

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, Wastewater Maintenance Supervisor Brad Henry, Building Official Dave Richey, Public Works Director Brian Ahrens, IS Director Carlos Hernandez, Library Director Linda Mecham, Human Resources Manager Esmeralda Chavez, Planning and Zoning Manager Ervina Covcic, Fire Chief Mike Harrison, Police Chief Duane Rubink, and Police Captain Dennis Clark.

**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 hear the status on funded activities associated with a Community Development Block Grant, the Chair called the public hearing open at 5:33 p.m. and briefly reviewed the procedures that will be followed.

**Staff Presentation:**

Adeanna Jenkins with Regional IV Development Association (RIVDA) appeared via Zoom to present information regarding the Idaho Community Development Block Grant (ICDBG). Ms. Jenkins noted this is the second hearing for the Shepherd's Park tennis courts project and stated the City of Jerome was awarded \$225,000 for the project in November 2020. The City contributed \$281,916 in cash and \$137,084 in in-kind services to the project. Other partners in the project were the Jerome Recreation District, the Jerome School District, and the Jerome Urban Renewal Agency. She stated the project total cost was estimated at \$644,000. She spoke of the project and the deteriorated conditions of the tennis courts. They were removed and reconstructed with the same footprint as the previous courts, and additional amenities were included as part of the project (new lighting, new sidewalks which meet codes and Americans with Disabilities Act (ADA) standards, etc.). Extensive studies were done, and once the environmental study was complete, construction began. She spoke of ICDBG grant administrators. Ms. Jenkins is a certified grant administrator and has been monitoring the project. In-house engineering services were provided by Mr. Carpenter, and the value of his services was estimated to be \$60,000. A Request for Qualifications was released for the tennis

court resurfacing, and Renner Sports Surfaces submitted a bid for \$344,167. They completed the work once a contract was negotiated with the City on July 16, 2021. A bid package was sent out for curb, gutter and sidewalk, and the contract was awarded to Tom's Concrete Construction with a bid of \$45,037. Electrical work was done through Electrical Contractors of Idaho for \$3,025 and work for external court lighting was \$22,392. With the grant, fair housing requirements are being completed; staff has been working with RIVDA on meeting the grant requirements. Ms. Jenkins gave the following statistics: City has expended \$192,375 of the CDBG funding in construction costs with the remaining \$10,125 held until the grant closeout; the City has expended \$17,875 of CDBG funding in administrative services and \$4,625 remain; the City and its partners have expended \$224,511 in construction costs with \$57,405 remaining in the budget. She stated the City committed to \$60,000 in-kind for engineering services and \$70,084 in-kind for construction. Project construction is complete, and now reports pertaining to the project are being finalized.

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 5:41 p.m.

### **PUBLIC HEARING:**

This being the time and place published to consider a request from Visser Building Co. c/o EHM Engineers, Inc. David Thibault, P.E. for a rezone from Light Industrial (M-1) and General Business (C-2) to Residential 3 (R-3) on the parcel containing approximately 6.49 acres, more commonly known as 921 North Lincoln (including the North Side Canal Company equipment yard to the northwest), Jerome, Idaho, **and** to consider the request from Visser Building Co. c/o EHM Engineers, Inc. David Thibault, P.E. also includes a Rezone for Light Industrial (M-1) to General Business (C-2) on the parcels containing approximately 0.59 acres, more commonly known as 911 North Lincoln, Jerome, Idaho, the Chair called the public hearing open at 5:42 p.m. and briefly reviewed the procedures that will be followed.

### **Applicant Testimony:**

David Thibault, 621 N. College Road, Twin Falls, appeared as representative to the Visser Building Company regarding the zoning requests. A map was shown to Council explaining the property proposed to be rezoned Residential (R-3); their plan is to build multi-family housing structures. The area proposed to be rezoned General Business (C-2) will continue to house the office of the Northside Canal Company (NSCC) until they move to a new building. He noted Summit Elementary is to the north with residential homes and properties established to the south of the property. Tiger Stop and residential homes are situated to the east. Mr. Thibault stated they believe the residential zoning is compatible with the school nearby. Development plans are for multi-family housing on the property. Upon inquiry by Councilman Craig, Mr. Thibault stated the development will consist of two-story town homes separated with firewalls. He reiterated the areas on the map show the NSCC office that will remain in the interim. The lot to the south was purchased by Visser Building Company and will be a parking lot. Plans for the NSCC office once vacant are unknown at this time.

### **Staff Presentation:**

Ms. Covcic reiterated the rezoning requests explained by Mr. Thibault along with adjacent land uses. The Planning and Zoning Commissioner heard the rezoning request on

September 13<sup>th</sup>, and Ms. Covcic noted there was no testimony in favor, neutral, nor in opposition to the rezone requests.

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 5:48 p.m.

**ORDINANCE NO. 1213, BILL NO. 698 – INTRODUCTION:**

Councilman Barber sponsored the bill.

Councilman Barber moved to suspend the rules pertaining to the reading of an ordinance on three separate occasions and direct the clerk to read Bill No. 698 three times by title only to constitute three readings. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Craig, Councilman Barber, and Councilman Peterson. **NAYS:** None.

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

**ORDINANCE NO. 1213  
BILL NO. 698**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO AMENDING THE CITY OF JEROME ZONING ORDINANCE AND ZONING MAP BY ZONING THE FOLLOWING DESCRIBED PARCELS OF REAL PROPERTY IN THE CITY OF JEROME, IDAHO FROM LIGHT INDUSTRIAL (M-1) AND GENERAL BUSINESS (C-2) TO RESIDENTIAL 3 (R-3) AND LIGHT INDUSTRIAL (M-1) TO GENERAL BUSINESS (C-2); AND PROVIDING FOR AN EFFECTIVE DATE:**

The property to be rezoned is more particularly described on Exhibit A.

**WHEREAS**, a public hearing was held before the Planning and Zoning Commission pursuant to notice on the 13<sup>th</sup> day of September, 2022; and

**WHEREAS**, the Jerome City Planning and Zoning Commission recommended approval of the request to rezone; and

**WHEREAS**, a public hearing before the Jerome City Council was held on the ordinance, pursuant to notice, on the 4<sup>th</sup> day of October, 2022;

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

**Section 1.** Parcel 1, described on Exhibit A, and located in the City of Jerome, County of Jerome, State of Idaho is hereby rezoned from Light Industrial (M-1) and General Business (C-2) to Residential 3 (R-3).

**Section 2.** Parcel 2, described on Exhibit A, and located in the City of Jerome, County of Jerome, State of Idaho is hereby rezoned from Light Industrial (M-1) to General Business (C-2)

**Section 3.** The official zoning map of the City of Jerome is hereby amended to comply with Sections 1 and 2 of this Ordinance.

**Section 4.** This ordinance shall become effective upon its passage and publication as required by law.

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

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

CITY OF JEROME, IDAHO

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Barber made the motion to adopt Bill No. 698 as Ordinance No. 1213 1213 rezoning Parcel 1 as described from Light Industrial (M-1) and General Business (C-2) to Residential 3 (R-3) containing 6.49 acres, and also rezoning Parcel 2 as described from Light Industrial (M-1) to General Business (C-2) containing 0.59 acres. Second to the motion was made by Councilman Craig. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Craig, Councilman Barber, and Councilman Peterson. **NAYS:** None.

Mayor Davis expressed appreciation to Visser Building Company for bringing this project to Jerome.

**CONSENT CALENDAR:**

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the September 20, 2022 regular meeting

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

**CITIZEN AWARD:**

Mayor Davis spoke of Mr. Martin Munoz and his efforts in saving lives during a car fire on August 18<sup>th</sup>. He came upon a car fire and assisted the occupants to safety; at one point he used his own clothing to douse flames off of the driver. Along with Mayor Davis, Chief Harrison and Chief Rubink presented the Citizen Award to Mr. Munoz for his bravery and selfless act.

**PROCLAMATION – FIRE PREVENTION WEEK OCTOBER 9-15, 2022:**

**CITY OF JEROME, IDAHO**

**MAYOR’S 2022 FIRE PREVENTION WEEK PROCLAMATION**

WHEREAS, the City of Jerome, Idaho is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 2,580 civilian deaths in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Jerome residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and

WHEREAS, Jerome residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Jerome residents will make sure their smoke and carbon monoxide (CO) alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Jerome City first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Jerome residents that are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2022 Fire Prevention Week™ theme, “Fire won’t wait. Plan your escape.™,” effectively serves to remind the citizens of Jerome it is important to have a home fire escape plan.

THEREFORE, I David Davis Mayor of Jerome, do hereby proclaim October 9-15, 2022, as Fire Prevention Week throughout this city, and I urge all the people of Jerome to plan and practice a home fire escape for Fire Prevention Week 2022 and to support the many public safety activities and efforts of Jerome City’s fire and emergency services.

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

Council signified support of the proclamation with unanimous “ayes.”

**RESOLUTION NO. 17-22:**

Mr. Carpenter spoke of subdivisions within the City approved by Council, and spoke of property pins placed by the developer. He stated exterior boundary monuments are put in but there is extra work in setting interior survey monuments. If they are put it too early in the development process they can be buried or damaged. Idaho Code allows up to one year after recording of the final plat to put those monuments if a bond or cash deposited are submitted to the City. Mr. Carpenter stated that developers are hesitant to move forward with an entire subdivision in one phase, and this causes a violation of Idaho Code when the monuments are not put in timely. The resolution allows for five years to set monuments rather than one.

The clerk read Resolution No. 17-22 in full as follows:

**RESOLUTION NO.17-22**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, INCREASING THE TIME PERIOD FOR SETTING INTERIOR MONUMENTS OF A SUBDIVISION, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Idaho Code 50-1331 contains provisions allowing interior monuments of a subdivision to not be set prior to recording of the plat, if a bond or cash deposit guaranteeing the payment of the cost of setting the interior monuments for the subdivision is provided to the City; and

**WHEREAS**, Idaho Code 50-1332 contains provisions for the release of the bond or cash deposit; and

**WHEREAS**, Idaho Code 50-1333 states, “The time for setting the interior monuments shall not exceed one (1) calendar year from the date the plat is recorded or as determined by the governing body of such city or county.”; and

**WHEREAS**, multiple surveyors and developers have requested that the one (1) calendar year time period be increased to accommodate phased development of larger subdivisions; and

**WHEREAS**, there is no time limit to the assurances offered by the bond or cash deposit.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of

Jerome Idaho, that the time for setting the interior monuments shall not exceed five (5) calendar years from the date the plat is recorded.

This resolution shall be effective upon its passage and approval by the Jerome City Council.

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

APPROVED BY THE MAYOR this 4<sup>th</sup> day of October, 2022.

By:

/s/ David M. Davis

David M. Davis, Mayor

ATTEST:

/s/ Bernadette Coderniz

Bernadette Coderniz, City Clerk

Councilman Barber made the motion to pass Resolution No. 17-22 increasing the time period for Setting Interior Monuments of a Subdivision and providing for an effective date. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Johnson, Councilman Craig, Councilman Barber, and Councilman Peterson. **NAYS:** None.

**COUNCIL REPORTS:**

Councilman Craig inquired about the broken concrete throughout town cause by TDS Telecom. Mr. Ahrens stated staff met with them and were told that new concrete had been hard for them to get and therefore staff does not know when they will return to finish work. Extensive discussion ensued regarding: bonding their work; covers over the existing holes where fiberoptic lines are being worked on; continuing to reach out to them; ceasing work until they fix the issues around town; gravel and asphalt in alleys; complaints from citizens about concrete removal and/or replacement; consistency with other jurisdictions regarding similar projects; maintaining

open communication with the company; concerns regarding the overall look of the City when the job is complete; similar issues on other jobs around town; inventory to keep track of their work throughout the City; repairs to the areas in need; recourse for if TDS leaves the area without replacing concrete; surety bonds (or lack thereof); TDS's responsibility for their work in the next two years; and, damage to City property along with residential properties. Mr. Williams expects TDS will fix the areas with concrete issues, and Councilman Craig noted the grass removal and replacement has not been an issue to his knowledge. Mayor Davis commented on staff's persistence in communicating with TDS.

**DEPARTMENT REPORTS:**

Mr. Williams reported Starr Corporation will be giving a tour of the new police station building on October 18<sup>th</sup>. He proposed that the Council meeting begin at 5:00 p.m. with the tour to commence shortly thereafter. The architect is eager to show Council the building, progress on the reconstruction, and be available to answer any questions during the tour. Anyone participating in the Council meeting are welcome to join in the tour. He expects the meeting to start at 5:00 p.m., adjourn to tour the facility, then reconvene and continue with regular business.

Chief Harrison stated the fire department will be partnering with Jerome Rural Fire to host a pancake breakfast on October 15<sup>th</sup>. The breakfast will conclude fire prevention week activities which have been held throughout the schools.

**ADJOURNMENT:**

There being nothing further to discuss, Mayor Davis adjourned this October 4, 2022 regular meeting of the Jerome City Council at 6:14 p.m.

By:

\_\_\_\_\_  
Mayor David M. Davis

Attest:

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Bernadette Coderniz, City Clerk