The Emmett City Council held a meeting at 501 E. Main Street, Emmett, Idaho.

Mayor Petrie called the meeting to order at 5:30 p.m.

Mayor Petrie led the Pledge of Allegiance

Lance Zagaris offered the Community Invocation

**Council Present**: Council President Tona Henderson, Councilor Steve Nebeker, Councilor Tom Butler, Councilor Jody Harris, Councilor Gary Resinkin

**Council Present by Zoom**: None

**Council Absent:** Councilor Denise Sorenson

**City Attorney**: Jake Sweeten

**Staff Present**: Lyleen Jerome, Mike Knittel, Steve Kunka, Curt Christensen, Clint Seamons, Brian Sullivan, Michael Giery

**Staff Present by Zoom**: None

**Public Present**: Brent Hyde, Sterling Hardman, E. Hardman, Don Boline, Kathy Terry, Denise Whelan, William Whelan, Lori Cline, Maggi Stephens, Bob Turnbull Lanc Poole, Michele Downs, Andy Rosas, Ray Bolinger, Brett McGann, Lisa Becker, Chris Cozzoline, Chris Kerr, Kelly Brown, Stanley Bohn, Vernon Bolinger, Stefani Bolinger, R. Bolinger, Heather Hardman, Arlena Thomas, Gary Thomas, Jethro Batchelor, Lisa Jorgensen, Leah Vickery, Lance Zagaris, Paul Henry, Tifannie Betchart, Samantha Armstrong, Brianna Keep, Priscilla Delcid, Jeanie Poole, Kimball Helms, Pierce Hardman, Carl Cook, James Cook, R. Thomas, Aaron Poole, Jeff Sjolin

**Amendments to the Agenda**: None

**Declaration of Conflict of Interest**: None

**Declaration of Council Members’ Discussion Outside an Open Meeting**: None

**ELECTED OFFICIALS:**

**Mayor:** Proclamation – National Friends of Libraries Week presented to Darci Hill.

**City Council:** None

**Announcements and Good of the Order:** None

**DISCUSSIONS/INFORMATION:**

Michelle Downs of Emmett, Idaho – Mrs. Downs addressed the Council about the noise from screeching tires and screaming engines created by the race track that is located on Mill Road in Emmett. She presented a copy of Exhibit C of the approved Development Agreement, a copy of minutes from December 14, 2021 when the council made the decision to annex the property with a development agreement, a petition of 40 signatures that she obtained from her neighbors that are also wanting something done about the noise level that the racetrack creates, a copy of Title 59 code on “public nuisances”, and 56 pages of dispatch calls taken from the dates of 6/24/23 to 9/16/24 which were all related to the disturbance caused by the race track.

She wanted the Council to know that although her intent is not to stop those that enjoy the race track, but rather put something into place that keeps the noise at a level that is tolerable to those that live near the racetrack.

Mrs. Downs requested that the Council consider making the following modifications to the existing development agreement:

1. Erect meaningful sound barriers
2. Reduce maximum decibel levels from 98 on the property line, to 95 as measured on the track and approved silencers for all exhaust systems
3. Prohibit “Drift Racing” entirely
4. Decibels to be monitored remotely by City.
5. Reduce track use days per week allowed from 7, to 4
6. Reducing track use times from 9:00 a.m. - 10:00 p.m. to 11:00 a.m.- 8:00 p.m.

The owner of the racetrack was present in the room and Mayor Petrie asked John Wood if he would be willing to meet with the Council to see if we can work through some of these issues. Mr. Wood’s response - “yes, I would love to sit down with them and work through these issues, but I would not like it to be in setting like this”. Mayor Petrie responded that it would likely be in an executive session, and asked the preferred way to contact him to schedule this future meeting.

**CONCURRENT PUBLIC HEARINGS:**

To confirm that the City’s Comprehensive Plan includes a capital improvement element, to consider adoption of a Capital Improvements, Plan, and to consider adoption of an ordinance authorizing the imposition of Development Impact Fees.

**Mayor Petrie opened the Public Hearing at 6:09 p.m.**

**Staff Presentation:** Mike Knittel, IT Administrator presented information to the council and answered questions. City Attorney, Jake Sweeten, also provided the legal requirements outlined in the Comprehensive Plan, to include a CIP plan to support the implementation of Impact Fees.

**Public Comments**: Mayor Petrie opened the floor for any public comments. Paul Henry, Emmett, Idaho addressed the council and feels that impact fees are a good thing. He asked questions related to rebuilding a structure or adding a garage to an existing building be subject to these fees. Mike Knittel and the City Attorney responded to the question satisfactorily.

Mayor called three times and asked if there is anyone present that would like to testify or make comments on the public hearing. No other responses from the public.

Mayor Petrie closed the Public Hearing at 6:23 p.m.

**DECISION OF PUBLIC HEARING:**

**Motion #1:**

Councilor Nebeker **MOVED THAT THE CAPITAL IMPROVEMENTS PLAN IS CONFIRMED TO ALREADY BE INCLUDED AS AN ELEMENT OF THE CITY’S ELEVATE EMMETT COMPREHENSIVE PLAN.** Seconded by Council President Henderson**. Roll call vote:** Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, CouncilorResinkin – AYE. 5-AYES, 0-NOES, 1-ABSENT. **Motion Carried**.

**Motion #2**:

Council President Henderson **MOVED TO APPROVE THE MARCH 18, 2021 FINAL REPORT FOR THE** **CITY OF EMMETT IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN**. Seconded by Councilor Resinkin. **Roll call vote**: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, CouncilorResinkin – AYE. 5-AYES, 0-NOES, 1-ABSENT. **Motion Carried**.

**CONSENT AGENDA:**

Approval of Minutes – October 8, 2024 – Regular Council Meeting

Approval of Accounts Payables

Approval of Permits – Bartender Permit – Danette Hulbert, Samantha Johnson, Rochelle Russell, Martha Voermans, Michelle Callens, Daniel Kyle Vaughan

Councilor Resinkin **MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED**. Seconded by Councilor Harris. **Motion carried by voice vote**

**BUSINESS:**

Lyleen Jerome, City Clerk requests approval of Ordinance #O2024-04. AN ORDINANCE OF THE CITY OF EMMETT, IDAHO, ENACTING A NEW TITLE 12 OF THE EMMETT CITY CODE; “IMPACT FEES”; ENACTING A NEW CHAPTER 1 TO TITLE 12 OF THE EMMETT CITY CODE: “DEVELOPMENT IMPACT FEES”. Councilor Nebeker **MOVED TO APPROVE ORDINANCE #O2024-04 AN ORDINANCE OF THE CITY OF EMMETT, IDAHO, ENACTING A NEW TITLE 12 OF THE EMMETT CITY CODE; “IMPACT FEES” ENACTING A NEW CHAPTER 1 TO TITLE 12 OF THE EMMETT CITY CODE “DEVELOPMENT IMPACT FEES AND TO DISPENSE WITH THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS AND ONCE IN FULL, AND THAT THE ORDINANCE BE READ ONCE BY TITLE.** Seconded by Council President Henderson**.** Roll call vote: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, Councilor Resinkin – AYE. 5-AYES, 0-NOES, 1 ABSENT. **Motion Carried**.

Lyleen Jerome, City Clerk read Ordinance #O2024-04 by title only. Councilor Nebeker **MOVED TO ACCEPT THE FIRST AND ONLY READING OF ORDINANCE #O2024-04, DIRECT THE MAYOR TO SIGN, AND DIRECT THAT IT BE PUBLISHED BY SUMMARY.** Seconded by Councilor Resinkin**.** Roll call vote: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, Councilor Resinkin – AYE. 5-AYES, 0-NOES, 1 ABSENT**. Motion Carried**.

Mike Giery, Fire Marshal requests approval of LIV Safe for Life Safety Systems Compliance Tracking. Councilor Butler **MOVED TO APPROVE LIV SAFE FOR LIFE SAFETY SYSTEMS COMPLIANCE** **TRACKING AGREEMENT WITH MAYOR TO SIGN.** Seconded by Council President Henderson. Roll call vote: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, Councilor Resinkin – AYE. 5-AYES, 0-NOES, 1 ABSENT**. Motion Carried**.

Clint Seamons, PW Director requests approval of Arbor Day Foundation 2024 Tree City USA Application. Council President Henderson **MOVED TO APPROVE ARBOR DAY FOUNDATION 2024 TREE CITY USA APPLICATION FOR CERTIFICATION WITH THE MAYOR TO SIGN.** Seconded by Councilor Resinkin**.** Roll call vote: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, Councilor Resinkin – AYE. 5-AYES, 0-NOES, 1 ABSENT**. Motion Carried**.

Clint Seamons, PW Director requests approval of Agreement for Professional Services to Keller Associates for the Water and Wastewater User Rate and Connection Fee Study in the amount of $24,200.00. Council President Henderson **MOVED TO APPROVE THE AGREEMENT FOR PROFESSIONAL SERVICES TO KELLER ASSOCIATES FOR THE WATER AND WASTEWATER USER RATE CONNECTION FEE** **STUDY IN THE AMOUNT OF $24,200.00 WITH THE MAYOR TO SIGN**. Seconded by Councilor Resinkin. Roll call vote: Council President Henderson – AYE, Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker – AYE, Councilor Resinkin – AYE. 5-AYES, 0-NOES, 1 ABSENT**. Motion Carried**.

Clint Seamons, PW Director requests approval of Water Recovery Services LLC invoice for Well #6 treatment. Council President Henderson **MOVED TO APPROVE WATER RECOVERY SERVICES LLC** **INVOICE IN THE AMOUNT OF $15,230.00 FOR WELL #6 TREATMENT**. Seconded by Councilor Harris. **Motion carried by voice vote**.

Brian Sullivan, Building/Zoning Administrator requests approval of a permit fee waiver for Emmett High School. Councilor Butler **MOVED TO APPROVE EHS BOOSTER CLUB BUILDING PERMIT FEE WAIVER FOR THE REMOVAL AND REPLACEMENT OF THE EMMETT HIGH SCHOOL BASEBALL** **FIELD SNACK BAR AND PRESS BOX.** Seconded by Councilor Harris. **Motion carried by voice vote**.

**ACTIVITY REPORTS:**

Building Official/City Planner – Brian Sullivan – Reported

City Clerk, Lyleen Jerome – Reported

Fire Chief – Curt Christensen - Reported

Library Director, Alyce Kelley – Absent

Police Chief, Steve Kunka – Reported

Public Works, Clint Seamons – Reported

IT Systems Director, Mike Knittel – Reported

**ADJOURN**

Councilor Butler **MOVED TO ADJOURN.** Seconded by Councilor Harris. **Motion carried by voice vote.**

**Meeting adjourned at 7:06 p.m.**

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 **Mayor Gordon Petrie Lyleen Jerome, City Clerk**