

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m.

Present: Mayor David M. Davis, Councilman Robert Culver, Councilman Chris Barber, Councilman Brent “Oop” Johnson and Councilman Jason Peterson.

Also present were staff members: City Clerk Bernadette Gomes, City Attorney Ted Larsen, Information Services Director Carlos Hernandez, Wastewater Superintendent Gilbert Sanchez, Library Director Linda Mecham, Public Works Director Brian Ahrens, City Engineer Tyson Carpenter, Building Official Dave Richey, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez, Finance Director Ross Hyatt, Police Chief Dan Hall and Police Captain Duane Rubink. City Administrator Mike Williams was excused.

**PLEDGE OF ALLEGIANCE:**

Mayor Davis led the audience in recitation of the pledge of allegiance.

**PUBLIC HEARING – HOME OCCUPATION ORDINANCE:**

This being the time and place published for the consideration of an ordinance of the Mayor and City Council of Jerome, Idaho, amending Jerome Municipal Code Section 17.18.050.I to include a list of prohibited home occupations in residential zones and setting forth more specific criteria for home occupations; and providing for an effective date, the Chair called the public hearing open at 5:32 p.m. and briefly reviewed the procedures that will be followed.

**Staff Presentation:**

Ms. Clark stated that home occupations are currently allowed in residential zones with an approved special use permit; the Jerome Municipal Code (JMC) allows for applications to be heard by the Planning and Zoning Commission (P&Z). The P&Z agreed to include a list of prohibited occupations to the code, that home occupations could be permitted in dwelling units and accessory structures with conditions, and Ms. Clark stated they recommend the new ordinance with the additional list. She further stated that the new ordinance would not affect existing home occupations if they are otherwise in compliance with the code. Ms. Clark listed the prohibited home occupations that would not go before the P&Z for approval, and briefly reviewed the proposed ordinance with council. Ms. Clark commented that one resident provided verbal comment regarding home occupation concerns including room rentals.

Extensive discussion ensued regarding the proposed ordinance. Topics of the discussion include residential and multi-family units; the 400 square feet requirement; daycare facilities; applications for prohibited home occupations; existing businesses and code compliance; zoning requirements and what is allowed by zone; regulating the number of families in a single-family home; and, the definition of “home occupation” as it pertains to renting rooms. Mr. Larsen stated those who rent rooms are not running an occupation out of their home but using their home for a commercial basis (similar to Air Bed and Breakfast) and he is unsure if other cities regulate room rentals. Mr. Richey stated that the building code does regulate occupancy based on square footage; residential homes allow for 200 square feet per person. Mr. Larsen further commented that enforcement of the occupancy requirement could be an issue.

There was no testimony in favor of the consideration. Mr. Bob Wagner, 500 2<sup>nd</sup> Ave E, appeared with neutral testimony and stated that he has an occupation which serves local veterans. He briefly described his hobby of receiving donated hospital equipment, repairing wheelchairs and donating them back to local veterans through various organizations. Mr. Wagner was concerned how the new home occupations ordinance would affect his non-profit hobby. He also spoke of a neighbor with several families in one home who have since moved; he expressed concern of taxpayer monies lost. He further stated he gets donations to help with expenses of the wheelchair repairs but that he makes no profits with the items donated. Upon inquiry by Mayor Davis, Mr. Wagner stated he does the repairs for the Disabled American Veterans, a non-profit organization. Mayor Davis commented that, per testimony given by Mr. Wagner, he is not running a business but doing repairs for donations. Mr. Larsen stating that nothing Mr. Wagner has described is listed as a prohibited home occupation per the new ordinance. Mr. Wagner also spoke of doing vehicle repairs, and Mr. Larsen stated this is different that what was previously described. Upon inquiry by Councilman Peterson, Mr. Larsen stated the JMC does not differentiate between business which earn money versus those that do not. However, auto body work will be prohibited in residential zones while fixing wheelchairs will not be prohibited.

There being no further testimony to be heard, the Chair declared the public hearing closed at 5:51 p.m.

#### **PUBLIC HEARING – AREA OF IMPACT ORDINANCE:**

This being the time and place published for the consideration of an Ordinance of the Mayor and City Council of Jerome, Idaho, amending Jerome Municipal Code Section 17.110.030.A to include a new subsection addressing county responsibilities upon action by the city which changes the boundaries of the city limits; and amending Jerome Municipal Code Section 17.110.030.G by adding subsection 7 to include setback requirements for impact area zones; and amending Jerome Municipal Code Section 17.110.030.J, land use chart to provide for new uses, “animal, confined not regulated by chapter 13”, “plant, light manufacturing”, “sports, rural recreation area”; and providing for an effective date, the Chair called the public hearing open at 5:52 p.m. and briefly reviewed the procedures that will be followed.

#### **Staff Presentation:**

Ms. Clark briefly spoke of the area of city impact where the city is expected to grow over time through the process of annexation. The established area of impact with Jerome County includes an agreement regarding plans, policies and development standards which apply to that area. Ms. Clark presented three updates amending the agreement. These updates include the addition of language to include actions taken by the city regarding zoning maps; the addition of three definitions to the city impact use chart (correspondence on file from county commissioners explains their concern regarding livestock); and, proposed changes to setback requirements recommended by the county. Ms. Clark stated staff met with Jerome County P&Z Nancy Marshall and a chart for area of impact setbacks was developed. She concluded by stating that both the county P&Z and county commissioners have reviewed and approved the recommended changes.

There was no testimony in favor, neutral nor in opposition to the proposal. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:57 p.m.

**PRESENTATIONS:**

Mayor Davis gave the Oath of Office to new Police Officer Isaiah E. Day. Chief Hall stated that the department has been recruiting for officers with the desire to hire those with some experience. Officer Day comes to the city with many years law enforcement experience and he is a welcome addition to the department.

Mayor Davis gave the Oath of Office to new Police Officer Trey R. Treasure. Chief Hall stated Officer Treasure recently graduated from the law enforcement program at the College of Western Idaho and came highly recommended. He also has experience working as a detention deputy with the Jerome County Sheriff’s Office and Chief Hall is pleased to have him aboard.

Chief Hall commented that the police department is now fully staffed for the first time in over two years.

**ORDINANCE NO. 1184, BILL NO. 669 – INTRODUCTION:**

Councilman Culver sponsored Bill No. 669.

Councilman Peterson made the motion to suspend the rules pertaining to the reading of an ordinance on three separate occasions and direct the clerk to read Bill No. 669 twice by title and once in full to constitute three readings. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson. **NAYS:** Councilman Culver, Councilman Johnson and Councilman Barber.

The clerk read Bill No. 669 by title only to constitute the first reading as follows:

BILL NO. 669  
ORDINANCE NO. 1184

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF JEROME, IDAHO, AMENDING JEROME MUNICIPAL CODE SECTION 17.18.050.I TO INCLUDE A LIST OF PROHIBITED HOME OCCUPATIONS IN RESIDENTIAL ZONES AND SETTING FORTH MORE SPECIFIC CRITERIA FOR HOME OCCUPATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Peterson commented that the information will be the same if the ordinance is read once tonight or in three separate readings, and Councilman Barber feels that reading on three separate occasions gives the public the opportunity to come to council and discuss the proposed ordinance. Upon inquiry by Councilman Johnson, Ms. Clark confirmed that there are many home occupations in Jerome.

**ORDINANCE NO. 1185, BILL NO. 670 – INTRODUCTION:**

Councilman Barber sponsored Bill No. 670.

The clerk read Bill No. 670 by title only to constitute the first reading as follows:

BILL NO. 670  
ORDINANCE NO. 1185

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF JEROME, IDAHO, AMENDING JEROME MUNICIPAL CODE SECTION 17.110.030.A TO INCLUDE A NEW SUBSECTION ADDRESSING COUNTY RESPONSIBILITIES UPON ACTION BY THE

CITY WHICH CHANGES THE BOUNDARIES OF THE CITY LIMITS; AND AMENDING JEROME MUNICIPAL CODE SECTION 17.110.030.G BY ADDING SUBSECTION 7 TO INCLUDE SETBACK REQUIREMENTS FOR IMPACT AREA ZONES; AND AMENDING JEROME MUNICIPAL CODE SECTION 17.110.030.J, LAND USE CHART TO PROVIDE FOR NEW USES, “ANIMAL, CONFINED NOT REGULATED BY CHAPTER 13”, “PLANT, LIGHT MANUFACTURING”, “SPORTS, RURAL RECREATION AREA”; AND PROVIDING FOR AN EFFECTIVE DATE.

**CONSENT CALENDAR:**

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the January 7, 2020 regular meeting
2. Monthly Department Reports
3. Approve Claims

20-20 Autoglass \$179.36, Accu Sales \$82.00, Advanced Collection Technology \$100.00, Aflac \$164.90, Air St. Luke's \$4,140.00, AJT Enterprises \$110.00, Amazon Capital Services \$592.49, Amazon.Com \$14.98, Andersons, Inc \$300.12, Argo Company \$625.87, Assoc of Jerome City Firefighters \$156.00, Associated Taxpayers of Idaho \$70.00, Backflow Assembly Testing And Supply LLC \$1,655.00, Badger Meter \$226.95, Barry Rental, Inc. \$182.00, Blue Cross \$95,495.46, Boise Office Equipment \$25.00, Bonneville Blue Print Supply \$58.58, Bound Tree Medical \$238.29, BPA Health \$306.80, Brodart Company \$74.82, Brown, Cheryl \$26.41, Builders Firstsource \$52.48, Bullock Automation and Electric \$600.00, Bustos, Pedro or Veta \$75.00, CDW Government, Inc. \$3,822.11, Center Point Large Print \$88.08, Century Link \$1,724.35, Centurylink Business Services \$46.83, Chase Paymenttech \$2,263.55, Cintas Corporation \$313.04, City of Jerome \$272,567.00, Clark & Sons Inc. \$142.80, Colonial Life & Accident Insur \$1,862.85, Computer Connection \$64.97, Con Paulos Inc. \$564.42, Culligan Soft Water Service \$130.85, D & B Supply \$1,702.31, Depatco \$3,721.42, Dept of Environmental Quality \$553,853.32, Dewitt Diesel Inc \$2,631.81, Dig Line Inc \$99.16, Dubois Chemical \$4,594.74, Element Heating and Cooling Inc \$187.00, Everson, Rick or Rose \$25.00, Extreme Excavation, Inc \$19,803.28, Farmore of Idaho \$737.76, Faronics Technologies Usa Inc \$1,645.88, Fastenal Company \$1,187.61, Ferguson Waterworks \$180.00, Fred Kenyon Repair Inc. \$1,015.12, Freedom Electric Inc. \$65.00, Freedom Mailing Services, Inc \$1,985.55, Gem State Paper & Supply \$84.41, Gem State Welder's Supply \$126.62, Go-Fer It Express \$288.00, Greatamerica Financial Services \$296.98, H.D.Fowler \$2,953.76, Hach Company \$5,082.89, Hanson Janitorial Supply, Inc. \$18.96, Harvey's Office Plus \$191.38, Houston, Aaron \$173.75, Hub City Building Inc \$63.43, Hydro Specialties Company \$6,169.37, ID Child Support Receipting \$2,479.63, ID State Tax Commission \$10,141.32, ID Transportation Dept \$69.00, Idaho Hydrojetting \$350.00, Idaho Materials and Construction \$254.30, Idaho Power Co. \$63,086.74, Idaho State Tax Commission \$98.00, Industrial Software Solutions I, LLC \$7,355.00, Ingram Book Company \$1,179.82, Integrated Technologies, Inc. \$228.72, Intermountain Fabrication LLC \$170.00, Intermountain Gas Company \$6,019.83, Jerome Chamber of Commerce \$300.00, Jerome City Water Department \$408.99, Jerome County \$10,746.87, Jerome County Sheriff \$352.40, Jerome FF Local Union 4589 \$1,332.53, Jerome Printshop \$74.40, Jerome Recreation District \$490.00, J-U-B Engineers Inc. \$1,895.04, Keller Associates Inc \$942.50, Kenworth Sales Company \$358.45, Les Schwab Tire Centers Inc \$962.96, Lexisnexis Risk Solutions \$34.00, Lifemap Assurance Company \$17.69, Lithia Auto Sales \$76.62, LLC Champery Real Estate 2015 \$50.15, Magic Valley Labs \$9,960.55, Magic Valley Pipe \$101.85, Mailfinance \$916.68, Mason's Trophies & Gifts \$89.45, Metroquip, Inc. \$731.84, Midwest Contract Operations, Inc \$300.00, Mike's Repair \$111.94, Mower Office Systems \$293.96, Municipal Emergency Services \$149.99, Munimetrix Systems Corp. \$89.98, Napa Auto Parts \$1,410.98, NCPERS Group Life Ins C356 \$224.00, New Tech Security, Inc. \$421.25, Northside Canal Co. \$27,067.39, Northwest Safety

Clean \$262.18, Nu-Vu Glass, Inc. \$134.36, O'Reilly Auto Parts \$21.97, Overdrive \$1,800.00, Perez, Marilyn \$24.53, Peterson's Reliable Electric \$450.00, Prevent Fire, LLC S Corp \$543.00, Productivity Plus Account \$2,935.09, Pro-Flame, Inc \$18.71, Proforce \$5,963.60, Project Mutual Telephone \$304.54, PSI Environmental Services Inc \$22,562.28, Rexel Usa Inc \$3,302.46, Ridley's Food & Drug \$105.37, Ross Hyatt, Treasurer \$90.00, Safety Now Solutions \$700.00, Sassy Software Solutions, LLC \$567.00, Sawtooth Veterinary Services \$305.00, Signed Sealed & Delivered \$135.00, Skaggs Companies, Inc. \$927.17, SKM, Inc. \$55.00, Snake River Veterinary Hosp \$50.00, Southern Idaho Solid Waste \$5,582.44, Sportsman's Warehouse \$49.11, Sterling Codifiers, Inc. \$500.00, Stotz Equipment \$710.33, Superior Door Inc \$187.50, Teledyne Instruments, Inc \$530.00, TFD Enterprises, LLC \$6,814.53, Thatcher Company \$8,993.23, TIAA Commercial Finance, Inc. \$287.51, Times News \$512.76, T-Mobile \$342.48, Tore Up \$85.00, Traffic Safety Supply Co Inc \$479.16, Treasure Valley Coffee, Inc. \$188.85, US Bank of Idaho \$35,842.01, US Bank Equipment Finance \$288.49, Uline \$364.32, Underwood Recycling \$135.84, Upper Case Printing, Ink. \$2,914.00, Urgent Care of Jerome/Twin Falls \$255.00, US Bank Credit Card \$10,634.79, USA Bluebook \$575.57, V.H. Blackinton & Co. Inc \$12.00, Valley Wide Cooperative \$33,296.07, Verizon Wireless \$3,972.68, Watts Hydrolic and Steam Store \$138.54, W-Cubed, Inc. \$20,180.50, Westec \$445.50, Western States Equipment \$9,531.81, Western Waste Services \$685.04, Williams Meservy & Larsen LLP, \$12,856.42, Xpress Bill Pay \$766.60.

Councilman Culver made the motion to approve the consent calendar as presented. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

#### **COMPUTERS FOR KIDS DONATION:**

Mr. Hernandez appeared before council to request the donation of computers and miscellaneous parts that no longer support the city's needs. Upon inquiry by Councilman Peterson, Mr. Hernandez stated that the Computers for Kids organization will pick up the computers, install necessary equipment to make them work and then donate to families who need one. He also stated that the programs installed are minimal for basic functions.

Councilman Culver made the motion to approve the donation of 32 old computers and miscellaneous parts to Computer for Kids. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

#### **DECLARE INFORMATION SERVICES EQUIPMENT AS SURPLUS:**

Mr. Hernandez requested that old printers no longer in use be declared as surplus and sold through the online auction process. He stated these printers are in different stages of repair needs and the costs of repairing exceed their value. He further stated that some who purchase the printers could use them for parts. Upon inquiry by Mayor Davis, Mr. Hernandez stated that if there are no bids through the online auction the printers will also be donated to Computers for Kids.

Councilman Culver made the motion to declare the following city property on the attached list as surplus property and authorize staff to sell the items through publics surplus.com. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

### **AERZEN TECHNICIAN AND TURBO BLOWER REPAIRS:**

Mr. Sanchez stated that the plant has two blowers, one in operation continuously and the other in redundancy. The Aerzen blower recently failed and is in need of immediate repairs to act as a back-up. Mr. Sanchez stated the cost of the repairs along with the technician to make said repairs is \$27,669.56, and staff is requesting an additional \$5,000 for any additional needs to the repairs. Upon inquiry by Councilman Barber, the cost of a new blower would exceed \$100,000. Upon inquiry by Mayor Davis, Mr. Larsen stated council could authorize the minimal amount with the provision that the additional \$5,000 be granted at a later date if they so desire. Councilman Peterson commented that he believes the additional funds will not be spent unnecessarily, and Mr. Larsen stated that either approach to approving the repairs would be acceptable.

Councilman Culver made the motion to approve the funds for the troubleshooting and repair of the Aerzen turbo blower in the amount of \$32,669.56. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

### **TRANSPORTATION PLAN RE-ADOPTION:**

Mr. Carpenter spoke of the city's transportation plan adopted in 2007 and staff has been working to update it. He stated that one criteria for the TAP grant application (E. Main Street sidewalk project) is that the transportation plan needed to be updated or re-adopted in the last five years. Staff is not proposing any immediate changes at this time but requesting that the plan be re-adopted to complete the requirement of the grant application. Upon inquiry by Councilman Johnson, Mr. Carpenter briefly explained the contents of the transportation plan which concerns streets (future projects, the level of service, existing and future road conditions, etc.) and other facets of transportation. Upon inquiry by Councilman Peterson, Mr. Carpenter stated that Jerome may or may not be a part of the "Metropolitan Plan Organization" designation in the future whereby the transportation needs of a specific area go beyond just one city's limits.

Councilman Culver made the motion to approve re-adoption of the City's Transportation Plan from 2007 by the Transpo Group. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

### **COUNCIL REPORTS:**

Mayor Davis reported that Mr. Williams on vacation this week.

### **DEPARTMENT REPORTS:**

Mr. Hernandez introduced Andy Newbry as the new IT Technician.

### **ADJOURNMENT:**

There being nothing further to discuss, Mayor Davis adjourned this January 21, 2020 regular meeting of the Jerome City Council at 6:26 p.m.

By:

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Mayor David M. Davis

Attest:

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Bernadette Gomes, City Clerk