**CITY OF IRWIN, IDAHO**

**CITY COUNCIL REGULAR MEETING**

 **MINUTES: February 2, 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

 Marc Weimer Council

 Teresa Dumont Council

Kelly Palmer City Clerk/Treasurer

 Jay Rice P& Z Administrator

A Quorum was present.

Guests in attendance: Jerry Glovacki

Bill moved the January 5, 2021minutes of City Council Regular Meeting be approved as submitted and read. Second by Troy. Vote all ayes. Motion carried.

Marc moved disbursements be approved and paid. Second by Bill. Vote all ayes. Motion carried.

Teresa moved financial reports be approved as submitted. Second by Terrie. Vote all ayes. Motion Carried.

**Unfinished/Old Business**: None.

**NEW BUSINESS:**

Mayor Larry advised that we were going to have a vote on the Memorandum of Understanding between Wayne and the City tonight, but due to the fact that nobody can agree, neither the attorneys or Wayne and myself, the vote will be tabled, a special meeting will be scheduled if the parties can come to an agreement.

Wayne insisted that the vote be taken tonight as noted in the posted meeting agenda, and that Internal Affairs (who he has a case pending with), asked that each member’s vote be written down in the minutes by name.

A council member asked Wayne if he was in favor of the Memorandum of Understanding as written by the City’s attorney, that each council member had a copy of, and he agreed he was in favor of it as written. Mayor Larry stated that a vote would be taken by name on the Memorandum of Understanding council members have a copy of.

Wayne stated he would not sign that Memorandum of Understanding unless the second Memorandum of Understanding he provided at the meeting was signed also.

Teresa asked for clarification on the vote and Mayor Larry allowed Wayne to respond. Wayne recapped the meeting with Mayor Larry, City Clerk and himself where a list of what both sides wanted, and Wayne further added the second memo describing the 1991 Special Use Permit being grandfathered-in had to be presented to the Judge exactly as it was written or the court would not back it.

Mayor Larry told Wayne that we gave that memo describing the 1991 Special Use Permit and the list of what both sides wanted to our attorney, and a draft form of the Memorandum of Understanding was reviewed and approved by the Council during the January 5, 2021 regular meeting, but not the second agreement Wayne brought with him. Wayne insisted that there is to be two agreements, Mayor Larry disagreed. City Clerk described that one Memorandum of Understanding was created that covers both the 1991 Special Use Permit remaining on the property, and the storage of vehicles.

Wayne adamantly disagreed with having one agreement, that the Judge and his attorney want the agreement exactly as written, because it is the result of the last trial, the one dismissed, and is the one the Judge would be making his decision on. The agreement on the vehicles is a bonus to the city. If you vote on the Special Use Permit agreement, I will sign the agreement on the vehicles, if not we will let the court settle it.

Mayor Larry was advised not to vote until we get the second agreement changed, and agreed to by both the attorneys.

We are going to vote on the Memorandum of Agreement presented by Wayne:

Teresa: NO Terrie: NO Marc: YES Troy: YES Bill: YES Darrel: YES

Vote on Memorandum of Agreement as presented to the Council:

Teresa: YES Terrie: YES Marc: YES Troy: YES Bill: YES Darrel: YES

**P&Z report**: Jay reported no new business. No new permits have been submitted, although he has gotten several calls for new houses.

Jay would like to see an ordinance passed requiring new subdivisions or lot splits be increased from 2.5 acres to 5 acres minimum. Council agreed and Jay will speak with City attorney to get information on process to get the ordinance approved.

There being no further business before the council:

**Mayor Larry called for adjournment at 7:42 p.m.**

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

Larry Perzichilli, Mayor

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

 Kelly Palmer, City Clerk/Treasurer