

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:31 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: Administrative Assistant Katie Elliott, City Attorney Ted Larsen, City Administrator Mike Williams, Information Services Director Carlos Hernandez, Public Works Director Brian Ahrens, Wastewater Superintendent Gilbert Sanchez, Library Director Linda Mecham, City Planner Ida Clark, Human Resources Manager Esmeralda Chavez, City Engineer Tyson Carpenter, Streets and Parks Supervisor Mike Hensley, 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 Kurt Hopper with First Presbyterian Church.

**PUBLIC HEARING – CONSIDER THOMPSON SUBDIVISION FINAL PLAT NO.3:**

This being the time and place published to consider a request from Jerome Homes for approval on a final plat of Thompson Subdivision No. 3, located on those parcels described as Blocks A-288, A-289, A-292 Plus A-290 & A-291 Except for the East 200 Feet of both, of the Jerome Townsite, located in NW4, Section 24 Township 8 South, Range 16, Jerome, Idaho, the Chair called the public hearing open at 5:33 p.m.

**Applicant testimony:**

Rex Harding, 5266 Sharp Ave. W, Twin Falls, testified on behalf of the application. He stated the proposed 72-lot subdivision is located between W. Avenue H and W. Avenue I and is currently undeveloped as a horse pasture with Russian Olive trees. The subdivision will include city water and sewer, and new sewer lines may need to be developed to service lots. Mr. Harding described the water line locations and connections to serve the subdivision. He stated the existing draining ditch will be piped; there are no water rights through Northside Canal. Development plans have been submitted to city staff and include infrastructure, widening of the streets and collector streets (W. Avenue I and S. Date Street). He further stated that W. Avenue H will either be repaved or rebuilt, and has asked that the subdivision be approved for development in phases.

Upon inquiry by Mayor Davis, Mr. Harding stated S. Date Street will extend from W. Avenue I to W. Avenue H. Additionally, there are no water shares tied to the property and the existing ditch on the property is a drainage ditch for storm water, does not belong to Northside Canal Company, and will be piped. Four lot owners along Fir Street will have to maintain the run-off within their lots. Each individual lot owner will be responsible for maintenance of the pipe, and Mr. Harding showed council a map of where the pipe will be located. Upon inquiry by Councilman Peterson, Mr. Harding stated those who will be purchasing the lots will be notified

of their responsibility to maintain the drainage. There will be no Homeowner's Association (HOA) in this subdivision. Councilman Barber confirmed there is an easement for the pipeline.

Extensive discussion ensued regarding the pipeline. Topics of the discussion include responsibility for unplugging the line; maintenance of the retention pond; uniformity throughout subdivisions within the city regarding retention pond maintenance; overflow detention areas; a catch basin on W. Avenue H; whether the city would be responsible for clearing a plug in the 18-24" line; line breaks and homeowner responsibility; and maintenance of the retention area where lots are not sold. Upon inquiry by Councilman Barber, Mr. Harding stated the ditch will be piped for liability reasons and development of lots on the property. Additionally, the properties on the west side of the subdivision will allow for water retention and home buyers will be advised.

Brett Thompson, Jerome Homes, 148 W Avenue K, Jerome, testified regarding the ditch and piping. He confirmed that Northside Canal does not have water shares through that property. The drainage ditch is a natural drainage ditch piped in various areas. Mr. Thompson also spoke of surface water and storm water retention; the existing Jerome Homes Subdivision has an oil/water/grease separator tank but there are no plans to install one with this subdivision. Lots will be sold and those with the easement will be advised.

Discussion ensued regarding the city's ability to "enforce" an easement upon a property owner; the size of the lots; weed control; the city's responsibilities; concerns with liability over the storm drain, flooding, etc.; surface water versus the pipe for the ditch; adequate information to the home buyer regarding the easement and water retention; outlets for the water so that it does not stay within those easements but flows further west; enclosed piping; and, water that eventually drains into the Northside Canal. Upon inquiry by Mr. Larsen, Mr. Thompson stated the easements will be granted to the city. Mr. Larsen stated whomever is granted the easement can enforce it; the easements can be granted to the other parcels in the subdivision or to the city for the benefit of the parcels. He further stated the ground around the easement is the city's responsibility; responsibility of the infrastructure within the easement is questionable. Mr. Hensley stated the city has not maintained the existing ditch unless it is part of a city road. Upon inquiry by Councilman Barber, Mr. Thompson, stated he is not impressed with the idea of having an HOA. Councilman Peterson commented on drainage from other areas into his subdivision but his HOA is responsible for maintenance, and Mr. Thompson stated water that is "owned" by water rights differs from naturally drained water that is "owned" by no one. Mayor Davis asked if the city is responsible for maintaining the piping, and if the city is liable if it plugs or if there is a line break and floods properties. Mr. Larsen stated the ownership of the pipe is in question. He also stated the water coming to the properties is not owned by the homeowners, and maintenance and repair of the pipe will most likely fall upon the city. Mr. Thompson reiterated that there is no ownership of the ditch at this time. Mr. Ahrens spoke of the city's irrigation water and that some might travel to this ditch as well. Mr. Thompson concluded by stating that he feels the property would be best used for residential purposes and believes the subdivision will be a nice addition to the city. Councilman Barber commented that the tax base created with the development overshadows any maintenance concerns.

#### Testimony by staff:

Ms. Clark stated a public hearing was held before the Planning and Zoning (P&Z) Commission on April 23<sup>rd</sup>; there was no testimony in opposition to the request, the conditions required by the commission were completed, and the commission recommended approval.

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 6:09. p.m.

**THOMPSON SUBDIVISION NO. 3 FINAL PLAT:**

Councilman Culver made a motion to approve the Final plat for Thompson Subdivision No. 3 with the condition that final construction plans be submitted for review. 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.

**PUBLIC HEARING – CONSIDER PLAT VACATION – BROCKMAN FAMILY TRUST:**

This being the time and place published to consider a request from Virgil Lee Brockman , Steve Bockman and Gene D. Lawley, as Co-Trustees of the Virgil Lee Brockman and Ama Lee Bockman Family Trust for a Partial Plat Vacate on the property located at Lot 1 Block 3 Brockman’s Industrial Subdivision 31-8-17, more commonly known as 200 East Frontage Road North, Jerome, Idaho, the Chair called the public hearing open at 6:11 p.m.

**Staff testimony:**

Ms. Clark stated testimony by the applicant had been provided during a previous public hearing, however, due to specific notice requirements and an oversight on the part of staff it was necessary to hold another public hearing. She further stated the request is to vacate a portion of land in order to have three parcels with full access off of Farmore Road. J-U-B Engineers completed the survey, and counsel has reviewed the documentation as well.

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 6:13 p.m.

**RESOLUTION NO. 10-19:**

The clerk read Resolution No. 10-19 in full as follows:

**RESOLUTION NO. 10-19**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO APPROVING THE APPLICATION OF VIRGIL LEE BROCKMAN, STEVE BROCKMAN AND GENE D. LAWLEY, CO-TRUSTEES OF THE VIRGIL LEE BROCKMAN AND AMA LEE BROCKMAN FAMILY TRUST FOR A VACATION REQUEST OF PROPERTY LOCATED AT LOT 1 BLOCK 3 BROCKMAN’S INDUSTRIAL SUBDIVISION 31-8-17, MORE COMMONLY KNOWN AS 200 EAST FRONTAGE ROAD NORTH, JEROME, ID.**

**WHEREAS**, Virgil Lee Brockman, Steve Brockman and Gene D. Lawley, co-trustees of the Virgil Lee Brockman and Ama Lee Brockman Family Trust (“Petitioners”) have filed, pursuant to Idaho Code Section 50-1306A, an Application for Vacation Request of the Brockman Industrial Subdivision (“Petition”); and

**WHEREAS**, said Petition was filed with the City Clerk for the City of Jerome on the 5<sup>th</sup> day of November, 2018; and

**WHEREAS**, the portion of the Brockman Industrial Subdivision sought to be vacated is described as Lot 1 Block 3 Brockman’s Industrial Subdivision 31-8-17 (the “Real Property”); and

**WHEREAS**, written notice of a public hearing on said Petition to be held May 21, 2019 was sent by certified mail with return receipt, to all property owners within three hundred (300') feet of the boundaries of the Real Property on May 7, 2019; and

**WHEREAS**, publication of a notice of public hearing on said Petition for May 21, 2019 was published in the *Times News* on May 6, 2019 and May 13, 2019; and

**WHEREAS**, a true and correct copy of the notice of public hearing referred to in the two previous recitals is attached to this Resolution as Exhibit A; and

**WHEREAS**, a public hearing on said Petition was held before the Jerome City Council on May 21, 2019 at the regular meeting of the City Council; and

**WHEREAS**, a representative for the Petitioner, appeared and testified in favor of the request; and

**WHEREAS**, the Petitioner has satisfied the requirements of Idaho Code Section 50-1306A; and

**WHEREAS** the Petitioner has paid all publication costs; and

**WHEREAS**, the Jerome City Council unanimously approved the partial vacation of the Plat as requested by the Petition following the conclusion of the public hearing on May 21, 2019.

**BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF JEROME, AS FOLLOWS:**

Section 1. That the Plat of the Brockman Industrial Subdivision is hereby partially vacated by removing the Real Property from it without any restrictions or conditions.

This resolution shall take effect and be in force from and after its passage and approval.

PASSED BY THE COUNCIL this 21<sup>st</sup> day of May, 2019.

SIGNED BY THE MAYOR this 21<sup>st</sup> day of May, 2019.

CITY OF JEROME

By:

/s/ David M. Davis

DAVID M. DAVIS, MAYOR

ATTEST:

/s/ Katie Elliott for

BERNADETTE GOMES, CITY CLERK

Councilman Culver made a motion to pass Resolution No. 10-19. 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.

**PUBLIC HEARING – CONSIDER PARTIAL PLAT VACATION – JEROME SCHOOL DISTRICT:**

This being the time and place published to consider a request from Jerome School District for a Partial Plat Vacate of the property described as the following: 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, the Chair called the public hearing open at 6:17 p.m.

Applicant testimony:

Tim Vauser, EHM Engineers, appeared on behalf of the Jerome School District to be available for any comments or concerns regarding the request.

Staff testimony:

Ms. Clark stated the applicant is requesting a partial vacation of the property in question. As previously stated, due to specific notice requirements it was necessary to hold another public hearing.

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 6:20 p.m.

**RESOLUTION NO. 11-19:**

The clerk read Resolution No. 11-19 in full as follows:

**RESOLUTION NO.11-19**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO APPROVING THE APPLICATION OF THE JEROME SCHOOL DISTRICT FOR VACATION REQUEST OF PROPERTY LOCATED AT BLOCK 2 AND FALCON COURT AND A PORTION OF BLOCK 3 AND EAST AVENUE D AS SHOWN ON THAT CERTAIN PLAT ENTITLED "GLEN EAGLE SUBDIVISION," RECORDED IN THE RECORDS OF JEROME COUNTY ON APRIL 5, 2006 AS INSTRUMENT NO. 2061868, LYING IN THE SE ¼ NE ¼ SECTION 19, TOWNSHIP 8 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, JEROME COUNTY, IDAHO.**

**WHEREAS**, the Jerome School District is interested in purchasing the real property described as: All of Block 2 and Falcon Court and a portion of Block 3 and East Avenue D as shown on that certain plat entitled "Glen Eagle Subdivision," recorded April 5, 2006 as Instrument No. 2061868, in the offices of the County Recorded of Jerome County, lying in the SE ¼ NE ¼ Section 19, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho (hereinafter "Plat")and 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.*

*Containing approximately 12.23 acres.*

(hereinafter "Real Property")

**WHEREAS**, the Real Property is a portion of a platted subdivision; and

**WHEREAS**, the Jerome School District has, pursuant to Idaho Code Section 50-1306A, filed an Application for Vacation Request of the Glen Eagle Subdivision ("Petition") to partially vacate the Plat by removing the Real Property from it; and

**WHEREAS**, said Petition was filed with the City Clerk for the City of Jerome on the 22<sup>nd</sup> day of January, 2019; and

**WHEREAS**, written notice of a public hearing on said Petition to be held May 21, 2019 was sent by certified mail with return receipt, to all property owners within three hundred (300') feet of the boundaries of the Real Property on May 7, 2019; and

**WHEREAS**, publication of a notice of public hearing on said Petition for May 21, 2019 was published in the *Times News* on May 6, 2019 and May 13, 2019; and

**WHEREAS**, a true and correct copy of the notice of public hearing referred to in the two previous recitals is attached to this Resolution as Exhibit A; and

**WHEREAS**, a public hearing on said Petition was held before the Jerome City Council on May 21, 2019 at the regular meeting of the City Council; and

**WHEREAS**, during said public hearing a representative for the petitioner appeared and testified in favor of request.

**WHEREAS**, the Petitioner has satisfied the requirements of Idaho Code Section 50-1306A;

**WHEREAS**, the Petitioner has paid all publication costs; and

**WHEREAS**, the Jerome City Council unanimously approved the partial vacation of the Plat as requested by the Petition following the conclusion of the public hearing on May 21, 2019.

**BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF JEROME, AS FOLLOWS:**

Section 1. That the Plat is hereby partially vacated by removing the Real Property from it without any restrictions or conditions.

This resolution shall take effect and be in force from and after its passage and approval.

PASSED BY THE COUNCIL this 21<sup>st</sup> day of May, 2019.

SIGNED BY THE MAYOR this 21<sup>st</sup> day of May, 2019.

CITY OF JEROME

By:

/s/ David M. Davis

DAVID M. DAVIS, MAYOR

ATTEST:

/s/ Katie Elliott for

BERNADETTE GOMES, City Clerk

Councilman Culver made a motion to pass Resolution No. 11-19. 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.

**CONSENT CALENDAR:**

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the May 7, 2019 regular meeting
2. Approve Monthly Department Reports (March and April 2019)
3. Approve claims

20-20 Autoglass \$60.00, Accu Sales \$10.00, Advanced Collection Technology \$100.00, Aflac \$164.90, Air St. Luke's \$90.00, Alaniz-Bullock, Jessica \$18.90, Ameriben Solutions/IED Group \$1,500.00, Argo Company \$799.51, Arlene's Flowers \$75.00, Assoc of Jerome City Firefighters \$156.00, Association of Idaho Cities \$885.00, B & R Bearing \$136.83, Badger Meter \$202.03, Barry Rental, Inc. \$15,089.88, Bennett's Truck Repair \$2,793.08, Bermingham, Pat \$150.00,

Blue Cross \$5,679.08, Bonneville Blue Print Supply \$408.34, Boot Barn \$143.99, Bound to Stay Bound Books Inc \$60.26, Bound Tree Medical \$79.29, Callen Refrigeration LLC \$110.00, Carpenter, Tyson \$549.68, CDW Government, Inc. \$1,750.00, Center Point Large Print \$263.08, Century Link \$1,404.15, Centurylink Business Services \$100.07, Chavez, Esmeralda \$478.40, Christensen, Rachelle \$108.00, City of Jerome \$287,953.43, Civil Science, Inc \$15,310.95, Clark, Dennis \$55.05, Cole-Parmer \$2,658.55, Colonial Life & Accident Insur \$1,896.70, Con Paulos Inc. \$1,197.77, Consolidated Electrical Distri \$225.74, Crossroad Point Owners Assn \$232.63, Culligan Soft Water Service \$55.85, D & B Supply \$5,707.09, Data Support Co Inc \$1,188.86, Dewitt Diesel Inc \$1,284.93, Dig Line Inc \$215.51, Donnelly Sports, Inc \$262.49, Don's Irrigation LLC \$448.35, Dubois Chemical \$5,343.60, EHM Engineers, Inc. \$2,987.50, Electric 1 West, Inc. \$342.50, Emergency Responders Health Ce, LLC \$670.99, Enviro-Clean Intermountain LLC \$989.12, Envisionware, Inc. \$542.82, Ergometrics & Applied Personnel Research \$182.60, Farmore of Idaho \$301.51, Fastenal Company \$627.31, Ferguson Enterprises, Inc. \$3,531.35, Floyd Lilly Co \$54.36, Fred Kenyon Repair Inc. \$2,149.54, Freedom Electric Inc. \$4,564.25, Freedom Mailing Services, Inc \$1,992.38, Gem State Paper & Supply \$137.03, Gem State Welder's Supply \$70.20, Go-Fer It Express \$272.00, Gomes, Bernadette \$16.12, Greatamerica Financial Services \$396.00, H.D.Fowler \$2,036.10, Hach Company \$1,161.10, Hall, Daniel \$6.34, Hanson Janitorial Supply, Inc. \$157.72, Harvey's Office Plus \$332.34, Hub City Building Inc \$483.54, Hydro Specialties Company \$10,771.68, ID Child Support Receipting \$2,531.35, ID State Tax Commission \$9,098.60, Idaho Chapter of Prima \$200.00, Idaho Chief's of Police Assn. \$225.00, Idaho Fire Extinguisher Company \$35.00, Idaho Materials and Construction \$108,810.00, Idaho Power Co. \$69,428.27, Ingram Book Company \$997.88, Integrated Technologies, Inc. \$239.60, Intermountain Fabrication LLC \$85.00, Intermountain Gas Company \$2,551.90, IPMA-HR Idaho Chapter \$25.00, Jackson Group Peterbilt \$1,353.95, Jerome County \$10,153.19, Jerome County Sheriff \$400.00, Jerome FF Local Union 4589 \$600.00, Jerome Printshop \$600.60, Jerome Recreation District \$300.00, Jerome School District \$4,481.66, Jim's Repair & Distributing \$264.48, J-U-B Engineers Inc. \$13,128.53, Keller Associates Inc \$8,417.70, Kenworth Sales Company \$40.18, Kushlan Associates \$427.00, Les Schwab Tire Centers Inc \$955.68, Lifemap Assurance Company \$4,182.20, Local Highway Tech Assit.Council \$285.00, Magic Valley Labs \$9,257.25, Mason's Trophies & Gifts \$109.50, Metroquip, Inc. \$2,485.00, Mike's Repair \$382.44, Minert & Associates, Inc. \$276.75, Mountain View Spraying Inc \$61.00, Mower Office Systems \$359.98, Munimetrix Systems Corp. \$89.98, Munn, Jim \$470.58, Napa Auto Parts \$1,308.28, National Research Center Inc \$9,975.00, NCPERS Group Life Ins C356 \$240.00, Neofunds by Neopost \$4,483.00, New Tech Security, Inc. \$355.00, Norco \$642.05, Nutrien Ag Solutions \$900.00, Nu-Vu Glass, Inc. \$1,040.00, Overdrive \$2,000.00, Pacific Steel & Recycling \$19.39, Pipeco \$342.58, Pro West Engineering, LLC \$2,217.42, Productivity Plus Account \$2.89, Pro-Flame, Inc \$261.40, Project Mutual Telephone \$296.54, PSI Environmental Services Inc \$21,010.48, Reliant Behavioral Health, LLC \$278.76, Rexel Usa Inc \$97.16, Road Work Ahead Traffic Servic, Inc \$1,877.50, Rodda Paint Company \$2,450.00, Saltus Technologies \$707.60, Sawtooth Veterinary Services \$476.80, SelectHealth \$81,882.30, Signed Sealed & Delivered \$99.69, Skaggs Companies, Inc. \$94.00, Snake River Veterinary Hosp \$50.00, So Central District Health \$60.00, Something More \$51.17, Southern Idaho Solid Waste \$6,253.92, Steele, Kelly \$19.00, Stotts, Craig \$150.00, Sweet's Septic & Backhoe, Inc. \$350.00, Teledyne Instruments, Inc \$1,635.00, Thatcher Company \$8,976.24, The Results Group,Ltd. \$400.00, Times News \$815.51, Tore Up \$395.00, Treasure Valley Coffee, Inc. \$206.80, Treasure Valley Pipe Supply \$34.00, Treasure Valley

Psychological Services \$550.00, Triple C Concrete \$169.06, Tri-State Tire Jerome \$133.83, Twin Falls County Planning & Zoning \$120.00, US Bank Of Idaho \$26,652.14, US Bank Equipment Finance \$387.49, Uniforms 2 Gear Inc. \$84.15, United Oil \$115.74, Urgent Care of Jerome/Twin Falls \$105.00, US Bank Credit Card \$12,305.12, USA Bluebook \$3,141.02, Verizon Wireless \$3,453.58, Wal-Mart Community \$79.00, Watts Hydrolic and Steam Store \$105.52, W-Cubed, Inc. \$950.91, Weidner & Associates \$1,195.82, Western Waste Services \$1,611.86, Williams Meservy & Larsen LLP \$12,856.42, Win-911 Software \$990.00, Witmer Public Safety Group, Inc. \$297.97, Wright Physical Therapy \$180.00

Councilman Culver made a motion to approve the consent calendar as presented. 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.

Councilman Barber commented that the minutes needed to be corrected to remove his vote on his item at the last council meeting. [It was later determined that no vote took place regarding his request; staff held the public hearing and the clerk read the ordinance pertaining to Councilman Barber's rezone request by title only].

**BILL NO. 659, ORDINANCE NO. 1174 – SECOND READING, SUSPENSION OF RULES AND ADOPTION:**

Ms. Clark stated the rezone request was presented at the last council meeting. There was a lot split of approximately 2.33 acres zoned as General Business, and the request was to rezone to Residential 2. Public Hearings were held before the P&Z Commission and the city council, and the first reading of the ordinance took place at the May 7<sup>th</sup> council meeting. Mr. Williams commented that council has the option suspend the rules pertaining to the ordinance if the item is listed as an "action item" on the agenda. As it is presented as an action item, council can choose to suspend the rules pertaining to the second and final readings and adopt this evening.

Councilman Culver made the motion to suspend the rules pertaining to the final reading in length and have the clerk read twice by title to constitute the second and final readings. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Johnson and Councilman Culver. **NAYS:** None. Councilman Barber recused himself from voting.

The clerk read Bill No. 659 by title only two times to constitute the second and final readings. The full ordinance is on file in the clerk's office, the summary ordinance is as follows:

**ORDINANCE NO. 1174**

**BILL NO. 659**

**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 GENERAL BUSINESS (C-2) TO RESIDENTIAL 2 (R-2); AND PROVIDING FOR AN EFFECTIVE DATE:**

The property to be rezoned is more particularly described as:

*Being a portion of the SE ¼ SE ¼ Section 18, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:*

*Commencing at the Southwest corner of said SE ¼ SE ¼ of Section 18;*

*Thence, along the West Boundary of said SE ¼ SE ¼ of Section 18, North 00°06'23" West 67.59 feet to a point on the North Right-of-Way Boundary of State Highway 25;*

*Thence, along said North Right-of-Way Boundary, South 88°36'11" East 130.00 feet;*

*Thence, leaving said North Right-of-Way Boundary, North 00°06'23" West 189.35 feet along a line parallel with said West Boundary and being the REAL POINT OF BEGINNING;*

*Thence, continuing along said parallel line, North 00°06'23" West 35.65 feet;*

*Thence, North 88°36'11" West 130.00 feet along a line parallel with said North Right-of-Way Boundary to a point on said West Boundary;*

*Thence, along said West Boundary, North 00°06'23" West 291.00 feet;*

*Thence, leaving said West Boundary, South 88°36'11" East 325.00 feet along a line parallel with said North Right-of-Way Boundary;*

*Thence, South 00°06'23" East 326.65 feet along a line parallel with said West Boundary;*

*Thence, North 88°36'11" West 195.00 feet and being the REAL POINT OF BEGINNING;*

*Containing approximately 2.33 acres.*

**WHEREAS**, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 9<sup>th</sup> day of April, 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 23<sup>rd</sup> day of April, 2019; and

**WHEREAS**, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 7<sup>th</sup> day of May, 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 Residential 2 (R-2):

*Being a portion of the SE ¼ SE ¼ Section 18, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:*

*Commencing at the Southwest corner of said SE ¼ SE ¼ of Section 18;*

*Thence, along the West Boundary of said SE ¼ SE ¼ of Section 18, North 00°06'23" West 67.59 feet to a point on the North Right-of-Way Boundary of State Highway 25;*

*Thence, along said North Right-of-Way Boundary, South 88°36'11" East 130.00 feet;*

*Thence, leaving said North Right-of-Way Boundary, North 00°06'23" West 189.35 feet along a line parallel with said West Boundary and being the REAL POINT OF BEGINNING;*

*Thence, continuing along said parallel line, North 00°06'23" West 35.65 feet;*

*Thence, North 88°36'11" West 130.00 feet along a line parallel with said North Right-of-Way Boundary to a point on said West Boundary;*

*Thence, along said West Boundary, North 00°06'23" West 291.00 feet;*

*Thence, leaving said West Boundary, South 88°36'11" East 325.00 feet along a line parallel with said North Right-of-Way Boundary;*

*Thence, South 00°06'23" East 326.65 feet along a line parallel with said West Boundary;  
Thence, North 88°36'11" West 195.00 feet and being the REAL POINT OF BEGINNING;  
Containing approximately 2.33 acres.*

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 21<sup>st</sup> day of May, 2019.

SIGNED BY THE MAYOR this 21<sup>st</sup> day of May, 2019.

CITY OF JEROME, IDAHO

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

ATTEST:  
/s/ Katie Elliott  
Katie Elliott, Acting Clerk

Councilman Culver made the motion to adopt Bill No. 659 as Ordinance No. amending the zoning ordinance and zoning map by zoning the real property described herein, in the City of Jerome, Idaho from Central Business (C-2) to Residential 2 (R-2). Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Johnson and Councilman Culver. **NAYS:** None. Councilman Barber recused himself from voting.

**BILL NO. 660, ORDINANCE NO. 1175 – SECOND READING, SUSPENSION OF RULES AND ADOPTION:**

Ms. Clark stated this request was made by Tyler Norris to rezone his property. Current zoning is Central Business and some uses are permitted via a Special Use Permit, and are also legal non-conforming; approval of his request will allow for additional permitted uses. Public Hearings were held before the P&Z Commission and the city council, and the first reading of the ordinance took place at the May 7<sup>th</sup> council meeting. Ms. Clark further stated that council had the option of suspending the rules pertaining to the readings of the ordinance.

Councilman Culver made the motion to suspend the rules pertaining to the final reading in length and have the clerk read twice by title to constitute the second and final readings and adoption. 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.

The clerk read Bill No. 660 by title only two times to constitute the second and final readings. The full ordinance is on file in the clerk's office, the summary ordinance is as follows:

**ORDINANCE NO. 1175**  
**BILL NO. 660**

**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 CENTRAL BUSINESS DISTRICT (CBD) TO LIGHT INDUSTRIAL (M-1); AND PROVIDING FOR AN EFFECTIVE DATE:**

The property to be rezoned is more particularly described as:

*Lots 22 thru 31, Block 96, Jerome Townsite NE 24-8-16*

**WHEREAS**, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 9<sup>th</sup> day of April, 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 23<sup>rd</sup> day of April, 2019; and

**WHEREAS**, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 7<sup>th</sup> day of May, 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 Light Industrial (M-1):

*Lots 22 thru 31, Block 96, Jerome Townsite NE 24-8-16*

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 21<sup>st</sup> day of May, 2019.

SIGNED BY THE MAYOR this 21<sup>st</sup> day of May, 2019.

CITY OF JEROME, IDAHO

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Katie Elliott

Katie Elliot, Acting Clerk

Councilman Culver made the motion to adopt Bill No. 660 as Ordinance No. 1175 amending the City of Jerome Zoning Ordinance and Zoning Map by rezoning the real property described herein, in the City of Jerome, Idaho from Central Business District (CBD) to Light Industrial (M-1). 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.

**UTILITY TRAILERS - TRADE WITH JEROME CO. OFFICE OF EMERGENCY MGMT:**

Chief Hall stated in 2006 police department acquired a 20-foot utility through Department of Homeland Security funds, and the intent was most likely to use it as a mobile command post. Equipment has been stored in the trailer that will most likely not be used. Staff no longer has use of the trailer nor does the department have a vehicle with which to pull the trailer. Chief Hall stated staff could use a smaller trailer to haul equipment to scenes requiring extended time periods. The Jerome County Office of Emergency Management has a 10-foot utility trailer available that would fit the police department's current needs. Both trailers were obtained at the same time through the same type of funding, and staff is requesting that the trailers be traded between the agencies.

Upon inquiry by Councilman Culver, Chief Hall stated the trailer had Tyvek suits that had expired and were of no use to the city along with a large decontamination shelter. He further stated staff has lighting and crime scene investigation equipment that can be taken onsite with the smaller trailer. Councilman Culver spoke of another trailer purchased that is currently utilized by the fire department. Upon inquiry by Mayor Davis, Chief Hall stated the trailers were purchased with grant monies and not with general obligation funds, and both trailers are in relatively good condition.

Councilman Culver made the motion to approve the police department to trade a 2006 Wells Cargo 20 foot utility trailer for a 2006 Wells Cargo 10 foot utility trailer owned by the Jerome County Office of Emergency Management. 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.

### **SURPLUS EQUIPMENT – POLICE DEPARTMENT PORTABLE RADIOS:**

Chief Hall stated over the years the police department has acquired old radios as they replace equipment. Those items replaced were stored and not disposed of; some are inoperable and others are useless with no value to them. Staff is requesting permission to destroy the radios as they have police frequencies on them and destruction ensures they will not be used by the general public. Upon inquiry by Councilman Johnson, Chief Hall stated car radios are changed out with the vehicles approximately every ten years. Most portable radios are fairly new with a life span of approximately ten years. Additionally, staff has a reserve set of radios that are older but still available if needed. Councilman Johnson questioned the option of trading in radios when they still have some value to them, and Chief Hall stated that the radios depreciate rapidly due to modern technology. He further stated it may not be cost effective to do so but it could be explored in the future; the radios to be destroyed have no current value or use at this time.

Councilman Culver made the motion to declare the following City of Jerome property listed below as surplus and authorize the Chief of Police destroy and dispose of listed radios. 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.

### **SURPLUS VEHICLES AND EQUIPMENT – VARIOUS DEPARTMENTS:**

Mr. Hensley appeared before council on behalf of several departments with the request to declare vehicles and equipment as surplus. The items listed have outlived their usefulness and are taking up valuable space; some items no longer work. Staff will sell the items through [publicsurplus.com](http://publicsurplus.com) rather than have a live auction as the local auction houses charge up to 35% commission whereas there is no charge to the city; a 9% buyer's fee is added to the purchase price to buyers. A list of the items was provided to council for their review.

Councilman Culver made the motion to declare the following city property on the attached list as surplus property and authorize staff to sell the items through [publicsurplus.com](http://publicsurplus.com). 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.

### **REVERSIBLE SNOW PLOW PURCHASE:**

Mr. Hensley stated staff had budgeted approximately \$15,975 for a new snow plow. Three bids were sought and two bids were over the budgeted amount. The new snow plow will be reversible and will be more versatile; the bid includes installation of the harness. Upon inquiry by Mayor Davis, Mr. Hensley confirmed staff will purchase one snow plow only.

Councilman Culver made the motion to approve the purchase of a Henderson reversible snow plow with hitch from Metro Quip, Inc. in the amount of \$15,975. 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.

### **SEWER TELEVISIONING EQUIPMENT PURCHASE:**

Mr. Sanchez appeared before council to request sewer televising equipment. He stated the equipment would be purchased through Western Systems in the amount of \$90,885.22. Mr. Sanchez provided some background regarding the existing equipment, Environmental Protection Agency (EPA) inquiries and the frequency in which the infrastructure was televised. He stated common practice for a city is to televise their system every five years, however, staff has only been able to televise certain portions of the infrastructure to identify issues. Four quotes were obtained and staff budgeted \$109,000 for this purchase. Councilman Culver commented on the aging equipment and the importance of updating it. Upon inquiry by Mayor Davis, staff has aging televising equipment that is difficult to use and inefficient in terms of quick use. The purchase would include a trailer with removable equipment mounted inside along with a portable unit for easy access to hard-to-reach areas.

Councilman Culver made the motion to approve the purchase of new RS Technical Services Inc. sewer televising equipment from Western Systems for the amount of \$90,885.22. 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.

### **COUNCIL REPORTS:**

Councilman Barber stated he spoke with Building Official Dave Richey regarding building permit fees; he feels the occupancy permit fee is minimal along with other permit fees and he would like for staff to review impact fees. He further stated the building department issues many permits and increasing some of the fees would help with budgeting; he does not think increasing some fees will affect new construction.

Councilman Peterson feels the easement space within the proposed Thompson Subdivision will present problems to the homeowner; he feels the homeowner will disregard the easement space. Mayor Davis stated the nuisance ordinance will assist with property maintenance, and Councilman Peterson believes an HOA should be enforced. Mr. Larsen stated he is unsure if an HOA can be enforced upon anyone.

### **DEPARTMENT REPORTS:**

Mr. Williams stated staff has been working on the Jerome Estates bypass sewer line, and a letter of intent should be completed soon to proceed in late summer or early fall. Additionally, the nuisance ordinance previously discussed will be presented to council at the next meeting on June 4<sup>th</sup>.

Mr. Sanchez stated the wastewater upgrade processes are up and running, and staff is working on a punch list of remaining items. Asphalt has been laid, roads are nice and he welcomes visitors.

Chief Hall stated there was an Amber Alert issued yesterday and the situation goes beyond Idaho borders. Magicvalley.com has an accurate article regarding the incident, and Chief Hall stated both parties involved were found in Surprise, Arizona.

Mr. Carpenter stated the E. Avenue E water project will be completed next week, and new road projects will begin in June along with the S. Nez Perce sewer line project.

Mayor Davis commented that the North Park project is ongoing despite the weather.

**ADJOURNMENT:**

There being nothing further to discuss, Mayor Davis adjourned this May 21, 2019 regular meeting of the Jerome City Council at 7:05 p.m.

By:

\_\_\_\_\_  
Mayor David M. Davis

Attest:

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Bernadette Gomes, City Clerk