

April 4, 2023

This special meeting of the Jerome City Council was called to order by Mayor Davis at 5:00 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 Jason Peterson, Councilman Brent "Oop" Johnson, and Councilman Bryan Craig. Councilman Chris Barber joined the meeting at 5:13 p.m.

Also present were staff members: City Clerk Bernadette Coderniz, Legal Counsel Ted Larsen, City Administrator Mike Williams, City Engineer Tyson Carpenter, Wastewater Maintenance Supervisor Brad Henry, Public Works Director Brian Ahrens, Building Official Dave Richey, IS Director Carlos Hernandez, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, Library Director Linda Mecham, Human Resources and Planning Services Director Esmeralda Chavez, City Planner Ervina Covcic, Deputy Fire Chief Lane Sickles, Police Chief Duane Rubink, and Captain Anthony Gratzner.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Pastor Gary Terrell with the Freewill Baptist Church.

POLICE STATION TOUR:

The meeting recessed at 5:03 p.m. for a follow-up tour of the new police station. The meeting reconvened at 5:30 p.m.

PUBLIC HEARING:

This being the time and place published to consider a partial plat vacate of Northside Subdivision and Northside Subdivision, First Amended described as: being all of Lot 2, Block 2 and a portion of East Avenue W Right-of-Way as shown on that certain map entitled "Northside Subdivision, First Amended" containing approximately 12.05 acres and more specifically described in Exhibit A; **and** being all of Lots 2, 3, and 4, Block 3 as shown on that certain map entitled "Northside Subdivision", and a portion of Lot 1 and of Lot 5, Block 3 as shown on that certain map entitled "Northside Subdivision, First Amended" containing approximately 7.13 acres and more specifically described in Exhibit A, the Chair called the public hearing open at 5:30 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Covcic spoke of the vacation request and proposed revisions to the request heard at a previous Council meeting. The request is to remove easements on Lot 2, Block 2, and to incorporate the vacated right-of-way into that parcel; a map was shown for reference.

Additionally, the applicant also requests vacation of the easements and interior lot lines in Lots 1-5 of Block 3. Ms. Covcic stated the additional proposed access easement included in the application would allow for a right-of-way of E. Avenue W to tie into Hazel Street (east of the boundary line and not shown on map). Staff reviewed the request and had no concerns, and all easement holders agreed to the proposed vacation.

Applicant Testimony:

Tim Vawser with EHM Engineers representing Idaho Milk Products (IMP), 711 Birch Street, Kimberly, Idaho, appeared before Council and spoke of the previous vacation request discussed in December. The vacation will allow for the expansion of the IMP facilities to the west of their existing facility and extending to S. Tiger Drive. Mr. Vawser explained the proposal includes extending E. Avenue W to Hazel Street; it will also connect with the parking area at the existing IMP facility and be available for access to both facilities. He spoke of the initial request in December and stated the revised proposal keeps the full right of way and easements along E Avenue W, along with providing an easement over the top of Hazel Street for full access for the City and the public. Mr. Vawser further stated the easements and right of way dedications have been signed and will be recorded once the ordinance is published (if adopted). The ultimate goal is to give IMP two parcels on which to expand their facility in the future.

There was no testimony in favor, neutral nor in opposition to the information presented. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:36 p.m.

IDAHO MILK PRODUCTS PARTIAL PLAT VACATION:

Councilman Barber made the motion to approve the partial plat vacate request from EHM Engineers, Inc. representing Idaho Milk Products, Inc. on the property described in Exhibit A below. Second to the motion was made by Councilman Craig. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the March 21, 2023 regular meeting
2. Approve payment to Lombard-Conrad Architects for the Jerome Police Station project
3. Approve payment to Lombard-Conrad Architects for the Jerome Police Station Interior Design
4. Approve payment to Burk's Tractor for the Backhoe Exchange
5. Approve payment for City Wide Meeting expenses
6. Approve Park Reservation by Overcomer's Church for a Suicide Prevention Concert at ICCU Park on June 3rd
7. Approve Park Reservation by the Jerome Chamber of Commerce for their Mid-Summer Festival at ICCU Park on July 15th

Councilman Barber made the motion to approve the consent calendar as presented.. Second to the motion was made by Councilman Craig. After consideration, the motion passed

unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH:

The clerk read the proclamation in full:

PROCLAMATION

Whereas, child abuse is a serious and growing problem affecting more than 3.2 million of our nation’s children annually and thousands of children locally; and

Whereas, this societal malignancy called child abuse respects no racial, religious, class or geographic boundaries, and, in fact, has been declared a national emergency; and

Whereas, Head Start/Early Head Start through its support of parent aide programs, parenting classes, educational programs, and community service activities with the Magic Valley Prevention Coalition is making significant progress in stopping this crime against children and families.

Now, Therefore I, David M. Davis, Mayor of the City of Jerome, Idaho, do hereby proclaim the month of April 2023 as

CHILD ABUSE PREVENTION MONTH

and urge citizens to use this time to better understand, recognize and respond to this grievous problem. I would like to congratulate CSI- Head Start/Early Head Start and the Magic Valley Prevention Coalition for their continued success in helping families break the cycle of child abuse and neglect.

Mayor, /s/David M. Davis, Idaho

Council signified support with unanimous “ayes.”

PROCLAMATION – COLLEGE OF SOUTHERN IDAHO MONTH:

The clerk read the proclamation in full:

COLLEGE OF SOUTHERN IDAHO MONTH PROCLAMATION

WHEREAS, the United States of America is served by more than thirteen hundred community and technical colleges that have contributed significantly to the richness and accessibility of American higher education; and

WHEREAS, almost half of all American college students are attending a community college to pursue skilled training, career development, personal enrichment, or transfer preparation; and

WHEREAS, the American community colleges provide educational opportunities at cost and locations which support accessibility while maintaining accredited, quality instruction; and

WHEREAS, the College of Southern Idaho has served the Magic Valley and the State of Idaho well since its inception, and has been recognized for its excellence within the state, region, and nation; and

WHEREAS, the College of Southern Idaho has transformed the economic landscape of its service region, the Magic Valley, by developing education, economic and workforce developed seeking to assure a qualified workforce for the region and throughout the State of Idaho; and

WHEREAS, the College enriches the region through community education, fine arts and athletic events which provide engagement opportunities for its students and regional residents; and

WHEREAS, the College was created by the vote of the citizens of the Counties of Twin Falls and Jerome, and the College opened on September 1, 1965; and

WHEREAS, the College continues to serve the region’s residents with the state-of-the-art programs and services;

WHEREAS, the American Association of Community College and the Association of Community College Trustees recognize April each year as Community College Month and encourage its national recognition;

NOW, THEREFORE, I, David M. Davis, Mayor of the City of Jerome, do hereby proclaim that April 2023 is:

COLLEGE OF SOUTHERN IDAHO MONTH

In the City of Jerome, Idaho.

/s/David M. Davis

David M. Davis, Mayor

April 4, 2023

Council signified support with unanimous “ayes.”

RESOLUTION NO. 04-23:

Ms. Chavez stated the Policy Manual review committee met several times to review and revise the manual as needed. She spoke of grammar and language edits, and identified the following as key policy points:

- Page 27 – adding language reflecting our online timesheet process to the payroll procedures;
- Page 32 - Revising the Personal Time Off (PTO) section to allow the supervisor discretion in approving and managing their employees’ PTO requests;
- Page 33 – Revising language in the Short-term Medical Leave (STML) Donation section to reflect existing language in the Family Medical Leave Act (FMLA) section.
- Page 34 – Adding Columbus Day to the list of recognized holidays;
- Page 35 – Updating language for unpaid leave of absence;
- Page 54 – Updating the accrual rates on the PTO table for the one through ten-year categories;
- Page 55 – Adding language for a PTO Sell Back Program

Mayor Davis requested that Council review these changes individually and discuss if there were questions. The changes indicated in pages 27-33 were briefly reviewed and Council had no issues. The holiday discussion continued after the other items were reviewed and is

featured below. Regarding PTO accrual rates on page 54, Ms. Chavez explained the PTO accrual rates are based on longevity, and the proposed increases will give new employees the opportunity to earn more PTO hours in their first years of employment. Accrual rates for those employed with the City five through nine years also showed a slight increase; those with ten or more years will continue to accrue PTO hours as listed in the existing policy. Councilman Barber questioned the leave of absence policy language changes and the requirement that a leave of absence of six weeks be approved by Council. Mr. Williams stated approvals would be on a case-by-case basis and brought forward to Council as quickly as possible. Mayor Davis spoke of the PTO sell-back program on page 55 and stated he believes the program is a positive addition to the policy manual. Once employees reach their maximum accrual of 320 hours they do not accrue additional hours. Upon inquiry by Councilman Barber, Chief Rubink stated a similar program with “sick leave” was implemented years ago. Additionally, Ms. Chavez clarified that employees are allowed to donate STML hours but not PTO, and Mayor Davis clarified that employees would be able to sell back 40 hours of PTO per fiscal year as long as a minimum of 120 hours remain on the books after the sell-back. He also spoke of employees who max out on their PTO and will now have the ability to continue accruing hours for personal use.

Regarding the Columbus Day holiday on page 34, Mayor Davis provided information (i.e. PTO days, paid holidays, etc.) obtained from various local businesses (Farmer’s Bank, IMP, Agropur, etc.) for comparison purposes. He stated the City currently grants employees eleven paid holidays which match all federal holidays, and a floating holiday of eight hours is also granted. When holidays fall on a Saturday or Sunday, employees get the holiday on either Monday or Friday so as to not lose any paid holidays whereas other entities do not pay the holiday when it falls on the weekend. Some businesses have a limited number of paid holidays, and others have limited PTO accrual compared to the City. Some have sick leave and annual leave, and others give eleven federal holidays but not the day after Thanksgiving while others include Christmas Eve as a paid holiday but no floating holiday off. Upon inquiry by Councilman Craig, Mayor Davis explained that he feels the City offers an adequate number of holidays and an additional paid holiday is unnecessary. Councilman Craig commented that surrounding businesses including banks and County offices are closed, and Councilman Barber noted that some City offices are not busy enough to justify being open on Columbus Day; he finds it to be a benefit to employees to have the additional paid holiday and that an extra holiday keeps the City competitive in terms of attracting and retaining employees; Councilman Peterson concurred with this statement.

Mayor Davis questioned the customer traffic on Columbus Day in previous years, and Councilman Barber commented on the lack of customer traffic at City Hall during the Columbus Day holiday. Councilman Peterson inquired about the cost of paying overtime to those employees required to work on the holiday, and Mr. Hyatt stated the pay would depend on the department and their schedules. Additionally, the PTO sell-back program is estimated to be an approximate annual cost of \$7,000-\$8,000 to the City. Mayor Davis commented that the City is very fair with employees in terms of paid holidays, and Councilman Peterson stated that, while he is indifferent to the proposed additional paid holiday, attracting and retaining employees is always a concern.

The clerk read Resolution No. 04-23 as follows:

RESOLUTION NO. 04-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME,

IDAHO, AMMENDING THE CITY OF JEROME EMPLOYEE PERSONNEL POLICY MANUAL AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Jerome Personnel Policy Manual was adopted by the City Council on September 19, 2017; and,

WHEREAS, the City of Jerome wishes to make an amendment to the Employee Personnel Policy Manual since it was adopted, Resolution No 15-17; and,

WHEREAS, the amending policy has been reviewed by the City Attorney; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Jerome, Idaho, that:

Section 1: Repealing Resolution 15-17. Resolution No. 15-17 and any other conflicting resolutions passed prior to this date are repealed in their entirety.

Section 2: Adoption of City of Jerome Employee Personnel Policy Manual. The attachment to Resolution 04-23 as Exhibit "A" is hereby adopted as the official City of Jerome Employee Personnel Policy Manual.

Section 3: Severability. If a part of Resolution 04-23 is invalid, all valid parts that are severable from the invalid part remain in effect.

Section 4: Effective Date. The effective date of this resolution shall be April 4, 2023.

PASSED BY THE COUNCIL this 4th day of April, 2023.

SIGNED BY THE MAYOR this 4th day of April, 2023.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Craig made the motion to pass Resolution No. 04-23. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

2021-2022 FISCAL YEAR AUDITED FINANCIAL STATEMENTS:

Auditor Laurie Harberd with Rexroat, Harberd and Associates, P.A. appeared to present the 2021-2022 audit report. The City of Jerome was not subject to single audit procedures for FY2022 because there was not more than \$750,000 in federal grant expenditures in the year. She briefly reviewed the audit report and stated that each set of financial statements is listed in the paragraph (audit opinions) as the audit is of governmental activities, business-type activities, the component unit, and each major fund is listed in the report. Page 1 also notes the auditor has determined that the financial statements were fairly presented in all material respects in conformity with generally accepted accounting principles, and the audit was conducted in accordance with generally accepted auditing and government auditing standards. The report notes the auditor is also required to be independent of the City of Jerome and that sufficient and

appropriate evidence was obtained as a basis for the audit opinion. Management and auditor responsibilities are also listed in the report on page 2 along with supplementary information pertaining to the audit. Ms. Harberd spoke of reasonable assurance and explained that not every transaction was tested, and internal control procedures were reviewed to determine risk areas to be tested.

Management discussion and analysis are featured on pages 4-14; although not audited, the discussion and analysis were reviewed for reasonableness as part of the audit process. Two sets of financial statements are required of a government entity: full accrual and modified accrual statements. Pages 14-15 show full accrual statements include the City's assets and liabilities and the Urban Renewal Agency as a component unit. Pages 16-18 show modified accrual (aka current resources model) statements and do not include long-term assets, long-term liabilities, nor capital assets. Ms. Harberd noted every fund showed a positive balance; the General, Street, and Library funds show net profits while the Park fund showed a loss. Pages 19-21 lists proprietary funds under full accrual and every fund had a positive net worth. The Statement of Cash Flows (required for proprietary funds only) ties out to the cash balance in the financial statements. Notes to the financial statements are on pages 22-46, and Ms. Harberd briefly reviewed the notes with Council. Note 2 for cash and investments are listed on pages 28-29 along with restricted cash and uses. Note 3 on page 30 lists capital assets; leased equipment is now required to be listed as assets on the financial statements. Notes 4-5 list long-term liabilities for business-type activities and governmental liabilities including leased liabilities which offset leased assets. Note 6 shows lease receivables and specific information pertaining to income received on leases (i.e. police tower, fire station land, etc.). Ms. Harberd stated the remaining notes provide additional information including PERSI, employee benefits, commitments, fund balances and interfund transactions. Page 46 shows the implementation of the new GASB Statement No. 87 and states what was required. Budgetary comparison schedules for governmental funds are on pages 47-50, and all funds did better than budgeted. Pages 51-52 are schedules required by governmental accounting standards pertaining to PERSI reporting, and page 53 has notes to the corresponding schedules. Budgetary comparison schedules for proprietary funds indicate that all funds, with the exception of the sanitation fund, did better than budgeted. The remaining pages of the audit report listed other schedules, ten-year trend information for property tax levies and collections, expenditures and revenues. Pages 64-65 show the independent auditor's report on internal control over financial reporting and on compliance and other matters. No instances of noncompliance or other matters were disclosed. The Governance Letter is a requirement of the auditor to report directly to Council as the governing body and was also included with the audit report.

Councilman Barber made the motion to approve the Fiscal Year 2022 audited financial statements as presented. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

POLICE STATION FURNITURE AND GYM EQUIPMENT PACKAGES:

Chief Rubink stated engineers were recently hired to put together a furniture package for the new police station and the bid received for \$251,704.21 includes all items for operations within the police station. Upon inquiry by Councilman Craig, Chief Rubink stated cabinets and shelving were part of the millworks project and separate from the furniture package. Councilman Barber commented on the cost of the bid package, and Chief Rubink stated the

furniture and equipment listed are commercial grade and will last for many years; the cost also includes the purchase, shipping, installation, and follow-up warranties. Additionally, the list of items in the package include desks, chairs, charging plugs, etc. Mayor Davis inquired about the completion date of the police station, and Chief Rubink stated the furniture will be installed immediately following the completion date (first or second week of June). He also stated there will be an Open House event for City employees and local law enforcement along with an Open House event for the public.

Mr. Williams stated the funds to pay for the furniture package were not included in the initial bid submitted by Starr Corporation, the Construction Manager/General Contractor for the project. The budget will need to be amended at year's end to show general fund reserves or revenues received from the closure of URA Area 2 utilized to pay for the furniture package.

Councilman Barber made the motion to approve the Chief of Police to sign the quotes from Lombard Conrad for the purchase of a furniture package and gym equipment package for the new police station in the amount of \$238,295.62 and \$13,156.00. Second to the motion was made by Councilman Craig. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

FAT CLARENCE'S BEER AND WINE LICENSE TRANSFERS:

Ms. Coderniz stated Jeff and Angela Agundez and Michelle Ensworth purchased Fat Clarence's from C.R. Larsen and plan to continue operations at the location listed above. They will need to provide the State of Idaho and Jerome County liquor licenses along with an updated site map for outdoor sales, and the building is subject to building and fire inspections prior to the issuance of a license. The applicants have paid City transfer fees. Upon inquiry by Councilman Johnson, Mr. Williams and Councilman Barber confirmed there is a fence outside on the south of the building but the area where beer and wine could be served is not enclosed. Brief discussion ensued regarding the potential patio area and whether or not it will be completely fenced in.

Councilman made the motion to approve the application from Zednuga, LLC dba Fat Clarence's for the sale of beer and wine at 1210 S. Lincoln Ave, Jerome, for on-premises consumption contingent upon providing the State of Idaho and Jerome County liquor licenses, updated site map and passing all required fire and building inspections. Second to the motion was made by Councilman. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Craig, Councilman Barber, Councilman Johnson, and Councilman Peterson. **NAYS:** None.

COUNCIL REPORTS:

Councilman Barber reminded everyone about the Annual Breakfast with the Easter Bunny and egg hunt at Forsyth Park on April 8th. He also inquired about the parking lot at the new police station, and Mr. Williams stated no bids for paving were received. He spoke with Mike Arrington with Starr Corp., and the primary issue with getting bids was the aggressive schedule for completion. Mr. Williams further stated the Open House will not be scheduled until the parking lot is paved.

Councilman Craig inquired about a letter to the Northside Journal to publish information pertaining to weeds in the alleys including City and resident responsibilities, and Mr. Ahrens

stated a letter will be developed. Councilman Craig noted the same could be done next winter to advise residents of responsibilities for snow removal. He also inquired about a spring clean-up day, and Mr. Williams stated May 6th will be the City Wide Clean Up Day; the Carl Nellis Day of Service will be a project-based program every September. Regarding the street sweeper, Mr. Ahrens stated staff are looking at different models while the existing sweeper is still functioning. Part-time staff will take on the task of sweeping streets on a regular basis.

DEPARTMENT REPORTS:

Mr. Williams stated the City-Wide meeting will take place on April 5th at the Jerome Fairgrounds/Messersmith Building 8:45 a.m.-1:00 p.m. and the Mayor and Council are invited to attend to introduce themselves. A variety of topics are on the morning's agenda and lunch will be catered.

Regarding the property tax bill, Mr. Williams stated he sent correspondence to the Mayor and Council and that the bill was vetoed by the Governor and overridden by the House and passed. Projections on how much in property tax relief to homeowners are not yet known.

Mr. Carpenter stated bids for the sidewalk project were opened in March, and the bid received was significantly higher than the anticipated budget for the project. Staff is seeking additional grant funding through the Local Highway Technical Assistance Council (LHTAC). A consultant will be required for the construction engineering of the project, and Mr. Carpenter hopes to have more information by the next Council meeting. Upon inquiry by Councilman Barber, Mr. Carpenter anticipates the project will be completed before the new school year begins in the fall.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this April 6, 2023 special meeting of the Jerome City Council at 6:39 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk