



CITY OF IDAHO CITY

AGENDA

REGULAR CITY COUNCIL MEETING

Wednesday, December 13, 2023

7:00 P.M

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

MINUTES

Join Zoom Meeting

<https://us02web.zoom.us/j/4192717240?pwd=UWJJeHFjdM5GMUliNUhFNkJKHaUZ2QT09&omn=88586001093>

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, Adams, Elliott, 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: NOVEMBER 22, 2023 **ACTION ITEM**

Counselor Elliott made a motion, seconded by Secor, to approve the minutes dated November 22, 2023. 4 ayes. Motion carried.

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

C. BILLS/PAYABLES: NOVEMBER 23, 2023 THROUGH DECEMBER 13, 2023 **ACTION ITEM**

Counselor Secor questioned one of the bills from Kurita and Claus responded that part of the bill was for someone from Kurita to come out with parts and fix the problem with the RO system. Discussion on the repair and what is being done to get the system running ensued. Counselor Secor made a motion, seconded by Elliott, to approve the bills November 23, 2023 through December 13, 2023 in the amount of \$40,698.79. 4 ayes. Motion carried.

Mayor Everhart suggested moving to the Engineers Report to allow the representative to provide his update. See below in bold.

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**

A. IC SECTIONS 74-206(F) TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING / IMMINENTLY-LIKELY LITIGATION.

Counselor Secor made a motion, seconded by Adams, to adjourn to Executive Session pursuant to Idaho Code sections 74-206(F) to communicate with legal counsel regarding pending / imminently-likely litigation. Secor aye, Adams aye, Elliott aye, Heffington aye. Called into session/adjourned at 7:22pm. Mayor Everhart called back into regular session at 7:49pm.

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

Stuart Hurley with Merrick provided the approved water facility plan. Hurley explained that the city has foregone the environmental portion of the facility plan because it is not required for the funding that the city has received, but recommended doing the environmental portion as a part of the design project on a parallel path with the facility plan so the facility plan can move forward. If the city decides to go for other funding in the future the environmental portion would already be completed. Hurley further explained the next step is that they would get a draft put together for the next piece of the project to have ready for council at the January meeting that would include the distribution upgrades and also the intake at the water plant. Hurley added that on thing they would like to do is have a contractor on hand so that when the investigative potholing is being done leaks could potentially be fixed if found. Counselor Secor explained that he would like to use in-house personnel to allow public works to get more familiar with the system. Discussion on test holes, leak detection, and leak repair ensued. Counselor Secor and Mayor Everhart expressed that when the snow is gone the creek intake is priority

to ensure it is working correctly and the flows to the water plant are correct. Discussion on water leaks and detection ensued. Hurley moved on to the wastewater side and explained that they would assist in getting the annual reuse report completed. Hurley and Claus have a meeting December 29th to get all of the documents and records needed for the report. Counselor Secor asked if the city would be getting dinged for not having a fence around the sewer plant and Claus responded no, she has until June of next year to start on the fencing. Meeting returned to Executive Session above.

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**

VI. OLD BUSINESS

A. IDAHO CITY FIRE PROTECTION DISTRICT.

No discussion.

VII. NEW BUSINESS

A. 2024-09 CHICORY & SAGE LIQUOR LICENSE. **ACTION ITEM**

Counselor Secor made a motion, seconded by Elliott, to approve the liquor license 2024-09. 4 ayes. Motion carried.

B. DISCUSSION OF ROAD MAINTENANCE EQUIPMENT. **ACTION ITEM**

Mayor Everhart explained that the grader went down after the first snow and is still down. The injector pumps have been replaced and it still does not run. The next step is the injectors themselves and they have been removed and taken in to be rebuilt. Mayor Everhart went on to explain the two quotes for a new loader. CAT brought up a 930M loader to demo for December and look into a lease/purchase. The breakdown costs of the equipment and warranty were explained. If the lease is signed the first installment of \$30,000 is due at that time and then annually from there. Mayor Everhart added that his thought would be to get the grader running and sell it, which would be most if not all of the first years payment. Discussion on what the grader could sell for ensued. Counselor Secor added that the city has continually had to put money into the grader to keep it running. Clerk Ptak explained that the city has had the same issue in the past and finally entered into a lease for the backhoe which has saved the city money overall. Discussion on the payment and sale of the grader ensued. The second quote is from John Deere, a similar machine but does not have the blade attachment, 3rd valve to run the blade, or the extent of the warranty that the CAT has and is also \$45,000 payment. Counselor Elliott added that there is \$11,000 in the budget for the grader payment and if the city could sell it for at least \$20,000 that would cover the payment for the new loader for the first year. Discussion on the warranty for the CAT and what is included ensued. Counselor Secor made a motion, seconded by Adams, to move into a lease agreement with Western States CAT for a 930M wheel loader, 7 years, and a cost of \$261,100. Secor aye, Adams aye, Elliott aye, Heffington aye. Motion carried.

C. ALLOW MAYOR TO SIGN ENGAGEMENT LETTER FROM BAILEY AND COMPANY FOR THE 2022-2023 AUDIT. **ACTION ITEM**

Counselor Elliott made a motion, seconded by Secor, to allow the Mayor to sign the engagement letter from Bailey and Company for the 2022-2023 audit. 4 ayes. Motion carried.

VIII. EMPLOYEE UPDATES

A. PUBLIC WORKS

Public Works Director Claus informed council she just heard back from Nick and there is nothing wrong with the injectors for the grader. They will have to try and diagnose the issue. Claus explained that there are 3 leaks in town, and they are doing 24-hour repair notices to make sure leaks are fixed. Sand bays are going down quickly, and Claus needs help to get them cleaned. It was decided to clean on Monday the 18th. Counselor Secor and Mayor Everhart are going to help. Claus spoke with Hurley, and they will be putting in an addendum to the QAPP for the way samples are pulled. DEQ did not like how it was originally written up. The new outflow meter at the sewer plant has been ordered. Claus is pulling monthly samples Thursday, and the Public Works crew is going to diagnose the grader. Claus wants to take the loader out and work on Montgomery to try and cover the potholes. Claus has 2 tons of cold mix at Grainger that needs picked up. Discussion on how to get the cold mix to the city ensued. Claus has been staying connected with Jessie at DEQ to let her know where the city is at with certain things. The backflow at the sewer plant needs to be replaced. Mayor Everhart asked what the situation with the handheld turbidity meter is. Claus responded that they cannot get it to ready properly. She is going to sit down with it and try to figure it out. Claus thinks that maybe a step was missed. Mayor Everhart added that he will be around if he needs to take a look at it. Clause is going to have Dallas work on the parts for the RO to try and get it working. Discussion on samples from the RO system ensued.

B. LAW ENFORCEMENT

C. CLERK/TREASURER'S OFFICE

1. BUDGET UPDATES

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

Clerk Ptak explained the adjustments that were done before the December bills went out. There are a couple accounts that may need further adjustment. Bailey requested to have the on/off fee removed because she was not notified of the shut off. She was in a pay agreement and did not adhere to that agreement which states on the form if the terms are not abided by the services would be disconnected without further notice. Jackson has asked that she not be responsible for the past due portions of the bills because they are from a previous owner. Mayor and council questioned the instance with Bailey and

Goodlett explained. Mayor and Council decided they were not inclined to waive the on/off fees for that account. Mayor Everhart asked if all the adjustments are for accounts in payment agreements and Clerk Ptak responded yes. Clerk Ptak added that two of the three Crawford accounts are current, and they have been in a payment agreement for a year now. It had been discussed before that if they continue to make payments on time the city would consider removing 50% of the late fees prior to the payment agreement. Discussion on the fees and how to go about adjustment ensued. Counselor Elliott explained that for the Crawford/Longpre account 50% of the late fees are to be waived as long as they continue to make payments on-time. Mayor Everhart added that if they do not make payments the fees will be reinstated. City Attorney Callahan questioned the purpose of forgiving the fees now instead of waiting until the account is paid down to a certain point. It gets confusing to do a conditional forgiveness. Callahan asked if Clerk Ptak needed anything specific for the audit. Ptak responded that the audit is fine as long as the decision is left up to council and she can show proof when making the adjustments. Ptak added that the billing system is set up to apply to the previous balance owed first. So if the adjustments are made now the auditors can see that it is late fees being removed. Ptak added that this account can be tabled for now so she can put together some information to show council. Mayor Everhart agreed to table this account until the January meeting to allow Ptak to get together the information needed to present to council. On the Jackson accounts, Ptak explained that there was a previous balance from before Jackson took back over the business and that is the amount in question. City Attorney Callahan explained that the business is the same business, it just reverted back to Jackson and the business accrued the debt, so the amount is owed. Ptak will reach out to Jackson and explain that the amount is owed. Counselor Secor made a motion, seconded by Adams, to approve the water sewer adjustments as presented in the amount of \$5,682.42. 4 ayes. Motion carried.

D. CITY ATTORNEY

City Attorney Callahan explained that normally, personal property leases are done by resolution, so she can have one drafted for the loader for the next meeting.

IX. COUNCIL UPDATES

Counselor Elliott explained that there is a tree at Leon's Café from the Chamber for people to donate for local children.

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.

XII. UPCOMING MEETINGS

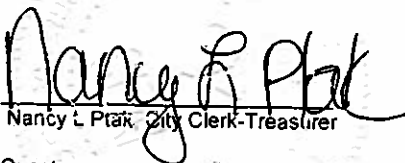
A. NEXT REGULAR MEETING: DECEMBER 27, 2023

B. ITEMS FOR NEXT AGENDA

Clerk Ptak explained that this is where things like the lease resolution would go. Counselor Elliott asked if the city would be doing a city party. Discussion on when to have a city party ensued. Mayor Everhart asked Goodlett to put up notice on the website that City Hall will be closed Monday morning to clean the sand bay. It was decided to have a city potluck in January before the first meeting at 6pm.

ADJOURNMENT 8:42 PM

ATTEST


Nancy L. Ptak, City Clerk-Treasurer

Date approved:


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
Ryan Heffington

Chief of Police:
Mark Otter
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City officers:
Brent Watson

Public Works Director:
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Public Works:
Nick Mancera
Dallas DeCory

City Clerk-Treasurer:
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Monday- Thursday
8 am - 5 pm
Friday 9am -3pm