

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 Chris Barber, Councilman Robert Culver, Councilman Brent “Oop” Johnson and Councilman Jason Peterson.

Also present were staff members: City Clerk Bernadette Gomes, City Attorney Ted Larsen, City Administrator Mike Williams, Information Services Director Carlos Hernandez, Finance Director Ross Hyatt, Assistant Finance Director Stephanie Wells, Building Official Dave Richey, City Engineer Rick Wuori, City Engineer Tyson Carpenter, Water and Irrigation Supervisor Brian Ahrens, Wastewater Maintenance Supervisor Brad Henry, Human Resources Director Ida Clark, City Planner Esmeralda Chavez, Fire Chief Jeremy Presnell, Deputy Fire Chief Mike Harrison and Police Chief Dan Hall.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Police Chaplin Baldwin Camin.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the February 5, 2019 regular meeting
2. Approve Monthly Department Reports
3. Approve payment to Idaho State Insurance Fund in the amount of \$111,024.00 for the annual Worker’s Compensation premium
4. Approve claims

Acco Brands Direct \$54.49, Accu Sales \$75.00, Advanced Collection Technology \$100.00, Aflac \$164.90, Alexander Clark Printing \$269.22, American Construction Supply & Rental \$720.00, Assoc of Jerome City Firefighters \$168.00, Association of Idaho Cities \$39.00, B & R Bearing \$142.45, Blue Cross \$6,247.50, Boise Office Equipment \$140.00, Bonneville Blue Print Supply \$226.00, Bound Tree Medical \$84.24, Butte Fence, Inc. \$2,853.54, B-Z Plumbing \$16.43, Cable One \$2.98, Callen Refrigeration LLC \$346.00, Canyonside Towing Inc. \$125.00, Center Point Large Print \$88.08, Century Link \$3,860.92, Centurylink Business Services \$46.79, Chase Paymenttech \$2,141.41, Cintas Corporation \$323.42, City of Jerome \$260,388.27, Civil Science, Inc \$8,086.75, Colonial Life & Accident Insur \$1,996.06, Con Paulos Inc. \$713.08, Culligan Soft Water Service \$110.25, Culver, Robert \$153.04, Curtis, Intermountain Division \$909.66, D & B Supply \$1,564.85, Depatco \$1,374.70, Dewitt Diesel Inc \$4,247.10, Dig Line Inc \$77.68, Dubois Chemical \$4,608.00, EHM Engineers, Inc. \$18,275.00, Electric 1 West, Inc. \$2,310.43, Empower Retirement \$3,841.13, Ergometrics & Applied Personnel Research \$182.60, ESRI, Inc. \$5,100.00, Farmore of Idaho \$269.63, Ferguson Enterprises, Inc. \$777.20, Ferguson Waterworks \$180.00, Floyd Lilly Co \$90.96, Fred Kenyon Repair Inc. \$356.22, Freedom Electric Inc. \$1,183.15, Freedom Mailing Services, Inc \$1,981.88, Gem State Paper & Supply \$100.98, Gem State Welder's Supply \$72.54, Goble Sampson Associates Inc. \$296.00, Go-Fer It Express \$272.00, Gomes, Bernadette \$136.88, GreatAmerica Financial Services \$271.00, Grove Hotel, The

\$586.00, Hall, Daniel \$4.24, Hanson Janitorial Supply, Inc. \$130.10, Harvey's Office Plus \$267.89, Hensley, Mike \$40.00, ID Child Support Receipting \$2,709.35, ID Crime Prevention Assoc \$50.00, ID State Tax Commission \$8,475.00, Idaho Power Company(Corp Cashier) \$4,500.00, Idaho State Fire Marshall \$50.00, Idaho State Police \$1,718.75, Industrial Systems, Inc. \$849.00, Ingram Book Company \$1,630.62, Instrumart \$368.00, Integrated Technologies, Inc. \$141.58, Intermountain Comm., Inc. \$3,710.20, Intermountain Fabrication LLC \$360.00, Intermountain Gas Company \$3,054.69, Intl Institute of Muni Clerks \$600.00, J & J Enterprises \$14.50, Jerome 20/20 \$20,000.00, Jerome City Water Department \$191.63, Jerome County \$10,153.19, Jerome FF Local Union 4589 \$600.00, Jerome Recreation District \$839.00, Jim's Repair & Distributing \$129.95, J-U-B Engineers Inc. \$1,640.97, Kaman Industrial Technologies \$153.99, Keller Associates Inc \$28,292.40, Kubwater Resources, Inc \$20,497.63, Les Schwab Tire Centers Inc \$284.95, Lifemap Assurance Company \$4,415.96, Magic Valley Electric LLC \$135.00, Magic Valley Labs \$6,924.00, Magic Valley Library Systems \$25.00, McHugh Bromley, PLLC \$3,812.45, Mecham, Linda \$1,050.00, Metroquip, Inc. \$634.48, Michael Richard Wastewater Microbiology \$350.00, Minert & Associates, Inc. \$45.00, Modern Marketing \$262.38, Morley, Larene \$17.00, Mower Office Systems \$250.00, Munimetrix Systems Corp. \$89.98, MWI Veterinary Supply \$252.98, Napa Auto Parts \$494.87, Nasro \$40.00, NCPERS Group Life Ins C356 \$240.00, New Tech Security, Inc. \$105.00, Northside Canal Co. \$22,319.85, Nu-Vu Glass, Inc. \$164.04, On The Ball Plumbing, LLC \$529.50, O'Reilly Auto Parts \$115.30, Overhead Door Company of TF Inc \$47.50, Penworthy \$130.83, Peterson's Reliable Electric \$60.00, Productivity Plus Account \$28.32, Pro-Flame, Inc \$187.44, Project Mutual Telephone \$296.54, PSI Environmental Services Inc \$19,749.63, Radiant Systems of Idaho \$500.36, Rain Guard Roofing \$1,299.00, Rasmussen, Troy J. \$80.99, Reliant Behavioral Health, LLC \$276.04, Rexel USA Inc \$378.29, Ricks Wild Things \$187.49, RSC IS225,120.41, Safari Inn Downtown \$255.00, Sawtooth Veterinary Services \$450.00, SelectHealth \$88,032.87, SHRM Snake River Chapter \$174.00, Signed Sealed & Delivered \$25.21, Skaggs Companies, Inc. \$345.23, Something More \$115.92, Southern Idaho Fire Academy \$250.00, St Luke's \$88.00, Sweet's Septic & Backhoe, Inc. \$450.00, Teledyne Instruments, Inc \$755.00, Thatcher Company \$6,861.78, Times News \$453.38, Tore Up \$25.00, Traffic Safety Supply Co Inc \$7,587.28, Treasure Valley Coffee, Inc. \$131.10, Tri-State Tire Jerome \$28.67, US Bank of Idaho \$3,020.60, Unified Office Services \$108.60, Uniforms 2 Gear Inc. \$361.66, Urgent Care of Jerome/Twin Falls \$420.00, US Bank Credit Card \$8,599.51, USA Bluebook \$579.16, Valley Wide Cooperative \$10,358.75, Verizon Wireless \$3,394.67, Viewu \$818.00, Watts Hydraulic and Steam Store \$91.69, Weidner & Associates \$590.92, Westech \$1,978.24, Western Waste Services \$256.79, Williams Meservy & Larsen LLP \$12,856.42, Witmer Public Safety Group, Inc. \$981.12, Worthington, Kelly \$42.15, Xpress Bill Pay \$673.74, Zions Bank Public Financial Services \$56,209.53

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

Mr. Williams commented that the insurance premium fund was approximately \$1,000 less than last year due to infrequent worker's compensation claims.

SENIOR POLICE OFFICER SAM ROACH:

Chief Hall appeared before council to recognize the promotion of Officer Sam Roach to Senior Police Officer. While Officer Roach was unable to attend the meeting, Chief Hall spoke briefly of the officer's recent accomplishments. He stated the rank of Senior Police Officer is the highest rank a patrol officer can obtain before lead positions (i.e. supervisor or sergeant). The position requires a minimum of five years of full time law enforcement experience along with

extensive training in narcotics and accident investigations, interview/interrogation and streets survival tactics training. Chief Hall wanted staff to be aware and congratulate Officer Roach on his accomplishments.

Mayor Davis presented a Positive Attitude culture coin to City Administrator Mike Williams. He stated Mr. Williams was nominated by staff for his work with general education and resource students. Mr. Williams encouraged them to get involved in community activities, and because of his pride in the community staff felt he was deserving of recognition.

RESOLUTION NO. 06-19:

The clerk read resolution No. 06-19 as follows:

RESOLUTION 06-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO AUTHORIZING THE DESTRUCTION OF SEMI-PERMANENT AND TEMPORARY RECORDS.

WHEREAS, the City of Jerome adopted a records retention policy on November 6, 2008 pursuant to the provisions in Idaho Code 50-907, and

WHEREAS, records that are not considered permanent shall be retained for the period specified in the retention schedule and until destruction is approved by resolution of the City Council pursuant to the provisions of Idaho Code 50-907, and

WHEREAS, records identified as permanent shall not be destroyed, but shall be retained by the city in perpetuity or transferred to the Idaho State Historical Society's Permanent Records Repository for permanent retention upon resolution of the City Council, and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the City of Jerome, Idaho as follows:

Section 1: The City's Attorney has reviewed and recommended approval for destruction of the foregoing semi-permanent and temporary records attached as Exhibit "A" which shall be disposed of under the direction and supervision of the city clerk.

PASSED this 19th day of February, 2019

APPROVED BY THE MAYOR this 19th day of February, 2019.

By:
/s/ David M. Davis
David M. Davis, Mayor

ATTEST:
/s/ Bernadette Gomes
Bernadette Gomes, City Clerk

Councilman Culver made a motion to pass Resolution No. 06-19 authorizing the destruction of semi-permanent and temporary records. Second to the motion was made by Councilman Johnson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Culver, Councilman Barber and Councilman Peterson. **NAYS:** None.

POLICE DEPARTMENT OFFICE LOBBY REMODEL:

Chief Hall spoke of the concerns regarding the front lobby of the police department. There is little security for staff and for the protection of vital records, and often times staff works alone in the building. Council previously approved an appropriation of funds for fiscal year 2019 in the amount of \$20,000 for the purpose of remodeling and improving the lobby area.

Staff sought a true estimate and plan to meet security needs with Star Corporation. Chief Hall stated they have extensive experience with this type of project and have been working with other local agencies as well. The total cost estimate is \$23,911 with the majority of the cost for bullet-proof materials. A sketch of the lobby area was provided with the improvements including a security entrance and bullet-resistant speak-easy windows. Chief Hall stated the department had significant savings from recent vehicle purchases, and those funds would be added to the allocated budget of \$20,000 for a total of \$23,911 towards the remodel.

Upon inquiry by Councilman Johnson, Mr. Williams stated that some of the materials used in the lobby remodel could be re-used in the future police station with proper planning. Councilman Peterson commented on the concern of staff safety until a new building is available, and Chief Hall concurred by stating staff security is definitely a priority.

Councilman Culver made a motion to approve the remodel of the police department lobby to enhance security for personnel and records at a cost of \$23,911.00. Second to the motion was made by Councilman Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Culver, Councilman Barber and Councilman Peterson. **NAYS:** None.

POLICE OFFICERS PAID OVERTIME REQUEST:

Chief Hall presented information to council regarding the request of paid overtime (OT) for police officers. The department has seen significant personnel turnover in the last five years for reasons including retirement, disciplinary issues and taking employment with other agencies. Additionally, recruiting qualified applicants and the ability to hire have also become a challenge. Chief Hall hopes to increase moral, retain personnel, attract and retain qualified candidates by offering competitive benefits which would include paid OT.

Chief Hall explained that certain activities require OT including court time, training and special events needing law enforcement presence. The general practice has been to allow compensation (comp) time be accrued for use at a later date rather than paying out OT dollars. However, many local agencies provide for OT pay. With assistance from Ms. Wells, Chief Hall provided figures to demonstrate the cost of providing OT pay. Staff determined that, based upon hours recorded in 2018, the cost to initiate it would be approximately \$29,290. However, the department is currently short-staffed so there is the potential for this figure to increase. The remainder of 2019 would cost approximately \$18,000.

Extensive discussion ensued regarding the proposal. Subjects covered included the rate of OT pay (time and one half versus straight pay) depending on the event or shift worked; the concept of the 207(k) exemption and the threshold of 86 hours in a two week period; events requiring additional police presence; OT hours worked in 2018 (819 were recorded); comp time earned and paid out to employees who terminate employment; the tracking of time worked; monies in reserves; the cost of OT pay with a full staff and the need to cover shifts; the responsibility of senior staff to track hours worked; the potential of abusing the system and sufficient management; personal time off (PTO) time versus comp time accrued and maximum accrual; the concern of other departments possibly wanting OT pay; the opportunity to implement the new policy and implementation date; the rate of accrual for newer employees; the preference of earning time versus getting time paid; and, the potential of more PTO use with fewer comp hours accrued.

Chief Hall stated the requested implementation date of February 24, 2019 could be moved back to allow for details to be worked out while still having council approval to proceed with developing a policy. He further stated that the quality of service provided is compromised when new recruits terminate employment prior to becoming fully comfortable with the position, and staff is hopeful that the new policy will aid in retention. Upon inquiry by Mayor Davis, there are two exempt positions; all others are non-exempt.

Councilman Culver made a motion to approve paid OT for police officers effective pay period beginning February 24, 2019. Councilman Culver amended his motion to approve paid OT for police officers effective with pay period beginning March 10, 2019. Second to the amended motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Culver, Councilman Barber and Councilman Peterson. **NAYS:** None.

Chief Hall thanked council for their time and consideration. Mayor Davis commented about Certification Pay included in the packet provided. Chief Hall asked that council review the information although the proposal will not be presented to council until a later date.

RESOLUTION NO. 05-19:

The clerk read resolution No. 05-19 as follows:

RESOLUTION NO. 05-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, AMMENDING THE CITY OF JEROME EMPLOYEE PERSONNEL POLICY MANUAL AND PROVIDING AN EFFECTIVE DATE OF MARCH 10, 2019.

WHEREAS, the City of Jerome Personnel Policy Manual was adopted by the City Council on September 19, 2017; and,

WHEREAS, the City of Jerome wishes to make an amendment to the Employee Personnel Policy Manual since it was adopted, Resolution No 15-17; and,

WHEREAS, the amending policy has been reviewed by the City Attorney; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of

Jerome, Idaho, that:

Section 1: Repealing Resolution 15-17. Resolution 15-17 and any other conflicting resolutions passed prior to this date are repealed in their entirety.

Section 2: Adoption of City of Jerome Employee Personnel Policy Manual. The attachment to Resolution 05-19 as Exhibit “A” is hereby adopted as the official City of Jerome Employee Personnel Policy Manual.

Section 3: Severability. If a part of Resolution 05-19 is invalid, all valid parts that are severable from the invalid part remain in effect.

Section 4: Effective Date. The effective date of this resolution shall be March 10, 2019.

PASSED BY THE COUNCIL this 19th day of February, 2019.

SIGNED BY THE MAYOR this 19th day of February, 2019.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Gomes

Bernadette Gomes, City Clerk

Ms. Clark stated policy manual changes include language updates (position titles, for example) along with recommended changes by the staff. Core values were also updated to include those implemented in 2018. Additionally, Ms. Clark stated staff is proposing updates to the city’s comp policy. She explained that the law allows for general employees to accrue up to 240 hours of comp time while police officers can accrue up to 480 hours of comp time. In researching other agencies, Ms. Clark found that some no longer allow comp time accrual and some provide a choice of minimal accruals which are paid out at year end. She further stated that comp time is not accrued as much as in year’s past. Staff met to discuss the budget and the impact of changing the comp policy. The proposed change would allow for employees to accrue up to 40 hours of comp time with additional OT hours paid out; any accrued comp time would need to be used prior to the use of PTO. This change would primarily impact the public works and waste water departments, and the policy would include a note that police department employees would follow their department policy. Ms. Clark stated that only five employees currently have over 40 hours of comp time, some due to a staff shortage. Staff feels the updated policy is affordable and can be changed in the future.

Extensive discussion ensued regarding the subject of comp time and OT. Topics included when comp time is earned the most (foul weather conditions, for example); budget concerns and provisions to revert back to comp time mid-year; the legalities of changing the policy and having a clear policy; the risk of employee abuse of time; the accountability of supervisors and employees in tracking time; the area with the greatest amount of comp time; balancing comp time in adverse weather conditions; the rate of OT pay and comp time (time and one half versus straight time) beyond 80 hours of worked in one pay period; guidelines to avoid abuse of time under unforeseen circumstances; the management of OT in the fire department; the

concern of paying out OT and then taking that benefit away; the use of operational reserves if budget issues arise; the difference in time accrual between departments and difference in usage between individual employees; the management of comp time in the public works department under unusual circumstances; budget figures for each department; the concept of removing comp time from the policy and paying OT only; employee preference to comp time versus paid OT; accrual of comp time and PTO based on years of service; and, how PTO and short-term medical leave are used.

Ms. Clark continued with policy changes including the responsibility of employees to properly track time and submit timesheets in a timely manner. She further stated that the safety program has been returned to individual departments, and staff has seen a reduction in worker's compensation claims. Other changes include a shortened time frame in internal job postings from seven days to three with the option to extend the timeframe if desired. Also, the details regarding transfer requests have been modified.

Upon inquiry by Councilman Barber, Ms. Clark stated the proposal regarding comp time is to allow accrual of up to 40 hours with additional hours worked logged as OT pay. Regarding the concept of removing comp time altogether, Mr. Ahrens stated public works staff may be divided on personal preference, and Chief Hall stated staff usage of comp time varies from one employee to another. Upon inquiry by Mayor Davis regarding the impact on the city's budget, Mr. Williams stated comp time hours accrued are minimal at this time. He further stated that staff can also provide additional information and revise the implementation date of the personnel policy to March 10, 2019.

Councilman Culver made a motion to approve Resolution No. 05-19 effective March 10, 2019. Second to the motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Culver, Councilman Barber and Councilman Peterson. **NAYS:** None.

E. AVENUE I WATER/SEWER MAIN MITIGATION:

Mr. Wuori stated Idaho Materials & Construction was hired in 2017 to install a 10" water main on E. Avenue I from Lincoln to Fillmore. In the last two blocks of E. Avenue I the line was built too close to the sewer line because of the position of the sewer line (veers off from a straight path). The Department of Environmental Quality (DEQ) requires that there be a ten foot separation between water and sewer main lines. The contractor maintains that the water lines were not clearly identified prior to the installation of the water main. Mr. Wuori stated after several meetings with the contractor it was determined that there were ambiguities on both sides and an agreement was reached to complete the repair with a 50/50 split.

Rather than remove and replace the installed water line, Mr. Wuori stated that, after other methods were explored, the sewer line would be re-laid in a pressure-class pipe to meet DEQ requirements. The contractor will use existing pipe provided by the city, and the net cost to the city will be approximately \$39,000.

Upon inquiry by Councilman Barber, the work will be completed by the contractor. The process of calling and marking lines was discussed at length along with the location of the sewer lines. Mr. Wuori stated the issue could have been addressed through legal means but staff felt it was best to keep a good working relationship with the contractor and agree to divide costs of the repair. The city's portion of the repairs will come from the reserves account.

Councilman Culver made a motion to approve a proposal from Idaho Materials & Construction to replace approximately 740 feet of existing gravity sewer with water class pipe to meet DEQ separation requirements on E. Avenue I between S. Davis Street and S. Fillmore Street for a total cost of \$39,111.50. Second to the motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Culver, Councilman Barber and Councilman Peterson. **NAYS:** None.

STAFF REPORTS:

Mr. Williams reported on legislative updates. There is one proposal to exempt counties from participating in the Local Land Use Planning Act; this could be a potential threat to plan responsibly in terms of the Area of Impact and public health and safety.

Mr. Williams recognized Chief Presnell for completing his Master's Degree in Public Administration.

Mr. Wuori introduced new City Engineer Tyson Carpenter.

ADJOURNMENT:

There being nothing further to discuss, this February 19, 2019 regular meeting of the Jerome City Council adjourned at 7:18 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Gomes, City Clerk