

STATE OF IDAHO            )  
COUNTY OF BONNER    )  
CITY OF PRIEST RIVER   )

**MINUTES OF THE PRIEST RIVER CITY COUNCIL – 05/16/22**

**REGULAR MEETING**

**OPENING** – Mayor Wylie called to order the regular meeting of the City Council at 5:30 pm on Monday, May 16, 2022, at the Priest River Event Center, 5399 Highway 2, Priest River, Idaho.

**1. ROLL CALL**

Council Members Present: Council Member Wagner, Council Member Turner, Council Member Yount, and Council Member Mullaley (arrived at 5:32 pm).

Absent: None

Staff Present: Mayor Wylie, City Clerk/Treasurer Thomas, City Attorney Elsaesser, Police Chief McLain, Planning & Zoning Administrator Quayle, Deputy City Clerk Ayers, and Director of Public Works Rolicheck.

**2. WORKSHOP**

**PROPOSED AMENDMENTS OF WIRELESS COMMUNICATION FACILITIES CODE**

Mayor Wylie opened the workshop at 5:31 pm. Council Member Wagner asked Planning & Zoning Administrator Quayle his opinion on the current code. Council Member Mullaley suggested potentially hiring of an attorney specializing in the area of wireless communication facilities. Lengthy discussion ensued regarding multiple topics, including future fiber optic internet, the potential high costs of continued communication with attorneys, and the FCC regulations relating to the role of local governments.

**Council Member Turner made a motion to not amend the current wireless communication facilities code. Council Member Wagner seconded the motion. After lengthy discussion and consideration, the motion passed with the following vote: AYES: Council Member Wagner, Council Member Yount, and Council Member Turner. NAYS: Council Member Mullaley.**

**3. CONSENT AGENDA**

**A. PREVIOUS MINUTES – CCPH 05/02/22**

**B. PAYABLES**

**C. MONTHLY RESERVE TRANSFER – APRIL 2022**

**D. TREASURER’S MONTHLY REPORT – APRIL 2022**

**E. RESOLUTION 22-016 – GCX, LLC – CONSTRUCTION CONTRACT – CITY PARK ADA WALKWAY PROJECT**

**F. RESOLUTION 22-017 – IDAHO DEPARTMENT OF HEALTH AND WELFARE – LOW-INCOME HOME WATER ASSISTANCE PROGRAM (LIHWAP) VENDOR AGREEMENT**

Council Member Yount made a motion to approve the consent agenda. Council Member Turner seconded the motion. After consideration, the motion passed unanimously.

**4. ANNOUNCEMENTS/APPOINTMENTS**

None

**5. UPDATES**

**A. PARKS AND TREE COMMISSION**

Council Member Wagner gave an update on the Parks and Tree Commission.

**B. LAW ENFORCEMENT**

None

**C. PUBLIC WORKS**

Director of Public Works Rollicheck gave an update on Public Works.

**D. PROJECT UPDATES**

**1. WELCH COMER – PROJECT STATUS UPDATE**

Welch Comer provided a written project status update.

**E. BUILDING & ZONING**

Planning & Zoning Administrator Quayle gave an update on Building & Zoning.

**F. ADMINISTRATIVE COMMITTEE**

None

**6. BUSINESS**

**A. SCHWARTZ PROPERTY – PROPOSED DEVELOPMENT AGREEMENT – WEST OF CITY LIMITS**

Planning & Zoning Administrator Quayle explained a potential annexation and development agreement request for a parcel of property west of the current city limits. Lengthy discussion ensued. The Council scheduled a workshop for June 21<sup>st</sup>, 2022, to discuss the potential of expanding of the city limits and the city services associated with it.

**B. H2 SURVEYING – CONFIRMATION OF ENGINEERING SCOPE OF SERVICES BALANCE – GRANT FOR TENTH STREET AND HIGH STREET SIDEWALK**

Discussion ensued.

**Council Member Turner made a motion to approve the Scope of Services with h2 Surveying and Engineering for the Tenth Street and High Street Sidewalk Grant Project, not to exceed \$9,880.00, contingent on the City being awarded grant funds. Council Member Yount seconded the motion. After consideration, the motion passed unanimously.**

**C. J7 CONTRACTING, INC. – PAY REQUEST #6 – WATER SYSTEM IMPROVEMENTS PROJECT**

Discussion ensued.

**Council Member Yount made a motion to approve Pay Request #6 for J7 Contracting, Inc. for the Water System Improvements Project, in the amount of \$143,828.72. Council Member Mullaley seconded the motion. After consideration, the motion passed unanimously.**

**D. IDEQ – INTERIM FINANCING LOAN DRAW #12 – WATER SYSTEM IMPROVEMENTS PROJECT**

Discussion ensued.

**Council Member Turner made a motion to approve the IDEQ Interim Financing Loan Draw #12, with \$8,628.62 being remitted to Welch Comer for Invoice #14778240-018, and \$77,032.72 being remitted to J7 Contracting, Inc. for Pay Request #6. Council Member Yount seconded the motion. After consideration, the motion passed unanimously.**

**E. ICDBG PAY REQUEST #10 – WATER SYSTEM IMPROVEMENTS PROJECT**

Discussion ensued.

**Council Member Wagner made a motion to approve ICDBG Pay Request #10 for the Water System Improvement Project, with payment of \$1,950.00 being remitted to Panhandle Area Council and \$66,796.00 being remitted to J7 Contracting, Inc. for Pay Request #6. Council Member Turner seconded the motion. After consideration, the motion passed unanimously.**

**F. USDA-RD GRANT PAY REQUEST #16 – WASTEWATER COLLECTION SYSTEM IMPROVEMENT PROJECT – PHASE II**

Discussion ensued.

**Council Member Turner made a motion to approve draw #16 from the USDA-RD grant for payment of Welch Comer Invoice #14778290-005 in the amount of \$663.12. Council Member Yount seconded the motion. After discussion and consideration, the motion passed unanimously.**

**G. RESOLUTION 22-018 – STATE INVESTMENT POOL TRANSFER OF FUNDS**

Discussion ensued.

**Council Member Wagner made a motion to approve Resolution 22-018. Council Member Turner seconded the motion. After discussion and consideration, the motion passed unanimously.**

## **EXECUTIVE SESSION**

### **UNDER 74-206 1 (f) Pending Litigation**

Council Member Wagner made a motion to enter executive session to communicate with legal counsel regarding pending/imminently likely litigation under Idaho Code § 74-206 1 (f) at 6:28 pm. Council Member Yount seconded the motion. After consideration, the motion passed unanimously by the following roll-call vote: **AYES:** Council Member Wagner, Council Member Turner, Council Member Yount, and Council Member Mullaley. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

## **RECONVENE**

Council Member Mullaley made a motion to reconvene at 6:43 pm. Council Member Turner seconded the motion. After consideration, the motion passed unanimously.

Council Member Turner made a motion to disclaim any interest in any personal property located in or on Lot 3 of Block 7 of the Gillingham's Addition (location of Priest River Community Garden), to leave the dispute over the personal property to be resolved between the property owner and the Priest River Community Garden Members, and to direct the City Attorney to provide notice to the property owner and the Priest River Community Garden Members of the decision. Council Member Yount seconded the motion. After consideration, the motion passed unanimously.

## **EXECUTIVE SESSION**

### **UNDER 74-206 1 (c) Property Acquisition**

Council Member Mullaley made a motion to enter executive session to deliberate regarding an acquisition of an interest in real property under Idaho Code § 74-206 1 (c) at 6:48 pm. Council Member Turner seconded the motion. After consideration, the motion passed unanimously by the following roll-call vote: **AYES:** Council Member Wagner, Council Member Turner, Council Member Yount, and Council Member Mullaley. **NAYS:** None. **ABSTAINERS:** None. **ABSENT:** None.

## **RECONVENE**

Council Member Mullaley made a motion to reconvene at 7:05 pm. Council Member Turner seconded the motion. After consideration, the motion passed unanimously.

Council Member Mullaley made a motion to decline the offer to purchase or lease Lot 3 of Block 7 of the Gillingham's Addition (location of Priest River Community Garden), and to direct the City Attorney to provide notice to the property owner of the decision. Council Member Turner seconded the motion. After consideration, the motion passed unanimously.

## **ADJOURN:**

Council Member Mullaley made a motion to adjourn at 7:06 pm. Council Member Yount seconded the motion. After consideration, the motion passed unanimously.

Motion to approve minutes of 05/16/22: \_\_\_\_\_

Second: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Kevin Wylie  
Mayor

ATTEST:

\_\_\_\_\_  
Laurel Thomas, CMC  
City Clerk/Treasurer