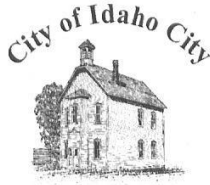


CITY OF IDAHO CITY



REGULAR CITY COUNCIL MEETING
Wednesday, February 23, 2022
6:00 P.M.
City Hall, 511 Main Street, Idaho City, ID 83631

Join Zoom Meeting

<https://us02web.zoom.us/j/89221389128?pwd=K0NPay9UN0JmYmxqZXdybFdpdFhCQT09>

Meeting ID: 892 2138 9128

Passcode: 431595

MINUTES

CALL MEETING TO ORDER: Mayor Everhart called the meeting to order at 6:01pm

ROLL CALL: Secor, Martin, Elliott, and Adams present

PLEDGE OF ALLEGIANCE: Mayor Everhart led the pledge of allegiance.

I. CONSENT AGENDA

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

A. APPROVAL OF MINUTES: February 16, 2022, special meeting **ACTION ITEM**

Secor made a motion to approve the minutes dated February 16, 2022, seconded by Martin. 4 ayes.

B. IDAHO CITY EVENT CHECKLIST: **ACTION ITEM**

1. 1. 4-H FUN DAY-JUNE 11, 2022- MICHELLE DIEHL

Youth president Levi Ferguson presented the 4-H Fun Day to the council, Michelle Diehl asked for the council to waive the fees for the area rental but would still pay the deposit. Secor said he would cover the rental cost. They had also asked to have a \$500,000 insurance certificate in lieu of the normal \$1 million. This is the highest amount they can receive through the University of Idaho Extension. Secor made a motion to approve the Idaho City Event Checklist for the 4-H Fun Day- June 11, 2022, at the rodeo arena contingent on proof of insurance prior to the event, seconded by Elliott. 4 ayes.

C. BILLS/PAYABLES: February 11, 2022 through February 23, 2022, **ACTION ITEM**

Secor made a motion to pay the bills dated February 11, 2022, through February 23, 2022, in the amount of \$21,192.86, seconded by Elliott, 4 ayes.

II. PUBLIC HEARINGS

items listed as public hearings allow citizen comment on the subject matter before the council. residents or visitors wishing to comment upon the item before the council should follow the procedural steps. in order to testify, individuals must sign up in advance, providing sufficient information to allow the clerk to properly record their testimony in the official record of the city council. hearing procedures call for presentation by the applicant, submission of information from city staff, followed by public testimony. **ACTION ITEM**

None currently

III. ENGINEER'S REPORT

None currently

IV. OLD BUSINESS

1. PERSONNEL/COMMUNICABLE DISEASE/SOCIAL MEDIA POLICY- UPDATE

Clerk Ptak explained these policies have been updated but still needed some input from mayor and council. She suggested to the council to schedule a workshop to finish these and other policies on the agenda. They would be able to focus on these items and the policies listed under new business will need to be finished in the very near future to be compliant with DEQ loan requirements. She has quite a few templates to work from and will email them all what she has. All agreed to have a workshop on March 3, 2022, at 5pm at City Hall. This will be a workshop only, no citizens input. Does not require a full council, but it will be posted if all decide to join the workshop. Only discussion and information gathering, these items will not have any final decisions, they will hopefully have them finished in time for council to take action at the next regular meeting.

2. WATER LEAK FORGIVENESS POLICY – UPDATE

See old business No. 1.

3. SHORT TERM RECREATIONAL VEHICLE USE ORDINANCE – UPDATE

Elliott has been sending her ideas to replace some of the conditions on the ordinance with City Attorney Callahan, Elliott has so far liked the updates and feels comfortable sharing these changes with the council. Mayor Everhart has asked for Clerk Ptak and City Attorney Callahan to send the revised ordinance to the rest of the council and put it as an action item on the upcoming agenda.

4. IDAHO CITY FILMING INSIDE CITY LIMITS POLICY - UPDATE

See old business No. 1.

5. IDAHO CITY MEMBERSHIP ENROLLMENT WITH LIFEFLIGHT NETWORK FOR CITY EMPLOYEES **ACTION ITEM**

Clerk Ptak provided the council with the most current budget, there is money in the general funds miscellaneous line item that would cover for this years employee enrollment. They would be able to make an actual line item for the city employees and commission members if they choose to the following years. This would be a great benefit to the current employees and a great incentive to future commission members. She believes she has the required 10 members to fulfill at the reduced rate. Secor made a motion to allow the clerk to move forward with Idaho City Membership Enrollment with Life Flight Network for employees, seconded by Martin. 4 ayes. Mayor Everhart stated this would be a great benefit for the employees and city volunteers.

V. NEW BUSINESS

1. YMC ESTIMATE FOR COMMUNITY HALL HEATING AND COOLING SYSTEM **ACTION ITEM**

Ryan Heffington with YMC Mechanical addressed the council regarding the failing heating and cooling units at community hall. They are older units that are almost nonexistent to getting parts. They have had to use parts from one unit just to make at least one of the units work. As it is right now, they could become a fire hazard. He gave the council a whole system replacement cost estimate of \$16,028.10. They would be able to start right away if council approves. Council asked clerk Ptak if there was room in the budget. The budget has a little in community hall repairs, but the rest would have to come out of general fund miscellaneous or contingency. It is something that has needed to be done for years and the power bill reflects this. Secor mentioned this could probably save some money on the power bills with a more efficient heating and cooling system in place. Secor made a motion to accept the estimate for YMC mechanical in the amount of \$16,028.10 to replace the existing heating and cooling units with new, seconded by Elliott. 4 ayes.

2. LOCAL OPTION TAX PRESENTATION

City Attorney Joan Callahan updated the council regarding an intern she had given the local option tax to research on after the council expressed interest. Doug Plass presented a power point presentation to explaining the overview of Idaho's Local option tax statute, findings by the city council, decisions that will need to be made, what to tax and at what rates, duration of the tax, what is the purpose of the tax, can it be used as property tax relief, reporting and submission process, enforcement process, making it an ordinance and putting it out to the voters, does the city meet the requirements. Mayor Everhart explained to the public in attendance that he wanted to investigate this as an option to have the tourism help pay for the city infrastructure they use and put demand on. The idea is to help take that burden off the citizens as the tourism increases, mainly to the overnight visitors that use hotels, Vrbo, air bnb and short-term rentals. They use our city services such as water and sewer, drive on our streets, the citizens should not have to pay for this extra burden. Council focused on the lodging aspect and what little amount per stay it would cost the consumer, not property owner. Council would like to investigate this further and get a feel of what the citizens feel. Clerk Ptak will help in distributing information and a possible public hearing before getting too deep into this.

3. FINANCIAL CONTROL POLICY-DISCUSSION

See old business No. 1.

4. CUSTOMER SERVICE POLICY-DISCUSSION

See old business No. 1.

5. EMERGENCY OPERATING PLAN-DISCUSSION

See old business No. 1.

6. RECOMMENDATION TO CITY COUNCIL FROM PLANNING AND ZONING ON INTERIM MORATORIUM ON BUILDING PERMITS AND DEVELOPMENT APPLICATIONS REQUIRING NEW CONNECTIONS TO CITY WATER SYSTEM – **ACTION ITEM**

City council reviewed Idaho City planning and Zoning Commission Interim Moratorium on building permits and development applications requiring new connections to city water system with certain exceptions lasting no longer than one (1) year findings of fact, conclusions, and recommendation to the Idaho City Council from a public hearing held February 17, 2022. Based upon the Findings of Fact and Conclusions Planning and Zoning Commission recommends the City Council adopt the proposed Interim Moratorium Ordinance, Declaring an Interim Moratorium on the Issuance of Building Permits and Development Applications that Require or Involve New Connection to the City of Idaho City's Water System for a Period of Not to Exceed One Year Due to Imminent Peril of Public Health, Safety, and Welfare. Elliott asked what this meant for the existing properties in Mores Creek subdivision, it was explained that they were approved prior to the emergency moratorium, and they would be allowed to continue with connections and building permits. She also asked why a year? It was explained that if the city could get the needed water rights before the year is up they would be able to vacate or rescind the moratorium, the one year limit is to allow the council enough time to work with the engineers to either buy from a water rights bank or obtain rights to own. Council will consider the recommendations from planning and zoning when considering adopting the ordinance later in the meeting.

7. REQUEST TO APPEAR ON THE AGENDA – EDWARD DINDINGER – REPEALING AND /OR AMENDING IDAHO CITY ORDINANCES IC CODE 3-1-2 AND 3-1-6 **ACTION ITEM**

Edward Dindinger addressed the council regarding city ordinances that pertain to IC Code 3-1-2 and 3-1-6, business license required and qualifications for business to operate with license. He maintains an office on Montgomery Street, a full-time resident since November of 2019. He is asking the council to consider abolishing the ordinances that refer to codes 3-1-2 and 3-1-6. He stated the city requiring all federal, state, and local law before obtaining a city license is not necessary. Anyone can go online to look up and make sure anyone with a business requiring these permits can be found. He points out that Attorneys especially already must have these in place to practice law. (He is an attorney) He stated it is fantastical for the city to feel they are providing a service to the city by making these businesses have these permits in place before obtaining a license. He does not feel anyone on the city government has the qualifications to judge the professional licenses of any particular business. He stated this reasoning is why to abolish IC code 3-1-6. He has not had to have a business license in Boise in the 4 years he has operated and has never been harassed to do so. To him the business licensing scheme as it is currently laid out in Idaho City is antithetical to the values of this community, making business feel more unwelcome here than in the city of Boise. He also notes the fees collected are not that significant to the overall budget and he does not feel they are an amount the city would need to charge to actually do the work to process. He asks the council to

consider abolishing IC code 3-1-2 and not charging fees for the business licenses. Mayor Everhart thanked him for his presentation but does not feel to abolish business licenses is something the city would want to consider at this time but thinks looking into it might prudent. Elliott also agreed, but also stated the city does not want disreputable businesses coming into town and setting up shop, like a previous tattoo place did. Mayor Everhart also stated the city goes through the same procedure with the liquor licenses and no one would be allowed to sell without the proper state, county licenses before getting the city license. Mayor Everhart also asked why it is erroneous to present the licenses if they are already necessary to conduct business. Secor stated the city has the ordinance in place, it protects the businesses and citizens, so the city will enforce it. Attorney Callahan advised the council that if they wanted to amend the ordinance there would be procedures to follow, public hearing and other directions would need to be followed, this is not something that can be done at this particular meeting. If the council wished to revisit the ordinance, they would want to put it on a future agenda. Mayor Everhart does think looking into the fees might be a good idea, it has been a few years since the city has done so. Clerk Ptak was asked to get some information from other cities our size regarding business fees and have available for the next council meeting.

VI. ORDINANCES AND RESOLUTIONS

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements. **ACTION ITEM**

1. ORDINANCE 366 INTERIM MORATORIUM ON BUILDING PERMITS AND DEVELOPMENT APPLICATIONS REQUIRING NEW CONNECTIONS TO CITY WATER SYSTEM

Martin hereby moved that pursuant to Section 50-902, Idaho Code, the rule requiring that ordinances be read on three different days, two readings of which may be by title only and one reading of which shall be in full shall be dispensed with and that Ordinance No. 366 be considered immediately, seconded by Elliott. 4 ayes.

Martin hereby moved Ordinance No. 366 now before the council be approved, seconded by Elliott. 3 ayes, Secor nay.

VII. COMMITTEE REPORTS

A. PARKS & RECREATION COMMISSION

Clerk Ptak had given a notice to publish request letters of intent to Mayor Everhart, he is still reviewing and will get it back for publishing online and in the Idaho World late next week.

B. HISTORIC PRESERVATION COMMISSION

None currently.

C. PLANNING & ZONING COMMISSION

1. RECOMMENDATION TO CITY COUNCIL ON ZONING AND MAP CORRECTIONS FOR MORES CREEK SUBDIVISION AND AMENDMENT TO ZONING MATRIX FOR TYPES OF STORAGE FACILITIES IN COMMERCIAL ZONES – **ACTION ITEM**

Planning and Zoning administrator Nancy Ptak addressed the council with the recommendation from planning and zoning regarding the map corrections for Mores Creek Subdivision. The lot in question was all of lot 49, following the highway, it was originally approved and recorded to be commercial in 1983, the current map has it residential. Planning and Zoning recommend the council approve the correction and allow corrections in the zoning matrix for types of storage facilities in the zoning matrix.

Attorney Callahan stated no public hearing will be required to amend the map, but since there are annexation approvals coming up, it would be best to change the map once. Public Hearing will tentatively be set for March 23rd to include item No 2.

2. RECOMMENDATION TO CITY COUNCIL ON ZONING UPON ANNEXATION FOR 6 PROFFER LANE – AND SET PUBLIC HEARING **ACTION ITEM**

See previous, discussed during item No. 1.

D. IDAHO CITY CHAMBER OF COMMERCE

Elliott stated she attended the last meeting with the chamber and believes the chamber will not be dissolving, enough members have stepped up and shown interest in the vacancies. They will discuss and decide at the upcoming meeting on February 28.

VIII. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters. **ACTION ITEM**

None currently.

IX. EMPLOYEE UPDATES

A. PUBLIC WORKS

Public works Director Tami Claus addressed the council, there has been an ongoing issue at 117 Mores Creek, the water line keeps freezing. They may have to replace on the city side. She would like the city to have more involvement for when the contractors hook up into the city system, there has been a few times it has been done incorrectly and is causing extra work and money spent on supplies to fix these issues.

The streets are in need of pothole repairs, weather permitting, Secor would like them to look into hot mix.

1. VISITOR'S CENTER RESTROOMS – HEATERS AND VANDALISM ISSUES **ACTION ITEM**

Visitor's Center restrooms have been closed while the heaters get replaced and toilets in the men's room gets fixed. There has been an increase in vandalism, the bathrooms are now getting locked up at night. They need deep cleaning.

B. LAW ENFORCEMENT

Chief Otter addressed the council regarding traffic enforcement has been picking up with the increase of visitors, new equipment has been arriving and getting put into place, new computer systems are up and going. Chief is still learning the system and eventually will be able to provide the council with stat sheets. Incidents, traffic stops.

C. CLERK/TREASURER'S OFFICE

Clerk Ptak addressed the council on the following items:

1. WATER AND SEWER UPDATES

None currently, most accounts look pretty good. She will have this updated at the next council meeting.

2. JANUARY BUDGET REPORT

Everything appears to be on track for the end of January.

3. FEBRUARY BUDGET REPORT

This report will be available for council review at the next meeting.

D. CITY ATTORNEY

No updates currently.

X. COUNCIL UPDATES

Elliott shared information for the upcoming St Patrick's Day Dinner for the ICHF, silent auction donations.

XI. MAYOR UPDATES

No updates currently.

XII. CITIZEN COMMENTS

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. To ensure adequate public notice, Idaho Law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Persons wishing to speak will have 5 minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the mayor, either by subsequent appointment or after tonight's meeting, if time permitting.

Sabrina Amidon addressed the council regarding the local option tax and stated this would deeply impact her visitors. She thanks the council for taking her concerns into consideration.

ADJOURNMENT 7:38pm.

ATTEST:

Date approved: March 9, 2022

Nancy L Ptak, City Clerk-Treasurer

Ken Everhart, Mayor

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 511 Main Street or call 208-392-4584.

Mayor:	Chief of Police:	Public Works Director:	City Clerk-Treasurer:	511 Main Street
Ken Everhart	Mark Otter	Tami Claus	Nancy L Ptak	PO Box 130
Council members:	City officers:	Public Works:	Deputy Clerk:	Idaho City, ID 83631
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