CITY OF IDAHO CITY

AGENDA

REGULAR CITY COUNCIL MEETING
Wednesday, February 28, 2024
7:00 P.M
City Hall, 511 Main Street, Idaho City, ID 83631

Join Zoom Meeting
https://us02web.zoom.us/j/85913106899?pwd=VW51QWRNNGE3eVVsSlhNTHRadGo5QT09
Meeting ID: 859 1310 6899
Passcode: iccouncil

CALL MEETING TO ORDER
ROLL CALL
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 14, 2024 ***ACTION ITEM***
B. IDAHO CITY EVENT CHECKLIST: ***ACTION ITEM***
C. BILLS/PAYABLES: FEBRUARY 15, 2024 THROUGH FEBRUARY 28, 2024 ***ACTION ITEM***

II. 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***

III. 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***

IV. ENGINEER'S REPORT

V. 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***

A. REVIEW - RESOLUTION 2024-03 ADMINISTRATION FEES 2024

VI. OLD BUSINESS

A. PROPERTY SWAP WITH SECOR
B. IDAHO CITY FIRE PROTECTION DISTRICT.

VII. NEW BUSINESS

A. 2022-2023 AUDIT BAILEY & COMPANY PRESENTATION
B. DISCUSSION ON CITY CODE FOR SOLICITING & PANHANDLING

VIII. COMMITTEE REPORTS

A. PARKS & RECREATION COMMISSION
B. HISTORIC PRESERVATION COMMISSION
C. PLANNING & ZONING COMMISSION
D. IDAHO CITY CHAMBER OF COMMERCE

IX. EMPLOYEE UPDATES

A. PUBLIC WORKS
B. LAW ENFORCEMENT
C. CLERK/TREASURER'S OFFICE
   1. WATER AND SEWER UPDATES, ***ACTION ITEM***
D. CITY ATTORNEY

X. COUNCIL UPDATES

XI. MAYOR UPDATES

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.

XIII. UPCOMING MEETINGS

A. NEXT REGULAR MEETING: MARCH 13, 2024

ADJOURNMENT

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:
Ken Everhart
idahocitymayor1@cityofic.org
Council members:
Tom Secor Jr
Ashley M Elliott
Mari Adams
Ryan Heffington

Chief of Police:
Mark Otter
icpd100@cityofic.org
City officers:
Brent Watson

Public Works Director:
Tami Claus
idahocitypublicworks@cityofic.org
Public Works:
Nick Mancera
Dallas DeCory

City Clerk-Treasurer:
Nancy L Ptak
idahocityclerk@cityofic.org
Deputy Clerk
Kaleb Goodlett
idahocityoffice@cityofic.org
Utility Billing Clerk
Sue Robinson
4cityfolk@cityofic.org

511 Main Street
PO Box 130
Idaho City, ID 83631
(208)392-4584
operating hours
Monday- Thursday
8 am - 5 pm
Friday 9am -3pm

CITY OF IDAHO CITY

AGENDA

REGULAR CITY COUNCIL MEETING
Wednesday, February 14, 2024
7:00 P.M
City Hall, 511 Main Street, Idaho City, ID 83631

MINUTES

Join Zoom Meeting
https://us02web.zoom.us/j/85913106899?pwd=VW51QWRNNGE3eVVsSlhNTHRadGo5QT09
Meeting ID: 859 1310 6899
Passcode: iccouncil

CALL MEETING TO ORDER: Mayor Everhart called the regular city council meeting to order at 7:01 PM
ROLL CALL: Clerk Ptak called roll, Heffington, Adams, Secor in attendance, Elliott ~~absent~~ joined via zoom.
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: JANUARY 24, 2024 ***ACTION ITEM***

Counselor Secor made a motion, seconded by Adams, to approve the minutes dated January 24, 2024. 3 ayes. Motion carried.

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

1.38TH ANNUAL IDAHO CITY CHILI COOK OFF – MARCH 2, 2024

Rhonda Jameson informed council the checklist is updated, and she had spoken with EBCAD and did not need a dedicated ambulance. Mayor Everhart asked if the booths close to Myers had been moved and Jameson responded yes. Discussion on parking for the event ensued. Counselor Secor made a motion, seconded by Adams, to approve the event checklist for the 38th Annual Idaho City Chili Cook Off March 2nd. 4 ayes. Motion carried. Counselor Secor made a motion, seconded by Adams, to approve an alcohol variance for the 38th Annual Chili Cook Off during the hours of the event. 4 ayes. Motion carried.

C. BILLS/PAYABLES: JANUARY 25, 2024 THROUGH FEBRUARY 14, 2024 ***ACTION ITEM***

Counselor Elliott questioned one of the bills for a portable turbidity meter. Mayor Everhart responded that there are turbidity meters at the water plant, but a portable unit is needed to be able to go out in the field and test. Counselor Secor made a motion, seconded by Heffington, to approve the bills January 25, 2024 through February 14, 2024 in the amount of $24,369.82. 4 ayes. Motion carried.

II. 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***

III. 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***

IV. ENGINEER'S REPORT

Mayor Everhart explained that there was no update from the engineers, but they did come up and dig some test holes at the water plant investigating the repair for the infiltration gallery.

V. 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***

A. FLOOD DAMAGE PREVENTION ORDINANCE

Clerk Ptak explained this ordinance has been in the works for a number of years. There are still some items in it that council needs to look at. Ptak asked council to look over the document and added that it is something that needs to be taken care of sooner rather than later. Discussion on the ordinance and P&Z involvement ensued.

VI. OLD BUSINESS

A. PROPERTY SWAP WITH SECOR

Mayor Everhart spoke with Gary Secor, and he is still working on getting the survey completed.

VII. NEW BUSINESS

A. IC CHAMBER – PORTA-POTTY INVOICE ***ACTION ITEM***

Clerk Ptak explained the invoice is from Idaho City Days and in the past the city has split the cost with the Chamber. The city uses the vendor fees that come in from the event to cover that cost. However this time the Chamber is asking for the city to cover the whole amount. In the packet shows the amount that was brought in from vendor fees, but it was not budgeted to cover such a high cost for the porta-potties. Mayor Everhart explained he believed the agreement was to cover half of the cost. Discussion ensued. Counselor Secor made a motion, seconded by Adams, to approve splitting the cost of the porta-potties for Idaho City Days with the Idaho City Chamber in the amount of $750. 4ayes. Motion carried.

B. LETTER OF INTENT FROM NATHAN DRUFFEL – IDAHO CITY PARKS & REC ***ACTION ITEM***

C. LETTER OF INTENT FROM CORY PICOTTE – IDAHO CITY PARKS & REC ***ACTION ITEM***

Mayor Everhart asked the two Parks & Rec Commissioners that were present if they had room for both people. Correll and Roeber responded yes, that they were going to make one of them a historian that would also allow the commission to have an alternate if needed. Mayor Everhart asked the City Attorney if they need to add something to the ordinance to allow the position. City Attorney Callahan responded that the commission is fine to use volunteers but could not appoint more members than the code allows for. Counselor Secor made a motion, seconded by Heffington, to appoint Nathan Druffel to the Parks and Rec Commission. 4 ayes. Motion carried. Parks and Rec will use Cory Picotte as their historian.

VIII. EMPLOYEE UPDATES

A. PUBLIC WORKS

Public Works Director Claus informed council that she provided a quote for new turbidity meters. All of the city's current meters are outdated and Claus cannot get parts for them. The quote provided is the cheapest that was recommended. Each controller can support 2 turbidity meters and so 3 controllers and 5 meters are needed. Claus asked council to consider the purchase because if the current meters go down the city would be out of compliance. Discussion on the current meters and compliance ensued. Mayor Everhart added that they could purchase in stages rather than all at once. Discussion on where the meters are needed most ensued. Claus is also looking into a service agreement with Hach where they will come out and service and or replace equipment as needed. Mayor Everhart added that these types of meters need to be calibrated by a certified technician and that is included in the service agreement. Discussion on cost and what is covered ensued. Mayor Everhart asked Clerk Ptak what could be done with the budget. Ptak suggested doing an admin meeting to discuss and go over the budget. It was decided to meet 2/15/24 at 11am. Claus added that the engineers were up to dig test holes and the filter fabric was found and the chips used to cover the pie were found but the pipe was not found. When the test holes were dug it affected the water plant. Claus informed the engineers of what happened. Discussion ensued. Claus has a sewer job next week for the Senior Center because it is plugged where it connects to the main. Tuesday samples will be pulled and taken down. Mayor Everhart said good job to public works for their work on the roads. Discussion on the plan for Bear Run in the spring ensued. Claus added that one of the sand bays was just cleaned, which gives two clean bays. The third bay will start draining next week.

B. LAW ENFORCEMENT

Brent Watson informed council he spoke with ITD on signage. ITD said they did an assessment in 2022 with the Sheriffs office and claim everything is fine. Watson had replied back that things are not fine, and the communication has stopped at that point. This past Saturday and the previous one, Watson did traffic in the area and wrote about 5 citations for speed. Watson submitted a grant for the speed limit sign, and he also spoke with Sheriff Turner who had also submitted a grant for signs county wide. Watson is going to try and get a sign added to the county's grant to be used in the city. Watson has not heard anything back on the cameras that were mentioned last meeting but will check up on it. Mayor Everhart asked Watson if he could create a log of the speed citations so that there is evidence when going back to ITD. Discussion on the speed limit signs location ensued.

C. CLERK/TREASURER'S OFFICE

1. BUDGET UPDATES

Clerk Ptak informed council that Goodlett is looking into a different type of report that is more reader friendly, but the auditors really want council to see all of the line items.

a. LOCAL GOVERNMENT INVESTMENT POOL (LGIP) ACCOUNT FOR WATER BOND ***ACTION ITEM***

Clerk Ptak informed council the auditors suggest the city have a separate account where monthly amounts from water user fees can be deposited for the bond payment. The LGIP accounts gain interest which will benefit the city overall. Counselor Secor made a motion, seconded by Adams, to authorize the Clerk to set up a LGIP account for the water bond payments. 4 ayes. Motion carried.

2. WATER AND SEWER UPDATES, ***ACTION ITEM***

Clerk Ptak explained everyone is paying or in agreement. There are 2 possible shut offs.

a. CRAWFORD ACCOUNT UPDATE FOR COUNCIL REVIEW- PARTIAL LATE FEE FORGIVENESS

Clerk Ptak explained the partial late fee forgiveness that has been discussed. Two of the accounts are current and all late fees paid. There is only one account remaining that has old late fees. Since starting the payment agreement they have paid on time each month. Discussion on what was discussed last meeting ensued. Ptak explained that the late fees are from previous fiscal years and the auditors would prefer if an adjustment is to be made that it be done now so they can get their portion taken care of. Discussion on the late fees and payments made ensued. Ptak

suggested that it can wait until the next meeting to gather more information and the auditors will be present as well. Counselor Adams asked that if a conditional forgiveness is granted will they have to sign something showing that if payments are not made the late fees will return, Ptak responded yes. Discussion ensued. Item will be held till the next meeting.

b. WATER AND SEWER ACCOUNT ADJUSTMENTS

Clerk Ptak explained the few adjustments that were made. Counselor Secor asked if the adjustments needed approval and Ptak responded the complete list will be at the next meeting and could be done at that time. Ptak added that the Capitol for a Day program is scheduled for April 26th. Ptak is waiting to hear back from Joan at the Governors office with more information. Mayor Everhart asked that next time Ptak speaks with Joan to see if there is another city doing this event between now and April so that he can go to see how things are ran. Mayor Everhart added that he had been to the commissioners meeting and brought the event to their attention. Discussion on the event volunteers ensued.

D. CITY ATTORNEY

IX. COUNCIL UPDATES

Counselor Secor brought up past discussions on a cleaner for City Hall and other city locations and added that there may be an opportunity that another entity is looking at doing this kind of thing. The city may be able to piggyback on that contractor. Mayor Everhart added that he and Ptak had discussed looking at the budget to add a part time person in for that kind of position. Discussion on the position and duties ensued.

X. MAYOR UPDATES

XI. 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.

There were technical issues with zoom and none of the attendees could be heard.

Carrie Ann Kowalczyk had a question regarding the noise ordinance because of the instance that happened last weekend at the Smokejumper, and wondered how the situation was handled. Mayor Everhart explained that as soon as it was brough to his attention he contacted the people that organized the event, and they immediately turned the volume down within 10 minutes. Kowalczyk added that there were multiple calls to dispatch, and someone reached out to the owner of the Smokejumper and his response was that he had permission from the city council. Mayor Everhart responded that, that information was completely false, and the city gave no such permission. Kowalczyk asked if the city had given out permits and Mayor Everhart responded that there were no permits required because it is on private property. Discussion on permits and the noise ordinance ensued. Kowalczyk added that the owner also said he had permission from Heffington, and Heffington responded that he did not give any such permission. Mayor Everhart added that he had a discussion with Officer Watson and if the noise had not been turned down the owner would have been cited for violation. Discussion ensued. Kowalczyk asked if the city would be hiring for additional help for Officer Watson. Mayor Everhart responded that it is still in discussion and deciding what direction to go.

Bec Emery thanked council for all their work. Discussion on the party at the Smokejumper ensued. Emery added she has never heard an event that loud in the past and suggested that if permits were issued to maybe add a noise limit. Mayor Everhart responded there is not a permit required for the type of event that took place.

XII. UPCOMING MEETINGS

A. NEXT REGULAR MEETING: FEBRUARY 28, 2024

B. ITEMS FOR NEXT AGENDA

ADJOURNMENT 8:18 PM

ATTEST:

Date approved:

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:
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idahocitymayor1@cityofic.org
Council members:
Tom Secor Jr
Ashley M Elliott
Mari Adams
Ryan Heffington

Chief of Police:
Mark Otter
icpd100@cityofic.org
City officers:
Brent Watson

Public Works Director:
Tami Claus
idahocitypublicworks@cityofic.org
Public Works:
Nick Mancera
Dallas DeCory

City Clerk-Treasurer:
Nancy L Ptak
idahocityclerk@cityofic.org
Deputy Clerk
Kaleb Goodlett
idahocityoffice@cityofic.org
Utility Billing Clerk
Sue Robinson
4cityfolk@cityofic.org

511 Main Street
PO Box 130
Idaho City, ID 83631
(208)392-4584
operating hours
Monday- Thursday
8 am - 5 pm
Friday 9am -3pm

For Pay Date = 02/28/24
* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document $/ Line $	Disc $	PO #	Fund	Org Acct	Object	Proj	Cash Account
2647	-99916E	269 FP MAILING SOLUTIONS / US BANK	200.00							
1	47709787	02/21/24 Meter postage	40.00			10	41500	310		10100
2	47709787	02/21/24 Meter postage	112.00			51	43400	310		10100
3	47709787	02/21/24 Meter postage	48.00			52	43500	310		10100
2648	27159S	67 IC CHAMBER OF COMMERCE	750.00							
2023	Idaho City Days porta-potty invoice splitt									
1		02/21/24 23 IC Days - Porta-potty Inv.	750.00			10	41500	620		10100
2649	27160S	235 MICROTECH SYSTEMS	987.31							
1	75076	02/20/24 IT Services	296.19			10	41500	350		10100
2	75076	02/20/24 IT Services	493.66			51	43400	350		10100
3	75076	02/20/24 IT Services	197.46			52	43500	350		10100
2650	27161S	181 SIMPLII	308.27							
1	63251 Mar	02/27/24 City Hall Phone	92.48			10	41500	490		10100
2	63251 Mar	02/27/24 City Hall Phone	123.31			51	43400	490		10100
3	63251 Mar	02/27/24 City Hall Phone	92.48			52	43500	490		10100
2651	27162S	999999 DALLAS DECORY	59.19							
1		02/20/24 Mileage 2/20/24	59.19			52	43500	450		10100
2652	27163S	141 BAILEY & COMPANY	14,300.00							
1	107423	02/21/24 2022/2023 Audit	5,133.00*			10	41500	430		10100
3	107423	02/21/24 2022/2023 Audit	5,562.00			51	43400	430		10100
4	107423	02/21/24 2022/2023 Audit	3,605.00			52	43500	430		10100
2653	27164S	45 CENTURYLINK	311.59							
1	Feb-217B	02/16/24 City Hall	38.37			10	41500	491		10100
2	Feb-217B	02/16/24 City Hall	33.58			51	43400	491		10100
3	Feb-217B	02/16/24 City Hall	23.99			52	43500	491		10100
4	Feb-4015	02/16/24 Water Plant	83.98			51	43400	491		10100
5	Feb-685B	02/16/24 Sewer Internet & Phone	131.67			52	43500	491		10100
2654	27165S	222 WESTERN STATES EQUIPMENT CO.	58.20							
1	002690598	02/14/24 Edge Bushing	58.20			20	43200	540		10100
2655	27166S	191 CURTIS BLUE LINE L.N. CURTIS	177.50							
1	794396	02/21/24 Watson - pants & gloves	177.50			10	42100	380		10100

For Pay Date = 02/28/24
* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document $/ Line $	Disc $	PO #	Fund	Org	Acct	Object	Proj	Cash Account
2656	27167S	265 T-Mobile	438.23								
1	Feb	02/21/24 Council ipads	32.41			10		41500	493		10100
2	Feb	02/21/24 Council ipads	54.03			51		43400	493		10100
3	Feb	02/21/24 Council ipads	21.61			52		43500	493		10100
4	Feb	02/21/24 Cell Phones	50.29			10		41500	492		10100
5	Feb	02/21/24 Cell Phones	83.81			51		43400	492		10100
6	Feb	02/21/24 Cell Phones	33.52			52		43500	492		10100
7	Feb	02/21/24 Law Enforcement	162.56			10		42100	492		10100
2657	27168S	186 JOHN ROBINSON EQUIPMENT REPAIR	1,050.00								
1	168170	01/09/24 Grader diagnostics	1,050.00			20		43200	540		10100

# of Claims 11 Total: 18,640.29

Total Electronic Claims 200.00 Total Non-Electronic Claims 18440.29

CITY OF IDAHO CITY
Fund Summary for Claims
For the Accounting Period: 2/24

Fund/Account	Amount
10 GENERAL FUND	
10100 Checking-Cash in Bank	6,772.80
20 STREET FUND	
10100 Checking-Cash in Bank	1,108.20
51 WATER FUND	
10100 Checking-Cash in Bank	6,546.37
52 SEWER FUND	
10100 Checking-Cash in Bank	4,212.92
Total:	**18,640.29**

Ciy of Idaho City
PO Box 130
511 Main Street
Idaho City. Idaho 83631-0130

CASH VOUCHERS

Authorized by: _____ Date: _____

RESOLUTION NO. 2024-03

A RESOLUTION SETTING FEES FOR VARIOUS ADMINISTRATIVE APPLICATION FEES AND ALCOHOLIC BEVERAGE LICENSE FEES

ADMINISTRATON FEES FOR 2023-24

WHEREAS, the City Council wishes to set fees for administration, the fees are as follows:

TEMPORARY NOISE ORDINANCE (VARIANCE REQUEST) APPLICATION

1. Temporary Noise Ordinance Applications (Variance Request) shall be subject to a filing fee
   a. $52.50 for profit organizations
   b. $26.25 for non-profit organizations
   c. $15.75 for students

IDAHO CITY MOBILE FOOD TRUCK ANNUAL PERMIT

1. Idaho City Mobile Food Truck Annual Permits shall be subject to a fee of $200.00 per year with a 5-day limit in one location.

ALCOHOLIC BEVERAGE LICENSE FEES FOR 2024

WHEREAS, Idaho City Ordinance No. 260 provides that license fees for the sale of alcoholic beverages be set by resolution of the City Council each year.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council as follows:

1. Beer not to be consumed on premises: The 2024 license fee for retail sale of beer, none of which is to be consumed on the premises where sold, shall be $50.00.
2. Liquor: The 2024 license fee for retail sale of liquor by the drink shall be $300.00.

NOW, THEREFORE, the fees set forth above are hereby adopted and in full force and effect.

PASSED BY THE COUNCIL of the City of Idaho City this _____ day of _____, 2024.

APPROVED BY THE MAYOR of the City of Idaho City this _____ day of _____, 2024.

_____
Ken Everhart, Mayor

ATTEST:

_____
Nancy L Ptak, City Clerk/Treasurer

Bailey & Company Chtd.
Certified Public Accountants

Weston Flamm, CPA
Cassie Zattiero, CPA

812-B 12th Ave. South
P.O. Box 876
Nampa, ID 83653-0876
208 466-2493
FAX 208 467-2000
www.BaileyCPAs.com

February 20, 2024

City Council and Mayor
City of Idaho City, Idaho
PO Box 130
Idaho City, Idaho 83631

We have audited the financial statements of the governmental activities, the business-type activities, and each major fund of City of Idaho City, Idaho for the year ended September 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 8, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Idaho City, Idaho are described in the notes to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2023. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements were:

> Management's estimate of the accounts receivable is based on management's knowledge of the receivables. We evaluated the key factors and assumptions used to develop the accounts receivable in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The schedule attached to the management representation letter summarizes uncorrected misstatements of the financial statements. Management has determined their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In addition, other misstatements detected as a result of audit procedures were corrected by management.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated February 20, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as City of Idaho City, Idaho's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

As a result of our examination, we developed some suggestions to help strengthen internal controls and operating efficiencies. Our recommendations concerning these matters are listed below:

> TIMESHEETS – 8% of the timesheets tested did not show evidence of a supervisor's review and approval. This increases the risk that employees record and get paid for time they did not actually work. We recommend that when the mayor signs the timesheets, if the supervisor signature is not present, the timesheet is returned to the supervisor. If that's not possible it should be documented on the timesheet why supervisor approval is missing.

Other Matters

We applied certain limited procedures to the schedule of employer's share of net pension liability (asset), schedule of employer contributions, and budgetary comparison schedules, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were not engaged to report on the supplemental schedules of revenues by source and expenditures by object for the General fund, which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on them.

Restriction on Use

This information is intended solely for the information and use of the City Council and management of City of Idaho City, Idaho and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Bailey & Co.

Gmail

Kaleb Goodlett <idahocityoffice@cityofic.org>

City Code Information for the upcoming council meeting.

1 message

Brent Watson <idahocitypd.194@cityofic.org>
To: Kaleb Goodlett <idahocityoffice@cityofic.org>

Mon, Feb 26, 2024 at 8:50 AM

Here is a link for Caldwell City Codes for begging or soliciting. The code falls under disorderly conduct.
08-01-27: DISORDERLY CONDUCT: (amlegal.com)

F. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms.

Here is a link for Nampa City Code for begging or soliciting.
CHAPTER 1. - GENERAL OFFENSES | Code of Ordinances | Nampa, ID | Municode Library

B. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alm

Here is an article from Nampa in 2019 on Panhandling:
Panhandling is illegal in Nampa, city attorney says | ktvb.com

This is the Idaho State Code for reference and definition
49-709(2) which says in part, "No person shall stand on a highway for the purpose of soliciting contributions from the occupant of any vehicle

Most disorderly conduct penalties are misdemeanor charges. This shouldn't be a misdemeanor on the first offense I believe for Idaho City. I would make it an infraction—a stiff monetary fine for the first offense. Then a misdemeanor on second and concurrent offenses. I also like the signs so that people know. I don't think we would need to go crazy but to place a few signs would be helpful.

Caldwell

08-01-27: DISORDERLY CONDUCT:

(1) It shall be unlawful for anyone to engage in disorderly conduct within the city limits of Caldwell. Every person is guilty of disorderly conduct when he:

A. Solicits anyone to engage in, or engages in, or procures, counsels or assists any person in engaging in lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view, or in any place where there is present another person or persons who are offended or annoyed thereby; or

B. Engages in fighting or threatening, or in violent behavior; or

C. Uses language, an utterance, or gesture, or engages in a display or act that is obscene, physically threatening or menacing, or done in a manner that is likely to inflict injury or incite an immediate breach of the peace; or

D. Makes noise that is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances; or

E. Creates or maintains a hazardous or physically offensive condition; or

F. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms; or

G. Loiters in, about or upon any street, alley or other public way or public place, or in any place open to the public, without lawful business and conducting himself in a lewd, wanton or lascivious manner in speech or behavior; or

H. Has in possession any instrument, tool or other implement for picking locks or pockets or any implement that is usually employed or that reasonably may be inferred to have been designed to be employed in the commission of any felony, misdemeanor or the violation of any ordinance, and who fails to account for the possession of same; or

I. Occupies, lodges or sleeps in any building, structure or place, whether public or private, or any automobile, truck, railroad car or other similar vehicles or equipment without the permission of the owner or person entitled to the possession or in control thereof; or

J. Loiters, prowls or wanders upon the private property of another, without visible or lawful business with the owner or occupants thereof; or

K. Loiters or remains, without a legitimate reason, in or about a school, not having any reason or relationship involving custody of or responsibility for a student; or

L. Is in a public place and intoxicated at a level that presents a danger to that person or others or creates a disturbance of the peace; or

M. Maliciously and wilfully disturbs the peace or quiet of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol; or

N. Enter another person's private property without permission to peer, peep or look through doors or windows of that property with the intent to intrude upon or interfere with a person's privacy, or within a public place, to peer, peep or look into an area where a person has a reasonable expectation of privacy and has taken steps to conceal themselves from the general public, such as a restroom, locker room, or changing room, without that person's consent and with the intent to invade that person's privacy; or

O. Excretes any form of human waste, including urine or feces, upon the ground, into a body of water, or upon anything attached or setting upon said surfaces within the city of Caldwell, Canyon

County, Idaho, except for toilet facilities used as receptacles for human waste.

(2) A violation of this section is a misdemeanor, punishable by a fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code section 50-302, as amended. Either or both such fine and imprisonment may be imposed. (Ord. 2759, 8-18-2008)

Nampa

6-1-1. - Disorderly conduct.

It shall be unlawful for anyone to engage in disorderly conduct within the city limits of Nampa. Every person is guilty of disorderly conduct when he:

A. Solicits anyone to engage in, or engages in, lewd or dissolute conduct in any public place or in any place open to the public or exposed to public view; or

B. Accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms; or

C. Loiters in, about or upon any street, alley or other public way or public place, or in any place open to the public, without permission or invitation by the owner or the lawful occupants thereof, without lawful and legitimate business with the property owner or occupant thereof, creating or maintaining a hazardous or physically offensive condition detrimental to normal business done by the property owner or occupant thereof; or

D. Conducts himself in a lewd, wanton or lascivious manner in speech or behavior in any street, alley or other public way or public place, or in any place open to the public; or

E. Has in possession any instrument, tool or other implement for picking locks or pockets or any implement that is usually employed or that reasonably may be inferred to have been designed to be employed in the commission of any felony, misdemeanor or the violation of any ordinance, and who fails to account for the possession of same; or

F. Occupies, lodges or sleeps in any building, structure or place, whether public or private, or any automobile, truck, railroad car or other similar vehicles or equipment without the permission of the owner or person entitled to the possession or in control thereof; or

G. Loiters, prowls or wanders upon the private property of another, without visible or lawful business with the owner or occupants thereof; or

H. Loiters or remains, without a legitimate reason, in or about a school, not having any reason or relationship involving custody of or responsibility for a student; or

I. Excretes human waste, including urine or feces, upon the ground, into a body of water, or upon anything attached or setting upon said surfaces within the city, except for toilet facilities used as receptacles for human waste.

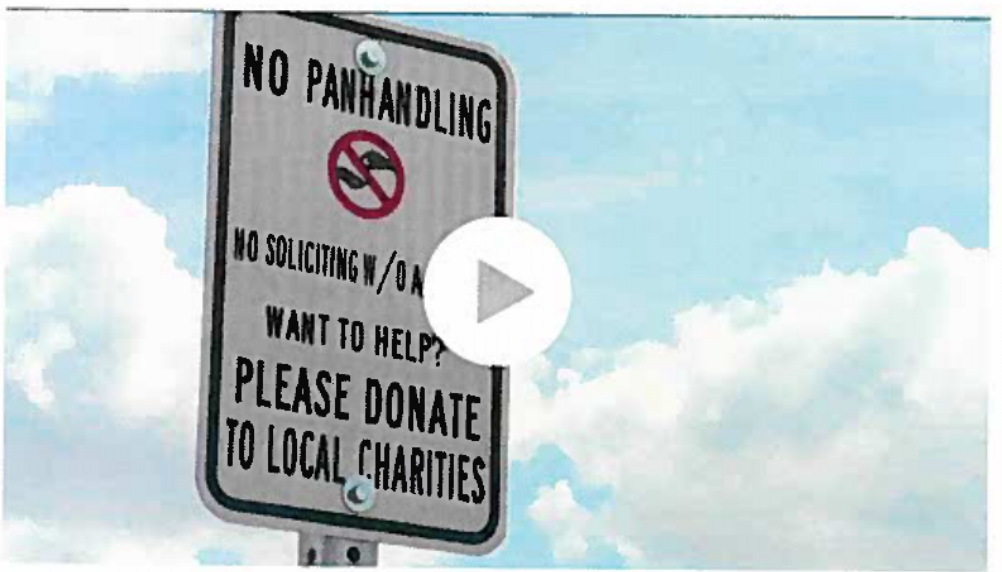
J. Being intoxicated, as that term is defined in IC § 39-302(10), while on a public roadway, on a public conveyance, on public property, or on private property open to the public.

(Ord. 4345, 11-6-2017; Ord. No. 4566 , § 1, 4-19-2021; Ord. No. 4764 , § 1, 11-6-2023)

LOCAL

Panhandling is illegal in Nampa, city attorney says

Recent anti-panhandling signs placed around the city of Nampa have many questioning the legality of the signs - and of panhandling in general.



Author: Misty Inglet
Published: 5:30 PM MDT April 3, 2019
Updated: 10:17 PM MDT April 3, 2019

NAMPA, Idaho — Nine signs were recently placed throughout the city of Nampa, reading "No panhandling."

Since the signs were put up, many have wondered if panhandling is even illegal.

According to attorneys in the Idaho Attorney General's Office, there is no state law that deals specifically with panhandling.

But Nampa's city attorney Mark Hilty, researched the issue and made a decision at this week's city council meeting.

Hilty cited city ordinance 6-1-1, defining disorderly conduct. It reads, in part: "Every person is guilty of disorderly conduct when he accosts other persons in any public place or in any place open to the public for the purpose of begging or soliciting alms."

MORE: Anti-panhandling signs in Nampa stir up debate on legality and necessity

He also cited a state statute, 49-709(2) which says in part, "No person shall stand on a highway for the purpose of soliciting contributions from the occupant of any vehicle."

Hilty said there can be written exception to the state statute from those in authority with local jurisdiction over the highway. He noted that those two codes define what the city of Nampa considers panhandling. And based on his interpretation, panhandling is illegal in the city.

The mayor said the council had received a lot of feedback about the signs - many in favor and others opposed.

Those opposed feel it portrays the homeless in an inaccurate and negative way.

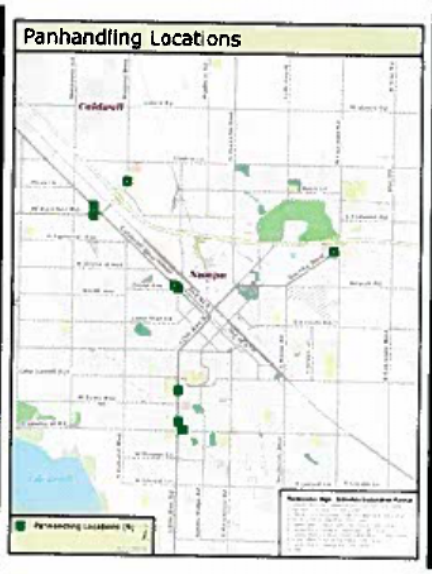
RELATED: Circuit court strikes down Boise's appeal over the city's camping ordinances

Mayor Debbie Kling said that was never the intent behind the signs.

"We do not want to marginalize the homeless, those in need," she said. "But we also want to protect our community.

"I think the one prevailing thing that I'm hearing a lot of is that we want to keep our community of Nampa the way it is," Kling told KTVB. "We don't want to become like some of the major cities that are dealing with some issues around homelessness and panhandling."

The council discussed the signs and decided to keep them. Nine signs have already been put up. A tenth one will also be added, but the city said no location has been determined yet for the final sign.



Credit: City of Nampa

A map showing where nine panhandling signs are placed in the city of Nampa.

Also as part of the discussion about the signs, Nampa Police Chief Joe Huff, mentioned how many citations they had issued for panhandling.

Under the state statute, he said officers had issued 62 citations for panhandling over the last three years. Based on the city ordinance, 6-1-1, Huff said only one citation had been given for panhandling in three years.

RELATED: **New data shows homelessness on the rise across Idaho**

UTILITY BILLING SYSTEM Report ID: 1020

PAST DUE 60 OR MORE DAYS For target date 02/28/2024

CITY OF IDAHO CITY

11:28:22 - 02/28/2024

Account	Route - Meter / Fund - Service	Customer Name	Service Address	Balance	User Type	Past Due
20001-03	00-NONE	[redacted]	302 ELK CREEK ROAD		COMMERCIAL	
	51 - WATER BASE	Pd. thru February	Agreement			
	52 - SEWER			10886.90		10450.82
	51 - WATER LATE FEE					
	52 - SEWER LATE FEE			7494.41		7494.41
	51 - MISC					
	51 - OVERPAYMENT					
			Subtotal for Account 20001-03 :	18381.31		17945.23
20049-00	02-49	[redacted]	304 MONTGOMERY STREET		RESIDENTIAL	
	51 - WATER BASE		Last pd. $200 12/12/23	131.04		65.52
	51 - WATER USAGE			6.96		3.48
	52 - SEWER			77.36		41.02
	51 - WATER LATE FEE			6.47		6.47
	52 - SEWER LATE FEE			9.05		7.76
	51 - OVERPAYMENT					
			Subtotal for Account 20049-00 :	230.88		124.25
20066-00	02-66	[redacted]	608 MONTGOMERY STREET		RESIDENTIAL	
	51 - WATER BASE		Agreement	196.56		131.04
	51 - WATER USAGE			12.36		8.24
	52 - SEWER			169.71		133.37
	51 - WATER LATE FEE			33.76		33.76
	52 - SEWER LATE FEE			38.52		38.52
	51 - OVERPAYMENT					
			Subtotal for Account 20066-00 :	450.91		344.93
20077-00	02-77	[redacted]	606 MONTGOMERY STREET		RESIDENTIAL	
	51 - WATER BASE		Agreement	196.56		131.04
	51 - WATER USAGE					
	52 - SEWER			176.20		139.66
	51 - WATER LATE FEE			34.39		34.39
	52 - SEWER LATE FEE			39.16		39.16
	51 - MISC					
	51 - OVERPAYMENT					
			Subtotal for Account 20077-00 :	446.31		344.45
20131-00	02-131	[redacted]	116 COTTONWOOD STREET		RESIDENTIAL	
	51 - WATER BASE			258.96		193.44
	51 - WATER USAGE					
	52 - SEWER		SHUT OFF	143.63		107.29
	51 - WATER LATE FEE			31.82		19.03
	52 - SEWER LATE FEE			34.32		20.28
	51 - ON/OFF FEE			75.00		
	51 - OVERPAYMENT					
			Subtotal for Account 20131-00 :	543.73		340.04
20158-00	02-158	[redacted]	213 MYERS STREET		RESIDENTIAL	
	51 - WATER BASE		Agreement	131.04		65.52
	51 - WATER USAGE			2.42		1.21
	52 - SEWER			72.68		36.34
	51 - WATER LATE FEE			8.04		8.04
	52 - SEWER LATE FEE			12.34		12.34
	51 - OVERPAYMENT					
			Subtotal for Account 20158-00 :	226.52		123.45
20173-00	02-173	[redacted]	3874 HIGHWAY 21		RESIDENTIAL	
	51 - WATER BASE			258.96		193.44
	51 - WATER USAGE			573.13		562.34
	52 - SEWER			212.85		176.51
	51 - WATER LATE FEE					
	52 - SEWER LATE FEE					
	51 - MISC					
	51 - OVERPAYMENT					
			Subtotal for Account 20173-00 :	1044.94		932.29

UTILITY BILLING SYSTEM Report ID: 1020

PAST DUE 60 OR MORE DAYS For target date 02/28/2024

CITY OF IDAHO CITY

11:28:22 - 02/28/2024

These accounts were not 60 days at the beginning of the month

Account	Route - Meter / Fund - Service	Customer Name	Service Address	Balance	User Type	Past Due
20223-00	02-223	[redacted]	132 PROSPECTOR LANE		RESIDENTIAL	
	51 - WATER BASE		Last pd $249.12 12/15/23	131.04		65.52
	51 - WATER USAGE			8.66		4.33
	52 - SEWER			72.68		36.34
	51 - WATER LATE FEE			7.00		
	52 - SEWER LATE FEE					
	51 - ON/OFF FEE			70.00		70.00
	51 - OVERPAYMENT					
			Subtotal for Account 20223-00 :	289.38		176.19
20278-00	02-278	[redacted]	301 W WALULLA STREET		RESIDENTIAL	
	51 - WATER BASE		Last pd $100 1/31/24	131.04		65.52
	51 - WATER USAGE			3.56		1.78
	52 - SEWER			76.32		39.98
	51 - WATER LATE FEE			6.73		6.73
	52 - SEWER LATE FEE			6.73		6.73
	51 - ON/OFF FEE					
	51 - OVERPAYMENT					
			Subtotal for Account 20278-00 :	224.38		120.74
20291-00	02-291	[redacted]	204 LAINEY LANE		RESIDENTIAL	
	51 - WATER BASE	Assessment on 2/27/24		196.56		131.04
	52 - SEWER			109.02		72.68
	51 - WATER LATE FEE			6.55		
	52 - SEWER LATE FEE			6.55		
			Subtotal for Account 20291-00 :	318.68		203.72
20293-00	02-293	[redacted]	232 MORES CREEK DRIVE		RESIDENTIAL	
	51 - WATER BASE	Assessment on 2/22/24		196.56		131.04
	52 - SEWER			109.02		72.68
	51 - WATER LATE FEE			6.55		
	52 - SEWER LATE FEE			6.55		
			Subtotal for Account 20293-00 :	318.68		203.72
30007-00	03-07	[redacted]	160 FOUR PINES LOOP ROAD		RESIDENTIAL	
	51 - WATER BASE					
	52 - SEWER			73.73		37.39
	52 - SEWER LATE FEE					
	51 - OVERPAYMENT					
			Subtotal for Account 30007-00 :	73.73		37.39

Total Balance: 22549.45

Total Past Due: 20896.40