

September 3, 2019

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 Chris Barber, Councilman Robert Culver, Councilman Brent “Oop” Johnson and Councilman Jason Peterson.

Also present were staff members: City Clerk Bernadette Gomes, City Attorney Ted Larsen, City Administrator Mike Williams, Information Services Director Carlos Hernandez, Public Works Director Brian Ahrens, Library Director Linda Mecham, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, City Planner Ida Clark, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, City Engineer Tyson Carpenter, 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 J.T. Hurt with the Northridge Fellowship Church.

PUBLIC HEARING – FY2019-2020 APPROPRIATIONS:

This being the time and place published for the consideration of the request from EHM Engineers for approval on a final plat of Jerome Crossing Subdivision, located on those parcels described as Tax 44 SESE Jerome Unplatted 18-8-17, Jerome, Idaho containing 3.17 acres, more or less, the Chair called the public hearing open at 5:32 p.m. and briefly reviewed the procedures that will be followed. Councilman Barber recused himself from discussions and deliberations due to a personal conflict.

Staff Presentation:

Ms. Clark provided an overview of the process through the Planning and Zoning Commission including the review of the preliminary plat in August consisting of a ten lot, two-family residential subdivision; back lots are zoned Residential 2 with one lot facing east Main Street zoned as General Business. All lots exceed minimum lot size of 5,000 square feet. Ms. Clark stated the commission reviewed the application as it applied to the comprehensive plan, lot specifications in Title 17 and preliminary plat design standards identified in Title 16. Additionally, the code on private streets was reviewed; the private street will meet the standards required by code and will not be a through-street. Ms. Clark stated that the commission heard testimony from Mr. Barber and Mr. Thibault with EHM Engineering along with neutral testimony with run-off and privacy fencing concerns and approval of the final plat is recommended.

Testimony by applicant:

Chris Barber, PO Box 355, Jerome Idaho, provided a map of the property and stated there are nine lots within the subdivision; seven will gain access off of Hayes between 1st and 2nd Avenues. Additionally, lots 2 and 7 will have access to Highway 25 and Mr. Barber stated he may request a rezone to Commercial use at a later date if it suits the subdivision. He further stated the subdivision will look nice and professional, single-family homes will be an option and that the retention swell on the east side of the property captures run off and should not affect

neighboring properties. Upon inquiry by Mayor Davis, Mr. Barber stated plans include pressurized irrigation; the map shown to council demonstrated where water would be accessible. Upon inquiry by Councilman Peterson, Mr. Barber stated the subdivision will include a small water tank.

Matthew Ahrens with EHM Engineers spoke of the possible relocation of a pump on the property to ensure water delivery. Upon inquiry by Councilman Johnson, Mr. Barber stated the property, zoned as Residential 2, will give them the option to build duplexes or single-family homes depending on square footage availability to meet minimum requirements. Mr. Barber concluded that they are working under Covenants, Conditions and Restrictions (CCR's) and there will be a Homeowners Association.

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 5:43 p.m.

JEROME CROSSING SUBDIVISION FINAL PLAT:

Councilman Culver made a motion to approve the final plat for Jerome Crossing Subdivision with the condition that final construction plans be submitted for review. 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.

PUBLIC HEARING – AMEND THE FY 2018-19 BUDGET:

This being the time and place published to consider a rezone request for the following parcels from Light Industrial (M-1) to High Density Business (C-3): Tax 7 of SESW Sec 30 T8 R17- 212 East Yakima Ave, Jerome, Idaho; Tax 9A of SESW Sec 30 T8 R17- 216 East Yakima Avenue, Jerome, Idaho; Tax 76 of SESW Sec 30 T8 R17- 300 East Yakima Avenue, Jerome, Idaho; Tax 77 of SESW Sec 30 T8 R17- Bare Lot; Tax 37 of SESW Sec 30 T8 R17- 322 East Yakima Avenue, Jerome, Idaho; with the exception of the following parcel: Tax 9C of SESW Sec 30 T8 R17- 430 East Yakima Avenue, Jerome, Idaho, the Chair called the public hearing open at 5:45 p.m. and briefly reviewing the procedures that will be followed.

Staff Presentation:

Ms. Clark provided the background on this property along with a map of the lots for consideration. In September 2005, the lots in question were zoned Commercial in the Area of Impact on the Comprehensive Land Use map. In May 2007, the parcels were annexed into the city with an Area Business zoning. In May 2008, the Comprehensive Land Use map was amended and all parcels were designated to Residential Medium with the exception of one parcel. In April 2010, a complete rewrite of Title 17 and zoning maps were approved by ordinance, and the parcels were then rezoned to Light Industrial; however, other lots zoned as Area Business were rezoned to High Density Business although the Comprehensive Land Use map was not updated in 2010. Ms. Clark stated that Mr. Sharp along with surrounding property owners submitted a co-application to rezone the described parcels to High Density Business. Land to the north is commercial bare land zoned as Commercial 3 and M-1; land to the south is commercial bare land zoned as C-3; land to the east is industrial Area of Impact and land to the west is also C-3. She stated that the map still shows the parcels as Residential Medium, and that the C-3 zone would allow apartments with a special use permit. She further stated that the parcels in question have existing non-conforming uses and no additional non-confirming uses would be created with

the rezone request. The Planning and Zoning Commission approved the proposed ordinance in August 2019; there was no testimony neutral nor in opposition to testimony at that meeting, and the commission recommended approval of the rezone ordinance presented to council.

Upon inquiry by Mayor Davis, Ms. Clark stated the C-3 zoning would allow for apartments with a special use permit; she listed other uses allowed under this zoning.

Applicant Testimony:

Collin Sharp, residing at 163 Homestead Loop, Jerome, stated he would like to build an insurance office and believes it would fit the C-3 zone. He has an office nearby in a C-3 zoned area as well.

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 5:52 p.m.

ORDINANCE NO. 1180 BILL NO. 665 – AMENDING ZONING ORDINANCE AND MAP:

Ms. Clark recommended suspension of the rules to adopt the ordinance this evening.

Councilman Barber sponsored Bill No. 665.

Councilman Culver made the motion to suspend the rules pertaining to the reading of an ordinance on three separate occasions and direct the clerk to read Bill No. 665 twice by title and once in full tonight to constitute three readings. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

The clerk read Bill No. 665 by title two times and once in full to constitute three full readings as follows:

**ORDINANCE NO.1180
BILL NO. 665**

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 FOLLOWING DESCRIBED PARCELS OF REAL PROPERTY IN THE CITY OF JEROME, IDAHO FROM LIGHT INDUSTRIAL (M-1) TO HIGH DENSITY BUSINESS (C-3); AND PROVIDING FOR AN EFFECTIVE DATE:

The property to be rezoned is more particularly described as:

Tax 7 of SESW Sec 30 T8 R17

Commonly referred to as 212 East Yakima Ave., Jerome, Idaho.

Tax 9A of SESW Sec 30 T8 R17

Commonly referred to as 216 East Yakima Ave., Jerome, Idaho.

Tax 76 of SESW Sec 30 T8 R17

Commonly referred to as 300 East Yakima Ave., Jerome, Idaho.

Tax 77 of SESW Sec 30 T8 R17

Tax 37 of SESW Sec 30 T8 R17

Commonly referred to as 322 East Yakima Ave., Jerome, Idaho.

WHEREAS, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 13th day of August, 2019;

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 27th day of August, 2019; and

WHEREAS, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 3rd day of September, 2019;

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

Section 1. The following parcels in the City of Jerome, County of Jerome, State of Idaho are hereby rezoned from Light Industrial (M-1) to High Density Business (C-3):

Tax 7 of SESW Sec 30 T8 R17

Commonly referred to as 212 East Yakima Ave., Jerome, Idaho.

Tax 9A of SESW Sec 30 T8 R17

Commonly referred to as 216 East Yakima Ave., Jerome, Idaho.

Tax 76 of SESW Sec 30 T8 R17

Commonly referred to as 300 East Yakima Ave., Jerome, Idaho.

Tax 77 of SESW Sec 30 T8 R17

Tax 37 of SESW Sec 30 T8 R17

Commonly referred to as 322 East Yakima Ave., Jerome, Idaho.

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 3rd day of September, 2019.

SIGNED BY THE MAYOR this 3rd day of September, 2019.

CITY OF JEROME, IDAHO

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Gomes

Bernadette Gomes, City Clerk

Councilman Culver made the motion to adopt Bill No. 665 as Ordinance No. 1180 amending the City of Jerome Zoning Ordinance and Zoning Map by zoning the real property described herein, in the City of Jerome, Idaho from Light Industrial (M-1) to High Density Business (C-3). Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the August 20, 2019 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 Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

CITIZEN CONCERN REGARDING ICCU PARK ACTIVITIES:

Debbie Bragg, residing at 404 E. Main Street, appeared before council to report on some concerns regarding activities at Idaho Central Credit Union (ICCU) Park. She stated she witnessed several young men using skateboards on the amphitheater on the evening of August 20th. She asked them to relocate to the skate park as she had previously witnessed them jumping off picnic tables and riding through the splash pad. She stated that she spoke with several public works employees at the park and that the young men have been advised many times as well. She further stated she has contact law enforcement and was told nothing could be done.

Ms. Bragg is requesting additional signage at the amphitheater and picnic table area to advise patrons of rules regarding their use. She stated that when she spoke to an officer she was advised to approach council. Mayor Davis expressed his appreciation for her appearance and that council shares in her concerns in wanting to keep the park nice for residents. Chief Hall stated that there are signs with rules and that enforcement of those rules is possible. However, an officer cannot issue a citation unless he or she witnesses the activity or if a citizen complaint is filed. He commented that staff is reviewing ordinances to ensure adequate rules are in place for enforcement, and that if a citizen is willing to sign a complaint, one can be filed. Upon inquiry by Mayor Davis, Chief Hall stated that if someone were to record the activity, identify those involved and be willing to sign a complaint, a citation can be issued. Councilman Peterson commented on the security system that will be installed at the park, and Chief Hall stated it is the hope of staff that the cameras will serve as a deterrent to inappropriate activities at the park. Chief Hall also expressed his appreciation for parents and citizens who get involved in helping keep the park in order.

Mayor Davis explained to Ms. Bragg that a camera system will be installed although it will not cover the amphitheater well and asked if she knew of the process for filing complaints. Ms. Bragg stated the officer told her that she would have to bring the issue to city council. She further stated the young men accused her of harassing them and told her that they had the right to be there. She also commented that residents from neighboring cities use the park as a gathering place and she fears for the younger children at the splash pad. Councilman Peterson spoke of the cost to provide facilities at the park specifically for those riding skateboards and bikes. Upon inquiry by Mayor Davis, Mr. Larsen stated that there is no specific ordinance regarding use of the

amphitheater (i.e. no skateboarding) and that he believes the key to success is getting the kids to take ownership of the park. He spoke of another town in which a park was temporarily closed due to graffiti and abuse; kids who wanted the park to stay open took on the task of taking care of the park and policing one another. Ms. Bragg stated she does not always walk with her phone but on her walks she has found inappropriate items in the park as well; Mayor Davis stated the cameras will hopefully deter activities which are inappropriate. Chief Hall commented that staff is in the process of reviewing ordinances to develop a resolution with specific park rules and that a resolution will be brought to council for review in the future. Mayor Davis asked that police staff be watchful of those using park facilities, and he thanked Ms. Bragg for her assistance. Chief Hall recommended that concerned citizens call the non-emergency dispatch number if needed, (208)324-1911.

CITIZEN CONCERN REGARDING TRAFFIC NEAR JEROME HIGH SCHOOL:

Russ Martin, residing at 823 2nd Avenue E, Jerome, appeared before council with concerns regarding traffic on 1st, 2nd and 3rd Avenues since the beginning of the new school year. He reported three drags races on 2nd Avenue from S. Tiger to Fillmore, he has seen three kids nearly run over by those racing on those streets. He is concerned about the kids walking to and from neighboring streets and fears that a tragic accident will occur. He stated that rather than heading towards the light on Main Street the teens use the north exit and go through the side streets; Councilman Culver commented that they also use 8th Avenue E. Mr. Martin stated the traffic is bad during the lunch hour. Chief Hall commented that the speed limit in front of the school is 20 miles per hour while the residential streets are set at 25 miles per hour. Mr. Martin stated the stop signs recently installed helped for some time but now the teen drivers are running the stop signs. Mayor Davis commented on announcements at the high school, and Councilman Peterson stated if citations are issued the word will spread amongst the teen drivers. Mr. Martin stated he sees the same cars frequent the side streets to avoid using the light. Councilman Peterson commented on the chaos he has witnessed during the lunch hour, and Councilman Barber commented on the possibility of closing the campus during the lunch hour. Mr. Martin stated that in other towns he has seen residential streets closed off to through traffic. Mayor Davis thanked Mr. Martin for bringing his concerns to council and that they will be addressed.

AIR PIPING UPGRADE AT WASTEWATER TREATMENT PLANT:

Mr. Sanchez appeared before council to request funds for the air piping upgrade. He spoke of the two centrifugal blowers at the wastewater treatment plant that are inefficient in providing air and mixing to the grit chambers at the head works as well as mixers in aeration basins 1 and 2 and the plant drain system. One of the blowers went out of service recently, and the repair bid came in at approximately \$24,000. Mr. Sanchez stated that the seltzer blowers on the plant are underutilized and, with proper piping, can be used for the job of the existing blower and reduce power usage. Upon inquiry by Mayor Davis, Mr. Sanchez stated the piping would take advantage of existing blowers without putting the 150 horsepower centrifugal blower back in service; the other centrifugal blower would be kept for future needs. Upon inquiry by Councilman Barber, Mr. Sanchez stated that the lifespan of the seltzer blower is approximately 20-25 years. Mayor Davis also inquired about the seltzer blowers' ability to handle future expansion, and Mr. Sanchez confirmed there is sufficient capacity to handle the tasks for which they were designed although additional blowers may be needed in the future.

Mayor Davis commented on the potential repair to the existing centrifugal blower at \$24,000; while this project is \$32,500, staff will be saving on utility costs over time and modern technology will deem the centrifugal blowers obsolete.

Councilman Culver made the motion to approve the funds for an air piping upgrade for a total cost of \$32,526.00. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

MEMORANDUM OF UNDERSTANDING WITH URBAN RENEWAL AGENCY:

Mr. Williams presented an updated Memorandum of Understanding (MOU) with the Jerome Urban Renewal Agency (URA). In 2017, an MOU was signed providing the URA the ability to market city-owned property for redevelopment. The property discussed at the time was Block 56 (the old Central Elementary property). Mr. Williams showed council a map of Blocks 55, 56, 65 and 66. The existing MOU was for Block 56 only, a Request for Proposals (RFP) was advertised, and an Exclusive Right to Negotiate agreement was signed with the Oppenheimer Development Corporation. Unfortunately, they were not successful in getting a tenant contract signed.

Mr. Williams stated there is still interest in the entire seven acres and staff has had meetings with a developer for a mixed-use concept. A new RFP must be advertised to any and all developers with an interest in doing a project on that site, and the existing MOU must be amended prior to the issuance of the RFP. He stated it has been the desire to redevelop that property, and at least one acre of the property will be reserved for a city building. Staff recommends that council approve the MOU, and Mr. Williams stated these parcels are located with URA Area 3 and should help revitalize downtown. Upon inquiry by Councilman Barber, the one acre to be retained will be near Alder Street.

Councilman Culver made the motion to approve the amended MOU between the City of Jerome and the Jerome Urban Renewal Agency. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

BIRCH STREET WATER LINE INSTALLATION PARTS AND MATERIALS:

Mr. Ahrens referred to a map from the Water Master Plan that shows Priority 1 water mains which supply adequate fire flow. He stated some are complete while others are partially complete, and a small section on Birch Street between 8th Avenue E and 10th Avenue E has yet to be completed. Mr. Ahrens stated this project is small and new operators on staff could benefit from completing the installation project rather than bid out the project. He further stated the project can be done in a timely manner, funds are in the budget this fiscal year and staff would like to purchase the parts with the intention of doing the work next summer. One price quote was received although Mr. Ahrens is uncertain if the asphalt can be pre-purchased. Upon inquiry by Councilman Barber, Mr. Ahrens stated staff can complete the project within three weeks; a contractor could complete it within ten days and Mr. Carpenter stated the cost of keeping the project in-house would be approximately half of what it would cost to outsource it. Mr. Ahrens also stated that the public works department is primarily designed for maintenance and not construction but staff wants to work on more projects, and this project would be a good fit for

staff. Upon inquiry by Mayor Davis, Mr. Ahrens stated that while a rock profile has not been completed, staff has had projects there and he does not anticipate a huge amount of rock. He further stated that the project would start early summer unless chip sealing is taking place, the funds available will come from the budget slated for master plan projects, and that he is confident that staff can complete the project.

Councilman Culver made the motion to approve the purchase of parts and materials needed to install a new water mainline on the 2 block section of North Birch between 8th West and 10th West in the amount of \$36,135.94. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

COUNCIL REPORTS:

Councilman Barber announced that he will not be in attendance at the September 17th council meeting.

DEPARTMENT REPORTS:

Mr. Williams reported that the four-way stop signs were installed at the intersection of S. Tiger and Nez Perce. The flashing signs along with reader boards for additional safety are along the eastbound/westbound lanes of Nez Perce. He further stated five homes will soon be built in the new subdivision and the stop signs will provide more safety.

Mr. Williams reported that the tire abatement process will begin this week; staff has been working to find a location for the tires once removed, and the issue is close to being resolved.

Mr. Williams also spoke of a potential ordinance regarding a smoking ban at city parks per a recent council discussion and stated that it may be presented at the next council meeting.

EXECUTIVE SESSION:

Councilman Culver made a motion to adjourn to executive session pursuant to Idaho Code 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency at 6:40 p.m. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson and Councilman Culver. **NAYS:** None.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis called the regular meeting back to order and adjourned this September 3, 2019 regular meeting of the Jerome City Council at 6:59 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Gomes, City Clerk