REGULAR COUNCIL MEETING

WALLACE, IDAHO

July 11, 2018

Mayor Mogensen called the meeting to order at 6:00 PM in the council chamber.

**Roll Call:** Council members present: Dave DeRoos; Heather Branstetter; Rick Shaffer; Tommy Hayes and Dean Cooper. Council members absent: Elmer Mattila.

**Flag Salute**

**Consent Agenda:**

Council member Shaffer made the motion to approve the consent agenda including the minutes of the special June 11, 2018 meeting and the accounts payable for June totaling $133,095.71 including transfers and payroll for July 2018. Seconded by Council member Branstetter. Roll Call Vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

**Reports:**

**Mayor:**

Mayor Mogensen stated she has held various meetings this month. These meetings involve the Wallace city pool and planning and zoning issues. They city was contacted by Cory Foster, head of the transportation department for the school district, regarding a crosswalk by Harvest Food. There is a bus stop there, and in order to have a bus stop, there needs to be a cross walk. Mayor Mogensen also stated there is a meeting at the Shoshone Golf course next Wednesday regarding Frontier’s high speed internet.

**Sheriff:**

Council member DeRoos read the Sheriff’s report submitted by Mike Gunderson stating that during the month of June 2018 the Shoshone County Sheriff’s Department was dispatched to 101 calls for service within the city of Wallace. A report was attached. Council member DeRoos introduced Felicia Ybarra, the police officer assigned to Wallace. Office Ybarra asked the council if the city is going to allow parking under the bridge for the Blues Festival. Mayor Mogensen said it would be allowed this year, and we will address it next year. Discussion was held regarding the general parking under the freeway. Council member Shaffer made the motion to approve the Sheriff’s report as submitted and read. Seconded by Council member Hayes. All Ayes. Carried.

**Fire:**

Council member Shaffer read the Fire report submitted by Fire Chief Aaron Cagle stating that the Shoshone County Fire District One personnel responded 17 times for medical emergencies and one fire responses in Wallace for June 2018. Council member Hayes made the motion to approve the Fire report as submitted and read. Seconded by Council member DeRoos. All Ayes. Carried.

**Street:**

Council member Hayes stated the streets crew worked a total of 251 hours for work performed June 13th to July 10th. Council member Hayes read the report submitted by Jim Cason. Discussion held regarding the speed bump on River Street. Council member Shaffer made the motion to approve the Streets report as submitted and read. Seconded by Council member Cooper. All Ayes. Carried.

**Finance:**

Council member Cooper read the Finance report submitted stating that the General fund has $541,550.17; Street $56,229.95; Library $31,735.40; Parks & Rec. $3,840.06; Insurance $26,759.52; Sewer $112,338.11; USDA -$34,975.30 for a total of $737,477.91. Wells Fargo Savings $352,945.41 and Wallace Inn UDAG $146,068.17. Council member Branstetter made a motion to approve the Finance report as submitted and read. Seconded by Council member Shaffer. All Ayes. Carried.

**Parks and Recreation:**

Council Member Branstetter stated there have been issues at the community garden with people taking beds and produce. Jim Roletto addressed the council regarding the pool. He stated the pool is having issues holding water and an evaluation needs to be done on the pool. He also stated the pool will probably not open this year. Jim Cason, streets supervisor, stated that he has repaired two broken pipes at the pool, and when the pool was drained there were multiple cracks. Jim suspects there is a broken pipe under the pool that needs to be sealed. He also stated that there may be some type of void under the pool. Council member Branstetter stated that Tammy Copelan had brought grant information to the city for the pool. Council member Shaffer stated that we have issues every year with the pool and asked if we have had issues with voids before. Jim Roletto stated that it is not unusual. More discussion was held. Council member DeRoos made a motion to approve the Parks and Rec report as submitted and read. Seconded by Council member Shaffer. All Ayes. Carried.

**Library**

Council member Mattila was absent, but submitted a library report. The report was summarized by Mayor Mogensen.

**Sewer Project:**

Chris Horgan from JUB was present. Chris stated the sewer project is nearing the end. He stated they have been able to give the residents, which were referenced at the last meeting, their own service lines. Two manholes have been installed on Hotel St. and Residence St. Council member Shaffer made a motion to approve the Sewer report. Seconded by Council member Hayes. All Ayes. Carried.

**Old Business:**

Dennis O’Brien, fire commissioner, stated the fire district came to a meeting in December and addressed the council. The district would like a signed agreement for the current year and would like to get a set formula going forward, which would be based on the levy rate. Council member DeRoos confirmed that the amount they are asking for is $6,368.67. Council member Cooper asked what percentage of an increase this is over last year. Dennis O’Brien stated it was 18%. Dennis stated they are happy to sit down and discuss this. Mayor Mogensen stated that in August of 2016 the council passed an amendment to increase the contract by 3% for the next five years. Commissioner O’Brien stated that as a fire district they are not allowed to contract with non district participates for less than the levy rate. Council member DeRoos asked if the district is asking the city to pay what the rate payers pay. Commissioner O’Brien stated that was correct. Discussion was held on past years rate increases. Council member DeRoos asked if the district would come back with the idea that the city joins the district instead of contract. Commissioner O’Brien stated they would like the city to join, but are willing to do that either way. Mayor Mogensen asked if there were a few council members that would participate in discussions with the fire district. Council member Cooper and Council member DeRoos volunteered. Commissioner O’Brien stated the fire district would contact the city to set up a meeting.

**New Business:**

**Catering Permit – Dayrock – June 13th & 14th.** Council member DeRoos addressed the council. Council member Shaffer made a motion to approve the catering permit. Seconded by council member Hayes.

Roll Call Vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

**Liquor License for Albis –** Council member DeRoos ask for a pre-approve of the liquor license. Council member Branstetter stated the council has done this before. Council member Cooper asked if Albis has a temporary license or a county license. Council member DeRoos stated they do not. Council member Cooper stated that if they get everything done then we will have a special meeting to approve the license. Seconded by Council member Shaffer. Roll Call Vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

**Liquor License- Lucky Horseshoe** – Dan Clark addressed the council. Council member DeRoos asked if they have their county and state license. Kristina Larson, city clerk, stated they have provided proof of both. Council member DeRoos made a motion to approve the liquor license for the Lucky Horseshoe. Seconded by Council member Hayes. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

**Street Closure – Wallace Blues Festival** – Council member Hayes addressed the council. He stated all alleys will have access for emergency vehicles. Discussion held regarding access for businesses/residents between 6th St. and 7th St. The street closure will begin Friday at 3:00 p.m. Council member Shaffer made a motion to approve the street closure. Seconded by Council member Branstetter. All Ayes. Carried.

**Catering Permit – Wallace Elks** – Council member Hayes addressed the council. It will be a one day catering permit on June 14th from 11 AM to 12 PM. It will be beer, wine and vodka lemonade. Council member Branstetter made a motion to approve the catering permit. Seconded by Council member DeRoos. All Ayes. Carried.

Jim Roletto addressed the council regarding the temporary 6th St. bridge bid. He stated the city received two bids, but one bid was not received on time so the bid was rejected. He recommended awarding True North the contract. Council member Cooper made a motion to award the contract to fabricate the temporary bridge for 6th Street to True North steel. Seconded by Council member Shaffer. Roll call vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried

David Sherman addressed the council on behalf of the Mine Heritage Foundation about placing an antique compressor at the east entrance to Wallace. Pictures and plans were submitted to the council for their review. Jim Roletto stated that in order to get an approval from ITD a letter signed by the Mayor will need to be submitted. Council member DeRoos asked how high the exhibit is. David Sherman replied 10 feet. Discussion held on potential visibility issues. Council member Shaffer confirmed that all expenses would be paid by grants. Sherman stated yes. Council member Branstetter said it would be maintained by Mine Heritage. Sherman stated yes. Council member Branstetter moved to tentatively approve the installation of the compressor exhibit at the eastern entrance of Wallace pending ITD written approval. Seconded by council member Shaffer. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

Nine Mile Cemetery Lease – Dennis O’ Brien addressed the council. The City of Wallace owns part of the cemetery. The Nine Mile Cemetery Association owns the other part. The association is now asking us to lease them part of the property. Council member Shaffer stated he doesn’t see any issues with the agreement. The property is being maintained which is important to the families. Council member Cooper stated he would feel better if the cemetery board reviewed the agreement and told the city they accept it. Discussion held on length and fee. Dennis said we can ask Keisha.

Ryder Gauteraux- Property at 810 Maple – Ryder was present and addressed the council regarding his proposal. Mr. Gauteraux is asking for a lot line division. Ryder stated half his shop and driveway are on city property. Mayor Mogensen asked Ryder if he purchased this all as one property and he replied he did. Council member Branstetter asked how the purchase went through. Ryder stated they bought it directly from Mr. Valentine. Ryder stated he was under the impression, because there was a resolution that was done in 2014 under Garitone, (Ryder then identifies some property on a map) was described as theirs but was not transferred. Now they are trying to sell the property and people are telling him half the shop is on city property and so is the driveway. Council member DeRoos corrected Ryder and said in 2014 the Mayor was Vester not Garitone. Ryder then said the resolution was dated 2004 and not 2014. Ryder stated there are two separate dwellings on the property that have two separate sewers and power but a shared water meter, so he would like to put a separate meter there. He also has issues with the mail. Ryder stated he had a meeting with Dan Martinson, at Shoshone County, and Dan stated the way to fix this is by the descriptions he stated in his letter. He would also like the city to vacate the north portions of Lots 1, 2, 3, and 4 north of the road which gives him the road. Council member Branstetter stated that Ryder would like the city to redraw the property line to reflect what is actually in use. Ryder went over the maps with the council. Ryder stated the old lines go through the shop and there are two houses on the property – one on Silver and one on Maple. He stated what he would like to do is 30 ft and 25 ft of lot 5 and 6 (he then points to a house on the map) that has its own sewer and will have to pay its own fee. There is a discussion clarifying what property the city owns. Council member Branstetter asked Ryder if he wants the city to sell or give him the property he is asking for. Ryder stated give it to him. He stated he wants to pay the cost for Keisha to handle the resolution, the transfer, and, when the property is re-assessed, the taxes. Ryder stated the property has been used since 1980. Council member Branstetter stated it seems unfair that Ryder assumed the property “thinking otherwise”, so it’s correcting something. Some members of the council stated they felt it was the title company’s problem. Discussion was held. Ryder stated they could still sell the property for cash, and someone else could deal with this. Council member Shaffer stated “somebody should clean the mess up”. Mayor Mogensen asked Ryder to highlight the city’s property in blue on the maps he provided. Discussion held. Dennis O’ Brien asked if notifying the public came at the county level. Ryder stated the notice would come from the city. Ryder stated he wrote up motions not for the motions themselves but for the descriptions of what they are asking for. Ryder asked that the city put this issue into Keisha’s hands and let her and Dan Martinson figure it out. John Hansen stated he believes the property has to be put up for public knowledge and sale or bid even to change a lot line. Council member DeRoos stated in the past a gentleman asked the city for some property and it was determined that the city could not just give him the property. Ryder stated in this situation there is a shop and road that has been there since 1980. Jim Roletto, city engineer, stated this is not uncommon for a city to vacate property and there is a process. He stated a lot line adjustment is properly the easiest, but to do a vacation you have to advertise so others can come to the meeting and discuss their side of the vacation. Mr. Roletto stated again that a lot line adjustment is the easiest/cheapest, but it does take a survey to do it right. Council member Cooper stated Ryder should bring a survey saying “what is what” based on the cornerstones in town. Jim Roletto stated we don’t have to necessarily do a survey upfront. We have to come up with what we are requesting based on the drawing we have. Ryder said as soon as we have the ok from the city they will get it surveyed. Council member Branstetter asked if the council can approve that Ryder move forward with the survey and talk to legal about how to proceed. Council member DeRoos asked if this takes away the value if the property gets cut in half. Ryder stated he is only asking for 20 ft (and indicated the portion on the map). Ryder stated the property he is asking for has no dollar value. Further discussion was held clarifying what property Ryder is asking for. Jim Roletto stated it is likely these parcels do not have a lot of value to others, but it does to Ryder and that is why you vacate. Ryder stated the problem is that it cannot get bank financing. Council member Branstetter made a motion to approve Ryder to move forward with surveying and talking to Keisha about how to resolve this at his expense. Council member Cooper stated he does not want to vote yes on vacating the property and send Ryder down to do stuff and then in the end we don’t do it. Ryder stated that he would like the council to approve both of the motions he submitted under Keisha’s direction. Council member Cooper said he feels uncomfortable moving forward on this. Jim Roletto stated the question at hand is Ryder is asking for a vacation and the council can approve this or not. If the council approves it, they need to make sure to hear from the public. Jim Roletto stated that the council does not need Keisha’s assistance yet. After we approve a vacation we need to figure out which way we are going to do it. We also do not need a survey yet either. The question is does the council want to vacate the property to Ryder and more than likely the first time it is tabled and then people can come in. Mr. Roletto stated that if the council is uncomfortable he suggests waiting until the next meeting to discuss the entire process of vacating. Discussion was held. Council member Branstetter made a motion to consider vacation of property as described in Ryder’s proposal dated July 10, 2018, during which time notification be given to the public and action be taken at next month’s meeting. Seconded by council member Shaffer. Roll Call Vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

I90B, Old US-10 Wall Repair – Jim Roletto addressed the council and stated this project is due to be done in 2020, but will be awarded in October of 2019. ITD is currently in the design phase and will address the council in the future for some design input.

Proposed Budget 18/19 – Discussion held on parks and rec budget. Heather would like to roll over money not spent this year into next year’s budget. Council member Cooper stated he believes the city should have a maintenance program for the roads. Jim Roletto said a program should be put into place to seal coat a certain percentage of roads every year. Council member DeRoos made a motion to approve the tentative budget for FY 18/19. Seconded by Council member Branstetter. Roll Call Vote. DeRoos Aye; Branstetter Aye; Shaffer Aye; Hayes Aye; Cooper Aye. Carried.

There being no further business to come before the council, Council member Branstetter made the motion to adjourn at 7:25 PM. Seconded by Council member Cooper. All Ayes. Carried.

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Lynn Mogensen, Mayor

ATTEST:

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Kristina Larson

City Clerk/Treasurer