

**CITY COUNCIL MEETING
SEPTEMBER 16, 2020
SALMON, IDAHO**

Mayor Marshall opened the regular City Council meeting at 6:00 p.m. Via GoToMeeting due to the Coronavirus.

Those in attendance were:

COUNCIL MEMBERS: **Jim Baker**
 Jim Bockelman
 Ken Hill
 Neal James
 Robin Phillips
 Fred Waidely

CITY ATTORNEY: **Fred Snook**

Decisions/Action Items

- 1) Council voted to go ahead with Tasks 1, 2 and 3 of the Agreement for Professional Services between the City of Salmon and Keller Associates.
- 2) Ordinance No. 20-845, Vacation of a Portion of 17th Street passed by Council.
- 3) Ordinance No. 20-846, De-Annexation of the East ½ of Vacated 17th Street passed by Council.
- 4) Resolution Declaring City of Salmon to be a 2nd Amendment Sanctuary City passed with 3 aye votes, 3 no votes. Mayor Marshall broke the tie with an aye vote.
- 5) Council voted to move forward with the Whitewater Park update, Phase II Agreement Draft.

Consent Agenda – Action Item

- a) Meeting Minutes September 16, 2020 Regular Meeting.
 - b) Bills for approval
- Councilor Hill made a motion to approve the meeting minutes and bills as submitted. Roll call vote: Bockelman...aye, Waidely...aye, Hill...aye, Baker...aye, Phillips...aye, and James...aye.

Public Comments

none

Report from Councilor Phillips Nuisance Ordinance Research

Councilor Phillips stated that she reviewed several communities the size of Salmon. They are basically saying the same as us. She takes exception to the comment that our

ordinance has no teeth. We have a better description of what constitutes a nuisance than any of the other cities that she researched. The one thing that is common is when a notice has been sent and there is no response the City will take action and clean it up. They keep track of the expenses and an invoice will be sent to the property owner. If the bill isn't paid there will be a lien filed on the property. If appealed whatever the City Council decides is final. Ours also makes reference to referring to the City Attorney and District Court. She recommends that the complaints be referred to the Public Safety Committee then come back to Council to proceed. There are teeth but it seems to her that no one is willing to step up. It does not have to go to magistrate court. It is just a matter of follow through and procedure.

Councilor Bockelman said it goes back to what the City wants to do. Are we going to send out Public Works to clean it up? One man's junk is another man's treasure. If you want real teeth can we issue a misdemeanor ticket so they have to go before the judge; then the judge issues a cleanup order.

Councilor Phillips said when a complaint is issued the City Administration sends out the letter. She is willing to do something and it is pretty easy to follow through.

Councilor Waidely asked the City Attorney what the ramifications are of going onto private property and removing what someone considers junk or treasures.

Fred Snook said all nuisances are not that visible. We have all different degrees of expectations. The other thing we need to sort out is who will clean up the property. When you go onto someone's property and start cutting down trees, pulling weeds or moving things you do have some liability. He needs to find Idaho cases about enforcement of these types of ordinances.

Councilor Waidely said we could start levying fines rather than go on their property.

Fred Snook stated that there are restrictions against fining people, so then you are back to the judicial process.

Councilor James said junk aside, if there are tall weeds or dry grass do we enforce a fire hazard?

Councilor Phillips suggested sending a letter to the property owner on Keith Street. It's better than doing nothing.

Councilor Waidely said he thinks we should follow the ordinance to the letter to see what kind of results we get.

Councilor Bockelman stated that he has filled comment forms and the issues remain the same.

Councilor Hill stated that the Police Chief has sent letters and there have been some improvements on the property.

Agreement for Professional Services - Keller Associates for Scope of Work, Schedule and Compensation Phase 1 Water System Improvements

Councilor James stated that on the second page, Item 3, of the agreement it basically says that we will pay for the designs and plans but Keller retains ownership. Jim Mullen stated that the reason for that is because there are clients that will try to reuse the documents for other purposes. They want to make sure, since their stamp is on the documents, that they cannot be reused. It does allow for the owner to have use of the plans with a written agreement. Councilor James also commented on inspections scheduled for 3.5 days a week which includes travel time to include lodging and meals. He questioned whether we needed them to be here 3.5 days a week during construction.

Councilor Bockelman stated that there was a complaint on the last job because we didn't have them here enough. If we want them overseeing the construction why wouldn't we want them here? Councilor James asked if we needed them here 3 times a week.

Councilor Phillips asked if those days were already figured into their quote. Jim Mullen said if they don't need to be here as much they can save money by not being here. Councilor Phillips asked about going out for bids. She asked if they were going to put it in the plan rooms as well. Jim said they will and they have a list of contractors that they send it out to as well. She suggested they put it into the Southwestern Montana plan rooms also. He said they have been putting it online with QuestCDN but they can look into the Southwestern Montana availability as well.

Councilor Bockelman asked Charles Cockrell, Public Works Superintendent and Amy Fealko, Finance Director if they had any input. Charles said one thing that he sees is in changes or delay. It does not make reference to delays caused by the consultant, which happened last time in his opinion. Jim Mullen said he could add to the last line if a delay is caused by the consultant changes in the agreement can be negotiated and adjustment compensation schedule will be made. Charles also noted that we do not have the funding for this project yet. If accepted it should be contingent upon receiving the block grant. Jim said he is not sure how to address that yet. They recognize that the City does not have the funding and unfortunately will probably not get it until next Spring. They discussed proceeding with surveying, preliminary engineering study and some of the preliminary design based on the City's funding. They cannot begin construction until the funding comes in place or they wait until the funding comes in to do anything. Amy Fealko asked Jim if the Council could approve the pre-design services. He said they could

approve up through Task 3 which would turn them loose to get the engineering done. That would be acceptable with them. Amy stated that overall when we use grant money we then have to use Davis Bacon wages, go through an environmental study....a lot of extra stuff. Councilor Phillips asked her how she felt about the \$75,000 estimated by the engineer. Amy deferred to Charles. He said as long as they are okay with spending the money that is currently available to invest, not knowing if we get the remainder of the funds. Amy said we have \$400,000 budgeted.

Councilor Baker stated that if we do not get the block grant the \$75,000 commitment could still be used the following year to reapply. Jim Mullen said that is correct.

Councilor Phillips made a motion to go ahead with Tasks 1, 2 and 3 of the Agreement for Professional Services between the City of Salmon and Keller Associates. Roll call vote carried: James...aye, Bockelman...aye, Waidely...aye, Hill...aye, Baker...aye and Phillips...aye.

Ordinance No. 20-845, Vacation of a Portion of 17th Street

ORDINANCE NO. 20-845

AN ORDINANCE OF THE CITY OF SALMON, A MUNICIPAL CORPORATION OF IDAHO, PROVIDING FOR THE VACATION OF A PARCEL OF LAND LOCATED BETWEEN LOT 1 OF BLOCK 7 AND LOT 7 OF BLOCK 8 OF THE ARLINGTON HEIGHTS ADDITION, SITUATED IN GOVERNMENT LOT 3 OF SECTION 1, T. 21 N., R. 21 E., BOISE MERIDIAN, CITY OF SALMON, LEMHI COUNTY, IDAHO, DESCRIBED HEREIN; PROVIDING FOR DISPOSITION OF THE VACATED RIGHT-OF-WAY AS DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, on the 2nd day of September, 2020 the City Council conducted a public hearing on the matter of vacation of a portion of 17th Street between Lot 1 of Block 7 and Lot 7 of Block 8 of the Arlington Heights Addition, situated in Government Lot 3 of Section 1, T. 21 N., R. 21 E., Boise Meridian, City of Salmon, Lemhi County, Idaho, and determined that the requested vacation serves the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SALMON, IDAHO AS FOLLOWS:

SECTION 1: That the right-of-way described as follows is hereby vacated:

BEGINNING at the SE Corner of Lot 1 of Block 7 of said Arlington Heights Addition;

Thence along the east boundary of said Lot 1, N 00°39'00" W, 150.00 feet, to the NE Corner of said Lot 1 and the south boundary of the section of 17th Street that has already been vacated;

Thence along the section of 17th Street that has been vacated, N 89°53'30" E, 60.00 feet, to the NW Corner of Lot 7 of Block 8 of said Arlington Heights Addition;

Thence along the west boundary of said Lot 7, S 00°39'00" E, 150.00 feet, to the SW Corner of said Lot 7;

Thence, S 89°53'30" W, 60.00 feet, to the POINT OF BEGINNING.

17th STREET VACATION AREA CONTAINS 9,000 SQ. FT.

SECTION 2. That the above described right of way be vacated to John and Debbie Jakovac and Sheila K. Hodges, which are the adjoining property owners.

SECTION 3. That the existing right-of-way, easements and franchise rights of any public utility shall not be impaired by this vacation, as provided by law.

SECTION 4. This Ordinance shall be effective upon passage and publication as provided by law.

PASSED by the Council of the City of Salmon, Idaho, this 16th day of September, 2020.

APPROVED by the Mayor of the City of Salmon, Idaho, this 16th day of September, 2020.

Councilor Hill made a motion to approve Ordinances 20-845 and Ordinance 20-846 by Title only and suspend the rule of 3 readings.

Roll call vote to suspend the rule of 3 readings: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

Roll call vote to approve Ordinances 20-845 and Ordinance 20-846 by title only: Phillips...aye, James...aye, Bockelman...no, Waidely...aye, Hill...aye, and Baker...aye.

Ordinance No. 20-846, De-Annexation of the East ½ of Vacated 17th Street

ORDINANCE NO. 20-846

AN ORDINANCE OF THE CITY OF SALMON, A MUNICIPAL CORPORATION OF IDAHO, DE-ANNEXING 4,500 SQUARE FEET OF CERTAIN LANDS AND TERRITORY SITUATED IN THE CITY OF SALMON, LEMHI COUNTY, IDAHO, SETTING FORTH A STATEMENT IN SUPPORT OF SUCH DE-ANNEXATION; PROVIDING FOR A LEGAL DESCRIPTION FOR SAID DE-ANNEXED LANDS AND TERRITORY; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE LEMHI COUNTY TREASURER, THE LEMHI COUNTY ASSESSOR, THE LEMHI COUNTY CLERK, AND THE IDAHO STATE TAX

COMMISSION; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Salmon has determined that the portion of 17th Street has not been developed and has been vacated; and

WHEREAS, the City of Salmon may de-annex and thereby exclude property from its boundaries pursuant to Idaho Code Section 50-225.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SALMON, IDAHO:

Section 1. That the East ½ of a vacated section of 17th Street located west of Lot 7 of Block 8 of the Arlington Heights Addition, situated in Government Lot 3 of Section 1, T. 21 N., R. 21 E., Boise Meridian, City of Salmon, Lemhi County, Idaho, be de-annexed from the territorial limits of the City of Salmon, Idaho, more particularly described as follows:

Beginning at the SW Corner of Lot 7 of Block 8 of said Arlington Heights Addition;

Thence along the west boundary of said Lot 7, N 00°39'00" W, 150.00 feet, to the NW Corner of said Lot 7 and the south boundary of the section of 17th Street that has already been vacated;

Thence along the section of 17th Street that has been vacated, S 89°53'30" W, 30.00 feet, to the centerline of said vacated 17th Street;

Thence along the centerline of said 17th Street, S 00°39'00" E, 150.00 feet, to the protracted south boundary of said lot 7;

Thence along the protracted south boundary of said Lot 7, N 89°53'30" E, 30.00 feet, to the POINT OF BEGINNING.

EAST ½ OF VACATED 17TH STREET CONTAINS 4,500 SQ. FT.

Section 2. From and after the effective date of this ordinance, said territory excluded from the City Limits shall be subject to Lemhi County jurisdiction.

Section 3. The amended legal description and official map of the City accurately described in Exhibit "A" is hereby shown to exclude the real property from the Salmon City limits.

Section 4. The City Clerk of the City of Salmon is hereby directed to file, within ten (10) days after the passage and approval hereof, a certified copy of this Ordinance and to file a copy of said legal description and map with the Lemhi County Treasurer, The Lemhi County Assessor, The Lemhi County Clerk, And The Idaho State Tax Commission, all as provided by Sections 50-225 and 63-215 of Idaho Code.

Section 5: That the summary of this Ordinance, attached hereto as Exhibit B, is approved as to both form and content.

Section 6: This ordinance shall take effect and be in full force upon its passage, approval and publication of the summary of this Ordinance in one issue of the Recorder Herald, a newspaper of general circulation in the City of Salmon, and the official newspaper of said City.

PASSED by the Council of the City of Salmon, Idaho, this 16th day of September, 2020.

APPROVED by the Mayor of the City of Salmon, Idaho this 16th day of September, 2020.

EXHIBIT "A"

CITY LIMITS OF THE CITY OF SALMON (8-2020)

Located in Section 1, T. 21 N., R. 21 E., Section 5, 6, 7, 8 and 9, T 21 N., R. 22 E., Section 31, T. 22 N., R. 22 E., more particularly described as follows.

Commencing at the Idaho Transportation Department (ITD) monument at the centerline of Water Street and Main Street from which the ITD monument at the centerline of Challis Street and Main Street bears S 61°14'40" E 2847.38 ft., the Basis Of Bearing of this description, run thence N 26°09'16" W a distance of 3839.06 ft. to the S 1/4 Corner of Section 31, T. 22 N., R. 22 E. as marked with a G.L.O. (General Land Office) brass capped monument and the **POINT OF BEGINNING**;

Thence N 00° 03' 13" W along the westerly boundary of the SW1/4SE1/4 of said section a distance of 1314.46 ft. to the NW Corner of said SW1/4SE1/4;

Thence S 89° 47' 00" E along the northerly boundary of said SW1/4SE1/4 a distance of 1417.99 ft. to a point on the westerly right-of-way (R.O.W.) of U.S. Highway 93;

Thence N 03° 16' 37" W along said R.O.W. a distance of 111.01 ft. to a point on the northerly boundary of the southerly 138 ft. of Lot 6 of Stokes Subdivision No. 1 as shown on R.O.S. Inst. No. 246909;

Thence the following courses and distances along the parcel shown on said R.O.S.:

S 89° 36' 53" E 306.00 ft.; S 03° 22' 22" E 138.00 ft.;

S 89° 36' 49" E 126.94 ft.; S 32° 51' 42" W 184.43 ft.;

N 89° 44' 05" W 226.40 ft. to a point on the easterly R.O.W. of said Highway 93;

Thence S 03° 28' 43" E along said R.O.W. a distance of 645.68 ft. to the NW Corner of the 12 acre parcel shown on R.O.S. Inst. No. 157752;

Thence S 84° 53' 28" E along the southerly boundary of said Lot 15 a distance of 1326.73 ft. to a point on the westerly bank of the Salmon River;

Thence the following courses and distances along said bank:

S 44° 51' 28" W 443.47 ft.; S 29° 27' 58" W 225.39 ft. to a point on the

southerly boundary of the City of Salmon Lift Station;

Thence S 70° 56' 11" W along said boundary a distance of 109.89 ft. to the SW Corner of said City property;

Thence N 05° 06' 32" E along the westerly boundary of said City property a distance of 45.00 ft. to the southerly boundary of parcel shown on R.O.S. Inst. No. 157752;

Thence N 84° 53' 28" W along said boundary a distance of 436.81 ft.;

Thence N 09° 56' 42" E along said boundary a distance of 159.34 ft.;

Thence N 86° 53' 28" W along said boundary a distance of 343.67 ft. projected to the easterly R.O.W. of said Highway 93;

Thence S 09° 27' 31" E along said R.O.W. a distance of 344.28 ft. to the NW Corner of Tax No. 1546;

Thence the following courses and distances along said Tax No. 1546 boundary:

N 79° 44' 07" E	194.58 ft.;	S 10° 15' 53" E	350.30 ft.;
S 86° 48' 37" W	51.35 ft.;	S 10° 15' 53" E	110.00 ft. to a point on the northerly boundary of the parcel shown on R.O.S. Inst. No. 180853;

Thence N 86° 14' 07" E along said boundary a distance of 745.48 ft. projected to a point on the westerly boundary of the property shown on R.O.S. Inst. No. 264883 projected;

Thence the following courses and distances along said R.O.S.:

S 10° 22' 07" E	1419.08 ft.;	N 79° 37' 53" E	157.50 ft.;
S 06° 29' 36" E	101.57 ft.;	N 61° 43' 45" E	174.89 ft.;
N 60° 59' 15" E	341.39 ft. to the SW Corner of the property shown on R.O.S. Inst. No. 247764;		

Thence the following courses and distances along said R.O.S.:

N 17° 01' 55" W	177.42 ft.;	N 66° 50' 00" E	252.63 ft.;
S 19° 55' 20" E	173.09 ft.;	S 66° 49' 50" W	226.82 ft.;

Thence S 89° 35' 43" E a distance of 359.69 ft. to the westerly boundary of the parcels shown on R.O.S. Inst. No. 161528;

Thence the following courses and distances along said boundary:

S 14° 13' 00" E	93.05 ft.;	S 20° 44' 44" E	221.02 ft.;
S 18° 06' 09" E	90.14 ft. to a point on the east boundary of the SW1/4NW1/4 of Section 5, T. 21 N., R. 22 E.;		

Thence S 00° 04' 17" W along said boundary a distance of 548.34 ft. to the SE Corner of said SW1/4NW1/4;

Thence S 45° 10' 27" E a distance of 895.73 ft. to a point on the boundary of Tax No. 2796;

Thence S 50° 18' 26" W along said boundary a distance of 15.25 ft. to a point on the centerline of the Lemhi River;

Thence the following courses and distance along the said centerline:

S 33° 54' 24" E	276.66 ft.;	S 45° 57' 48" E	69.32 ft.;
S 63° 08' 39" E	221.32 ft.;		

Thence S 45° 10' 27" E a distance of 420.24 ft. to a point on the north boundary of the SW1/4SE1/4 of said Section 5;

Thence N 89° 44' 48" E along said boundary a distance of 539.57 ft. to a point on the westerly boundary of the parcels shown on R.O.S. Inst. No. 161530;

Thence the following courses and distances along said boundary:

S 08° 46' 48" E	121.07 ft.;	S 61° 43' 15" E	153.69 ft.;
S 48° 24' 24" E	238.25 ft.;	S 31° 00' 44" E	241.19 ft.;
S 54° 33' 47" E	201.39 ft.;	S 71° 38' 02" E	104.43 ft.;
S 66° 27' 31" E	73.79 ft. to a point on the east boundary of the SW1/4SE1/4 of said Section 5;		

Thence S 00° 18' 20" E along said boundary a distance of 54.13 ft. to a point on the boundary of the parcel shown on R.O.S. Inst. No. 247944;

Thence the following courses and distances along said R.O.S.:

S 66° 25' 45" E 100.34 ft.; S 33° 09' 53" W 51.65 ft.;
156.14 ft. along a tangent curve to the left, having a chord of S 23°42'49" W 155.43 ft., a
delta of 18°54'08" and a radius of 473.28 ft. to a point on the east boundary of the SW1/4SE1/4
of said Section 5;

Thence S 00° 18' 20" E along said boundary a distance of 305.24 ft. to the NE Corner of the
NW1/4NE1/4 of Section 8, T. 21 N., R. 22 E.;

Thence S 00° 00' 19" E along the east boundary of said NW1/4NE1/4 a distance of 745.16 ft. to a point
on the northerly R.O.W. of Idaho State Highway 28;

Thence S 60° 45' 25" E along said R.O.W. a distance of 1328.65 ft. to SW Corner of the 0.32 acre parcel
shown on R.O.S. Inst. No. 185925;

Thence the following courses and distance along said parcel:

N 62° 00' 30" E 105.82 ft.; S 64° 38' 17" E 94.27 ft.;
S 00° 15' 02" E 108.82 ft. to a point on the northerly R.O.W. of said Highway 28;

Thence S 60° 56' 11" E along said R.O.W. a distance of 162.48 ft. to the SW Corner of Parcel "A" as
shown on R.O.S. Inst. No. 228269;

Thence the following courses and distances along the boundaries of R.O.S. Inst. No.'s 228269 and
262892:

N 28° 48' 52" E 97.36 ft.; S 64° 18' 54" E 206.97 ft.;
S 54° 27' 40" E 111.84 ft.; S 54° 28' 22" E 60.82 ft.;
N 36° 06' 14" E 100.01 ft.; S 54° 28' 22" E 592.20 ft.;
S 84° 28' 20" W 198.18 ft. to a point on the northerly R.O.W. of said Highway 28;

Thence S 60° 48' 53" E along said R.O.W. a distance of 231.95 ft. to a point on the projected easterly
boundary of the 71.38 acre parcel shown on R.O.S. Inst. No. 278446;

Thence the following courses and distances along said parcel:

N 32° 57' 38" E 204.38 ft.; N 84° 30' 27" E 130.65 ft.;
N 00° 10' 40" E 562.57 ft.; N 54° 57' 20" W 358.27 ft.;
N 52° 06' 29" W 585.70 ft.; N 24° 13' 59" E 220.86 ft.;
N 00° 12' 22" W 473.76 ft.; S 62° 23' 34" E 264.91 ft.;
S 76° 35' 11" E 268.28 ft.; N 82° 49' 25" E 140.41 ft.;
N 73° 58' 40" E 33.08 ft.; S 00° 06' 27" W 158.18 ft.;
S 83° 52' 41" E 200.02 ft.; S 63° 57' 52" E 400.00 ft.;
S 79° 52' 52" E 300.12 ft.; S 35° 12' 55" E 769.72 ft.;
S 48° 03' 48" E 22.97 ft.; N 00° 12' 41" E 334.14 ft.;
S 66° 34' 37" E 123.61 ft.; S 28° 21' 29" E 48.98 ft.;
S 12° 11' 20" W 246.56 ft.; N 89° 24' 21" E 18.85 ft.;
S 07° 34' 20" W 80.87 ft.; S 89° 18' 44" W 94.25 ft.;
N 88° 40' 36" W 36.18 ft.; S 00° 17' 08" E 1228.56 ft.;
S 00° 48' 56" E 213.47 ft.; S 00° 28' 27" W 203.48 ft.;
S 00° 24' 51" W 122.43 ft. to a point on the southerly R.O.W. of said Highway 28;

Thence the following courses and distances along said R.O.W.:

N 54° 20' 58" W 965.08 ft.; N 60° 47' 26" W 900.05 ft. to the
NE Corner of Parcel "B" as shown on R.O.S. Inst. No. 281548;

Thence S 32° 15' 26" W along the easterly boundary of said parcel a distance of 167.21 ft. to a point on the northerly boundary of the City Park of the City of Salmon;

Thence the following courses and distances along said boundary:

S 45° 48' 38" E 499.10 ft.; S 00° 09' 51" E 30.00 ft.;
S 45° 56' 18" E 1843.21 ft. to the NE Corner of the SE1/4SW1/4 of
Section 9, T. 21 N., R. 22 E.;

Thence S 89° 27' 19" W along the northerly boundary of said SE1/4SW1/4 a distance of 1320.47 ft. to the NW Corner of said SE1/4SW1/4;

Thence S 00° 03' 30" W along the westerly boundary of said SE1/4SW1/4 a distance of 1334.40 ft. to the SW Corner of said SE1/4SW1/4;

Thence S 89° 23' 46" W along the southerly boundary of said Section 9 a distance of 1313.05 ft. to the SW Corner of said Section 9 marked by a BLM monument;

Thence N 89° 50' 23" W along the southerly boundary of Section 8, T. 21 N., R. 22 E. a distance of 379.26 ft. to the SE Corner of Parcel 1 of Tax No. 1855;

Thence to following courses and distances along said Tax No.:

N 00° 03' 04" E 1256.12 ft.; N 89° 56' 56" W 723.70 ft.;

Thence N 02° 35' 12" W a distance of 70.26 ft. to a point on the southerly boundary of the parcels shown on R.O.S. Inst. No.'s 232192 and 255322;

Thence the following courses and distances along said R.O.S.'s:

S 89° 56' 11" E 1107.43 ft.; N 00° 04' 17" E 182.49 ft.;
N 84° 32' 03" W 153.69 ft.; S 88° 44' 30" W 319.75 ft.;
S 88° 52' 38" W 128.98 ft.; N 86° 08' 26" W 116.72 ft.;
N 81° 54' 10" W 108.56 ft.; N 81° 01' 29" W 72.90 ft.;
N 08° 09' 21" E 107.42 ft.; N 81° 37' 25" W 208.58 ft.;
S 08° 35' 44" W 105.11 ft.; N 81° 01' 29" W 45.55 ft.;
N 82° 40' 24" W 169.38 ft. to the SW Corner of the parcel shown on
R.O.S. Inst. No. 255051;

Thence N 00° 04' 06" E along the westerly boundary of said parcel a distance of 2367.76 ft. to the SE Corner of NW1/4NE1/4 of said Section 8;

Thence S 89° 53' 33" W along the southerly boundary of said NW1/4NE1/4 a distance of 1329.31 ft. to the SE Corner of the NE1/4NW1/4 of said section;

Thence S 89° 50' 55" W along the southerly boundary of said NE1/4NW1/4 a distance of 778.13 ft. to the NE Corner of the parcel shown on R.O.S. Inst. No. 244541;

Thence the following courses and distances along said R.O.S.:

S 02° 04' 11" W 141.14 ft.; S 03° 51' 48" W 59.16 ft.;
S 89° 59' 20" W 221.87 ft.; N 00° 12' 49" W 140.40 ft. to a point on the southerly

R.O.W. of Bean Lane;

Thence S 89° 53' 58" W along said R.O.W. a distance of 297.74 ft. to the NE Corner of Parcel "B" as shown on R.O.S. Inst. No. 263453;

Thence the following courses and distances along said R.O.S.:

S 00° 03' 13" W 1259.36 ft.; N 89° 48' 12" E 826.00 ft.;
S 10° 27' 42" W 890.03 ft. to a point on the southerly R.O.W. of
Cemetery Lane;

Thence N 65° 07' 16" W along said R.O.W. a distance of 117.72 ft. to the NE Corner of Lot 4 of Cemetery Lane Subdivision;

Thence the following courses and distances around Lots 2, 3, and 4 of said subdivision:

S 06° 30' 19" W 380.09 ft.; S 06° 23' 29" E 524.00 ft.;
N 85° 25' 48" W 897.48 ft.; N 00° 00' 48" E 1234.53 ft. to the
NE Corner of Lot 1 of said Subdivision;

Thence the following courses and distances around said lot:

N 66° 19' 58" W 368.92 ft.; S 00° 02' 56" W 1062.90 ft. to the
NE Corner of the parcel shown on R.O.S. Inst. No. 214978;

Thence the following courses and distances along said R.O.S.:

S 00° 02' 56" W 450.76 ft.; N 89° 49' 11" W 579.93 ft. to a point on the easterly
R.O.W. of U.S. Highway 93;

Thence S 00° 02' 09" W along said R.O.W. a distance of 201.48 ft. to a point on the projected southerly
boundary of the Parcel shown on R.O.S. Inst. No. 273789;

Thence the following courses and distances along said R.O.S.:

S 89° 34' 08" W 812.32 ft.; N 00° 07' 32" W 198.21 ft.;
N 89° 33' 15" E 662.88 ft. to a point on the westerly R.O.W. of said Highway 93;

Thence N 00° 02' 09" E along said R.O.W. a distance of 475.62 ft. to a point on the projected southerly
boundary of Government Lot 8 as shown on a B.L.M. 7/12/1999 Plat;

Thence the following courses and distances along said Lot:

S 89° 40' 01" E 609.19 ft.; N 00° 24' 59" E 186.89 ft.;
N 89° 28' 47" W 127.38 ft.; N 00° 10' 13" E 130.35 ft.;
N 89° 52' 47" W 122.63 ft.; N 00° 13' 10" W 316.99 ft.;
S 89° 24' 25" W 360.80 ft. to a point on the westerly R.O.W. of said Highway 93;

Thence N 00° 01' 55" W along said R.O.W. a distance of 179.90 ft. to the SE Corner of the parcel shown
on R.O.S. Inst. No. 2478557;

Thence N 89° 57' 23" W along the southerly boundary of said parcel a distance of 320.00 ft.;

Thence N 00° 01' 55" W, a distance of 164.52 ft. to a point on the southerly boundary of the parcel
shown on R.O.S. Inst. No. 241420;

Thence the following courses and distances along the boundaries of R.O.S.
Inst. No.'s 241420 and 256124;

N 89° 57' 13" W 340.00 ft.; N 00° 02' 11" W 330.00 ft.;
S 89° 57' 11" E 226.10 ft.; N 22° 17' 40" E 157.38 ft.;
S 89° 57' 11" E 57.50 ft. to a point on a curve that is 320.00 ft. west of the westerly

R.O.W. of said Highway 93, radius point of curve, bears, S 86°32'24" E, 1827.50 feet;

Thence the following courses and distances paralleling said highway:

743.86 ft. along a curve to the right having a chord of N 15°07'14" E 738.73 ft., a delta of
23°19'17" and a radius of 1827.50 ft.;

N 26° 47' 14" E 413.38 ft. to a point on the northerly boundary of the parcel shown on
R.O.S. Inst. No. 256124;

Thence N 63° 56' 03" W along said boundary a distance of 212.42 ft. to a point on the southerly
boundary of Finsturs Subdivision;

Thence S 89° 59' 12" W along the southerly boundary of said subdivision a distance of 1523.47 ft. to a
point on the easterly R.O.W. of Church Street;

Thence S 26° 38' 01" W along said R.O.W. a distance of 312.12 ft. to a point on the projected southerly
boundary of Tax No. 3884;

Thence the following courses and distances along said Tax No.:

N 63° 21' 59" W 137.00 ft.; N 15° 51' 04" W 34.29 ft.;
 N 23° 29' 31" E 192.00 ft.;
 Thence N 26° 38' 00" E a distance of 8.74 ft.;
 Thence S 88° 45' 10" W a distance of 67.11 ft. to a point on the easterly boundary of Lot 7, Block 4 of the Abbott and Preston Addition No. 1 Subdivision;
 Thence S 26° 38' 01" W along said boundary a distance of 79.36 ft. to the NE Corner of Lot 5 of said Block;
 Thence N 63° 22' 00" W along the northerly boundary of said Lot a distance of 150.00 ft. to the NW Corner of said Lot;
 Thence S 26° 38' 01" W along the westerly boundaries of Lot 4 and 5 of said Block a distance of 100.00 ft. to the SW Corner of said Lot 4;
 Thence S 63° 21' 59" E along the southerly boundary of said Lot 4 a distance of 170.00 ft. to the NW Corner of Lot 12 of said Block;
 Thence S 26° 38' 01" W along the westerly boundaries of Lots 12 and 13 of said Block a distance of 100.00 ft. to the NW Corner of Lot 14 of said Block;
 Thence S 63° 21' 59" E along the northerly boundary of said Lot 14 a distance of 180.00 ft. to the centerline of Church Street;
 Thence S 26° 38' 01" W along said centerline a distance of 80.00 ft. to the centerline of Second Avenue;
 Thence N 63° 21' 59" W along said centerline a distance of 350.00 ft. to a point on the easterly R.O.W. of South St. Charles Street;
 Thence S 26° 38' 01" W along said R.O.W. a distance of 230.00 ft. to the NW Corner of Lot 3, Block 3 of said Subdivision;
 Thence S 63° 21' 59" E along the northerly boundaries of Lot 3 and 12 of said Block a distance of 320.00 ft. to the westerly R.O.W. of Church Street;
 Thence S 26° 38' 01" W along said R.O.W. a distance of 416.32 ft. to the northerly R.O.W. of Fourth Avenue;
 Thence N 89° 46' 29" W along the northerly R.O.W. of said Street a distance of 331.38 ft. to a point on the easterly R.O.W. of South St. Charles Street;
 Thence S 00° 13' 54" E along said R.O.W a distance of 604.39 ft. to the NW Corner of Tax No. 1046;
 Thence following courses and distances along said Tax No.:
 N 89° 38' 21" E 500.00 ft.; S 00° 13' 39" E 174.24 ft.;
 S 89° 38' 21" W 560.46 ft. to a point on the westerly R.O.W. of South St. Charles Street;
 Thence N 00° 19' 00" W along said R.O.W. a distance of 28.09 ft. to the Southerly R.O.W. of Scherer Road;
 Thence S 89° 40' 13" W along the southerly R.O.W. of said road a distance of 1270.20 ft. to a point on the centerline of an existing ditch;
 Thence the following courses and distances along said ditch:
 N 22° 56' 03" E 94.60 ft.; N 16° 38' 24" W 51.14 ft.;
 N 12° 44' 34" E 148.77 ft.; N 16° 44' 47" E 344.22 ft.;
 N 26° 07' 21" E 89.31 ft. to the northerly boundary of the Richard - Lynn Estates;
 Thence S 88° 45' 32" E along said boundary a distance of 717.87 ft. to the SW Corner of Tax No. 4534;
 Thence N 03° 18' 00" E along the westerly boundary of said Tax No. a distance of 266.14 ft. to the NW Corner of said Tax No.;

Thence N 89° 48' 03" E along the northerly boundary of said Tax No. a distance of 394.79 ft. to a point on the westerly R.O.W. of South St. Charles;

Thence N 27° 10' 34" E along said R.O.W. a distance of 167.12 ft. to the SE Corner of R.O.S. Inst. No 249121;

Thence the following courses and distances around said R.O.S.:

S 89° 48' 08" W 394.79 ft.; N 24° 04' 42" E 702.03 ft. to a point on the southerly boundary of Tomanovich Subdivision;

Thence the following courses and distances along said subdivision:

S 89° 52' 46" W 1522.34 ft.; N 22° 29' 51" W 224.74 ft.;
N 06° 30' 09" E 459.02 ft.; N 51° 00' 09" E 293.52 ft. to a point on the extended east boundary of Government Lots 6 and 7, Section 6, T. 21 N., R. 22 E.;

Thence N 00° 04' 05" E along said boundary a distance of 432.01 ft. to the boundary of Sterling Price Island and as shown on Inst. No. 233604;

Thence the following courses and distances along said Inst. No.:

N 79° 31' 19" E 55.19 ft.; S 87° 35' 12" E 212.28 ft.;
S 62° 58' 35" E 316.80 ft.; N 72° 01' 25" E 330.00 ft.;
N 48° 16' 25" E 130.00 ft. marked with a G.L.O. brass capped monument;
N 48° 16' 19" E 560.00 ft.; N 33° 46' 19" E 316.51 ft.;
N 16° 16' 19" E 237.60 ft.; N 00° 01' 19" E 165.00 ft.;
N 13° 46' 19" E 92.40 ft.; N 85° 13' 41" W 158.40 ft.;
S 80° 16' 19" W 138.60 ft.; S 75° 46' 19" W 402.60 ft.;
S 72° 01' 19" W 389.40 ft.; S 59° 16' 19" W 118.80 ft.;
S 35° 01' 19" W 297.00 ft.; S 54° 01' 19" W 386.53 ft. to the said boundary of

Government Lots 6 and 7;

Thence N 00° 04' 05" E along said boundary a distance of 382.56 ft. to the northerly bank of the Salmon River and the southerly boundary of Mountain Ash Subdivision;

Thence the following courses and distances along said Subdivision:

N 57° 22' 37" E 75.99 ft.; N 00° 42' 11" W 1301.00 ft.;
N 85° 33' 12" W 200.80 ft.; N 00° 42' 12" W 125.00 ft.;
N 88° 08' 12" W 109.00 ft.; S 02° 17' 48" W 84.50 ft.;
N 84° 54' 15" W 70.65 ft.; N 76° 24' 35" W 104.61 ft. to a point on the

projected westerly R.O.W. of Lafayette Street in Rood's Addition No. 1 to North Salmon Village;

Thence N 00° 30' 15" W along said projected R.O.W. a distance of 151.42 ft. to the projected southerly R.O.W. of Washington Street in Tingley's Addition No. 1 to North Salmon Village;

Thence S 89° 29' 45" W along said projected R.O.W. a distance of 218.88 ft. to the easterly boundary of Tax No. 4625;

Thence the following courses and distances along said Tax No.:

S 00° 20' 03" E 101.67 ft.; N 80° 32' 08" W 155.50 ft.;
N 00° 20' 22" W 74.75 ft. to the projected southerly R.O.W. of

Washington Street in Tingley's Addition No. 1 to North Salmon Village;

Thence S 89° 29' 45" W along said R.O.W. a distance of 357.34 ft. to a point on the easterly boundary of Section 1, T. 21 N., R. 21 E. and the easterly boundary of Smedley Estates Subdivision Phase 1;

Thence S 00° 10' 31" E along said boundaries a distance of 216.92 ft. to the projected southerly R.O.W. of Melanie Drive in said subdivision;

Thence S 89°17'35" W along said R.O.W. a distance of 425.77 ft. to the projected westerly boundary of Lot 16, Block 1 of said subdivision;

Thence N 00°42'25" W along said boundary a distance of 267.80 ft. to the NW Corner of said lot 16;

Thence N 89°17'35' E along the northerly boundary of said Lot 16 a distance of 100.00 ft. to the NE Corner of said Lot 16;

Thence N 00°42'25" W along the westerly boundary of Lot 3, Block 1 of said subdivision a distance of 217.80 ft. to the southerly R.O.W. of Fulton Street;

Thence S 89°17'35" W along said R.O.W. a distance of 800.00 ft. to the NE Corner of Lot 12 of said Block 1;

Thence S 00° 42' 25" E along the easterly boundary of Lots 12 and 24 of said Block 1 a distance of 485.60 ft. to the southerly R.O.W. of Melanie Drive in said subdivision;

Thence S 89°17'35" W along said R.O.W. a distance of 550.00 ft. to the project westerly boundary of Lot 17, Block 2 of said Subdivision;

Thence N 00° 42' 25" W along said boundary a distance of 267.80 ft. to the NW Corner of said Lot 17;

Thence N 89° 17' 35" E along the northerly boundary of Lots 17 and 16 of said Block 2 a distance of 200.00 ft. to the SW Corner of Lot 2 of said Block 2;

Thence N 00° 42' 25" W along the westerly boundary of said Lot 2 a distance of 217.80 ft. to the southerly R.O.W. of Fulton Street;

Thence S 89° 17' 35" W along said R.O.W. a distance of 499.27 ft. to a point on the extended easterly boundary of Parcel "E" shown on R.O.S. Inst. No. 253914

Thence N 00°18'38" W along said boundary a distance of 319.13 ft. to a point on the southerly R.O.W. of Wyno Street;

Thence N 77°46'23" W along said R.O.W. a distance of 215.13 ft. to a point on the westerly R.O.W. of 15th Street;

Thence N 00°18'36" W along said R.O.W. a distance of 7.65 ft. to the NE Corner of Lot 28, Block 19 of the original Gilmore Addition;

Thence S 89°41'22" W along the northerly boundaries of Lots 28 thru 15 of said Block 19 a distance of 420.00 ft. to the NW corner of Lot 15 of said Block 19;

Thence N 00°18'23" W along the westerly boundary of Blocks 6, 7 and 18 of said Gilmore Addition a distance of 981.02 ft. to a point on the south R.O.W. of Roosevelt Avenue;

Thence N 89°50'25" W along said R.O.W. a distance of 42.48 ft. to a point on the N-S centerline of Section 1, T 21 N., R. 21 E. as shown on Gilmore addition and Arlington Heights Addition;

Thence N 00°14'56" W along said centerline a distance of 587.78 ft. to a point on the southerly R.O.W. of the alley located in Block 23 of Arlington Heights Addition to Salmon City;

Thence N 89° 42' 35" W along said R.O.W. a distance of 97.70 ft. to the NE Corner of Lot 8 of said Block 23;

Thence S 00° 12' 27" E along the easterly boundary of said Lot 8 a distance of 180.00 ft. to a point on the centerline of Taft Avenue;

Thence S 89° 42' 35" E along said centerline a distance of 50.00 ft. to the projected easterly boundary of Lots 4 and 9 of Block 29 of said subdivision;

Thence S 00° 14' 50" E along said boundaries a distance of 404.69 ft. to the southerly R.O.W. of Roosevelt Avenue;

Thence N 89° 48' 31" W along said R.O.W. a distance of 210.00 ft. to a point on the projected easterly boundary of Lot 16 of Block 28 of said subdivision;

Thence N 00° 14' 50" W along said boundary a distance of 217.55 ft. to a point on the centerline of the alley located in said Block 28;

Thence N 89° 42' 35" W along said centerline a distance of 50.00 ft. to the projected westerly boundary of said Lot 16;

Thence S 00° 14' 56" E along said boundary a distance of 187.64 ft. to a point on the centerline of Roosevelt Avenue;

Thence N 89° 48' 31" W along said centerline a distance of 380.00 ft. to a point on the centerline of 18th Street (23thrd Street);

Thence N 00° 14' 46" W along the centerline of 18th Street a distance of 375.80 ft. to the centerline of Taft Avenue;

Thence S 89° 42' 35" E along the said centerline of Taft Avenue a distance of 430.00 ft. to a point on the projected easterly boundary of Block 24 of said subdivision;

Thence N 00° 14' 56" W along said boundary a distance of 195.00 ft. to the northerly R.O.W. of the alley located in said Block 24;

Thence S 89° 42' 35" E along said alley projected a distance of 30.00 ft. to the centerline of 17th Street (22nd Street);

Thence N 00° 14' 56" W along said centerline a distance of 180.00 ft. to the centerline of Bryan Avenue;

Thence N 89° 42' 35" W along said centerline of Byran Avenue a distance of 230.00 ft. to the projected westerly boundary of Block 7 of said subdivision;

Thence N 00° 17' 25" E along said boundary a distance of 180.00 ft. to the NW Corner of said Block 7;

Thence S 89° 42' 35" E along the northerly boundary of said Block 7 a distance of 230.00 ft. to the a point on centerline of 17th Street (22nd Street);

Thence S 00° 17' 05" W along said centerline of 17th Street a distance of 150.00 ft. to a point on the protracted south boundary of Block 8 of said subdivision;

Thence S 89° 42' 35" E along said Block 8 boundary a distance of 227.54 ft. to a point on the N-S centerline of Section 1, T 21 N., R. 21 E. as shown on Gilmore addition and Arlington Heights Addition;

Thence N 00° 14' 56" W along said centerline a distance of 706.52 ft. to the N ¼ Corner of said Section 1 and the northerly boundary of said Arlington Heights Addition;

Thence S 89° 57' 27" E along said boundary and the northerly boundary of said Section 1 a distance of 1180.96 ft. to the northwest corner of Parcel "E" shown on R.O.S. Inst. No. 255323;

Thence S 00° 24' 02" E along the westerly boundary of said R.O.S. and along the westerly boundary of R.O.S. Inst. No. 218994 a distance of 547.62 ft. to the SW Corner of said R.O.S.;

Thence the following courses along the boundary of said R.O.S. Inst. No. 218994:

S 89° 44' 24" E 208.71 ft.; N 00° 07' 54" W 208.71 ft. to a point on the boundary of said Parcel "E" shown on R.O.S. Inst. No. 255323;

Thence the following courses along said Parcel:

S 89° 44' 24" E 365.83 ft.; N 00° 55' 32" E 106.90 ft.;

N 30° 31' 45" E 271.76 ft. to a point on the northerly boundary of said Section 1;

Thence S 89° 57' 27" E along said boundary a distance of 539.53 ft. to the SW Corner of Section 31, T. 22 N., R. 22 E.;

Thence S 89° 46' 52" E along the boundary of said section a distance of 1889.05 ft. to the SW Corner of Tax No. 2446;

Thence the following courses and distances around said Tax No.:

N 00° 13' 08" E 177.00 ft.; S 89° 46' 52" E 223.95 ft.;

S 00° 13' 08" W 177.00 ft. to a point on the northerly boundary of said Section 6;

Thence S 89° 46' 52" E along said boundary a distance of 534.10 feet to the POINT OF BEGINNING.
Containing 1,671 acres, more or less.

This City Boundary Legal Description has been approved by the City of Salmon:

EXHIBIT "B"

EXHIBIT "B"

STATEMENT OF SALMON CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 20-846

The undersigned, Fred Snook, in his capacity as City Attorney of the City of Salmon, Idaho, hereby certifies that he is a legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 20-846 of the City of Salmon, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code §50-901A(3).

DATED this 16th day of September 2020.

Fred Snook
City Attorney

SUMMARY OF ORDINANCE NO. 20-846 OF THE CITY OF SALMON, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Salmon, Idaho, adopted at its regular meeting of September 16, 2020, that Ordinance No. 20-846 entitled:

AN ORDINANCE OF THE CITY OF SALMON, A MUNICIPAL CORPORATION OF IDAHO, DE-ANNEXING 4,500 SQUARE FEET OF CERTAIN LANDS AND TERRITORY SITUATED IN THE CITY OF SALMON, LEMHI COUNTY, IDAHO, SETTING FORTH A STATEMENT IN SUPPORT OF SUCH DE-ANNEXATION; PROVIDING FOR A LEGAL DESCRIPTION FOR SAID DE-ANNEXED LANDS AND TERRITORY; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE LEMHI COUNTY TREASURER, THE LEMHI COUNTY ASSESSOR, THE LEMHI COUNTY CLERK, AND THE IDAHO STATE TAX COMMISSION; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance explains De-annexation and thereby exclusion of the east ½ of vacated 17th Street containing 4,500 square feet.

This ordinance provides an amended legal description and official map of the City.

This ordinance provides for copies to be filed with the Lemhi County Treasurer, Lemhi County Assessor, Lemhi County Clerk, and the Idaho State Tax Commission.

The effective date of the Ordinance is the date of its passage, approval and publication.

A copy of the full text of the Ordinance is available at the City Clerk's office, 200 Main Street, Salmon, Idaho 83467. Examination may be requested in writing or in person during regular business hours of the City Clerk's office, from 8:00 a.m. to 4:45 p.m.

DATED this 16th day of September, 2020. City of Salmon, Idaho

Revisit Resolution Declaring City of Salmon to be a 2nd Amendment Sanctuary City – Councilor James

Councilor James stated that he believes that last time there was some confusion on the voting, one councilmember that voted against it and thought he was voting for it so he brought it back up. He stated that everyone he spoke to about it agreed with it except for one. He rewrote it so it pertains to Salmon and changed it just a little bit. He made a motion that the City of Salmon adopt a Resolution declaring the City of Salmon Idaho to be a 2nd Amendment sanctuary City.

Councilor Bockelman stated that those that spoke to him thanked him for not voting to approve it. A good handful of people that are gun owners asked him why it is necessary. He still does not feel that it is necessary and the people that have talked to him do not feel that it is necessary either. He asked why in the Resolution are we focusing on one item. Why not say we will support and protect the privileges given to us under the Constitution, Bill of Rights and all ratified amendments? He does not understand why anyone made a mistake on this. Councilor Baker made a motion not to go forward with the resolution. It is pretty plain and simple to him.

Councilor Phillips stated that she has heard the opposite. She said all we are doing is locking in the protections that we have at the present moment. People do not want to lose their rights and unless we do something why wait until someone takes it away and we try to get it back.

Councilor Baker said he remains where he was last time. He noted that this is not an ordinance. There is considerable difference between an ordinance and resolution. To him it is purely a political input. The second amendment is very clear. If any state passed laws which were deemed by the Supreme Court to be unconstitutional, that is where the control of the constitutionality in this country is today not with the communities. When we sign up for the position of City Council we take an oath that we will uphold the Constitution and State laws. Council cannot pass something that is illegal in the State. He asked what does declaring the City to be a 2nd Amendment Sanctuary City mean. He believes it means almost absolutely nothing. It is a political ploy. The unconstitutionality

of the law is not given down to City Council. It is retained at this point at the Supreme Court.

Roll call: Phillips...aye, James...aye, Bockelman...no, Waidely...aye, Hill...no, Baker...no. Mayor Marshall broke the tie by voting aye.

Breann Green – Whitewater Park Update and Phase II Agreement Draft

Beginning the discussion, Breann noted that as discussed before they are hoping to put in some informational kiosks, however, they do not have specific locations for those yet but possibly in Veteran's Memorial Park. Also not included in the plans would be a life jacket stand at an undetermined location. Breann said the wave will be located in between the Pedestrian Bridge and the Highway Bridge. She estimated that the Phase II Agreement would go into effect probably next summer. They are still working on the engineering, fundraising and permitting. She said access would be from Van Dreff Street to the river area, Island Park, and Veteran's Memorial Park. They are planning to have a lot of bank work done on the Army Corp Levy to include terraced rock bouldering, and are still needing to acquire a lot of boulders. They are also planning a kid's area that would have knee deep water this time of year. Eventually when they get ready to submit the application it will be the City's signature as one of the applicants because the City owns property on both sides.

The outdoor classroom gazebo mentioned in the plans is an idea that has not been solidified. She commented that the existing gazebo would be really nice as a classroom space also.

In answer to a question concerning additional restrooms, Breann said she didn't think it would be any busier during the summer than the busiest Farmer's Market day. Between the one on the Island and in Veteran's Memorial Park that seems like enough to her group and providing additional facilities is not currently in their budget.

Insurance is a concern of Council and Breann stated that it is definitely part of the discussion. She said it would fall under Operation and Maintenance. The permit for the Park is a 30 year permit and the Association has not determined how to deal with the maintenance. The first year there will be some settling and in 5 years there will probably be some sort of maintenance required. They are working with an engineer in trying to determine how much money should be set aside for that. There will be insurance once the construction starts but she is unsure if that will be provided by the contractor or the association. For the long-term feasibility of insurance she has not gotten any quotes back. Locally there is not a company with the experience/market for insurance on a wave park, but she has a company that is currently researching that. It was noted that several years ago the City was going to do some work on Island Park and the Army Corp of Engineers said any changes made, if there was flooding after that that hadn't been traditionally flooded, the City would be responsible because they changed the scope of the

river. Breann said they cover themselves in 2 parts. They have to get a no-rise flood certificate and the Army Corp of Engineers requires Section 408 permit for the Levy. When asked if there were other organizations that have a wave park that have liability insurance Breann stated that everyone is a little bit different. Cascade's park is on private property. Missoula was privately funded but the city has now taken it over. Boise's second piece was all city built.

In response to a question as to whether the city has any liability if there is a drowning in the river Fred Snook stated that the city does not own the river. The river is owned by the State of Idaho. The regulatory agencies are approving their construction or alteration on the State property. This is being constructed under permits from all the regulatory agencies....they are not going to sue the regulatory agencies.

Breann asked if the city covers insurance on the skate park or the swimming pool or hockey rink. Amy said we have insurance on the fixtures. Councilor Waidely stated that there is a new state statute that says if someone enters your property for the purpose of recreation you are not liable. He asked Fred Snook to research that. Breann said the Idaho Department of Lands is one of the regulatory agencies. They actually own the river bottom and the State of Idaho owns the water. The Whitewater Park Association and the City of Salmon own the structures. The Association will have an easement that they will apply for with the Idaho Department of Lands. As long as the Army Corp of Engineers and Idaho Department of Water Resources grant their permits the Idaho Department of Lands automatically grants their easement.

Councilor Waidely said to be clear we are not approving the agreement, just the draft. Breann wants to develop Section 5 more (operation and maintenance) when she gets more information from the insurance people. Councilor James would like more information on Section 4.b. Charles Cockrell stated that he has concerns with putting anything on the dike. It needs to be accessed for maintenance. He is also concerned about using Veteran's Park for construction access. Breann said most of the rock will come in from the Island Park side. They can put in the agreement that they will put it back in same as or better condition. Breann said Don Stamp is putting together an artist's concept and should have it finished within the next couple weeks. Councilor Phillips stated that she does not want any responsibility for the maintenance, upkeep or liability to fall on the city or taxpayers. She asked if the insurance premiums would be affected. Amy Fealko said she would research the insurance premiums.

Councilor Waidely made a motion to move forward with the Whitewater Park update, Phase II Agreement Draft. Roll call vote: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

Informal Discussion/Round Table

- 1) Councilor Phillips said her concern from the community level is we need to do more for the youth in the community. There needs to be a collaborative effort from the public sector, religious organizations and fraternal organizations.
- 2) Councilor Bockelman would like to know repair status about the Fulton Street wall. He noted that Councilor James made reference to confusion in the Resolution vote. Obviously they all voted the same so he does not feel that there was confusion on the Council's part, it was the Mayor's.
- 3) Councilor Waidely said they will be resuming VFW breakfasts.
- 4) Councilor Hill said people are asking when City Hall will be open again. He also feels that City Council meeting chambers should be open to the public. He thinks there is plenty of room to allow for social distancing.

Committee Meetings / Public Information

- a) Public Works Team – TBD
- b) Parks and Recreation Team – Spring 2021
- c) Finance Team – October 14, 2020
- d) Public Safety Team – October 14, 2020, 2:00 p.m.

Public Comments

1) Mary Benton commented on the desire by some of the Council to open City Hall. She stated that payment boxes have been installed in the front and back of the building. Customers who needed assistance are being met at the door. We are providing all services that we provided pre-COVID lockdown. Staff members that are high risk have limited exposure right now. GoToMeeting is in place for those that want to participate in Council meetings. If the building is open we cannot assure people that we are providing safe physical distancing.

Future Council Meeting Agenda Items Future Action Items

- 1) Whitewater Park Association Phase II Agreement Amendment Draft
- 2) Presentation from the County Weed Department concerning weeds in the City

Adjournment

The Council meeting was adjourned at 7:50 p.m.

Leo Marshall, Mayor

Mary Benton, City Clerk