

City of Emmett Council Meeting

March 28, 2023

Regular Meeting

The Emmett City Council held a meeting at 501 E. Main Street, Emmett, Idaho.
Mayor Petrie called the meeting to order at 7:00 p.m.
Mayor Petrie led the Pledge of Allegiance
Hugh Orr offered the Community Invocation

Council Present: Council President Steve Nebeker, Councilor Gary Resinkin, Councilor Jody Harris, Councilor Tom Butler, Councilor Denise Sorenson

Council Absent: Councilor Tona Henderson

Staff Present: Lyleen Jerome, Steve Kunka, Brian Sullivan, Alyce Kelley, Curt Christensen,

Public Present: Matthew Hebb, 8278 W. Limelight St, Boise, ID

Public Present via telephone: None

Amendments to the Agenda: None

Declaration of Conflict of Interest: None

Declaration of Council Members' Discussion Outside an Open Meeting: None

ELECTED OFFICIALS:

Mayor Petrie made a proclamation in support of Marcy's Law

City Council - None

Announcements and Good of the Order - None

CONSENT AGENDA:

Approval of Minutes – March 14, 2023

Approval of Accounts Payables

Approval of Permits – None

Councilor Resinkin **MOVED TO APPROVE THE CONSENT AGENDA**, Seconded by Councilor Harris.
Motion Carried by voice vote.

BUSINESS:

Curt Christensen, Fire Chief requests approval of the surplus of fire department property. Council President Nebeker **MOVED TO APPROVE THE SURPLUS OF EQUIPMENT AS SPECIFIED IN THE COUNCIL PACKET DOCUMENT**. Seconded by Councilor Resinkin. **Motion carried by voice vote.**

Brian Sullivan, Building/Zoning Administrator request approval of Final Plat Extension of Payette River Orchards Phase 5. Councilor Sorenson **MOVED TO APPROVE TO FILE THE FINAL PLAT FOR PHASE 5 OF PAYETTE RIVER ORCHARDS SUBDIVISION TO MAY 11, 2024, WITH AN OPTION TO FILE ANOTHER EXTENSION UPON SHOWING GOOD CAUSE**. Seconded by Councilor Resinkin. **Motion carried by voice vote.**

DEPARTMENT REPORTS:

Building Official/City Planner – Brian Sullivan – Reported

City Clerk, Lyleen Jerome – Reported

Fire Chief, Curt Christensen – Reported

Library Director, Alyce Kelley – Reported

Police Chief, Steve Kunka – Reported

Public Works, Clint Seamons - Absent

IT Systems Director, Mike Knittel – Absent

Adjourn – Councilor Resinkin **MOVED TO ADJOURN**, Seconded by Councilor Harris. **Motion Carried by voice vote.**

Meeting Adjourned 7:14 p.m.

Mayor Gordon Petrie

Lyleen Jerome, City Clerk



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name MAEVE BAKIC

Date Application Received 03/20/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Background Check Wess
- Emmett Police Name/Records Check
- Gem County Sheriff's Name/Records Check
- Application Approved
- Application Denied
- Chief of Police (signature) [Signature] Date 4-4-23

Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
Council Date

Official Permit

- Created _____
- Mailed _____
- Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name HANNAH BARRETT

Date Application Received 03/20/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Background Check Wahl
 _____ Emmett Police Name/Records Check
 _____ Gem County Sheriff's Name/Records Check
 _____ Application Approved
 _____ Application Denied
 _____ 4-4-23
 Chief of Police (signature) Date

Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
 Council Date

Official Permit

- Created _____
- Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name LAUREN GALLOWAY

Date Application Received 03/07/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Background Check *[Signature]*
 _____ Emmett Police Name/Records Check
 _____ Gem County Sheriff's Name/Records Check
 _____ Application Approved
 _____ Application Denied
[Signature] 4-4-23
 Chief of Police (signature) Date
- Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
 Council Date

Official Permit

- Created _____
- Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name ANGELA GABIOLA

Date Application Received 03/29/23 By SJ

- New Application **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Background Check *[Signature]*
- Emmett Police Name/Records Check
- Gem County Sheriff's Name/Records Check
- Application Approved
- Application Denied
- Chief of Police (signature) *[Signature]* Date 3-31-23
- Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
Council Date

Official Permit

- Created _____
- Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name MICHAEL GIERY

Date Application Received 03/21/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Background Check *[Signature]*
 _____ Emmett Police Name/Records Check
 _____ Gem County Sheriff's Name/Records Check
- Application Approved
- Application Denied
- [Signature]* Chief of Police (signature) 4-4-23 Date

- Fingerprint Results Attached (New only) _____

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
Council Date

Official Permit

- Created _____
- Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name JODY HARRIS

Date Application Received 03/07/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

Background Check *[Signature]*

✓ Emmett Police Name/Records Check
✓ Gem County Sheriff's Name/Records Check

✓ Application Approved

✗ Application Denied

[Signature] 3-31-23
Chief of Police (signature) Date

Fingerprint Results Attached (New only) _____

City Council

Added to Council Agenda for approval

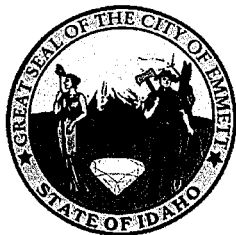
City Council Approved Yes No _____
Council Date

Official Permit

Created _____

Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name ROBERTA RICE

Date Application Received 03/07/23 By SJ

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

Background Check

Emmett Police Name/Records Check

Gem County Sheriff's Name/Records Check

Application Approved

Application Denied

Chief of Police (signature)

Date

3-31-23

Fingerprint Results Attached (New only)

City Council

Added to Council Agenda for approval

City Council Approved Yes No Council Date _____

Official Permit

Created _____

Mailed _____

Tracking # _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name KRISTEN RUSH

Date Application Received 03/07/23 By SJ

- New Application** **Renewal Application**
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

Background Check Utah

Emmett Police Name/Records Check

Gem County Sheriff's Name/Records Check

Application Approved

Application Denied

[Signature] 3-31-23

Chief of Police (signature) Date

Fingerprint Results Attached (New only) _____

City Council

Added to Council Agenda for approval

City Council Approved Yes No _____

Council Date

Official Permit

Created _____

Mailed _____

Tracking # _____



March 20, 2023

City of Emmett
501 E. Main St
Emmett, ID 83617

Dear Mayor Gordon Petrie and Members of the Emmett City Council:

The Gem County Chamber of Commerce (GCCC) respectfully requests the following:

- 1) For the 2023 Emmett Cherry Festival Event, use of the Emmett City Park from June 9-18, 2023 (Friday – Sunday).
- 2) For the 2023 Emmett Cherry Festival Parade, permission for road closures on Saturday, June 17, 2023, from 5:30 pm – 7:00 pm to include, from the corner of East Main Street and Washington Avenue to the corner of East Main Street and South Johns Avenue.
- 3) For the 2023 Fireman’s Hose Competition, permission for road closure on East Main Street between Wardwell Avenue and McKinley Avenue, on Saturday, June 17, 2023, from 8:00 am – 1:30 pm (actual competition hours 9:00 am – 1:00 pm).
- 4) For the 2023 Emmett Lions Car Show, permission for road closure on East Main Street between McKinley Avenue and South Johns Avenue, on Saturday, June 17, 2023, from 6:00 am – 4:00 pm (actual show hours 8:00 am – 3:00 pm).
- 5) For the 2023 Emmett Cherry Festival Event, permission for road closure of Dewey St. between Johns Ave. and Park St, on Sunday, June 11 to Sunday, June 118, 2023, for Rainier Amusements Carnival parking during the event.
- 6) The use of the grass area in front of city hall or by the tank for the Marines Mounted Color Guard meet and greet on Saturday, June 17, 2023, during the car show.

The GCCC agrees to market and manage the 2023 Emmett Cherry Festival event and understands and agrees to the following regarding the event:

- 1) Insurance: The GCCC will carry Special Event Liability Insurance through Idaho Select Insurance, Ben Mock, agent.
- 2) Trash/Waste:
 - a. The GCCC will provide trash pickup in the City Park throughout the event.
 - b. The GCCC will arrange to have large dumpsters to be onsite for the collection of park trash and pay any additional costs incurred for the additional dumpsters from Emmett Sanitation.
 - c. The GCCC agrees there will be no sewer hook-ups or dumping of wastewater on the City Park grounds.
 - d. The GCCC will provide and/or pay for proper wastewater containers onsite.
 - e. All used cooking grease will be dumped in proper waste containers provided by the GCCC-hired vendor.
 - f. The GCCC agrees that any violation of waste dumping may result in the City of Emmett issuing citations along with cleanup costs to be billed to the GCCC, vendor or both.

- 3) City-GCCC Communication:
 - a. The GCCC will meet with and work closely with Emmett Fire Chief and Emmett Chief of Police to ensure all codes are adhered to and that communication takes place before and during the event.
 - b. The GCCC will provide park maps with the layout and details of the event to Fire, Police and Public Works officials.
 - c. For the duration of the event, a direct communication line will be established between the GCCC CEO and Public Works official designee.
- 4) Security: The GCCC will hire and pay for two overnight security officers for the hours between 11:00 pm and 6:00 am, starting Friday, June 9 through the morning of Sunday, June 18, 2023.
- 5) Clean-up: The GCCC will be responsible for the clean-up of the City Park after the park is vacated on Sunday, June 18, 2023.
- 6) Damage:
 - a. The GCCC will be responsible for any permanent damage done to the park grounds during the event.
 - b. No stakes or posts will be allowed to be used in the park by vendors, carnival, and the chamber.
 - c. The GCCC will monitor and limit Expo Vendors ability to drive their vehicles into the Expo Vendor area for the unloading and loading in and out of their booths.
 - d. Any and all tree trimming or cutting of trees will be strictly prohibited.
- 7) Vacating Park:
 - a. The GCCC will ensure that all Cherry Festival vendors and amusement/carnival company vehicles have exited the City Park by 5:00 pm on Sunday, June 18, 2023, to allow sprinklers to begin running as soon as possible.
 - b. The GCCC will be responsible for any towing fees associated with vehicles or equipment not removed by the above deadline.
- 8) Amusement/Carnival Company Parking: To lessen damage to the City Park, Rainer Amusements will be camping off-site on Dewey Street. To keep an emergency lane open on Dewey Street some camping will be allowed in the grassy areas to the West of the tennis courts. Two of their RV's will be exempt and allowed to park within the City Park for security purposes.
- 9) Traffic Control and Street Closures:
 - a. The GCCC will be responsible for securing all traffic control and street closure paperwork, permits, permissions and traffic/security products (i.e., cones, barriers, etc.).
 - b. The GCCC will work closely with Police, Fire and Public Works departments to ensure all rules and regulations are followed, and the safety of the community and event attendees are safeguarded.
 - c. A certified traffic control plan from Idaho Traffic Control will be provided to the City of Emmett and its appropriate departments, along with a receipt for the traffic control for the parade and road closures.
 - d. The GCCC will provide the City of Emmett with the state highway traffic permit, now in the process, from the Idaho Transportation Department to be distributed to the City of Emmett Police, Fire and Public Works departments for final approval.
- 10) Electrical:
 - a. The GCCC will provide a certified electrician for the event through Mackey Electric.
 - b. Mackey Electric will set up the additional power sources and ensure vendors have power where needed.

- c. The GCCC will pay Mackey Electric for services during the 2023 Emmett Cherry Festival.
- d. Any minor sod cuts or digging to bury electrical cords will be repaired.
- 11) Porta-Potties: The GCCC will contract with a vendor to supply sufficient porta-potties for the event to begin upon the arrival of the carnival company through Sunday, June 18, 2023, before 5:00 pm.
- 12) Alcohol: The GCCC will have a booth serving alcohol Wednesday, June 14 - Saturday, June 17, starting at 11am and ending at 9:30pm.
- 13) The GCCC will arrange for a bucket truck and be allowed to drive on City Park property for the purposes of hanging banners on the band shell.
- 14) The GCCC will work with Clint Seamons on making 1st, 2nd, and 3rd street one-way streets. Starting Wednesday, June 14 ITC will make 1st and 3rd streets one way East bound from Hayes to Moffatt and 2nd street will be one-way West bound from Hayes to Moffatt.
- 15) City EMS will be at the event on Friday and Saturday 12pm to 10pm.
- 16) The GCCC will be working closely with Chief Kunka, Chief Christensen, and Clint Seamons to help alleviate issues with parking. Parking areas will be promoted prior to the event, including a shuttle from another location.

Further, the GCCC respectfully requests the following from the City of Emmett:

- 1) The City Fire Chief will inspect the 2023 Emmett Cherry Festival food vendors for proper fire suppression equipment.
- 2) The city will provide City Police presence in the City Park during the event and on Saturday during the parade as arranged with the GCCC CEO and Police Chief.
- 3) The city will provide trash bags and gloves for the event.
- 4) The city will assist in moving the city picnic tables to locations to be arranged between Public Works and the GCCC CEO.
- 5) The city will shut off all irrigation water and all sprinkler pipes will be removed before the event.
- 6) The city will mark all sprinkler heads and electrical lines before the event.
- 7) The city will ensure all entrances to the park will be unlocked during the event.
- 8) The city will ensure designated power boxes will be unlocked and turned on during the event.
- 9) The city will close all City Park restrooms to the general public during the event. The city will provide a key to band shell restroom to the GCCC CEO for the event.
- 10) The city will allow water hook-ups within the City Park for the event.
- 11) The city with coordination from Mike Knittel, will setup a special and separate connection to Wi-Fi for the vendors use during the event.

Thank you for your consideration and assistance in this very special community event.

Sincerely,

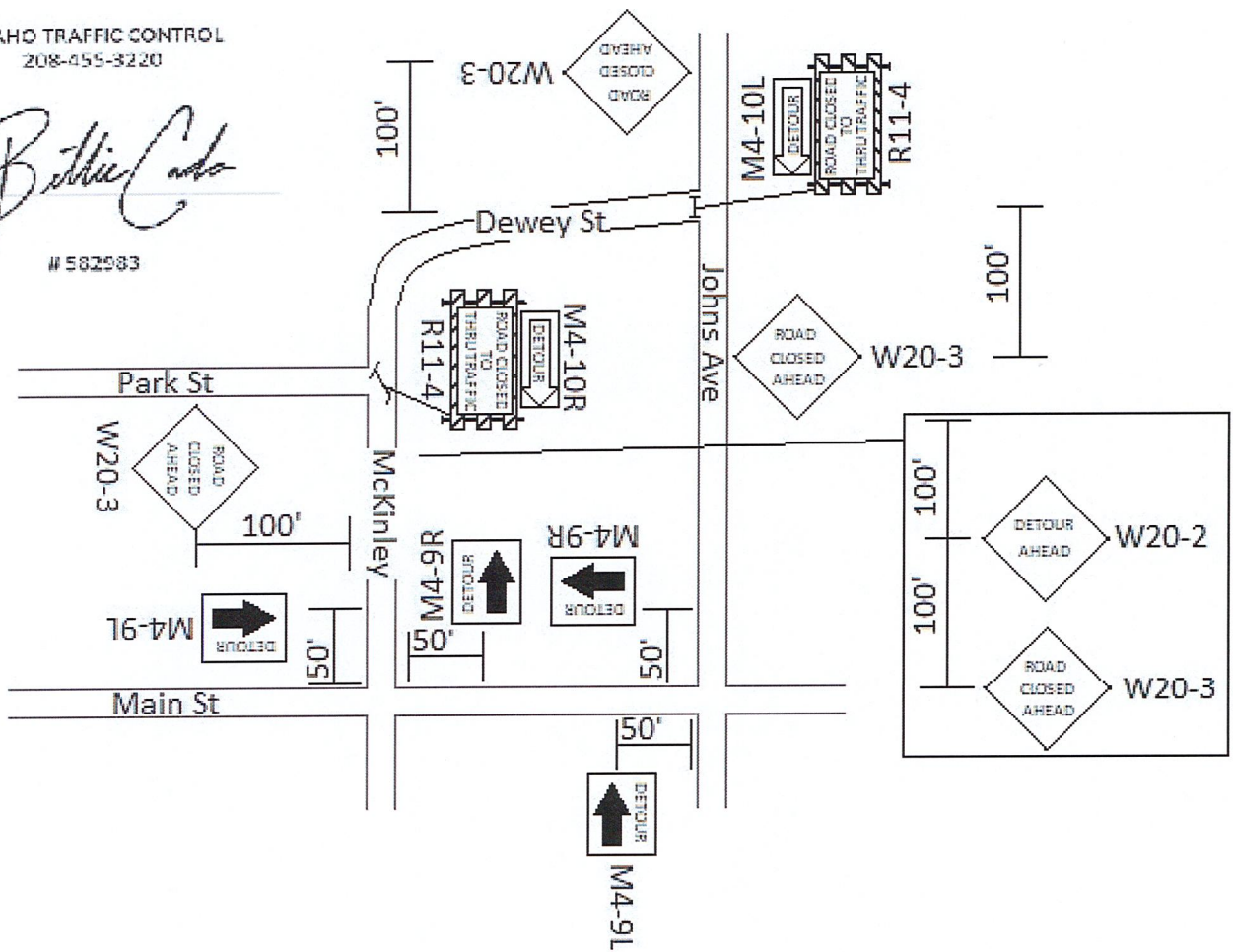
Tina Hefley

CEO
Gem County Chamber of Commerce

IDAHO TRAFFIC CONTROL
208-455-3220

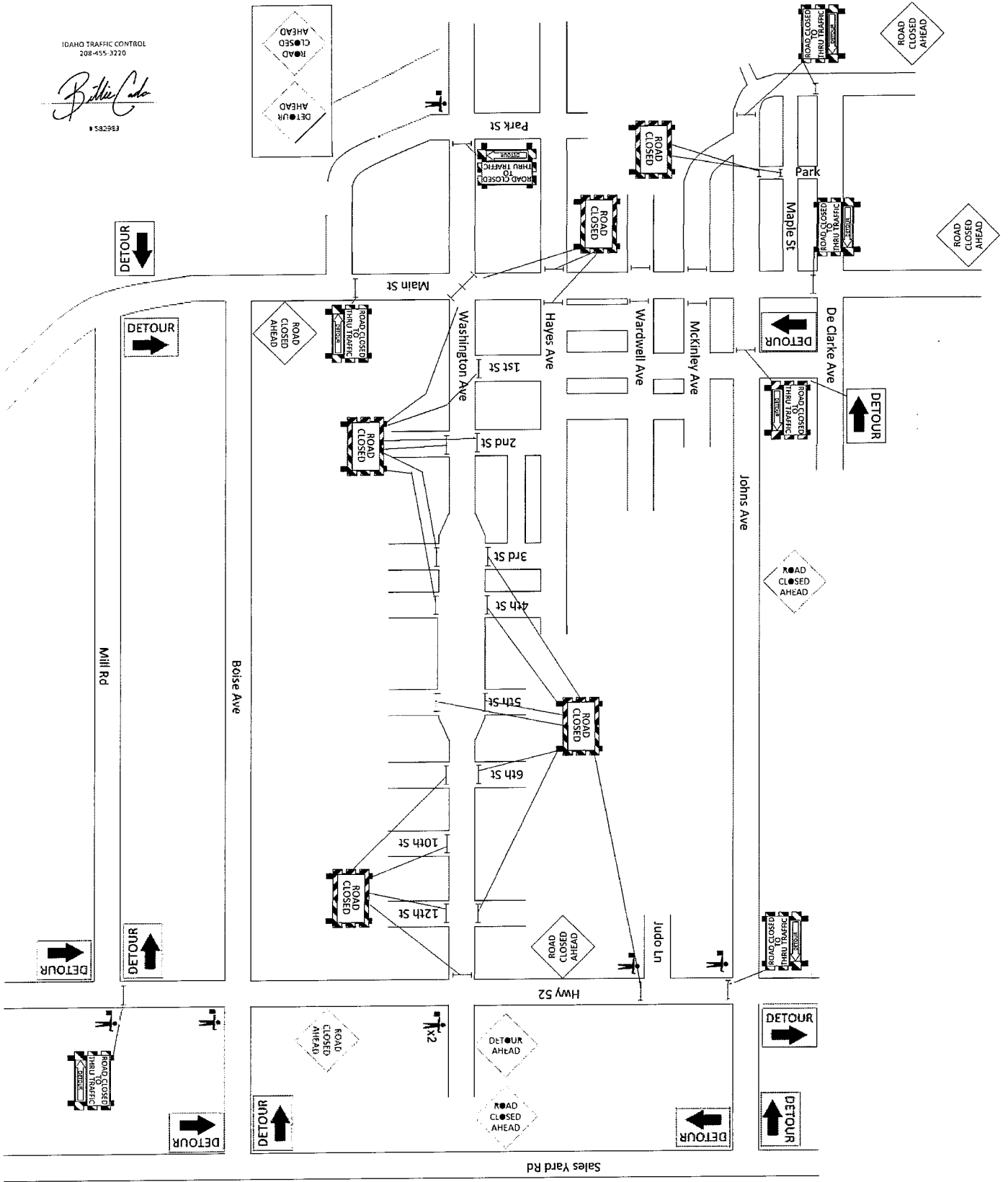
Bethie Cade

582983

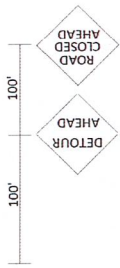


IDAHO TRAFFIC CONTROL
208-455-3220

Bullie Cole
FR2925.4



Sales Yard Rd



IDAHO TRAFFIC CONTROL
208-455-3220

Betsy Hansen
#28797



Main St



Washington/SH-52

● - Portable Tubular Marker
Speed Limit is 25 MPH
All conflicting signs will be covered.

IDAHO TRAFFIC CONTROL

208-455-3220

Becky Hancock

#28797

Johns Ave

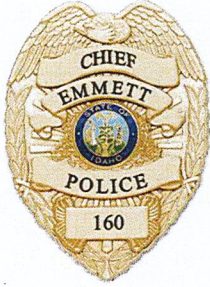
McKinley Ave

Wardwell Ave



Main St





EMMETT POLICE DEPARTMENT

501 E. Main Street – Emmett, ID 83617

Fax 365-6062 Phone 365-6055

Steve Kunka, Chief of Police

April 5, 2023

Mayor Gordon Petrie
Emmett City Council

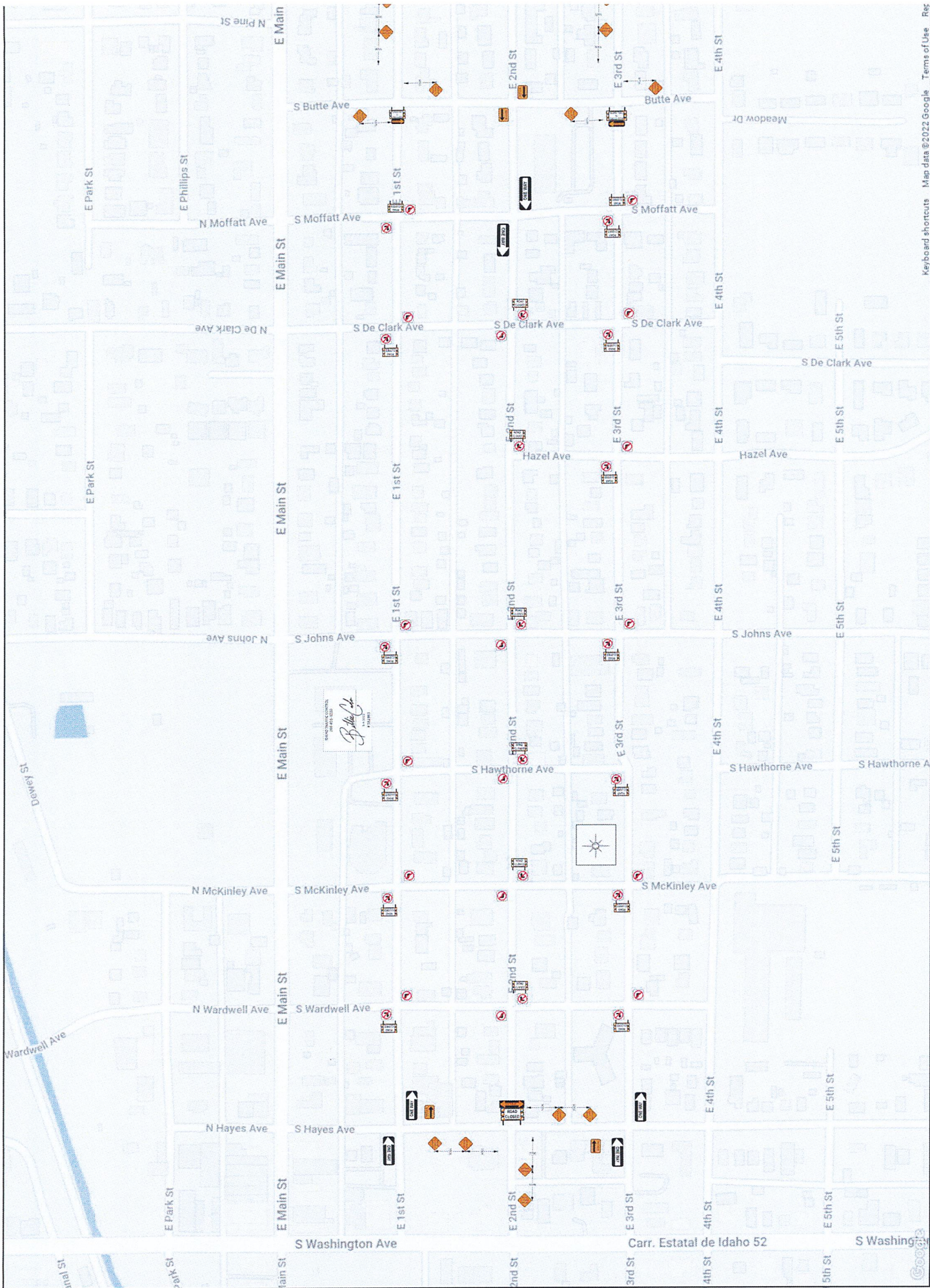
During this year's Cherry Festival, between June 15th and June 19th, there will be a change in traffic flow between East 1st and East 3rd streets. These streets will be changed to one-ways between Hayes and Butte Avenues (please see attached traffic plan provided by ITC). We required the Chamber of Commerce to provide the appropriate signage, from I.T.C., for this change of traffic flow.

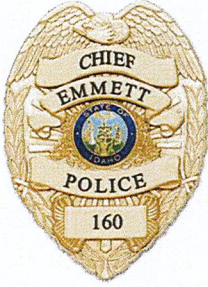
East 1st and East 3rd streets will have traffic flowing to the east while East 2nd street will have traffic flowing to the west. The purpose of changing these roads to one-ways is to make sure there is room for emergency vehicles to respond to emergencies in an efficient manner with minimal delay.

I believe that if any concerns or issues come up, they will be resolved between Tina Hefley, Clint Seamons, Curt Christensen or me. The Chamber of Commerce has always worked very well with the police department and I am in full support of this event.

Steve Kunka

Chief of Police





EMMETT POLICE DEPARTMENT

501 E. Main Street – Emmett, ID 83617

Fax 365-6062 Phone 365-6055

Steve Kunka, Chief of Police

April 5, 2023

Mayor Gordon Petrie
Emmett City Council

I am responding to the request I received March 20, 2023 from the Gem County Chamber of Commerce. I am approving their requests for road closures on Saturday, June 17, 2023 from 5:30 pm – 7:00 pm from the corner of East Main Street and Washington Avenue to the corner of East Main Street and South Johns Avenue, road closures for the Fireman's Hose Competition on East Main Street between Wardwell Avenue and McKinley Avenue, on Saturday, June 17, 2023 from 8:00 a.m. – 1:30 p.m., road closure for the Lions Car Show on East Main Street between McKinley Avenue and South Johns Avenue, on Saturday, June 17, 2023 from 6:00 am – 4:00 pm. and road closure of Dewey St. between Johns Ave. and Park St. starting Sunday, June 11, 2023 to Sunday, June 18, 2023. This letter is written to show the Emmett Police Department's support of the above road closures.

Tina Hefley, Chamber Admin. Assistant also attached traffic plans from Idaho Traffic Control which I have approved. I have also agreed to work along with the Gem County Sheriff's Office to provide additional law enforcement presence and crowd control during the parade.

One item still needed is the state highway traffic permit. Once this is obtained by the Chamber the Emmett Police, Fire and Public Works departments will give its final approval.

I believe that if any concerns or issues come up, they will be resolved between Tina Hefley, Clint Seamons, Sheriff Wunder or me. The Chamber of Commerce has always worked very well with the police department and I am in full support of this event.

Steve Kunka

Chief of Police



CITY OF EMMETT

Zoning Department
601 E. 3rd Street
Emmett, Idaho 83617

Building Department

Brian Sullivan:
bsullivan@cityofemmett.org
Ph: (208) 365-9569
Fax: (208) 365-4651

RE: Rezone Fee Waiver

Mayor and Council,

I am looking for a motion to approve the Gem County Recreation District request for a fee waiver for the rezone application of property located at 212 E. 3rd St., the former Presbyterian Church.

Possible Motion:

I make a motion to approve a fee waiver request for a rezone application on property located at 212 E. 3rd St. submitted by Gem County Recreation District.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Sullivan", is written over a horizontal line.

Brian Sullivan

City of Emmett
Building Official
Zoning Administrator

March 27, 2023

Brian Sullivan

Emmett Zoning Department

601 E. 3rd St.

Emmett, Idaho 83617

Dear Mr. Sullivan:

The Gem County Recreation District (GCRD) requests the City of Emmett Zoning Department to consider waiving the \$450 Rezone Submittal fee. The rezone is required to continue the district's community recreational activities, programs and administration at a new location (212 E. 3rd Street), the former Presbytery Church. The Rezone Submittal will be submitted by April 25, 2023.

Thank you for your consideration,

Christina Allen

Board Member, Gem County Recreation District



EMMETT POLICE DEPARTMENT

501 E. Main Street – Emmett, ID 83617
Fax 365-6062 Phone 365-6055

Steve Kunka, Chief of Police

April 6, 2023

Emmett City Mayor
Emmett City Council

This letter is written to show the Emmett Police Department's support of the attached road closures for the Gem County Recreation District's Children Parade June 16, 2023.

Kristen Seitz and I have already spoken about the traffic plan that I have approved (see attached) and Kristen has submitted a letter to city council explaining what is expected of them and us during the parade (see attached letter). I have agreed to provide traffic control at the majority of the intersections on the parade route like we have in the past and will be advising Gem County E.M.S. because of where they are located. The traffic control officers will either be the officers on duty, unpaid reserve officers and the police chief.

I believe that if any concerns or issues come up, they will be resolved between Kristen Seitz, Clint Seamons or me.

Steve Kunka,

Chief of Police



Enriching our community one activity at a time.



April 6, 2023

Mayor & Emmett City Council
501 East Main
Emmett, Idaho 83617

Dear Mayor & City Council:

We would like to thank you for allowing the Gem County Recreation District to have the Childrens Parade each year during Cherry Festival. This year's event is approaching fast (June 16) and we would like to request the following road closures and assistance.

1. That the alley way behind Main Street Beverage be closed from 4:30 to 6:45pm for a staging area for the Animals & Horse Divisions. We are asking Main Street Beverage to use the parking lot for the horse trailers.
2. That from Commercial to Johns there be *no cars* parked on Main Street during the Childrens Parade from 5 – 7:30pm. The parade will start at 6:30 pm on North Commercial with Police escort and go down Main St to Johns where the participants will turn right and be on their way.
 - a. We will put out candle cones & signs before 8 am, the day of the event. We will not tow anyone if they are not moved.
3. That our horse division have a police escort back to the dirt parking lot by Main Street Beverage from Johns.
4. Once we get approval we will reserve Blaser Park and submit the application to ITD.

Please find attached the Traffic Control Plan.

1. We are in contact with Chief Kunka about providing flaggers to man intersections.
2. We are talking to the Chamber of Commerce about using the barricades from their parade for the Childrens Parade.

We will have one person to follow behind the horses, goats and dogs in case it is needed.

If there are any questions please contact me at 208-365-5748.

Thank you for your time on this matter.

Kristen Seitz
Office Coordinator
Gem County Recreation District



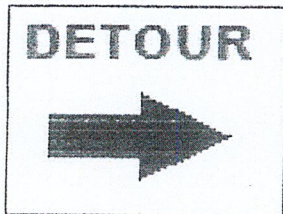
IDAHO TRAFFIC CONTROL
 208-455-3270
Barkhausen
 123797

KEY



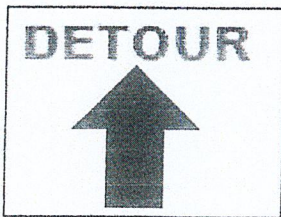
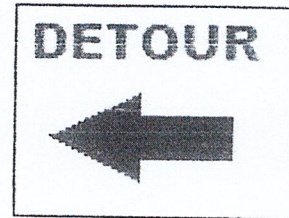
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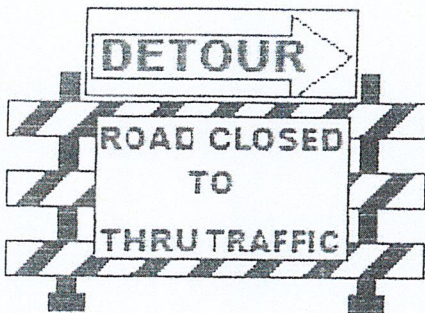
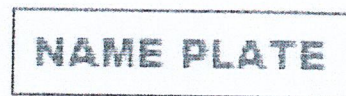
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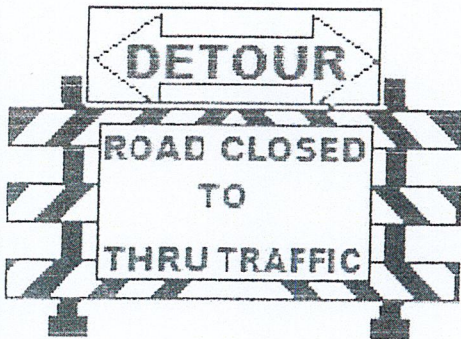
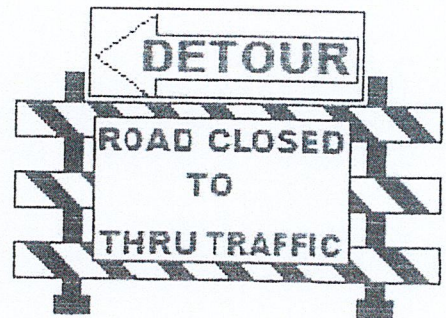
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⑨

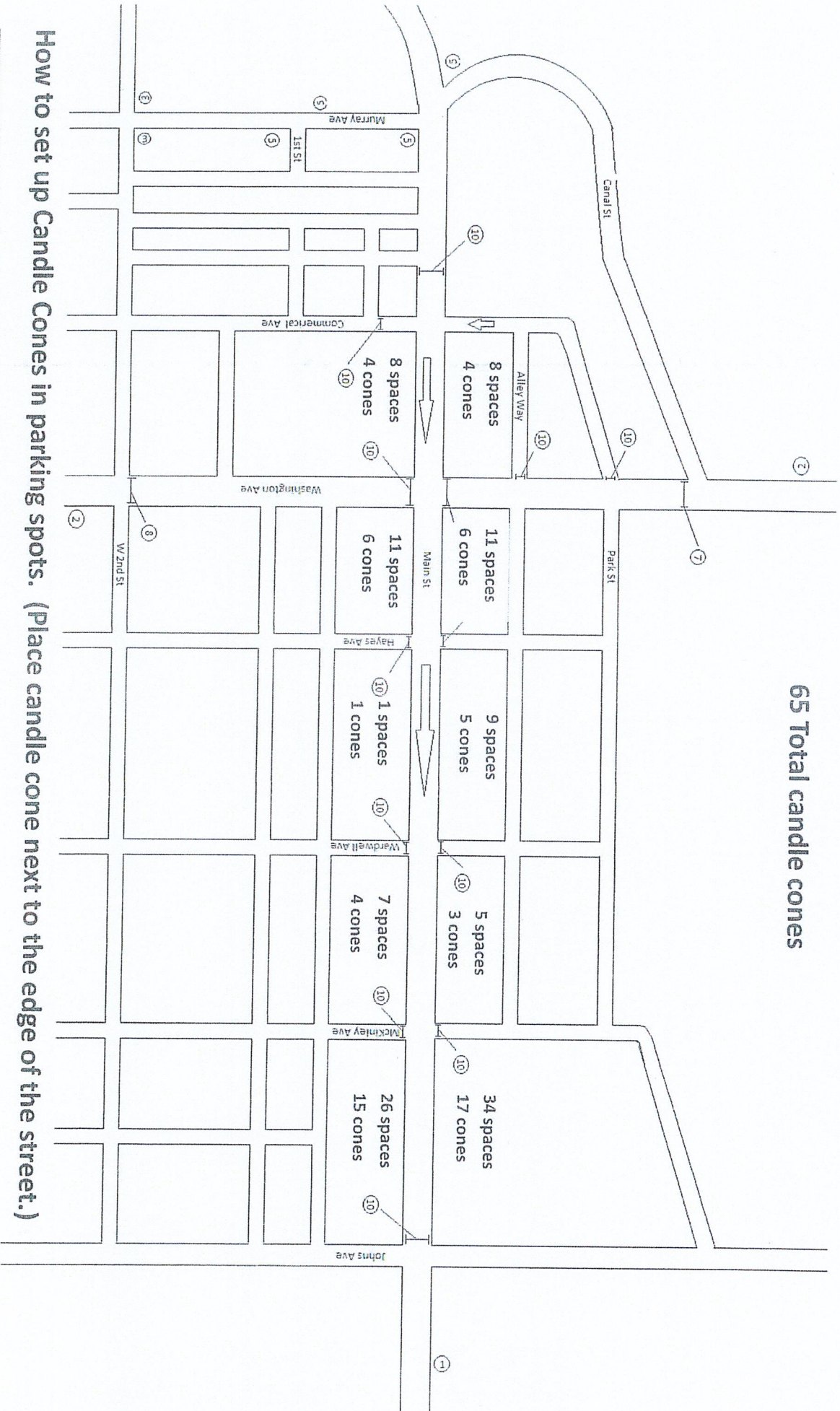
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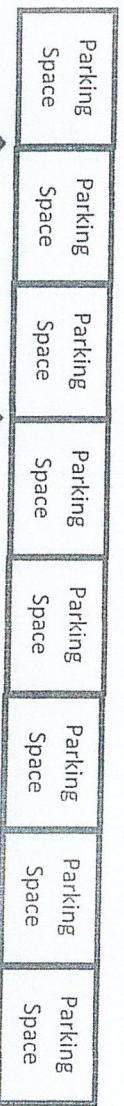
NOTE: ALL SIGN SPACING 100'

Map for amounts of Candle Cones on Main Street

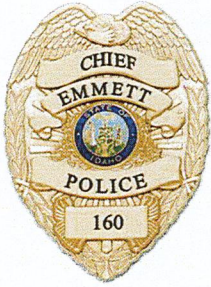
65 Total candle cones



How to set up Candle Cones in parking spots. (Place candle cone next to the edge of the street.)



Indicates Candle Cones



EMMETT POLICE DEPARTMENT

501 E. Main Street – Emmett, ID 83617

Fax 365-6062 Phone 365-6055

Steve Kunka, Chief of Police

April 6, 2023

Emmett City Mayor
Emmett City Council

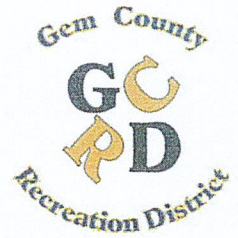
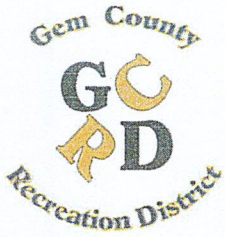
This letter is written to show the Emmett Police Department's support of the attached road closures for the Gem County Recreation District's Holiday Magic Parade November 25, 2023.

Kristen Seitz and I have already spoken about the traffic plan that I have approved (see attached). Kristen has submitted a letter to city council explaining what is expected of them and us during the parade (see attached letter). I have agreed to provide traffic control at the major intersections on the parade route. These traffic control officers will either be the officers on duty, unpaid reserve officers and or the police chief. I have advised EMS of the parade.

I believe that if any concerns or issues come up, they will be resolved between Kristen Seitz of the G.C.R.D., Clint Seamons with E.P.W. or me.

Steve Kunka,

Chief of Police



Enriching our community one activity at a time.

April 6, 2023

Mayor & Emmett City Council
501 East Main
Emmett, Idaho 83617

Dear Mayor & City Council:

The Gem County Recreation District's Holiday Magic On Main Street Lighted Parade will be on November 25th. The Lighted Parade will start at 6:00pm. We would like to request the following road closures and assistance.

We have included the Idaho Traffic Control Map approved by Chief Kunka.

- We are also working with ITD about closing down Washington.
- We are working with ITC to set up the barricades for closing down the streets.
 - The area around Blaser park to be closed from 3pm until the end of the parade and horse participants are done.
 - The area around the City Park to be closed from 4pm until the parade starts at 6pm.

We are also in contact with Clint Seamons and Chief Kunka for the following:

- Clint to reserve Blaser Park area & the area around the City Park for our staging.
- Chief Kunka for the use of an officer or COP to escort the horse participants over to the starting area from the parking lot by Blaser Park parking lot across Washington Ave down to McKinley. Should be at Blaser parking lot by 5:15pm escorting at 5:30pm.
- Chief Kunka for any flaggers needed and one lead car.
- Chief Kunka for no cars to be parked on Main Street from Commercial to McKinley during the Lighted Parade from 5pm to 7pm. The parade will start at 6:00pm at McKinley with Police escort and go down Main St to Commercial where the participants will turn right and be on their way.
 - The Candle Cones with signs on them will be put out the morning of the event. We will not tow anyone if the car is left in the parking spots.
 - We will also get with the Frontier Cinema about the road Closures, if they are doing a free movie.

We will remain in contact with Chief Kunka about all the planning stages when the event gets closer. If there are any questions please contact me at 365-5748.

Thank you for your time on this matter.

Kristen Seitz
Office Coordinator

Gem County Recreation District

Abra Dodson – Director

Board of Directors: Joe Decker, Christina Allen and Mia Saffran Larson

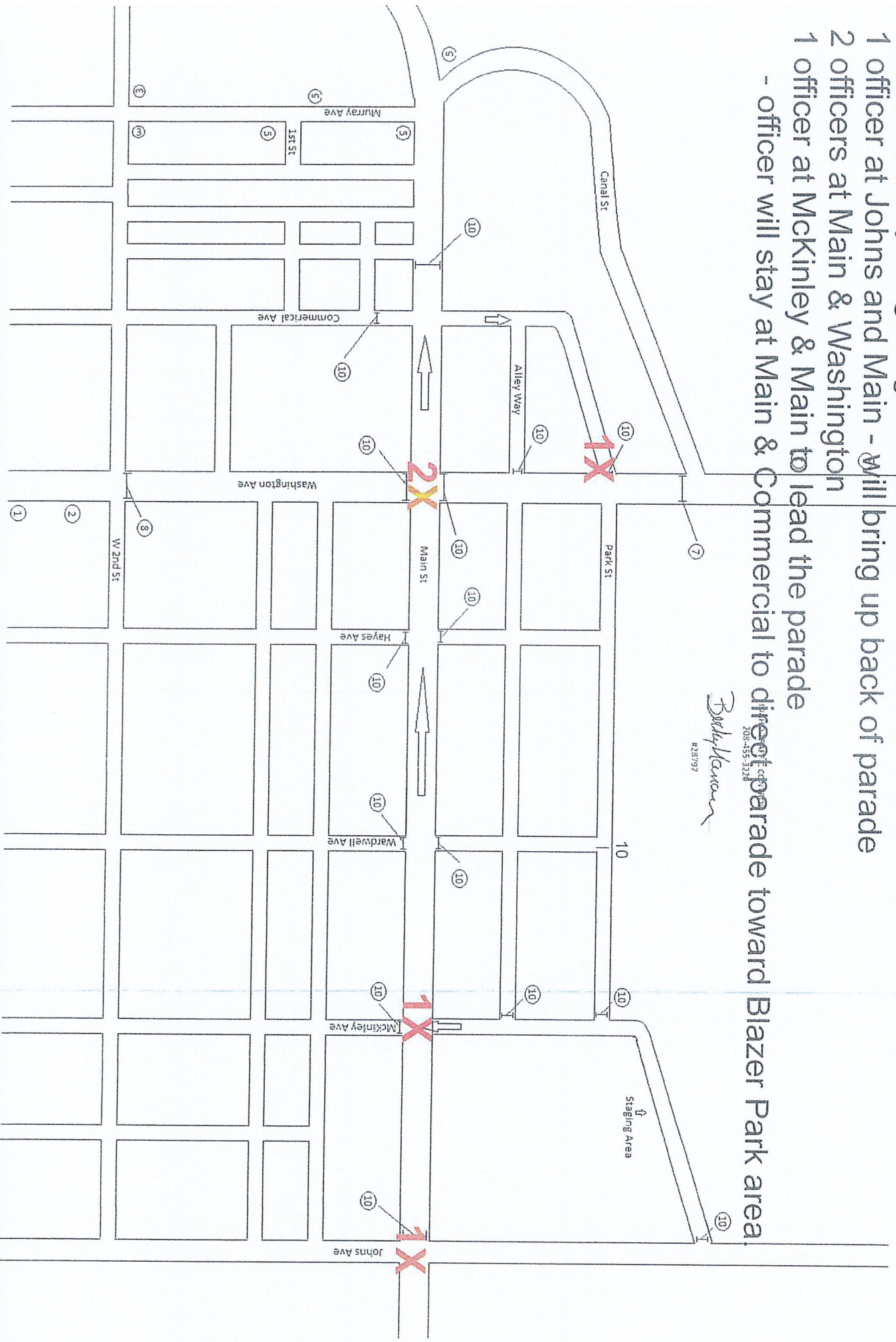
PO Box 631 Emmett, Idaho 83617 – Phone: 208-365-5748

gemcountyrecreationdistrict@gmail.com - www.gemcountyrecreation.com

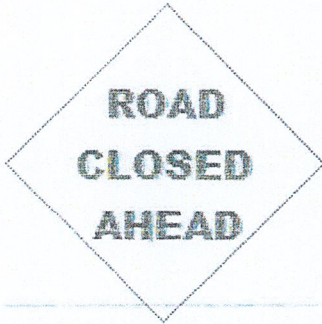
GCRD Holiday Magic Lighted Parade

- 1 officer at Johns and Main - will bring up back of parade
- 2 officers at Main & Washington
- 1 officer at McKinley & Main to lead the parade
- officer will stay at Main & Commercial to direct parade toward Blazer Park area.

Beth Hancock
#28797

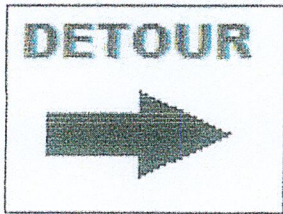
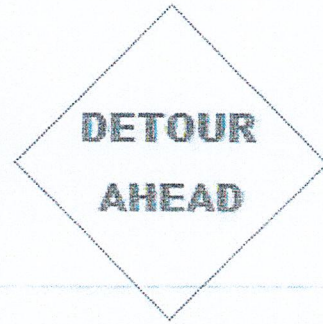


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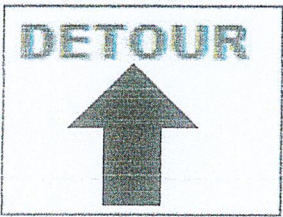
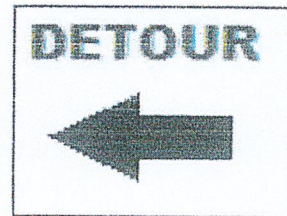
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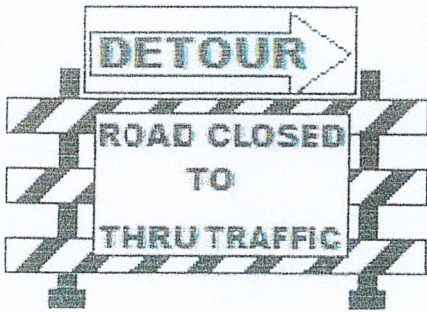
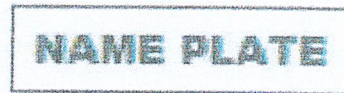
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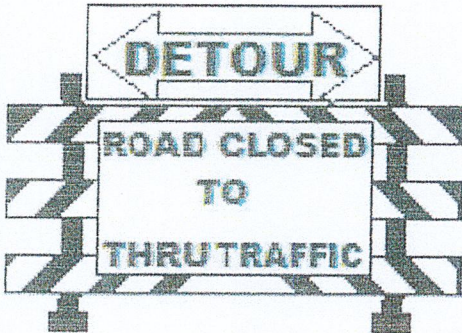
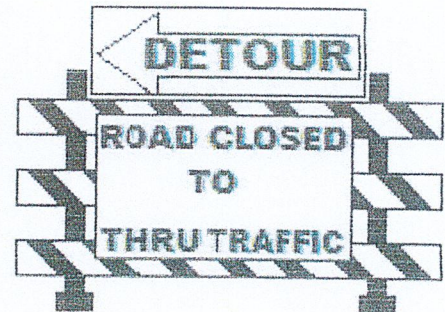
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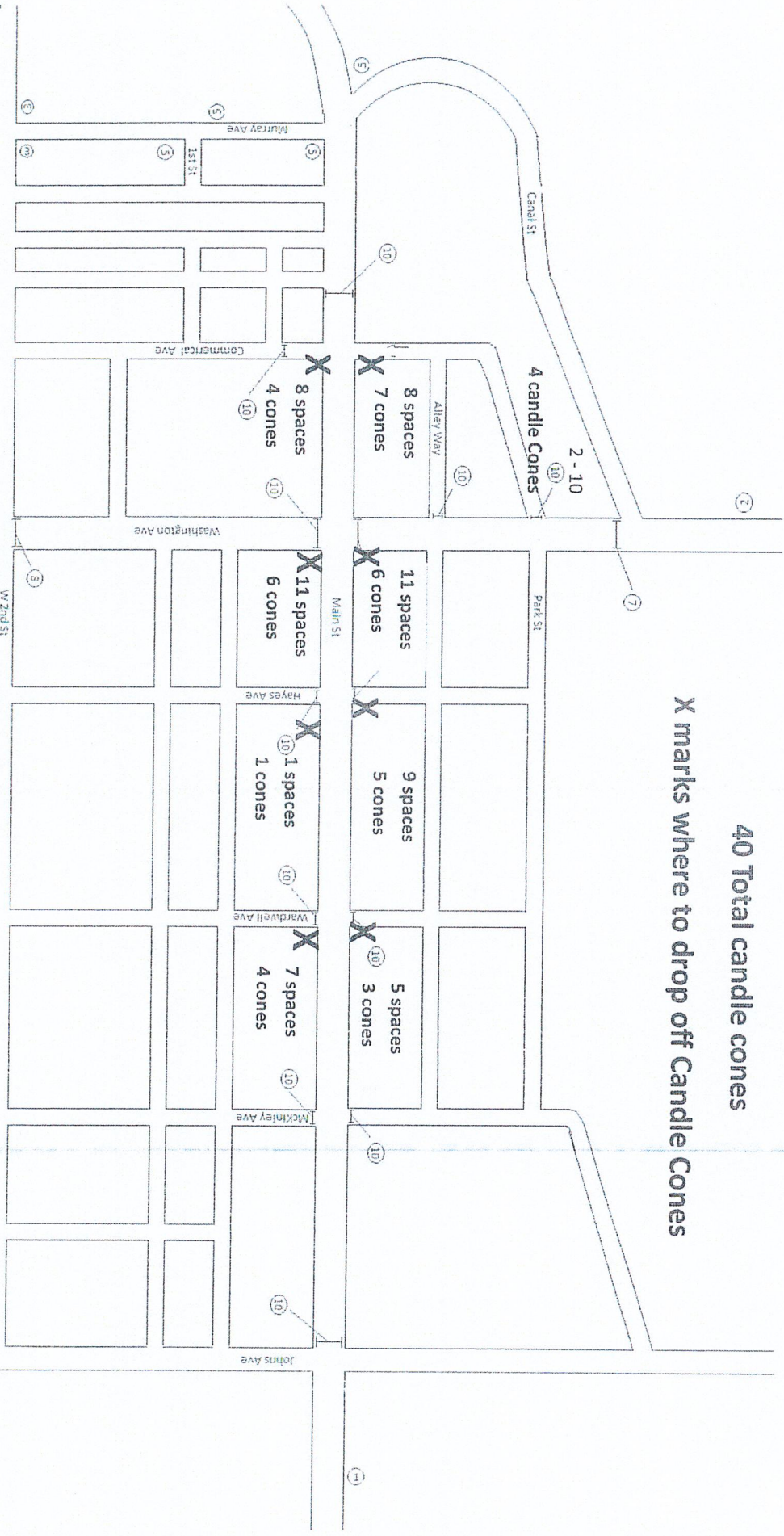
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NOTE: ALL SIGN SPACING 100'

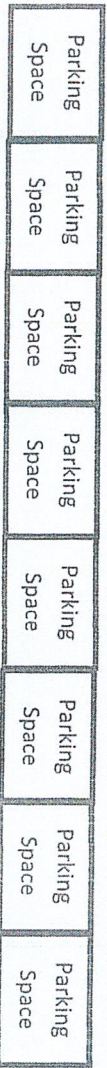
Map for amounts of Candle Cones on Main Street for Holiday Magic Lighted Parade

40 Total candle cones
 X marks where to drop off Candle Cones



For Recreation District Office Use:

How to set up Candle Cones in parking spots. (Place candle cone next to the edge of the street.)



 Indicates Candle Cones

CITY OF EMMETT, IDAHO
Resolution #R2023-01

A RESOLUTION AMENDING THE LEXIPOL POLICY FOR THE EMMETT POLICE DEPARTMENT.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Emmett, Idaho that the amendment as set forth in Exhibit A is made to the City of Emmett's Police Department Lexipol Policy regarding policy 316, 403, 419, 420, 421, 422, 423 and 424

PASSED: April 11, 2023 by the following vote:

AYES: _____ NOES: _____ ABSENT: _____

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Exhibit A

Missing Persons

316.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

316.1.1 DEFINITIONS

Definitions related to this policy include:

At-risk - This includes persons who are:

- (a) 13 years of age or younger.
- (b) Regardless of age, believed or determined to be experiencing one or more of the following circumstances:
 1. Is out of the zone of safety for his/her chronological age and developmental stage.
 2. Has a mental or behavioral disability.
 3. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 4. Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
 5. Is in a life-threatening situation.
 6. Is in the company of others who could endanger his/her welfare.
 7. Is absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
 8. Is involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person that is less than 18 years of age who is reported to the Department as abducted, lost or as a runaway (Idaho Code 18-4508(2); Idaho Code 18-4508(3)).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Idaho Law Enforcement Telecommunications System (ILETS) and the Idaho Missing Person Clearinghouse.

316.2 POLICY

The Emmett Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Emmett Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

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316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation Unit supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- Biological sample collection kits

316.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

316.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at-risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at-risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 1. Immediately when the missing person is under the age of 18 or at-risk.
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

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- (g) Collect and/or review:
 - 1. A photograph and a fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

316.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

316.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not be limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Section.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

316.6.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section receiving member shall include, but are not limited to:

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- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Investigation Unit.
- (e) Updating the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

316.7 INVESTIGATION UNIT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that an Idaho elementary or secondary school is immediately notified when an enrolled child is reported missing (Idaho Code 18-4509(2)).
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update the Idaho Missing Person Clearinghouse, the ILETS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.

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- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Idaho State Police and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Police Clerk should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to Idaho State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks, including immediately in NCIC.
- (d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

316.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

316.9 CASE CLOSURE

The Investigation Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Emmett or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

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- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

316.10 TRAINING

Subject to available resources, the Administrative Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

Crisis Response Unit

403.1 PURPOSE AND SCOPE

The Crisis Response Unit (CRU) is comprised of the Negotiation Team. The unit has been established to provide specialized support in handling critical field operations where intense negotiations methods are required.

Patrol Team Supervisors

419.1 PURPOSE AND SCOPE

Each patrol team must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with the policies, procedures, practices, functions and objectives of this department. To accomplish this goal, a Sergeant heads each watch.

Criminal Organizations

420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Emmett Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

420.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

420.2 POLICY

The Emmett Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

420.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

420.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance

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with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Police Clerk may not purge such documents without the approval of the designated supervisor.

420.4 TEMPORARY INFORMATION FILE

Department supervisors, with the permission of the Chief of Police, may maintain temporary information files for the purpose of identifying criminal organizations or enterprises, their members or affiliates.

420.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Section or Evidence Room, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Dispatch records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

420.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged in compliance with Idaho Public Records Law or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

420.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.

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- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Administrative Sergeant to train members to identify information that may be particularly relevant for inclusion.

420.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

420.7 CRIMINAL STREET GANGS

The Investigation Unit supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with the identification of criminal gang members as described in Idaho Code 18-8502(2) and patterns of criminal gang activity as described in Idaho Code 18-8502(3).
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

420.8 TRAINING

The Administrative Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.

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- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

Public Recording of Law Enforcement Activity

421.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

421.2 POLICY

The Emmett Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

421.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

421.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

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Public Recording of Law Enforcement Activity

individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

421.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

421.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Emmett Police Department

Emmett PD ID Policy Manual

Emmett PD ID Policy Manual

Public Recording of Law Enforcement Activity

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Mobile Data Computer Use

422.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch.

422.2 POLICY

Emmett Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

422.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

422.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Patrol Team Supervisors.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

422.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

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Mobile Data Computer Use

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

422.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Patrol Team Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

422.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

422.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Patrol Team Supervisor are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

422.6 EQUIPMENT CONSIDERATIONS

422.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

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Mobile Data Computer Use

422.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Portable Audio/Video Recorders

423.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews, or interrogations conducted at any Emmett Police Department facility, authorized undercover operations, wiretaps, or eavesdropping (concealed listening devices).

423.2 POLICY

The Emmett Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

423.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

423.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. No audio and/or video recording will be made when the member is not present, unless the subject(s) have been notified they are being recorded.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. No audio and/or video recording will be made when the member is not present, unless the subject(s) have been notified they are being recorded.

When using a portable recorder, the assigned member shall record his/her name, EPD identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

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Portable Audio/Video Recorders

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

423.5 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

423.5.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

423.5.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Idaho law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Idaho Code 18-6702).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

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Portable Audio/Video Recorders

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

423.5.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

423.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Patrol Team Supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

423.7 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

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Portable Audio/Video Recorders

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

423.8 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

423.9 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

- (a) Establishing procedures for the security, storage and maintenance of data and recordings.
- (b) Establishing procedures for accessing data and recordings.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.

423.10 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

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Portable Audio/Video Recorders

423.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

423.10.2 RETENTION OF RECORDINGS OF EVIDENTIARY VALUE

Recordings of evidentiary value shall be retained pursuant to the organization's records retention schedule and at a minimum of 200 days (Idaho Code 31-871).

Civil Disputes

424.1 PURPOSE AND SCOPE

This policy provides members of the Emmett Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Idaho law.

424.2 POLICY

The Emmett Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. Members will only assist at civil disputes when there is a Court order mandating a civil stand-by. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

424.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

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Civil Disputes

424.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

424.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. Standby assistance can only occur when there is a lawful court order ordering the civil standby. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property. Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

424.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

424.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

RESOLUTION #R2023-02

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EMMETT, IDAHO, AUTHORIZING DESTRUCTION OF RECORDS.

WHEREAS, Idaho Code 50-907 requires the City Council to authorize destruction of records that are not required to be retained as permanent records and that have met the minimum retention period provided by the city's retention schedule and are no longer required by law or for city business; and,

WHEREAS, the City Clerk has proposed for destruction of certain records that have exceeded their minimum retention.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Emmett, Idaho that the below listed records shall be destroyed under the direction and supervision of the City Clerk.

- See Exhibit A

The administrative staff of the City is authorized to take all necessary steps to carry out the authorization provided by this Resolution.

Passed by the City Council on the _____ day of _____, 2023

Signed by the Mayor on the _____ day of _____, 2023

GORDON W. PETRIE, MAYOR

ATTEST:

LYLEEN JEROME, CITY CLERK

The City of Emmett has a total of 72 boxes of records ready to be destroyed. They consist of the following:

- Accounts Payable
 - FY 2007-2018 – 13 boxes
- Transitory Records
 - FY 2005-2011 – 2 boxes
- Billing report
 - FY 2017-2018 – 2 boxes
- Payroll
 - FY 2009-2012– 2 boxes
- Terminated owner cards
 - FY 2012 - 2017 – 1 box
- Utility Billing Remittance Stubs
 - FY 2008-2021 – 30 boxes
- Bank Statements
 - FY 2009-2018 – 12 boxes
- Licenses
 - Bartenders/Solicitors/Dog licenses 2016 and older – 2 boxes
- Time Cards
 - FY 2009-2017 – 2 boxes
- Utility Reports
 - FY 1998-2018 – 2 boxes
- Payroll Liabilities
 - FY 2010-2018 - 3 boxes
- Records Requests
 - FY 2011-2015 – 1 box

2022-23 Library Stats	OCT	NOV	DEC	JAN	FEB	MAR	PR	AY	UG	SEP	21-23	2022	2021
PATRONS											TOTALS	Totals	Totals
Resident	4945	4963	4983	5017	5035						5017	4926	4712
NonResident	3276	3280	3309	3492	3520						3492	3261	3106
Adult-Circulation	2278	2111	2200	2501	2248						11338	34984	38249
Teen-Circulation	243	208	196	253	214						1114	6633	5860
Juvenile-Circulation	3093	2845	2663	3197	2731						14529	45142	47290
TOTAL BOOKS	5614	5164	5059	5951	5193	0	0	0	0	0	26981	86759	91399
Audios-Circulation	149	106	108	135	134						632	2073	2992
In-house Tech-Circ	35	10	11	13	14						83	501	266
In-house Book-Circ	391	374	182	137	152						1236	4440	7220
Trade/Exchange-Circ	206	280	168	56	23						733	2286	1194
Hobbies/Games/Kits-Circ	28	53	66	62	51						260	564	736
Video/DVD	1743	1617	1816	2057	1690						8923	24210	29275
TOTAL CIRCULATION	8166	7604	7410	8411	7257	0	0	0	0	0	38848	120833	133082
Outreach/Locker Circ	26	21/33	00/43	00/49	00/68						47/125	1387	272/36
Children's Activities	137	89	111	157	196						494	2507	2022
Family Activities	21	60	51	53	31						216	1435	2234
Computer Usage	353	195	231	219	251						1249	4282	1722
WiFi Usage	177	166	146	139	151						779	1845	1767
Reference/Phone	97	109	134	121	103						564	1672	1850
Meeting Room	11	76	58	63	106						314	251	12
Proc: Audios CD's	0	24	20	1	0						45	173	76
Proc: DVDs/BRay	9	3	28	63	10						113	540	471
Proc: Books	411	280	229	170	269						1359	3012	2697
HobbyCollection/Tech	6	1	6	0	9						22	48	118
ILL snt/recvd	4	13	5	7	8						37	76	159
Audios Withdrawn/Hobb	0	10	6	06/001	01/001						16	180	41
Videos/DVD Withdrawn	0	10	3	0	56						69	97	198
Books Withdrawn	31	50	132	24	49						286	1080	1139
Patron Visits	3871	2907	3094	3567	3960						17399	46244	39741
Curbside	0	1	0	1	1						3	791	1832
Volunteers	64	88	91	111	129						483	2504	1054
Friends of the Library-Yearly												2640	2476



EMMETT PUBLIC WORKS DEPARTMENT
601 East 3rd Street - Emmett, Idaho 83617
Clint Seamons, Public Works Director

Tuesday, April 4, 2023

Mayor, City Council:

I am requesting a **MOTION to approve Play Space Designs quote in the amount of \$346,899.44 for the Emmett Splash Pad.**

The city is piggybacking off another BID for Waterplay using the Sourcewell Contract.

Attached is the quote for your review.

Thank you,

Clint Seamons, Public Works Director

QUOTE



5698 S Shady Farm Lane
Murray, Utah 84107
801-274-0212

Quote Number:
00002981

Created or Revised Date:
3/22/2023

Expiration Date:
2023-04-19

Prepared By:
Morgan Selph
(801) 274-0212
morgan@goplayspace.com

Project Name Emmett City Splash Pad w/o WTS
Location Emmett, Idaho
Payment Terms 50% Deposit - Net 30

Qty	Manufacturer	Product Code	Product Description	Install Type	Unit Price	Discount	Extended Price
1	Waterplay	EST-10825	Emmett Custom Water Tower	Embedded Feature, no jigs needed	\$27,720.00	11.00%	\$24,670.80
1	Waterplay	0010-0485	0010-0485 - FS Fun-Brella		\$2,385.00	11.00%	\$2,122.65
2	Waterplay	0010-0403	0010-0403 - FS Splash Blaster		\$3,620.00	11.00%	\$6,443.60
1	Waterplay	0010-1494	0010-1494 - FS Sneaky Spin Soaker 2		\$9,060.00	11.00%	\$8,063.40
1	Waterplay	0011-0839	FS Hopper 1		\$6,385.00	11.00%	\$5,682.65
1	Waterplay	0010-5724	0010-5724 - FS Water Weaver 2		\$2,490.00	11.00%	\$2,216.10
3	Waterplay	0010-7496	GS Spray Tunnel 4	w/ adjustable Steady Stream nozzles	\$2,100.00	11.00%	\$5,607.00
1	Waterplay	0010-7480	0010-7480 GS Monster 5		\$785.00	11.00%	\$698.65
2	Waterplay	0010-7482	GS Split Spurt		\$785.00	11.00%	\$1,397.30
2	Waterplay	0010-7483	0010-7483 GS Starlet Spray		\$785.00	11.00%	\$1,397.30
3	Waterplay	0010-7476	0010-7476 GS Confetti Spray		\$785.00	11.00%	\$2,095.95
2	Waterplay	0010-7489	GS Tulip		\$785.00	11.00%	\$1,397.30
1	Waterplay	0010-7493	0010-7493 - GS Mop Top		\$1,150.00	11.00%	\$1,023.50
1	Waterplay	0010-7466	GS Puddle 1 (light Blue or dark blue only)		\$4,170.00	11.00%	\$3,711.30
1	Waterplay	0010-8943	0010-8943 - Activator PlayPhase Foot Activator		\$1,490.00	11.00%	\$1,326.10

NOTES

- Please inventory product within 5 days of receipt and notify us of any problems.
- We are a supplier only. Customer is responsible for accuracy and conformity to plans and specifications.
- Freight has been quoted for single delivery. If customer requires multiple deliveries, additional costs will apply.
- Customer will be prepared to receive material upon delivery, which may include offloading equipment. If unable, customer is responsible for additional storage and/or re-consignment fees.

QUOTE



5698 S Shady Farm Lane
Murray, Utah 84107
801-274-0212

Quote Number:
00002981

Created or Revised Date:
3/22/2023

Expiration Date:
2023-04-19

Prepared By:
Morgan Selph
(801) 274-0212

morgan@goplayspace.com

7	Waterplay	0010-0507	0010-0507 - playPHASE Base	\$615.00	11.00%	\$3,831.45
1	Waterplay	0010-2244	0010-2244 - 16 Output Expansion Add On	\$1,515.00	11.00%	\$1,348.35
1	Waterplay	0010-1954	0010-1954 - Controller Potable 12 Outputs	\$6,545.00	11.00%	\$5,825.05
3	Waterplay	DRA-00007	DRA-00007 - Drain 12 6IN Outlet Grey	\$375.00	11.00%	\$1,001.25
1	Waterplay	PSF-Freight Waterplay	PS Freight - Waterplay - Pre-Ship	\$925.00		\$925.00
1	Waterplay	FREIGHT-US	Freight USA Main Ship - Features	\$2,500.00		\$2,500.00
1	Installation Services	Stratton & Bratt	Installation Services - Includes mobilization, all plumbing, bonding & electrical, concrete pad and drains; utilities to be located at splash pad and landscape repair by others.	\$263,614.74		\$263,614.74

Subtotal	\$356,769.74
Discount	2.77%
Total Cost	\$346,899.44
Tax Percentage	0.00%
Sales/Use Tax	\$0.00
Grand Total	\$346,899.44

Accepted By: _____

Accepted Date: _____

Shipping Contact Name: _____

Ship Address: _____

Shipping Contact Cell No.: _____

City, State, Zip Code: _____

NOTES

- Please inventory product within 5 days of receipt and notify us of any problems.
- We are a supplier only. Customer is responsible for accuracy and conformity to plans and specifications.
- Freight has been quoted for single delivery. If customer requires multiple deliveries, additional costs will apply.
- Customer will be prepared to receive material upon delivery, which may include offloading equipment. If unable, customer is responsible for additional storage and/or re-consignment fees.



EMMETT PUBLIC WORKS DEPARTMENT
601 East 3rd Street - Emmett, Idaho 83617
Clint Seamons, Public Works Director

Tuesday, April 4, 2023

Mayor, City Council:

I am requesting a **MOTION to approve CTX Precast Concrete Products quote in the amount of \$72,837.80 for the Emmett Splash Pad.**

The city is piggybacking off the Sourcewell Contract.

Attached is the quote for your review.

Thank you,

Clint Seamons, Public Works Director



CXT® Precast Concrete Products manufactures restroom, shower and concession buildings in multiple designs, textures and colors. The roof and walls are fabricated with high strength precast concrete to meet all local building codes and textured to match local architectural details. All CXT buildings are designed to meet A.D.A. and to withstand heavy snow, high wind and category E seismic loads. All concrete construction also makes the buildings easy to maintain and withstand the rigors of vandalism. The buildings are prefabricated and delivered complete and ready-to-use, including plumbing and electrical where applicable. With thousands of satisfied customers nationwide, CXT is the leader in prefabricated concrete restrooms.

1. ORDERING ADDRESS(ES): CXT Precast Concrete Products, 606 N. Pines Road, Suite 202, Spokane Valley, WA 99206

2. ORDERING PROCEDURES: Fax 509-928-8270

3. PAYMENT ADDRESS(ES):

Remitting by check:

CXT, Inc., PO Box 676208, Dallas, TX 75267-6208

Remitting by ACH or wire transfer:

Beneficiary: CXT, Inc.

Beneficiary Bank: PNC Bank, Pittsburgh, PA

Account: 1077766885 ABA/Routing: 043000096

Email remittance details to AR@lbfoster.com

4. WARRANTY PROVISIONS: CXT provides a one (1) year warranty. The warranty is valid only when concrete is used within the specified loadings. Furthermore, said warranty includes only the related material necessary for the construction and fabrication of said concrete components. All other non-concrete components will carry a one (1) year warranty. CXT warrants that all goods sold pursuant hereto will, when delivered, conform to specifications set forth above. Goods shall be deemed accepted and meeting specifications unless notice identifying the nature of any non-conformity is provided to CXT in writing within the specified warranty. CXT, at its option, will repair or replace the goods or issue credit for the customer provided CXT is first given the opportunity to inspect such goods. It is specifically understood that CXT's obligation hereunder is for credit, repair or replacement only, F.O.B. CXT's manufacturing plants, and does not include shipping, handling, installation or other incidental or consequential costs unless otherwise agreed to in writing by CXT.

This warranty shall not apply to:

1. Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely affect the stability or reliability thereof;

2. To any goods which have been subject to misuse, negligence, acts of God or accidents; or

3. To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.

5. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): All prices subject to the "Conditions of Sale" listed on the CXT quotation form.

Customers are responsible for marking exact location building is to be set; providing clear and level site, free of overhead and/or underground obstructions; and providing site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles to access. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform delivery and installation. Customers will negotiate installation on a project-

by-project basis, which shall be priced as separate line items. For more information regarding installation and truck turning radius guidelines please see our website at <http://www.cxtinc.com>.

In the event delivery of the building/s ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment. Delivery and installation charges will be invoiced at the time of delivery and installation.

Should the delivery and installation costs increase due to changes in the delivery period, this increase will be added to the price originally quoted, and will be subject to the contract payment terms.

In the event that the delivery is delayed more than 90 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of 1-1/2% of contract price per month or any part of any month will be charged.

**Customer is responsible for all local permits and fees.

6. DELIVERY CHARGE: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers.

7. PAYMENT TERMS: All orders are cash in advance. At CXT's discretion, credit may be given after approval of credit application. Payment to CXT by the purchaser of any approved credit amount is net 30 days after submission of invoice to purchaser. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid invoices beginning with the 35th day (includes five (5) day grace period) from the date of the invoice. Under no circumstance can retention be taken. If CXT initiates legal proceeding to collect any unpaid amount, purchaser shall be liable for all of CXT's costs, expenses and attorneys' fees and costs of any appeal.

8. LIMITATION OF REMEDIES: In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered.

9. DELIVERY INFORMATION: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers. Use the information below to determine the origin:

- F.O.B. 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687 applies to: AK, CA, HI, ID, MT, ND, NV, OR, SD, UT, WA, WY.

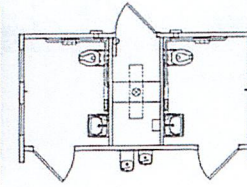
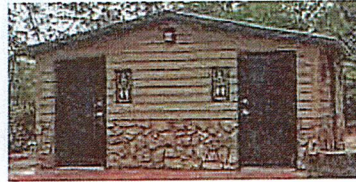
- F.O.B. 901 North Highway 77, Hillsboro, TX 76645 applies to AR, AZ, CO, IA, KS, LA, MN, MO, MS, NE, NM, OK, TX.

- F.O.B. 362 Waverly Road, Williamstown, WV 26183 applies to AL, CT, DE, FL, GA, IL, IN, KY, MA, MD, ME, MI, NC, NH, NJ, NY, OH, PA, PR, RI, SC, TN, VA, VT, WI, WV.

- Prices exclude all federal/state/local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption.

CORTEZ — 10' 3" X 17'

Cortez with chase has two single user fully accessible flush restrooms. Standard features include simulated barnwood textured walls, simulated cedar shake textured roof, vitreous china fixtures, interior and exterior lights, off loaded, and set up at site.



CXT
800.696.5766
cxtinc.com

*Base Price \$ 62,587.80

Optional Sections			
Restroom* \$62,587.80	Qty: = \$0.00	Shower* \$75,690.00	Qty: = \$0.00
Family Assist Shower/Restroom Combo* \$73,027.80	Qty: = \$0.00	Storage \$57,942.00	Qty: = \$0.00
Concession* \$72,558.00	Qty: = \$0.00		
*Includes 4-gallon water heater.			Total for Optional Sections \$ 0.00

Added Cost Options		Price per unit	Click to select	
Final Connection to Utilities (per section)		\$ 5,000.00	<input type="checkbox"/>	0.00
Optional Wall Texture (per section)- choose one	<input type="radio"/> Split Face Block (\$5,500) <input type="radio"/> Stone (\$7,000)		Reset Wall Texture	0.00
Optional Roof Texture (per section)	<input type="checkbox"/> Ribbed Metal	\$ 5,500.00		0.00
Insulation and Heaters (per section)		\$ 19,500.00	<input type="checkbox"/>	0.00
Stainless Steel Water Closet (each)	Qty:	\$ 1,750.00	<input type="checkbox"/>	0.00
Stainless Steel Lavatory (each)	Qty:	\$ 1,500.00	<input type="checkbox"/>	0.00
Electric Hand Dryer (each)	Qty:	\$ 700.00	<input type="checkbox"/>	0.00
Electronic Flush Valve (each)	Qty:	\$ 1,500.00	<input type="checkbox"/>	0.00
Electronic Lavatory Faucet (each)	Qty:	\$ 1,500.00	<input type="checkbox"/>	0.00
Paper Towel Dispenser (each)	Qty:	\$ 350.00	<input type="checkbox"/>	0.00
Toilet Seat Cover Dispenser (each)	Qty:	\$ 350.00	<input type="checkbox"/>	0.00
Sanitary Napkin Disposal Receptacle (each)	Qty:	\$ 100.00	<input type="checkbox"/>	0.00
Baby Changing Table (each)	Qty:	\$ 750.00	<input type="checkbox"/>	0.00
Skylight in Restroom (each)	Qty:	\$ 1,600.00	<input type="checkbox"/>	0.00
Marine Grade Skylight in Restroom (each)	Qty:	\$ 2,450.00	<input type="checkbox"/>	0.00
Marine Package (excluding fiberglass doors and frames) (per section)		\$ 2,350.00	<input type="checkbox"/>	0.00
Exterior Mounted ADA Drinking Fountain w/Cane Skirt (each)	Qty:	\$ 5,600.00	<input type="checkbox"/>	0.00
2K Anti-Graffiti Coating (per section)		\$ 4,000.00	<input type="checkbox"/>	0.00
Optional Door Closure (each)	Qty:	\$ 700.00	<input type="checkbox"/>	0.00
Fiberglass Entry and Chase Doors and Frames (each)	Qty:	\$ 3,300.00	<input type="checkbox"/>	0.00
Timed Electric Lock System (2 doors- does not include chase door) (each)	Qty:	\$ 1,350.00	<input type="checkbox"/>	0.00
Exterior Frostproof Hose Bib with Box (each)	Qty:	\$ 1,200.00	<input type="checkbox"/>	0.00
Total for Added Cost Options:				\$ 0.00
Custom Options:				\$
Engineering and State Fees:				\$ 6,200.00
Estimated One-Way Transportation Costs to Site (quote):				\$ 4,050.00
Estimated Tax:				\$
Total Cost per Unit Placed at Job Site:				\$ 72,837.80

Estimated monthly payment on 5 year lease \$1,464.04

Disclaimer: Please call to confirm selected sections are compatible.

This price quote is good for 60 days from date below, and is accurate and complete.

I accept this quote. Please process this order.



Company Name

Todd Weger
Digitally signed by Todd Weger
Date: 2023.03.23 09:19:51 -07'00'

[Signature Box]

CXT Sales Representative

Date

Company Representative

Date

OPTIONS

Exterior Color(s) (For single color mark an X. For two-tone combinations use W = Walls and R = Roof.)

- | | | | |
|--|---------------------------------------|---|---|
| <input type="checkbox"/> Amber Rose | <input type="checkbox"/> Berry Mauve | <input type="checkbox"/> Buckskin | <input type="checkbox"/> Cappuccino Cream |
| <input type="checkbox"/> Charcoal Grey | <input type="checkbox"/> Coca Milk | <input type="checkbox"/> Evergreen | <input type="checkbox"/> Georgia Brick |
| <input type="checkbox"/> Golden Beige | <input type="checkbox"/> Granite Rock | <input type="checkbox"/> Hunter Green | <input type="checkbox"/> Java Brown |
| <input type="checkbox"/> Liberty Tan | <input type="checkbox"/> Malibu Taupe | <input type="checkbox"/> Mocha Caramel | <input type="checkbox"/> Natural Honey |
| <input type="checkbox"/> Nuss Brown | <input type="checkbox"/> Oatmeal Buff | <input type="checkbox"/> Pueblo Gold | <input type="checkbox"/> Raven Black |
| <input type="checkbox"/> Rich Earth | <input type="checkbox"/> Rosewood | <input type="checkbox"/> Sage Green | <input type="checkbox"/> Salsa Red |
| <input type="checkbox"/> Sand Beige | <input type="checkbox"/> Sun Bronze | <input type="checkbox"/> Toasted Almond | <input type="checkbox"/> Western Wheat |

Special roof color # _____

Special wall color # _____

Special trim color # _____

Rock Color

- Basalt Mountain Blend Natural Grey Romana

Roof Texture

- Cedar Shake Ribbed Metal

Wall Texture(s) (For single color mark an X. For top and bottom textures use T = Top and B = Bottom.)

- | | | | |
|---|---|---|-------------------------------------|
| <input type="checkbox"/> Barnwood | <input type="checkbox"/> Horizontal Lap | Can only be used as bottom texture | |
| <input type="checkbox"/> Split Face Block | <input type="checkbox"/> Board & Batt | <input type="checkbox"/> Napa Valley Rock | <input type="checkbox"/> River Rock |
| <input type="checkbox"/> Stucco/Skip Trowel | <input type="checkbox"/> Brick | <input type="checkbox"/> Flagstone | |

(Textures not included in CXT's quote are additional cost.)

Door Opener

- Non-locking ADA Handle Privacy ADA Latch Pull Handle/Push Plate

Deadbolt

Accessible Signage

- Men Women Unisex

Toilet Paper Holder

- 2-Roll Stainless Steel 3-Roll Stainless Steel

Notes:

cxtinc.com
800.696.5766





EMMETT PUBLIC WORKS DEPARTMENT
601 East 3rd Street - Emmett, Idaho 83617
Clint Seamons, Public Works Director

Tuesday, April 4, 2023

Mayor, City Council:

I am requesting a **MOTION to approve Innovative Concrete Construction Inc in the amount of \$30,000.00 for fiber building at locust booster using ARPA funds.**

Attached is the invoice for your review.

Thank you,

Clint Seamons, Public Works Director

Innovative Concrete Construction Inc.

PO Box 872
Emmett, ID 83617
208-369-3517

Invoice

Date	3/14/2023
Invoice #	535
Terms	Due on receipt

Bill To

City Of Emmett
601 E 3rd Street
Emmett, ID 83617

Project Address		
1356 E. Locust		
Description	Rate	Amount
Excavation/Concrete Work for steal building	26,500.00	26,500.00
3 Extra Loads Roadmix for building pad for steal building and generator pad . Trucking/ Compaction	1,000.00	1,000.00
Generator Pad: Includes Prep work, Jumping Jack compaction around conduits, 6 inch thick slab with #4 rebar.	2,500.00	2,500.00
Total		\$30,000.00

Innovative Concrete Construction Inc.

PO Box 872
Emmett, ID 83617
208-369-3517

Balance Due	\$30,000.00
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Emmett Fire Department

501 E. Main St.

Emmett, ID 83617



April 6, 2023

Re: A motion to approve the ESO contract

Mayor, City Council:

Attached is a proposed motion

I recommend the following motion: **"Motion to approved the agreement with ESO and for the Mayor to sign"**

Thank you for considering,

Curt Christensen
Chief Emmett Fire Department



Quote Date: 03/17/2023
 Customer Name: Emmett Fire Department (ID)
 Quote #: Q-110783
 Quote Expiration date: 04/04/2023
 ESO Account Manager: Brian Ferring

CUSTOMER CONTACT

Customer Emmett Fire Department (ID)
 Name Michael Giery
 Email mgiery@cityofemmett.org
 Phone 208-398-2225

BILLING CONTACT

Payor Emmett Fire Department (ID)
 Name Emmett ID, 83617
 Address 501 E Main ST
 Email
 Billing Frequency Annual
 Phone
 Initial Term 12 months

Fire						
Product	Volume	Price	Discount	Total	Fee Type	
ESO Fire Incidents	1 Stations	\$995.00	(\$0.00)	\$995.00	Recurring	
Fire Incidents CAD Integration	200 Incidents	\$1,495.00	(\$0.00)	\$1,495.00	Recurring	
ESO Properties	1 Stations	\$345.00	(\$0.00)	\$345.00	Recurring	
ESO Inspections	1 Stations	\$395.00	(\$0.00)	\$395.00	Recurring	
Fire Setup & Online Training	1 Sessions	\$595.00	(\$595.00)	\$0.00	One-time	

EHR						
Product	Volume	Price	Discount	Total	Fee Type	
ESO Activities - EMS Agency	200 Incidents	\$95.00	(\$0.00)	\$95.00	Recurring	

Total Recurring Fees	\$	3,325.00
Total One-Time Fees	\$	595.00
Discounts	\$	(595.00)
TOTAL FEES	\$	3,325.00

*Additional fees may be applied by Customer's billing or CAD vendor for certain integrations or interfaces, and Customer is encouraged to discuss this with the applicable vendor.



Quote Date: 03/17/2023
Customer Name: Emmett Fire Department (ID)
Quote #: Q-110783
Quote Expiration date: 04/04/2023
ESO Account Manager: Brian Ferring

TERMS AND CONDITIONS:

1. If the Customer indicated above has an ESO Master Subscription and License Agreement (MSLA) dated on or after February 20, 2017, then that MSLA will govern this Quote. **Otherwise, Customer intends and agrees that this Quote adopts and incorporates the terms and conditions of the ESA and associated HIPAA business associate agreement hosted at the following web address, and that the products and services ordered above are subject thereto:**

<https://www.eso.com/legal-terms/>

2. The Effective Date of this Quote shall be the date of Customer's signature.
3. Customer is responsible for the payment of all Fees shown. ESO will accept Fee payment from a payor (if indicated above) if ESO has an appropriate agreement with the Payor.
4. ESO reserves the right to not accept any Quote signed after the Quote Expiration Date.

Emmett Fire Department (ID)

Signature: _____

Print Name: _____

Title: _____

Date: _____

For Fire, EHR, the following payment terms apply:
Fees are invoiced at the Billing Frequency 15 days after the Effective Date, with recurring fees due on the anniversary.



Quote Date: 03/17/2023
Customer Name: Emmett Fire Department (ID)
Quote #: Q-110783
Quote Expiration date: 04/04/2023
ESO Account Manager: Brian Ferring

Fire

Product	Description
Fire Setup & Online Training	Setup and Webinar Training Session for ESO Fire.
ESO Fire Incidents	Includes Auto EHR-import or Auto-CAD import, federal NFIRS data reporting, software updates and upgrades.
ESO Inspections	Includes the ability to manage multiple code sets, using those to developed customized Check-lists for inspections. The application allows you to schedule, manage, execute and finalize inspections as well as reschedule any required follow up inspections.
ESO Properties	Includes CAMEO integration, Pre-Plan view. Stores property and occupant history (presence of chemicals and tanks, Incidents, and previous inspections).
Fire Incidents CAD Integration	Allows for integration of CAD data into the FIRE application. Ongoing maintenance included. Additional fees from your CAD vendor may apply.

EHR

Product	Description
ESO Activities - EMS Agency	Application for tracking non-response activities, including Operations, Community Education, and