

City Council Meeting

April 24, 2019

Victor, ID

Victor City Council met in regular session in the Council Chambers in City Hall at 32 Elm Street at 7:00 P.M. Upon roll call the following were found to be present:

Mayor & Council: Jeff Potter, Will Frohlich, Molly Absolon and Dustin Green. Tim Wells was absent.
Staff: Olivia Goodale, Joanna Burkhart, Ryan Krueger, Herb Heimerl, Michelle Smith

Visitors. Robert Hardy, an independent auditor and the city's public accountant made comment regarding the 2018 audit report. Lauren Bennett, TVF Executive Director made public comment giving council a update on the winter activity and for a request for the Teton Valley Foundation for the Ice Arena Capital Project Funding.

Work Session. Second Quarter Report. Olivia Goodale made staff comment regarding the FY19 Q2 report from January- March 31, 2019. Olivia reviewed the major accomplishments for the city which included an award given to the city for the Hwy 31 Safe Child Pedestrian Grant, the adoption of the affordable housing strategic plan, the new planning director started, the Sherman Park athletic field project is underway, the city signed up for a new NLC service line warranty program, the city has worked on the code update of the general business license provisions, secured land for Victor Placemakers sculpture park and is currently working on the code update for title 10- land use development. She also reviewed the priorities set forth by Council and the work plan to help implement those priorities, FY19 Financial reports including local option tax, expenditures and revenues.

Public Hearing- Public Hearing for Business License Renewal Late Fee and Resolution R523, a Resolution of the City of Victor Making Certain Findings, Adding a Fee to the City of Victor Regarding Late Fee for Business License Renewal. Olivia Goodale confirmed that proper notice has been given and that supporting materials are complete. No Council members declared a conflict of interest. Olivia made staff comment regarding the establishment of a business license renewal late fee of \$25.00 per month, not to exceed \$100.00. This will specify that any license not renewed by January 30 of each year shall be delinquent and a late fee as set per the city fee and fine schedule shall be imposed the last day of each month until renewed.

A motion was made by Councilman Green and seconded by Councilman Frohlich to approve as presented Resolution R523, a Resolution of the City of Victor making certain findings, adding a fee to the City of Victor regarding late fee for business license renewal. Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Public Hearing- ZX2019-01 63 N Beryl Street Ordinance O539. Ryan Krueger confirmed that proper notice has been given and that supporting materials are complete. No Council members declared a conflict of interest. Ryan made staff comment stating that Ari Kotler, has applied for Rezone Map Amendment for the northern portion (approximately 65.5 ft x 165 ft) of his lot located at 63 N. Beryl Ave. The parcel is currently zoned Commercial Mixed Use (CX), and the applicant is requesting a rezone to Residential Multi-Family 1 (RM-1). Ari Kotler made public comment regarding the development agreement regarding the water line future hookup credit. A motion was made by Councilman Green and seconded by Councilwoman Absolon having found that, as presented, the proposal meets the approval criteria for Rezone Map Amendment found in Title 10 Article 14.7.11.B, I move to approve the rezone map amendment application for a portion of the parcel located at 63 N. Beryl Ave. The approval is based on the finding that the proposed rezone map amendment application complies with the approval of conditions, findings of fact & conclusions of law as followed; with the change to condition of approval criteria that the water and sewer connections need to be installed prior to issuance of occupancy permits rather than a building permit.

1. The applicant shall be solely responsible with compliance to these conditions of approval, all applicable development requirements, and all previous land use decisions rendered for this project site location included Planning File No. ZX2019-01.

2. Installation of upgrades to the water line and the electrical service, as proposed by the applicant, shall be completed prior to the issuance of any Certificates of Occupancy for this project location. The applicant shall be required to restore the area disturbed by the installation of the water line and electrical service to the existing.

condition or better prior to the issuance of the Certificates of Occupancy for this project location.

3. The applicant shall submit and complete the City's process for a lot split application or subdivision application prior to the submittal of building permits for this site.

4. The required public improvements, inclusive of street cross-section upgrades, sidewalks, and street trees, for the RM-1 zoned portion of the parcel may be installed at the time of the development of the CX zoned portion of this parcel. Future development of the CX zoned parcel by the current owner or any subsequent owner(s) shall require the installation of the public improvements for both parcels at the time development is proposed.

5. Buffer requirements for the site shall be met when development is proposed for the CX zoned parcel. Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

A motion was made by Councilman Green and seconded by Councilwoman Absolon to waive the first reading in full of the Ordinance #O539 and read it by title only, and to waive the second and third Ordinance readings. Mayor Potter called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Councilman Green and seconded by Councilwoman Absolon to approve the Rezone Map Amendment by adoption of Ordinance #O539, an ordinance of the city of victor amending the official Zoning Map of the City of Victor, which is part of Title 10 of the City's Municipal Code, to assign Residential Multi-family 1 (RM-1) to the northern .25 acres of the parcel of land identified as RPB0086005001B, and providing an effective date, and for the City Clerk to publish accordingly. Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Ordinance O540, an Ordinance of the City of Victor Repealing and Replacing Chapter 1 of Title 3 of the Victor City Code Regarding General Business License Provisions. Olivia Goodale made staff comment regarding the history and purpose for repealing and replacing Chapter 1 of Title 3 relating to general license provisions, the repeals of section 4-1-5 regarding public sidewalk, the relocates of this section from section 4-1-5 to Title 6, Chapter 8.

A motion was made by Councilman Frohlich and seconded by Councilman Green to waive first reading in full of Ordinance O540 an Ordinance of the City of Victor Repealing and Replacing Chapter 1 of the Title 3 of the Victor City Code Regarding General Business License Provisions, to read it by title only, and to waive the second and third Ordinance readings. Mayor Potter called for the vote. The vote showed all in favor. The motion carried. A motion was made by Councilman Frohlich and seconded by Councilman Green to further approve Ordinance O540 and its summary, and to direct the City Clerk to publish the summary. Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Ordinance O541, an Ordinance of the City of Victor Repealing Title 4 of Chapter 1 Section 5 of the Victor City Code Regarding Use of Public Sidewalks.

A motion was made by Councilman Frohlich and seconded by Councilman Green to waive first reading in full of Ordinance O541 an Ordinance of the City of Victor Repealing Title 4 Chapter 1 Section 5 of the Victor City Code Regarding Use of Public Sidewalks, to read it by title only, and to waive the second and third Ordinance readings. Mayor Potter called for the vote. The vote showed all in favor.

A motion was made by Councilman Frohlich and seconded by Councilman Green to further approve Ordinance O541 and its summary, and to direct the City Clerk to publish the summary.

Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Ordinance O542, an Ordinance of the City of Victor Amending Title 6 Chapter 8 of the Victor City Code Regarding Streets, Sidewalks, and Parkways.

A motion was made by Councilman Frohlich and seconded by Councilman Green to waive first reading in full of Ordinance O542 an Ordinance of the City of Victor Amending Title 6, Chapter 8 of the Victor City Code Regarding Streets, Sidewalks, and Parkways, to read it by title only, and to waive the second and third Ordinance readings. Mayor Potter called for the vote. The vote showed all in favor.

A motion was made by Councilman Frohlich and seconded by Councilman Green to further approve Ordinance O542 and its summary, and to direct the City Clerk to publish the summary.

Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Consent Calendar:

A motion was made by Councilman Frohlich and seconded by Councilwoman Absolon to approve the consent calendar including items 1-3 as presented with the exclusion of item 4 with the following motions:

1. To approve the April 10, 2019 Regular Meeting Minutes as presented.
2. To approve the April 10, 2019 Special Meeting Minutes as presented.
3. To approve the Disbursements as presented.
4. Parks Maintenance with Trail Creek Nursery.

Mayor Potter called for the vote. The vote showed all in favor. The motion carried.

Item 4: Parks Maintenance with Trail Creek Nursery. Olivia explained that we hire out for seasonal help for parks and that we are having a hard time finding any applicants. The city reached out to Trail Creek to explore the option of them taking over parks and maintenance and the bid came in lower than expected. This is a trial run for this year. A motion was made by Councilman Green and seconded by Councilwoman Absolon to approve the proposal from Trail Creek Springs for the yearly maintenance of the city parks in the amount not to exceed \$23, 627. Further, I move to pay the contract up front as proposed. Mayor Potter called for a roll call vote. Councilman Green- In Favor, Councilman Frohlich- In Favor, Councilwoman Absolon- In Favor. The motion carried.

Matters from Mayor, Council & Staff

Mayor and Council Liaison. This item was not discussed and will be moved to the May 22, 2019 agenda.

Councilman Frohlich reported on the potential community impact on the lodging numbers throughout the national parks. Councilwoman Absolon reported on the AIC legislative meeting in Idaho Falls and the bills that were passed that have a direct effect on cities.

Dashboard. The dashboard included items relating to the current building permits and applications received, the city hall moved to new location, TVTAP trail report, warming hut expansion project, Victor Placemakers sculpture park grant, the FY19-20 budget schedule and the upcoming URA and Planning meetings.

Adjourn. A motion was made by Councilman Frohlich and seconded by Councilwoman Absolon to adjourn the meeting. Mayor Potter called for the vote. The vote showed all in favor. The motion carried. The Meeting adjourned at 8:16 P.M.

ATTEST:

City of Victor

Jeff Potter, Mayor

Michelle Smith, City Clerk

Minutes: MS 04242019