

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, Councilman Brent "Oop" Johnson, and Councilman Bryan Craig.

Also present were staff members: City Clerk Bernadette Coderniz, Legal Counsel Ted Larsen, City Administrator Mike Williams, City Engineer Tyson Carpenter, Public Works Director Brian Ahrens, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, IT Technician Andy Newbry, Finance Director Ross Hyatt, Human Resources and Planning Services Director Esmeralda Chavez, City Planner Ervina Covcic, Fire Chief Mike Harrison, and Police Chief Duane Rubink.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Pastor Caroline Shoobridge with the First Baptist Church.

PUBLIC HEARING:

This being the time and place published to consider an Ordinance of the Mayor and Council of the City of Jerome, creating Title 16 Chapter 16.047, separate ownership of units in duplexes of the Jerome Municipal Code, providing for duplex units to be split and sold to different owners; for a procedure to receive approval for a duplex split; providing for conditions to approve a duplex split; and providing for an effective date, the Chair called the public hearing open at 5:33 p.m. and briefly reviewed the procedures that will be followed.

Staff Presentation:

Ms. Covcic spoke of the proposed ordinance which would provide provisions on a process for ownership of duplex units. Duplex units are currently allowed in Residential zones (R-2, R-3, RM) and must share one lot. Meetings were held before the Planning and Zoning Commission (P&Z) in February and March, and the commission approved the ordinance as presented. Ms. Covcic briefly reviewed highlights of the proposed ordinance including the minimum lot size of 3,100 square feet in all appropriate zones; separate sewer and water facilities; fire walls as required by building code; parking provisions; and mention of setbacks. Staff comments were requested and Mr. Carpenter recommended an increase to the minimum lot size from 3,100 to 3,500, and changes to the parking provisions and lot line provisions. Ms. Covcic noted that the P&Z approved the ordinance with the 3,100 square feet minimum and stated Council has the authority increase the minimum lot size to 3,500 square feet.

Upon inquiry by Mayor Davis, Ms. Covic confirmed the draft ordinance before the Council states the minimum lot size is 3,100 square feet for all residential zones; the request to increase the minimum lot size came after the ordinance was prepared, citing the following: the impact on utilities; off-street parking, and more buildable area on the lots.

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 5:39 p.m. Councilman Peterson commented on Mr. Carpenter's recommendation to increase the lot size minimum.

ORDINANCE 1219, BILL 704, INTRODUCTION:

Councilman Craig sponsored the bill.

Councilman Craig made the motion to suspend the rules pertaining to the reading of the bill on three separate occasions and have the clerk read by title only to constitute the three readings. 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 Craig. **NAYS:** None. Councilman Barber recused himself

The clerk read the bill once by title only, and the ordinance in full is as follows:

**ORDINANCE NO. 1219
BILL NO. 704**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, CREATING TITLE 16 CHAPTER 16.047, SEPARATE OWNERSHIP OF UNITS IN DUPLEXES OF THE JEROME MUNICIPAL CODE, PROVIDING FOR DUPLEX UNITS TO BE SPLIT AND SOLD TO DIFFERENT OWNERS; FOR A PROCEDURE TO RECEIVE APPROVAL FOR A DUPLEX SPLIT; PROVIDING FOR CONDITIONS TO APPROVE A DUPLEX SPLIT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Title 16, nor any other Title of the Jerome Municipal Code specifically allows duplex units to be split and sold as separate units;

WHEREAS, allowing for duplexes to be split into separate ownership provides more opportunities for sellers and buyers of real property; and

WHEREAS, the City desires to promote the best practices for owning and transferring real property from one owner to another;

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

Section 1. That section 047 is added to Title 16, Chapter 16 of the Jerome Municipal Code on file and is hereby enacted and the same is hereby declared to read as follows:

16.16.047: SEPARATE OWNERSHIP OF UNITS IN DUPLEXES

Owners of duplexes may split a duplex into separate units to be sold to different owners under the following procedure:

A. An application for duplex split to be made with the Planning and Zoning Administrator on a form provided by the Administrator. The Administrator shall have all departments of the

city review the application, and upon their review and recommendations, shall allow a duplex split upon receiving evidence that the following conditions have been met:

1. Each unit shall have a lot area not less than the following:
 - a. R-2: The minimum lot area shall be three thousand one hundred (3,100) square feet;
 - b. R-3: The minimum lot area shall be three thousand one hundred (3,100) square feet;
 - c. R-M: The minimum lot area shall be three thousand one hundred (3,100) square feet;
 - d. C-1 (Subject to the approval of a special use permit): The minimum lot area shall be three thousand one hundred (3,100) square feet;
 - e. CBD (Subject to the approval of a special use permit): The minimum lot area shall three thousand one hundred (3,100) square feet;
 - f. MU (Subject to the approval of a special use permit): The minimum lot area shall be three thousand one hundred (3,100) square feet;
2. Firewalls as required by the building code and the city inspection department have been provided between the units.
3. Separate sewer and water facilities are provided to each unit.
4. Two (2) off-street parking spaces are provided for each unit.
5. Duplex units shall abide by setback requirements in each zone which is set forth in section 17.14.020 of the Jerome City Code.
6. Any requirements set forth in this subsection shall comply with all city and state standards.

Section 2. This ordinance shall become effective upon its passage and publication as required by law.

PASSED BY THE COUNCIL THIS 18th day of April, 2023.

SIGNED BY THE MAYOR THIS 18th day of April, 2023.

CITY OF JEROME, IDAHO

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Craig made the motion to adopt Bill No. 704 as Ordinance No. 1219, – an Ordinance of the Mayor and Council of the City of Jerome, creating Title 16 Chapter 16.047, separate ownership of units in duplexes of the Jerome Municipal Code, providing for duplex units to be split and sold to different owners; for a procedure to receive approval for a duplex split; providing for conditions to approve a duplex split; and providing for an effective date with

the recommended changes. On the advice of legal counsel, Councilman Craig amended his motion to include the recommended change of a larger minimum lot of 3,500 square feet. 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 Craig. **NAYS:** None.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the April 4, 2023 regular meeting
2. Approve payment to Peterson Brother's for the 10th Ave Tank project
3. Approve payment to Keller Associates for the New Headworks project
4. Approve payment to JC Constructors, Inc. for the New Headworks building
5. Approve payment to Keller Associates for the Wastewater Master Plan update
6. Monthly Department Reports
7. Approve Claims

All Wireless Communications \$6,812.08, Amazon Capital Services \$32.89, American Legal Publishing Corp. \$185.65, Andersons Inc \$321.60, Arlene's Flowers \$200.00, Arrowhead Forensics \$247.81, Ashley Romeri \$47.06, Badger Meter \$890.00, Best Western Pocatello Inn \$440.00, Bestday HR \$175.00, Boise Office Equipment \$33.28, Brodart Company \$98.79, Bullock Automation and Electric \$1,330.00, Burks Tractor Co. Inc. \$15,000.00, B-Z Plumbing \$56.72, Callen Refrigeration LLC \$367.50, Canyonside Towing Inc. \$195.00, Carla Colfack \$161.19, Center Point Large Print \$94.08, Century Link \$1,763.38, Centurylink Business Services \$63.04, Chase Paymenttech \$2,405.16, Cintas Corporation \$136.19, City Of Jerome \$603,148.45, Consolidated Electrical Dist. \$64.02, Crozier Coachworks \$1,500.00, Culligan Soft Water Service \$192.50, D & B Supply \$2,668.37, Dig Line Inc \$282.37, Don's Irrigation LLC \$40.16, Ednetics Inc \$76.49, Electrical Contractors Of Id \$419.37, Element Heating and Cooling Inc \$99.00, Ergometrics & Applied Personnel Research \$200.28, Esri Inc. \$5,610.00, Farmore Of Idaho \$487.45, Fast Lane Automotive LLC \$2,484.94, Fastenal Company \$475.14, Ferguson Enterprises #3007 \$1,177.24, Ferguson Enterprises Inc. \$1,853.68, Freedom Electric Inc. \$1,858.44, Freedom Mailing Services Inc \$2,339.46, Gem State Paper & Supply \$44.33, Gem State Welder's Supply \$1,716.49, Go-Fer It Express \$378.00, Greatamerica Financial Services \$165.00, H.D.Fowler \$2,902.36, Hach Company \$186.04, Haffners Lock and Key \$149.90, Harvey's Office Plus \$164.05, Heglar Creek Electric LLC \$6,115.00, Home Depot Credit Services \$24.00, Hub City Building Inc \$995.34, Hydro Specialties Company \$4,186.71, Id Rural Water Association \$1,300.00, Id State Tax Commission \$70.83, Idaho Construction Supply \$24.66, Idaho Power Co. \$75,548.06, Idaho Precast Concrete Inc. \$11,350.10, Idaho State Police \$1,825.00, Industrial Software Solutions I LLC \$8,310.00, Ingram Book Company \$1,737.79, Integrity Pump Solutions Inc \$435.00, Intermountain Gas Company \$8,987.59, Interstate Battery System Id \$127.95, Interstate Billing Service Inc \$726.71, J & J Enterprises \$1,244.69, Jc Constructors Inc \$474,030.08, Jerome City Water Department \$469.56, Jerome County \$12,509.08, J-U-B Engineers Inc. \$4,383.50, Keller Associates Inc \$38,598.67, Leaf Capital Funding LLC \$22,569.09, Les Schwab Tire Centers Inc \$881.96, Lexisnexis Risk Solutions \$28.00, Local Highway Tech Assit.Council \$315.00, Lombard-Conrad Architects P.C. \$15,888.93, Magic Valley Hydraulics & Repair LLC \$12.16, Magic Valley Labs \$9,715.75, Mango Languages-Dept 7093 \$3,638.27, Master Muffler \$79.95, McCall Stauffer \$48.39, McHugh Bromley PLLC \$1,637.30, Metroquip Inc. \$1,497.50, Minert & Associates Inc. \$51.75, Mountainland Supply Company \$6,458.66, Mower Office Systems \$99.98, Mwi Veterinary Supply \$1,352.25, Napa Auto Parts \$758.07, New Tech Security Inc. \$210.00, O'reilly Auto

Parts \$50.94, Overdrive \$1,800.00, Overhead Door Company Of TF Inc \$202.50, Pet Waste Eliminator \$487.99, Petersen Brothers Construction Inc \$638,243.82, Prescott & Craig \$50.00, Project Mutual Telephone \$322.94, PSI Environmental Services Inc \$24,718.25, Quadient Leasing USA Inc \$899.58, Red Lion \$105.00, Rexel USA Inc \$1,545.53, Ridley's Food & Drug \$364.08, Rocky Mountain Valves & Auto Inc \$5,918.62, Safe Life Defense LLC \$537.30, Sassy Software Solutions LLC \$33.75, Sawtooth Veterinary Services \$283.75, Signature Equipment Corp \$504.86, Signed Sealed & Delivered \$107.00, Silversky Inc - Dept 106071 \$2,548.56, Skaggs Companies Inc. \$2,950.38, SKM Inc. \$2,062.50, Smith Promotions \$156.50, Southern Idaho Solid Waste \$15,374.52, Spring Cleaning \$2,000.00, Texas Roadhouse \$1,082.13, Thatcher Company \$16,369.25, The Fire Store \$345.33, The Radar Shop \$1,293.00, Times News \$1,000.99, T-Mobile \$614.03, Tore Up \$60.00, Treasure Valley Coffee Inc. \$212.46, U.S. Bank Equipment Finance \$475.39, USA Bluebook \$3,291.63, Valley Office Systems \$101.61, Valley Wide Cooperative \$18,648.89, Verizon Wireless \$3,455.43, Western States Equipment \$7,143.80, Western Waste Services \$1,740.71, Wickel Tire Inc \$94.88, Williams Meservy & Larsen LLP \$12,856.42, Winn & Co. Inc. \$1,302.90, Wright Physical Therapy \$420.00, Xpress Bill Pay \$1,411.48

*****INSERT CLAIMS HERE*****

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

PRESENTATION:

Desea Lance, IT staff for Jerome County, appeared before Council to request a support letter for a county-funded broadband. The County is seeking a grant for funding of the broadband for County citizens including those in Eden and Hazelton, and a letter of support was requested of Council. The broadband will also be available in Jerome although TDS Telecom (TDS) is currently installing fiber line, and Ms. Lance stated the County buildings would be utilizing the County-owned fiber line should the grant application be successful. Upon inquiry by Councilman Craig, Ms. Lance stated no agreements to lay fiber have been signed with any companies; additionally, the grant funding would pay for the fiber installation. Councilman Barber commented on TDS fiber near the courthouse already, and Mr. Williams explained that TDS received federal funding to install fiber lines throughout the City of Jerome, but the City has no financial relationship with TDS. Ms. Lance requested the letter of support be submitted by April 21st, and stated the county-owned fiber would benefit everyone in Jerome County including the City. She further stated companies could potentially pay to use the fiber, and she referenced the City of Emmett.

Mayor Davis confirmed the letter of support would show support for funding by accompanying the grant application without being financially responsible or tied to the project. Upon inquiry by Councilman Barber regarding fiber support through TDS or PMT, Ms. Lance stated the County did not want to utilize one specific carrier so that all County buildings could be connected and on one network separate from the carriers. Plus, leasing out County-owned fiber would bring funding to the County. Councilman Peterson inquired about the location of the fiber to be laid, and Ms. Lance stated the fiber would be laid in Jerome city limits and the telephone line cables in Eden and Hazelton; for those areas without any type of internet connection available, towers would be built for wireless connections. Councilman Craig spoke of Lincoln County and the cables and towers providing bandwidth throughout their county. Mr. Williams inquired about City connections, and Ms. Lance stated if there is a demand within the City to

provide the fiber, it will be available. Mr. Williams commented about the recent work done by TDS and the issues that followed installation of the fiber (broken concrete, etc.). Ms. Lance stated the fiber line would be installed to connect the County buildings and owned by Jerome County.

Mr. Williams explained that staff would be meeting with the IS manager to be sure all is understood; he prefers little impact to the residents of Jerome considering the recent fiber installation issues. Mayor Davis reiterated the letter of support would not require any obligation by the City with the project, and Councilman Craig stated the Lincoln County Commissioners have been pleased with the fiber work. Ms. Lance stated the fiber would also provide a redundant network to the City if needed.

Cody Westover, Jerome County System Administrator, also appeared before Council and stated a study was done by Rocky Mountain West Telecom and fully funded by the County. Council agreed to support the grant application with the stipulation that there would be no financial responsibility on behalf of the City.

PROCLAMATION – BUILDING SAFETY MONTH, MAY 2023:

The clerk read the proclamation in full:

PROCLAMATION BUILDING SAFETY MONTH — MAY 2023

Whereas our City is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and;

Whereas our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

Whereas these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

Whereas Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

Whereas “It Starts with You,” The theme for Building Safety Month 2023, encourages us all to raise awareness about building safety on a personal, local and global scale, and;

Whereas each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by

local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, David M. Davis, Mayor of the City of Jerome, State of Idaho, do hereby proclaim the month of May 2023 as Building Safety Month. Accordingly, I encourage our citizens to join us as we participate in Building Safety Month activities.

/s/David M. Davis
David M. Davis, Mayor

Council signified support with unanimous “ayes.”

PROCLAMATION – MUNICIPAL CLERKS WEEK, APRIL 30-MAY 6, 2023:

The clerk read the proclamation in full:

**PROCLAMATION
54th ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK
APRIL 30 - MAY 6, 2023**

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, Therefore, I, David M. Davis, Mayor of the City of Jerome, do recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Bernadette Coderniz and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 18th day of April, 2023

Mayor /s/David M. Davis

Attest: /s/Bernadette Coderniz

Council signified support with unanimous “ayes.”

RESOLUTION NO. 05-23:

Ms. Covcic stated this resolution pertains to the recent partial plat vacate request by Idaho Milk Products (IMP) at the April 4th City Council meeting. The request was for the property west to the IMP facility reconfiguring two large lots.

The clerk read Resolution No. 05-23 as follows:

RESOLUTION NO. 05-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO APPROVING THE APPLICATION OF IDAHO MILK PRODUCTS, INC FOR A VACATION REQUEST OF PROPERTY LOCATED AT LOT 2, BLOCK 2 AND A PORTION OF EAST AVENUE W RIGHT-OF-WAY AS SHOWN ON THAT CERTAIN PLAT ENTITLED "NORTHSIDE SUBDIVISION, FIRST AMENDED," RECORDED IN THE RECORDS OF JEROME COUNTY ON NOVEMBER 20, 2019 AS INSTRUMENT NO. 2195488 AND ALSO LOTS 2, 3 AND 4, BLOCK 3 AS SHOWN ON THAT CERTAIN MAP ENTITLED "NORTHSIDE SUBDIVISION", RECORDED IN THE RECORDS OF JEROME COUNTY ON MAY 19, 2017 AS INSTRUMENT NO. 2171814 AND ALSO A PORTION OF LOT 1 AND OF LOT 5, BLOCK 3 AS SHOWN ON THAT CERTAIN MAP ENTITLED "NORTHSIDE SUBDIVISION, FIRST AMENDED", RECORDED IN THE RECORDS OF JEROME COUNTY ON NOVEMBER 20, 2019 as INSTRUMENT NO. 2195488.

WHEREAS, the Real Property in question is more particularly described as:

Being all of Lot 2, Block 2 and a portion of E. Ave. W. Right-of-Way as shown on that certain map entitled "Northside Subdivision, First Amended", recorded November 20, 2019 as Instrument No. 2195488 in the office of the County Recorder of Jerome County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Lot 2 and being the REAL POINT OF BEGINNING;
Thence, along the East Boundary of said Lot 2, South 00°16'49" West 679.80 feet to the Southeast corner thereof;
Thence, along South Boundary of said E. Ave. W. Right-of-Way, along the arc of a non-tangent curve to the right having a radius of 50.00 feet, through a central angle of 90°45'10" (Record: 91°08'42"), an arc distance of 79.20 feet (Record: 79.54) and a long chord that bears South 45°51'44" West 71.17 feet (Record: South 46°03'47" West 71.41 feet);
Thence, continuing along said South Boundary, North 89°30'34" West 587.70 feet;
Thence, leaving said South Boundary, North 00°29'26" East 64.00 feet to a point on the South Boundary of said Lot 2;
Thence, along said South Boundary, North 89°30'34" West 245.08 feet to the Southwest corner thereof;
Thence, along the West Boundary of said Lot 2, North 00°29'26" East 576.76 feet to the Northwest corner thereof;
Thence, along the North Boundary of said Lot 2, South 89°30'37" East 453.42 feet;
Thence, continuing along said North Boundary, along the arc of a non-tangent curve to the left having a radius of 600.00 feet, through a central angle of 14°10'42", an arc distance of 148.48 feet and a long chord that bears North 83°32'02" East 148.10 feet;
Thence, continuing along said North Boundary, North 76°16'11" East 289.37 feet to said REAL POINT OF BEGINNING.

Containing approximately 12.97 acres.

Being all of Lots 2, 3 and 4, Block 3 and a portion of South Garfield Street as shown on that certain map entitled "Northside Subdivision", recorded May 19, 2017 as Instrument No. 2171814 in the office of the County Recorder of Jerome County, more particularly described as follows:

Beginning at the Northeast corner of said Lot 2 and being the REAL POINT OF BEGINNING;
Thence, along the East Boundary of said Lot 2, South 00°29'26" West 258.73 feet to the Southeast corner thereof;
Thence, along the South Boundary of said Lots 2, 3 and 4, North 89°30'34" West 507.82 feet to a point on the East Right-of-way Boundary of South Garfield Street as shown on said map;
Thence, along said East Right-of-way Boundary, North 00°16'51" East 220.59 feet;
Thence, continuing along said East Right-of-way Boundary, along the arc of a curve to the right having a radius of 38.00 feet, through a central angle of 90°12'35" (Record: 90°12'47"), an arc distance of 59.83 feet and a long chord that bears North 45°23'09" East 53.84 feet to a point on the South Right-of-way of East Avenue W;
Thence, along said South Right-of-way Boundary, South 89°30'34" East 470.63 feet to said REAL POINT OF BEGINNING.

Containing approximately 3.01 acres.

Being all of Lots 1 and 5, Block 3 as shown on that certain map entitled "Northside Subdivision, First Amended", recorded November 20, 2019 as Instrument No. 2195488 in the office of the County Recorder of Jerome County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Lot 1 and being the REAL POINT OF BEGINNING;
Thence, along the East Boundary of said Lot 1 and 5, South 00°16'49" West 509.42 feet to the Southeast corner said Lot 5;
Thence, along the South Boundary of said Lot 5, North 89°30'31" West 676.68 feet to the Southwest corner of said Lot 5,
Thence, along the East Boundary of said Lot 5, North 00°16'51" East 200.69 feet to the Northwest corner thereof;
Thence, along the North Boundary of said Lot 5, South 89°30'31" East 507.82 feet to the Southwest Corner of said Lot 1;
Thence, along the East Boundary of said Lot 1, North 00°29'26" East 258.73 feet to the Northwest corner thereof;
Thence, along the North Boundary of said Lot 1, South 89°30'34" East 117.07 feet;
Thence, continuing said along North Boundary, along the arc of a non-tangent curve to the left having a radius of 50.00 feet, through a central angle of 90°45'10" (Record: 91°08'42"), an arc distance of 79.20 feet (Record: 79.54 feet) and a long chord that bears North 45°51'44" East 71.17 feet (Record: South 46°03'47" West 71.41 feet) to said REAL POINT OF BEGINNING.

Containing approximately 4.13 acres.

(hereinafter "Real Property"); and

WHEREAS, the Real Property is a portion of a platted subdivision; and

WHEREAS, IDAHO MILK PRODUCTS, INC. has, pursuant to Idaho Code Section 50-1306A, filed an Application for Vacation Request of a portion of the Northside Subdivision and a portion

of the Northside Subdivision, First Amended, as more particularly described above (“Petition”) to partially vacate the plats and remove the easements and rights-of-way therefrom and proposes to replat the vacated portions into two lots, more particularly described as follows:

Parcel 1:

Being all of Lot 2, Block 2 and a portion of E. Ave. W. Right-of-Way as shown on that certain map entitled “Northside Subdivision, First Amended”, recorded November 20, 2019 as Instrument No. 2195488 in the office of the County Recorder of Jerome County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Lot 2 and being the REAL POINT OF BEGINNING;
Thence, along the East Boundary of said Lot 2, South 00°16’49” West 665.80 feet;
Thence, leaving said East Boundary, North 89°30’34” West 883.39 feet to the Southwest corner of said Lot 2;
Thence, along the West Boundary of said Lot 2, North 00°29’26” East 576.76 feet to the Northwest corner thereof;
Thence, along the North Boundary of said Lot 2, South 89°30’37” East 453.42 feet;
Thence, continuing along said North Boundary, along the arc of a non-tangent curve to the left having a radius of 600.00 feet, through a central angle of 14°10’42”, an arc distance of 148.48 feet and a long chord that bears North 83°32’02” East 148.10 feet;
Thence, continuing along said North Boundary, North 76°16’11” East 289.37 feet to said REAL POINT OF BEGINNING.

Containing approximately 12.05 acres.

Parcel 2:

Being all of Lots 2, 3 and 4, Block 3 as shown on that certain map entitled “Northside Subdivision”, recorded May 19, 2017 as Instrument No. 2171814 in the office of the County Recorder of Jerome County and a portion of Lot 1 and of Lot 5, Block 3 as shown on that certain map entitled “Northside Subdivision, First Amended”, recorded November 20, 2019 as Instrument No. 2195488 in the office of the County Recorder of Jerome County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Lot 1 (#2195488);
Thence, along the East Boundary of said Lot 1 (#2195488), South 00°16’49” West 50.00 feet to the REAL POINT OF BEGINNING;
Thence, continuing along said East Boundary and the East Boundary of said Lot 5 (#2195488), South 00°16’49” West 459.42 feet to the Southeast corner said Lot 5;
Thence, along the South Boundary of said Lot 5, North 89°30’31” West 676.68 feet to a point on the East Right-of-way Boundary of Garfield Street as shown on said map (2195488);
Thence, along said East Right-of-way Boundary and its Northerly prolongation, North 00°16’51” East 421.28 feet;
Thence, continuing along said East Right-of-way Boundary, along the arc of a curve to the right having a radius of 38.00 feet, through a central angle of 90°12’35” (Record: 90°12’47”), an arc distance of 59.83 feet and a long chord that bears North 45°23’09” East 53.84 feet to a point on the South Boundary of the E. Ave. W. Right-of-Way Boundary as shown on said map (2195488);
Thence, along said South Boundary and its Easterly prolongation, South 89°30’34” East 638.54 feet to said REAL POINT OF BEGINNING.

Containing approximately 7.13 acres.

WHEREAS, it is proposed said replatted lots be subject to an access easement described as follows:

Being a portion of the SE ¼ of Section 30, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of said Section 30;

Thence, along the South Boundary of said SE ¼ of Section 30, North 89°49'18" West 921.43 feet;

Thence, leaving said South Boundary, North 00°01'58" West 25.00 feet to the Southeast Corner of that certain map entitled "Northside Subdivision, First Amended", recorded November 20, 2019 as Instrument No. 2195488 in the office of the County Recorder of Jerome County and being the REAL POINT OF BEGINNING;

Thence, along the East Boundary of said map, North 00°01'58" West 1198.20 feet;

Thence, leaving said East Boundary, South 89°49'21" East 53.00 feet;

Thence, South 00°01'58" East 1113.49 feet along a line parallel with and fifty-three and no/100 (53.00) feet Easterly from said East Boundary;

Thence, along the arc of a tangent curve to the left having a radius of 80.00 feet, through a central angle of 89°47'20", an arc distance of 125.37 feet and a long chord that bears South 44°55'38" East 112.93 feet;

Thence, South 00°10'42" West 5.00 feet to a point on the North Right-of-Way Boundary of 200 South Road;

Thence, along said North Right-of-Way Boundary, North 89°49'18" West 132.69 feet to said REAL POINT OF BEGINNING.

WHEREAS, said Petition was filed with the City Clerk for the City of Jerome on the 18th day of January, 2023; and

WHEREAS, written notice of a public hearing on said Petition to be held April 4, 2023 was sent by certified mail with return receipt, to all property owners within three hundred (300') feet of the boundaries of the Real Property on March 22, 2023; and

WHEREAS, publication of a notice of public hearing on said Petition for March 23, 2023 was published in the *Times News* and on March 28, 2023; and

WHEREAS, a true and correct copy of the notice of public hearing referred to in the two previous recitals is attached to this Resolution as Exhibit A; and

WHEREAS, a public hearing on said Petition was held before the Jerome City Council on April 4, 2023 at the regular meeting of the City Council; and

WHEREAS, during said public hearing Tim Vawser, representative for the applicant, appeared and testified before the City Council. Mr. Vawser testified the intention was to vacate the existing plat and to replat the Real Property as described. He testified all utility companies and city staff had been contacted regarding utility easements and city rights of way within the Real Property; and

WHEREAS, no other person appeared at said hearing on said Petition to testify in favor, neutral or in opposition; and

WHEREAS, the Petitioner has satisfied the requirements of Idaho Code Section 50-1306A;

WHEREAS, the Petitioner has paid all publication costs; and

WHEREAS, the Jerome City Council unanimously approved the partial vacation of the Plat as requested by the Petition following the conclusion of the public hearing on April 4, 2023.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF JEROME, AS FOLLOWS:

Section 1. That the Plat is hereby vacated and Petitioner may replat as described herein.

This resolution shall take effect and be in force from and after its passage and approval.

PASSED BY THE COUNCIL this 18th day of April, 2023.

SIGNED BY THE MAYOR this 18th day of April, 2023.

CITY OF JEROME

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Barber made the motion to approve Resolution No. 05-23, a partial plat vacate request from EHM Engineers, Inc. representing Idaho Milk Products, Inc. on the property described as written. 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.

IDAHO MATERIALS & CONSTRUCTION CONTRACT AWARD:

Mr. Williams spoke on behalf of Mr. Carpenter regarding the contract award for the Main Streets Sidewalk project. The City applied for a Transportation Alternative Program (TAP) grant in 2020 through the Local Highway Technical Assistance Council (LHTAC) and the Idaho Transportation Department (ITD), to construct a pedestrian pathway from Tiger Drive to the Sinclair Station. Many high school students walk that route on a daily basis, and the application was submitted with the intent of providing a safer route for students and pedestrians. Delays in construction were caused by the increase in construction prices, and when the project went to bid only one bid was received for approximately \$817,000. The original estimate on the project was approximately \$499,000, and the difference in the cost will be covered by additional federal funds due to the efforts of Mr. Carpenter. Curb, gutter and sidewalk will be constructed on that portion of Main Street from S. Tiger to the Sinclair Station as covered by the grant. The bid also included a \$20,000 grant-eligible utility contingency. The sidewalk area between the Sinclair Station and Fillmore is also in dire need of replacement, and the bid included costs in the amount of approximately \$78,000 which will be fully funded by the City with funds from the Street budget and the construction budget for future projects. Staff recommends moving forward with

the contract award as the project must be completed by August 4, 2023. Upon inquiry by Councilman Craig, Mr. Williams confirmed the new sidewalk will be on the north side of Main Street; the south side is not being addressed at this time.

Councilman Barber made the motion to approve a contract award to Idaho Materials & Construction for the East Main Sidewalk project for the unit price bid of \$817,056.80. 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.

ARDURRA ENGINEERING SERVICES AGREEMENT:

Mr. Williams spoke of the discussion held earlier in the year regarding priority road projects. Two specific projects were identified: N. Lincoln from 3rd Avenue to 16th, and S. Fillmore from Main to I Street. A Request for Qualifications (RFQ) was released and a roster of qualified engineering firms was developed. Negotiations are taking place with Civil Science for the N. Lincoln project, and staff recommends Ardurra (formerly T-O Engineers) to move forward with the S. Fillmore rehabilitation project. This project will include the removal and replacement of asphalt, curb, gutter and Americans with Disabilities Act (ADA) sidewalks. Mr. Williams expects Fillmore to see increased traffic once the new school on S. Tiger is built, and reconstruction will ensure that a safe pathway is available to students and pedestrians. The estimate from Ardurra is \$217,000 and includes project management, surveying, permitting coordination, preliminary and final designs. The cost is a fair estimate based on the age and condition of S. Fillmore and considering there have not been recent drainage studies. Both projects are expected to be designed and ready to move forward, and it will be at Council's discretion to prioritize the projects. Upon inquiry by Councilman Barber, Mr. Williams stated the project could take approximately six months to design and be ready for bid. Once the project is ready for bidding Council will decide which project moves forward first. Upon inquiry by Councilman Craig, Mr. Williams stated students will be able to travel on Fillmore and E. Avenue D to reach the school; additionally, there will be two entrances to the school, and traffic will be challenging in the first year after the school opens. Mr. Williams noted the significant commitment to the street fund in this fiscal year's budget.

Councilman Barber made the motion to approve an Engineering Services Agreement with Ardurra for design of the S. Fillmore Rehabilitation project for time and materials not-to-exceed \$217,230.00. Second to the motion was made by Councilman Craig. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Barber, Councilman Johnson, Councilman Peterson, and Councilman Craig. **NAYS:** None.

PURCHASE OF NEW CRYTEEL DUMP BED FOR PARKS DEPARTMENT:

Mr. Ahrens spoke of the parks department dump truck, a 1984 Ford, in need of repairs. Also in the department's fleet is a 2004 Chevy ¾ ton water truck with the service box removed. The Crysteel dump bed will fit onto the Chevy at a cost of \$13,825. Staff proposes to utilize

\$4,372 in the parks fund leftover from the lawnmower purchase plus funds in the operating expenses budget that was to be used for engineered mulch (this goes around and beneath playground equipment); the mulch will be purchased another time. Councilman Craig spoke of the lawnmower purchase with the high-rise dump and how the new dump bed will benefit the parks department. Upon inquiry by Councilman Barber, Mr. Ahrens stated staff will put the 1984 Ford up for public auction along with other surplus items in the public works department. Additionally, monies from public auctions are reallocated back to the department from which the items came.

Councilman Craig made the motion to approve the purchase of a new Crysteel 9' 2-yard dump bed with installation including the tow hitch and 7 way electrical plug included for the sum of \$13,825.. 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 Craig. **NAYS:** None.

COUNCIL REPORTS:

Councilman Barber confirmed the City-Wide Clean Up Day will be on Saturday, May 6th. Everyone will meet behind the Chamber of Commerce parking lot at 9:00 a.m.

Councilman Craig inquired if the fire department could wash down the sidewalks at the conclusion of the clean up on May 6th, and Chief Harrison confirmed this could be done. Also, he advised Mr. Ahrens of the thistle weed in the Shepherd's Park playground area.

DEPARTMENT REPORTS:

Mr. Williams reminded Council of the Comprehensive Plan workshop with the Planning and Zoning Commission on April 25th. The workshop will begin at 5:30 p.m. until approximately 6:30 p.m. as the Planning and Zoning Commission has a meeting at 7:00 p.m.

A bid opening will be held on April 26th to receive bids for Phase I, the infrastructure component, of the new park project, and Mr. Williams is hopeful bids will be received and the project can move forward.

Mr. Williams, along with Mayor Davis and Mr. Carpenter, will going to Boise on April 27th to appear before the Economic Advisory Council. They will be giving a presentation regarding the Community Block Grant application submitted to help fund a portion of the downtown improvements planned.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this April 18, 2023 regular meeting of the Jerome City Council at 6:29 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk