

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, Library Director Linda Mecham, Information Services Director Carlos Hernandez, Finance Director Ross Hyatt, Building Official Dave Richey, City Engineer Tyson Carpenter, Water and Irrigation Supervisor Brian Ahrens, Wastewater Lead Supervisor Brad Henry, Human Resources Director Ida Clark, City Planner Esmeralda Chavez, 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 Pastor Jason Gullidge of St. Paul’s Lutheran Church.

PUBLIC HEARING – CONSIDER REZONE OF PROPERTY FROM R1 TO PS:

This being the time and place published to consider a request from Jerome School District for a zoning map amendment, changing the zone from Residential 1 (R1) to Public/Semipublic (PS) for the property located at Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision," lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, the Chair called the public hearing open at 5:35 p.m.

Tim Vawser with EHM Engineers, 621 N. College Road, Twin Falls, Idaho, spoke on behalf of the applicant, Jerome School District, requesting the rezone of a portion of the plat stated above. He provided council with a map indicating the area to be rezoned and stated the applicant has a purchase and sale agreement for the parcel in question along with nearby lots. The applicant has plans to build an elementary school and has requested the zoning be changed to accommodate the school in the future. The availability of services and traffic patterns were reviewed with engineers and consultants prior to submitting the application

Testimony by staff:

Ms. Clark provided background on the subdivision along with the Planning and Zoning public hearing that was held for this request. She stated the Glen Eagle subdivision was approved by the commission in 2005, and city council approved the annexation and zoning of the property as Residential-1 along with the final plat. The request is to rezone a portion of the plat for public/semi-public use; this zoning would allow for a public school, a park and/or other public buildings. After hearing testimony the commission recommended approval of the rezone request.

There was no testimony in favor, neutral, nor in opposition to the request. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:42 p.m.

PUBLIC HEARING – CONSIDER PART PLAT VACATION:

This being the time and place published to consider a request from Jerome School District for a Partial Plat Vacate of the property located at Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision," lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, the Chair called the public hearing open at 5:42 p.m.

Tim Vawser, representative for the applicant, appeared before council regarding the purpose of the plat vacation request. Their intention is to build an elementary school on the property in question. He stated the existing lots need to be vacated in order to make the parcel a single lot on which to build the school. Utility companies and city staff have been contacted regarding utility locations and road right-of ways. There are three different access points to the parcel (Glen Eagle Drive, E. Avenue E and Glen Eagle drive on the eastern boundary). He stated the school will most likely be located on the eastern portion of the parcel with little impact into adjacent lots.

Upon inquiry by Mayor Davis, Mr. Vawser stated that E. Avenue E will continue into Glen Eagle Drive, and then Glen Eagle Drive will expand north to E. Avenue D. Additionally, the road right-of-ways will remain in place.

Testimony by staff:

Ms. Clark stated that staff referred to Idaho Code 50-1306(a) with reference to the plat vacation as they are not addressed in the Jerome Municipal Code. She further stated all departments have reviewed the request and reported no immediate concerns.

There was no testimony in favor, neutral nor in opposition to the request. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:47p.m.

BOARD OF CORRECTIONS – 2019 IRRIGATION ASSESSMENT ROLL:

Mr. Hyatt described Idaho Code 50-1807 which states that the mayor and council must meet before the 20th day of March as a Board of Corrections to make irrigation assessments conform to the facts. Staff has evaluated the assessments and delivery to the irrigation system. Unlike prior years, there are no adjustments to be made this year and therefore there is no motion requested.

City resident Charlie Correll, residing at 720 E Avenue C, Jerome, appeared before council to request an adjustment on his irrigation assessment. He provided several pictures depicting the immediate area surrounding his property and explained the flow of the irrigation system along with access points for his property along with surrounding neighbors. He stated that while he does have access to irrigation water he must turn on water at the head gate several houses away to reach the property without flooding. He further stated it would take several trips to the head gate to adjust the water levels. Mr. Correll also provided pictures of other head gates and explained what areas they serve along with unused head gates and unused pipe locations. He believes he is assessed for irrigation because of the unused pipe near his property.

Extensive discussion ensued regarding the unused pipe; whether or not immediate neighbors still have irrigation access; the flow of water through the unused pipes; leaks at the head gate; the possibility of improper water connections; redesign improvements made in 2015;

the ability to deliver water to customers upon request; water availability in the immediate area with the gravity irrigation system; path of water in the pipes; the control of water to Mr. Correll's property in the alley rather than the head gate as previously illustrated; the question of whether or not there is water in a specific line leading to Mr. Correll's property; the diversion of water to separate irrigation boxes; the potential of irrigation water flooding; customer education on controlling water flow; and, the liability issue when residents control water flow.

Mayor Davis reiterated Mr. Correll's request of having his irrigation assessment reduced to the minimum charge. Mr. Correll stated he pays irrigation because of the pipe in the immediate area, and Councilman Culver replied that this is prevalent throughout much of Jerome. Upon inquiry by Councilman Barber, Mr. Correll stated residents on the north side of the alley use irrigation water. Upon inquiry by Councilman Johnson, Mayor Davis stated the motion would reduce Mr. Correll's assessment to the minimum amount due. Mr. Williams stated there is access to the irrigation water; many in the community have access, do not use it but continue to pay the maximum assessment fee. He confirmed with Mr. Ahrens that irrigation access could be provided to Mr. Correll with some improvements to the system. Mr. Ahrens also stated a plan could be developed to get the water to Mr. Correll. Mayor Davis stated the issue is whether or not the water is available and deliverable.

Councilman Culver made a motion to correct Charlie Correll's irrigation assessment to the minimum. Second to the motion was made by Councilman Barber. After consideration, the motion passed by the following vote: **AYES:** Councilman Barber, Councilman Peterson and Councilman Johnson. **NAYS:** Councilman Culver.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the March 5, 2019 regular and executive meetings
2. Approve Monthly Department Reports
3. Approve claims

Advanced Collection Technology \$100.00, Advantage Companies \$1,660.00, Aflac \$164.90, Ag Express Inc \$2,445.75, All Wireless Communications \$840.64, Analytical Laboratories, Inc. \$184.30, Assoc of Jerome City Firefighters \$168.00, Atlas Business Solutions, Inc. \$576.00, Badger Meter \$124.60, Birmingham, Pat \$150.00, Blue Cross \$6,059.79, Bonneville Blue Print Supply \$113.00, Bound Tree Medical \$94.98, Brodart Co. \$144.52, Bullock Automation and Electric \$1,760.00, B-Z Plumbing \$2.23, Cable One \$5.96, Center Point Large Print \$88.08, Century Link \$1,435.51, City of Jerome \$261,358.47, Civil Science, Inc \$13,418.53, Coeur D'Com Communications \$990.70, Colonial Life & Accident Insur \$1,896.70, Culligan Soft Water Service \$62.80, D & B Supply \$1,767.46, Davis, Kenneth A Jr \$44.87, Dewitt Diesel Inc \$4,596.66, Dig Line Inc \$72.60, EHM Engineers, Inc. \$11,101.00, Electrical Contractors of ID \$182.14, Element Heating and Cooling Inc \$187.00, Farmore of Idaho \$46.25, Fastenal Company \$172.96, Ferguson Enterprises, Inc. \$1,686.66, Fireworkes & Stage Fx America \$5,225.00, Fred Kenyon Repair Inc. \$4,864.16, Freedom Electric Inc. \$1,756.00, Freedom Mailing Services, Inc \$1,979.25, Frontier Precision \$1,400.00, Gem State Paper & Supply \$57.35, Gem State Welder's Supply \$65.52, Goble Sampson Associates Inc. \$3,525.00, Go-Fer It Express \$277.00, Gov't Finance Officer Assn \$150.00, Greatamerica Financial Services \$271.00, H.D.Fowler \$2,131.41, Hall, Daniel \$9.20, Hanni, Jeff \$64.94, Harvey's Office Plus \$368.98,

Herrmann, Adam \$104.34, Home Depot Credit Services \$94.80, Hydro Specialties Company \$313.14, ID Child Support Receipting \$2,709.35, ID State Board Of Veterinary \$100.00, ID State Insurance Fund \$111,024.00, ID State Tax Commission \$8,081.00, Idaho Library Assoc. \$300.00, Idaho Materials and Construction \$161,194.69, Idaho Power Co. \$140,029.42, Ingram Book Company \$715.81, Integrated Technologies, Inc. \$135.27, Intellichoice, Inc. \$2,400.00, Intermountain Comm., Inc. \$3,710.20, Intermountain Gas Company \$5,872.96, Interstate Billing Service, Inc \$94.89, Jerome Chamber of Commerce \$90.00, Jerome County \$10,153.19, Jerome FF Local Union 4589 \$600.00, Jerome Printshop \$80.00, Jerome Recreation District \$177.50, J-U-B Engineers Inc. \$2,214.91, Keller Associates Inc \$28,500.09, Kinetico of Magic Valley \$299.00, Kubwater Resources, Inc \$2,627.91, Landrian, Benjamin \$137.12, Les Schwab Tire Centers Inc \$236.98, Libri System \$49.98, Lifemap Assurance Company \$4,437.24, Magic Valley Electric LLC \$203.72, Magic Valley Labs \$5,349.00, Mason's Trophies & Gifts \$45.30, Maxwell Products, Inc \$6,074.72, Metroquip, Inc. \$438.40, Michael Richard Wastewater Microbiology \$400.00, Mike's Repair \$265.00, Minert & Associates, Inc. \$90.00, Mountain View Spraying Inc \$61.00, Munimetrix Systems Corp. \$89.98, MWI Veterinary Supply \$315.00, Napa Auto Parts \$897.69, NCL of Wisconsin, Inc \$110.07, NCPERS Group Life Ins C356 \$240.00, Norco \$1,115.31, Nutrien Ag Solutions \$960.00, Petersen Performance \$137.21, Project Mutual Telephone \$300.41, PSI Environmental Services Inc \$19,717.95, Rainbow Book Company \$593.27, Recorded Books, LLC \$6.95, Reliant Behavioral Health, LLC \$292.56, Rexel Usa Inc \$754.21, Ricoh Usa, Inc \$292.49, RSCI \$174,347.75, Safety Now Solutions \$700.00, Sawtooth Land Surveying LLC \$2,295.00, Sawtooth Veterinary Services \$315.00, SelectHealth \$83,673.10, Signed Sealed & Delivered \$202.59, Skaggs Companies, Inc. \$874.88, SKM, Inc. \$23.75, Something More \$115.13, Sportsman's Warehouse \$14.99, St Luke's \$103.00, Stotts, Craig \$150.00, Sweet's Septic & Backhoe, Inc. \$510.00, Terminix \$70.00, Thatcher Company \$12,486.22, Times News \$244.69, Traffic Safety Supply Co Inc \$4,994.51, Treasure Valley Coffee, Inc. \$91.10, Treasure Valley Psychological Services \$550.00, US Bank of Idaho \$6,853.83, Underwood Recycling \$76.37, Univar USA Inc. \$4,557.00, US Bank Credit Card \$9,870.93, USA Bluebook \$1,808.57, Valley Wide Cooperative \$7,788.12, Var Resources, Inc \$16,649.52, Verizon Wireless \$3,566.26, Viewu \$318.00, Wal-Mart Community \$219.48, Watts Hydraulic and Steam Store \$654.80, Western Waste Services \$339.89, Williams Meservy & Larsen LLP \$12,856.42, Witmer Public Safety Group, Inc. \$185.34, Wright Physical Therapy \$90.00

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

BOY SCOUTS TROUP #38:

Mayor Davis announced Boy Scouts and leaders from Troup #38 in attendance for their citizenship merit badges. Those in attendance included Carter Brown, Jeremy Merritt, Chandler Couch, Xander Sheffield, Chase Rogers and leaders Ray Merritt and Curtis Emery.

BILL NO. 658, ORDINANCE NO. 1173 – SUSPENSION OF RULES AND ADOPTION:

Bill No. 658 was sponsored by Councilman Barber.

Councilman Culver made a motion to suspend the rules of the reading the ordinance two times by title and once in full with three readings by title only. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Peterson, Councilman Johnson and Councilman Culver. **NAYS:** None.

The clerk read Bill No. 658 three times by title only to constitute three readings. The ordinance in full is as follows:

BILL NO. 658
ORDINANCE NO. 1173

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 REAL PROPERTY DESCRIBED HEREIN, 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:

All of Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision", recorded April 5, 2006 as Instrument No. 2061868, in the office of the County Recorder of Jerome County, lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said map;

Thence, along the North Boundary of said map, North 89°31'50" West 40.00 feet to a point on the Western Right-of-Way line of Tiger Drive South and being the REAL POINT OF BEGINNING;

Thence, along said Western Right-of-Way line, South 00°12'58" West 615.45 feet;

Thence, continuing along said Western Right-of-Way line, South 45°12'58" West 28.28 feet to a point on the Northern Right-of-Way line of Glen Eagle Drive as shown on said map;

Thence, along said Northern Right-of-Way line, North 89°47'02" West 95.00 feet;

Thence, continuing along said Northern Right-of-Way line, along the arc of a tangent 20.00 foot radius curve to the right, through a central angle of 90°00'00", an arc distance of 31.42 feet and a chord distance of 28.28 feet that bears North 44°47'02" West to a point on the Eastern Right-of-Way line of East Avenue D as shown on said map;

Thence, leaving said Eastern Right-of-Way line, North 89°47'02" West 50.00 feet to a point on the Western Right-of-Way line of said East Avenue D;

Thence, along said Western Right-of-Way line, South 00°12'58" West 53.28 feet to a point on the Northeastern Boundary of Lot 13, Block 3 as shown on said map;

Thence, along said Northeastern Boundary, North 44°40'46" West 53.51 feet to the Northern corner thereof;

Thence, along the Northwestern Boundary of said Lot 13, Block 3, South 45°19'14" West 125.00 feet to a point on the Northeasterly Right-of-Way line of East Avenue E;

Thence, along said Northeasterly Right-of-Way line, North 44°40'46" West 456.87 feet;

Thence, continuing along said Northeasterly Right-of-Way line, along the arc of a tangent 275.00 foot radius curve to the left, through a central angle of 45°00'47", an arc distance of 216.05 feet and a chord distance of 210.53 feet that bears North 67°11'09" West;

Thence, continuing along said Northeasterly Right-of-Way line, North 89°41'33" West 246.31feet;

Thence, continuing along said Northeasterly Right-of-Way line, along the arc of a tangent 20.00 foot radius curve to the right, through a central angle of 89°54'30", an arc distance of 31.38 feet and a chord distance of 28.26 feet that bears North 44°44'18" West to a point on the Eastern Right-of-Way line of said Glen Eagle Drive;

Thence, along said Eastern Right-of-Way line and its Northerly prolongation, North 00°12'15" East 298.96 feet to a point on said North Boundary of "Glen Eagle Subdivision";

Thence, along said North Boundary, South 89°31'50" East 1094.44 feet to said REAL POINT OF BEGINNING.

WHEREAS, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 12th day of February, 2019; and

WHEREAS, findings of fact and conclusions of law recommending approval of the subject zone-change application finding that the subject rezone application was in accordance with the Comprehensive Plan were ratified by the Planning and Zoning Commission on the 12th day of March, 2019; and

WHEREAS, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 19th day of March, 2019;

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

Section 1. The following real property in the City of Jerome, County of Jerome, State of Idaho is hereby zoned Public/Semipublic (PS):

All of Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision", recorded April 5, 2006 as Instrument No. 2061868, in the office of the County Recorder of Jerome County, lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said map;

Thence, along the North Boundary of said map, North 89°31'50" West 40.00 feet to a point on the Western Right-of-Way line of Tiger Drive South and being the REAL POINT OF BEGINNING;

Thence, along said Western Right-of-Way line, South 00°12'58" West 615.45 feet;

Thence, continuing along said Western Right-of-Way line, South 45°12'58" West 28.28 feet to a point on the Northern Right-of-Way line of Glen Eagle Drive as shown on said map;

Thence, along said Northern Right-of-Way line, North 89°47'02" West 95.00 feet;

Thence, continuing along said Northern Right-of-Way line, along the arc of a tangent 20.00 foot radius curve to the right, through a central angle of 90°00'00", an arc distance of 31.42 feet and a chord distance of 28.28 feet that bears North 44°47'02" West to a point on the Eastern Right-of-Way line of East Avenue D as shown on said map;

Thence, leaving said Eastern Right-of-Way line, North 89°47'02" West 50.00 feet to a point on the Western Right-of-Way line of said East Avenue D;

Thence, along said Western Right-of-Way line, South 00°12'58" West 53.28 feet to a point on the Northeastern Boundary of Lot 13, Block 3 as shown on said map;

Thence, along said Northeastern Boundary, North 44°40'46" West 53.51 feet to the Northern corner thereof;

Thence, along the Northwestern Boundary of said Lot 13, Block 3, South 45°19'14" West 125.00 feet to a point on the Northeasterly Right-of-Way line of East Avenue E;

Thence, along said Northeasterly Right-of-Way line, North 44°40'46" West 456.87 feet;

Thence, continuing along said Northeasterly Right-of-Way line, along the arc of a tangent 275.00 foot radius curve to the left, through a central angle of 45°00'47", an arc distance of 216.05 feet and a chord distance of 210.53 feet that bears North 67°11'09" West;

Thence, continuing along said Northeasterly Right-of-Way line, North 89°41'33" West 246.31 feet;

Thence, continuing along said Northeasterly Right-of-Way line, along the arc of a tangent 20.00 foot radius curve to the right, through a central angle of 89°54'30", an arc distance of 31.38 feet and a chord distance of 28.26 feet that bears North 44°44'18" West to a point on the Eastern Right-of-Way line of said Glen Eagle Drive;

Thence, along said Eastern Right-of-Way line and its Northerly prolongation, North 00°12'15" East 298.96 feet to a point on said North Boundary of "Glen Eagle Subdivision";

Thence, along said North Boundary, South 89°31'50" East 1094.44 feet to said REAL 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 19th day of March, 2019.

SIGNED BY THE MAYOR this 20th day of March, 2019.

CITY OF JEROME, IDAHO

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

ATTEST:

/s/ Bernadette Gomes
BERNADETTE GOMES, City Clerk

Councilman Culver made a motion to adopt Bill No. 658 as Ordinance No. 1173, an ordinance of the Mayor and Council of the City of Jerome, Idaho amending the City of Jerome Zoning Ordinance and Zoning Map by rezoning all of Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision", recorded April 5, 2006 as Instrument No. 2061868, in the office of the County Recorder of Jerome County, lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian from Residential 1 (R1) to Public/Semipublic (PS) and providing for an effective date. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Peterson, Councilman Johnson and Councilman Culver. **NAYS:** None.

PARTIAL PLAT VACATION REQUEST – JEROME SCHOOL DISTRICT #261:

Councilman Culver made a motion to approve the partial plat vacate request from Jerome School District, on the property located at all of Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain map entitled "Glen Eagle Subdivision" recorded April 5, 2006 as Instrument No. 2061868, in the office of the County Recorder of Jerome County, lying in the SE 1/4 NE 1/4 Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Peterson, Councilman Johnson and Councilman Culver. **NAYS:** None.

STAFF REPORTS:

Mr. Williams reported on the new format with the agenda. The executive session was moved for transparency purposes. The new format will allow for council to move into an executive session and reconvene the meeting if a decision needs to be made.

Mr. Williams stated amendments to the nuisance ordinance will be presented at a future council meeting to address code enforcement and compliance issues. The new ordinance will be in conjunction with the City Wide Clean Up day scheduled for May 4th. City staff and the community will be encouraged to participate.

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 at 6:21 p.m. Second to the motion was made by Councilman Barber. After consideration, the motion

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

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis called the regular meeting back to order and adjourned this March 19, 2019 regular meeting of the Jerome City Council adjourned at 6:55 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Gomes, City Clerk