

CITY OF WEISER
CITY COUNCIL MEETING
55 West Idaho Street
Weiser, ID 83672
Monday
MARCH 13, 2023
7:00 pm

Call to Order [7:00:09 PM](#)

ROLL CALL

PRESENT: Layna Hafer (Via Phone), Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell.

ABSENT: None.

STAFF: Randall Hibberd, Natasha McDaniel, Mike Campbell, Margaret Taggart, Dave Loos, Bill Taylor, Pete Ney, Mackenzie Kissell, Carl Smith, Troy Krahn, Delaine Singleton and Sherri Breaux.

Guests: John Aegerter, Ken Adams, Laurel Adams, Gina Clark, Jim Felton, Scot Hansen, Thereasa Rasmussen, Phil Janquart, Veronica Vasquez, Ginger Taylor, Alex Chavarria, Skip Duffy, Louise Duffy, Pam Aubrey, Bob Barrow, Jerry Wolery, Liz Mowrey, Brian Dalton, Sheri Rogers, Duke Rogers, Mark Burgess, Shanie McLaren and Jerry Barnard.

Invocation was given by Reverend Mark Burgess. [7:00:27 PM](#)

Pledge of Allegiance, was led by Margaret Taggart. [7:01:33 PM](#)

Commission Reports - None [7:01:58 PM](#)

Committee Reports:

[7:02:05 PM](#) - Sterling Blackwell, Library Report. The Library has had another busy month with over 2,400 check-outs. 3,200 patrons went to the library last month and they still have about 1,946 card members. That new website we talked about last month is within the last few days of final touch ups before we get it going and we are very excited for that. Timbra is starting up the Lecture Series again and on April 29th Barbara Morgan, an educator and astronaut who has actually been to space and helped create the Space Lab will be speaking.

[7:03:16 PM](#) – Sterling Blackwell, Community Health Committee. The University of Idaho has been doing a number of meetings and community gatherings in small communities across Idaho to work on how to improve community health. There is a committee of us who meet once a month, well represented. We have met three times, our fourth will be next month. We have been working with the U of I to utilize a \$3,000.00 Grant they have offered for some way to help improve something that improves the mental health of the community. Our committee is looking at updating a Resource Guide and find ways to print it and get it put out across the community in specific locations that would help our citizens understand what resources are out there. We are so blessed in our community to have so many resources beyond Rose Advocates and Angels Wings and many other resources that residents don't know about. Everyone is welcome to attend our next meeting next month at the Metropole. I don't remember the date or time, but if you want that information contact me and I will give that information to you.

Department Reports were presented by Mike Campbell. [7:05:34 PM](#)

MINUTES [7:09:19 PM](#)

Motioned by Larry Hogg and seconded by Mike Hopkins to approve the minutes of one (1) Regular City Council Meeting on February 13, 2023 and one (1) Special City Council Meeting on March 2, 2023 as presented and place them on file.

7:09:58 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

BILLS 7:10:09 PM

Motioned by Mike Hopkins and seconded by Cliff Barberis to approve the bills as reviewed by the Finance Committee and present them to the Treasurer to have warrants drawn for payment.

7:10:38 PM

ROLL CALL VOTE:

AYES: Alicia Fowler, Cliff Barberis, Layna Hafer, Mike Hopkins, Larry Hogg and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

MINUTES OF PLANNING AND ZONING 7:10:58 PM

Motioned by Larry Hogg and seconded by Sterling Blackwell to approve the minutes of one (1) Regular P & Z Meeting on January 17, 2023 as presented and place them on file.

7:11:28 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

7:11:34 PM – Mayor Hibberd, back tracking a bit notified all present that Council Member Layna Hafer is out of town and would be joining tonight's meeting via phone.

UNFINISHED BUSINESS:

NEW BUSINESS:

ROSE ADVOCATES ANNUAL UPDATE – Action Item. 7:11:58 PM

Veronica Vasquez, Rose Advocates Executive Director gave Council their annual update. Changes in the office include Erica St Michell as the new Executive Assistant. There is a new Shelter Director in Payette, Daniella Redman. The Thrift Store moved to 181 E Commercial and it's doing fairly well there. Nancy Miller and the girls there do an excellent job.

7:12:47 PM - The 2022 Numbers For Washington County:

1. 220 Clients, 170 females and 50 males.
2. 270 Domestic Violence Cases.
3. 52 Stalking Cases.
4. 36 Teen Dating Violence Cases.
5. 32 Child Sexual Assault and Abuse Cases.
6. 24 Bullying Cases.
7. 36 Adult Sexual Assault Cases.

7:13:27 PM – Crazy numbers, but at least they are coming to our office. Our Officers are doing a good job of getting the information out there and referring a lot of people to us. We have been really collaborating well with all of the other agencies in the community as far as food boxes and things like that and getting people where they need to go. On Monday we will go into Weiser Middle School and do a Community Service thing, the kids there are going to help us. We are going to give a presentation on healthy relationships and then they are going to help us get ready for our Summer Camp in July. They are going to cut out some stuff and get the program ready. Everything has been going pretty good, are there any questions?

7:14:21 PM – Sterling Blackwell, thank you for your service. That's a tough job and we appreciate it.

7:14:27 PM – Veronica Vasquez, thank you for giving me the time to update you guys.

7:14:30 PM – Mayor Hibberd, unfortunately it's a necessary service and we really do appreciate what you do. Veronica Vasquez, thank you for everything you do for us, we do appreciate it.

PRESENTATION OF CHECK FROM MUD DRAGS – Action Item. 7:14:44 PM

Laurel Adams and the Weiser Mud Drag Race Committee. The Mud Drag Races are held every first Saturday in October. Three weeks before the 2022 Event we revamped our Committee and had to start all over again from scratch. We were left with no records on sponsorship's, vendors, etc. We dug in, got busy, worked hard to get sponsors, we marketed our race everywhere we could think of, found vendors, designed trophies, we were determined to make that race the best ever. We succeeded, we had amazing driver and spectator participation, learned some things, discovered new vendors and had overwhelmingly positive feedback about the event and beside that, we made some money. We knew that our Mud Drag Committee wanted to give back, there are so many worthwhile nonprofits that were brought up as possibilities, but when the Fireworks came up it was a no brainer. We voted unanimously as a Committee to support them. We have appreciated the City's generosity in allowing us to use our venue for nearly twenty years and overwhelmingly our Committee wanted to give back. We are so proud to present this check for \$4,310.84 to the City of Weiser for the Fourth of July and Christmas Parade Fireworks. The Weiser Mud Drag Committee then presented a check for \$4,310.84 to Mayor Hibberd to support the City of Weiser for Fire Works.

RESOLUTION #674 DESTRUCTION OF CERTAIN PUBLIC RECORDS – Action Item.

7:18:43 PM

City Clerk Natasha McDaniel, it's been a while as you can see there's quite the collection. Basically we are going to get rid of a lot of public records that are long over due. You only have to keep semi-permanent records for five years, I think we have some going back ten to twelve years. Just to free up space and just go by what the Ordinance states, we are going to be getting rid of a lot of files. Council had a list of the records to be destroyed in their packets. We have done as the Resolution asks, and that is send it to our attorney, get it approved by the attorney. She has reviewed everything and is confident we are within what semi-permanent records can be destroyed so we can move forward.

7:19:54 PM

Motioned by Cliff Barberis and seconded by Mike Hopkins to approve Resolution #674 Destruction of Certain Public Records.

7:20:05 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

BOB BARROW (OLDS FERRY SUBDIVISION) REQUEST FOR EXTENSION PER CITY CODE 11-3-4 SECTION F – Action Item. 7:20:10 PM

Bob Barrow, 4380 Hill Rd, Boise Idaho. I am the owner of the Olds Ferry Subdivision on W 9th Street. It's come to our attention that the permit was issued for one year. Just because of last year really, we didn't get our water setters until a month ago which are what the meters hook into in each of the houses. So we had fitful delays with the subdivision but we are very close. We need about two months and we'll have streets down and sidewalks, curbs and gutters in and have marketable lots. I was really hoping to have it done last year, but we are really close right now. So I'm here at this point to request a six month extension on the permit which should with plenty of leeway get us through to completion and you'll see me prior to that looking for plat approvals.

7:21:25 PM – Mayor Hibberd, is that six months from when it expired? Bob Barrow, yes lets do six months from expiration date. Can you tell me what that is, honestly I didn't bring my notes. Mike Campbell, December, so that would put him out until June. Bob Barrow, that should be more than adequate, if I have delays that would push me any further than that I would be very surprised. Our logistical ducks are all in a row, we have everything we need, now we just need the weather to cooperate. We would have been digging two or three weeks ago except it's been wet. We were dry and ready to go and now we've stopped, but J.R. Is going to move equipment in this week and we are going to start going at it again. Mayor Hibberd asked if there were any questions?

7:22:08 PM – Mike Campbell, it's actually an extension on the Preliminary Plat.

7:22:16 PM

Motioned by Cliff Barberis and seconded by Sterling Blackwell to extend the Preliminary Plat for the Olds Ferry Subdivision per City Code 11-3-4 Section F for six months from the last termination date.

7:22:30 PM – Larry Hogg, just clarification, so we are extending it for six months? Cliff Barberis, from the termination date of the last one.

7:22:43 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

REQUEST TO RENEGOTIATE AIRPORT AGREEMENT WITH HANSEN FARMS (PER HANSEN FARMS) – Action Item. 7:22:53 PM

Scot Hansen, 440 Clabby Rd, Weiser Idaho. I have kinda three little items that we're kinda mulling over. The first is increasing the current 20% allowance for capital improvements to 30%. The second is the 9.6 acres as you come into the Airport. Because of the hanger extension that happened at the end of last summer, it's an airport so it's already not laid out ideal for farming, we had to remove some buried risers because they were in the building zone, we kinda lost some access and just the way it's shaped. That 9.6 acres which is now like 6 acres, I talked to Jim Metzger the Airport Manager, I either have to let it go and it turns into a weed patch, which he does not want and I don't even want because it just spreads weeds, so I was wondering if we could just drop that six acres off the rent to compensate the extra labor it's going to take to move hand lines around and get equipment in and out. The third item is the extension on the irrigation project that was started back in 2016 by my Dad. We terminated it and rotated the crop out and so right now we have the opportunity to extend that. I just need permission to do that, I have broken down the cost estimate:

900 feet of 6 inch, 100 psi mainline pipe	\$2,000.00
5 hydrant valves and risers	\$ 800.00
2 compression and hydrant valves	\$ 700.00
Miscellaneous Supplies (glue, primer, etc)	\$ 300.00
<u>Backhoe work provided by Rick McDaniel</u>	<u>\$1,200.00</u>
TOTAL EXPENSES	\$5,000.00

7:26:02 PM - All this I'm paying for, we're just deducting, the City isn't putting any money out. We are just doing it because of safety. Before we had above ground mainlines, so five times a year because we had it in alfalfa we were moving this stuff out along the warm up pad and the taxiways. It's just going to make it buried which is going to make it so much safer. It's moving away from all the lights and everything, so it will be out of the way and we won't have any more mainline out there. I have to watch even when I'm farming I have to watch for planes. We are just kind of finishing this south project so I need approval to do that, increase the deductions and not have to pay rent on the one field.

7:27:00 PM – Mayor Hibberd, that is a really odd shaped field.

7:27:10 PM - Sterling Blackwell, just educational information for myself, when your father started leasing the land, how did they come up with the 20% and how long ago was that? Scot Hansen, I think that started from the beginning in 1976, I wasn't born yet. It was all flood irrigated, it was abandoned basically before that, the life in the soil wasn't great, but as we've done a lot of things and as we got things growing it was hard to get water down the furrows anymore so we had to put in sprinklers. So we've been slowly doing that since the 90's since the actual addition to the original airport back in 1989 or 1990. This will be the last addition to the south side, there's the west side and the north side, I've laid a lot of mainline.

7:28:36 PM - Larry Hogg, the rent now is \$8,660.00, is that correct? Scot Hansen affirmed. Larry, then you are asking us to waive the rent on the 9.6 acre field which is quickly going to 6. How much has the rent historically been on that piece? Scot, didn't know. Larry, my real question is, is this \$8,660.00 going to go down with approval of that? Scot, it will go down a little bit. Larry, so then in turn 30% will also go down a little bit, correct? Scot, it will be a two year project, I can't deduct it all in one year, the 30% is it if you approve that. Larry, so is the project going to take two years or are you just going to deduct it over two years? Scot, the deduction off the rent will be for two years but we're hoping like everyone else, if it stops raining, we'll get in there and get it done. I wanted to do this two years ago but I didn't want to dig a big trench in the middle of established alfalfa. I actually saved a lot

of money because I bought the pipe a few years ago at \$1.75 and it's \$4.50 now. Larry, is this how it's worked historically? Scot Hansen affirmed. Larry, it didn't really matter when the expenses took place it was an accumulative thing that you could deduct going forward? Scot, I believe the deduction begins once it is installed. I need it installed this year, so it will be in this years.

7:31:12 PM - Cliff Barberis, I appreciate what you're doing out there, it makes it look a lot nicer instead of a weed patch. Scot Hansen, I've talked to the Co-op and they said just to spray Ontario's Airport is around \$80,000.00 per year.

7:31:44 PM – Larry Hogg, do we have a written contract with...? Mike Campbell, with him we do. Larry, it's with you Scot? Scot Hansen, it was with my dad. Larry, it's been changed? Scot, it's been changed, I started in two years ago.

7:32:10 PM

Motioned by Cliff Barberis and seconded by Sterling Blackwell to approve the renegotiated Airport Agreement with Hansen Farms.

7:32:22 PM

ROLL CALL VOTE:

AYES: Layna Hafer, Sterling Blackwell, Mike Hopkins, Alicia Fowler, Larry Hogg and Cliff Barberis

NAYES: None

ABSTAINED: None

MOTION CARRIED.

RESOLUTION #675 RESOLUTION IN SUPPORT OF LC-1465 – Action Item. 7:32:46 PM

Mayor Hibberd, this is a request by the Ontario Recreation District to petition the Oregon State Legislature for funding for their Aqua Center in Ontario. What they are asking for is a resolution from towns surrounding Ontario for basically a letter of support saying we would like to see this go in because it would benefit the communities around, that's what this amounts to.

7:33:43 PM - Larry Hogg, I'm not sure I understand, there's a copy of House Bill 2410 and then there's a copy of a proposed Resolution and it references LC-1465 and so I'm not sure. It also talks about the City of Nyssa, I guess I want to make sure we're endorsing the right thing here.

7:35:30 PM – Sterling Blackwell, I believe if I recall from the e-mail he sent the Council Members, which is kind of a letter attached here, but I think there was a bit more verbiage in our e-mail. House Bill 2410 is something that went in front of the Legislation in Oregon that is talking about the grant monies for their Recreation Department and there is a change being made there. So he is asking for our support of LC-1465 which however it works is pulling funds and trying to preserve that grant money for their services because this House Bill could change, potentially. Our Resolution in support of LC-1465 is to show we support Ontario's Recreational District in an attempt to make sure that they are able to continue to get the funds from grants that are made to them through House Bill-2410. I think that's what I remember reading.

7:35:47 PM – Mayor Hibberd, I think that the Nyssa parking is that they sent us Nyssa's Resolution rather than Weiser's.

7:35:53 PM – Larry Hogg, so we can just change this. Clerk McDaniel, we would make our own Resolution. Larry, so this is just a suggestion? Clerk McDaniel, an example. Sterling Blackwell, and I believe that all other communities at this point made their resolutions, they're waiting on us. Mayor Hibberd, they asked for it to be last month but we had a long agenda last month so moved it till tonight.

7:36:21 PM – Larry Hogg, I don't see any reason not to support their efforts. Sterling Blackwell, there is no financial bearings on us. Larry, if the State of Oregon has some money they just as well get it. Is the motion going to be to approve our own resolution in support of LC-1465? Mayor Hibberd affirmed. Larry, do we need to give any other guidance? Mayor Hibberd, no, I think that will do. Clerk McDaniel, our Resolution would actually be #675.

7:37:16 PM

Motioned by Larry Hogg and seconded by Sterling Blackwell to create Resolution #675 in support of LC-1465 for the Ontario Recreation District as they have asked us to do.

7:37:42 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

REQUEST TO ADD DEPUTY TREASURER TO BANK ACCOUNT SIGNATURE CARDS – Action Item. 7:37:55 PM

Margaret Taggart, City Treasurer. In light of the changes with our signature card, Natasha McDaniel being named City Clerk her spot on the signature card is opened up. We have asked that the Deputy Treasurer be added to the Bank Accounts. Mayor Hibberd, and that would be? Margaret, currently Sherri Breaux.

7:38:33 PM – Larry Hogg, I'm assuming we end up with the same number of signers as we have had historically, they're just because of the scuffling of duties. Margaret Taggart, correct. Clerk McDaniel, Dave Tate's name dropped off and I was already on there. Margaret, Natasha was on there as Billing Clerk and she can't be in both spots on that signature card.

7:38:57 PM

Motioned by Sterling Blackwell and seconded by Mike Hopkins to add the Deputy Clerk (Sherri Breaux) to our bank signature cards.

7:39:05 PM

ROLL CALL VOTE:

AYES: Cliff Barberis, Layna Hafer, Sterling Blackwell, Larry Hogg, Mike Hopkins and Alicia Fowler

NAYES: None

ABSTAINED: None

MOTION CARRIED.

REVIEW OF TEMPORARY “CAT SHELTER” LOCATED AT 738 W GALLOWAY – Action Item. 7:39:21 PM

Mayor Hibberd gave a brief background stating that last summer we became aware of the cat shelter being in a residential zone and we asked that it be closed. They came to us and requested a six month extension and we gave them three months to come up with a resolution. At the end of three months they asked for another three months and that time is up now. Mayor Hibberd then asked John Aegerter if he would come forward and tell us what is going on.

7:40:20 PM – Layna Hafer, just so you know, this particular issue does not apply to John. They're a separate entity and so I want to be careful that John does not speak on behalf of the person that was involved at 738 W Galloway, just clarification.

7:40:55 PM - John Aegerter, I'm involved with Weiser River Animal Shelter and Rescue and we were working to resolve the issue of the cats at 738 W Galloway. Some of the people at the time were keeping the place going by cleaning and making sure the cats were OK at the shelter. About two or three weeks ago the organization contacted the Idaho Humane Society and asked if they had any space for cats, to see if we could move the healthy cats there, they told us they did. When other members and myself had a discussion with Cheri and her ex-husband Carl and gave them this information that we could transfer the cats down there with out any problem, they took it under advisement and within a day they said they wouldn't go along with it because they had found out the Idaho Humane Society euthanize cats without good reason. They supposedly were able to get inside information from there. As it stands right now, and about the same time Cheri asked us to not continue working at her place because she wanted to keep the presence of the cats a bit more undercover. A couple of the neighbors were part of the problem with the City, so as of three or four weeks ago nobody has been working there besides Cheri. She has returned all the items that other people supplied them to her situation there and there has been no communication with her for about three weeks so I don't know exactly what she's planning on doing. We're still hopeful of helping the cats, there are some very nice cats in there and there are a few cat's that can't be transferred, but we would like to get the nice ones out of there.

7:43:33 PM - Sterling Blackwell, I know you are separate from this situation, are you able to give us very briefly an update on where you are with the Weiser River Animal Shelter and Rescue?

7:43:51 PM – Clerk McDaniel, I don't think it's on the agenda, but that's your call.

7:43:55 PM – Sterling Blackwell, in my thought because it was created as a way to help fix this. I'm just wondering because...Mayor Hibberd, I think it relates to it. Sterling, I feel it relates to it, yeah. I know you guys are waiting for an EIN number and the 501 C-3 and those things so I was just wondering...John Aegerter, we do have our EIN and our 501 C-3 has been submitted and by the way things work there, the type of application we made, we should know within a couple of weeks whether or not we've been granted that. There has been an initial discussion with a property owner in the industrial zone south of town, which is where we've been told we have to be. We were so early in the work we've been doing, we couldn't give him any specific information, just whether or not he would be interested. He indicated he thought he would be, but we have to come back with more particulars so he would understand. We have a group, we have eight directors of the group and we meet once a month discussing all kinds of stuff. We have good discussions but realize there's quite a bit that has to be done to actually get to building a shelter. Last week several of us went over to Emmett to visit their shelter, it's been in place for over thirty years and it's an incredible place as far as what they do, how they do it. We picked up quite a few ideas. Tomorrow we're going up to McCall to visit the Shelter there to get some more information on what we need to know to try and design a shelter. We started this back in November, my thought was we needed probably three years to get to a building standing and nothing has changed my mind about that. We have discussed that as a group but probably that long to get this in place. Sterling, well thank you, I think it's a necessity for our community, so don't be discouraged by things that happen, keep lugging away one step at a time and we appreciate the work that your group is doing.

7:46:24 PM – John Aegerter, I'm not surprised either, we want to do this for the city, we want to put this thing in place, we want it to be a good thing to have here. We just hope we can make that happen.

7:46:47 PM – Mayor Hibberd, is Cheri Gordon here? Cheri Gordon was not there.

7:46:51 PM - Layna Hafer, I did reach out to Cheri Gordon to let her know this was put on the agenda. I do want to let the Council know that I do feel like that was amiss on our part. This is a pretty big issue and I know in many circumstances we extend the courtesy to whoever is on the agenda to come in, and she was not contacted. I want to make it known to the Council that she is not there, she was in Boise at a doctors appointment with her son. I do think this was amiss on our part.

7:47:49 PM – Larry Hogg, do we have any idea how many cats are on that property at the present time? Layna Hafer, we do not. Larry, I guess this is my take on it, the owner of this property we have given seven months to disband the cat shelter that she has and to our knowledge she really hasn't done much to accomplish that. Like was presented, there was a month before we even saw it that she was aware that basically it wasn't legal to do at her place. Then, twice as a City Council we've told her that same thing. She went through the process of how her business model which gave us or at least me the idea that within sixty to ninety days an animal from the time she got it would be ready depending on the age of the animal when it was received and she did say that there were some animals that for whatever reason were harder to adopt, that there could be a few that would take a little longer, but it's now been seven months. So continuing to extend her temporary cat shelter doesn't appear to be working. The fact of the matter is, we may need to do something to help with cats that are abandoned or whatever, but I think we've acted in good faith trying to give her a chance to do something with that illegal operation. Despite the fact that whatever notice she got or didn't get for this meeting it came due in December and we extended it for ninety days which would be March, so she has some responsibility as well, given her current situation. I don't see what we are accomplishing by continuing to extend a deadline where we don't have any evidence that she is making any progress in reducing the number of animals on her property to a level that is within our laws.

7:52:18 PM – Mayor Hibberd, what I would propose that we do is give her notice that she has 20 days to get down to the the six animals, that is allowed within our Ordinances. At that time we begin citing if necessary.

7:52:44 PM – Cliff Barberis, would that be on the end of March deadline? Mayor Hibberd, the deadline is as of today actually. We did the review with three months from our December meeting, so we would give her twenty days from today.

7:53:08 PM - Sterling Blackwell, Larry I totally see what you are saying, it is frustrating to hear that there was a potential opportunity to off load some of these cats and that avenue wasn't taken, but the human side of me also understands that Cheri has a son that is high needs. So, I understand that some of those doctor appointments she can't avoid and my heart goes to her in trying to take care of that and understanding that her priority is going to be her son. Do I wish that she could be here? Absolutely, because I'd love to hear what her plan is knowing that she cut off communication with the group that

was helping her, that makes me a little worried. But, I guess I always ere on the side of I want to give them the opportunity to talk to us, to let us know what it is. I don't know if we continue to extend that it's really going to change anything, I don't know that. Mayor if we offer a twenty day notice, you now have twenty days before we start the citations. Help me understand what happens at that point.

7:54:38 PM – Layna Hafer, I would like to put this out before we take discussion and ask very very strongly based on some additional information, that maybe we take this back to committee with a plan to bring it to the April Council Meeting and to consult with our legal counsel, please.

7:55:15 PM – Mayor Hibberd, I did talk to our legal counsel today and she saw no reason to extend it out further. Layna Hafer, I do believe that there's probably information that you have not provided to her, and again it is my strong recommendation that the Council consider taking this to committee for some legal counsel involvement. Sterling, sorry to interrupt but I just feel like the more we talk about this, I just, I would like to see it tabled and taken back to committee for discussion and even a Special Council Meeting afterwards would be great, but I highly recommend it.

7:56:27 PM – Mayor Hibberd, we're going to be having a Special Council Meeting on March 23rd, would that be soon enough, where we'd have time? Layna Hafer, that would be perfect and we could bring the committee back together prior to that meeting and arrange for our counsel to be present as well. Mayor Hibberd, just for the record I don't know what information I might have that I did not share with our attorney.

7:57:04 PM – Sterling Blackwell, so then would we motion to postpone this until the Special Meeting, is that the action? Mayor Hibberd affirmed.

7:57:15 PM – Larry Hogg, that doesn't get us past the expiration of today of the original agreement. Layna I appreciate your input but I'm going to respectfully disagree with you. I think we need to go ahead and take care of it. If it was up to me I think the Mayor's suggestion of giving her an extra twenty days is generous and since our Special Meeting will fall within that twenty day period we can amend it then if we need to. But I think we need to go ahead and put her on notice that she has twenty days. Mayor Hibberd, where the meeting is in ten days I recommend that we table it for the ten days and if we make a decision, there be a ten day grace period at that time. Larry, so instead of twenty we do ten then? Mayor Hibberd affirmed.

7:58:55 PM

Motioned by Sterling Blackwell and seconded by Cliff Barberis to table this until our Special Meeting on March 23rd and at this time offer a grace period until the conclusion of that meeting and to take it to Committee.

7:59:18 PM

AYES:	Layna Hafer, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell
NAYES:	Larry Hogg
ABSTAINED:	None
MOTION CARRIED.	

OMAR AND BRENDA SHELBY CONDITIONAL USE PERMIT AT 753 E COMMERCIAL – Action Item. **7:59:30 PM**

Mike Campbell, it's not a Hearing, they're not here. Clerk McDaniel, you just need to vote on it. Mayor Hibberd, so they've requested a Conditional Use Permit and you've had a chance to look at that in your packets, are there any questions?

8:00:02 PM - Cliff Barberis, no, Planning and Zoning approved it.

8:00:06 PM - Sterling Blackwell, no, I appreciated the findings from the Commissioners, they pointed out it's in our Comprehensive Plan, they did the research.

8:00:19 PM – Larry Hogg, just a report from that meeting, they did recommend to us that this Conditional Use Permit be issued.

8:00:36 PM

Motioned by Sterling Blackwell and seconded by Mike Hopkins to approve the Conditional Use Permit for Omar and Brenda Shelby at 753 E Commercial.

8:00:50 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

ROGERS RANCH PRELIMINARY PLAT AND ONE LOT SUBDIVISION ON EAST COMMERCIAL – Action Item. 8:00:56 PM

Larry Hogg, after the Public Hearing at Planning and Zoning the Commission unanimously recommends to us that this Conditional Use Permit allow them to have their own septic system. I will say that apparently there are a few neighbors that are in the same situation. Mike Campbell, they are more than 200 feet from the mainline itself so this would be to approve a Preliminary Plat with the Conditional Use. Mike asked Council Member Hogg if he was doing the Conditional Use and Preliminary Plat as separate? The One Lot Subdivision, are you approving the Conditional Use and Preliminary Plat together? am I misunderstanding that? Mayor Hibberd, no, it's my misunderstanding, we will be approving the Preliminary Plat along with the Conditional Use.

8:02:38 PM – Larry Hogg, some of their neighbors, we have historically granted the septic thing and I think this request is due to a splitting of the property which left the parcel that they have without a building permit. Mayor Hibberd, and also 200 and some feet from the mainline. Mike Campbell, if it was more than one house I could see making them put in the whole infrastructure, but it's just one house and to run the sewer main that far, that's what was blown up in the meeting. Larry Hogg, and Mike correct me if I'm wrong, doesn't the line have to go underneath the railroad right-of-way? Mike Campbell, the shortest way would be under the railroad right-of-way, yes. Larry, and despite that there's no railroad there, it's still subject to whatever the Railroad says they have to do.

8:04:02 PM

Motioned by Sterling Blackwell and seconded by Cliff Barberis to approve the Rogers Ranch Preliminary Plat and One Lot Subdivision on East Commercial and also the Conditional Use Permit.

8:04:21 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

ADJOURNMENT – Action Item. 8:04:27 PM

Motioned by Sterling Blackwell and seconded by Larry Hogg to adjourn.

8:04:35 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

THIS REGULAR CITY COUNCIL MEETING WAS ADJOURNED AT 8:04:41 PM

Randall E Hibberd, Mayor

Natasha McDaniel, City Clerk

