

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m. While Governor Little is re-opening the state in phases, the meeting was held by teleconference as Council Chambers remained 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, Police Chief Dan Hall and Sergeant Dennis Clark.

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 Jerome Police Chaplin Baldwin Camin.

PUBLIC HEARING:

This being the time and place published for the consideration of an Ordinance of the Mayor and Council of the City of Jerome amending Title 17 Chapter 10.040 and Title 17 Chapter 03.070 of the Jerome Municipal Code, the Chair called the public hearing open at 5:35 p.m. and briefly reviewed the procedures that will be followed.

Staff presentation:

Ms. Clark stated that in 2016 the Planning and Zoning Commission (P&Z) had worked with consultant Diane Kushlan to complete a review and update of the planning definitions and use chart. The updates were not brought before council for adoption, and the commission is now recommending that some areas of the code be updated. She stated that the current code language prohibits any use that is not clearly defined in the use chart, and the update would allow for Ms. Clark to review a proposed use (i.e. similar to an existing use either permitted or allowed by special use permit) and present it to the P&Z for approval via application for a special use permit. Additionally, dwelling definitions and the use chart updates are also recommended. Updates include the removal of the terms "apartments" due to some confusion regarding multi-

family housing, “boarding houses” and the difference between “multi-family up to 4” and “multi-family dwelling.” The definition to “dwelling group” would be updated to include halfway houses, boarding houses and dormitories and multi-family dwellings. The P&Z recently heard a request for a rezone, and these updates now provide a better definition for the term “halfway house.” Ms. Clark also reviewed which types of housing are allowed by special use and indicated that there were no changes to the definition of the terms “single family” nor to “duplexes.” Upon inquiry by Mayor Davis, Ms. Clark defined the differences between “group dwelling” and “multi-family dwelling” and confirmed that “group dwelling” uses would require a special use permit. Upon inquiry by Councilman Johnson, Ms. Clark stated that apartment buildings would fall under “multi-family” units.

Ms. Clark stated that a public hearing was held with P&Z with no testimony in favor, neutral nor in opposition to the ordinance and that the commission recommended approval. Upon inquiry by Mayor Davis, Ms. Clark explained that if a proposed use cannot be found in the code, the administrator would be allowed to consider a use similar to the proposed use. However, the administrator would not be authorized to approve the use without the approval of the P&Z commission so the applicant would need to request a Special Use Permit and present it to the commission. Permitted uses do not need to be reviewed by the P&Z.

There was no testimony in favor, neutral nor in opposition to the consideration. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:46 p.m.

ORDINANCE NO. 1192, BILL NO. 677 – INTRODUCTION:

Councilman Barber sponsored Bill No. 677.

The clerk read Bill No. 677 by title only to constitute the first reading:

ORDINANCE NO. 1192

BILL NO. 677

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME REVISING TITLE 17 CHAPTER 10.040 OF THE JEROME MUNICIPAL CODE AMENDING THE SCHEDULE OF DISTRICT USE REGULATIONS TO ADD LANGUAGE CLARIFYING THE MEANING OF AN EMPTY BOX IN THE TABLE AND PROVIDING FACTORS FOR THE ADMINISTRATOR TO CONSIDER IN LOOKING AT UNIQUE LAND USES; ALSO AMENDING THE USE TABLE FOR “DWELLING-GROUP”, “DWELLING MULTI-FAMILY”, “DWELLING SINGLE FAMILY”, AND “DWELLING TWO-FAMILY”; ALSO AMENDING TITLE 17 CHAPTER 03.070 BY PROVIDING A DEFINITION OF THE TERM “DWELLING UNIT” AND DEFINING “GROUP”, “MULTI-FAMILY”, “SINGLE FAMILY” AND “TWO FAMILY” DWELLING UNITS; AND PROVIDING FOR AN EFFECTIVE DATE.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the May 19, 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 Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

GENERAL OBLIGATION BOND REFINANCE, ZION'S BANK:

Christian Anderson with Zion's Bank joined the meeting and provided an overview of bids received. He briefly spoke of the existing 2008 General Obligation bond with the Idaho Bond Bank. The option of refinancing through the bond bank was considered but instead a bank placement of those bonds will lower the cost plus allow a rate to be locked in; rates today are extremely low. Five bids were received, and the best overall bid came in from First Federal Savings Bank. Their bid included a rate of 1.725% with approximately eight years remaining on the bonds, no fees proposed and a total savings of approximately 10%, and the callable option to prepay if so desired. Mr. Anderson also provided a chart which illustrated savings of approximately \$49,000 and spoke of accrued interest and issuance costs associated with refinancing. He also stated that those costs could be covered with a contribution at closing. He spoke of the option to either raise the payments or keep them as is to capture additional savings, and requested that council approve the bid award to First Federal Savings Bank with an ordinance to be presented at the next council meeting on June 16th.

Upon inquiry by Mayor Davis, Mr. Anderson stated that the rate presented of 1.725% is a good, aggressive rate and that the callable feature depends on the bank; some banks did not offer this option and some offered the callable option with some penalties. He further stated that the callable option offered through First Federal is the best option to have.

Councilman Culver made the motion to award First Federal Savings Bank to enter into a Direct Purchase as part of refinancing \$440,000 principal outstanding of the 2008A General Obligation Bond and keep the payments the way they are. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

FEDERAL TRAFFIC SAFETY GRANT:

Chief Hall stated that Sergeant Clark would be providing information to council as he has been working with the traffic safety programs and stated that the Jerome Police Department (JPD) has been involved with this program for several years. Sergeant Clark reminded the council of a program formerly called "mobilization" in which the JPD had been involved, and that staff had previously requested funds to participate in that program depending on the time of the year. He stated that the Idaho Transportation Department (ITD) with the Office of Highway Safety have created mini-grants for specific enforcement. The city is required to contribute a 25% soft match either by hours of regular officer patrol when only doing traffic enforcement or in mileage that is occurred while the officers are working on the grant. He will request that the grant program be implemented as soon as council approves the request (the 100 deadliest days of summer have already began) through October 1st, and he will be requesting \$30,000; the city's match will be approximately \$7,500. Last year 388 enforcement hours were recorded for a total of \$21,141, and the 25% soft match was easily met with mileage and regular traffic enforcement. Sergeant Clark stated that, rather than waiting until the end of the grant period to submit paperwork, Chief Hall has asked for monthly updates (i.e. hours worked, citations issued, etc.) to keep track of the match and ensure the limits are being met. He also stated the program places an emphasis on seatbelt usage; last year the department saw an increase in seatbelt usage from approximately 62% to 74% usage at the end of the grant period. He attributes this increase to visible enforcement and education from the traffic stops, and hopes the increased visibility in law

enforcement will also encourage seatbelt use as they target the three major issues of serious injuries and crashes resulting in deaths: aggressive driving, impaired driving and distracted driving. Upon inquiry by Mayor Davis, Sergeant Clark stated that a vehicle cannot be stopped solely for a seatbelt violation as it is considered a secondary offense, but can be addressed if there is a “primary offense” or moving violation for which the vehicle was initially stopped.

Councilman Culver made the motion approve the Jerome Police Department to seek a federal Traffic Safety Grant through the Idaho Department of Transportation Office of Highway in the amount of \$30,000 with a 25% match by the Jerome Police Department in the form of personnel and logistical support. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

FC RESTAURANT VENTURES LLC dba FAT CLARENCE’S PUB & GRILL:

Ms. Coderniz stated the applicant is requesting to serve beer and wine at the location listed. The applicant has provided all required licenses, paid all fees including a prorated fee of \$25 for June, and he has passed all building and fire inspections. The payment of \$300 will apply towards the renewal of the license for the 2020-2021 year.

Councilman Culver made the motion to approve the application from C.R. Larsen d.b.a. Fat Clarence’s Pub & Grill for on-premises consumption of beer and wine at 1210 S. Lincoln Avenue. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber, Councilman Peterson and Councilman Culver. **NAYS:** None.

THOUSAND SPRINGS WINERY LLC dba FEATHERED WINDS WINE:

Ms. Coderniz stated the applicant has transferred their winery license from Hagerman and plans to offer wine tastings along with bottles of wine for sale at the premises located at 1976 S. Lincoln #4A. The wine will be purchased from an outside location and then bottled/labeled in Jerome, and the state inspector confirmed that the applicant has the necessary equipment for these tasks. A wholesale license has been issued with a winery endorsement by the state, and Idaho Code allows for cities and counties to require licensing although neither is required with a state wholesale license. Ms. Coderniz stated that Jerome Municipal Code does require a city license for the on-premises and off-premises consumption of wine. Additionally, the applicant will have a tasting room to sample wine with the option of purchasing bottles to take home, and the investigator for the state confirmed that while minors will be allowed in the building the building itself will need to be marked “21 and over.” The applicant paid \$300 for July 2020 through June 2021 and will need to pass all building and fire inspections; Mr. Richey has already visited with her regarding what will be required to pass the inspection. Upon inquiry by Mayor Davis, Ms. Coderniz confirmed that the facility will offer wine tastings and sales only with no food or other drinks provided.

Councilman Culver made the motion to approve the application from Thousand Springs Winery LLC d.b.a. Feathered Winds Wine for on-premises consumption and the sale of wine for off-premises consumption at 1976 Lincoln Avenue #4A, Jerome contingent upon obtaining the county license and passing building and fire inspections. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote:

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

DEPARTMENT REPORTS:

Mr. Williams briefly spoke of an issue which occurred yesterday and Chief Hall elaborated. Chief Hall reported the issued whereby a threat was posted on Snapchat regarding potential violence. He stated a concerned citizen reported to police, of a post that their daughter had seen, and with the current situation of violent activity throughout the country the threat was taken seriously. A copy of the post was provided to the Mayor and council. Staff started an investigation to determine the source of the post and coordinated with local and state partners to plan a response in the event of a violence eruption in the community. Chief Hall stated that a SIRCOMM dispatcher was able to determine the name of the poster, and detectives were able to develop enough probable cause to detain two juveniles for conspiracy to commit an act of terrorism and intent to incite a riot. The juveniles were from both Gooding and Jerome Counties. He also stated that while the source of the post was identified staff does not have any reason to believe that the juveniles were in contact with any radical or terrorist groups. Unfortunately, the post was most likely seen by thousands of people and staff was prepared for any type of action with ten additional personnel on duty throughout the day and into evening hours, plus there were four other agencies within the Magic Valley who had personnel on standby if needed.

Chief Hall stated he was extremely proud with the JPD officers working together, and he was pleased with the support offered by partnering agencies. He also commended the community for expressing their concern for that kind of activity, and he noted that the concerned parents helped to avert a potentially dangerous situation. Chief Hall stated that additional personnel will be available for the next few days as a precaution and that the City of Jerome is as susceptible to violent activity as any other city in the country. Mayor Davis commended Chief Hall and the officers for their work. Mr. Williams stated that with the content of the post he thanked the JPD for their work along with other agencies willing to assist. Councilman Johnson commented on citizen support as well with no one rioting in the streets and that the City of Jerome has great citizens.

Mr. Williams stated correspondence was sent to council regarding the city's response to the COVID19 crisis and how it relates to the Governor's stages of re-opening. At this time all city facilities are open to the public, and that business over the phone is still encouraged. The splash pad, however, remains closed to the public and that it may re-open in concurrence with the opening of the Twin Falls splash pad to discourage large crowds at either facility. Tentative plans are to re-open the splash pad on June 15th, and staff has been working with the Jerome Recreation District (JRD) to ensure any start-up issues are resolved prior to being open to the public. He also reported that the 4th of July fireworks show is still scheduled for June 27th although the park events will not be held. Mr. Williams stated that permission to hold the show at the high school was granted by the high school staff and that the decision to have the show on June 27th rather than July 4th, a Saturday, was made for several reasons: to allow families to continue with other plans on the 4th; to ensure that the city has adequate staffing to provide support and for safety precautions; and, to ensure that a fireworks vendor is available. Upon inquiry by Councilman Peterson regarding potential liability when re-opening the splash pad, Mr. Williams stated that there should not be any liability after June 13th when gatherings in excess of 50 people will be permitted per the Governor's stages of re-opening. The city does not promote large gatherings but they still can occur, and caution signs will still be posted with the Center on

Disease Control) CDC guidelines for safety. Mr. Williams stated that the city parks have been open, and based upon the Governor's recommendations he does not see any liability with re-opening the splash pad. Mr. Larsen stated that he anticipates additional guidelines released after June 13th and if the city uses best practices to follow the guidelines there should not be any issues. Councilman Peterson commented that there will not be any social distancing when the splash pad re-opens. Mr. Williams stated that the restrooms will also be available to the public because closing them could cause other sanitation issues. Additionally, he stated the congregation of large groups are concerning but they are not enforceable. He concluded by stating that while the first 30 days of quarantine brought projects to a standstill, there is now a lot of movement in the residential areas with rezone and subdivision applications along with commercial and industrial projects in the works, and he is very encouraged by the increased activity.

Mr. Carpenter stated the 10th Avenue E sidewalk project is moving along well with paving expected to begin this week and should be completed within the next few weeks. Landscape touch-ups are needed in addition to the paving work.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this June 2, 2020 regular meeting of the Jerome City Council at 6:38 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk