

CITY OF IDAHO CITY



REGULAR CITY COUNCIL MEETING
Wednesday, August 24, 2022
6:00 P.M.

City Hall, 511 Main Street, Idaho City, ID 83631

Join Zoom Meeting

<https://us02web.zoom.us/j/86199367138?pwd=b3FSZWpiUmRQNhUUMVF2UWFicHh0dz09>

Meeting ID: 861 9936 7138

Passcode: 344721

MINUTES

CALL MEETING TO ORDER: Mayor Everhart called the meeting to order at 6:00 pm.

ROLL CALL: Elliott, Adams, and Secor were 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: August 10, 2022, **ACTION ITEM**

Secor made a motion to approve the minutes dated August 10, 2022 as presented, seconded by Adams, 3 ayes. Motion carries.

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

1. MIKE TAM - JAVA THE PUP CELEBRATION OF LIFE BLOCK PARTY, SEPTEMBER 24, 2022

Mike Tam presented the Java the Pup Celebration of Life Block Party for September 24, 2022. Tam would also like to donate a statue of a service dog to the City. Tam will finish the event checklist and present it at the next regular City Council meeting. He wanted to make sure that the date of September 24, 2022 was available for his event. City Council verified the date was available.

C. BILLS/PAYABLES: August 11, 2022, through August 24, 2022, **ACTION ITEM**

Secor made a motion to pay the bills dated August 11, 2022 through August 24, 2022 in the amount of \$21,034.71, seconded by Elliott, 3 ayes. Motion carries.

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**

1. 2022/2023 FISCAL YEAR BUDGET HEARING

Secor made a motion to open the public hearing for the 2022/2023 Fiscal Year Budget, seconded by Adams, Secor-aye, Adams-aye, Elliott-aye. Motion carries. Mayor Everhart read the line items on the budget. Mayor Everhart asked for citizens' comments or concerns. Clerk Ptak provided copies of the budget and announced that the county gave the City their information late so there needed to be a few minor changes to line items on the budget, but did not affect the totals. The budget was published in the local paper. Secor made a motion to close the public hearing, seconded by Adams, 3 ayes. Motion carries.

III. ENGINEER'S REPORT

1. ALLOW MAYOR'S SIGNATURE ON IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AMERICAN RESCUE PLAN ACT DRINKING WATER GRANT AGREEMENT NO. DWG-250-2023-1, **ACTION ITEM**

Secor made a motion to allow the Mayor's signature on Idaho Department of Environmental Quality American Rescue Plan Act Drinking Water Grant Agreement No. DWG-250-2023-1, seconded by Elliott, 3ayes. Motion carries.

IV. OLD BUSINESS

1. IDAHO CITY FIRE PROTECTION DISTRICT TRANSFER OF LAND DEED

Elliott suggested that there might be a way to come to an agreement. Mayor Everhart verified with City Attorney Callahan that the City can not give away property. At the time of acquisition of the land and building, the Fire Department was a City entity. Elliott and Adams would like more information on how the original grant was structured. Brent Adamson, Idaho City Fire Protection District Commissioner, stated that he would provide the City with the details of the grant. Further information would be needed to make an informed decision on a property exchange, and if this is feasible.

2. VALLEY WIDE PROPANE PROPOSAL, **ACTION ITEM**

The City currently has four propane tanks. Clerk Ptak indicated that customer service is a high priority when deciding on which company to use. Council decided that they would like Clerk Ptak to get a quote from an additional company for comparison.

V. NEW BUSINESS

1. BRIAN HUNICKE – PERMISSION TO USE BUILDING MATERIALS ACROSS FROM THE CITY SHOP TO ERECT AN INDOOR COMMUNITY SPORTS FACILITY

Al Hanson, Idaho City High School Activities Director, asked for the school to be able to use the building materials that were donated to the City fifteen years ago to construct a locker room and indoor sports facility at the football field. City Attorney Callahan indicated that the Council needs to determine the value, have a public hearing, and set a Resolution to donate the surplus personal property.

2. DIAMONDS LIL'S STEAKHOUSE & SALOON – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is not complete.

3. IDAHO CITY GROCERY – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is complete.

4. SEASON'S – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is complete.

5. GOLD MINE IDAHO CITY LLC GAS STATION – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is complete.

6. BOCO – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is complete.

7. GOLD MINE SOLUTIONS BORN, LLC – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is not complete.

8. TRUDY'S KITCHEN – 2023 LIQUOR LICENSE RENEWAL, **ACTION ITEM**

License Application is not complete.

Secor made a motion to approve the 2023 Liquor Licenses for Idaho City Grocery, Season's, Gold Mine Idaho City LLC Gas Station, and Boco, seconded by Elliott, 3 ayes. Motion carries.

Chief Otter suggested that a special City Council Meeting be held next week to approve the remaining three liquor licenses. City Council agreed to hold a Special City Council Meeting on Wednesday, August 31, 2022.

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 NO. 325 AND RESOLUTION NO. 2014-23 EVENT CHECKLIST REVIEW

Council discussed what changes needed to be made to Ordinance No. 325 and Resolution No. 2014-23. More discussion will occur at the next regular City Council meeting.

VII. COMMITTEE REPORTS

A. PARKS & RECREATION COMMISSION

Dax Olvera inquired what is required for him to step up and lead the Parks & Recreation Commission. He would like to build an additional ball field next to the softball field. That land lease only allows for ball fields. Olvera would like to know what the boundaries are for this land to verify that there is enough room for a baseball field. Mayor Everhart suggested that Olvera contact Jason Rowe at the county for a map. Olvera will recruit additional members so the Parks & Recreation Commission can resume.

B. HISTORIC PRESERVATION COMMISSION

No updates.

C. PLANNING & ZONING COMMISSION

Marc Carignan, Planning and Zoning Chair, summarized the minutes of their last meeting on August 8, 2022. They worked on the voluntary annexation from Secor/Holbert and brought up some issues and concerns such as, is there environmental liability to the city in annexing the property if the property has any ground contamination from prior use or prior underground fuel storage? Has the subject property ever had a Phase 1 Environmental Site Assessment? Should one be requested, and a clean assessment be presented, before the annexation is approved? The Commission requested that planning and zoning administrator Ptak send the following questions to the applicant. This additional information is required before the Commission can set a public hearing date. These will also be communicated to the City Council:

The application did not have an adequate statement of purpose with, at minimum, identification of the types and how many businesses are intended to be placed on the property. The Commission must be able to determine whether the planned business(es) conform with the Comprehensive Plan and Zoning Matrix.

What will be the planned water usage? What will be the planned sewer usage? Are there other potential city services impacts? Is the planned business(es): High occupancy rentals, High pollution, High noise, High traffic?

Planning and Zoning Commission also had a work session on August 15, 2022 to become familiarized with the duties of Planning and Zoning. They are working on definitions of the different types of residences and will propose the new definitions to City Council.

D. IDAHO CITY CHAMBER OF COMMERCE

The regular Chamber of Commerce meeting was changed to Monday, August 29, 2022.

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**

IDAHO CODE SECTION 74-206(F) TO COMMUNICATE WITH LEGAL COUNSEL TO DISCUSS THE LEGAL RAMIFICATIONS OF AND LEGAL OPTIONS FOR CONTROVERSIES NOT YET BEING LITIGATED BUT IMMINENTLY LIKELY TO BE LITIGATED

Secor made a motion pursuant to Idaho Code § 67-2345, to go into Executive Session to communicate with legal counsel regarding pending/imminently-likely litigation [Idaho Code § 74-206(1)(f)], seconded by Elliott.

Secor-aye, Adams-aye, Elliott-aye. Motion carries. Executive Session began at 6:54 pm.

Mayor Everhart ended the Executive Session at 7:30 pm.

IX. EMPLOYEE UPDATES

A. PUBLIC WORKS

Public Works Director Claus reported that the rodeo grounds are ready for the Jack Pine rodeo this weekend. There is a problem with a beaver dam by the sewer plant. Claus has permission from Jessica to enter her property to assess the situation and take care of the problem. Claus will repair the fire hydrant at the fire station this week. The sand bay at the RO was cleaned. Claus spoke to DEQ to get an extension to get the wells tested. Claus completed the Sanitary Survey.

B. LAW ENFORCEMENT

Chief Otter reported that law enforcement has been very busy. There have been more calls for health and welfare, child welfare, and mental health issues. People are taking the City water from the RV dump for residential living. Otter suggested a shut-off valve for the line that only allows a limited amount of water to be dispensed at once, or shut the water off at night. Council needs to investigate if it is possible to turn off the water at night since the RV dump and water station was created through a grant. Council would like to see the RV water station shut off while the water moratorium is in place. City Attorney Callahan will research amending

the Water Moratorium Ordinance. Mayor Everhart suggested that barricades be placed with notice that the RV dump is out of service.

Law Enforcement received grant money. Additional patrols will begin this weekend. Speed limit signs will be purchased.

Law Enforcement had a meeting with the school to address emergency response. There will be additional trainings. Law Enforcement will have a booth at the upcoming High School parent teacher conferences.

C. CLERK/TREASURER'S OFFICE

1. BUDGET UPDATES

Clerk Ptak presented the August 2022 budget.

Resolution No. 2022-06 – Reserving the for Forgone Amount for Fiscal Year 2022 in the amount of \$1,053 will be null and won't be needed.

There have been no applications for the open positions of City Office Clerk or Public Works employee.

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

No updates.

D. CITY ATTORNEY

No updates

X. COUNCIL UPDATES

No updates.

XI. MAYOR UPDATES

Mores Creek Recreational Board is re doing the walk bridge on the airport loop. Mayor Everhart inquired if there is still redwood available and the cost per board. Clerk Ptak replied that some of the redwood will be used for signs at the cemetery.

Mountain Waterworks is in discussion with an owner in Centerville to obtain permanent water rights. They will be starting the Water Facility Plan to prepare the City for grant opportunities. They are researching information on a sand separator for the RO building.

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.

ADJOURNMENT: 8:03

ATTEST:

Date approved: September 14, 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:

Ken Everhart

idahocitymayor1@cityofic.org

Council members:

Tom Secor Jr

Ashley M Elliott

Mari Adams

Chief of Police:

Mark Otter

icpd100@gmail.com

City officers:

Ericca Robbins

Brent Watson

Public Works Director:

Tami Claus

idahocitypublicworks@cityofic.org

Public Works:

Gene Bettys

Dominick Nalley

Janitorial:

Dale Rutter

City Clerk-Treasurer:

Nancy L Ptak

idahocityclerk@cityofic.org

Deputy Clerk:

Sue Robinson

Office Clerk:

Laura Carignan

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