

CITY of ROBERTS
April 12, 2022
REGULAR COUNCIL MEETING

The Roberts City Council met in a regular session at the regular place of meeting, after having been notified of said meeting of said council.

Robert (BJ) Berlin.....Mayor
Connie Surerus.....Council
Ben Poston.....Council
Edidt Sanchez.....Council
Shauna Lounsbury.....Council
Gale Scrivner.....Clerk
Ron Grant.....Maintenance (Absent)
Jeff Ammons.....Maintenance (Absent)
April Galbraith.....Librarian

Also present: Deputy Leland Smith and Deputy Richard Lundberg with the Jefferson County Sheriff's Office, Tim Jones, Darnell Shipp, Karol Poston, Karin Marritt, and Jaden Jackson with Keller Associates.

Open Meeting: Mayor Berlin opened the meeting at 7:22 p.m., following a public hearing.

Opening Prayer: Edidt offered the opening prayer.

Pledge of Allegiance: Mayor Berlin led everyone in the Pledge of Allegiance.

Approve Council Minutes: Mayor Berlin entertained a motion to approve the minutes for the March 8, 2022 council meeting and public hearing. Mayor Berlin asked if there were any changes or corrections.

With no corrections, Mayor Berlin entertained a motion to approve the minutes.

Ben made the motion to approve the minutes for the March 8, 2022 council meeting and public hearing, seconded by Edidt, all ayes.

Mayors Report:

Market Lake Day Saturday July 16: Mayor Berlin said that Market Lake Day is July 16th and that vendor have already been calling the city and planning is underway. Donations have started coming in for fireworks and the band for the street dance has been sponsored.

Arbor Day Proclamation April 29: Mayor Berlin announced that April 29th is Arbor Day in the City of Roberts.

2022 Arbor Day Proclamation



Bring Life to Your Community!

- Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- Whereas,* the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas,* Arbor Day is now observed throughout the nation and the world, and
- Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- Whereas,* trees are a renewable resource giving up paper, wood for our homes, fuel for our fires and countless other wood products, and
- Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I Robert D. Berlin Jr
Mayor of the City of Roberts do hereby proclaim
April 29th as Arbor Day in the City of Roberts

and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 2nd day of March in the year 2022

Mayor Robert D. Berlin Jr

Sheriff's Report: Deputy Lundberg read the report from 3/05/22 thru 4/1/22, 41 hrs, 16 complaints, 0 arrests, 0 DUIs', 0 citations, and 21 traffic contacts.

Discussion regarding protocol and follow through when enforcing City Ordinances: Mayor Berlin said that the city has had occasions, over time, in which deputies were called and asked to perform a task. After the task was carried out there was a lack of follow thru on either the city or sheriff's offices side. Mayor Berlin asked deputies what the city could do to improve the follow up. Deputy Lundberg suggested that the city call dispatch to get an incident number for the task and it may help with communication and follow-through.

The Mayor and City Council thank the deputies for their service and Deputy Smith and Deputy Lundberg excused themselves.

Swearing in of April Galbraith to Deputy City Clerk/Treasurer: Mayor Berlin swore in April Galbraith as Deputy City Clerk/Treasurer. Mayor Berlin administered the oath of office. April stood and raised her right hand as Mayor Berlin read the oath of office. April, "I do."

Discussion and Vote regarding Demolition and Mobile Home Ordinance #560:

Mayor Berlin entertained a motion to suspend reading of the proposed ordinance on three different days and have the title of the proposed ordinance read once.

Ben made a motion to suspend reading the proposed ordinance on three different days and have the title of the proposed ordinance read once, seconded by Connie, all ayes.

With no opposition, Mayor Berlin read Ordinance #560 title aloud.

ORDINANCE NUMBER 560

AN ORDINANCE REQUIRING PERMITS FOR DEMOLITION OF PERMANENT STRUCTURES AND FOR REMOVAL AND PLACEMENT OF MOBILE HOMES IN MOBILE HOME PARKS

WHEREAS, The City of Roberts has the responsibility and authority to adopt regulations designed to promote health, safety and general welfare of its citizenry,

NOW THEREFORE BE IT ORDAINED, The City of Roberts zoning ordinance be amended as herein contained:

SECTION 1. DEFINITIONS

MOBILE HOME: Any home designated by Idaho Statute as a Mobile Home

DEMOLITION: The act of deconstructing, tearing down or demolishing a permanent structure

SECTION 2.

2-A DEMOLITION OF ANY PERMANENT STRUCTURE

An application to demolish any permanent structure within the City of Roberts shall be obtained from the City Clerk for a fee of \$50 by any individual or contractor that plans to demolish a permanent structure before demolition begins.

Small structures such as garden sheds or small green houses are exempt.

An application shall include a written plan, including an estimated start and finish date, hazard mitigation plans and plans for removal of debris.

Demolition may proceed only after approval by an agent of the City of Roberts chosen by the mayor.

The application fee may be adjusted as need by a resolution of the City Council.

SECTION 3. PENALTIES

3-A Commencing with demolition without first complying with section 2-A shall be grounds for a cease-and-desist order from the City and be a Misdemeanor punishable by up to \$1000 and or up to six months imprisonment per violation.

3-B Failure to complete or carry out demolition project as described in permit may result in an infraction with a penalty of \$100 per day that violation is occurring. An agent of the mayor's office shall make such determinations. Changes to the demolition plan may be approved by request and subsequent permission of the mayor's office.

3-C A demolition project shall consider city utilities and other infrastructure issues. A demolition project will be deemed ongoing until Roberts maintenance operators have inspected the site, and approve the conclusion of said project.

SECTION 4. MOVING MOBILE HOMES IN OR OUT OF ROBERTS CITY LIMITS

An application to remove or place a mobile home in a mobile home park within the City of Roberts shall be obtained from the City Clerk for a fee of \$50 by any individual, contractor or corporation that plans to move a mobile home in or out of a mobile home park before any mobile home may be moved.

An application shall include a written plan, including an estimated start and finish date and hazard mitigation.

Removal or placement may proceed only after approval by an agent of the City of Roberts chosen by the mayor.

Mobile homes moved in to or within city limits may not be occupied until a Certificate of Occupancy has been issued by The City of Roberts.

The application fee may be adjusted as need by a resolution of the City Council.

SECTION 5. PENALTIES FOR NON-COMPLIANCE

Failure to comply with this ordinance shall be a Misdemeanor. Misdemeanors are punishable by up to a \$1000 fine and/or six-month jail time, per occurrence.
Failure to comply may also result in cease-and-desist orders, paid for at the owner's expense.

SECTION 6. PUBLICATION AND EFFECTIVE DATE.

The city clerk is hereby directed to publish this ordinance as a legal notice in the Jefferson Star, the official city newspaper.

This ordinance shall be effective following its publication as provided by law.

Mayor Berlin asked if there were any questions or comments regarding Demolition and Mobile Home Permit Ordinance #560.

With no questions or comments, Mayor Berlin entertained a motion to pass Ordinance #560, an ordinance requiring permits for demolition of permanent structures and for removal and placement of mobile home parks.

Edidt made a motion to pass Ordinance #560, an ordinance requiring permits for demolition of permanent structures and for removal and placement of mobile home parks, seconded by Ben, all ayes.

Roll call vote was taken by the Clerk, Ben aye, Edidt aye, Shauna aye, and Connie aye.

Demolition and Mobile Home Permit Ordinance #560 passes and will be advertised.

Discussion and Vote on regarding Water Conservation Ordinance #561:

Mayor Berlin entertained a motion to suspend reading of the proposed ordinance on three different days and have the title of the proposed ordinance read once.

Edidt made the motion to suspend with the second and third reading of Ordinance #561 and read it once in full, having the recorded record it as being read three times, seconded by Shauna, all ayes.

With no opposition, Mayor Berlin read Ordinance #561 title aloud.

Ordinance Number 561
Water Conservation Ordinance
City of Roberts

WHEREAS, the City of Roberts has the responsibility and authority to provide potable water to its patrons;

WHEREAS, The City of Roberts needs to plan for future sustainability of its water quality and supply;

WHEREAS, Eastern Idaho often experiences drought conditions;

NOW THEREFORE BE IT ORDAINED; The City of Roberts water utilities ordinance be amended to include the following water conservation measures.

SECTION A. CONSERVATION MEASURES FOR MUNICIPAL WATER USAGE:

A. Prohibition And Restriction Of Municipal Water Usage: The sprinkling or watering of outdoor plantings such as grass, lawns, gardens, ground cover, shrubbery, trees or other landscaping with water owned by the city shall be restricted upon all properties with even numbered street addresses to Tuesdays, Thursdays, and Saturdays, and Odd numbered street addresses to Mondays, Wednesdays and Fridays and shall be prohibited between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. daily, except as provided below:

1. Upon written request made by a water user, the city's authorized agent may grant an exception to the prohibition and restriction of municipal water usage if the water user's water usage will be for the purpose of sprinkling or watering new plantings for a specified time period. The exception will only apply to the newly planted area.

B. Exclusions:

1. Sprinkling or watering by commercial nurseries on their own sites.
2. Sprinkling or watering by the City or its contractors on public parks and rights of way.
3. The use of water conservation irrigation devices, such as drip or bubbler style irrigation systems that minimize water evaporation losses.
4. Individual apartments in a complex watering dates shall be the same as the street address requirement of the whole of said complex.

C. Emergency Powers: The mayor may, upon notification by the Idaho department of water resources of curtailment of city of Roberts water rights, or in the case of concern for the city's operational capacity due to heat or drought conditions, declare an emergency and restrict water use to domestic purposes only.

SECTION B: POWERS AND AUTHORITY OF CITY:

The city, through its authorized representative, bearing proper credentials and identification, shall be permitted to enter all properties, premises or buildings to which water is furnished from the municipal water system for testing or for any other purpose necessary for the proper administration of the water system in accordance with the provisions and restrictions of this chapter.

SECTION C: PROHIBITED CONDUCT:

A. It is unlawful for any water user to waste water or allow water to be wasted by leaky water stops, valves, joints or pipes that are not under the jurisdiction of the city, or to permit the malicious or willful consumption of water from the municipal water system.

B. It is unlawful to allow a flow of water for animal consumption that is in excess of the actual water needs of the animals having access thereto.

C. It is unlawful to permit a continuous stream of water to flow from hydrants, irrigation systems, faucets, wash basins, water closets, urinals or other fixtures that do not serve a useful purpose.

D. It is unlawful to allow water from the municipal water system to flow beyond the boundaries of the owner's property.

SECTION D: VIOLATION; PENALTY:

Any person found to be violating any provision of this chapter shall be subject to the following:

A. First and second violation: Warning citation.

B. All subsequent violations:

1. All subsequent violations shall result in immediate termination of water service to the property. Prior to reinstatement of service, the person violating the provisions of this chapter shall pay a discontinuance fee and recommencement fee as established by city council resolution.

2. Any person, firm or other legal entity violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than One Thousand dollars (\$1000.00) and or imprisonment in the county jail for a period not to exceed six (6) months, or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION E. PUBLICATION AND EFFECTIVE DATE.

The city clerk is hereby directed to publish this ordinance as a legal notice in the Jefferson Star, the official city newspaper.

This ordinance shall be effective following its publication as provided by law.

Mayor Berlin asked if there were any questions or comments regarding Ordinance #561.

With no questions or comments, Mayor Berlin entertained a motion to pass Ordinance #561, the Water Conservation Ordinance.

Connie made the motion to bring to a vote Ordinance #561, Water Conservation Ordinance, seconded by Ben, all ayes.

Roll call vote was taken by the Clerk, Connie aye, Shauna aye, Edidt aye, and Ben aye.

Water Conservation Ordinance #561 passes and will be advertised.

Discussion and Vote to Enter into a Cloud Contract for Computer Backup: Mayor Berlin said that over the years we have discussed backup for the city computer system. April has been doing research for using the cloud as the backup and that would require a contract. April said that she spoke with technology specialists and different businesses and the recommendation was to go with a cloud serves versus an external hard drive. April recommended Carbonite. She said the cost quote from last month was \$24/month but that it would need to be paid as an annual amount and that is would be an annual cost to the city and that the cost may increase as time goes on. She also said that an additional advantage to the cloud would be network shared documents and files.

Discussion regarding the number of computers the contract would cover, the amount of data, which computers would need the coverage took place, syncing concerns and when the cloud would be purchased and implemented.

Mayor Berlin asked if there were any questions or comments.

With no questions, Mayor Berlin entertained a motion to authorize the Deputy Clerk to enter into a contract on the cloud for our city computer backup for when it becomes necessary.

Ben made the motion to authorize the Deputy Clerk to enter into a contract on the cloud for our city computer backup for when it is needed, seconded by Shauna, all ayes.

Roll call vote was taken by the Clerk, Ben aye, Edidt aye, Shauna aye, and Connie aye.

Motion passes.

Discussion Wastewater Project: Mayor Berlin said that we have the completed Waste Water Study. That there was a congressional ear-make funding that we will be submitting information to try to be included in that grant. The ear-make is through Congressman Mike Simpson's office.

Jaden Jackson said that the Department of Environmental Quality (DEQ) did sign off on the project. The next step is to decide if the council would like to go to judicial conformation or a bond election. The DEQ ranking should be coming out about the first of May. He said that the congressional ear-mark was due this coming Friday, April 15 and that they would be sure to get the information over to Congressman Simpson's office.

Mayor Berlin and the Council thanked Jaden for his time and work.

Discussion Regarding changes to Utility New User Connection Fees and Shutoff

Reconnection Fees: Mayor Berlin said there have been new houses built and the city has been connecting them to the water and sewer system. The connection fees are for new structures to buy into the existing system and to cover the costs of the materials need to add the new connection. While connecting some new houses the fee did cover the materials but did not have much going into the buy-in. Mayor Berlin said that he had looked at a state wide report regarding connection fees and that he would provide the council with the report before the next budget year. Mayor Berlin suggested that the current water and sewer connection fees be changed to a base connection fee plus the cost of materials to connect.

Mayor Berlin said that the shut-off and reconnection fee use to be \$35 and at some time the fee was lowered to \$20. He feels that the fees need to be revisited and adjustments to the fee can be done by a resolution. He suggests that the change should be done at the time of the budget and the reconnection fee should be increased.

Connie said that the account that is shut-off should be paid in-full before reconnected.

Mayor Berlin said that these fees need to be adjusted to the current cost levels.

Council members are interested in the current cost fees in other cities. Mayor Berlin said that the new book with that report should be out soon and the report would be provided to the council.

Set Budget Hearing Date and Special Council Meeting to Pass Budget Ordinance August 30:

Mayor Berlin said that in-order for all the meetings and hearing to fit in the time requirements that the city's recommendation is to have a budget hearing and a special meeting on August 30 at 6:45pm and 7:00pm.

Mayor Berlin asked if there was any objection. With no objections, the meetings are set and will be turned into the county clerk.

Gale said that there would be a budget work meeting on August 9th at 6:00pm.

Transportation Grant Awards/Landscape Grant Award: Mayor Berlin said that the city would be awarded a \$100,000 grant from Local Highways Technical Assistance Council (Lhtac) for the 2858 E. project. Mayor Berlin said that we would need to reapply for the Child Pedestrian Safety Grant and has a June deadline. We did receive a grant for Idaho Landscape and Nursery, those funds will go towards a couple new trees on the entrance and landscaping around the water feature at Community Park.

Maintenance Report: Mayor Berlin said the guys have flushed out the main trunk line for the sewer. Street sweeping has started and will continue. The sprinklers for the spruce trees by the railroad are in the process of being installed. Potholes have been filled. Planning for street work has begun. ADA corners on Highway 48 were inspected all but two passed (one needs modified and one failed), the contractor will be coming back and fixing them and then they will be reinspected. Ron will be putting a new roof on the well-house by the water tower. Fencing

around the garbage compound has started to go in. Jeff has been working on maintenance of lawn mowers and equipment.

Pay Bills: Mayor Berlin asked the city council if they had looked at the bills and had any questions.

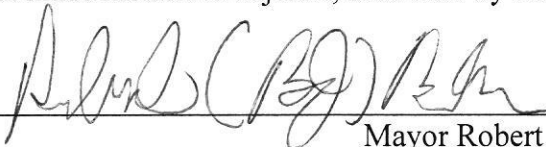
With no questions, Mayor Berlin entertained a motion to pay the bills.

Connie made the motion to pay the bills, seconded by Ben, all ayes.

Roll call vote was taken by the Clerk, Shauna aye, Edidt aye, Ben aye, and Connie aye.

Adjourn: Mayor Berlin entertained a motion to adjourn.

Edidt made motion to adjourn, seconded by Shauna, all ayes.



Mayor Robert (BJ) Berlin



Clerk