made for our country and how they felt about the gun. A memorial plaque has never been placed on the gun to designate it as a memorial. The gun was painted once in 64 years and that was about 15 years ago as an Eagle Scout project. A newly retired military veteran felt shame

that we would portray the gun in its current state as a memorial for the sacrifices of all who have served. Children for 3 generations have played on the gun as playground equipment without due respect to what it should represent as there was no memorial plaque designating it as a memorial. The gun has progressively become in major disrepair and has been vandalized. Children often fall from the gun when visiting the library and are threatened by wasps forming nests in the barrels. The gun has become a large liability to the City and with the increase in liability suits being filed, the liability insurance rates that the City pays annually are rapidly increasing. A non-resident expressed the opinion that the location of the gun should go up before the populace of the City to vote and decide its fate. One resident indicated that the gun is probably on long-term loan to the City from the Navy and we need to be careful in making this dispute a big public issue as the Navy can repossess the gun and place it somewhere it will be treated with respect. The example of the Memphis Belle was cited as an example. A resident acknowledged the difficult job of serving the city as a mayor and council member. Gratitude was expressed for every mayor and council member that has ever served in the City as their job is a hard job and often there are hard decisions that have to be made. We need to be here as a community to support and give our input. A lot of effort has gone into the restoration of the gun already and we need to be grateful for the Museum's efforts.

- Brigham and a citizen suggested that the citizens could arrange for a memorial to be placed at the location where the gun will sit after being returned. It could give the history and establish the place as an actual memorial.
- A Special City Council meeting was set for November 15, 2023 at 7:00 p.m. to discuss a path going forward.

#### **CITY ATTORNEY:**

- Kris indicated that the Menan-Jefferson County AOI has been negotiated.
- The City of Lewisville has adopted by Ordinance the proposed Lewisville-Jefferson County AOI. It was rejected by the County as we proposed an extension of our area of impact on the southern border. Mayor Thomas or Kris should call Milt Overton to find out if they would reconsider our AOI with extended borders as they have now allowed that to happen in Menan. The purpose of the AOI is to push development closer to the cities rather than scattered throughout the county.

#### **CLERK/TREASURER:**

- Donetta has made available to the Council a list of bills between October 19, 2023 and November 8, 2023. Brigham moved that the bills be paid, Blake seconded, motion passed.
- It is required that even though no election was actually held in Lewisville, the results of the election should be recorded in the minutes. Three council seats were open. Blake declared candidacy for the 2-year seat which would fill the rest of his 4-year term. An appointed seat must run in the next election to finish that term. Brigham declared candidacy for one of the 4-year seats. No other declarations were received. Since there were no contested seats, an actual election was not held. A 4<sup>th</sup> council member will need to be appointed in January to fill the vacancy.
- The 4<sup>th</sup> Quarter-Year End Financial report will be ready to be presented to the Council at the December council meeting.

#### **OTHER:**

- A resident asked if the library was on the national historical registry. A search revealed that it was not. We were advised that in order to be placed on the registry, the building can only be

used for certain purposes. Celena will find out what those restrictions are and the process involved.

- A resident wanted to know if they could have access to City documents that the Council reviews. A request for public documents with specific dates and requests needs to be provided to the Clerk. She can then provide the documents requested.
- Mayor Thomas explained the Child Pedestrian Safety Grant and its progress. If we want to apply for the next round, we need to have the application in soon.


**ITEMS FOR DECEMBER AGENDA:**

- Loan of WWII Gun to Legacy Flight Museum Restoration and plan
- Possible plaque for monument and also where the gun was located
- Wastewater Study Public comment and approval – Action Item
- 500 North Highway Reconstruction Grant
- Treasurer’s 4<sup>th</sup> Quarter-Year End Report
- 2<sup>nd</sup> Phase of Child Pedestrian Safety Grant

**ADJOURNMENT:**

Celena moved that the meeting be adjourned at 8:59 p.m., Blake seconded, motion passed.

**Minutes approved** by the City Council of the City of Lewisville on the 13th day of December, 2023.

Mayor  Date 12/13/2023  
Curtis S. Thomas

ATTEST:

Clerk  Date 12-13-2023  
Donetta R. Fife