

TROY CITY COUNCIL
JULY 1, 2021
SPECIAL MEETING MINUTES

CITY COUNCIL SPECIAL MEETING: 5:00 p.m.

PRESENT: Mayor: Steve Corr, Councilors: Bill Abbott, Patrick Cordova; Cindy Gray; Mike Yenney, Employees Present: Clerk/Treasurer: Sabrina Moyer

GUESTS: Troy Fire Chief; John Bohman

MEETING CALLED TO ORDER: Mayor, Steve Corr called the meeting to order at 5:00 P.M.

AGENDA:

FIREWORKS: Troy Fire Chief John Bohman was present to discuss current concerns regarding the 4th of July Fireworks. Due to the forecasted high temps, low humidity, and wind advisories it was recommended that the city advice its citizens to refrain from the use of aerial fireworks during the 4th of July weekend to avoid hazardous situations but that the use of "Safe and Sane" fireworks would be allowed. It was also determined that there would be no fireworks display at the park this year. Attorney, Jennifer Tengono of Susan R. Wilson Attorney at Law, PLLC informed the City in writing with the following statement:

- "According to the Idaho State Fireworks Act, the City would have the authority to prohibit fireworks within city limits if it were determined that the area "constitutes a severe fire threat based on the vegetative conditions during the current fire season as determined by the county commission or authority having jurisdiction, provided that notice of such areas is given in advance." I.C. 39-2609(4). According to Idaho Code 39-2602(1), the "authority having jurisdiction" would be a city's fire department, or a fire protection district, or the county commission if the area is not within city limits."
- Because Idaho Code delegates decision-making authority to a city's fire department as the "authority having jurisdiction" for areas within city limits or the fire protection district, the Troy Fire Department and the Troy Fire District are the authorities having jurisdiction per Idaho Code. Further, it would have to be the Troy Fire Department and/or the Troy Fire District making the determination that areas within city limits constitute a "severe fire threat" due to the "vegetative conditions" before the City could prohibit the use of fireworks within city limits. After such a determination, the City could, in conjunction with the authority vested in the Troy Fire Department/Troy Fire District, issue temporary fireworks ban either by Resolution, Ordinance, or Press Release, depending on the nature of the ban and who is issuing it.

After discussion, council member Cindy Gray moved that by the recommendation from the Troy Volunteer Fire Department that the City of Troy advice patrons to refrain from the use of aerial fireworks and only allow those that are of the "safe and sane" nature. It was seconded by Mike Yenney. ***Motion passed by unanimous consent.***

- **EXECUTIVE SESSION** – No executive session was held.
- **EXECUTIVE SESSION ACTION** – No action was taken.
- **MAYOR CORR'S REPORTS/CORRESPONDENCE:**
- **COUNCIL REPORTS:**
 - **BILL ABBOTT** - Parks & Rec: No report.
 - **CINDY GRAY** - Public Safety: No report.
 - **MIKE YENNEY**- Streets, Solid Waste, Library: No report.
 - **PATRICK CORDOVA** - Water & Sewer Services: No report.
- **TREASURER/CLERK REPORT:** No report.
- **ADJOURNMENT MOTION:** A motion was made by Cindy Gray to adjourn at 5:45 P.M. A second was made by Bill Abbott. ***Motion passed.***
- **Adjourned at 5:45 P.M.**

Steve Corr, Mayor

Sabrina Moyer, City Clerk/Treasurer