

CITY OF IDAHO CITY



REGULAR CITY COUNCIL MEETING
Wednesday September 8, 2021
6:00 P.M

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

MINUTES

Join Zoom Meeting

<https://us02web.zoom.us/j/4192717240>

Meeting ID: 419 271 7240

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

ROLL CALL: Everhart, Martin and Hillyard present. Secor absent.

PLEDGE OF ALLEGIANCE: Mayor Canody led the pledge of allegiance and asked for those in attendance to take the time to remember 9/11 on Saturday.

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 30, 2021~~ **ACTION ITEM**

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

C. BILLS/PAYABLES: AUGUST 26, 2021 THROUGH SEPTEMBER 8, 2021 **ACTION ITEM**

Hillyard made a motion to pay the bills dated August 26, 2021 through September 8, 2021 in the amount of \$94,472.55, seconded by Everhart. 3 ayes. Mayor Canody pointed out that a portion of the amount paid will be reimbursed through the WIIN Grant for water improvement project. (\$82,571.13)

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**

Everhart made a motion to open the public hearing for the Emergency Moratorium on building permits and development applications, seconded by Martin, 3 ayes.

1. EMERGENCY MORATORIUM ON BUILDING PERMITS AND DEVELOPMENT APPLICATIONS

Mayor Canody read the emergency moratorium and asked if there were any written comments. There were none. Everhart addressed the public in attendance as to why the emergency moratorium was put into place. The city water rights have been an ongoing issue and they are working to get other water rights in place, but until then the city could have the water shut off at any given time if we do not do what we can to reduce the usage. The city has been working leaks, new meters and asking for people to conserve. The council is actively doing what they can to reduce water usage and obtain water rights. Not to mention the water levels are lower this year. Mayor Canody asked if the public would like to speak on the issue.

Glenn Miller addressed the council with his concerns on the current building and growth spurt, he is worried about the possible subdivision going in by his property and the water they would be using. Although it would not be within the city's water supply usage area, he is still concerned about the lower water levels and the possibility of new wells depleting the current water low water table at this point. Council was understanding and feels this emergency moratorium would give the water table time to replenish since it would end in the early spring and they would have time to reevaluate the situation. Mr. Miller thanked council for looking out for the community and being proactive.

Sabrina Amidon asked why the sewer was not involved with the moratorium, council explained that the sewer will still need to be taken care of, but the city does have permission the reuse permit, from DEQ for right now to

keep using the system in place, but will be working towards upgrades in the near future. Right now, the water is the main issue, the city does not want the water to be shut off.

Mike Woodworth with Mountain Waterworks, just wanted to reiterate that the issue that the council has addressed and feels the city is taking the right steps to ensure the water stays in production for the city.

With no further comments, councilman Everhart made a motion to close the public hearing for the Emergency Moratorium on building permits and development applications, seconded by Martin, 3 ayes.

Council moved forward with adopting Ordinance 364, after city attorney Joan Calhan's explanation as to how and why they are able to do so in this emergency situation. Everhart made the motion to have Ordinance 364 be considered immediately, seconded by Martin. 3 ayes. Clerk Ptak will put notice in the paper for proper publication.

III. ENGINEER'S REPORT

1. ECWAG FINDINGS

Mike Woodworth with Mountain Waterworks gave the council updated information. Funding options for the intake project are limited. Given delays in the previous City Engineer's design and bidding, and due to the initial natural event (2017 flooding) being four years ago, the USDA National Office determined that the City was only eligible for an ECWAG grant of up to \$150,000. Unfortunately, in recent discussions with USDA, it was determined that the Agency will not be able to look at the 2020 seismic disruption of Elk Creek as a new emergency event. For this reason, the City will only be eligible for pursuing the \$150,000 grant. It is our understanding that given the history of the previous submittal and associated delays, that the intake project would not compete competitively for the \$150,000 ECWAG grant. Therefore, the City's best option moving forward is to explore a loan-grant package through USDA's Water Environmental Program (WEF) and/or IDEQ State Revolving Fund (SRF) program. We understand that the City has no bond capacity to pursue such hybrid programs currently. To do so, a revenue bond election would need to be pursued to increase the City's level of financing capacity. In addition, the City's current water rights are at issue and need to be addressed. Mountain Waterworks recommends consulting a water rights attorney to discuss options for achieving compliance with water right limitations. Mountain Waterworks proposes the following recommendations for City Council contemplation and, if agreeable, possible action such as the city to authorize Mountain Waterworks to collaborate with a recommended water rights attorney, the Idaho Department of Water Rights (IDWR) staff, and IDEQ regulatory agency staff relative to the City's water rights. Council agrees on this plan of action and would like to move forward. The engineers will put together a new task order for the city to review. Council thanked Mike and the whole engineering team for their efforts in finding what works best for the city during this time.

IV. OLD BUSINESS

V. NEW BUSINESS

1. ALCOHOL LICENSE – BO CO COLLECTIBLES, LLC **ACTION ITEM**

Dean Hansen addressed the council to explain the new business venture they are working on in regards to event planning and new restraint ideas for their business, they would like to open on a trial basis in October for Idaho City Days with a very limited menu. The hope to have this up and going by May '22. He gave a sample menu to the council. Council likes his business plan and new menu. Everhart made a motion to approve the new alcohol license to BoCo Collectibles, LLC, seconded by Hillyard. 3 ayes.

2. ALLOW MAYORS SIGNATURE FOR PARTIAL PAYMENT REQUEST #9 FOR WIIN GRANT S658-00 **ACTION ITEM**

Everhart made a motion to allow the mayor to sign the partial payment request #9 for WIIN Grant S658-00, in the amount of \$82,571.13, seconded by Martin. Hillyard nay, Everhart and Martin aye.

3. IDAHO POWER CUSTOMER CONSENT TO PROCEED WITH ENGINEERING/DESIGN MONTGOMERY STREET LIGHT POLE **ACTION ITEM**

The city was sent a consent form agreement to sign and at this time the council does not feel they want to be responsible for an unknown amount for this engineering and design project. This would come out of the street budget that has already been used to its limits. It was not the understanding of the council that the city would be responsible for this project and would like more information. Since it will be on the highway, would this be something to work out with the state. Tami Franklin and Chief Otter will need to get more information.

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**

VII. 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**

VIII. EMPLOYEE UPDATES

A. PUBLIC WORKS

Tami Claus (franklin update the council on the RO System, pressure lines have been tested and passed. Work is underway to get the start up procedures going. Work is getting done on Bear Run Road to replace some

existing lines and meters. They were having issues locating some of the water lines with the witching sticks, Everhart suggested the get a tool that locates the lines, they use one on his job sites. Worth the money and not a huge expense. Everhart will give her the information to get one ordered.

B. LAW ENFORCEMENT

Chief Otter was not available, he had the loss of his service dog of many years.

C. CLERK/TREASURER'S OFFICE

Clerk Ptak updated on the water bills, there seemed to be a billing issue on one account. Misread? Public works will look into it. Budget should be in the paper, budget hearing is still set to go for September 22, 2021. She is having issue with computers and will possibly have a couple replaced, they are out of warranty. The election has been all approved for candidacy by the county.

D. CITY ATTORNEY

City attorney Joan Callahan updated the council on what she has found on the local option taxes, she is finding a U of I law student in need of pro bono hours. They are interviewing potential candidates to help with some of the city's needs. This will be a win win for the students and the city. A proposal could be given to the city in December. She is still working on the lease agreement with the city police car, that should be wrapping up soon. She is currently working on the RV ordinance and the city mailbox ordinance as she realizes this is something to get in place before winter if possible. Priority on items is in consideration.

IX. COUNCIL UPDATES

None at this time.

X. MAYOR UPDATES

Mayor Canody again reminded everyone to take time out of their day on Saturday September 11, to remember those we lost and to thank those in service for our county.

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. In order 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 7:05pm.

ATTEST:

Date approved: September 22, 2021

Nancy L Ptak, City Clerk-Treasurer

Phillip Canody, 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:	City Clerk-Treasurer:	511 Main Street
Phillip J Canody	Mark Otter	Nancy L Ptak	PO Box 130
Council members:	Public Works:	Deputy Clerk:	Idaho City, ID 83631
Tom Secor Jr	Tami Franklin	Sue Robinson	(208)392-4584
Ken Everhart	Gene Bettys	Janitorial	4cityfolk@gmail.com
HD Hillyard	Dominick Nalley	Dale Rutter	idahocityclerk@gmail.com
David Martin			idahocitypublicworks@gmail.com