

# CITY OF IDAHO CITY

MINUTES



REGULAR CITY COUNCIL MEETING  
Wednesday, July 26, 2023  
6:00 P.M  
City Hall, 511 Main Street, Idaho City, ID 83631

Join Zoom Meeting

<https://us02web.zoom.us/j/4192717240?pwd=UWJUeHFjdm5GMUliNUhFNkJKHaUZ2QT09>

Meeting ID: 419 271 7240

Passcode: iccouncil

**CALL MEETING TO ORDER:** Mayor Everhart called regular city council meeting to order at 6:00 PM

**ROLL CALL:** Clerk Ptak called roll, Heffington, Adams, Secor in attendance, Elliott absent.

**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: JULY 12, 2023 **ACTION ITEM**

Council President Secor made a motion, seconded by Adams, to approve the minutes dated July 12, 2023. 3 ayes. Motion carried

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

### C. BILLS/PAYABLES: JULY 13, 2023 THROUGH JULY 26, 2023 **ACTION ITEM**

Council President Secor made a motion, seconded by Adams, to pay bills dated July 13, 2023, through July 26, 2023, in the amount of \$16,327.03. 3 ayes. Motion carried

## 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**

## III. ENGINEER'S REPORT

### A. 2023 UPDATED PLAN OF OPERATIONS. **ACTION ITEM**

### B. QUALITY ASSURANCE PROJECT PLAN (QAPP). **ACTION ITEM**

Mike Woodworth with Mountain Waterworks joined via zoom and informed council the Plan of Operations and Quality Assurance Project Plan have been prepared and the draft copies have been sent to DEQ in accordance with meeting the compliance dates. If the city had any comments or changes it would be pretty easy to do and Woodworth expected DEQ may have a couple of comments to address regardless. Woodworth further explained that the documents did not need signatures now but after any comments or changes DEQ may have. Mayor Everhart informed Woodworth that the city did not have any comments or changes at this time.

**Mayor Everhart** recognized the citizens in attendance and moved to citizen comments before the executive session. See Citizen Comments below (in bold).

## IV. 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**

### A. I.C. SECTIONS 74-206(F) AND 74-206(C) TO DISCUSS CONTROVERSIES IMMINENTLY LIKELY TO BE LITIGATED AND TO DISCUSS ACQUISITION OF AN INTEREST IN REAL PROPERTY NOT OWNED BY THE CITY.

Council President Secor made a motion, seconded by Adams, pursuant to Idaho Code § 67-2345, to adjourn to Executive Session for I.C. sections 74-206(F) and 74-206(C) to discuss controversies imminently likely to be litigated and acquisition of an interest in real property not owned by the city. Secor Aye, Adams aye, Heffington aye. Called into session/adjourned at 6:17pm. Mayor Everhart called back into regular session at 7:03pm.

## 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. ORDINANCE FOR WATER AND SEWER CONNECTIONS FOR NEW CONSTRUCTION**

Mayor Everhart explained that the ordinance had a couple of minor changes and deals with how the city deals with billing for new construction as they start work. Council President Secor made a motion, seconded by Adams, 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. 382 be considered immediately. Secor aye, Adams aye, Heffington aye. Motion carried. Counselor Secor made a motion, seconded by Adams, Ordinance No. 382 now before the council to be approved. Secor aye, Adams aye, Heffington aye. Motion carried. The Ordinance will be effective upon publication in the newspaper.

**B. ORDINANCE NO 378 CITY COUNCIL MEETINGS (MEETING TIME)**

Council President Secor made a motion, seconded by Adams, 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. 378 be considered immediately. Secor aye, Adams aye, Heffington aye. Motion carried. Counselor Secor made a motion, seconded by Adams, Ordinance No. 378 now before the council to be approved. Secor aye, Adams aye, Heffington aye. Motion carried. The Ordinance will be effective upon publication in the newspaper. Clerk Ptak informed council that the meeting on August 23<sup>rd</sup> would still need to be at 6pm due to already advertising for the budget hearing at that time. City Attorney Callahan added that as long as the Notice and agenda are all correct she was ok with that meeting being at 6pm.

**C. RESOLUTION 2023-09 WATER BANK LEASE - BOISE RIVER RENTAL POOL LEASE AGREEMENT FOR 2023**

Council President Secor made motion, seconded by Adams, to approve Resolution 2023-09 Water Bank Lease. Secor aye, Adams aye, Heffington aye. Motion carried.

**VI. OLD BUSINESS**

**A. PUBLIC ROAD/RIGHT-OF-WAY STATUS OF MYERS STREET. ACTION ITEM**

Mayor Everhart explained that this item would be held due to other issues that have become involved and the city wants to make sure everything is in place. The item will be moved to the next agenda.

**VII. NEW BUSINESS**

**A. BOISE RIVER RENTAL POOL LEASE AGREEMENT FOR 2023. ACTION ITEM**

Item approved in the above Resolution 2023-09

**B. LETTER OF INTENT FROM BARBARA MCCLAIN – IDAHO CITY HISTORIC PRESERVATION COMMISSION. ACTION ITEM**

Clerk Ptak informed council that McClain's commission is not due until November and the letter would be held until then.

**C. LETTER OF INTENT FROM KAY JACKSON – IDAHO CITY HISTORIC PRESERVATION COMMISSION. ACTION ITEM**

Council President Secor made a motion, seconded by Heffington, to appoint Kay Jackson to the Historic Preservation Commission. 3 ayes. Motion carried.

**D. ACQUISITION OF FUTURE WATER RIGHTS THROUGH ANNEXATION TO DISTRICT OR LEASING ACTION ITEM**

City Attorney Callahan informed council of the long-term solutions to water issues. Those paths include the city pursuing annexing to the Nampa Meridian Irrigation District and continuing to pursue a permanent water right. Council President Secor made a motion, seconded by Heffington, to pursue annexation to the Nampa Meridian Irrigation District. 3 ayes. Motion carried.

**VIII. COMMITTEE REPORTS**

**A. PARKS & RECREATION COMMISSION**

Dax Olvera informed council the commission has had a couple of meetings and things are going well. Olvera spoke on making changes to the city shed by the softball field. Olvera is looking to tear it apart and make it more user friendly, which could incur some cost. Olvera questioned if there was a budget for these types of things. Clerk Ptak answered, yes, Parks and Rec has a budget line. Olvera added that the well house has developed a few leaks this year. Once he figures out potential expense he will bring it before council. Mayor Everhart added that Olvera could check with Public Works Director Claus to see if there were any parts that could be used.

**B. HISTORIC PRESERVATION COMMISSION**

No current commission. Rhonda Jameson on zoom informed council that letters of intent would be available at the next council meeting.

**C. PLANNING & ZONING COMMISSION**

**D. IDAHO CITY CHAMBER OF COMMERCE**

**IX. 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**

**A. I.C. SECTION 74-206(1)(b) CONSIDER PERSONNEL MATTERS**

Council President Secor made a motion, seconded by Adams, pursuant to Idaho Code § 67-2345, to adjourn to Executive Session for I.C. section 74-206(1)(b) to consider personnel matters. Secor Aye, Adams aye, Heffington aye. Called into session/adjourned at 7:22. Mayor Everhart called back into regular session at 8:40pm.

**X. EMPLOYEE UPDATES**

**A. PUBLIC WORKS**

Mayor Everhart explained that Claus was not able to attend the meeting. Work is being done on Bear Run installing culverts. Discussion on the culvert piping and fiber cable ensued. Water to the Hainer lot has been done but the sewer is not done because of ground water. May need to rent a bigger pump due to the amount of ground water. Claus will be reading meters 7/27. Ptak added that Claus had already read the meters for Trudy's so that transfer can get moving. Ptak added that the public works department delivered

alternate watering days letters to residences. Discussion on sand bays and cleaning ensued. Mayor Everhart added that he would like to look into the cost of adding a 4<sup>th</sup> sand bay.

**B. LAW ENFORCEMENT**

Chief Otter informed council the weekdays have been slow, and the weekend night times have not been a problem. The schedule has been changed again to better allow for coverage but still have both officers on during weekends. There was an issue with a State Trooper coming up and enforcing the weight limit on Main Street for trucks delivering supplies to businesses. Otter contacted the delivery companies and provided his number if needed. Ptak added that the new ordinance fixing this issue is on the agenda for the July 27<sup>th</sup> meeting. Otter added that the new nuisance ordinance is working. A number of the problem residences have been vacated. Mayor Everhart asked if there was a schedule to get the signage on the police car and Otter responded no but he has a message into them so hopefully within the next week.

**C. CLERK/TREASURER'S OFFICE**

**1. WATER AND SEWER UPDATES ACTION ITEM**

Clerk Ptak informed council on one adjustment that needs signed off on. The adjustment was because late fees were charged on an account that is already in a payment agreement. All other payment arrangements are being met. Forest Service is working to get their bill caught up with the new adjustments.

**2. OVERDUE UTILITIES BILLS FOR ELEMENT CONSTRUCTION ACTION ITEM**

Clerk Ptak informed council on conversations with Jeff at Element Constructions regarding water. City Attorney Callahan informed council that she spoke with Justin Hubble at Element regarding some miscommunication on water bills and waiving fees. Callahan asked if council would like her to try and come to an agreement with Element regarding the past due bills and Mayor Everhart responded, "Yes please".

**3. STEVEN GREEN WATER BILL LATE FEES & USAGE CHARGES**

Clerk Ptak informed council that Steven Green had written a letter requesting his late fees be removed. Secor asked if there was a clerical error on the City or Green. Ptak responded it was on Green due to his bank not processing the payment. Council agreed that Green is responsible to pay the fees.

**D. CITY ATTORNEY**

City Attorney Callahan informed council on a couple of projects that should be ready for the next meeting. One being a mutual aid agreement between the city and the county, and the other being a liquor license ordinance.

**XI. COUNCIL UPDATES**

Secor no update, Adams no update, Heffington no update.

**XII. MAYOR UPDATES – no update.**

**XIII. 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.

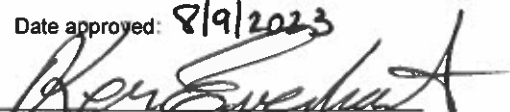
**Bobby Mathews** addressed council and informed them that he is not going away and explained a situation that happened recently. Someone that was at the Goldmine came into the store and cornered one of Mathews employees. Police came and determined the person was not able to drive and returned him to the ridge rider camp. That same person then disappeared and was later pulled over by a State Trooper. Mathews added that he had sat down with one of the Vagos members to discussed things and came to an understanding. Mathews told council he would appreciate it if something gets done about these situations before someone gets hurt. Council President Secor added that things are being done, but it is a slow process. **Chief Otter** responded to the situation with the intoxicated person in Mathews store. Otter explained that they were out looking for the person in question and are the ones that ended up providing the State Troopers the information. ICPD has changed their schedule to patrol in those peak times and are doing bar checks. Otter added that they are doing what they can. Counselor Adams apologized that this happened and explained that council is also trying to see what can be done through ordinance. Mayor Everhart added that the city is working on the situation but there is a process that has to be followed.

Mayor Everhart returned the meeting to the Executive Session item IV above (in bold).

**ADJOURNMENT / 8:55 PM**

ATTEST:

  
Nancy L. Ptak, City Clerk-Treasurer

Date approved: 8/9/2023  
  
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.

<b>Mayor:</b> Ken Everhart <a href="mailto:idahocitymayor1@cityofic.org">idahocitymayor1@cityofic.org</a>	<b>Chief of Police:</b> Mark Otter <a href="mailto:icpd100@cityofic.org">icpd100@cityofic.org</a>	<b>Public Works Director:</b> Tami Claus <a href="mailto:idahocitypublicworks@cityofic.org">idahocitypublicworks@cityofic.org</a>	<b>City Clerk-Treasurer:</b> Nancy L Ptak <a href="mailto:idahocityclerk@cityofic.org">idahocityclerk@cityofic.org</a>	511 Main Street PO Box 130 Idaho City, ID 83631 (208)392-4584
<b>Council members:</b> Tom Secor Jr Ashley M Elliott Mari Adams Ryan Heffington	<b>City officers:</b> Brent Watson	<b>Public Works:</b> Nick Mancera Dallas DeCory	<b>Deputy Clerk</b> Kaleb Goodlett <a href="mailto:idahocityoffice@cityofic.org">idahocityoffice@cityofic.org</a>	operating hours Monday- Thursday 8 am - 5 pm Friday 9am -3pm
			<b>Utility Billing Clerk</b> Sue Robinson <a href="mailto:4cityfolk@cityofic.org">4cityfolk@cityofic.org</a>	