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

Roll Call: Council members present: Dave DeRoos; Elmer Mattila; Heather Branstetter; Rick Shaffer; Michele Bisconer and Dean Cooper.

Flag Salute

Mayor Mogensen stated item #7 was added to the agenda less than 48 hours before the meeting, so a motion to amend the agenda should be considered. Council member Shaffer made a motion to amend the agenda. Seconded by council member Cooper. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Consent Agenda:

Council member DeRoos made the motion to approve the minutes of the July 19, 2019 meeting, accounts payable in the amount of $74,588.79 and transfers. Seconded by Council member Mattila. Discussion held on minutes from July meeting. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Reports:

Mayor:

Mayor Mogensen recapped various meeting she held during the month of July. She also stated there have been many successful festivals over the last month. Mayor Mogensen ended her report by reminding the public of the opening of the Stockbridge Collection at the Holy Episcopal Church on Sunday, August 18th.

Sheriff:

Council member DeRoos read the Sheriff’s report submitted by Sheriff Gunderson stating that during the month of July 2019 the Shoshone County Sheriff’s Department was dispatched to 149 calls for service within the city of Wallace. A report was attached. Council member Branstetter made the motion to approve the Sheriff’s report as submitted and read. Seconded by Council member Shaffer. Sheriff Gunderson was present and reintroduced Deputy Bryan Shifflett, new deputy for Wallace. Sheriff Gunderson also introduced a new deputy for the County, Levi Lemieux. All Ayes. Carried.

Fire:

Council member Shaffer read the Fire report submitted by Fire Chief Aaron Cagle stating that Shoshone County Fire District One personnel responded 13 times for medical emergencies and 2 fire response in Wallace for July 2019. Council member Mattila made the motion to approve the Fire report as submitted and read. Seconded by Council member Bisconer. All Ayes. Carried.

Street:

Council member Bisconer read a report submitted by Public Works Supervisor Sean Wilson. The report touched on tree trimming, maintenance on equipment, and the Hecla Summer Youth grant.

Finance:

Council member Cooper read the Finance report submitted stating that the General fund has $661,693.04; Street $11,132.92; Library $46,273.83; Parks & Rec. $104,009.24; Insurance $36,285.84; Sewer $116,357.35; USDA $98.77 for a total of $975,850.99. Wells Fargo Savings $353,069.01 and Wallace Inn UAV $194,976.43. Council member Branstetter made a motion to approve the Finance report as submitted and read. Seconded by Council member DeRoos. All Ayes. Carried.

Library: Council member Mattila stated they are working on getting the sidewalk down to the basement repaired. He also stated when they find out the cost and timeline they will get a report to city council.

Parks and Recreation: Council member Branstetter stated someone from the State reached out to the city about putting in an electric car station at their expense. Council member Branstetter forwarded this information to Shauna Hillman. The community garden is great. Council member Branstetter stated John Ruggles expressed to her his extreme disappoint for lack of funding for some trees he purchased. She stated maybe in this next budget the city could find some money for him. Council member
Branstetter spoke with a gentleman from Kootenai County Humane Society about a dog park. She also reported that the birthday party for the pool went very well. The group raised about $800. Ali Koski, from Oliver’s Mercantile, donated proceeds from her opening that totaled about $300.

Business:

Executive Session Per Idaho Code § 74-206(1)(d) to consider records exempt from disclosure as provided by law: Legal Memorandum dated 7.25.19 protected as Attorney-Client Privileged Communication (Action Item) – Council member Branstetter made a motion at 6:20 p.m. to move into Executive Session Per Idaho Code § 74-206(1)(d) to consider records exempt from disclosure as provided by law. Seconded by council member Mattila. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried. Council member Branstetter made a motion at 7:20 to exit executive session. Seconded by council member Cooper. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Discuss requiring grease trap/Interceptor at the Silver Moose (Action Item) – Lisa Jackson, owner of the Silver Moose, stated they are installing a commercial kitchen at the new business. Lee Ryan, from Ryan Plumbing, explained how it is determined what type of interceptor may be needed. Mayor Mogensen stated it is in the best interest of the building owner to put this in. Discussion held. Council member Branstetter made a motion to require Silver Moose to install a grease interceptor in accordance with Lee Ryan’s recommendations. Seconded by council member DeRoos. Further discussion held. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Update on revisions to the Peddlers & Solicitors Ordinance – Council member Bisconer summarized the information that was taken from the 76 surveys that were returned. Bisconer stated the process continues on and the recommendations will be sent to our attorneys for their review.

Street Closure for Zombie Night – Wallace Senior Class/Tabitha McNamee (Action Item) – Ms. McNamee addressed the council and explained the event. Discussion held on what streets would be closed, who the group is marketing to, and the date the event will be held. Council member DeRoos suggested the group consider all the concerns raised by the council and come back next month. It was decided this issue would be tabled until the September meeting and the group would return next month with the following items – updated street closure, insurance, and confirmation adjacent property owners have been contacted. Council member Cooper made a motion to table until a complete packet is submitted. Seconded by council member Shaffer.

Street Closure for 9/11 Memorial Stair Climb – Shoshone County Fire District #1/Captain Miller (Action Item) – Captain Miller addressed the council and gave the details of the event. Council member Cooper made a motion to approve the street closure. Seconded by council member DeRoos. All Ayes. Carried. Discussion held on insurance. Captain Miller said they could have participants sign a waiver. Council member Cooper stated they need to look into the fire district’s insurance and see if it covers events. Council member Branstetter made a motion to require the Shoshone County Fire District to show insurance for 9/11 street closure. Seconded by council member Bisconer. All Ayes. Carried.

Approve Contractor for the 2019 Sewer Project (Action Item) – Chris Horgan addressed the council regarding the bid that was received from S&L for the 2019 sewer work. The city currently has $107,000 left in USDA grant money. The bid received from S&L was over the $107,000. Discussion held on what options the city has. Council member Branstetter made a motion to reject S&L’s bid and repackage to and get within the amount left from the USDA grant. Further discussion held. No second to council member Branstetter’s motion. Council member Mattila made a motion to proceed with Option #2 presented by Chris Horgan. Seconded by council member Branstetter. Mayor Mogensen clarified that the additional $10,000 would come from the UDAJ account. Council member Mattila stated that was correct. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Accept Renovation Plan proposed by Terracon for the pool (Action Item): Jim Rolletto addressed the council. Mr. Rolletto stated the request is to agree or approve Terracon’s recommendation to allow the pool walls, with some treatment, to stay. The other request is to allow Terracon to finish the design of the project. Mr. Rolletto recapped the report that was submitted to council. Mr. Rolletto stated other phases are possible, but the city needs to move forward with the proposed repairs. The goal is to have the pool open next year. Discussion held on running other lines for additional future features to the pool. Council member Cooper made a motion to accept the direction provided by our consultants and city engineer and proceed in that manner. Seconded by council member Shaffer. Roll Call Vote. DeRoos
Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Approve 2nd Final agreement with Terracon for engineering - Jim Rolatto (Action Item) - Council member Shaffer made a motion based on the engineer's recommendation the council accept the second and final agreement with Terracon excluding task 4 on page 7. Seconded by council member Branstetter. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Discuss increase to the contract with the Shoshone County Sheriff's Office (Action Item) - Sheriff Gunderson addressed the council. He stated the sheriff's office and the city have had the same contract since 2001 and the contract includes fees for prosecution. The increase requested would be $140,000 per year...$118,000 for the Sheriff's office and $22,000 for the prosecutor's office. Discussion held on how many calls assigned to Wallace relate just to the city code. Sheriff Gunderson said he could not offer a breakdown. Council member Cooper asked how much other cities pay. Sheriff Gunderson replied Mullan pays $12,000 per year and Smelterville pays $35,000 per year. Council member Branstetter asked how much per year the Sheriff's Department is asking for. Sheriff Gunderson stated it would be $28,000 for the sheriff's office and $12,000 for the cost of prosecution. Discussion held on increasing the amount over multiple years. Council member Mattila asked if the cost could be phased in over four years. Sheriff Gunderson was of that option. Discussion held on changes to the contract since 2001 and if the new contract would contain wording that states a full time officer would be assigned to Wallace. Council member Branstetter stated she would like to see the new contract spell out the things the city is getting and what the city is giving. Discussion held on current contract. Council members expressed they would like to see a new contract. Council member Cooper stated he would like to see language addressing an auto renewal of the contract. It was determined that a new contract would be drafted and reviewed at the next meeting.

Public Hearing for FY 19/20 Budget (Action Item) - Council member Branstetter made a motion to enter into a public hearing for fiscal year budget 19/20. Seconded by council member Shaffer. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried. Council member Branstetter asked about transfer into the pool and why it was lower this year than last. Discussion held on fund balance and carry forward amount for this fiscal year. Council member Branstetter made a motion to exit the public hearing. Seconded by council member Shaffer. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Approve FY 19/20 Appropriation Ordinance #2019-03 (Action Item) Council member Cooper made a motion to read Ordinance 2019-03 by title only. Council member Shaffer seconded the motion. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried. Mayor Mogensen read the ordinance by title only. Council member Cooper made a motion to suspend the rule that requires the ordinance be read on three separate occasions. Council member Bisconer seconded it. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried. Council member Cooper made a motion that Ordinance 2019-03 be passed by being read by title only. Seconded by Council member Mattila. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried.

Development of Platted Undeveloped Streets within City Limits/Manteraux Holdings, LLC (Action Item) - Chris Pfahl, owner of Silver Valley Engineering, addressed the council. Mr. Pfahl stated Manteraux Holdings has made a simple request. There are currently dozens of private owners on the hill that do not have physical access to their property. Manteraux Holdings has proposed to build a 10 foot driveway down a 40 foot wide right-of-way. The property has been surveyed and they have provided plans and profiles. Mr. Pfahl stated it is very simple and no damage will occur. He stated the request should be approved with some stipulations, which include satisfying the city engineer, making sure the contractor that works on the project has general contractor general liability insurance, and insure storm water be managed so it is not dumping into other people's private property. Council member Cooper asked Mr. Pfahl if he is proposing to put a private road on a platted street. Mr. Pfahl stated they are proposing to build a driveway in a portion of the property that was set aside for a city street. He stated that at this point it would be a private driveway. Mayor Mogensen asked if the driveway is on Manteraux Holdings property and Mr. Pfahl replied it is on the city's property. Discussion held. Council member Branstetter stated if Ryder was developing the road then it would not be a private driveway it would be a public roadway and it would be the city's. Mr. Pfahl stated that is not what is being proposed. Mr. Pfahl explained that Manteraux Holdings wants access to their property. They have seven lots up on the hill and could build something if they had access and increase Wallace's tax base. They are proposing a private driveway on city property. Mr. Pfahl stated that if other land owners came along and want access, the city would have to address how to turn a private driveway into a city street. Council member Branstetter said she is inclined to allow Manteraux Holdings LLC to develop the
property as a city street in accordance with our city street standards. Mr. Pfahl asked if the city has city street standards. Council member Branstetter said the city has LHTAC standards that were adopted and if Manterra Holdings wanted to deviate from those standards they would have to submit justification for the deviation. Further discussion held. Council member Cooper stated right-of-ways are owned by the public. The land may be owned by the city but the right-of-way is public domain. Chris said there is no right-of-way. Council member Branstetter stated she is concerned about the other residents that live on the hill and that's why she support having them build to standards. Council member Branstetter suggested Manterra Holdings resubmit a complete packet and included all the requests the city attorney asked for, including the geotechnical specs. Discussion held. Mr. Pfahl stated it is not a private land owner’s responsibility to build a city street in a subdivision that was created 100 years ago by the city. Discussion held on what Manterra Holdings proposal needs to include, the issue with the ditch, the geotechnical report and the land use agreement. Council member Branstetter asked Mr. Gautreaux if he talked to the fire district. He replied he has. Further discussion held on other land owners in that area accessing their property. More discussion held. Council member Branstetter made a motion to reject the request and Manterra Holdings tries again with a resubmitted package actually addressing the city attorney's concerns not being dismissive of some of them, including Fire District 1's consultation during the project and having them sign off on the plans, including the city engineer, for justification from any deviations from LHTAC standards and retrying with the road use agreement that satisfies legal. Seconded by council member Mattila. Roll Call Vote. DeRoos Aye; Mattila Aye; Branstetter Aye; Shaffer Aye, Bisconer Aye; and Cooper Aye. Carried. Mr. Gautreaux stated he wanted to go on the record that he has asked the city for access to his property.

General Comments: Jocelyn Bachman asked on behalf of the Friends of the Pool if the Terracon assessment and bid are public record. She stated the people that support Friends of the Pool want to know how the city is moving forward and would be interested in what happened tonight. Jim Rolletto, city engineer, stated it was fine for them to have a copy of Terracon’s report. Council member Cooper suggested the Terracon report be repurposed in a more reader friendly format.

There being no further business to come before the council, Council member Branstetter made the motion to adjourn at 9:50 p.m. Seconded by Council member Mattila. All Ayes. Carried.

Lynn Mogensen, Mayor

ATTEST:

Kristina Larson
City Clerk/Treasurer