

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 and Planning and Zoning Manager Ida Clark. Finance Director Ross Hyatt joined the meeting at 6:15 p.m.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Pastor Kevin Ashley of the Life Church of the Magic Valley.

PUBLIC HEARING – JEROME SCHOOL DISTRICT REZONE:

This being the time and place published for the consideration of a request from Jerome School District #261, for a zoning map amendment, changing the zone from Residential 1 (R-1) to Public/Semi Public (PS) on the property more commonly known as the most eastern bare lot behind 1118 Olympia Drive, containing approximately .22 acres., the Chair called the public hearing open at 5:34 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Clark spoke of the parcel in question at 1118 Olympia Drive. She stated that Habitat of Humanity of the Magic Valley purchased the lot of approximately one acre and built one home on the western portion of the lot. They will seek a lot line adjustment and then deed the .22 acres of the eastern portion to the Jerome School District (JSD). The application indicates that JSD plans to expand the kindergarten classrooms, and the rezone would allow extension of the play area and/or to place a small storage building on this lot. Additionally, the applicant intends to clean up the lot and fence it along the new area for the existing playground. Ms. Clark stated existing land use to the north, south and west are single-family homes in a Residential-1 zone. Horizon elementary to the east is zoned public/semi-public, the parcel is undeveloped and the proposed use is permitted. She further stated that the Planning and Zoning Commission (P&Z) hearing was held with no testimony in favor, neutral, nor in opposition to the rezone request, and that the commission requested approval. Ms. Clark further requested that council suspend the rules and motion to adopt this evening so that Habitat for Humanity can get the process of the lot sale completed.

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 5:38 p.m.

ORDINANCE NO. 1187, BILL NO. 672 - INTRODUCTION:

Councilman Barber sponsored the bill.

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. 672 twice by title and

once in full to constitute three readings. Second to the motion was made by Councilman Barber. After consideration the motion unanimously passed by the following vote: **AYES:** Councilman Johnson, Councilman Barber and Councilman Peterson and Councilman Culver. **NAYS:** None

ORDINANCE NO. 1187
BILL NO. 672

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO AMENDING THE CITY OF JEROME ZONING ORDINANCE AND ZONING MAP BY ZONING THE FOLLOWING DESCRIBED PARCELS OF REAL PROPERTY IN THE CITY OF JEROME, IDAHO FROM RESIDENTIAL 1 (R-1) TO PUBLIC/SEMIPUBLIC (PS); AND PROVIDING FOR AN EFFECTIVE DATE:

The property to be rezoned is more particularly described as:

Beginning at the Intersection of North Fillmore St. and 10th Avenue East (Which lies North 89°58'12" East a distance of 745.64 feet from the Intersection of 10th Avenue East and North Davis St.), Thence North 89°58'40" East for a distance of 35.00 feet; Thence North 00°00'13" West for a distance of 236.44 feet; Thence North 89°58'40" East for a distance of 396.15 feet to the TRUE POINT OF BEGINNING;

Thence North 02°56'15" East for a distance of 78.10 feet;

Thence North 89°58'40" East for a distance of 122.63 feet;

Thence South 00°04'57" West for a distance of 78.00 feet;

Thence South 89°58'40" West for a distance of 126.52 feet to the TRUE POINT OF BEGINNING;

WHEREAS, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 16th day of March, 2020; and

WHEREAS, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 17th day of March, 2020; and

IT IS THEREFORE ORDAINED by the Mayor and the City Council of Jerome, Idaho, as follows:

Section 1. The following parcel in the City of Jerome, County of Jerome, State of Idaho is hereby rezoned from Residential 1 (R-1) to Public/Semipublic (PS):

TOWNSHIP 8 SOUTH RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY, IDAHO, SECTION 18: A parcel of land located in Block A-218 of the Jerome Townsite and more particularly described as follows:

Beginning at the Intersection of North Fillmore St. and 10th Avenue East (Which lies North 89°58'12" East a distance of 745.64 feet from the Intersection of 10th Avenue East and North Davis St.), Thence North 89°58'40" East for a distance of 35.00 feet; Thence North 00°00'13" West for a distance of 236.44 feet; Thence North 89°58'40" East for a distance of 396.15 feet to the TRUE POINT OF BEGINNING;

Thence North 02°56'15" East for a distance of 78.10 feet;

Thence North 89°58'40" East for a distance of 122.63 feet;

Thence South 00°04'57" West for a distance of 78.00 feet;

Thence South 89°58'40" West for a distance of 126.52 feet to the TRUE POINT OF BEGINNING:

Section 2. The official zoning map of the City of Jerome is hereby amended to comply with Section 1 of this Ordinance.

Section 3. This ordinance shall become effective upon its passage and publication as required by law.

PASSED BY THE COUNCIL this 17th day of March, 2020.

SIGNED BY THE MAYOR this 17th day of March, 2020.

CITY OF JEROME, IDAHO

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Culver made the motion to adopt Bill No. 672 as Ordinance No. 1187 rezoning the parcel as described from Residential 1 (R-1) to Public/Semipublic (PS).” Second to the motion was made by Councilman Johnson. After consideration the motion unanimously passed by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None

PUBLIC HEARING – BUSTOS REZONE:

This being the time and place published for the consideration of a request from Pedro & Veta Bustos for a zoning map amendment, changing the zone from General Business (C-2) to Central Business District (CBD) on the property more commonly known as 616 North Lincoln Avenue, Jerome, Idaho, the Chair called the public hearing open at 5:42 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Clark stated that the property in question was classified as apartments in April 2010 when Title 17 was completely re-written. The lots were zoned Area Business and then rezoned to General Business (C-2). Staff was advised that the property was being used as a halfway house, and there were concerns with meeting fire code. After reviewing city code along with Idaho code staff determined that a halfway house is prohibited in the C-2 zone. Ms. Clark stated that the applicant has requested a rezone to Central Business District (CBD) to allow for a halfway house through an approved special use permit. Upon reviewing the application, it was determined that this change met the definition of “spot zoning” per city code. The applicant met with the Planning and Zoning Commission (P&Z) for a formal hearing as Ms. Clark initially disagreed with allowing the zone change. Ms. Clark reviewed the definition of “spot zoning” as “a change in zoning of a specific parcel or parcels which is out of character with the surrounding area and the Comprehensive Plan, and is done for the benefit of the particular landowner instead of the benefit of the community as a whole.” She also described the two types of spot zoning,

and this request conforms with Type 2 spot zoning because the request does not appear to be consistent with other uses permitted in the CBD zone. At this time, Ms. Clark stated that the surrounding uses include: single-family homes to the North, business to the South, single-family homes to the East and the hospital to the West of the property. She further stated that the Comprehensive Plan Land Use map designates the lots as commercial surrounded by commercial and residential medium.

Ms. Clark stated that P&Z recommended approval of the rezone after much discussion regarding the surrounding area, current uses and what uses are allowed in the CBD zone. The front setback for General Business is 25 feet; the requested CBD zone requires 0 setbacks. Ms. Clark stated that there were two letters presented to P&Z in favor of the proposed future use, one testimony was neutral and there was no testimony in opposition to the request. Upon inquiry by Councilman Barber, Ms. Clark stated that with the 25-foot setback removed with the new zone, a structure could be added on to the front of the existing apartments. Councilman Barber further stated his concern would be the harmony within that area. Upon inquiry by Mayor Davis, Mr. Larsen stated that a special use permit could be issued with the condition that the property owner not build within the 25-foot setback; however, if the use were to cease upon change in property ownership any use permitted in the CBD zone would be allowed. Upon inquiry by Councilman Peterson, Ms. Clark stated that this evening's discussion is to consider a rezone request; the use of the property will be brought forward to P&Z, for a special use permit, at a later date if the rezone is granted. Ms. Clark listed the permitted uses in the CBD zone including convenience stores, banks, daycares, pharmacy, retail sales, emergency services, offices, professional services and restaurants. Those uses allowed with a special use permit include single-family homes, two-family dwellings and apartments.

Upon inquiry by Councilman Barber, Mr. Larsen stated that special use permits run with the land for the length of the use, and conditions are imposed for a specific timeframe. Additionally, applicants can come back to P&Z for re-approval and extend the timeframe of the permitted use by permit. Ms. Clark commented that the condition of rezoning with a specific use and then reverting back to the original zoning would not be allowed. Mayor Davis inquired about the rezoning of a parcel upon purchase by a new property owner, and Mr. Larsen stated that owner consent would be required to rezone a single lot. Upon inquiry by Councilman Barber and Mayor Davis, Mr. Larsen stated that the existing use table could be amended to allow certain uses, and the process would be by way of ordinance. Councilman Barber commented that his concern is for spot zoning and the need to continue spot zoning for any applicant who wants to change an existing zone around town. Mr. Larsen stated that the council could amend the use table versus changing the zone, and Ms. Clark stated that staff is in the process of reviewing the special use chart. Upon inquiry by Mayor Davis regarding the timeframe to change the use table, Mr. Larsen stated 14 days' notice and a public hearing at P&Z would be required and followed by the same notice requirement and public hearing at city council. .

Applicant Testimony:

Veta Bustos, 1360 Lawndale Drive, Twin Falls, Idaho, appeared before council as the applicant. She began her testimony by stating that the proposed use will not be a halfway house nor will it be a federally-run program or run under the Idaho Department of Corrections management. The proposed use will be transitional housing operated by a private entity which obtained licensing from federal funding that will house individuals who receive federal funding while in transition between incarceration and in-patient treatment or those who have nowhere else to go. Ms. Bustos stated that the application for a rezone was submitted because they are

unable to house these individuals under supervision with the existing zone; she further stated that she was not aware of the zoning issue when the property was purchased. She questioned if St. Luke's would have had to go through this process for a treatment facility if they were serving individuals with the same issues, and stated that they picked this particular property due to its close proximity to the treatment facility within the hospital and the courthouse. Ms. Bustos stated that the rezone request is to aid the community as there is no existing crisis center in Jerome. She further stated that services to be provided are professional and that she is licensed to assist individuals dealing with substance abuse; they are not licensed to house sex offenders nor violent offenders, and she has respectfully requested that the rezone be granted or an amendment be made to the code so that they can continue with providing services.

Upon inquiry by Councilman Johnson, Ms. Bustos stated that approximately six individuals will be housed in the triplex along with a house manager on premises at all times. Upon inquiry by Councilman Peterson, Ms. Bustos stated she had two individuals on the property prior to being told of the issues with non-compliance and that the units are currently out rented to families while the rezone request is pending.

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 6:00 p.m.

ORDINANCE NO. 1188, BILL NO. 673 – INTRODUCTION

Councilman Peterson sponsored Bill No. 673.

The clerk read Bill No. 673 by title only:

ORDINANCE NO. 1188 BILL NO. 673

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO AMENDING THE CITY OF JEROME ZONING ORDINANCE AND ZONING MAP BY ZONING THE FOLLOWING DESCRIBED PARCELS OF REAL PROPERTY IN THE CITY OF JEROME, IDAHO FROM GENERAL BUSINESS (C-2) TO CENTRAL BUSINESS DISTRICT (CBD); AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Davis explained to Ms. Bustos that, per statute the bill must be read three times; the next time it is read will be at the next council meeting with the final reading two meetings from this evening. He further advised Ms. Bustos that she may be present if she so desires and that there will be no further testimony taken. Ms. Clark also stated that she will follow up with Ms. Bustos via letter and will be available for any questions.

PUBLIC HEARING – TUCKER HEIGHTS SUBDIVISION NO. 2:

This being the time and place published for the consideration of a request from Larry and Karen Tucker Living Trust, by Larry D. Tucker, Trustee, for approval on a combined preliminary and final plat for Tucker Heights Subdivision No.2, more commonly known as 2703 South Lincoln Avenue, Jerome, Idaho, the Chair called the public hearing open at 6:04 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Clark stated this request pertains to a three-commercial lot re-plat of lot 1 of Tucker Heights where the Honker's gas station is currently located. The existing convenience store and

fuel stations will remain with two other buildable lots; all lots are zoned High Density Business with no minimum lot requirements, however the structures must meet setbacks and height requirements for the C-3 zone. All lots have access from S. Lincoln Avenue and lot 3 has access from a private drive named Tucker Court. Ms. Clark stated there is a State of Idaho irrigation ditch that runs through lot 2; the easement will remain for the irrigation easement. Additionally, there is a 15-foot irrigation easement along S. Lincoln on lot 1, water shares do not exist and potable water will be used. As a commercial subdivision there are no proposed structures at this time. Ms. Clark stated that the P&Z commission approved the preliminary plat as presented and conditioned that city, state and federal requirements be followed. She further stated there is one easement which is no longer needed and that current utility and access easements will remain.

Applicant Testimony:

Scott Allen with JUB Engineers, stated the intentions of the request are to re-plat the original lot line of Tucker Heights Subdivision and it will be named Tucker Heights Subdivision No. 2. The purpose is to subdivide the parcel into three lots; the south lots would be for development while the north parcel will still contain the fuel stations and convenience store. Mr. Allen stated he has met with city staff and reiterated the easement information with council. Currently there are no tenants as the lots are not yet platted, and the property is little more than a gravel lot and somewhat of an infill project. Mr. Allen concluded by stating that these lots will offer the City of Jerome some opportunity to see businesses that do not exist at this time.

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 6:11 p.m.

TUCKER HEIGHTS SUBDIVISION NO. 2 FINAL PLAT:

Councilman Culver made the motion to approve the final plat for Tucker Heights Subdivision No. 2 conditionally upon approved construction plans. Second to the motion was made by Councilman Barber. After consideration, the motion unanimously passed by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

BOARD OF CORRECTIONS – 2020 IRRIGATION ASSESSMENT ROLL:

Mr. Hyatt stated that Idaho Code 50-1807 requires that the council meet as a board to correct any potential errors for irrigation assessments (i.e. errors in square footage, etc.). He stated that the finance department has met with public works staff and determined that there are no noted changes to be made. There is no motion recommended at this time, and there was brief discussion regarding existing irrigation assessment amounts, accessibility and the delivery of irrigation water.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

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

AART Northwest \$75.00, A-Core of Idaho \$257.50, Advanced Collection Technology \$100.00, Aflac \$164.90, Alaniz-Bullock, Jessica \$62.13, Altitude Signal, LLC \$3,795.83, Amazon Capital Services \$124.02, American Construction Supply & Rental \$193.85, American Public Works Assn \$740.00, Americraft \$932.00, Analytical Laboratories, Inc. \$329.65, Andersons, Inc \$394.80, Argo Company \$126.50, Assoc of Jerome City Firefighters \$144.00, Association of Government Accountants \$65.00, Atlas Business Solutions, Inc. \$633.60, B & R Bearing \$201.62, Badger Meter \$262.55, Beebe, Glen C/O Keith Beebe \$32.14, Bennett's Truck Repair \$325.00, Blue Cross \$98,076.08, Boise Office Equipment \$213.04, Bonneville Blue Print Supply \$116.00, BPA Health \$318.60, Brent Wallin \$3,800.00, Brodart Company \$21.18, Bullock Automation and Electric \$410.00, B-Z Plumbing \$215.00, C.H. Spencer LLC \$1,932.50, Callen Refrigeration LLC \$300.00, Calyx Weaver & Associates \$3,000.00, Center Point Large Print \$88.08, Century Link \$1,411.19, Centurylink Business Services \$60.40, Chase Paymenttech \$2,246.25, Cintas Corporation \$417.04, City of Jerome \$270,141.75, Colonial Life & Accident Insur \$2,666.18, Cook Realty \$209.63, Culligan Soft Water Service \$203.25, D & B Supply \$1,138.98, D & L Supply \$211.00, Day, Isaiah \$100.00, Dewitt Diesel Inc \$729.89, Don's Irrigation LLC \$3,285.60, EHM Engineers, Inc. \$1,250.00, Electrical Contractors of ID \$2,845.57, Energy Management Corp. \$242.96, ESRI, Inc. \$5,100.00, Everson, Rick or Rose \$10.00, Evident, Inc \$333.68, Farmore of Idaho \$4,825.70, Farmtek \$4,096.89, Fastenal Company \$281.30, Floyd Lilly Co \$137.88, Fred Kenyon Repair Inc. \$2,992.38, Freedom Electric Inc. \$413.44, Freedom Mailing Services, Inc \$1,992.90, Frisby, Dennis \$55.39, Gem State Paper & Supply \$264.18, Gem State Welder's Supply \$291.09, Goble Sampson Associates Inc. \$1,803.14, Go-Fer It Express \$309.00, Greatamerica Financial Services \$271.00, Hach Company \$10,127.76, Hall, Daniel \$0.55, Harvey's Office Plus \$476.73, Home Depot Credit Services \$183.59, Hudson Shoes \$150.00, Hydro Specialties Company \$10,654.23, ID Child Support Receipting \$3,218.11, ID Crime Prevention Assoc \$50.00, ID Electric Motor Service Inc \$570.00, ID State Tax Commission \$10,304.04, Idaho Chiefs of Police Assn. \$400.00, Idaho Materials and Construction \$52,509.00, Idaho Power Co. \$71,349.66, Ingram Book Company \$1,219.41, Integrated Technologies, Inc. \$188.28, Intellichoice, Inc. \$2,400.00, Intermountain Gas Company \$4,597.45, Interstate Battery System ID \$374.85, Jerome Chamber of Commerce \$45.00, Jerome City Fire Fighters Assoc \$120.00, Jerome City Water Department \$448.91, Jerome County Sheriff \$352.40, Jerome FF Local Union 4589 \$600.00, Jerome Printshop \$222.30, Jerome School District \$10,181.00, J-U-B Engineers Inc. \$9,132.50, Keller Associates Inc \$1,080.00, Kubota Membrane USA Corp \$505,400.00, Les Schwab Tire Centers Inc \$1,957.37, Lexisnexis Risk Solutions \$30.00, Libri System \$49.98, Magic Valley Electric LLC \$802.00, Magic Valley Labs \$8,249.90, Mason's Trophies & Gifts \$98.70, McHugh Bromley, PLLC \$1,001.00, Metroquip, Inc. \$764.26, Midwest Contract Operations, Inc \$300.00, Mike's Repair \$1,510.99, Minert & Associates, Inc. \$45.00, Modern Marketing \$323.21, Mony Life Insurance Company of America \$3,557.72, Morley, Larene \$52.00, Mower Office Systems \$869.99, Munimetrix Systems Corp. \$89.98, MWI Veterinary Supply \$428.89, Napa Auto Parts \$1,138.16, NCPERS Group Life Ins C356 \$224.00, New Tech Security, Inc. \$240.00, O'Reilly Auto Parts \$122.46, Pinnacle Technologies \$315.00, Pro West Engineering, LLC \$598.05, Productivity Plus Account \$86.25, Pro-Flame, Inc \$12.33, Project Mutual Telephone \$304.54, PSI Environmental Services Inc \$22,574.64, Rainbow Book Company \$820.12, Red Lion Hotel Boise Downtowner \$291.00, Rexel Usa Inc \$852.06, Ridley's Food & Drug \$191.45, Salt Lake Wholesale Sports \$167.70, Saltworx Inc \$2,278.39, Sawtooth Veterinary Services \$400.00, Sherwin-Williams \$44.78, Signed Sealed & Delivered \$381.10, Silver Creek \$54.15, Skaggs Companies, Inc. \$6,673.70, SKM, Inc. \$458.75, Something More \$55.90, Southern Idaho Solid Waste \$8,332.80, Stitchx LLC \$84.00, Terminix \$74.00, Terratron \$13.59, TFD Enterprises, LLC \$6,814.53, Thatcher Company \$9,036.55, TIAA Commercial Finance, Inc. \$287.36, Times News \$1,590.53, T-Mobile \$292.82, Tore Up \$35.00, Traffic Safety Supply Co Inc \$5,658.57, Treasure Valley Coffee, Inc. \$100.55, US Bank of Idaho \$5,502.99, US Bank Equipment Finance \$288.49, Unified Office Services \$120.52, US Bank Credit Card \$9,279.62, USA Bluebook \$771.07, Var Resources, Inc \$16,652.43, Verizon Wireless \$3,485.17, Viewu \$102.00, Western States Equipment \$849.69, Western Waste Services \$1,456.31, White Cloud Communications \$135.00, Williams Meservy & Larsen LLP \$12,856.42, Witmer Public Safety Group,

Inc. \$528.22, Xpress Bill Pay \$726.82, Young CDJR of Burley \$21,623.00, Zions Bank Public Financial Services \$56,209.53, Zoro Tools, Inc \$181.76.

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

PROCLAMATION - VIETNAM WAR VETERAN'S DAY:

Proclamation for Vietnam War Veterans Day 2020

To recognize and to honor the service and sacrifice of those men and women who served in the Armed Forces of the United States during the Vietnams War and to especially honor those who were killed or disabled while serving our nation.

WHEREAS, throughout history, our nation's men and women in uniform have risked their lives to protect the interests of our country and defend freedom; and

WHEREAS, American citizens live in freedom because of the service and sacrifices made by those who have served, and are currently serving in our Armed Forces; and

WHEREAS, more than 58,000 Americans made the ultimate sacrifice in the Vietnam War, and thousands more returned home bearing the physical and emotional scars of combat; and

WHEREAS, many still mourn for the missing and unaccounted-for Americans from the Vietnam conflict; and

WHEREAS, March 29, 1973, was the last day United States servicemen were on the ground in Vietnam; and

WHEREAS, the Vietnam War Veterans Recognition Act of 2017 designates Marth 29th of each year as the day on which Americans will observe Vietnam War Veterans Day.

NOW, THEREFORE, I, Mayor David M. Davis, call upon all citizens of the City of Jerome to observe Sunday, March 29, 2020, as Vietnam War Veterans Day in honor of all those Americans who served in the Vietnam War and especially to honor those, who through their courageous deeds and sacrifice, lost their lives or were wounded in service to our nation.



PROCLAIMED THIS 17th DAY OF MARCH, 2020

/s/ David M. Davis

DAVID M. DAVIS, MAYOR



Council signified support of the proclamation by unanimous “ayes.”

RESOLUTION NO. 04-20:

The clerk read Resolution No. 04-20 in full as follows:

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 17th day of March, 2020

APPROVED BY THE MAYOR this 17th day of March, 2020.

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

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

Ms. Coderniz stated that this records destruction process is an annual process and followed per statute. Semi-permanent and temporary records listed in the exhibit will be destroyed as per the city’s retention schedule. Ms. Coderniz further stated that the list has been reviewed by counsel and that there are no permanent records to be transferred to the state archives.

Councilman Culver made the motion to pass Resolution No. 04-20, 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 Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

VEHICLE PURCHASE – BUILDING DEPARTMENT:

Mr. Williams spoke on behalf of Building Official Dave Richey for this request and stated that staff has been saving approximately \$5,000 per year for a capital improvement program to make this type of purchase. He stated that Mr. Richey found a deal piggy-backing on the state vehicle purchasing contract for a 2020 Dodge Ram pickup. The vehicle will be purchased from Young Commercial and Government Sales at a cost not to exceed \$23,794. Mr. Williams stated that local dealers were sought but could not match the price. Upon purchase of this vehicle, Mr. Richey's existing vehicle will be used by the code enforcement officer, and the code enforcement officer's vehicle (2001 GMC Sierra with 72,173 miles) will then be transferred to the public works department. Considering that funding for vehicles is difficult in the parks fund, this vehicle will be put to good use.

Councilman Culver made the motion to approve the purchase of one new 2020 Ram pickup truck from Young Commercial & Government Sales with the purchase price not to exceed \$23,794.00. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

LOCAL PROFESSION SERVICES AGREEMENT – CIVIL SCIENCE:

Mr. Williams spoke on behalf of City Engineer Tyson Carpenter and reminded council that the bid from Idaho Materials and Construction was accepted for a connectivity project on 10th Avenue E. At this time staff is recommending a professional services agreement with Civil Science in an amount not to exceed \$50,000 for the purpose of engineering and inspection services throughout the duration of the project. Funds for the services are available through the Idaho TAP grant of which \$500,000 was received. Upon inquiry by Mayor Davis, Mr. Williams stated that funds for the services will come from the grant; staff will be completing the irrigation portion of the project to save on costs. Brief discussion ensued regarding additional street funds identified for curb/gutter/sidewalk replacement; the cost of the project; professional service expenses for the design of the project; contingency funds to assist with the cost of the project; and traffic control done internally.

Councilman Culver made the motion to approve a Local Professional Services Agreement for the 10th Avenue East Sidewalk Project for an amount not to exceed \$50,000.00. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

IRRIGATION LINE MATERIALS PURCHASE:

Mr. Williams spoke on behalf of Public Works Director Brian Ahrens regarding this purchase. He stated that the bid for the 10th Avenue E sidewalks project included an alternative bid to complete irrigation work. The alternative bid came in at approximately \$130,000, and rather than attempt to fund this portion of the project staff has agreed to complete the irrigation work. Mr. Williams stated that there are expenses for materials to complete this portion of the project in the amount of \$35,500 and staff reviewed options for funding including funds from the streets budget. He stated that staff considered utilizing irrigation reserves but it was decided that those reserves were best to remain intact in the event of an emergency.

Councilman Culver made the motion to approve the purchase of the materials needed to replace the irrigation line down 10th Ave East between North Lincoln and North Fillmore for the cost of \$35,500. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

ORDINANCE NO. 1186, BILL NO 671 DISCUSSION AND POSSIBLE READING:

Mayor Davis stated that this item was removed from the agenda as it is not pertinent to discuss this evening. It will be reviewed at the next council meeting.

EMERGENCY RESPONSE PLAN DISCUSSION:

Mr. Williams spoke of the local government response to the existing Coronavirus pandemic. Staff met on Monday along with Mayor Davis and Tanya Stitt to discuss possible actions to be taken. He briefly reviewed items discussed with staff and stated that city facilities have been closed from public access for the protection of employees still working, and he commented about the additional risk of exposure to the first responders and those in the water and waste water departments. He stated that closing facilities to the public will hopefully minimize exposure to the virus, and that those exposed will be quarantined for fourteen days; there are concerns of multiple employees out of commission at the same time causing unsafe conditions for the city. Mr. Williams further stated that this will be re-evaluated at the end of the month, and that council agendas may be restricted to minimal discussions to avoid a large gathering of the public without violating open meeting laws. Items requiring public input may be set aside temporarily, and staff is advised to submit items only if approval is absolutely necessary.

Mr. Williams reiterated the concern for safety of employees and stated that if an employee were to contract the virus they would be mandated to be out for a certain period of time. Staff recommends that those employees continue receiving full pay; he stated other local governments are taking similar steps. Additionally, those employees not feeling well will be advised to go home. Mr. Williams stated that the police and fire departments have been working with SIRCOMM to be prepared for a variety of situations. SIRCOMM employees will assess each call and notify the officers and first responders so that proper Personal Protective Equipment (PPE) can be utilized and thus limiting potential exposure. PPE purchases have been made for officers and first responders and, upon inquiry by Councilman Barber, Mr. Williams stated that masks will be recommended if entering into a home where exposure is possible. He further stated that mandated shut-downs could occur, and some departments will have the ability to work from home while others (water operators, police and fire) will continue to respond to calls. Staff has prepared for work-at-home situations; all department heads have laptops which connect to the city network and they have cell phones so that services can continue to be provided. At this time, offices are closed to the public but staff is expected to appear for work as scheduled. Regarding communications, Mr. Williams stated that press releases will be sent out as needed. He spoke of the library, a largely used facility, and stated that staff will offer curbside service for book reservations. He concluded by stating that staff is taking precautions to ensure safety and are doing the best they can. Mayor Davis asked for comments regarding the current situation and all were in agreement that minimal staffing is best for now as things can change daily.

DEPARTMENT REPORTS:

Mr. Williams briefly reported on the legislative session and stated that things are moving quickly while no decision has been made regarding property taxes. He stated that council was sent a draft response letter pertaining to HB409; this bill was defeated but an amended bill in the Senate will allow raising the homeowner's exemption but then reduce the increase from new construction or any increase taken. He stated this is designed to scale back local government budgets and the ability to capture new construction. The House passed this bill but he believes the Senate will not, and stated that this bill would impact the city's ability to maintain services. He further stated that bills often move through the legislature quickly without the ability to receive comment.

Mr. Williams stated that the Urban Renewal Agency recently closed on another property at 120 W Main Street plus two parking lots with the hope of doing a project there soon. The public works department has been filling the empty space with truckloads of material.

2018-2019 FISCAL YEAR AUDITED FINANCIAL STATEMENTS:

Auditor Laurie Harberd from Rexroat, Harberd, and Associates, P.A. appeared to present the 2018-2019 audit report. Ms. Harberd stated that the city was subject to single audit procedures which requires additional testing of the federal programs the city has more than \$750,000 in federal grant monies were expended in the last fiscal year. First audit report, modified or clean, opinion is found on pages 1 and 2. It is the best report that can be given by auditors and states that they audited the financial statements but the responsibility for the financial statements and underlying financial records lies with the management of the city. The audit was conducted in accordance with generally accepted auditing standards and it was determined the financial statements are fairly presented in all material respects.

Ms. Harberd stated that pages 3-12 include the management discussion and analysis which is written by management and not audited but reviewed for reasonableness as part of the audit. It provides for management to give information beyond the required financial statements. As a governmental entity two sets of financial statements are required in the report. Pages 13-14 show the full accrual statements which include all assets and all liabilities. Included is also a column for the Jerome Urban Renewal Agency as it is a component of the city. The net position, or net worth is also on page 13; the overall net position number increased from the prior year by approximately 19%. Pages 15-17 show the fund financial statements, or modified accrual, and includes a more current view of the city's assets and liabilities, revenues and expenditures; neither fixed assets nor long-term liabilities are included. Ms. Harberd noted that every fund shows positive fund balance except for the street fund due to expenditures throughout the year but not reimbursed through an expected grant within 60 days after year end. The overall fund balance decreased from the prior year by approximately 9% because of those expenses not reimbursed.

Ms. Harberd stated that the proprietary funds are listed on pages 18-19 and are full accrual including all assets and liabilities. Every fund showed a positive net position or net worth. Page 20 is the statement of cash flows for proprietary funds; general governmental funds are not included. Page 21 is the statement of fiduciary net position which lists monies held by the city for the benefit of the employees who participate in the cafeteria plan. Notes to financial statements are found on pages 22-45 and include the summary of significant accounting policies and several disclosure pages pertaining to PERSI. The budgetary comparison schedules are on pages 46-49 for the governmental funds and show that all funds did better than budgeted overall

with the exception of the street fund. Pages 50-51 are other required schedules for PERSI and page 52 includes required notes for the PERSI supplemental information.

Ms. Harberd continued with pages 53-56 which include comparison schedules for the proprietary funds comparing budgeted revenues to expenditures and actual revenue and expenditures. All funds did better than budgeted with the exception of the irrigation fund. Additional adjustments are listed on the bottom of each of these pages as depreciation is not included in the budget. Pages 57-58 are combined schedules for the internal service funds, page 59 lists details of expenses by department for the general fund. Pages 60-62 lists 10-year trend information including property tax levies and collections, and expenditures. Upon inquiry by Councilman Barber regarding the street fund figures, Ms. Harberd confirmed that those figures include grant revenue to be collected this current year. Mr. Hyatt confirmed these are Idaho Office of Emergency Management (IOEM) funds. Pages 63 shows the single audit section and is the schedule of expenditures of federal awards. This schedule shows what federal grant programs were out there and what expenditures were incurred; this is the schedule that determines if a single audit is required. Pages 64-65 is the second audit report on internal control over financing reporting and on compliance and other matters. Ms. Harberd stated that as part of the audit, the auditor consider the city's internal control procedures but does not express an opinion on internal control. She stated no internal deficiencies were identified nor material weaknesses. Under compliance and other matters on page 65 Ms. Harberd stated tests of compliance are performed with certain provisions of laws, regulations, grants, etc. and that lack of compliance could have had a material effect on the financial statements. She concluded with the last audit report on pages 66-67, a report on compliance for each major program and internal control over compliance (directly related to the single audit portion of the audit). Page 68 listed the scheduled findings and questioned costs; there were no findings nor questioned costs to report as part of the federal grant program. She further stated there were no significant findings nor difficulties encountered with management; there were some misstatements considered to be immaterial to the overall financial statements.

Councilman Culver made the motion to approve the Fiscal Year 2019 audited financial statements 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 Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this March 17, 2020 regular meeting of the Jerome City Council at 7:01 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk