

CITY OF GENESEE

Location: 235 W Chestnut Street, (Fire Station) Genesee, ID 83832

CITY COUNCIL

April 18, 2023

REGULAR COUNCIL MEETING

MINUTES

6:00 PM

CALL TO ORDER - The Genesee City Council met April 18, 2023. Mayor, John Hermann called the meeting to order at 6:00pm.

ROLL CALL: Present at the meeting were Council Members: Bill Krick, Nyla Roach, Jesse Aherin, and City Clerk Debi Zenner Absent: Cody Bailey

VISITORS: Mark & Pam Furchtenicht, Chance Hobbs and Trinity Villines—Dig Well Idaho, Bill Hartley, and Bret Carpenter

CITIZEN COMMENTS: None

CONSENT AGENDA - Motion made by Bill, seconded by Nyla, to accept the consent agenda with the budget correction of the Caselle training, along with payment of the bills, Financial Statement, Bank Statement and Quarterly Report; **ROLL CALL VOTE: Krick, Aherin, Roach; AYES, motion carries.**

UNFINISHED BUSINESS: None

NEW BUSINESS:

Furchtenicht Property P&Z Recommendation: Verification of the Special Use Permit and two variances were discussed. Motion made by Bill, seconded by Nyla, to approve the recommendation letter from Planning and Zoning for the Special Use Permit and the two Variances for Mr. Furchtenicht's property. **ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries.**

Vacancies in Planning and Zoning Commission: We've had one resignation of a Planning and Zoning member, so Mayor Hermann thinks we need to advertise for one or two new members. Motion made by Bill, seconded by Nyla, to advertise the vacancy in the Newsletter, the Reader Board and the City's website with a deadline of May 16th and Council will review applications; **ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries**

City RV Park Operation Agreement: Jesse explained Cody would like to see an agreement or the rules for operation of the City's RV Park. Nyla explained the reason council decided not to reopen until March 1 is because the Parks department doesn't own or pay for any snow removal equipment. Bill wondered who an agreement would be with or if it was just a memorandum of understanding for campers wishing to stay in the Park. Nyla will put something together and bring to a future council meeting.

City Logo Design: Cody asked sample logos be added to the packets. This was the first Council had heard of a logo. It was suggested the art department at the school might come up with something and present to council for a vote. Motion made by Bill, seconded by Jesse to Table until a later date and have Cody approach the school to see if they would be interested in creating a City Logo. **ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries.**

INTRODUCTION, READINGS AND ADOPTION OF ORDINANCES & RESOLUTIONS: None

Motion made by Bill, seconded by Nyla to go into Executive Session at 6:19pm under Idaho Code **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. The mere presence of legal counsel at an executive session does not satisfy this requirement; **ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries.**

Motion made by Nyla, seconded by Bill to come out of Executive Session and back into regular session at 6:50pm;
ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries.

UNFINISHED BUSINESS:

Discussion and approval or denial of Digwell Idaho's request for extension and final payment: Mayor Hermann asked Chance if he had anything more to add. Chance thought he explained his position at the last meeting. Chance did say he had reached out to both Mountain Waterworks and the City's attorney but hadn't heard back. Bill would propose we write Dig Well a check for approximately \$30K and we will hold the remainder (approximately \$35K) until we get the correct timeline on delay calculations and itemization on the 35K. Chance Dig Well Idaho worked in good faith doing what Mountain Waterworks stipulated in the contract. After hearing what Chance and Trinity had to say, Bill felt there is new information to consider and would like to verify with Mountain Waterworks. Chance reiterated they did only what Mountain Waterworks instructed and Dig Well was always in communication with them. He felt they operated in good faith with Mountain Waterworks and with the City. Also discussed, some products used were not AIS certified, but Chance said they were ordered from Ferguson and signed off by Ed, then four months later, Ed got back to them, saying they were made in Japan. Chance said he would be ok with the 30K payment now and holding the approximate 35K, while the City gets more verification from Mountain Waterworks. Dig Well feels information relayed to Mountain Waterworks wasn't relayed in the same way to the City. Dig Well stands by their belief they did everything within the contract.

Pay application #6: Motion made by Bill, seconded by Nyla to TABLE until status is verified; **ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries**

Change order #6, timeline extension: Motion made by Bill, seconded by Jesse to deny change order #6;
ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries

Change order #7: Motion made by Bill, seconded by Nyla to deny until they've had a chance to review;
ROLL CALL VOTE: Krick, Roach, Aherin; AYES, motion carries

CITY OFFICIAL, COUNCIL AND STAFF REPORTS

Mayor Update: No Report

Bill Krick – Water and Sewer Update: This afternoon was the bid opening on the waste water project. This will be broken into four different sections. Bids ranged from 15M to 17M. Mountain Waterworks is reviewing the bids.

Jesse Aherin – Administrative Update: No Report

Nyla Roach – Parks Update: Will write up RV Park Rules. Said rocks were thrown through the west and south sides of the fence, just prior to crossing the bridge. Possibly the snowplow? Planning to order playground equipment for the park.

CORRESPONDENCE: None

ADJOURNMENT – Motion made by Cody, seconded by Bill to adjourn at 8:15pm; **VOICE VOTE, AYES, motion carries.**



John Hermann, Mayor



Debi Zenner, City Clerk/Treasurer