

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m. Due to Governor Little's Stay-at-Home order, the meeting was held by teleconference. Council Chambers were closed to the public; the video conference was conducted via Zoom and was made available to all members of the public in a format that allowed all participants to hear the meeting, including all deliberations by members of the Council and other speakers addressing the council, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda, email, and notices at council chambers and on the city's website.

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 Administrator Mike Williams, City Attorney Ted Larsen, Public Works Director Brian Ahrens, City Engineer Tyson Carpenter, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, Information Services Director Carlos Hernandez, Information Services Technician Andy Newbry, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, Library Director Linda Mecham, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez, Fire Chief Mike Harrison and Police Chief Dan Hall.

Mayor Davis announced who was in attendance for the meeting both at council chambers and through video. He also announced that a full quorum was present and asked that if a staff member wishes to speak Mr. Hernandez will enable them to do so throughout the video conference.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Pastor Mickie Kelly with the Northridge Fellowship Church.

PUBLIC HEARING:

This being the time and place published for the consideration of an ordinance creating Title 17 Chapter 18.070 Landscaping Requirements, and amending Title 17 Chapter 26.080 Screening and/or Landscaping, of the Jerome Municipal Code, the Chair called the public hearing open at 5:40 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Clark stated that language for a landscape ordinance was presented to council in 2015 and at the time council had asked that it be simplified. A committee was formed to review the landscape ordinance, and committee members with experience in landscape and nurseries included city staff, Planning and Zoning (P&Z) commissioners, and city council members. The P&Z commission recommended approval of the ordinance as presented. However, council had expressed concerns over prohibiting specific landscape material. Ms. Clark stated the section pertaining to prohibited material has been removed from the proposed ordinance so that landscape plans submitted may include artificial grass and/or turf. The rest of the ordinance

remains unchanged and the ordinance will pertain to business and industrial zones along with multi-family residential areas and commercial parking lots. Upon inquiry by Mayor Davis, Ms. Clark stated that the ordinance will also apply to any commercial, industrial or multi-family residential zones within the Design Overlay District.

Testimony in favor:

Carl McEntarffer, 218 8th Avenue W, Jerome called in to the meeting to support the proposed ordinance and stated that he would like to address concerns by the council as he was on the landscape committee. He stated much work went into the ordinance and felt that a landscape ordinance of some sort needed to be passed. Councilman Johnson commented that his concerns pertained to the disallowance of artificial turf; he spoke of the amount of water required to maintain many areas. Mr. McEntarffer stated that xeriscape landscaping was also recommended and included in the ordinance language. Councilman Barber also expressed concern regarding the prohibition of artificial turf and possibly allowing city staff to approve or disapprove specific materials. He further stated that water can be preserved with artificial turf. Mr. McEntarffer spoke of a company specializing in artificial grass that can be utilized and expressed his concern over the city looking nice. Councilman Barber also stated that everyone is proud of Jerome and the work done for beautifying the city. He further stated that the landscape ordinance may be changed and improved over time, and that the allowance of artificial material will benefit those without a water source on their business property. Councilman Peterson commented on his concerns and why he voted against it; he felt there was not a need for one and he disagreed with certain specific requirements listed in the ordinance (type of trees, certain sizes, etc.), and Mr. McEntarffer stated that the landscape ordinance will provide guidelines for those businesses coming to Jerome as each landscape design will be reviewed individually. Councilman Peterson agrees that guidelines would be beneficial to keep Jerome looking nice. He further stated that city staff is very capable of making decisions pertaining to landscape designs, and Mr. McEntarffer commented that staff will follow the guidelines in the ordinance and that a structured ordinance in place will prevent, for example, large empty parking lots with nothing more than parking spaces.

There was no testimony neutral nor in opposition to the consideration. There being no further testimony to be heard, the Chair declared the public hearing closed at 6:01p.m.

ORDINANCE NO. 1191, BILL NO. 676 - INTRODUCTION:

Councilman Culver sponsored the bill.

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

The clerk read the bill three times by title only as follows:

**ORDINANCE NO. 1191
BILL NO. 676**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME,
CREATING TITLE 17 CHAPTER 18.070 LANDSCAPING REQUIREMENTS AND
AMENDING TITLE 17 CHAPTER 26.080 SCREENING AND/OR LANDSCAPING, OF**

THE JEROME MUNICIPAL CODE PROVIDING FOR MINIMAL LANDSCAPING REQUIREMENTS FOR NEW DEVELOPMENT IN VARIOUS ZONES THROUGHOUT THE CITY OF JEROME AND FOR THE LANDSCAPING OF PARKING LOTS WITH MORE THAN 20 PARKING SPACES; FOR A PENALTY FOR VIOLATION OF THIS CHAPTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, promoting, regulating and requiring landscaping that enhances the appearance and attractiveness of commercial, industrial, and business areas 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, large commercial parking lots contribute to the ‘heat island effect’ and present an unpleasant aesthetic, which can be mitigated by promoting, regulating and requiring a landscaping ordinance; and

WHEREAS, the City desires to promote best practices in landscape design and maintenance that ensure the long term viability of landscaped areas.

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

Section 1. That section 070 is added to Title 17, Chapter 18 of the Jerome Municipal Code on file and is hereby enacted and the same is hereby declared to read as follows:

17.18.070: LANDSCAPING REQUIREMENTS

A. APPLICABILITY

1. This article shall apply to all new development and to any change of use of an existing building, structure or parcel of land in the following zoning districts within the City of Jerome:

a. C-1 Neighborhood Business District;

b. C-2 General Business District;

c. C-3 High Density Business District;

d. CBD Central Business District;

e. M-1 Light Industrial District;

f. M-2 Heavy Industrial District;

g. Any commercial, industrial, or multi-family residential use within the Design Overlay District;

2. New commercial parking lots with twenty (20) spaces or more shall comply with sections 17.18.070.B.8 of this section.

3. Additions to commercial development greater than fifty percent (50%) of the existing structure or developed area shall comply with this section.

4. Commercial or industrial parking lot replacement with twenty (20) spaces or more, not including sealing, striping or repaving, that is greater than fifty percent (50%) of the parking area shall comply with this section.

B. LANDSCAPE REQUIREMENTS FOR SITE DESIGN

1. General Requirements

a. All landscape plans shall be prepared by a landscape designer or landscape architect.

b. The landscape plan shall be submitted as part of an application for Design Review, Special Use Permit, Variance, Occupancy or Building Permit.

2. Uses / Buildings.

a. All new developments shall provide landscaping in accordance with the requirements of this section.

b. Expansions and Alterations to Existing Buildings: The requirements of this section shall apply to the expansion and alteration of existing buildings when the project increases 50 percent (50%) or more in gross square footage.

c. Change of Use: The requirements of this section shall not be imposed upon a change of use unless the property in question never complied (or no longer complies) with the ordinance requirements in existence at the time of approval or conditions of approval at the time of construction.

d. Existing Parking Lots:

1. Twenty-six percent (26%) to fifty percent (50%) expansion or replacement of the parking lot shall be required to replace and repair the existing landscaping to previous approval standards and provide perimeter landscaping.

2. Fifty-one percent (51%) to one hundred percent (100%) expansion or replacement of the parking lot shall comply with all requirements of this section.

3. Waivers:

a. If the location of existing buildings or other structures prevents conformance with the requirements of Section 17.18.070.B, or its implementation would create non-conformity of parking standards or other special circumstances, the Planning and Zoning Administrator may grant a waiver based on the following findings:

- i. That the requirements of Section 17.18.070.B are not feasible due to existing development or circumstances regarding the property;
- ii. That granting a waiver will not have a detrimental effect on adjacent properties; and
- iii. Granting a waiver will not be in conflict with past approvals that required landscape improvements.

b. A letter requesting a waiver and reasons therefore, shall be submitted at the time of application. Decisions of the Planning and Zoning Administrator may be appealed to the Planning and Zoning Commission within sixty (60) calendar days from the date of the Administrator's written decision.

4. Alternative Compliance:

a. Purpose: To provide for alternative means to meet the intended purposes of the landscape requirements when explicit compliance is not feasible or the alternative means are superior to what is required.

b. Process:

1. A request for alternative compliance shall be submitted as part of the building permit or zoning application process. The request will be considered by the same approval body as the base application. The request shall specify:

- i. The specific requirements that are proposed to be modified;
- ii. The reasons for the modification; and
- iii. A demonstration of how the alternative means for compliance meets the requirements' intended purpose.

2. Stormwater Swales: Stormwater swales within front setbacks can be approved as staff level provided that the landscape plans approved by the applicable approval body are not changed substantially and comply with Section 17.18.070.B. A landscape plan with swale construction details which incorporate the landscape design shall be submitted for staff level review.

c. Standards: the proposed alternative means for compliance with specific requirements shall demonstrate the alternative compliance provides an equal or superior means of meeting the intent and purpose of this section.

d. Required Findings: In order to grant approval for an application for alternative compliance, the approving department shall determine the following:

1. Strict adherence or application of the requirements is not feasible because one of the following exist:

- i. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical;
- ii. The site involves space limitations or an unusually shaped lot;
- iii. Safety consideration;
- iv. Other regulatory agencies or departments having jurisdiction are requiring design standards that conflict with the requirements of this section;
- v. The proposed design includes innovative design features or other site designs that promote walkability or mixed-use neighborhoods; or
- vi. Environmental quality benefits.

2. Alternative compliance provides an equal or superior means for meeting the requirements; and

3. Alternative compliance will not be detrimental to the public welfare or adversely affect the uses and character of surrounding properties.

5. Minimum Design Standards and Requirements

a. Xeriscaping is encouraged.

b. Approved Plant Material: plans should use plants that will thrive in this environment. Guidance regarding certain species that are routinely approved may be obtained from the Planning and Zoning Administrator and/or the City Arborist.

c. Minimum Plant Sizes:

<u>Evergreen trees</u>	<u>Four foot (4') height minimum</u>
<u>Shade /Ornamental trees</u>	<u>One and half inch (1.5") caliper minimum</u>
<u>Perennials</u>	<u>One (1) gallon pot minimum</u>

Woody shrubs One (1) gallon pot minimum

d. Trees:

1. Spacing: For design flexibility, trees may be grouped together or spaced evenly as desired. The Landscape plan shall show trees at mature size on the drawings and spacing shall be no closer than 80 percent (80%) of the average mature width of the trees.

2. When five (5) or more trees are to be planted to meet the requirements of any portion of this section, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted according to the chart below:

<u>No. of Trees</u>	<u>Minimum</u>	<u>Number</u>	<u>of</u>	<u>Species</u>
<u>5-10</u>	<u>2</u>			
<u>11-30</u>	<u>3</u>			
<u>31-50</u>	<u>4</u>			
<u>50+</u>	<u>5</u>			

e. Mulch: Mulch shall be used in all required planting areas. Approved mulches may be organic, such as bark or they may include rock products, such as "permabark" or similar products. Use of mulch, organic or rock, as the only ground cover in required planting areas is prohibited. Pea gravel, drain rock under one and a half inches, road base gravel, and similar products shall not be used as mulch. All mulch shall be contained by a curb or other edging material to contain the mulch and prevent it from moving to bordering surfaces. Impermeable plastic weed barriers under the mulch is prohibited. Within stormwater facilities, mulch may not float.

f. Curbing: All planting areas that border driveways, parking lots and other vehicle use areas shall be protected by curbing, wheel stops or other protective devices. Such devices shall be a minimum of thirty inches (30") from tree trunks to prevent cars from damaging tree trunks.

g. Utilities: The following standards apply to the planting of trees near existing utilities and to trenching for new utilities near existing trees:

1. Overhead Utilities:

For trees planted under or within ten (10) lateral feet of any overhead utility wires, the landscape plan designer must certify that the type of tree selected for that location will not grow to a height so as to interfere with the overhead utility wires.

2. Underground Utilities:

All trees shall be planted outside of any utility easement, unless written approval is obtained from the applicable agency. All trees shall be planted outside of any easement that contains a City sewer main, unless written approval is obtained from the City Engineer. If any utility easement precludes trees required by this section, the width of the required buffer shall be increased to accommodate the required trees.

3. Trenching:

New underground utilities shall be located outside of the dripline of existing trees if trenched, or be tunneled a minimum of three feet below existing grade within the tree's dripline. Trenching within the dripline of existing trees shall be done by hand, with care not to cut or damage roots larger than two inches (2"). The guiding principle is that no root two inches or larger shall be cut. Note: This requirement is for placement of new utilities and does not affect the City's or the Utility's ability to access existing utilities for repair, replacement and maintenance.

h. Berms: Berm slopes shall not exceed 3:1 (horizontal: vertical). Slopes shall not exceed 4:1 on areas which require mowing.

i. Water Efficiency: The landscape plan shall provide for water efficient landscaping as follows:

1. Lawn Areas: Where appropriate and on sites where other landscape options can be incorporated, large expanses of mown lawn are discouraged due to its high water consumption. Lawn should not be treated as a fill-in material, but rather as a functional or aesthetic element of the landscape. Mown lawn should not be used in median strips, parking strips, or other difficult areas to irrigate less than six feet (6') in width

2. Plant Selection and Location: Plants should be placed based on adaptability to regional and micro climatic conditions. The use of native and other low-water-use plants is encouraged. Plants having similar water needs should be grouped together in distinct hydrazones, and spaced to minimize watering needs while maximizing growth and spread of plants.

6. Irrigation

a. Required: All landscape areas requiring irrigation shall be served with an automatic underground irrigation system. Areas of landscaping which will not require supplemental watering after initial establishment are not required to have permanent irrigation.

b. Irrigation Water: Use of non-potable irrigation water is required when determined to be available and adequate.

7. Perimeter Buffers

a. Street Buffers:

1. Applicability:

Landscape street buffers shall be required in all multi-family residential, commercial and industrial zones. Street buffers shall not be required in the Central Business District Zone in circumstances where a landscape buffer would prevent the placement of a proposed building at the allowed zero foot (0') front or street side setbacks.

2. Size and Location:

Landscape buffer widths along streets shall be based on the required

setbacks of the underlying zone. All required buffers shall be maintained by the property owner.

3. Street Trees:

All required landscape street buffers shall be planted with trees and shrubs, lawn or other vegetative groundcover, with a minimum density of one tree per forty lineal feet (40'). If this calculation results in a fraction of one-half (.5) or greater, round up to an additional tree. Clustering is allowed, however, trees shall be spaced no closer than eighty percent (80%) of the average mature width of the trees.

4. Conifers Along Streets:

Coniferous trees are allowed along streets only within planting areas 20 feet (20') or greater in width.

5. Tree Wells

Tree wells shall be a minimum of nine (9) square feet in size in the sidewalk area. Root barriers are encouraged.

b. Side and Rear Perimeter Buffers:

1. Applicability:

Side and rear landscape buffers shall be required for all multi-family residential, commercial and industrial developments.

2. Size and Location:

Landscape buffer widths shall be based on the required setbacks of the underlying zone. All required side and rear buffers shall be located within the property and shall be maintained by the property owner.

3. Parking Lot/Vehicular Use Area Buffers

If an interior side or rear lot line is adjacent to a parking lot or other vehicular use area, such as, but not limited to, vehicle sales areas, truck and bus parking areas and driveways, the following standards shall apply:

i. Landscaping

The perimeter landscape strip shall be planted with one (1) tree per 40 lineal feet (40'). If this calculations results in a fraction of one-half (.5) or greater, round up to an additional tree. Clustering is allowed, however, trees shall be spaced no closer than 80 percent (80%) of the average mature width of the trees.

ii. Exceptions:

Where two properties have a shared access and parking agreement that has been approved by the city, the above requirements may be waived.

c. Buffers Between Different Land Uses:

1. Applicability:

Land use buffers shall be required along contiguous property lines between residential uses and dissimilar uses such as industrial and commercial. The buffers are required along the entire contiguous property line. This section shall not apply to mixed use projects on contiguous properties.

2. Size:

The minimum buffer width between land uses is based on the required setbacks of the underlying zone.

3. Buffer Materials:

The materials within the required buffer between incompatible land uses are regulated as follows:

i. Mix of Materials:

All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative groundcover. A minimum of six foot (6') fences, walls and berms may also be incorporated into the buffer area.

ii. Buffer Walls:

Where existing or proposed adjacent land uses cannot be adequately buffered with plant materials, the City may require inclusion of a wall, fence, or other type of screen that mitigates noise and/or unsightly uses. If a wall or fence six feet (6') tall is provided, the planting requirement may be reduced to at least one (1) tree per forty lineal feet (40'), plus shrubs, lawn, or other vegetative groundcover, in lieu of the requirements of this section. Clustering is allowed, however, trees shall be spaced no closer than 80 percent (80%) of the average mature width of the trees.

iii. Chain-link Fencing:

Chain-link fencing does not qualify as a screening material; therefore the buffer must still be landscaped, even if a chain link fence is provided.

iv. Pedestrian Access:

Landscaping and screens shall not eliminate pedestrian access between commercial and residential districts.

8. Interior Parking Lot:

a. Applicability: Interior parking lot landscaping shall be required in any parking lot with twenty (20) spaces or more, including vehicle sales lots.

b. Planter Size:

Landscape planters shall be a minimum of eight feet (8') in width for trees. Required parking lot planters shall be the length of the adjacent parking space. Dimensions are measured inside curbs.

c. Parking Lot Layout:

No linear grouping of parking spaces shall exceed twenty (20) in a row, without an internal planter island. Interior landscaping shall be used to delineate and guide major traffic movement within the parking area. Terminal planters shall be provided at the ends of rows of parking to protect parked vehicles and confine moving traffic to aisles and driveways. Interior landscape planters shall be spaced as evenly as feasible to reduce the visual impact of long rows of parked cars.

d. Trees Required:

Each interior planter that serves a single row of parking spaces shall be landscaped with at least one (1) tree and shall be covered with low shrubs or other vegetative groundcover. Each interior planter that serves a double row of parking spaces shall have at least two (2) trees and shall be covered with low shrubs or other vegetative groundcover. Deciduous shade trees must be pruned to a minimum height of eight feet (8') above the adjacent parking areas. Evergreen trees are prohibited in interior planters.

e. Industrial Exclusion

Industrial parking, storage, and loading areas are specifically excluded from the interior landscape requirements, but shall meet all perimeter and right of way landscape and screening requirements.

f. Snow removal and storage shall be accommodated when developing a landscape plan to minimize damage to plants and to compliment the stormwater management design.

C. LANDSCAPE APPROVAL

Before Issuance of the final certificate of occupancy, the Building Official along with the Administrator or their respective designees, shall certify the landscape is what was approved.

D. EXTENSION OF TIME FOR INSTALLATION:

1. Upon recommendation of the administrator, a temporary certificate of occupancy may be issued for a specified time period, not to exceed one hundred eighty (180) days when:

a. Due to weather or other circumstances, the landscaping or other required site amenities cannot be completed; and

b. The applicant has provided a surety to the City for the required improvements.

E. LANDSCAPE MAINTENANCE

1. Applicability: The requirement for landscape maintenance applies in all zones where landscaping has been required.

2. Standards:

a. The property owner, occupant, user or person in charge or control of any property shall be responsible for the maintenance of all landscaping and screening devices required by this section.

b. Topping any street tree required by this section is prohibited. For trees not within street right-of-way, alternative pruning techniques to achieve specific horticultural or aesthetic effects may be used if approved by the City Arborist. Examples include pleached allee, pleached bosque, espalier, and pollarded canopy.

c. Tree grates shall be widened to accommodate the growing tree trunk and prevent girdling of any tree planted in tree wells within sidewalks or other public right of way.

d. Plant materials that exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead plant materials shall be replaced within thirty (30) calendar days of notification from the City.

e. All landscaping required by this subsection may be subject to periodic inspections by City officials to determine compliance or to investigate.

f. Violations of this section shall be subject to Chapter 8.08 Nuisance of the City of Jerome Municipal Code.

Section 2. That section 17.26.080 be amended to include a new subsection B:

A. Whenever a parking area is located in or adjacent to a residential district, it shall be effectively screened on all sides which adjoin or face any property used for residential purposes by an acceptably designed wall, fence, or planting screen. Such wall, fence, or planting screen shall not be less than or more than six feet (6') in height and shall be maintained in good condition. The space between such fence, wall or planting screen and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the even that terrain or other natural features are such that the erection of such wall, fence, or planting screen will not serve the intended purpose, then no such wall, fence or planting screen and landscaping shall be required.

B. The landscaping of parking lots is required pursuant to section 17.18.070.

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

PASSED BY THE COUNCIL THIS 5th day of May, 2020.

SIGNED BY THE MAYOR THIS 5th day of May, 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. 676 as Ordinance No. 1191 creating Title 17 Chapter 18.070 Landscaping Requirements and Amending Title 17 Chapter 26.080 Screening and/or Landscaping of the Jerome Municipal Code. Second to the motion was made by Councilman Barber. After consideration the motion unanimously passed by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the April 21, 2020 regular meeting

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

PROCLAMATION – MUNICIPAL CLERKS WEEK:

The clerk read the following proclamation in full:

**PROCLAMATION
51ST ANNUAL MUNICIPAL CLERKS WEEK
MAY 3 – MAY 9, 2020**

WHEREAS, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Professional Municipal Clerk is the oldest among public servants, and

WHEREAS, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS, The Professional Municipal Clerk serves as the information center on functions of local government and community.

WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

NOW, THEREFORE, I, David M. Davis, Mayor of the City of Jerome, do recognize the week of May 3 through May 9, 2020, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Bernadette Coderniz and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this fifth day of May, 2020

Mayor /s/: David M. Davis

Attest: /s/: Bernadette Coderniz

The council signified support of the proclamation with unanimous “ayes.”

PROCLAMATION – NATIONAL POLICE WEEK:

The clerk read the following proclamation in full:

**PROCLAMATION
NATIONAL POLICE WEEK**

TO RECOGNIZE NATIONAL POLICE WEEK 2020 AND TO HONOR THE SERVICE AND SACRIFICE OF THOSE LAW ENFORCEMENT OFFICERS KILLED OR DISABLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING OUR DEMOCRACY.

WHEREAS, law enforcement officers play a critical role in protecting our community; and

WHEREAS, the Congress and President of the United States have designated May 15th as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, since the first recorded death in 1791, more than 21,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, during Peace Officers Memorial Day and Police Week, we honor the men and women of law enforcement who have been killed or disabled in the course of serving our communities; and

WHEREAS, the members of the Police Department of the City of Jerome play an essential role in safeguarding the rights and freedoms of the citizens of the City of Jerome; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the men and women of the City of Jerome Police Department provide a vital public service to the community;

NOW, THEREFORE, I, Mayor David M. Davis, call upon all citizens of the City of Jerome and upon all patriotic, civil, and educational organizations to observe the week of May 10 through 16, 2020, as Police Week in which all of our people may join in honoring police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon all citizens of the City of Jerome to observe Friday, May 15, 2020, as Peace Officer's Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.



PROCLAIMED THIS 5th DAY OF MAY, 2020

/s/: David M. Davis, Mayor



The council signified support of the proclamation with unanimous “*ayes*.”

RESIDENTIAL GARBAGE COLLECTION SERVICES CONTRACT:

Mr. Williams stated the new contract with PSI is similar to the last contract with a few adjustments. He highlighted the adjustments including an increase in insurance for bodily harm and property damage to \$2 million, and Mr. Williams stated this amount coincides with what other cities have for contract garbage collection services. The new contract also stipulates that PSI provide more donated services to the parks, the public library, and to continue service at the fire station and public works yard. Regarding the fee schedule, Mr. Williams stated the monthly base fee was reduced to \$4.97 from \$5.74 for one cart and from \$2.00 to \$1.95 for additional carts. He stated that for the life of the contract, savings expected will be approximately \$137,000 over five years for this contract compared to the previous one. This contract will expire in September 2025 and has been signed by PSI representatives.

Councilman Culver made the motion to approve the Mayor to sign a new agreement with PSI, Inc. for residential garbage services beginning on October 1, 2020 and ending on September 30, 2025. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver, Councilman Johnson and Councilman Barber. **NAYS:** None.

FY2021 BUDGET PRIORITIES:

Mr. Williams stated the budget process for Fiscal Year (FY) 2021 is about to commence, and reminded council of the Strategic Plan discussion at the last meeting and how this document is used as a guide for working the new budget. He stated that staff feels comfortable with understanding the priorities of the council, and that today's environment may alter revenue expectations and asked that council provide input on what their priorities and concerns are with the property tax budget and potential property tax increases. He stated that the city is allowed by statute to increase the property tax budget although there may be some reservations due to the current environment, and that staff would like to develop a budget based on council's expectations.

Councilman Peterson spoke of the 3% and whether it should be taken considering today's environment. He spoke of revenue and redistribution and that residential values have increased in the last few years, and that taking the additional 3% would depend on the budget needs. He inquired about the grant monies awarded for the Main Street walking path, and Mr. Carpenter stated that the project is funded for design in 2021 and construction in 2022. Councilman Peterson also commented on the importance of continuing to identify areas for walkability. Upon inquiry regarding the tennis courts, Mr. Williams stated that the Jerome School District will partner with the city to get those reconstructed. Funding is the next step for this project, and Mr. Williams stated that any revenue possible would be applied towards that project, however at this time the school district's priority is the elementary school expansion. He further stated that the cost to reconstruct would cost approximately \$400,000 and that those funds are not available at this time. Councilman Peterson commented on the need for those repairs for the benefit of the community.

Councilman Culver stated his top priority is the police station and to continue with the sidewalk/walkability program. He also sees the need to upgrade the city's water system and is not in favor of raising taxes. Upon inquiry by Mayor Davis, Councilman Culver explained the need for replacing water infrastructure (i.e. water mains needing replacement) and expressed concerns regarding sufficient water availability on 10th Avenue.

Councilman Barber stated parks, the water system and the police station are priorities to him. He expressed the need for more focus on park improvements, more park space, and wants

to be known as the community that takes care of its parks. He also included having additional work done at Veteran's Memorial Park. Regarding the city's water system Councilman Barber stated staff may want to look into staggering watering days for residents. He also stated that walkability is improving and feels it should continue to be a top priority of the city, and he commended various departments for their efforts. He also agreed with Councilman Culver that the water system is in need of improvements although the budget may not allow for them.

Mayor Davis commented that the police station is definitely a priority and that staff should continue working towards that goal. He also spoke of connectivity and the 10th Avenue E sidewalk project becoming a reality along with the future walking path on Main Street. Mayor Davis also feels work needs to be done on N. Date Street for kids walking to school among other streets in town needing to be addressed. He also concurred with the need for park improvements and suggested a pickle ball court due to its popularity. Road improvements are important along with water rights and the 10th Avenue E water tank project.

Regarding the existing COVID19 crisis, he stated a recession has been created and it may take time to come out of it. He stated that staff must proceed with caution when creating the next FY budget and that he prefers to see a levy decrease again this year although despite last year's levy decrease residential homeowners saw an increase in property taxes due to increased residential property values. He stated that it is important to be aware of issues at the state level and that overall he feels the city is in good shape with the reserves (minimal three months' operating reserves) and that spending may need to be limited as the future of the economy is unknown.

Councilman Johnson agreed with all that has been said, plus he is concerned of the unknown short falls that may come along with, for example, delinquent property tax payments and that caution should be taken with spending.

Councilman Peterson commented on the redistribution of property taxes from commercial to residential and that staff must take this into consideration when preparing the new budget. Brief discussion ensued regarding the foregone amount already taken and built into the budget a few years ago. Mr. Williams stated that funds have been going towards a new police station and that this may be the final year in which the \$479,000 will need to be set aside for it without having to raise taxes. He further stated that he will work with finance and the department heads and hopes to have more information for forecasting future budgets. Additionally, the \$479,000 built into the budget could be reallocated to governmental funds and provide opportunities like new tennis courts or pathways. Mr. Williams also spoke of the possibility of additional funding with the close out of Urban Renewal Area 2 (Scoular, IMP, etc.). The Urban Renewal Agency (URA) has been expediting debt payments and should be out of debt by April 2022; closing out the area would result in approximately \$100 million of taxable value back onto tax rolls and give council the opportunity to take up to \$1 million of the new property tax value for the budget.

Mr. Williams stated the fallout of the COVID19 situation is unknown but that the budget is strong. He confirmed that staff will work hard to meet the expectations of the council and that there is tremendous opportunity to do projects within a short period of time. He thanked the council for their comments and input, and a document for review will be available mid-July; the budget hearing will be on August 18th.

DEPARTMENT REPORTS:

Mr. Williams spoke of the cancelled Association of Idaho Cities conference and the opportunity to attend a virtual conference that same week (early to mid-June), and that anyone wishing to attend should contact Ms. Coderniz as a reduced registration fee is required.

Regarding the COVID19 situation, Mr. Williams reminded council that public buildings remain closed to the public and that staff will consider a partial reopen around May 16th to continue to protect employees while complying with the governors reopening phases and Center on Disease Control (CDC) recommendations. Status of the parks changed from “closed” to “recommended non-use” as controlling their use would require additional law enforcement procedures. Staff is hopeful that the public will use discretion when using the parks. Mr. Williams stated the splash pad will remain closed until further notice due to the large crowds that gather there. He spoke of coordinating with the City of Twin Falls to reopen both water parks simultaneously to avoid large crowds at either park. Councilman Peterson commented that keeping the public buildings closed is good as long as services continue to be provided to the public; he also feels the need to return to normal operations at some point.

Mr. Williams reported that the Idaho Department of Commerce is accepting applications for those businesses affected by COVID19 to apply for grant funds by May 11th. Councilman Peterson commented that he believes the grant is only available to those who have not already received other assistance (i.e. PPP Loan Program or a \$10,000 grant from the personal injury disaster loan program). Mr. Williams also mentioned the \$100,000 grant donated to Jerome 20/20 and approximately 40 applications already submitted.

Regarding economic activity, Mr. Williams stated that there has been an uptick in calls and emails from engineers and developers after a period of silence. The project at Blocks 55/56/66 is still ongoing with the developer preparing to submit materials for review. He also stated that the building department is still receiving permits for residential homes. In terms of the annual Freedom Fest, Mr. Williams stated a decision will need to be made soon on whether or not to proceed with the event considering the governor’s orders and large crowds as it is currently scheduled for June 27th.

Ms. Clark thanked council for approving the landscape ordinance and Mr. Richey stated that he is still receiving plans and in regular contact with contractors. Ms. Mecham expressed her desire to reopen the library to the public, and Mr. Carpenter provided updates a few projects. He stated the Jerome Sewer Bypass project has a few punch list items remaining and the 10th Avenue E sidewalk project is going well with an anticipated completion by the end of June. The 10th Avenue E water tank project has gone slower than desired but is still progressing, staff is looking at water capacity in that area with potential future tank expansion, and that the N. Tiger project is nearly completed. Mr. Ahrens stated that public works staff is back to work fulltime, and Mr. Sanchez reported that crews are also back to work while observing social distancing guidelines (staggering breaks, etc.). He also thanked council for approval on the maintenance shop.

EXECUTIVE SESSION:

Councilman Culver made a motion to adjourn to executive session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated at 6:45 p.m. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following

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

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis called the regular meeting back to order and adjourned this May 5, 2020 regular meeting of the Jerome City Council at 6:50 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk