# CITY OF IRWIN, IDAHO

**CITY COUNCIL REGULAR MEETING MINUTES: May 4, 2021**

**Location: Swan Valley Fire Station #2, 176 Oakden Street, Irwin, Idaho 83428**

Meeting called to order by Mayor Larry Perzichilli at 7:00 p.m. City personnel in attendance were:

Larry Perzichilli Mayor

Darrel Ricks Council President

Troy Vias Council

Bill McKimson Council

Terrie Stromberg Council

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Teresa Dumont Council

Kelly Pajmer City Clerk/Treasurer

Jay Rice P& Z Administrator A Quorum was present.

Guests in attendance: Jerry Glovacki , Wayne Chris tiansen, Sandra Alford, Chance Vias

# CONSENT AGENDA:

Bill moved that April 6, 2021 minutes and Financial Reports be app roved, and bills be paid. Second by Darrel. Vote all ayes.

**Unfinished/Old Business:** Mayor Larry declared we do not have any old business.

Wayne Christiansen asked if the Minutes for the February 2nd meeting were passed. Mayor Larry and City Clerk confirmed that they were. Wayne questioned when they were read and approved, and he was told at the March 2nd meeting . Wayne protested that they were not read and approved as he had amended. City Clerk clarified that the amended meeting minutes Wayne submitted were not accepted after consulting with city attorney. Mayor Larry directed Wayne to save his comments until time for Citizen Comments, as he was not on this month ' s agenda.

# NEW BUSINESS:

We are trying to setup a website for the city , City Clerk has done research and found AH Digital FX Studios operating out of Ririe does web design for the Swan Valley School, Ririe Chamber of Commerce and other municipalities. After consulting with the Swan Valley School for reference, decided AH Digital FX Studios is reputable and cost efficient, $3900-4500 to set-up and $480 annual fee. Mayor Larry called for a vote.

Vote to accept bid for website design by AH Digital FX Studi os, Vote: all ayes. Justine Hayes will not be presenting his property issues tonight.

**P&Z report:** Jay issued a Permit to Ben Faber because the fire suppression systems is operable, Fire Chief Oak contacted me.

2021-5 is Collette Brown annexation, we will publish the public hearing notice next week in the Post Register. Collette Brown ' s purchase of the property is contingent on the property being annexed into the city and rezoned commercial.

Irwin and Swan Valley currently share a Comprehensive Pla n, City Attorney has been contacted

to update the comprehensive plan and will separate Irwin and Swan Valley so each city has their

own comprehensive plan. New comprehensive plan will require new subdivisions be 5 acre. Justin Hayes was on the Agenda because Palisades Lodge is looking to purchase land to build affordable housing for employees. Mayor Larry asked Jay to contact City Attorney about logistics of getting around the 5-acre requirement for the proposed housing project.

Sandra Alford stated that she purchased 5 acres in the City of Irwin of which 2.5 acres is on the backside of her dad's property, and is working with BLM to get access thru their road at the gravel pit, and asked if she could still build on the 2.5 acres she just purchased, Mayor Larry answered that she could, the 2.5 acres is current minimum , the 5-acre requirement is not finished yet.

**CITIZEN COMMENTS:** Wayne Christiansen has instructed his attorney not to talk with City attorney unless he is present. According to the prosecuting attorney for Bonneville County said it is under negotiation by the lawyers , has not investigated it, only partially, so I have a meeting with him in two weeks. He was hoping we could sit and discuss it and get it out of the way. The deputy present at the last meeting got in trouble over a comment he made, Wayne has a copy of his body cam if anyone wants to see it. The county says they don ' t want to spend the manpower to do this, but Boise says they will, but I am still under the conclusion that we can settle this halfway decent and walk off and be happy about it. I need these minutes passed as-is because the county has already investigated it, but part of their complaint was the minutes were not up to date and were not approved. That' s why I was asking if you were denying it. Right now I scheduled to remove scrap iron and cars off my property, Pacific Recycle to come on June 28111, if we don ' t get it agreed on I' m going to cancel that , so my half of it, if you read that agreement it said if the other agreement is informed that one does not have affect unless both of them is in there , that you voted on, so at that point I would like to go ahead and have them come out and bale, so I would like time if I cancel that and yo u decide that we do sign the agreement I want that postponed so I would have time to do it, and I think that' s fair. My attorney will not be talking to your attorney unless I am present. On the other hand your attorney threatened to pull my Special Use Permit which was a benefit to me, he cannot but that is besides the point. I do believe if you sit down at a board meeting and work things over and then we can trust each other again, I think it is something we can do , if not I have a meeting with prosecuting attorney within two weeks, and the sheriff on that meeting I need to get some information back if we can go ahead and do something, I would like to by that time. I will answer any questions you have.

Mayor Larry asked which agenda and minutes Wayne was talking about, the ones you copied off your tape and what does that have to do with anythin g, they were not even close to what we had on our tape. Wayne asked if he could listen to our tape, and then requested if he could get a copy of it in the next ten days , Mayor Larry agreed. Mayor Larry continued, as far as us signing both agreements, the phony one , and the real one that we all agreed on, both attorneys , you , me, Kelly, the council. Wayne asked when he agreed on this. Mayor Larry answered, the one that we worked months on, Wayne. And then you brought up the other one. Wayne disagreed, stating it was the same one. Wayne asked ifhe could clarify someth i ng, not to argue, Jeff was on phone conversation with me and my attorney and faxed a paper to us and emailed it to us, we were looking at it, it said we were going to change the zoning status and that was not on there. I said we want to keep it exactly the way it is. Mayor Larry stated of course you do, that gives you all the power in the world. Wayne responded, you betcha.. Where he come up with this other one I do not know it is not the one they voted on. Mayor Larry said he did not know either. Wayne asked we are still talking about the one we agreed on, on that vote. Mayor Larry, yes, the first one, that was the only one. There were two but the second one was the one Wayne brought in at the eleventh hour.

Wayne explained the one where I donated the use, moving the cars back, changing the title and the other said we kept everything the same as it was. Darrel asked , Is that the two you were talking about? We don ' t know exactly what they said a couple months ago. Wayne explained that ' s why he tried to get the minutes done in February. The paperwork should have been read by Idaho Statute, anytime you vote on something it goes into the minutes and it goes on public records if

they voted on it. It was not done, that's why I wanted a copy of the minutes. Mayor Larry assured Wayne he would get a copy of the minutes. Wayne said it would be a copy of these minutes, the amended minutes. Mayor Larry explained as far as us signing two agreements would not happen. You can talk with your district attorney in Boise and Washington DC, because I will never change my mind. And the stuff in your yard , have at it. Wayne said he would cancel that one then. Mayor Larry, your neighbors will appreciate it. Wayne ended with he doesn ' t care about his neighbors, I only care about me.

There being no further business before the council:

**Mayor Larry called for adjournment at 7:38 p.m.**

**Terrie moved the meeting adjourn. Second by Troy. Vote all ayes.**

Larry Perzichilli , Mayor

ATTEST:- - - - - - - - - - - - -

Kelly Palmer, City Clerk/Treasurer

Approval Date:\_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_