

**CITY COUNCIL MEETING  
SEPTEMBER 2, 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 (absent)**

**Decisions/Action Items**

- 1) Concerns About Non-Enforcement of Nuisance Ordinance - Councilor Phillips offered to investigate what cities that are similar in size to ours are doing to keep properties clear of debris. She will bring her findings back to Council for further discussion.
- 2) Council approved the request by John and Debbie Jakovac for vacation and de-annexation of a portion of 17<sup>th</sup> Street.
- 3) Council approved proceeding with low bid for the Island Park sidewalk and railing job.
- 4) Breann Westfall – Whitewater Park Update and Phase II Agreement Amendment Draft will be presented for further discussion at the next regular council meeting.
- 5) Memorandum of Understanding Salmon School District 291 and Salmon Police Department approved by Council.
- 6) Memorandum of Understanding City of Salmon and USDA Forest Service Salmon-Challis National Forest approved by council upon review and approval from the City Attorney.
- 7) Lemhi Sanitation Request to Continue Franchise Agreement and Increase Rates approved by Council.
- 8) Searle Hart & Associates Audit Engagement Letter accepted by council.
- 9) Sacajawea Center - Approval to apply for CARES Act Grant (Idaho Humanities Council) \$5,000 (no match required) – Council approved.
- 10) Sacajawea Center - Approval to apply for Idaho Governor's Lewis and Clark Trail Committee Grant - \$5,000 – Council approved.

11) Discussion Concerning The City Of Star's 2<sup>nd</sup> Amendment Ordinance- Council denied request by Councilor James to create a similar resolution for the City of Salmon with a 3 aye and no vote. Tie was broken by Mayor Marshall.

### **Consent Agenda – Action Item**

a) Meeting Minutes August 19, 2020 Regular Meeting.

b) Bills for approval

Councilor Hill made a motion to approve the minutes and bills as submitted. Roll call vote carried: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

### **Public Comments**

None

### **Concerns About Non-Enforcement of Nuisance Ordinance – Action Item**

Residents on Keith Street are concerned about the nuisance ordinance not being enforced. They feel that it is a violation of their property rights and affects their property values. The Police Chief stated that there is an abatement process that we currently follow. Councilor Phillips offered to investigate what cities that are similar in size to ours are doing to keep properties clear of debris. She will bring her findings back to Council for further discussion.

### **Public Hearing 6:15 P.M. – Vacation Of Portion Of 17<sup>th</sup> Street**

Mayor Marshall opened the public hearing at 6:15 p.m. He explained that the hearing was being held due to a request from John & Debbie Jakovac to vacate and de-annex a portion of 17<sup>th</sup> Street.

Mayor Marshall asked if any council members wished to declare a conflict of interest. There were none declared. There were no late exhibits to be presented to council by staff.

John Jakovac stated that he is requesting vacation and de-annexation of a portion of 17<sup>th</sup> Street for access to his property. The portion of his property that abuts 17<sup>th</sup> Street is in the County and has never been within the city boundaries.

There was not a presentation by staff or requested by council. Council did not have questions for clarification.

Mayor Marshall asked for testimony in support of the vacation and de-annexation. None was given. He then asked for testimony from those uncommitted or neutral. None was given. He asked for testimony from those opposed and none was given.

Mayor Marshall closed the public hearing at 6:20 p.m.

Councilor Hill made a motion to approve the request for vacation and de-annexation. Roll call vote: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

An ordinance will be presented at the next regular meeting for council's approval.

**Approval To Proceed With The Island Park Sidewalk And Railing Job**

Councilor Bockelman made a motion to accept the low bidder for replacement of the Island Park Sidewalk and railing. Roll call vote: Baker...aye, Hill...aye, Waidely...aye, Bockelman...aye, James...aye, and Phillips...aye.

**Breann Westfall Green – Whitewater Park Update and Phase II Agreement Draft**

Breann stated that the draft is an Amendment to the existing agreement that was renewed earlier this year. When questioned about the engineering plans Breann stated that they would not expect Council to sign the agreement until the plans are complete and approved which will be late this year.

Councilor James asked about the Association using City property and thought there should be restrooms added. Breann said there will be work done on the bank above the high water mark.

Council agreed that the City Attorney should review the Phase II Agreement Amendment before approval. They asked Breann to attend the next regular meeting to do a thorough review of the document with Council.

**Memorandum of Understanding (MOU) Salmon School District 291 and Salmon Police Department**

The MOU is for a School Resource Officer. The City of Salmon will contribute 25% of the funding and according to grant requirements after 3 years the City will fund the officer.

Councilor Phillips made a motion to support the MOU between the City and School District 291 for a resource officer. Roll call vote: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

**Memorandum of Understanding City of Salmon and USDA Forest Service Salmon-Challis National Forest**

Ken Gebhardt stated that this Memorandum of Understanding does not jeopardize anything in the past agreements. Councilor Baker stated that he likes the agreement but would like the City Attorney to review it before making a motion to approve it. He proceeded to make a motion to table the discussion until the City Attorney reviewed the document. After some discussion he rescinded his motion and made a motion to approve the Memorandum of Understanding that has been presented upon review/approval by the

City Attorney. Roll call vote: Baker...aye, Hill...aye, Waidely...aye, Bockelman...aye, James...aye, and Phillips...aye.

**Lemhi Sanitation Request to Continue Franchise Agreement and Increase Rates**

Lemhi Sanitation would like to continue their franchise agreement with the City for an additional 5 year term. They are also asking for a \$3.00 rate increase to take effect January 1, 2021. They did not ask for an increase in 2012 and their last increase was in 2017 which was the tipping fees that Lemhi County required.

Councilor James made a motion to approve the Franchise Agreement Renewal and approve the rate increase. Roll call vote carried: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

**Searle Hart & Associates Audit Engagement Letter**

Councilor Bockelman made a motion to accept the audit engagement letter by Searle Hart & Associates. Roll call vote: Phillips...aye, James...aye, Bockelman...aye, Waidely...aye, Hill...aye, and Baker...aye.

**Sacajawea Center - Approval to apply for CARES Act Grant (Idaho Humanities Council) \$5,000**

The Sacajawea Interpretive, Cultural, and Educational Center would like to apply for the CARES Act grant through the Idaho Humanities Council to help cover utilities costs for the Learning Center, Interpretive Center, and former Police Department buildings. The Center falls into the \$5,000 award category for the CARES grant. The last “Expenditures with Comparisons to Budget” worksheet showed the Center is \$151.40 over the amount budgeted for Heat, Lights, and Utilities. Covid-19 has impacted the number of events and rentals taking place at the Center and the \$5000 grant will help offset some of the lost income from the 2020 summer season as utilities costs still occur each month even with less use of the buildings. No match is required for the grant.

Councilor Phillips made a motion to approve application for the grant. Roll call vote carried: Baker...aye, Hill...aye, Waidely...aye, Bockelman...aye, James...aye, and Phillips...aye.

**Sacajawea Center - Approval to apply for Idaho Governor's Lewis and Clark Trail Committee Grant - \$5,000**

This project will be conducted at the Sacajawea Interpretive, Cultural & Educational Center in Salmon, Idaho. The project will be to expand upon the Center’s Native Plants Walking Tour by purchasing more native plants, specifically plants mentioned in the Lewis and Clark journals. The brochure will be expanded by not only listing the plants and their names but including snippets from the journal and any observations Lewis and Clark made about them. There are numbered plaques around the Center for the walking

tour and funds would be used to purchase more of these in a bigger size to include quotes from the journals. Another part of this project is to create walking tour brochures: one on the history and information on displays located at the Center, one that focuses on the Expedition over Lemhi Pass, and another that provides facts and information on Sacajawea beyond what our interpretive paneling provides. Many visitors to the Center come after hours or in the offseason and are unable to visit the Interpretive Center or see a program. Brochures are cost effective and can easily be reprinted and changed if needed. This will also provide information in a convenient way for visitors who are unable to walk the trails where most of the interpretive paneling is located.

Councilor Waidely made a motion to approve application for Idaho Governor's Lewis and Clark Trail Committee Grant. Roll call vote carried: Baker...aye, Hill...aye, Waidely...aye, Bockelman...aye, James...aye, and Phillips...aye.

### **Proposal On How To Respond To Letters**

Councilor Baker stated that he had gotten several letters and would like a policy on how to address them. Mayor Marshall stated that he is not aware of any that have not been answered. Councilor Baker offered to provide copies of those he has received.

### **Discussion Concerning The City Of Star's 2<sup>nd</sup> Amendment Ordinance**

Councilor James stated that he would like the City of Salmon to create a Second Amendment Resolution like the City of Star's declaring a sanctuary city. He said he thought it would create a better reputation with the red-necks and would prevent unconstitutional laws from being enforced.

Councilor Phillips and Waidely voiced their support for the Resolution. They believe it would help local businesses and perhaps encourage others to locate here.

Councilor Baker stated that he believes it is not wise to take this on. Councilor Bockelman said he agreed. Our constitution protects us and he does not feel the Resolution is necessary.

Councilor Hill said this is not city business.

Councilor Baker made a motion to not go forward with the Resolution. Roll call vote: Phillips...no, James...no, Bockelman...aye, Waidely...no, Hill...aye, and Baker...aye. Mayor Marshall broke the tie vote with an aye vote. The City will not go forward with a resolution.

### **Informal Discussion/Round Table**

1) Councilor Bockelman suggested reviewing the City Code Nuisance Ordinance, speed limit signs on South St. Charles Street, and questioned when team meetings will resume.

2) Councilor James stated that council discussed private property infringement and noted that he feels they are saying it's okay in one instance but not another.

3) Councilor Phillips thinks it's time to open council meetings to the public. She believes the room is big enough to practice social distancing.

**Committee Meetings / Public Information**

- a) Public Works Team – TBD
- b) Parks and Recreation Team – TBD
- c) Finance Team – TBD
- d) Public Safety Team – TBD

**Public Comments**

None

**Future Council Meeting Agenda Items Future Action Items**

- 1) Team Meeting Discussion
- 2) Presentation from the County Weed Department concerning weeds in the City (October)
- 3) Vacation Ordinance and De-Annexation Ordinance
- 4) Salmon Whitewater Park Association Phase II Amendment

**Adjournment**

The Council meeting was adjourned at 7:43 p.m.

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**Leo Marshall, Mayor**

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**Mary Benton, City Clerk**