

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 Jason Peterson and Councilman Brent “Oop” Johnson.

Also present were staff members: City Clerk Bernadette Gomes, City Attorney J.B. Lothspeich, City Administrator Mike Williams, Information Services Director Carlos Hernandez, Finance Director Ross Hyatt, Assistant Finance Director Michelle Frostenson, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, City Engineer Rick Wuori, Human Resources Director Ida Clark, City Planner Esmeralda Chavez, Deputy Fire Chief Mike Harrison, Police Chief Dan Hall and Captain Duane Rubink.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

Invocation was given by Pastor Gary Terrell with Freewill Baptist Church.

PUBLIC HEARING:

This being the time published to consider an ordinance of the Mayor and Council of the City of Jerome revising Title 17 Chapter 10 of the Jerome Municipal Code regulating the design overlay district of the City of Jerome; providing the Planning and Zoning Administrator discretion to approve sign design review permits without first obtaining the approval of the Planning and Zoning Commission; and providing for an effective date, and called the public hearing open at 5:32 p.m.

Staff presentation:

Ms. Chavez stated this item was brought forward to council a few months back which allow sign design reviews to be approved administratively. Applicants will still complete an application, submit materials for approval and be subject to the design review criteria as outlined in the Jerome Municipal Code. The waiting period for sign approval will be reduced significantly.

There was no testimony in favor, neutral nor in opposition to the information presented. There being no further testimony to be heard, the Chair closed the hearing at 5:35 p.m.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the March 20, 2018 regular meeting

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

BOY SCOUT TROUP #38:

Members of Boy Scout Troup #38 were in attendance for their citizenship in the community badge. Those in attendance included Kaleb Parsons, Dawson Martin, Sagen Smith and Chandler Couch; they were accompanied by Assistant Scoutmaster Curtis Emery and Chartered Organization Representative Ray Merritt.

OATH OF OFFICE – RESERVE OFFICER GUEST:

Mayor Davis administered the oath of office to Reserve Police Officer Michael S. Guest. Chief Hall stated Officer Guest has been in law enforcement in the Magic Valley for many years including Twin Falls and Jerome Counties. He has been a Deputy Sheriff for Jerome County for several years and will be a great asset to the department. He will be able to serve as a parttime officer to assist with filling gaps on shifts where staff is unavailable. Chief Hall stated he is pleased to have Officer Guest on board.

SPSC GRADUATE – CAPTAIN RUBINK:

Chief Hall stated Captain Rubink went through a course of instruction and graduated from the Northwestern University School of Police Staff and Command. He completed an intensive 10-week course, similar to one college semester, which included testing, research papers, and several other requirements to pass the course. His research paper discussed the use of Narcan, an antidote for opioid overdoses, and its effectiveness in emergency situations. The course also covered leadership, organizational behavior, applied statistics, human resources, performance appraisals, recruitment selection, job design, federal employment law, employee relations, legal aspects of employee discipline, conflict resolutions, strategic planning, policy development, decision making, project management, resource allocation and a staff study project. Chief Hall believes this training will be a benefit to the police department as well as to the community, and he wanted to recognize Captain Rubink for his accomplishment.

Upon inquiry by Mayor Davis, Captain Rubink stated the Narcan can be administered without the direction of a physician; it has been approved for sale and prescription by pharmacies and can be administered nasally by anyone with minimal training for safety purposes. His concern for officer safety is what prompted him to research it further in the event that staff arrive on a scene prior to other emergency personnel. Upon inquiry by Councilman Johnson, Captain Rubink stated the Narcan will work with any opioid (i.e. heroin, fentanyl, etc.).

Chief Hall thanked the mayor and council and Mr. Williams for the opportunity to make the resources available for this training.

CULTURE AND VALUES INITIATIVE LOGO PRESENTATION:

Mr. Williams invited three students and the instructor of the Jerome High School graphics class to be acknowledged for their participation in the city's culture and values initiative. He explained the culture and values initiative with the process that began approximately one year ago within city departments and with city employees. Values to be

incorporated into the city's culture were identified as positive attitude, accountability, teamwork, integrity, fairness and communication. There will be internal programs for employees to emphasize those values. In searching for a symbol to represent these core values, staff came up with a tree concept with roots and water to give it life, and reached out to the graphics design classes for assistance. Four classes were approached by staff with ideas to develop a symbol that would emphasize the values and serve as a reminder for why we serve the community. There were over seventy entries received by the students and they were ultimately narrowed down to the top three. Ms. Brooklyn Morgan and Ms. Laura Rivas Ortiz were recognized for their efforts as the two finalists, and Mr. Williams presented Ms. Peyton Harrison with a gift card for her chosen logo to represent the initiative.

Upon inquiry by Councilman Barber, Ms. Harrison stated it took a while to figure out which kind of tree would fit and what would need to be added during several class periods. Ms. Bangerter stated the students have 50-minute class periods and worked on the logo ideas for approximately three weeks with rough drafts, projector displays and suggestions for changes until their logos were perfected. They were all commended by council for their contributions, and Mr. Williams thanked them for their assistance with the city's initiative. He stated the artwork will be displayed in city buildings to remind staff of the values and behavior they hope to achieve.

BILL NO. 654, ORDINANCE NO. 1169:

Councilman Culver sponsored the bill.

Councilman Culver made a motion to suspend the rules pertaining to the reading of an ordinance on three separate occasions and direct the clerk to read Bill No. 654 three times by title only tonight to constitute three readings. Second to the motion was made by Councilman Barber. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Peterson, Councilman Johnson and Councilman Barber. **NAYS:** None.

The clerk read Bill No. 654 three times by title only. Bill No. 654, Ordinance No. 1169 in full is as follows:

ORDINANCE NO.1169

BILL NO.654

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME REVISING TITLE 17 CHAPTER 10 OF THE JEROME MUNICIPAL CODE REGULATING THE DESIGN OVERLAY DISTRICT OF THE CITY OF JEROME; PROVIDING THE PLANNING AND ZONING ADMINISTRATOR DISCRETION TO APPROVE SIGN DESIGN REVIEW PERMITS WITHOUT FIRST OBTAINING THE APPROVAL OF THE PLANNING AND ZONING COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Title 17, Chapter 10 of the Jerome Municipal Code is in need of revisions and updates to comply with modern practices; and

WHEREAS, regulating signs within the City of Jerome promotes the public welfare, provides a more pleasing and uniform aesthetic while minimizing potential for blight, and is conducive to residential and economic development; and

WHEREAS, a formal design review before the Planning and Zoning Commission is overly burdensome for both the applicant and the Commission; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 13th day of March, 2018 and;

WHEREAS, the required public readings were held before the City Council pursuant to notice on the 3rd day of April, 2018;

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

Section 1. That Section 17.10.020.M of the Jerome Municipal Code be revised on file and is hereby enacted and the same is hereby declared to read as follows:

17.10.020.M: Design Overlay District:

1. District Created: The design overlay district is hereby created. The real property within the design overlay district shall consist of the following real property:

All real property parallel to and within one hundred fifty feet (150') of the rights of way for either Main Street or Lincoln Street within the boundaries of the city of Jerome, excluding any property used for residential purposes, or which is occupied by the owner as a personal residence.

2. Amendment of Zoning Map: The official map of the city of Jerome is hereby amended to include the above real property, described in subsection M1 of this section, within the design overlay district.
3. Design Review Permit: Prior to obtaining a building permit as required by the international building code or any successor uniform code adopted by the city of Jerome, any person shall, prior to obtaining a building permit for structures within the design overlay district, apply for, and obtain, a design review permit. Additionally, a design review permit shall be obtained by any person prior to painting or modifying the exterior façade of any structure or building facing Main and Lincoln Streets, or altering any sign, which sign faces either Main or Lincoln Streets within the design review overlay district. The following activities shall be excepted from the requirement to obtain a design review permit:
 - a. Interior remodeling of a building or structure which does not impact its exterior appearance or significantly impact the parking, landscaping or other exterior uses of the property on which it is located; or

- b. Repairs to an existing building or structure if the exterior appearance is not significantly altered; or
- c. Improvements to, or modification or maintenance of, undeveloped property which does not significantly alter the outward appearance of the property.

4. Applications; Fee:

- a. A person required to obtain a design review permit under this chapter shall submit an application to the zoning administrator.
- b. Application shall be made on a form to be provided by the zoning administrator, which has been approved by the commission. No fee for the application shall be required unless the council has passed a resolution requiring a fee prior to the filing of the application.

5. Application Review: When an application for a design review permit has been received with the appropriate fee, if such fee is required, the zoning administrator shall review the application and, if the zoning administrator determines that the application will have no substantial impact on real property within the design overlay district adjacent to the real property affected by the application or upon the city itself, the zoning administrator may submit findings of the application and place it on the agenda of the commission for its next regular meeting. Provided, however, all applications for sign design review may be reviewed and approved, or approved with conditions, by the administrator. The administrator shall follow the design review guidelines in force at the time the application is made in making such approval or approval with conditions. If the administrator approves the application, he or she shall issue the applicant a design review permit. If the administrator does not approve the application, the matter shall be placed on the agenda of the commission for the next regular meeting to be considered by the commission for approval or denial. If the administrator approves the application with conditions, the applicant may accept the conditions and ask the administrator to issue a permit or may request the permit be submitted to the commission for consideration. If such request is made, the administrator shall place the application on the agenda for the commission's next regular meeting.

6. Planning and Zoning Commission; Hearing:

- a. For all applications other than sign design review applications, the zoning administrator shall only have authority to recommend approval of an application for design review permit to the commission, or send such application to the commission for its consideration without making a recommendation for approval on its consent agenda. The commission may approve, deny, or conditionally approve any application for a design review permit.

- b. At any meeting of the commission at which the approval of a design permit application is on the agenda, the commission may approve the application by the unanimous vote of the members present. If no unanimous vote is obtained, a public hearing shall be required on the application for design review permit at a meeting of the commission after public notice of such hearing is given pursuant to Idaho Code section 67-6509. After the hearing, the commission may approve, by a majority vote, an application for design review permit.
7. Appeals: Appeals of the decision of the commission on design review permit applications may be appealed to the city council under the provisions of section 17.70.070 of this title.
8. Permit Issuance: When an application for design review permit has been approved, an original design review permit shall be issued by the commission and signed by the zoning administrator, setting forth the details of the permit and any conditions thereto.
9. Contents Of Application: The application for design review permit shall be made to the commission and shall contain all information which may be required by the commission including, but not limited to:
 - a. Name and address of applicant;
 - b. The legal description upon which the project will be undertaken;
 - c. The street address of the real property upon which the project will be undertaken;
 - d. The owner of the real property;
 - e. A narrative statement describing how the application meets the criteria set forth herein;
 - f. Unless waived for good cause, in whole or in part by the zoning administrator, seven (7) copies of the following:
 - (1) Vicinity map showing the property's location in relationship to neighboring properties in the surrounding area;
 - (2) A copy of any existing subdivision design or construction standards then in effect with respect to the property;
 - (3) Elevations of all sides of any new or modified building or structure on the real property;
 - (4) Descriptions or details of all materials proposed to be used for the exterior of the building or structure, including color chips and color swatches;
 - (5) A plan for any landscaping to be modified or constructed, if any; and
 - (6) Details of the placement, height, and specifications for new or modified exterior lighting, if any.

10. Scope Of Review: The zoning administrator or the commission if the zoning administrator determines not to make a recommendation, in cases where the sign or facade under subsection M3 of this section involves less than fifty (50) square feet, shall review the application for compliance with the following criteria:
 - a. Whether the project compromises the health, safety or welfare of the public;
 - b. Whether the project is in general compliance with the design review guidelines then in force as adopted. The zoning administrator shall report to the commission at its next ensuing meeting all decisions made by the administrator under this subsection M10.
11. Revocation Of Permit: A design review permit issued and which has become final and non-appealable, may be subject to revocation if the project described in the permit is constructed or operated in violation of the design review permit. The council may initiate procedures for the revocation of a design review permit and require the holder of such a permit to appear and show cause before it why the permit should not be subject to revocation.
12. Penalties For Noncompliance; Binding On Successors: No certificate of occupancy shall be issued for any new structure or building under section [17.50.060](#) of this title until full compliance with the design review permit has been demonstrated. Any person no longer in compliance with an issued design review permit may, upon prior notice from the council, and an opportunity to be heard, have its design review permit revoked. The certificate of occupancy shall not be reissued until compliance with the design review permit has been demonstrated to the satisfaction of the council. Every design review permit shall be binding upon the heirs, successors and assigns of the person to whom the design review permit was issued. (Ord. 1079, 2010; Ord. 1070, 2010)

Section 2. This ordinance shall become effective upon its passage and publication as required by law.

PASSED BY THE COUNCIL this 3rd day of April, 2018.

SIGNED BY THE MAYOR this 3rd day of April, 2018.

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. 654 as Ordinance No. 1169. Second to the motion was made by Councilman Johnson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Peterson, Councilman Johnson and Councilman Barber. **NAYS:** None.

RESOLUTION NO. 06-18:

The clerk read resolution No. 06-18 as follows:

RESOLUTION NO. 06-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, APPOINTING A MEMBER TO THE JEROME CITY LIBRARY BOARD; 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 LIBRARY BOARD:

The following individual is appointed as a member of the Jerome City Library Board to serve a term effective with the date below-written, in accordance with delineation thereof:

Lydia Cosio

April 2018 through February 2023

SECTION 2. EFFECTIVE DATE:

Resolution 06-18 shall be effective upon its passage as required by law.

PASSED BY THE COUNCIL this 3rd day of April, 2018.

SIGNED BY THE MAYOR this 3rd day of April, 2018.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Gomes

Bernadette Gomes, City Clerk

Councilman Culver made a motion to pass Resolution No. 06-18 a resolution by the Mayor and Council of the City of Jerome, Idaho, ratifying mayoral appointment of Lydia Cosio to the Jerome City Library Board for a term of five years commencing immediately and expiring in February, 2023. Second to the motion was made by Councilman Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Peterson, Councilman Johnson and Councilman Barber. **NAYS:** None.

Mayor Davis stated the recommendation from Library Director Linda Mecham and stated Ms. Cosio grew up in the community, has a Bachelor's Degree in English Writing with a minor in Political Sciences and Philosophy. She has also used the library services extensively, is familiar with programs and is excited to be involved with the library.

2015 FORD EXPLORER POLICE INTERCEPTOR SALE TO JEROME COUNTY:

Chief Hall stated that, in 2015, the police department purchased a 2015 Ford Explorer Police Interceptor and equipped it with a canine unit. The canine officer at the time, Officer Summers, left the agency in 2016; Captain Tim Green took over the canine unit until his retirement last summer. The dog was also retired and the department has not had a canine unit since that time. There are currently no plans to get another dog at this time although he does not rule out having one in the future. At this time the canine unit itself serves no purpose, and it would take several thousand dollars to convert the vehicle back to a regular patrol unit.

The Jerome County Sheriff's Office (JCSO) is in need of a canine unit and offered to purchase the city's unit; additionally, the city is in need of another unmarked detective vehicle. Staff is asking for approval to sell the canine unit to the sheriff's office and then utilize those funds to purchase another unmarked vehicle. The sale price was determined by examining the depreciated value of the vehicle, and the sale was published twice as required by law. Upon inquiry by Councilman Johnson, the county has been providing canine services to the city as needed. Upon inquiry by Councilman Peterson, Chief Hall stated staff is not planning to having another canine program as there is no benefit without committed staff; the canine unit requires a lifestyle commitment by an officer to the dog. Deputy Crouse with JCSO was in attendance to answer any questions regarding the canine unit as he will be driving this vehicle. Upon inquiry by Mayor Davis, Deputy Crouse stated one canine is strictly narcotics-based and the other is considered dual-purpose. One of their units is in poor condition and needs replaced; both canine units will remain on staff.

Councilman Culver made a motion to approve the sale of the 2015 Ford Explorer Police Interceptor, canine-equipped vehicle #192, to the Jerome County Sheriff's Office for a sum of \$23,808.00. Second to the motion was made by Councilman Barber. After consideration the

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

PRESSURED SEWER MAIN REPAIR:

Mr. Sanchez stated staff is seeking approval to repair a pressurized line. There was a plan to abandon that line but the plans have changed and now repairs need to be made. RSCI will be doing the work at a cost of \$11,498. Upon inquiry by Councilman Culver, Mr. Sanchez stated the portion of the line that is leaking will be replaced along with the vault in place. He further stated the local farmer has been notified of the repair, and confirmed that the line is an eight-inch line. Upon inquiry by Councilman Barber, Mr. Sanchez stated that staff is equipped to make the repairs themselves, however, it is a busy time of year for staff and the farmer will need the line repaired as soon as possible. Discussions ensued regarding the length of time to complete the work, the availability of staff with other pending tasks, the expected completion timeframe by RSCI, bypassing the line temporarily, what areas the line serves and the amount of waste coming through the line. Mr. Williams stated having two functional lines in that area is critical. Additionally, staff has not prepared a pressure line in quite some time and feels RSCI could best make the needed repairs.

Councilman Barber suggested having city staff observe the repairs so that future repairs can be done in-house and agrees with the decision to have the work outsourced although the city should also be self-sufficient. Councilman Peterson understands the need for doing work in-house in addition to the need to have repair work done by an outside source. Mr. Wuori stated staff does not have an active pipe crew to complete the work in a timely manner.

Councilman Culver made a motion to approve and repair the leaking pressurized sewer main from the Jerome cheese lift station to the H St. lift station for the total cost of \$11,498.00 by RSCI. Second to the motion was made by Councilman Johnson. After consideration the motion passed by the following vote: **AYES:** Councilman Culver, Councilman Peterson, Councilman Johnson and Councilman Barber. **NAYS:** None.

COUNCIL REPORTS:

Councilman Barber briefly discussed an issue brought forth to him by citizens regarding the one-way section of N. Date Street where it intersects with Jerome Middle School (JMS). He asked if there was anything that could be done to prevent citizens from driving the wrong way (heading north on a southbound road) during school hours; some parents drive through the one-way road onto the JMS property where others drop off their students and then make u-turns which disrupt the flow of traffic.

Chief Hall stated the Student Resource Officer is aware of the situation and patrols whenever possible. He agrees there is a definite problem with congestion and can attempt to have the area patrolled although it would not be a permanent solution. Captain Rubink agreed with increased patrolling and also suggested working with engineers to study the flow of traffic in that area. A drop-off point was suggested as a possible solution along with signage to direct parents. Mr. Lothspeich stated this would not require action on the part of council unless a penalty were to be imposed for failure to comply. Mr. Williams stated the lack of a sidewalk on the east side of the road could be an issue although there is a sidewalk on the west side of N. Date Street. Councilman Peterson recalled the request by the school district in 2014 for a

variance to omit sidewalk on the east side of N. Date Street, and Mr. Williams stated he will discuss the issue with the superintendent.

STAFF REPORTS:

Mr. Williams spoke of a Jerome 20/20 Economic Development Forum to be held on April 10th with gubernatorial candidates in attendance and speakers including Mayor Davis. Additionally, staff will hold their annual citywide meeting on April 12th 10:00 a.m. – 2:00 p.m. It will include an address from the mayor and a presentation on the new culture and values initiative. It will also be an opportunity to have lunch and mingle with city staff.

ADJOURNMENT:

There being nothing further to discuss, this April 3, 2018 regular meeting of the Jerome City Council adjourned at 6:22 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Gomes, City Clerk