

REGULAR COUNCIL MEETING
WALLACE, IDAHO
November 13, 2024

Mayor Mogensen called the meeting to order at 5:00 p.m. in the council chambers.

Roll Call: Council members present: Patrick Richardson, Elmer Mattila, Cindy Lien, Michele Bisconer and Dean Cooper. Council member absent: Rick Shaffer

Flag Salute

Consent Agenda

Council member Mattila made a motion to approve the minutes of the October 9, 2024 regular meeting, and October 15, 2024 special meeting, approval of accounts payable for November in the amount of \$109,717.29, transfers and the advanced payroll November. Seconded by council member Lien. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Reports

Mayor:

Mayor Mogensen recognized Dave Kuns for his service on Planning and Zoning.

Sheriff:

Council member Bisconer read the Sheriff's report submitted by Sheriff Lindsey stating that during the month of October 2024 the Shoshone County Sheriff's Department was dispatched to 115 calls for service within the city of Wallace. A report was attached. Council member Lien made a motion to accept the report. Seconded by Council member Cooper. All in favor. Carried.

Fire:

Council member Bisconer read the Fire report submitted by Fire Chief John Miller stating that Shoshone County Fire District One personnel responded 14 times for medical emergencies and 3 fire response in October 2024. Special permits are needed for outdoor firepits. Council member Mattila made the motion to approve the Fire report as submitted and read. Seconded by Council member Lien. All in favor. Carried.

Street:

Cory and crew have fixed the bridge by High Street. They are picking up leaves. A heater has been installed at the pool for the winter. Vehicles need to be tagged on the south hill. 6th Street bridge will be done at the end of the month. Discussion held regarding "no parking" signs at the water district building.

Finance:

Council member Cooper read the Finance report submitted stating that the General fund has \$1,159,743.94; Street \$-135,446.85; Library \$-53,640.89; Parks & Rec. \$71,814.48; Insurance \$-47,306.16; and Sewer \$279,213.94 for a total of \$1,113,074.40. Savings \$34,713.85, Mt. West CD \$210,879.10, Wallace Inn UDAG CD \$205,758.38. Council member Lien made a motion to approve the finance report as submitted and read. Seconded by Council member Bisconer. All in Favor. Carried.

Library:

In September the library had 308 patrons. Five hundred twenty-seven items were checked out. The public requested 136 items and the library distributed 286 items. Five items were added to the collection. The air conditioners have been removed. The heat tape needs to be replaced.

Parks and Recreation:

Council member Lien stated the pool has been winterized and the city is waiting on bids for the boiler.

Business:

Street Closure Requests for Lighted Christmas Parade/Wallace Chamber (*Action Items*) – Valarie Finley was present. She stated the parade will start at 5:30 pm in front of the Elks and will follow the historic parade route. They are working on insurance. This year there will be an announcing station at 6th and Cedar, so as floats go by, they will be recognized. Council member Bisconer made a motion to approve the Chamber's Christmas Parade on December 7, 2024 starting at 5:30 and ending 6:30. Seconded by council member Cooper. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Street Closure Request for Paw Parade (*Action Items*) – Cindy Lien addressed the council. She is asking for a street "pause". The route is the same as previous years. The group is working on insurance. Council member Bisconer made a motion to approve the paw parade for December 8th at 12:00. Seconded by council member Mattila. Roll Call Vote. Richardson Aye; Mattila Aye; Bisconer Aye and Cooper Aye. Carried.

Catering Permit Application for O'Rourke's/Magnuson Christmas Party - (*Action Item*) – James, manager of the Wallace Inn, addressed the council. He is requesting a catering permit for a Christmas party at Lucky Lanes. Council member Cooper made a motion to approve the request. Seconded by council member Bisconer. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Consider exemption from business registration requirements for short term rentals: (*Action Items*) Council member Bisconer made a motion to offer an exemption to all short term rental/lodging businesses for the registrations for the remainder of the year and allow Kristina to grant extensions to anyone else who requests it. Seconded by council member Lien. Council member Mattila stated he owns a short term rental and will not vote. Roll Call Vote. Richardson Abstained; Mattila Abstained; Lien Aye; Bisconer Aye and Cooper Aye. Carried. Council member Richardson abstained due to just being appointed to council and not being familiar with the ordinance.

Approval for Kevin McGuire, Northwood Surveying, to file the Record of Survey (*Action Items*) – Council member Lien made a motion to authorize Northwood Surveying to record the survey. Seconded by Mattila. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Review of Givens Pursley Legal Memorandum and Authorization to Distribute Memo (*Action Items*) – Ben Allen, legal counsel, stated a memo had been done by Givens Pursley regarding an analysis for encroachment issues in the area of Olive Street. The memo is in a form that can be disbursed to the public. Council member Lien made a motion to distribute the memo to Mr. Gauteraux and any other interested member of the public. Seconded by council member Bisconer. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Consideration of Requests from Ryder Gauteraux regarding Olive Street Encroachment (*Action Items*) – Mr. Allen stated he met with Mr. Gauteraux regarding the Olive St. encroachment. A summary of this meeting was sent to Givens Pursley. There is an email in the council packets from Mr. Gauteraux

outlining his proposed solutions to the Olive St. matter. Mr. Allen asked after reviewing the legal memo from Givens Pursley does the council wish take any action based upon Mr. Gauteraux request? Council member Bisconer stated based on the memo the city should not take any action. The city owns the street and it has been in public existence for years. The city does not need to compensate Mr. Gauteraux and he cannot block the street with a fence. Council member Lien feels Mr. Gauteraux should have a right to see the memo before council takes action. Clarification on what request items the city is considering from Mr. Gauteraux. Council member Mattila said no action should be taken on the items listed in Mr. Gauteraux email. Mr. Richardson stated this agenda item should be tabled until Mr. Gauteraux has a chance to read the memorandum. Council member Bisconer made a motion to take no action on the request from Ryder regarding Olive St. encroachment based on the recommendations from Givens Pursley. Seconded by council member Mattila. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Consider complaint from Ryder Gauteraux regarding encroachment on platted 7th Street by adjacent property owners - (*Action Item*) – Council member Bisconer distributed pictures of blight on the South Hill. She stated there are two issues...blight and dead vehicles and it's going to cause issues when it's time to plow, and possibly for emergency vehicles. Cars need to be tagged and removed. Letters need to be sent to homeowners regarding their blight. Council member Mattila agreed something needs to be done. Further discussion held. Mr. Gauteraux spoke and said his neighbors are just moving stuff around. The are not cleaning up their debris. The neighbors also have items, including dog kennels, on the 7th Street right-of-way and there is dog feces everywhere. Council member Bisconer made a motion to authorize Cory to work with the sheriff department and legal for the best course of action to remove the vehicles and blight on the south hill so the city can plow and maintain those streets. Seconded by council member Cooper. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Consider Law Enforcement Services Contract – Council members Cooper and Mattila (*Action Item*) – Council member Mattila and Cooper met with the sheriff's office to negotiate a five-year contract. Council member Cooper stated the sheriff's department was looking for a double digit increase each year, but the agreement is for a 7% increase per year. The agreement is similar to the previous one except for the payment section. Discussion held on requesting monthly reports in a different format. Mr. Allen suggested having a representative from the sheriff's office attend the council meetings. Council member Lien made a motion to approve the Law Enforcement Services Contract. Seconded by Mattila. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried.

Consider bids received for 6th Street Temporary Bridge - (*Action Item*) – The only bid received was from Atlas Contracting for \$10,000. Council member Cooper made a motion to not accept the bid. Seconded by council member Bisconer. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye. Carried. Council member Bisconer suggested the council revisit this in the spring.


Executive Session pursuant to IC 74-206(1)(f): to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. (*Action Item*) - Council member Lien made a motion to enter into executive session at 6:13 pm. Seconded by council member Mattila. Roll Call Vote. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye.

Carried. Council member Cooper made a motion to exit executive session at 6:46. Seconded by council member Bisconer. Roll Call. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye.

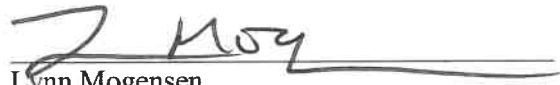
Consideration of Private Idaho, LLC's request for quitclaim deed - (*Action Item*) – Council member Bisconer made a motion that the city council take no action on this request. Seconded by council member Mattila. Council member Lien confirmed that the Strothers could request to be on a future agenda. Roll Call. Richardson Aye; Mattila Aye; Lien Aye; Bisconer Aye and Cooper Aye.

Council member Cooper made a motion to adjourn at 6:49. Seconded by council member Lien. All in favor. Carried.

ATTEST:



Kristina Larson
City Clerk/Treasurer



Lynn Mogensen
Mayor