

September 18, 2024

CITY GRACE, IDAHO  
MINUTES OF THE REGULAR MEETING  
HELD AT CITY HALL  
SEPTEMBER 18, 2024

**PRESENT:** Mayor: Jackie Barthlome  
Council Members: Larry Allen, Curtis Toone, Kyle Bingham, Kathy Tillotson  
Superintendent: Riley Crookston  
Deputy Clerk: Loy Raye Phillips

Mayor Barthlome called the meeting to order at 6:00 p.m.

Councilmember Tillotson gave the invocation.

Clerk Phillips let the Pledge of Allegiance.

The minutes of the regular meeting held on September 9, 2024 were discussed. Motion to accept the minutes as written for 9/9/2024 was made by Councilmember Tillotson. Councilmember Allen seconded the motion. Motion passed unanimously.

Councilmember Tillotson questioned the street repair by Keller and Associates for construction. Councilmember Bingham stated that the city pays ahead. Councilmember Tillotson stated \$10,899 and \$24,000 were paid to Keller and Associates. Mayor Barthlome stated that the money was for the center street bridge for engineering fees. Councilmember Toone asked how many fees are paid. Councilmember Bingham stated there had been quite a few over the last several months. Mayor Barthlome stated that the engineering fees for the bridge was close to \$150,000 because the bridge must be engineered, bored, and soil tests. Mayor Barthlome stated that when the bridge was set north of the city there was a notification that the bridge was not certified. Mayor Barthlome stated that anything being done needs to be engineered.

Bills in the amount of \$68,026.26 and payroll in the amount of \$12,168.40 were reviewed for payment approval. Councilmember Toone moved that the bills be approved as reviewed. Councilmember Bingham seconded the motion. Motion passed unanimously.

Superintendent Crookston presented the following permits that were approved:

#2024-21 Grace School District/Eli Hubbard - high tunnel green house.

#2024-22 City of Grace Wastewater plant storage container for use during construction

Councilmember Toone asked if there was a greenhouse at the high school? Superintendent Crookston stated that there is currently a greenhouse on the backside of the ag building. Superintendent Crookston stated that this is a new one. Mayor Barthlome stated that this greenhouse would be behind the old elementary school between Kurt Young's home and Eric Bates, the school owns a small property there.

The resolution, increasing the water base rate 3%, was read in full. Councilmember Allen moved to approve the resolution. Councilmember Bingham seconded the motion. Motion passed unanimously. The resolution will be numbered 2024-1.

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The resolution, increasing the sewer rate 3%, was read in full. Councilmember Tillotson moved to approve the resolution. Councilmember Bingham seconded the motion. Motion passed unanimously. The resolution will be numbered 2024-2.

The resolution, increasing the garbage rate 3%, was read in full. Councilmember Allen moved to approve the resolution. Councilmember Toone seconded the motion. Motion passed unanimously. The resolution will be numbered 2024-3.

Mayor Barthlome stated that Clerk Reeves got a bid for a new phone system from Rytel. Mayor Barthlome reported that the City of Preston is using this same system and really likes it. Currently the city pays close to \$280.00 per month for three lines including the fax machine and long distance. The start up fee with Rytel is \$345.00 including new telephones. The monthly charge would be \$86.80 per month for three lines including the fax machine and long distance. Councilmember Allen moved to accept the bid from Rytel for the phone system. Motion was seconded by Councilmember Bingham. Motion passed unanimously.

Mayor Barthlome stated that the city had only received one application. Councilmember Tillotson asked when the closing date was. Mayor Barthlome stated September 13, 2024. Mayor Barthlome stated that there was some question on no health insurance for the families. Mayor Barthlome stated that only the employees were covered by health insurance. Mayor Barthlome stated that the city may have to work with the four maintenance employees that are presently employed until the next budget meeting to see what it would cost for family insurance. Councilmember Tillotson asked about the employee health insurance. Mayor stated that just the employee was covered not the family. Mayor Barthlome stated that this is something that the city council needs to investigate. Councilmember Allen stated that the city needs to be competitive. Mayor Barthlome stated that the deductible on the employees' health insurance is very high, and it is something that needs to be investigated to see if it is something that can be acquired from the government or state policy. Mayor Barthlome stated the application received does not meet the qualifications for employment. Mayor Barthlome asked the councilmembers if the notice of employment needs to be placed back in the paper until the position is filled. Superintendent Crookston stated that it would be a good idea. Councilmember Allen moved to place the notice in the paper until the position was filled. Motion was seconded by Councilmember Tillotson. Motion passed unanimously.

The Mayor and Councilmembers discussed Title one of the City Code book. The City Council felt 1-1-1 had no change.

1-4-1 General Penalty: Any person violating any ordinance of the city shall be guilty of a misdemeanor, and where no other penalty is set forth in any ordinance shall be punishable by a fine not to exceed three hundred dollars (\$300) for any one offense, or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. Councilmember Toone asked about the weeds. Superintendent Crookston stated that there is a fee attached to the weed ordinance. Mayor Barthlome stated that this fee covers anything that does not have a fee attached to the ordinance, is the council comfortable with this. Councilmembers stated yes.

Councilmember Toone asked the council to go back to City Code 1-5-7. Clerk Reeves has a note posted on the ordinance that it needs to be sent to the codifiers. Councilmember Allen stated that this has already changed. Mayor Barthlome stated that because of the cost of having the ordinances codified the Clerk will wait until there is more than one ordinance to be codified.

City Code 1-6-6 (C) Code Enforcement Officer: No person or entity shall interfere with or obstruct the code enforcement officer in the performance of his duties. Discussion was had on using both the penalty and confinement in the county jail.

Councilmember Toone asked the Councilmembers to go to Code 1-6-1: (1-10) need to correct the pronouns. Councilmember Toone stated that it states funds received showing the date and using the term him, does it need to say him/or her. Councilmember Toone stated that in item 8 it states shall be kept in a deposit box by him. Councilmember Toone stated it could read: Securities belonging to the municipality incapable of depositing in a checking or savings account shall be kept by him in a safety deposit box which could be removed altogether. Item 10: Deliver to his successor in office all books, monies, papers and other property pertaining to his office. Councilmember Allen stated that this might be a question for the codifier. Councilmember Tillotson asked that Clerk Reeves should be asked about this line. Councilmember Bingham stated that it should be him or her. Councilmember Tillotson stated that care needs to be taken not to discriminate.

Councilmember Toone asked the council to go to 1-6-1 (B) Bond. Councilmember Toone asked if \$10,000 was enough? Councilmember Allen stated that the bond was set by the state, it is not arbitrary. Superintendent Crookston asked that this was the fee in 1981, what is the fee now.

Councilmember Tillotson stated that she noticed that many of the dates of the code ordinance were 1981. Councilmember Toone stated that the book is good through 2023. Mayor Barthlome stated that is the front page. Councilmember Tillotson stated that it was updated on January 1, 2024. Mayor Barthlome stated that all code ordinance dated 2024 were codified for the codes that were changed, this year there has not been anything sent to the codifiers, because the cat ordinance still states that cats must be licensed, the dog fees are \$10 and are \$15. Councilmember Tillotson stated that there are not enough corrections to send to be codified. Mayor Barthlome stated that once the code ordinances are codified, they are put online so everything is current.

Chapter 7: 1-7-1 Civil Defense: Councilmember Toone asked if there was a civil defense organization? Councilmember Allen stated that the city council was the civil defense board. Councilmember Toone stated that the code ordinance stated that there was an organization that did the civil defense. The ordinance was made in 1959. Councilmember Toone questioned if this was necessary. Councilmember Allen stated that it should be deleted. Mayor Barthlome asked that a note be made to question does the city need this ordinance.

Chapter 8 Area of City Impact: Mayor Barthlome stated that the area of city impact is in the process of being updated. Mayor Barthlome discussed the area of city impact with the councilmembers. Mayor Barthlome stated that the airport was removed because the city no longer owned the property. New regulations from the state define a 2-mile radius for city impact. Mayor Barthlome stated that there would not be anything built in the area on the north because the city cannot provide water or sewer to the area. Mayor Barthlome stated that the city could go east. Mayor Barthlome stated that the impact area would remain at the Harwood Road, Two Mile Lane, River Road, for future growth. Councilmember Toone stated that on 1-8-2 (1) No feed lot operations, dairy farms, pig farms or CAFO operations or similar type operations shall be permitted in the impact area or within three (3) miles. A CAFO is a Consolidated Feed Operation. Mayor Barthlome stated that the regulations have changed so there is not so much annexation into cities. Councilmember Bingham stated that the city would be notified of what is happening in the impact area with feedlots or dairies within two miles of the city.

Mayor Barthlome stated that in the impact area the city must agree with the county. If the county receives a permit they would be forwarded to the city, then Superintendent Crookston reviews the permit for water or sewer impact and then signs the permit and returns. Mayor Barthlome stated that the east side is where the area of impact must be monitored. Councilmember Toone stated that if the city and county cannot agree then who is the higher power. Mayor Barthlome stated that if someone is building in the impact area the city can make objections, but it is still the county that makes the rules. Mayor Barthlome stated that there has not been any problems with the permits issued by the county. Councilmember Bingham stated that the city and county have a good relationship.

Chapter 10 Industrial Development Corporation: Councilmember Toone asked that in the last section 1-10-1 does the city have an industrial Development Corporation? Councilmember Allen stated that the council was the rule for the city. Councilmember Toone asked if this code ordinance is needed. Mayor Barthlome stated that this ordinance was done in 1989. Mayor Barthlome stated that it is a development committee. Councilmember Toone asked if this is a federal program. Councilmember Allen stated that it could be done. Superintendent Crookston stated that it was under Idaho Code title 50, Chapter 27 listed as a footnote. Councilmember Toone stated that if the city was not going to use this ordinance it should be removed. Mayor Barthlome stated that it is something that might be needed later. Councilmember Bingham stated that it could be added when needed. Councilmember Toone stated that it could be amended by the Mayor and City Council. Councilmember Tillotson stated that it could change. Councilmember Bingham stated that the city may grow, and the charter would be needed.

Councilmember Toone asked about the elevation (2-1-3). Does it have to do with the highway and the streets? Mayor Barthlome stated it could deal with the drainage of the streets and highway. Superintendent Crookston stated that when a sewer line is being installed it needs to be six (6) feet deep. The engineers are going to go off the elevation not the fact that it is six (6) feet under. The elevation is 5225 so it must be at an elevation of 5214. Councilmember Toone asked a benchmark when the school was torn down. Superintendent Crookston stated that he did not have that information. Councilmember Allen asked about the high school on a benchmark for the elevation. Councilmember Toone stated that in the foyer in some schools there is a medallion. Councilmember Tillotson stated that it is at the high school. Councilmember Toone stated that if the medallion is at the high school, it should state the high school when the council gets to this.

Superintendent Crookston reported that there was some hot mix left over and the potholes were able to be filled on the bridge, hopefully this will stay. Superintendent Crookston stated that if the councilmembers received any questions from men in orange trucks with a backhoe and a vac trailer around on the east side of town, they are going to be potholing utilities so when the sewer project starts, they will have the information of what is in the ground.

Councilmember Toone asked if Superintendent Crookston was happy with the sidewalks. Superintendent Crookston stated that what is done looks nice, but the project is not complete. Councilmember Toone wanted to know why it was taking so long to do the sidewalks is it because it is taking so long to get the cement. Councilmember Bingham stated that there is only one mixing plant in the county, there is only so much potash delivered, and it is competing with others in the region. Superintendent Crookston stated that if the job in Soda needs 30 trucks tomorrow and this project uses 10. The trucks will go to the larger order. Councilmember Toone stated that the contractor needs

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to get the cement from other places and finish the sidewalks. Mayor Barthlome stated that the contractor has someone they have contracted with that they have to use, because of the price.

Councilmember Bingham asked if the chip sealing was done. Superintendent Crookston stated that it is done.

Mayor Barthlome reported that AIC fall district meeting will be held October 23, 2024, and to please let Clerk Reeves know who is going to attend so everyone can be registered. Mayor Barthlome stated that the meeting would be from 9:00 a.m. to 3:00 p.m.

Mayor Barthlome stated that the trial about the storage container had taken place. The gentleman was sentenced guilty. He was fined court costs which is mandatory \$150.00, given 30 days jail sentence which the judge suspended, a year probation, was fined \$1,000 the judge gave a \$700 reduction, \$50 probation, he has 45 days to remove the storage container which would be November 1, 2024. If the storage container is not moved it will be contempt of court.

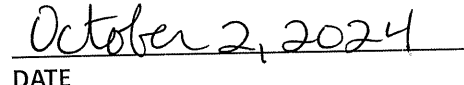
Superintendent Crookston stated that a lesson has been learned from this incident. If you have a conversation with a citizen do not go by yourself. Mayor Barthlome stated that if a citizen is in violation a copy of the ordinance is made and Superintendent Crookston will take one of the employees to communicate with them about the violation. If there is no one available there will be a highlighted copy mailed sent with a certified letter. Mayor Barthlome stated that if there is a violation no one goes and talk to the property owner.

Councilmember Toone asked if he could cut the weeds down on 117 S. Main. Mayor Barthlome stated that permission must be given from the property owner to cut the weeds. Superintendent Crookston stated that the property owners in violation of the weed ordinance received letters but got hung up in other business. Mayor Barthlome stated that it would be okay if permission was given.

Meeting adjourned at 7:11 p.m.

  
CLERK

  
MAYOR

  
DATE