

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 Coderniz, City Attorney Ted Larsen, Information Services Director Carlos Hernandez, Wastewater Superintendent Gilbert Sanchez, Library Director Linda Mecham, Building Official Dave Richey, Public Works Director Brian Ahrens, City Engineer Tyson Carpenter, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, Fire Chief Mike Harrison, Deputy Fire Chief Lane Sickles 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 Reverend Dick Goetsch of the Calvary Episcopal Church.

PROCLAMATION – GIRL SCOUT WEEK:

The clerk read the following proclamation in full:

**PROCLAMATION
GIRL SCOUT WEEK
MARCH 8-14, 2020**

WHEREAS, Girl Scouts of the United States of America observes the One Hundred Eighth Anniversary of its founding on March 12, 2020; and

WHEREAS, since 1912, Girl Scouts of America has helped girls discover themselves, their passions and their talents through education, entrepreneurship, outdoor activities and community service;

WHEREAS, Girl Scouts provides a valuable K-12 curriculum that enhances knowledge through experiential learning;

WHEREAS, Girl Scouting is an important path for girls to become strong, self-reliant, productive and confident women;

WHEREAS, Girl Scouts of Silver Council delivers the Girl Scout program to K-12 girls throughout southern Idaho;

WHEREAS, Girl Scouting is an investment in tomorrow’s leadership in Idaho; and

WHEREAS, Girl Scout Week will be celebrated in our state from March 8-14, 2020;

NOW, THEREFORE, I David M. Davis, Mayor of the City of Jerome, do hereby proclaim the week of March 8-14, as Girl Scout Week.

In the City of Jerome, IN WITNESS WHEREOF, I have hereunto set my hand on this the 3rd day of March, in the year of our Lord two thousand and twenty The council signified unanimous support with all “ayes.”

/s/: David M. Davis

David M. Davis, Mayor, City of Jerome

In attendance were Girl Scouts Jlyn, Nayeli, Tatiana, Emma and Alyssa from Troup #437 along with their leaders Erika, Courtney and Crystal. Ms. Erika commented that they are one of two active councils in Jerome, and the Troup gifted the council with cookies.

The council signified unanimous support with all “ayes.”

PUBLIC HEARING – LANDSCAPE ORDINANCE:

This being the time and place published for the consideration of an ordinance creating Title 17 Chapter 18.070 Landscaping Requirements, and amending title 17 Chapter 26.080 Screening and/or Landscaping, of the Jerome Municipal Code, the Chair called the public hearing open at 5:38 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Clark appeared before council and provided some background regarding this ordinance. She stated that landscaping discussions first began in 2015 but no ordinance was passed. In 2019 the Planning and Zoning (P&Z) Commission formed a landscape committee to consider the implementation of a landscape ordinance. The committee consisted of those with experience in landscape, nurseries, maintenance and city code, and they held several meetings to review and update proposed language of the ordinance from 2015. P&Z held two public hearings with some feedback by local engineers, and the commission recommended approval of the ordinance with one edit to be reviewed.

Ms. Clark spoke of the extensive discussion regarding landscape requirements and the definition of a “landscape designer.” She stated that P&Z wanted that definition to include someone with experience in landscape design who could provide a design that meets city code. Upon inquiry by Mayor Davis, Ms. Clark stated that there is no criteria for a “landscape designer” to meet so long as their designs met city code requirements. She reviewed the areas to which the new ordinance will apply including business and industrial zones, and any commercial, industrial or multi-family residential use within the design overlay district plus new or expanding parking lots exceeding twenty spaces in those zones. She also spoke of minimal standards listed in the ordinance including the prohibition of drain rock under 1.5” or road base gravel to be used as mulch; buffers between different land uses to keep them separated; parking lots and the location of trees; fencing; interior parking lot landscaping; snow removal; exclusions and waivers; and, maintenance. She stated that the nuisance code can also address the lack of maintenance of these areas. Upon inquiry by Councilman Barber, Ms. Clark stated that the edit recommended by P&Z referenced the drain rock requirement and commission approval. Upon inquiry by Mayor Davis, Ms. Clark explained the location of the design overlay district along Main Street and Lincoln Avenue. Additionally, Ms. Clark stated that single residential areas would not be included in the ordinance unless they were in the design overlay district or with alternative compliance, and if the use of the parcel changes the design would have be reviewed by P&Z for approval. Councilman Peterson confirmed that existing businesses would not have to comply to the new ordinance unless use changes or expansions were made. Mr. Larsen explained

that if a parking lot were to be re-designed, the design would be subjected to the new landscape ordinance requirements along with any new development as listed in the ordinance. Brief discussion ensued regarding artificial landscaping (AstroTurf, etc.) and overly restricting a design.

There was no testimony in favor, neutral nor in opposition to the consideration. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:51 p.m.

PUBLIC HEARING – STONEY RIDGE SUBDIVISION PH.4 FINAL PLAT:

This being the time and place published for the consideration of a continuance request from Tensco, Inc., c/o Gerald Martens, for approval on a final plat for Stoney Ridge Subdivision Phase 4, described as a portion of N2 SE 4, Section 7, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, the Chair called the public hearing open at 5:51 p.m. and briefly reviewed the procedures that will be followed.

Applicant testimony:

Gerald Martens with Tensco Inc. appeared before council regarding the fourth phase of the Stoney Ridge Subdivision which consists of an extension of 21st and 22nd Avenues. He stated the phase includes seventeen lots identical in size and character to those in the first three phases, and will extend to the city limit lines with existing utility lines. Mr. Martens requested approval of the final plat and stated that a preliminary plat had been previously approved but expired. Regarding a schedule, Mr. Martens stated that contractors are ready and grating will be done in 2020 with the construction of homes dependent upon the market, and that he will control the order of development to ensure there are no open lots between homes as they are constructed. Upon inquiry by Councilman Peterson, Mr. Martens stated that he has no plans to go further west. Additionally, Mr. Martens stated an easement has already been agreed upon.

Staff Presentation:

Ms. Clark stated a public hearing was held before the P&Z on February 11th to review the fourth phase of the subdivision and noted the continuation of five-foot sidewalks and the sewer easement. There was no testimony in favor, neutral nor in opposition to the request at the P&Z hearing, and the commission recommended conditional approval that ownership and maintenance of the retention pond be discussed at council. Ms. Clark stated that the commission discussed the maintenance of a retention pond at length and referenced Jerome Municipal Code 16.28.100 Storm Water Retention.

Upon inquiry by Mayor Davis, the existing retention pond is maintained by the property owner next to it, and brief discussion ensued with the applicant regarding Homeowner's Associations (HOA) and responsibilities of pond maintenance. Topics of the discussion include the development of a new HOA versus combining lots with the existing HOA; restricted covenants allowing for the formation of an HOA; lots sold in the previous phase; notice of obligation to maintain the retention pond; the condition of the pond once completed; pressurized irrigation in the subdivision; voter approval to add additional obligations to the HOA; and, existing drainage conditions and weed control once grass is established after grating, seeding and landscaping on Lot 9 which is designated as a non-buildable lot.

Mayor Davis commented about concerns from the P&Z meeting regarding ownership and maintenance of the retention pond, and Mr. Larsen confirmed that the commission's

recommendation to move forward was conditional upon explanation of the plat and retention pond concern to council. Councilman Peterson stated that the plat is similar to the other phases of the subdivisions, and Mr. Martens stated that he will retain ownership of the property until it is deeded to the owner. Councilman Peterson spoke of another development without an HOA, and he inquired about future development. Mr. Martens stated the property will be cleaned up and prepared for lot sales, and expansion to the west beyond the existing plan is uncertain.

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 6:08 p.m.

ORDINANCE NO. 1186, BILL NO. 671 – INTRODUCTION

Councilman Culver sponsored Bill No. 671.

Councilman Culver 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. 671 three times by title only to constitute three readings. Second to the motion was made by Councilman Barber. After consideration, the motion failed by the following vote: **AYES:** Councilman Culver and Councilman Barber. **NAYS:** Councilman Johnson and Councilman Peterson. Mayor Davis voted against the motion to suspend the rules.

Councilman Peterson commented that he was not ready to vote on the ordinance, and Mayor Davis stated he wanted more time to consider it further. Councilman Johnson expressed the same.

The clerk read Bill No. 671 by title only:

ORDINANCE NO. 1186
BILL NO. 671

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 17 CHAPTER 18.070 LANDSCAPING REQUIREMENTS AND AMENDING TITLE 17 CHAPTER 26.080 SCREENING AND/OR LANDSCAPING, OF THE JEROME MUNICIPAL CODE PROVIDING FOR MINIMAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT IN VARIOUS ZONES THROUGHOUT THE CITY OF JEROME AND FOR THE LANDSCAPING OF PARKING LOTS WITH MORE THAN 20 PARKING SPACES; FOR A PENALTY FOR VIOLATION OF THIS CHAPTER; AND PROVIDING FOR AN EFFECTIVE DATE.

STONEY RIDGE SUBDIVISION NO. 4 FINAL PLAT:

Councilman Culver made the motion to approve the final plat for Stoney Ridge Subdivision No. 4. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the February 18, 2020 regular meeting
2. Approve third payment for the Barracuda Backup Server 890 for \$16,652.

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 Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

JEROME 20/20 QUARTERLY UPDATE:

Jerome 20/20 Executive Director Larry Hall appeared before council to give an update on Jerome 20/20 activities. He spoke of their annual meeting which included presentations and a board election; College of Southern Idaho President Jeff Fox was honored at the annual meeting, and Rick Naerabout with the Idaho Dairymen's Association was a guest speaker who shared dairy industry figures and activities. Mr. Hall reported that approximately 450,000 head of cattle in the area produce about 30 million pounds of milk per day, and there is a challenge to find processors for the large quantities of milk. After their election Mr. Hall stated that attendees toured the AgroPur facility, and he provided a list of existing directors on the corporate board.

Mr. Hall stated that there are approximately fifteen projects in the city and county combined including medical, industrial, commercial, manufacturing and distribution projects. He further stated that the combined efforts of the city, county and Jerome 20/20 help to get things accomplished, and he spoke of the positive feedback he received from a business owner whose company recently purchased property in Jerome. He spoke of the 2020 Economic Development Forum which will take place at Precision Aviation on April 16th and include three speakers in different disciplines (financial, utility, agriculture, etc.) with the concept of celebrating the past and planning/creating for the future. Regarding marketing, he stated that a tour of the Millenkamp Dairy will be held on March 31st, and Mr. Hall will be attending the Site Selector's Guild in Atlanta, Georgia. At this event Mr. Hall will have the opportunity to meet site selectors and direct businesses, and then potentially visiting with them in their home cities. Mr. Hall also spoke of research based determination in the agriculture industry in terms of technology and the increasing productivity in the ag world, and that there is a return on investment for each visit.

RESOLUTION NO. 03-20:

The clerk read Resolution No. 03-20 in full as follows:

RESOLUTION NO. 03-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, APPOINTING A MEMBER TO THE PLANNING AND ZONING COMMISSION; PROVIDING FOR TERMS OF APPOINTMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 50, Chapter 3, of the Idaho Code describes the powers and duties of the Mayor, and;

WHEREAS, Title 50, Chapter 5, of the Idaho Code describes the powers, duties and responsibilities of the members of a City Council, and;

WHEREAS, Title 50, Chapter 2, of the Idaho Code describes the general duties and powers provided to political subdivisions – including municipal corporations – operating in the State of Idaho, and;

WHEREAS, Title 50, Chapter 2, Sections 4, 5 and 6 describe the appointment process and the procedures each municipal corporation is required to follow when considering an individual for an opening on officially recognized boards and commissions, and;

WHEREAS, the City of Jerome is organized under the Mayor/Council form of government and the Mayor serves as the City's Chief Executive Officer, and;

WHEREAS, the Mayor is required to make appointments to City-sponsored boards and commissions as terms end and vacancies are created, and;

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

SECTION 1. JEROME CITY PLANNING AND ZONING COMMISSION:

The following individual is appointed as a member of the Jerome City Planning and Zoning Commission to serve the remainder of the unexpired term of Sheryl Gibbons, a term effective with the date below-written, in accordance with delineation thereof:

Paul Johnson

March 2020 through February 2024

SECTION 2. EFFECTIVE DATE:

Resolution 03-20 shall be effective upon its passage as required by law.

PASSED BY THE COUNCIL this 3rd day of March, 2020.

SIGNED BY THE MAYOR this 3rd day of March, 2020.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Mayor Davis stated that Mr. Johnson applied for the position and was interviewed by Ms. Clark and P&Z Chairman Rod Mink. Mayor Davis also stated that Mr. Johnson expressed an interest in the community, resides in Jerome and works for the local radio station, and believes Mr. Johnson will be a great addition to the commission.

Councilman Culver made the motion to pass Resolution No. 03-20, a mayoral appointment to the Planning and Zoning Commission. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

FIRE DEPARTMENT THERMAL IMAGING CAMERA PURCHASE:

Deputy Chief Sickles appeared before council regarding a thermal imaging camera purchase. He stated that the camera is part of this year's fire department budget and that it helps staff with locating victims in zero-visibility along with hidden fire or fire in inaccessible areas. He further stated that the technology is changing constantly and that the department is requesting one camera at this time. Upon inquiry by Councilman Johnson, Deputy Chief Sickles stated that the fire department has a total of four units with two being outdated black-and-white unit. Upon

inquiry by Mayor Davis, Deputy Chief Sickles stated that staff uses the equipment often and for any fire call to determine complete extinguishment in both residential dwelling and commercial building fires.

Councilman Culver made the motion to approve the Fire Department purchase of one (1) MSA Evolution 6000 Thermal Imaging Camera and truck charging kit at a cost not to exceed \$8,000. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

CONTRACT AWARD, 10TH AVENUE E SIDEWALK PROJECT:

Mr. Carpenter stated that the 10th Avenue E Sidewalk Project has been in the works for some time. Staff spent much time pursuing a grant, and a grant has been awarded. Mr. Carpenter stated the project was bid on February 26th and included a base bid and alternative additive items. Due to the cost and budgeted amount, staff is requesting approval of the base bid only in the amount of \$460,397.70 from Idaho Materials and Construction as the additional funds are not available in the budget. Mr. Carpenter stated that additive items include an irrigation pipe that will lay adjacent to the back of the pathway; to save on costs, public works staff will complete the work prior to the installation of the sidewalk and thus saving approximately \$100,000 in additional expenses. Mr. Ahrens commented that the timeframe is limited but he is hopeful that the work gets done prior to the beginning of the irrigation season. Mr. Carpenter also stated that there is one section of the irrigation pipe that can be isolated and worked on during the irrigation season if necessary. Upon inquiry by Councilman Johnson, Mr. Carpenter stated that staff will complete the irrigation pipe work prior to the commencement of the sidewalk project.

Councilman Culver made the motion to approve a contract award to Idaho Materials and Construction for the 10th Avenue East Sidewalk Project for a unit price base bid of \$460,397.70. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

COUNCIL REPORTS:

Mayor Davis stated that Mr. Williams was excused from today's meeting to assist with family matters, and that he sends well wishes and a speedy recovery to Mr. Rob Williams.

DEPARTMENT REPORTS:

Mr. Carpenter commented that the Jerome Estates Sewer Bypass project is underway and expected to be completed in approximately one month.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this March 3, 2020 regular meeting of the Jerome City Council at 6:36 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk