

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m.

Present: Mayor David M. Davis, Councilman Robert Culver, Councilman Jason Peterson and Councilman Brent “Oop” Johnson. Councilman Chris Barber is excused.

Also present were staff members: City Clerk Bernadette Gomes, City Attorney John B. Lothspeich, City Administrator Mike Williams, Information Services Director Carlos Hernandez, Assistant Finance Director Michelle Frostenson, Building Official Dave Richey, Staff Engineer Jeff Jensen, Senior Engineering Technician Steve Kolar, Wastewater Superintendent Gilbert Sanchez, Human Resources Director Ida Clark, Fire Chief Jeremy Presnell and Police Chief Dan Hall.

**PLEDGE OF ALLEGIANCE:**

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

**CONSENT CALENDAR:**

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the June 19, 2018 regular meeting

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

**CITIZEN CORRESPONDENCE:**

Diane Poston, 131 N Date Street, Jerome, appeared before council requesting changes to the noise ordinance. She would like to see “a noise device should not exceed 60 decibils” and “sound should not exceed 60 decibils with or without a permit” in various areas of the city code, and she provided a petition with signatures of residents supporting this change. She stated the noise from the fairgrounds is unbearable at times and makes being in her own yard difficult. For example, the Edgefest held in 2017 registered at 77 decibils in her home for thirteen hours. She believes if the city ordinance were modified, the county would be obligated to follow code. She did not find any restrictions in the ordinance regarding noise levels and wants to see them added so that residents can live peacefully within their neighborhoods.

Councilman Culver stated he feels her request is reasonable. Upon inquiry by Mayor Davis, Ms. Poston stated she came up with the decibel numbers by doing some research on the subject. She read that 80 decibils cause damage to the brain; at 77 decibils she had a headache for three days. Additionally, she wants music regulated (i.e. weekend events). Racing and rodeos have not been an issue despite the fact that music is often played during these events. She further stated there is an application available on smart phones that can measure decibils.

Mayor Davis stated that council will not be making any decisions this evening as more investigating needs to be done. He recommends that staff meet with the fair board. However, any decision made would impact the whole community rather than just the fairgrounds and must

be made with caution. He further stated council will address the issue and get in touch with her. Ms. Poston provided a copy of the signed petition.

**SRO AGREEMENT - JEROME SCHOOL DISTRICT #261 AND JEROME POLICE DEPT:**

Chief Hall stated in July 2017 an agreement was adopted for School Resource Officer (SRO) services between the Jerome Police Department (JPD) and the Jerome School District #261 (JSD). Since that time, there has been discussion with the school administration and board about using body cameras and the ability to deploy patrol rifles in an emergency situation. Both items are common practices in law enforcement, and the school district has approved the agreement presented to council this evening. The agreement has updated sections on body cameras and patrol rifles; everything else in the agreement is the same as before.

Upon inquiry by Councilman Culver, Chief Hall stated the rifles will be secured and accessible only by the SRO in an emergency situation. If they need to be moved around they will be done so in a safe and secure manner (i.e. in cases, where there are few students around, etc.). He further stated the agreement is specific as to the intent of these additions.

Councilman Culver made a motion to approve Mayor David Davis and Chief of Police Dan Hall to execute an updated agreement with Jerome School District 261 for the Jerome Police Department addressing the use of body worn cameras and patrol rifles. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None

**BROCKMAN LIFT STATION REPAIRS AND MAINTENANCE:**

Mr. Sanchez stated the Brockman's lift station handles most of the flow from Idaho Milk Producers (IMP) and several other areas. When the lift station was originally built, resilient wedge valves were installed. While they actuate, they do not seal off the flow. 14" lines will be connected at H Street; those valves do not seal completely and need to be replaced. The proposal is to install new plug valves when leak work is being completed by RSCI. There are sufficient funds in the budget to cover this expense.

Upon inquiry by Councilman Culver, Mr. Sanchez stated the leak is small but over time accumulates and has to be pumped out before it lands on the ground. Upon inquiry by Councilman Johnson, two valves will need to be replaced. Mr. Sanchez stated Brockman's is a good lift station with two incorrect valves. The total cost of replacing the valves and fixing the leak will be \$21,778.00.

Councilman Culver made a motion to approve a proposal from RSCI for two valve replacements and a fusion coupling leak repair at the Brockman Lift Station for a not-to-exceed cost of \$21,778. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

**CONTRACT AWARD – KLOEPFER, INC:**

Mr. Jensen briefly described the paving work for the project at Rose and Buchanan Streets. It will involve a cement base and 4" overlay of hot mix asphalt. He thanked Mr. Williams and Larry Hall for obtaining the grant to assist with funding the project. There is a

fund match required by the city, and this should be met by street funds and in-kind services by city staff (i.e. design work, traffic control, etc.). Mr. Jensen also stated the map included in the agenda packet shows the Rose and Buchanan Streets location; the project does not include off-site amenities like sidewalks or streetlights.

Upon inquiry by Councilman Culver regarding funds should the match not be met, Mr. Williams stated when the grant was prepared, the strategy was to provide in-kind work. Mr. Jensen identified engineering and staff work as in-kind services. The total cost of the project is \$271,000, and the city was approved for up to \$270,000 by the Department of Commerce with a 10% match. Mr. Williams believes the services provided should cover the match but that a payment can be made if necessary. He also stated that the original estimation for the cost of the project was higher than the bid which came in, and bid documents included a deductive alternate so the Cement Recycled Asphalt Base Stabilization (CRABS) process would be limited to a portion of the road. Because the bid came in lower than anticipated, the CRABS process can be completed on the entire stretch of roadway and provide a better method of construction. Upon inquiry by Councilman Johnson, the road is 2,500 feet with full width. Mayor Davis also noted that the original grant received was \$250,000 and an additional \$20,000 was awarded as well.

Councilman Culver made a motion to approve a contract award to Kloepper, Inc for the Rose and Buchanan Streets Paving Project for a total Lump Sum bid of \$271,080.00. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

#### **MICROSOFT ENTERPRISE AGREEMENT RENEWAL:**

Mr. Hernandez appeared before council to request approval of the Microsoft Agreement Renewal for three years with Dell. The cost increased by approximately \$1,000 from last year, however, two additional workstations and a server were added to the agreement. He stated this will support city email plus the database which hosts the Caselle program. Upon inquiry by Councilman Johnson, Mr. Hernandez stated the cost of the renewal will be \$18,697.30 per year for three years, and Mayor Davis confirmed it is a fixed rate. Mr. Hernandez stated he researched licensing without the agreement and determined the cost is much lower with this agreement, plus upgrades are included in the cost.

Councilman Culver made a motion to approve the renewal of the three year Microsoft Enterprise Agreement, from Dell, for an annual cost of \$18,697.30. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

#### **LA MORENA ENTERPRISES ALCHOL LICENSE RENEWAL APPLICATION:**

Ms. Gomes stated Sylvia Garcia dba La Morena Enterprises submitted an application to renew her on-premise beer and wine license at the location of 122 E. Main Street. Upon inspection by Deputy Fire Chief Harrison it was determined that another business was located at this address and he found no evidence of her business located at the premises. Specifically, Jerome Municipal Code (JMC) 5.25.070 states the “standards for evaluation shall be those expressed by any portion of this code and any relevant portion of the Idaho state code,

particularly those portions in Title 23 of the Idaho Code.” JMC 5.20.060 describes “issuance to specific qualified location.” At this time, Ms. Garcia does not meet the requirements in Idaho Code 23-1009.

JMC 5.25.060 dictates a 30-day time frame in which to make a decision regarding an application, so a decision regarding her application would need to be made by July 4<sup>th</sup>. Ms. Garcia will have 15 days upon receipt of the denial letter to file an appeal to the decision. Mr. Lothspeich stated the building inspections have also failed.

Upon inquiry by Mayor Davis, Mr. Richey stated that the business owner in question failed building and fire inspections. Chief Presnell also stated the Idaho State Police detective assisted with the fire inspection; alcohol licensing is classified by category (i.e. bar, restaurant, event center, etc.) and Ms. Garcia’s state license is classified as a bar. Because there were children in the building the state is now in the process of revoking her state license. Mayor Davis clarified that Ms. Garcia is leasing the building from the owner and subleasing it to another entity who has allowed children in the building, and Ms. Gomes stated the current business is not a bar but a store; this was unknown until the inspection took place. Mr. Richey further stated the building has been tagged as the current tenant did not complete the process to obtain a Certificate of Occupancy. They are currently working on needed corrections and Mr. Richey will follow up with them.

Councilman Culver made a motion to approve the denial of the Alcoholic Beverage License renewal application for Sylvia Garcia dba La Morena Enterprises. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

### **COUNCIL REPORTS:**

Councilman Johnson stated he has received good comments regarding the Freedom Fest held last weekend. Mayor Davis stated he also received good comments and that the Community Spirit Committee did a fantastic job in organizing the event. He also commended the public works department on the street striping work taking place throughout the city.

### **STAFF REPORTS:**

Mr. Williams stated the Community Spirit Committee was formed to foster community involvement and pride. Many of the administrative tasks fall upon city staff members Ida Clark, Esmeralda Chavez and Katie Elliott. Additionally, the police, fire and public works departments also assisted tremendously in ensuring the event was coordinated and safe for citizens. He thanked the Mayor and council for support of the Freedom Fest event.

He also stated a copy of preliminary budget will be available for review prior to the July 17<sup>th</sup> council meeting. He commended Mr. Hyatt and Ms. Frostenson on their work to make process easier on staff, and believes this has been the smoothest preliminary budget process thus far. Departments did well with their estimations and justifications for their budget requests. He concluded by wishing everyone a Happy 4<sup>th</sup> of July!

Ms. Clark also thanked the fire, police and public works departments for their assistance with the Freedom Fest event.

**ADJOURNMENT:**

There being nothing further to discuss, this July 3, 2018 regular meeting of the Jerome City Council adjourned at 6:05 p.m.

By:

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Mayor David M. Davis

Attest:

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Bernadette Gomes, City Clerk