

May 18, 2021

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 Robert Culver, Councilman Brent "Oop" Johnson and Councilman Jason Peterson. Councilman Chris Barber joined the meeting at 5:32 p.m.

Also present were staff members: City Clerk Bernadette Coderniz, City Administrator Mike Williams, City Attorney Ted Larsen, City Engineer Tyson Carpenter, Building Official Dave Richey, Public Works Director Brian Ahrens, Wastewater Superintendent Gilbert Sanchez, IS Director Carlos Hernandez, IS Field Technician Andy Newbry, Finance Director Ross Hyatt, Library Director Linda Mecham, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez, 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 Reverend Will Ritter with Renew.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the May 4, 2021 regular meeting
2. Monthly Department Reports
3. Approve Claims

Advanced Underground Imaging \$2,223.00, Amazon Capital Services \$424.92, Amber D Pearson \$71.26, American Legal Publishing Corp. \$211.00, Andersons Inc \$563.04, Andy or Ashley Cook \$36.19, Association of Idaho Cities \$510.00, Auto Zone \$6.89, B & R Bearing \$73.98, Badger Meter \$557.14, Boise Office Equipment \$550.55, Bonneville Blue Print Supply \$119.00, Bound to Stay Bound Books Inc \$13.87, Brodart Co. \$97.42, Brodart Company \$44.80, Builders Firstsource \$76.80, B-Z Plumbing \$107.15, Campbell Tractor Co. \$28.36, Candlewood Suites \$75.00, CDW Government Inc. \$2,682.60, Center Point Large Print \$88.08, Century Link \$1,830.71, Centurylink Business Services \$85.97, Chase Paymenttech \$1,803.78, City of Jerome \$564,770.49, Columbine Control Company \$933.00, Conrad & Bischoff Inc \$993.80, Creative Product Source Inc. \$102.36, Culligan Soft Water Service \$114.20, D & B Supply \$2,009.28, Daniel Hall \$4.12, DC Frost Associates Inc \$271.10, Dennis Clark \$61.94, Dewitt Diesel Inc \$1,441.92, Dig Line Inc \$206.34, DWE LLC \$12,433.09, EHM Engineers Inc. \$125.00, Electrical Contractors of ID \$1,735.55, Environmental Resource Assoc. \$384.04, Farmore of Idaho \$340.10, Fastenal Company \$454.02, Ferguson Enterprises Inc. \$6,123.53, Floyd Lilly Co \$79.59, Fred Kenyon Repair Inc. \$1,462.10, Freedom Electric Inc. \$196.26, Freedom Mailing Services Inc \$2,033.00, Gem State Paper & Supply \$62.38, Gem State Welder's Supply \$78.00, Go-Fer It

Express \$811.00, Greatamerica Financial Services \$165.00, H.D.Fowler \$1,401.20, Hach Company \$11,742.16, Harvey's Office Plus \$172.95, Home Depot Credit Services \$151.63, Hub City Building Inc \$1,054.30, Hydro Specialties Company \$2,642.64, Idaho Materials and Construction \$8,443.98, Idaho Power Co. \$65,035.50, Industrial Systems Inc. \$1,780.05, Ingram Book Company \$980.19, Intermountain Comm. Inc. \$375.00, Intermountain Gas Company \$3,705.07, J & J Enterprises \$227.38, Jerome City Fire Fighters Assoc \$50.00, Jerome City Water Department \$510.27, Jerome County \$10,277.14, Keil Enterprises \$249.00, Keller Associates Inc \$30,347.10, Kenworth Sales Company \$1,914.85, Kody Dick \$87.74, Les Schwab Tire Centers Inc \$1,713.25, Lexisnexis Risk Solutions \$32.50, Libri System \$44.98, Local Highway Tech Assit.Council \$140.00, Magic Valley Labs \$8,147.75, Magic Valley Pipe \$109.50, Master Muffler \$82.90, McHugh Bromley PLLC \$278.46, Metroquip Inc. \$3,221.55, Mike's Repair \$61.17, Minert & Associates Inc. \$135.00, Mountain View Spraying Inc \$66.00, Munimetrix Systems Corp. \$172.96, Napa Auto Parts \$294.82, O'Reilly Auto Parts \$16.99, Pacificsource Administrators \$2,000.00, Pipeco \$629.47, Plant Foods Incorporated \$1,293.50, Post Academy \$600.00, Pro-Flame Inc \$321.45, Project Mutual Telephone \$688.48, Rexel USA Inc \$10.40, Rexroat Harberd & Assoc P.A. \$10,700.00, Ridley's Food & Drug \$26.97, RSCI \$55,591.62, Salt Lake Wholesale Sports \$366.52, Saltus Technologies \$673.52, Sawtooth Veterinary Services \$150.00, Scott Campbell \$55.73, Sean Dennis \$79.64, Sherwin-Williams \$185.72, Signed Sealed & Delivered \$134.36, Silver Creek Supply \$669.80, Skaggs Companies Inc. \$1,261.11, Something More \$91.11, Southern Idaho Solid Waste \$7,474.56, Susteen Inc \$1,495.00, Sweet's Septic & Backhoe Inc. \$350.00, TFD Enterprises LLC \$10,212.35, Thatcher Company \$14,167.92, The Fire Store \$1,263.98, Times News \$222.54, T-Mobile \$296.26, Top Stitch Embrodiery LLC \$440.00, Tore Up \$25.00, Traffic Safety Supply Co Inc \$1,623.20, Treasure Valley Coffee Inc. \$112.10, Triple C Concrete \$1,291.25, Tri-State Tire Jerome \$800.89, U.S. Bank Equipment Finance \$471.40, Underwood Recycling \$57.40, US Bank Credit Card \$11,564.82, USA Bluebook \$1,219.29, Valley Office Systems \$83.62, Var Technology Finance \$95.00, Verizon Wireless \$3,356.07, Watts Hydrolic And Steam Store \$399.75, Weidner & Associates \$4,565.65, Western States Equipment \$11,717.86, Western Waste Services \$1,473.34, Williams Meservy & Larsen LLP \$12,856.42, Win-911 Software \$1,320.00, Xpress Bill Pay \$932.10, Zoro Tools Inc \$420.20.

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

EMBRACE LIFE RECOVERY CENTER:

Aurelia Thorne and JJ Shawver appeared on behalf of the Embrace Life Recovery Center to address the park reservation fees which were not waived at the last meeting. Mr. Shawver stated that the facility is planning to host a Mental Health Awareness campaign during the month of May to coincide with Idaho Mental Health Awareness Month. The facility opened last July and they have arranged a day in the park for the event. They plan to have 7-8 mental health vendors with booths to provide information regarding mental health and what services they offer. Mr. Shawver stated that there will be three food vendors as well, and the event will be free to the public. He stated mental health is an issue throughout the community and state and they want to hold the event annually. Ms. Thorne stated that they would like the fees for commercial use of the park waived. Councilman Peterson inquired about the facility's status and Ms. Thorne confirmed that it is not non-profit although the event itself is. Extensive discussion ensued regarding the request. Topics of the discussion include setting standards and waiving fees on 501(C)(3) events; events that are civic in nature (i.e. free entertainment like Joe Mama's and Movie Nights in the Park where profits are donated back to the community); the fee for food vendors which will cover costs for holding the event (promotional items, etc.); the use of power

at the park for which the city pays; the facility's staffing at the event; fees (\$25 application fee and \$300 for use of the park); charging fees for other for-profit events like the Sunset Market and Taco Fest; Movie Nights as an example of a non-501(C)(3) organization providing free entertainment with no associated costs to anyone attending; setting a precedence for other for-profit organizations who pay the fees; the use of public space; the number of attendees at this event (unknown at this time considering that this is their first event); concerns regarding additional garbage cans and potential damage to the park; and, a plan to deal with excess garbage (i.e. bringing in portable facilities or extra garbage cans).

Councilman Culver made the motion to approve Embrace Life Recovery Center for their use of ICCU Park for their event on May 22nd and waiving the fees. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

COMMUNITY MOVIE NIGHTS:

Collin Sharp appeared to request the use of ICCU Park for the annual Community Movie Night Events on July 16th and August 6th. Mr. Sharp stated that they may add a third movie night depending on the schedule at the end of August without interrupting any other events. One evening will coincide with a class reunion. The Jerome Cross Country Team and Jerome Dance Team will be the concession vendors for fundraising purposes and if a third movie night is established the Boy Soccer Club or Jerome High School Cheerleaders will operate concession stands. There is no cost to the public; he absorbs all costs but also gets good marketing from the event. Mr. Sharp noted that "Back to the Future" may be one of the movies shown, and if a third date is an option he will return to council.

Councilman Culver made the motion to approve the application of Collin Sharp, Collin Sharp Insurance Agency Inc., for a permit for Commercial Use of the ICCU Park on July 16, 2021 and August 6, 2021 for a Community Movie night event, and waive permit fees due to the civic nature of the event. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

STARR CORPORATION AGREEMENT:

Mr. Williams presented a draft agreement for Construction Manager/General Contractor (CMGC) services for the new police station project. Proposals were sought and two were received and ranked; Starr Corporation ranked #1. Mr. Williams reviewed main sections of the agreement. Construction Manager responsibilities include the preliminary evaluation of the project, the schedule of events and the budget. Lombard & Conrad Associates assisted with the preliminary cost estimates for the building, and the existing cost estimates will be evaluated with Starr Corp.. The interior of the building will be completely gutted and the project will be evaluated further. Once a guaranteed maximum price is reached, budget expectations will be set. Additionally responsibilities include the competitive bidding process for contractors and subcontractors. Mr. Williams is listed as the City's representative, and responsibilities will include demonstrating the ability to finance the project by providing evidence of financing, furnishing tests, inspections and reports associated with the project, and to retain an architect. He spoke of the compensation related to pre-construction services; payment for these services will be

covered under the construction management fee. Starr Corp. has proposed a fee of 6.18% of construction costs and Mr. Williams found this to be a fair proposal in comparison to other projects completed in the region. Other rates were noted in the agreement and Mr. Williams briefly explained the “sum shall not exceed the guaranteed maximum price.” Costs of work and those costs which are not reimbursable are noted in the agreement, were reviewed by Mr. Williams, Mr. Carpenter and Mr. Larsen, and are considered fair and reasonable. He reviewed the sections of the agreement pertaining to the payment of fees for services rendered and noted that there will be a retainage of five percent; clauses for termination of the agreement are also included. Mr. Williams spoke of the working relationship with Starr Corp. and stated that this is the first time the City will employ a CMGC. He expects a good project with a fair price. Upon inquiry by Councilman Peterson, Mr. Williams is hopeful that a demolition contract can be signed this summer to gut the building. Once different designs are evaluated, there may be the opportunity to begin construction this winter, and staff is hopeful that construction costs are more favorable over time.

Councilman Culver made the motion to approve the agreement with Starr Corp for Construction Manager/General Contractor services. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

GENERAC GENERATORS:

Mr. Sanchez spoke of the generators which were initially installed in 2007 and have worked well over the years by supplying power to the membranes, Head Works and recycle buildings. A load bank test was performed on all generators and it was determined that the three Generac generators were only operating at 35% capacity before overheating and shutting down. Mr. Sanchez stated that the cooling system has deteriorated over time and is in need of repairs. The initial cost is \$11,588.52, and each block heater to be installed on each of the three generators is eligible for a \$1,500 rebate from Idaho Power; the net cost to the City will be \$7,088.52.

Councilman Culver made the motion to approve the costs for repairs to three Generac Generators for a total cost of \$11,588.52. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

REGION IV DEVELOPMENT ASSOCIATION CONTRACT:

Mr. Carpenter spoke of the tennis courts project at Shepherd’s Park, and stated that this agreement (required for and paid for by the grant) is for the grant administration. A Request for Proposals was issued last fall and staff selected the Region IV Development Association (RIVDA) as the grant administrator.

Adeena Jenkins with RIVDA appeared before council and stated that they partner with cities and counties to do different projects within the Magic Valley. They assist with grant writing and administration as they go through the Department of Commerce. With this agreement, RIVDA will administer the grant for the fee of \$22,500. Mr. Williams noted that the fee was budgeted at \$25,000 and the actual fee is less.

Councilman Peterson made the motion to approve award of a contract with Region IV Development Association to administer and manage grant funds under the Idaho Community Development block Grant (CDBG) program for purposes of improving Shepherd's Park. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None. Councilman Culver recused himself as Region IV Development Association Board member.

RENNER SPORTS AGREEMENT:

Mr. Carpenter stated that this agreement is for the design portion of the project. A Request for Qualifications was issued due to the specialized nature of concrete courts, and one response was received from L.E.R. Inc. dba Renner Sports Surfaces. A base bid with four courts and lighting was requested of them along with alternate bid of two additional courts with lighting. Based on funding currently available, staff is requesting approval for four courts at \$340,759.00. This amount is higher than anticipated for the construction of the tennis courts by approximately \$16,000 but considering the significant cost increases over the past several months this figure is acceptable. Upon inquiry by Councilman Peterson, Mr. Williams stated that the majority of the remaining funds will come from the streets fund and park fund reserves. Additionally, the City will receive \$50,000 from the Jerome School District and \$25,000 each from the Jerome Recreation District and the Jerome Urban Renewal Agency. Upon inquiry by Councilman Peterson, Mr. Carpenter explained that the four courts are technically one "piece" while the proposed additional courts will be another "piece" hence the difference in pricing.

Councilman Culver made the motion to approve a contract with L.E.R., Inc. dba Renner Sports Surfaces for purposes of design and construction of four post tensioned concrete tennis/pickle ball courts at Shepherd's Park in the amount of \$340,759.00. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

MAVERIK, INC. DBA MAVERIK #652:

Ms. Coderniz spoke of the new Maverik facility south of town on property which was recently annexed into the City. They have applied for a license to sell beer and wine for off-premises consumption and are planning for a soft opening on May 25th along with a Grand Opening on May 27th. State and County licenses have been submitted along with required fees. A final building and fire inspection is scheduled for Thursday morning

Councilman Culver made the motion to approve the application from Maverik, Inc. d.b.a. Maverik #652 for the sale of beer and wine for off-premises consumption at 3135 South Lincoln Avenue contingent upon passing building and fire inspections. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

NS CLUB, LLC DBA NORTHSIDE CLUB:

Ms. Coderniz stated that the existing Northside Club at 152 W. Main has been sold to Jason Vinyard, and the application submitted is for the transfer of the liquor, beer and wine licenses to the new owner. Mr. Vinyard will continue to operate the business as the Northside Club and is in the process of obtaining the State license. Once the State and County licenses are submitted, a City license can be issued once all fees are paid and the business has passed the required building and fire inspections.

Councilman Culver made the motion to approve the transfer application from NS Club, LLC dba Northside Club for the sale of liquor, beer and wine for on-premises consumption at 152 W. Main Street contingent upon the applicant providing state and county licenses, paying all fees and passing building and fire inspections. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Johnson, Councilman Barber and Councilman Peterson. **NAYS:** None.

COUNCIL REPORTS:

Mayor Davis reminded everyone who lives within the school districts to vote on the school bond by 8:00 p.m. today.

DEPARTMENT REPORTS:

Mr. Williams reported on the Stage 4 Reopening of Idaho and stated that staff will be returning to meetings as usual; department heads and the clerk will be returning to the council chambers in person. He asked for thoughts on continuing with Zoom. Councilman Culver noted the availability of Zoom for those who wish to attend the meeting but are unable to do so. Councilman Barber stated Zoom is no longer necessary, and Councilman Peterson commented on the number of participants outside of City employees. Upon inquiry by Mayor Davis, Mr. Hernandez stated that there have been very few outside participants with the exception of one Planning and Zoning Commission public hearing. Regarding Council meetings, Mr. Hernandez noted that very few besides those who had presentations were actively logged on. Councilman Johnson feels it is no longer necessary, and Mayor Davis commented on the equipment used which takes up much needed space in council chambers. He stated that staff can stop with Zoom unless it is requested.

Mr. Williams spoke about the use of the parks and concerns regarding garbage, and inquired about requiring a refundable deposit to cover costs if needed. Councilman Peterson noted that hesitation to waive fees is primarily due to the associated costs with using the parks, and Mr. Williams stated that the Jerome Municipal Code is clear on use of the parks (no commercial activity without a permit and fees paid). Councilman Peterson and Mayor Davis spoke of other events whereby profits are made but donations go back to the community. Additionally, vendor fees help offset costs for holding events. Councilman Culver and Councilman Barber also agreed that a deposit should be imposed, and Mr. Williams stated that staff will look into ideas to present to council at a future meeting.

Discussions continued regarding Zoom and its use at all other board meetings (i.e. Planning and Zoning, Community Spirit, etc.) and Mayor Davis stated that the decision to use or dispose of it should be left to the board or committee. Mr. Hernandez noted that the subscription for Zoom is paid for one year, and Mayor Davis stated that if a board or committee member

needs Zoom to participate he has no issue with keeping it as an option. Councilman Peterson commented on the issue of safety versus convenience in using Zoom.

Ms. Coderniz spoke of the Jerome High School graduating Class of 2021 and the graduation parade that will be held on May 27th at 4:00 p.m. followed by the ceremony at the high school.

Chief Harrison commended the police department and public works crews for their assistance on the scene of an unfortunate vehicle accident earlier. Mr. Ahrens also commended city staff who worked well together at the scene.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this May 18, 2021 regular meeting of the Jerome City Council at 6:42 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk