

September 7, 2021

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m. Present: Mayor David M. Davis, Councilman Robert Culver, Councilman Chris Barber, Councilman Jason Peterson and Councilman Brent “Oop” Johnson.

Also present were staff members: City Clerk Bernadette Coderniz, City Administrator Mike Williams, City Attorney Ted Larsen, City Engineer Tyson Carpenter, Streets and Parks Supervisor Mike Hensley, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, IS Director Carlos Hernandez, IS Technician Andy Newbry, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, Library Director Linda Mecham, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez and Fire Chief Mike Harrison.

PLEDGE OF ALLEGIANCE:

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

INVOCATION:

An invocation was given by Reverend Harriman Randle with the Overcomers Church.

PUBLIC HEARING – L, SQUARED (AKA CARL’S JR.) FINAL PLAT:

This being the time and place published to consider a request from Clayton Jones representing L Squared, LLC, for a two lot commercial final plat, on the property described as Lot 4 Walmart Stores NW(31-8-17), more commonly known as 2700 South Lincoln, Jerome, Idaho, the Chair called the public hearing open at 5:33 p.m. and briefly reviewing the procedures that will be followed.

Staff Presentation:

Ms. Clark spoke of the two commercial lot replat of Lot 4 of the Walmart Store subdivision. Carl’s Jr. sits on Lot 1 and the southern portion of the property is bare and is zoned high density business (C-3) with no minimum lot size requirement. Structures must meet setback and height requirements for the C-3 zone. Lots are accessible via a private drive north of Lot 1, and Ms. Clark spoke of utility and access easements on the parcels; water shares do not exist. There are no proposed structures for the commercial lot (Lot 2) at this time, and storm water retention plans will be submitted to the City for review and approval as part of the building permit process. Curb, gutter and sidewalk exist along S. Lincoln with some minor landscaping details. A public hearing was held before the Planning and Zoning Commission on August 24th whereby the preliminary plat was approved.

Upon inquiry by Councilman Johnson, no plans for Lot 2 have been disclosed.

Applicant Testimony:

Josh Jantz, representing L, Squared LLC, appeared by teleconference and was available to answer any questions.

There was no testimony in favor, neutral nor in opposition to the consideration. There being no further testimony to be heard, the Chair declared the public hearing closed at 5:37 p.m.

L, SQUARED (AKA CARL’S JR.) FINAL PLAT:

Councilman Culver made the motion to approve the final plat of Carl's Junior Subdivision. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, 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 August 20, 2021 regular meeting
2. Approve Microsoft Enterprise Agreement Renewal

Councilman Culver made the motion to approve the consent calendar as presented. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

RESOLUTION NO. 09-21

Mayor Davis stated that Gary Warr resigned from his position on the board as he no longer resides within City limits. Mayor Davis expressed appreciation for the time Mr. Warr served on the board and stated that B.J. Hess, an attorney at Williams, Meservy and Larsen, LLP will be appointed to fill the vacancy.

The clerk read Resolution No. 09-21 in full as follows

RESOLUTION NO. 09-21

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, APPOINTING A MEMBER TO THE JEROME URBAN RENEWAL AGENCY; PROVIDING FOR TERMS OF APPOINTMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 50-210 of the Idaho Code describes the appointment process and the procedures each municipal corporation is required to follow when considering an individual for an opening on officially recognized boards and commissions, and;

WHEREAS, the City of Jerome is organized under the Mayor/Council form of government and the Mayor serves as the City's Chief Executive Officer, and;

WHEREAS, the Mayor is required to make appointments to City-sponsored boards and commissions as terms end and vacancies are created, and;

BE IT THEREFORE RESOLVED, by the Mayor and Council of the City of Jerome as follows:

SECTION 1. URBAN RENEWAL AGENCY APPOINTMENT:

The following individual is appointed as a member of the Jerome Urban Renewal Agency to complete the term of Gary Warr, whose term was set to run February 2019 through February 2024:

B.J. Hess

September 2021 – February 2024

SECTION 2. EFFECTIVE DATE:

Resolution No. 09-21 shall be effective upon its passage as required by law.

PASSED BY THE COUNCIL this 7th day of September, 2021.

SIGNED BY THE MAYOR this 7th day of September, 2021.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Culver made the motion to pass Resolution No. 09-21, a resolution by the Mayor and Council of the City of Jerome, Idaho, ratifying a Mayoral Appointment to fill one vacancy on the Jerome Urban Renewal Agency. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

DISCUSSION REGARDING JEROME INTERCHANGE AESTHETICS:

Mayor Davis noted that Nathan Jerke with the Idaho Transportation Department (ITD) and Chelsea James with J-U-B Engineers were in attendance and available for any questions pertaining to the proposed project. Ms. Clark stated that staff has met with Mr. Jerke and Ms. James regarding aesthetics for the proposed interchange. She provided a map and photos with ideas as ITD had requested the City's feedback regarding aesthetics along the interchange. She stated that there will be two bridges, and the photos showed the wall pattern for the bridges along with pedestrian walkway guardrails. Retaining walls will be visible from the frontage roads and staff proposes that those walls be of the same pattern as on the bridge. Ms. Clark briefly described the proposed walkway area with a brick island, concrete and wrought iron fencing. Also proposed is a metal "J" to be placed on the bridges. She spoke of the grass in the area and the time and cost to maintain it, and staff recommended rock with some flowers, shrubs and grasses. This layout would conserve water and reduce the amount of care needed. Councilman Peterson commented on the look of rock if not well maintained, and Ms. Clark stated that maintenance will still be required in the area but less than what is required with the existing landscaping. Mr. Hensley also commented that there will no longer be a need to mow in that area, and Ms. Clark stated a maintenance agreement will be in place for the care and landscaping of the area. Mr. Jerke spoke of the landscaped areas known as "tear drop" areas between the frontage roads and the interchange itself and the large area within the oval that will be standard ITD wild grass and flower seeding. He also spoke of the storm water retention area outside of the I-84 main line roadway. Upon inquiry by Mayor Davis, Mr. Jerke stated that ITD will maintain the half-circle areas. Councilman Barber commented on the City match required, and Mr. Jerke stated that ITD can absorb the cost of many of the aesthetic treatments (i.e. brick laying, covered concrete, etc.). He will be inquiring about the landscaping requirements to see if a local match is required.

Brief discussions ensued and topics included: the hours of manpower that will be saved once the project is complete; water usage in that area with the existing landscaping; the option of diverting water shares to the area; and, the amount of water that will be needed once the project is complete. Mr. Jerke stated that the project was pushed back to 2024 and is hopeful that plans will be ready by spring 2022 as interstate projects can potentially be advanced if they are ready.

However, a right-of-way purchase must be completed and could take several months; the project could begin in fall 2023, and Mr. Jerke noted the irrigation structure beneath the interchange that must be relocated. Upon inquiry by Mayor Davis regarding a landscape architect, Mr. Jerke stated he is uncertain of the process for the design, however, he has been working with City staff to establish bridge features with his staff before the landscaping design begins. Upon inquiry by Councilman Johnson, Mr. Jerke stated the estimated time from start to finish will be approximately two years. The phasing plan of construction has been discussed, and one option to save time on traffic control operations may be to divert traffic onto the frontage roads and away from the construction site. Ms. Clark stated that staff will move forward and continue to work with ITD on the recommendations, and Mr. Williams stated that once a maintenance agreement is developed it will be presented to council for approval.

DISCUSSION REGARDING STREETScape STANDARDS:

Ms. Clark spoke of the recent streetscaping proposal and specifically the pedestrian lighting, benches and trash receptacles. The current design overlay district covers 150 feet from the line of center along Main Street and Lincoln, and Ms. Clark stated these standards will also cover the first few blocks on 1st Avenue and Avenue A. With the new project coming on S. Lincoln (south of Dairy Queen), staff would like to implement the streetscape standards with that project and new developments as they occur. She spoke of the improved decorative pedestrian lighting, standard benches and trash receptacles. The proposed lights will be black and hold up better in inclement weather; additionally, the black trash receptacles will match both the light poles and bench details. Tree grates are also in the proposal, and Ms. Clark stated there are limits to what will be allowed along the sidewalks. There have been discussions regarding trees and she spoke of the Class 1 trees at intersections and Class II trees mid-block and in alleys. Curbing and brick pavers are also included in the proposal and will coincide with City sidewalk requirements (5 feet minimum). Ms. Clark noted that the colored concrete would match the fixtures and the standards would bring flow and consistency to the streets and design of downtown.

Upon inquiry by Councilman Barber regarding moving forward with the new budget and replacement of the fixtures and trees, Mr. Williams stated that there are three developments in progress whereby the improvements will be paid for by the developer. Additionally, one of the goals of the Urban Renewal Agency (URA) is to assist with similar projects. He noted that having the standards in place will ensure uniformity with the incoming projects and that the URA will be in a good position within the next few years to assist with development of the blighted blocks. Pavers look nice and will be easily removable if needed as opposed to concrete. Councilman Barber spoke of the revitalization committee and the Veteran's committee to assist with downtown improvements. Ms. Clark noted that discussions to include permanent planters in the standards have begun and that they could replace larger trees due to limited space. A match program could be an option. Mr. Williams stated that these standards are being developed due to the active projects coming to Jerome.

REXROAT, HARBERD AND ASSOCIATES:

Mr. Hyatt stated a new engagement letter was received from Rexroat, Harberd and Associates with no material changes in audit objectives, procedures and management responsibilities. A single audit is anticipated, due to expenditures exceeding \$750,000 in federal funds from CARES Act monies received. The cost for the single audit is \$5,950 with the City's

audit cost is \$10,950 for a total of \$16,900; this reflects a 2.4% increase from last year's fee. Staff is comfortable with recommending that the City move forward with the engagement letter for this upcoming year. Upon inquiry by Councilman Culver, Mr. Hyatt stated that staff is not required to request for proposals for audit services. However, the Council is the finance and audit overview board and has the option of directing staff to do so. Brief discussion ensued regarding the audit services, their cost, the results expected and the learning curve for municipal auditing services. Council was in agreement that the services provided by Rexroat, Harberd and Associates in years past have been good.

Councilman Culver made the motion to approve the Letter of Engagement with Rexroat, Harberd, and Associates, P.A. to perform the audit for the year ended September 30, 2021. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

PUBLIC WORKS VEHICLE PURCHASE:

Streets and Parks Supervisor Mike Hensley spoke of the vehicle rotation for the Streets department and noted that the vehicle in question will be a multi-purpose truck. The small pick-up dump truck has 116,000 miles on a diesel motor and will be purchased from P&R Auto Sales in Pocatello. Staff budgeted \$25,000 and the additional \$1,000 will come from the operating supplies fund. Mr. Hensley stated that this vehicle will replace the existing truck that is failing.

Councilman Culver made the motion to approve the purchase of 2012 Chevrolet Silverado 3500 Diesel pickup with dump bed from P&R Auto Sales, Pocatello, ID for the amount of \$26,000.00. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

TOM'S CONCRETE CONSTRUCTION CONTRACT AWARD:

Mr. Carpenter spoke of the Shepherd's Park project and the bid for curb, gutter and sidewalk replacement to keep the project moving along. After no success in receiving bids, staff extended the bid window via addendum and reached out to contractors. Tom's Concrete Construction was the only bidder and the price was slightly higher than desired but within reason given current conditions in both the construction and concrete industries. Mr. Carpenter stated that the cost of concrete has increased by approximately 50% from last year. The project is federally aided and requires Davis-Bacon Wages. Plans for construction include paying for this project with funds that will count towards a match on the grant and that the curb will be installed. Sidewalks will be constructed after the tennis courts are installed. The timeline will depend on the tennis courts installation and may be delayed to next spring. Upon inquiry by Councilman Barber, Mr. Carpenter confirmed the location of the new curb on the south and east sides of Shepherd's Park. Upon inquiry by Councilman Johnson, Mr. Carpenter stated that the curb should have time to cure before the installation of the sidewalks, otherwise staff will protect the new curb with gravel or have the contractor access the area from the north side.

Councilman Culver made the motion to approve a contract award to Tom's Concrete Construction LLC. for the Shepherds Park Sidewalk, Curb and Gutter Project for a unit price bid of \$45,037.00. Second to the motion was made by Councilman Barber. After consideration, the

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

KELLER & ASSOCIATES ADDENDUM NO. 1:

Mr. Carpenter spoke of recent discussions regarding odor control and options to reduce odor (roofs on top of bio towers, odor control system to treat air out of the Headworks facility, for example). Methods of odor control were not in the original engineering services agreement and the addendum will allow for the design of the odor control system. Once the design is in place, the odor control system can be included in a bid package as an additive alternate item; the design must be complete prior to the commencement of the bidding process. Upon inquiry by Councilman Johnson, Mr. Carpenter stated that the odor control system should make a significant difference. Upon inquiry by Councilman Barber, Mr. Carpenter stated another consultant was not sought for this project as the odor control system is part of the original Headworks project with Keller as the approved consultants.

Councilman Culver made the motion to approve Amendment No. 1 to the Engineering Services Agreement with Keller & Associates for odor control systems design for the Wastewater Headworks Replacement project for an amount of \$80,610. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

KELLER & ASSOCIATES ENGINEERING SERVICES AGREEMENT:

Mr. Carpenter spoke of the plan Mr. Sanchez had for a Wastewater Collection System Master Plan update in FY2023 and stated that the existing model for the sewer collection system was done in 2010-2011. With new developments coming to Jerome, Mr. Carpenter inquired if the City's existing collection system could handle the new developments. The City's model is outdated and unable to determine current needs including the capability of modeling the sewer system to evaluate new or increased connections from industries or developments. Staff reviewed the needs with Keller and stated that Keller has a loaner license that would allow old data from the existing model to be converted to a usable format with today's software. The conversion of the data would cost \$3,000 and an additional \$15,000 would cover updates with changes made to the collection system since 2011. Increased capacity at lift stations, new lines and new connections are examples of the updates, and this information would allow staff to evaluate the system when new developments come in or requests for additional flow are received. Mr. Carpenter stated this came about as an opportunity due to the loaner license and staff agreed to move forward with the updates. Upon inquiry by Mayor Davis, Mr. Carpenter stated that it is important to keep the model updated periodically. Additionally, sewer capacities could be part of the City's Comprehensive Plan when the Wastewater Collection System Master Plan is updated, and staff is looking to project future needs in the collection system.

Councilman Culver made the motion to approve an Engineering Services Agreement with Keller & Associates for the Wastewater Collection System Model update for an amount of \$18,000. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

SILVERSKY CYBER SECURITY AGREEMENT:

Mr. Hernandez stated this agreement will provide additional tools to assist with the ransomware phenomenon currently occurring worldwide. Agencies are being attacked with ransomware, and Mr. Hernandez stated that much time and effort is taken to restore services after an attack. The agreement will help alleviate areas of concern as the service will assist with monitoring daily activities. Mr. Williams stated that he and Mr. Hernandez reviewed the agreement and services to be provided. Mr. Hernandez confirmed that the City has seen several thousand attack attempts per day and that the service to be subscribed to will monitor real time for potential attacks, 24 hours a day, and will contact City staff if unusual activity occurs. Additionally, the service will also provide insurance for each machine (up to 100 machines) and provide additional support to recover data and restore services. Mr. Williams spoke of local municipalities affected by ransomware and the negative impacts of the attack (lost data, time to bring systems up to a functioning level, etc.). While some employee training has been provided to avoid unwanted attacks, Mr. Williams believes additional security will be beneficial to the City. The service and subscription was contemplated for the FY2022 budget but staff feels it is best to implement the additional security now. Upon inquiry by Councilman Johnson, Mr. Williams confirmed that the service will cost \$1,300 per month (another option offered by SilverSky would have cost approximately \$1,600 per month). He also spoke of a recent incident that could have been detrimental to the City had it not been caught in time, and a large employer was shut down completely last year because of an incident.

Councilman Culver made the motion to approve the Agreement with Silver Sky Master Service for monthly vulnerability management services in the amount of \$1,300 starting October 15, 2021. Second to the motion was made by Councilman Barber. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

SILVERSKY ADDENDUM FOR FIREWALL/ROUTER REPLACEMENT:

Mr. Hernandez stated that the network device is needed to replace the existing router that is nearing end of life. The new device will provide new security, newer encryption and is easier to manage. It provides content filtering, allows staff to log in to the system remotely, gives patrol vehicles the ability to connect to the network, and will assist with the cyber security. Upon inquiry by Mayor Davis, Mr. Hernandez stated that this device will replace the existing router. Additionally, the one-time set up fee of \$630 will assist with configuring the new device, and the monthly fee of \$903.57 will pay for the actual device for one year.

Councilman Culver made the motion to approve the agreement with Silver Sky for the purchase of a new firewall/router FG-100-bdl upgrade with a one-time setup fee of \$630.00 and a monthly fee of \$903.57 monthly fee effective October 1, 2021. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Culver, Councilman Barber, Councilman Johnson and Councilman Peterson. **NAYS:** None.

DEPARTMENT REPORTS:

Mr. Williams reported that staff received the annual health insurance renewal proposal from PacificSource with a 2.2% decrease in premiums (staff had budgeted a 5.5% increase for

FY2022). The City had a good year in terms of claims, and the benefits committee will be recommending information for insurance renewal at the next Council meeting on September 21st.

Mr. Hernandez stated the phone system has been restored and IT is still working on minor issues.

Ms. Coderniz commented that the National POW/MIA Recognition Day is on September 17th and the awareness committee for the organization will be holding a recognition ceremony at Veteran's Memorial Park on Friday, September 17th beginning at 6:00 p.m. The ceremony will include speakers from military personnel, and the Mayor and Council are welcome to attend and possibly speak if they so desire. Mayor Davis requested that Ms. Coderniz provide this information to the Chamber of Commerce to add this event to their calendar.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this September 7, 2021 regular meeting of the Jerome City Council at 6:57 p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk