

CITY OF IDAHO CITY

City of Idaho City



MINUTES

REGULAR CITY COUNCIL MEETING

Wednesday, August 9, 2023

7:00 P.M

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

Join Zoom Meeting

<https://us02web.zoom.us/j/4192717240?pwd=UWJJeHFjdm5GMUliNUhFNkJHaUZ2QT09>

Meeting ID: 419 271 7240

Passcode: iccouncil

CALL MEETING TO ORDER: Mayor Everhart called regular city council meeting to order at 7:00 PM

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

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 26, 2023, JULY 27, 2023, & AUGUST 3, 2023. **ACTION ITEM**

Counselor Secor made a motion, seconded by Adams, to approve the minutes dated July 26, 2023. 3 ayes, Elliott abstain. Motion carried. Counselor Secor made a motion, seconded by Adams, to approve the minutes dated July 27, 2023 and August 3, 2023. 4 ayes. Motion carried.

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

1. HARLEYS PUB PREPARTY FOR "PARTY AT THE PEN - OLD SKOOL BIKE RUN" SEPTEMBER 1, 2023

Kim Stanearth informed council there would be 150-200 motorcycles coming to town Friday September 1st from all over the State. Saturday and Sunday they would be down in the valley for the actual bike show. Stanearth requested the road be closed from 5pm to 11pm. Bikes would be arriving around 5:30 and leaving by 10pm. There will also be a band playing that will be done by 10pm. Stanearth also requested to leave the gates at Harley's open to allow people to wander in and out. She will have security on site and wristbands for alcohol. Counselor Secor made a motion, seconded by Elliott, to approve the event checklist for Harleys Pub Preparty for Party At The Pen - Old Skool Bike Run September 1, 2023. 4 ayes. Motion carried. Counselor Secor made a motion, seconded by Elliott, to approve an alcohol variance September 1st from 5pm to 11pm from Commercial St. to Walulla within the barricades. 4 ayes. Motion carried.

C. BILLS/PAYABLES: JULY 27, 2023 THROUGH AUGUST 9, 2023. **ACTION ITEM**

Counselor Secor made a motion, seconded by Adams, to approve the bills July 27, 2023 through August 9, 2023 in the amount of \$11,132.09. 4 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

IV. 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. REVISION TO LIQUOR LICENSE ORDINANCE

City Attorney Callahan informed council that in working on the ordinance it needed more work and is not ready at this time. Callahan will have the ordinance ready for council at the next meeting. It will get rid of all the items that are not enforceable,

incorporate all of the things that can be enforced, and clean up some other language. A survey was done of about 10 other cities liquor license ordinances to ensure the city's ordinance lined up with other cities of the same size.

V. OLD BUSINESS

VI. NEW BUSINESS

A. VALIDATION/VACATION OF PUBLIC STREETS AND PUBLIC RIGHTS OF WAY WITH BOISE COUNTY. **ACTION ITEM**

City Attorney Callahan informed council this carried over from the last couple of meetings discussing Myers Street, public access, and public use. Since that time there have been a few other streets identified that are not in the road book the County keeps that are platted. The process to ensure everything is cleaned up and recorded is to petition the County to do a validation and vacation of the public streets and public rights of way. A surveyor has been engaged to survey the streets in question. Once the County takes up the petition there will be a hearing to consider whether the streets have been established as public rights of way and public streets. Counselor Elliott made a motion, seconded by Heffington, to file a petition for validation and vacation of non-recorded public streets and public right of ways with Boise County. 4 ayes. Motion carried.

B. LETTER OF INTENT FROM CAROL KIRKLAND – IDAHO CITY HISTORIC PRESERVATION COMMISSION. **ACTION ITEM**

Counselor Secor questioned how many commissioners need to reside within the city limits and how many can be outside the city limits. City Attorney Callahan responded that the city code does not have residency requirements. Counselor Secor made a motion, seconded by Elliott, to appoint Carol Kirkland to the Idaho City Historic Preservation Commission. 4 ayes. Motion carried.

C. LETTER OF INTENT FROM RHONDA JAMESON – IDAHO CITY HISTORIC PRESERVATION COMMISSION. **ACTION ITEM**

Counselor Secor made a motion, seconded by Elliott, to appoint Rhonda Jameson to the Idaho City Historic Preservation Commission. 4 ayes. Motion carried.

D. NOISE VARIANCE FOR THE GOLD MINE SALOON AUGUST 25 & 26, 2023 TILL 1AM. **ACTION ITEM**

Mayor Everhart explained that this has been granted in past years for the same time frame and same event. Counselor Adams added that the Goldmine's music lately has been extremely loud, and she has received multiple complaints about it. Adams requested that the Goldmine lower the volume during these events.

Rose Adams addressed council and asked if the city has a noise ordinance. Mayor Everhart responded yes, up until 11pm. Adams explained that she lives on Bear Run and she can hear the music there. Adams read from a document that Boise and Meridian have regarding noise and suggested that maybe some of the language should be added to Idaho City's ordinance. Adams further expressed that she does not look forward to listening to the loud music until 1AM.

Shauna Asher explained that she lives behind Trudy's and the music is so loud normally and she cannot imagine listening to it until 1AM. Asher is also concerned about the Goldmine controlling their crowds and providing the needed security so that there are not any issues.

Carrie Anne Kowalczyk addressed council and thanked them for the work on Montgomery and changing the time of council meetings. Kowalczyk added that she did not see why the Goldmine could not move the music inside after 11pm. Kowalczyk further explained that when the Goldmine first began doing the music it could barely be heard and this last weekend was clearly audible.

Steve Ellis, Goldmine owner addressed council and the citizens present and explained the requested variance is taking place the same weekend as the Jack Pine Roundup which could potentially bring a couple thousand people to town. After the rodeo is typically one of the Goldmine's biggest days during the last 5 years and this event is the same as what has been done in the past. Ellis explained that he is happy to work on lowering the sound. There will potentially be a couple hundred people at the Goldmine, and it is not feasible to do things inside. Mayor Everhart explained that the citizens have a valid point and questioned if Ellis has discussed having additional security measures. Ellis explained that anytime they have events like this they have local security come in. Mayor Everhart also questioned the loudness of the music and explained there are homes close by. Ellis responded that he would be happy to work on the noise level.

Counselor Elliott questioned if there was a way to enforce a noise variance but toned down. Counselor Adams explained that Boise, Meridian, Nampa, and Garden City have noise ordinances that have a decibel limits or a specific distance. Mayor Everhart added that currently Idaho City does not have a decibel limit, but that may be something that needs to be added in the future. Discussion on the noise and what could be done ensued.

Bobby Mathews addressed Ellis and explained that people are informed to call if there is an issue but nobody at the Goldmine answers the phone. Mathews further explained that last Saturday his sick mother could not get to sleep with the air conditioner and a fan running due to the noise level. Mathews added that he runs a responsible business and all he wants is the other Goldmine owner to run the business responsibly. Mathews then questioned the noise ordinance and what time it says the noise will stop. If it says 11pm then it should stop at 11pm. Discussion on what time the music stopped last weekend ensued. Teishia Mathews explained that they would not have a hard time accepting things if the Goldmine consistently shut things down at 11pm, but they have not. Teishia added that they have been having these issues for years. Mayor Everhart explained that they have already addressed the owners of the Goldmine and they have agreed to stop the music at 10:55 to alleviate this issue.

Brenda Secor questioned the amount of people potentially coming to the Goldmine after the Rodeo and the number of Idaho City Police Officers, which could be a potential issue.

Roy Fields added that he lives on Lodgepole Ln. and can hear the noise.

Mayor Everhart and council agreed to table the Variance until the next meeting. Kowalczyk added that it would be nice if the Goldmine would verify the number of security they will provide. Ellis responded that everyone on his staff will be on and 2-3 for security. Discussion on staff and security ensued. Mayor Everhart requested for the next meeting Ellis provide a plan as far as what the decibel levels could be and detail on their security plans. Counselor Heffington asked if Ellis would personally be present for the event and Ellis responded yes. Discussion on the event and plans ensued.

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

Mayor Everhart explained that Public Works Director Claus was not able to attend but sent him the following information. Public works has finished connecting water and sewer to the Niehoff property. Sand bay 1 has been cleaned and flushed and is back online this afternoon. Claus thanked Tom, Scott, and Kaleb for helping. Public works will be working on Bear Run Thursday to compact the new material that was added.

B. LAW ENFORCEMENT

Chief Otter informed council that the weekends have been pretty quiet legally. Otter did hear the music was pretty loud. The County was pretty busy so that is where he was helping out.

C. CLERK/TREASURER'S OFFICE

1. BUDGET UPDATES

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

Clerk Ptak informed council there are adjustments that need to be signed off on. Ptak added that she has figured out the USDA's meter readings and has asked Robinson to double check that there are no extra zeros before printing bills. City Hall will be closed August 16th for training on accounting and water & sewer. Ptak added that she sent the Mayor and council an email regarding the hazard mitigation plan online course that is coming up. Discussion on the course ensued.

D. CITY ATTORNEY

City Attorney Callahan informed council she is working on a mutual aid agreement with the County for the Mayor and Chief to look over. Once they go over it and make any changes it will then be negotiated with the County and then come back for Council to approval.

IX. COUNCIL UPDATES

Secor no update. Adams did a ride along with Watson and plans to do one with Chief Otter as well. Elliott no update, Heffington no update.

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.

Rose Adams added that extending the time for the Goldmine until 1am could have people drunk and driving down the highway which could affect people that live along the highway.

Shauna Asher explained that she invited Steve Ellis to her backyard this weekend during the music so that he can get an idea of how loud it is.

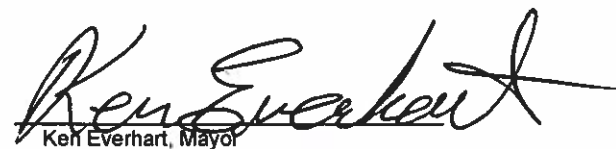
ADJOURNMENT: 7:57

ATTEST:

Date approved: 8/23/2023



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