

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, Building Official Dave Richey, City Engineer Rick Wuori, City Engineer Tyson Carpenter, Water and Irrigation Supervisor Brian Ahrens, Wastewater Superintendent Gilbert Sanchez, Human Resources Director Ida Clark, 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 Rabbi Yosef Chaim from Khal Chassidum.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the February 19, 2019 regular meeting
2. Approve second payment of Barracude Backup Server for \$16,649.52

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

PROCLAMATION – GIRL SCOUT WEEK:

The clerk read the following proclamation in full:

**PROCLAMATION
GIRL SCOUT WEEK
MARCH 10-16, 2019**

WHEREAS, Girl Scouts of the United States of America observes the One Hundred Fourth Anniversary of its founding on March 12, 2019; 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 10-16, 2019;

NOW, THEREFORE, I David M. Davis, Mayor of the City of Jerome, do hereby proclaim the week of March 10-16, as Girl Scout Week.

In the City of Jerome, IN WITNESS WHEREOF, I have hereunto set my hand on this the 5th day of March, in the year of our Lord two thousand and nineteen.

/s/: David M. Davis

David M. Davis, Mayor, City of Jerome

Mayor Davis invited members of Girl Scout Troup #437 to introduce themselves. In attendance were Emma Weir and her mom Courtney, KC Suess, Alyssa Hunter and her mom Crystal.

The council signified unanimous support with all "ayes."

RESOLUTION NO. 07-19:

The clerk read resolution No. 07-19 as follows:

RESOLUTION 07-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, AMMENDING THE CITY OF JEROME POLICE DEPARTMENT POLICY & PROCEDURE MANUAL WITH THE ADDITION OF SUPPLEMENTAL POLICY 108, OVERTIME PROCEDURES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jerome Police Department Policy & Procedure Manual with supplemental polices was adopted by the City Council on November 17, 2017, Resolution 19-17; and,

WHEREAS, a proposal to provide paid overtime to police officers was passed by the City Council of the City of Jerome on February 19, 2019; and,

WHEREAS, the City of Jerome Police Department wishes to make an amendment to the Police Department Policy & Procedures manual by the addition of Supplemental Policy 108, Overtime Procedures; 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: Adoption of Jerome Police Department Supplemental Policy 108 Overtime Procedures, Resolution 07-19. The attachment to Resolution 07-19 as Exhibit "A" is hereby

adopted as an addition to the Jerome Police Department Policy & Procedure Manual.

Section 2: Effective Date. The effective date of this resolution shall be March 10, 2019.

PASSED BY THE COUNCIL this 5th day of March, 2019.

SIGNED BY THE MAYOR this 5th day of March, 2019.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Gomes

Bernadette Gomes, City Clerk

Chief Hall appeared before council regarding the paid overtime (OT) proposal for police officers given at the March 5th council meeting. Council had given support although there were concerns regarding the implementation of the proposed policy. Chief Hall brought forward a police department employee policy and reviewed its contents with council. Highlights of the policy included OT for non-exempt sworn police officers; the management of the OT by supervisors and managers; established work periods and the Fair Labor and Standards Act 207(k) exemption; activities for which the exemption would or would not apply; specific reports for which OT would be authorized; work shifts and timely completion of reports; compensation time accrual, use and reporting; and, the temporary suspension of paid OT if it exceeds what was budgeted.

Upon inquiries by Mayor Davis and Councilman Barber, Chief Hall briefly explained probable cause affidavits and time restrictions for processing specific reports. He concluded by thanking administrative and finance staff members who contributed to the development of the policy.

Councilman Culver made a motion to pass Resolution No. 07-19 adopting Jerome Police Department Supplemental Policy 108, Overtime Procedures, as an addition to the Jerome Police Department Policy & Procedure Manual. Second to the motion was made by Councilman Johnson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** None.

CITY MITIGATION WATER RIGHTS LEASE AGREEMENT:

Mr. Williams stated staff had been working with the Coalition of Cities, the Surface Water Coalition (SWC) and the Idaho Ground Water Association (IGWA) to resolve the SWC curtailment call approximately two years ago. In late 2018 a mitigation agreement was approved. This lease agreement is for water rights between the City of Jerome and the City of Pocatello claiming water storage shares to fulfill the city's obligation of 311.7 acre feet of storage water per year. The annual obligation will be \$9,756.21 for guaranteed water rights, and staff recommends approval of the lease agreement.

Upon inquiry by Councilman Barber, Mr. Williams stated other municipalities have joined the coalition. Mr. Larsen identified the list of cities in the agenda packet along with the formula for determining the city's obligation. He further stated that as more cities join the coalition, the obligation cost is further divided amongst cities thusly benefiting them.

Additionally, he stated the agreement is very well done and clear regarding the city's obligations. He stated all three agreements in place, the settlement agreement with the SWC and IGWA and the agreement with the Coalition of Cities along with the lease agreement, work together and should provide a secure water source for the next 35 years.

Mayor Davis suggested that staff send a note of appreciation to the City of Pocatello for the lease of storage water.

Councilman Culver made a motion to approve the lease agreement between the City of Pocatello and the City of Jerome, providing for municipal mitigation and recharge obligations. Second to the motion was made by Councilman Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** None.

CONTRACT AWARD – IDAHO MATERIALS & CONSTRUCTION:

Mr. Carpenter appeared to recommend awarding the contract for the E Avenue E Water Main project to Idaho Materials & Construction (IMC). The project has been on the city's books for quite some time as a carry-over from State Revolving Fund projects that was not completed. He stated two bids were received, and IMC provided the lowest bid of \$514,678. This amount exceeded the budget of approximately \$396,000 and staff met with IMC to discuss reducing costs. Mr. Carpenter is confident the project cost will be reduced once the contract is awarded and staff can meet once again with IMC to discuss the project further.

Upon inquiries by Councilman Barber, Councilman Johnson and Mayor Davis, Mr. Carpenter stated the additional funds will come from the budget for equipment replacement on master plan projects. Mr. Wuori stated that, while costs seemed higher than in the past for both labor and materials, there was no specific area under-projected. He further stated that the traffic control cost may be addressed, approximately four blocks of water main would be covered in the project (Lincoln to Davis), and that the project should be completed within 60 days of the start time yet to be determined.

Councilman Culver made a motion to approve a contract award to Idaho Materials & Construction for the East Avenue E Water Main Project for a unit price bid of \$514,678.00. Second to the motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** None.

ALCOHOL BEVERAGE LICENSE TRANSFER: LA COSTA COLIMA:

Ms. Gomes stated Mr. Eric Fermin Luna Anaya recently took over La Costa Colima from Jose Luis Anaya Martinez as a sole proprietor. Mr. Anaya has the State of Idaho transfer license to sell liquor, beer and wine by the drink on-premises and beer off-premises along with the county license for the same. All transfer fees have been paid and all city inspections are completed. The transfer will be effective upon approval and expire on June 30th. The licensee will be subject to renewal upon completion of proper paperwork and inspections.

Councilman Culver made a motion to approve the transfer of a liquor, beer and wine license from Jose Luis Anaya Martinez d.b.a. La Costa Colima to Eric Fermin Luna Anaya d.b.a. La Costa Colima at 1410 S. Lincoln Ave., Suite B for on-premises consumption of liquor, beer and wine and off-premises consumption of beer only. Second to the motion was made by

Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** None.

EXECUTIVE SESSION:

Councilman Culver made a motion to adjourn to executive session pursuant to Idaho Code 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent. Second to the motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** None.

COUNCIL REPORTS:

Councilman Barber spoke of the Jerome Recreation District (JRD) and Community Spirit Committee working with the fire department to host a pancake breakfast prior to the scheduled Easter Egg hunt. Mr. Williams stated staff is looking for donations and volunteers. Chief Presnell further stated the department would be glad to assist with the event if items are donated. Councilman Barber listed donations received and expected, and Chief Presnell stated approximately 800 people attended the pancake breakfast last October. Councilman Barber also stated the breakfast would be held at Forsyth Park prior to egg hunt.

Councilman Barber also inquired about an ordinance regarding the JRD bike path access and the consequences of violating the ordinance requirements. Mr. Richey stated that if the road and bike path are not fully repaired, building permits for the nearby subdivision will not be issued.

Mayor Davis announced there is a vacancy on the Jerome Planning and Zoning Commission. The vacancy has been advertised and is open until filled.

STAFF REPORTS:

Mr. Williams reported that IMC will be reconvening the final phase of construction on S. Tiger within the next few days weather permitting. The last 150-200 feet will be completed. Intersection radiuses will be widened to provide greater visibility and safety, and curb and gutter work will also be completed. Staff anticipates completion within eight weeks of start time without the need to relocate the Idaho Power pole. The Urban Renewal Agency will cover the cost of having the pole relocated. Upon inquiry by Mayor Davis, Mr. Williams stated the contractor will provide the city notice regarding the S. Tiger closure. Additionally, the developer at the new Lutheran Heights subdivision will be required to repair the road cuts made during development of the subdivision.

Councilman Peterson asked about the relocation of the power pole and finishing S. Tiger last year, and Mr. Williams stated staff was not aware that the road work could be completed with the pole in place. He further stated the relocation of the pole will take approximately 6-8 weeks to complete, and Nez Perce will be closed for the project. Additionally, the Jerome Highway District will be closing down 100 S from Tiger Drive to Hwy 93 for other projects.

Mr. Williams stated the North Park Improvements project started in January although there was little activity in February due to the weather. Activity should increase this month, and

all phases of the project are under contract. The deadline for completion is June 29th, and the project is currently under budget.

Mr. Williams announced that the annual Board of Corrections, along with two public hearings for a plat vacation and rezone, will be held at the next council meeting on March 19th. He advised that any non-essential administrative items be kept for the first meeting in April if possible.

ADJOURNMENT:

There being nothing further to discuss, this March 5, 2019 regular meeting of the Jerome City Council adjourned at 6:15 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Gomes, City Clerk