

**January 4, 2022**

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m. While council chambers were open to the public, the meeting was also held by teleconference and the public was encouraged to continue with social distancing. 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 Chris Barber, Councilman Jason Peterson and Councilman Brent "Oop" Johnson. Councilman Robert Culver was excused.

Also present were staff members: City Clerk Bernadette Coderniz, City Administrator Mike Williams, City Attorney Ted Larsen, City Engineer Tyson Carpenter, Public Works Director Brian Ahrens, Water Operations Supervisor Dan Bowman, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, IS Director Carlos Hernandez, IS Staff Technician Andy Newbry, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, Library Director Linda Mecham, Fire Chief Mike Harrison, Police Chief Dan Hall and Police Captain Duane Rubink.

**PLEDGE OF ALLEGIANCE:**

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

**INVOCATION:**

An invocation was given by Reverend Dick Goetsch with the Calvary Episcopal Church.

**INSTALLATION OF ELECTED OFFICIALS:**

Judge John B. Lothspeich administered the Oath of Office of Mayor to David M. Davis, Councilor to Jason Peterson and Councilor to Bryan Craig.

**APPOINTMENT OF COUNCIL MEMBERS TO FINANCE COMMITTEE:**

Mayor Davis appointed Councilman Johnson and Councilman Craig to serve on the finance committee for a term of one year. The intent is to rotate in one year.

**ELECTION OF COUNCIL PRESIDENT:**

Councilman Johnson nominated Councilman Barber as Council President. No other nominations were presented.

The Council signified support of the nomination with unanimous "ayes."

**PUBLIC HEARING**

This being the time and place published to consider the annexation and zoning of property described as part of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> and part of the SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 12 in Township 8 South, Range 16 East of the Boise Meridian, Jerome County, State of Idaho, more commonly known as the farmland starting approximately 1,300 feet from the northwest corner of North

Lincoln Ave and 16<sup>th</sup> Avenue West, then going north for approximately 1,300 feet, turning west for approximately 1,400 to the “J” Canal and then turning south following the “J” Canal to the North 100 Road West, the Chair called the public hearing open at 5:38 p.m. and briefly reviewing the procedures that will be followed.

Staff Presentation:

Mr. Williams stated that the Otto family appeared before the Council to request annexation into the City and hook up to City services with the intention of developing a residential subdivision. This is considered a Category A annexation, and a map of the parcels was shown to Council. Mr Williams stated that the request was heard before the Planning and Zoning Commission (P&Z) and staff recommends that the annexation request be approved as it is in compliance with the City’s Comprehensive Plan. A preliminary plat will be expected in the coming months for single-family residential homes if the request is approved.

Applicant Testimony:

Mr. Mitch Bausman appeared before Council to answer any questions. Upon inquiry by Councilman Johnson, Mr. Bausman stated that 125 lots are tentatively planned but the plat is not yet finished. Upon inquiry by Councilman Peterson, Mr. Bausman stated that the building and trees on the parcels will be removed.

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 5:43 p.m.

**ORDINANCE NO. 1205, BILL NO. 690, INTRODUCTION:**

Councilman Barber sponsored the bill.

Councilman Barber 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. 690 three times by title only to constitute three separate readings. 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 Craig. **NAYS:** None.

The clerk read Bill No. 690 three times by title only to constitute three separate readings. The ordinance in full is as follows:

**ORDINANCE NO. 1205  
BILL NO. 690**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, ANNEXING 43.27 ACRES OF REAL PROPERTY; PROVIDING FOR ZONING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City has identified a parcel of real property contiguous to the City of Jerome which it desires to annex; and,

**WHEREAS**, the owner of the 43.27 acre parcel has consented in writing to its annexation; and,

**WHEREAS**, the 43.27 acre parcel is contiguous to the City of Jerome; and,

**WHEREAS**, the real property is annexable pursuant to Idaho Code § 50-222; and,

**WHEREAS**, a metes and bounds description describing the real property is set out below; and,

**WHEREAS**, the Jerome City Planning and Zoning Commission held a public hearing on December 14<sup>th</sup>, 2021 and determined that the Residential 2 (R-2) zoning request for the 43.27 acre parcel described herein is in compliance with the City of Jerome's Comprehensive Plan; and,

**WHEREAS**, the Jerome City Planning and Zoning Commission forwarded its recommendation for the zoning of the real property to the Mayor and City Council for their consideration; and,

**WHEREAS**, the Mayor and Council held a public hearing on January 4<sup>th</sup>, 2022 to review the City's Planning & Zoning Commission's recommendation; and, it was determined the Residential 2 (R-2) zoning request for the 43.27 acre parcel described herein is appropriate.

**BE IT THEREFORE ORDAINED BY THE MAYOR AND COUNCIL** of the City of Jerome, Idaho, as follows:

**Section 1: Annexation of Real Property.** The following tract of real property, is hereby annexed to the City of Jerome, Idaho.

*Part of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> and Part of the SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 12 in Township 8 South, Range 16 East of the Boise Meridian, Jerome County, State of Idaho.*

*Beginning at the South <sup>1</sup>/<sub>4</sub> corner of Section 12 in T.8.S., R.16 E., B.M. said corner marked by a 5/8" rebar with 2" aluminum cap which shall be the Point of Beginning;*

*THENCE North 89 degrees 34 minutes 41 seconds West along the south line of Section 12 for a distance of 207.23 feet to the centerline of the "J" Canal;*

*THENCE North 34 degrees 00 minutes 43 seconds East along said centerline for a distance of 115.92 feet;*

*THENCE North 21 degrees 49 minutes 04 seconds East along said centerline for a distance of 74.11 feet;*

*THENCE North 00 degrees 44 minutes 24 seconds East along said centerline for a distance of 90.54 feet;*

*THENCE North 05 degrees 50 minutes 26 seconds West along said centerline for a distance of 194.59 feet;*

*THENCE North 14 degrees 11 minutes 33 seconds West along said centerline for a distance of 117.29 feet;*

*THENCE North 03 degrees 29 minutes 48 seconds West along said centerline for a distance of 56.28 feet;*

*THENCE North 10 degrees 52 minutes 11 seconds East along said centerline for a distance of 75.01 feet;*

*THENCE North 29 degrees 26 minutes 37 seconds East along said centerline for a distance of 75.90 feet;*

*THENCE North 32 degrees 40 minutes 47 seconds East along said centerline for a distance of 107.99 feet;*

*THENCE North 18 degrees 33 minutes 47 seconds East along said centerline for a distance of 172.70 feet;*

*THENCE North 00 degrees 03 minutes 07 seconds West along said centerline for a distance of 83.63 feet;*

*THENCE North 50 degrees 00 minutes 09 seconds West along said centerline for a distance of 124.53 feet;*

*THENCE North 73 degrees 16 minutes 47 seconds West along said centerline for a distance of 67.50 feet;*

*THENCE North 25 degrees 10 minutes 18 seconds West along said centerline for a distance of 42.10 feet;*

*THENCE North 03 degrees 22 minutes 28 seconds West along said centerline for a distance of 84.36 feet to the north line of the SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>;*

*THENCE South 89 degrees 33 minutes 44 seconds East along the 1/16 section line for a distance of 182.72 feet to a 5/8" rebar at the Northwest Corner of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;*

*THENCE South 89 degrees 33 minutes 24 seconds East along the north line of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> for a distance of 1318.48 feet to a 1/2" rebar at the Northeast Corner of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;*

*THENCE South 00 degrees 03 minutes 49 seconds East along the east line of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> for a distance of 1318.56 feet to a 5/8" rebar at the Southeast Corner of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;*

*THENCE North 89 degrees 34 minutes 00 seconds West along the south line of Section 12 for a distance of 1318.75 feet to the Point of Beginning.*

*Said property contains 43.27 acres more or less and is subject to a right of way for the "J" Canal along the westerly side and is subject to a right of way for 100 North Road along the south side and is subject to any other easements or right of ways, existing or of record.*

**Section 2: Zoning of Annexed Property.** The above described property is hereby zoned Residential 2 (R-2).

**Section 3: Amendment to City Maps and Comprehensive Plan.** All applicable sections of the Jerome Municipal Code and the City of Jerome's Comprehensive Land Use Plan, shall be amended to include the tract of real property as described in Section 1 of this ordinance.

**Section 4: Severability.** If a part of this ordinance is ruled invalid, all valid parts that are severable from the invalid part remain in effect. If a part of the ordinance is ruled invalid in one or more of its applications, the part remains in effect for all valid applications that are severable from the invalid applications.

**Section 5: Effective Date.** This ordinance shall be effective upon its passage, and publication as required by law, and approval of the Idaho State Tax Commission.

PASSED BY THE COUNCIL this 4<sup>th</sup> day of January, 2022.

SIGNED BY THE MAYOR this 4<sup>th</sup> day of January, 2022.

BY:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Barber made the motion to adopt Bill No. 690 as Ordinance No. 1205 an Ordinance of the Mayor and Council of the City of Jerome, Idaho, annexing 43.27 acres of real

property; providing for zoning; providing for severability; and providing an effective date. 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 Craig. **NAYS:** None.

### **CONSENT CALENDAR:**

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the December 21, 2021 regular meeting

Councilman Barber made the 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 Johnson, Councilman Peterson, and Councilman Craig. **NAYS:** None.

### **DIRECTIONAL BORING MACHING PURCHASE:**

Mr. Bowman appeared before Council and stated that the directional boring machine is designed to punch holes underneath the roads and alleys; it will save the expense of digging (and then repairing) trenches in the roads. He briefly explained how the hydraulic rods will do the work in the road and that use of the boring machine should reduce operational costs (digging through asphalt, for example). Mr. Bowman stated that the machine is in this year's budget. Upon inquiry by Councilman Johnson, Mr. Bowman stated that it can push a hole up to four inches but staff will only bore a hole for the size needed. He spoke of the Lead and Copper Rules (LCR's) that will require any galvanized equipment to be changed out over a period of time, and this machine will increase the ability to meet required deadlines. Upon inquiry by Mayor Davis, Mr. Bowman stated that the machine is a small unit for small lines; bigger line work is usually contracted out. Additionally, this will be the department's first boring machine.

Councilman Barber made the motion to approve the purchase of one new Directional Boring Machine (PD-4 with trench box and analog steering) with the purchase price not to exceed \$23,500.00. 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 Craig. **NAYS:** None.

### **COUNCIL REPORTS:**

All four Councilmen individually expressed their appreciation for the efforts of the Public Works department in keeping the roads clear of snow to the best of their ability. Councilman Johnson wished everyone a good new year, and Councilman Peterson inquired about flooding concerns at the Wastewater Treatment Plant; Mr. Williams stated that the issue is being addressed. Mayor Davis also expressed appreciation to Public Works staff and stated that he received an email regarding snow removal on residential streets. He responded by asking that the resident be patient as crews were doing the best they could with limited resources.

Mayor Davis stated that former Councilman Culver will be honored for his years of service at a future Council meeting as he was unable to attend this evening.

### **DEPARTMENT REPORTS:**

Mr. Williams briefly addressed the issues at the Wastewater Treatment Plant (the filtration membrane system going offline to discharge more flow, utilizing the emergency storage pond, etc.). He stated that the next Council meeting will include two rezone requests for the Blocks 55/56 project on property owned by the City for residential and commercial developments. In the future, the project will come again before Council for the final Planned Unit Development (PUD) approval. Mr. Williams spoke of the property tax symposium to be held on January 7<sup>th</sup>; he along with Mayor Davis, Mr. Hyatt and Councilman Craig will be attending with hopes of hearing of solutions to the property tax bill passed in the legislature. He announced that any Council member wishing to attend the City Officials Day at the Capitol on January 20<sup>th</sup> should contact Ms. Coderniz for registration.

Councilman Craig announced that he cannot be the insurance “agent” for the City nor for the Urban Renewal Agency while in office; the Idaho Counties Risk Management Program (ICRMP) will allow the City to be without an agent, and this will reduce the insurance premium. A staff member at the insurance agency will do administrative work while Councilman Craig will continue to work with Ms. Coderniz on insurance policy changes.

Mr. Ahrens stated that the public works crews have been busy with shoveling snow in the early morning hours and late into the evenings. Regarding potential flooding, the bottleneck on 16<sup>th</sup> Avenue E has been handled, and the irrigators did work in the irrigation system to carry more water if needed in order to prevent flooding. Mr. Ahrens further noted that crews are working to clear snow from the residential streets.

Mr. Richey stated that many of the building jobs have been suspended due to the snow. Other projects are still in the works.

Chief Harrison thanked the public works staff for keeping Station 2 clear of snow buildup, and he congratulated the newly elected officials.

Mr. Sanchez stated that he has been keeping Mr. Williams informed of the situation at the Wastewater facility and he is available for any questions. Mr. Williams stated that the membrane facility received an unknown substance that formed a barrier on the membranes which disallowed water to pass. Wastewater is still being treated but not at full capacity with the membranes down. The plant is still meeting the Biological Oxygen Demand (BOD), Total Suspended Solids (TSS) and phosphorus permit requirements although there may be some e coli violations. Mr. Williams commended staff for their efforts, as this type of issue has not occurred before; results of the unknown substance are pending. The industries have been working with staff, and once the substance is known, staff will adjust the pretreatment program to ensure continued compliance with all permits. He also commended Mr. Sanchez for communicating with the Department of Environmental Quality (DEQ), the Northside Canal Company, and the Department of Agriculture regarding the current issues, and he stated that several staff members have put in many hours to keep the plant in compliance.

**ADJOURNMENT:**

There being nothing further to discuss, Mayor Davis adjourned this January 4, 2022 regular meeting of the Jerome City Council at 6:07 p.m.

By:

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Mayor David M. Davis

Attest:

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Bernadette Coderniz, City Clerk