

City of Kimberly Amended Agenda

City Council
Meeting Agenda

July 28, 2020
6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

CALL TO ORDER & PLEDGE OF ALLEGIANCE

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU

ROLL CALL OF CITY COUNCIL MEMBERS

CEREMONIES, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS

AMENDMENTS TO THE AGENDA

DECLARATION OF CONFLICT

1. CITIZEN ISSUES – PUBLIC INPUT –No person shall be permitted to speak from a location other than the public podium. This section of the agenda is reserved for citizens wishing to address the Council regarding a City-related issue. In order to ensure adequate public notice, Idaho Law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing. Persons wishing to speak will have **3** minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight’s meeting if time permitting. Public participation at a Kimberly City Council meeting is limited to participation in the public comment portion of the meeting. The City Council does not take any action or make any decisions during public comment.

2. PUBLIC HEARINGS RULES - Items listed as public hearings allow citizen comment on the subject matter before the Council. Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for presentation by the applicant, submission of information from City staff, and is followed by public testimony. The rules for testifying include the following: applicant will have 15 minutes to present their project; testimony by the public will be limited to 3 minutes per person. Testimony at public hearings on applications brought forth from the Planning & Zoning Commission can be used to reaffirm previous testimony.

- A. Public Hearing:** Heritage Farms Preliminary Plat Public Hearing -depiction of an existing irrigation ditch on or near the north boundary of Phase II. Subject ditch was not depicted on the preliminary plat submittal / process due to no title reports depicting the ditch or ownership of such. Subject ditch has been determined per Jay Barlogi, Twin Falls Canal Co. Director that it is not of record, has no easement documentation and is determined to be a grandfathered ditch meandering across private properties. This process incorporates the ditch into the Heritage Farms Plat, where applicable and will be recorded as such. *Craig – Council action required.*

3. DISCUSSION-ACTION ITEM

DISCUSSION-ACTION ITEM - CONSENT CALENDAR -The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

- A. Approve Minutes for July 14, 2020**
- B. Accounts Payable July 15, 2020 – July 31,2020**

General Fund	\$ 20,419.22
Water Fund	\$ 34,009.73
Sewer Fund	\$ 3,259.68
Library	\$ 665.76
TOTAL	\$ 58,354.39

4. UNFINISHED BUSINESS

A. DISCUSSION-ACTION ITEM- LHTAC-ITD – Final Contractor payment request, for Progress report No. (2) final, payable to Done Right Contracting, for work completed in-conjunction with the TAP Grant- Key # 22054 - Center Street sidewalk installation project. Final Requested amount is \$67,106.26, which has been approved by LHTAC and JUB Engineering. Amount to be reimbursed to City from TAP grant is \$62,180.66 – *Craig - Ivan McCracken-JUB-Grant - Const. Admin. - Council action required.*

B. DISCUSSION-Action Item- LHTAC -ITD final payment to JUB Engineers, for Construction monitoring of the TAP West Center Street project – key # 22054 in the amount of \$4,720.84. Amount to be reimbursed to City from TAP grant is \$4,374.33. *Craig - Council Action Required.*

C. DISCUSSION-Action Item- City shop yard fence height extension, to be installed on top of the existing stamped concrete wall/fence, in the north, west corner / area between the two zoning districts. City shop yard is zoned Industrial and property to the west / adjacent is zoned R-3 residential. Cost is approximately \$6,866.58. *Brian*

5. NEW BUSINESS

A. DISCUSSION-ACTION ITEM- Heritage Farms Final Plat Phase II- 41 lots. *This is not a public hearing. Craig - Council Action required.*

B. DISCUSSION-ACTION ITEM- Payment to Kloepfer Inc. for Chip Seal project awarded by Council on May 20, 2020 in the amount of \$184,414.05. Final invoice cost to be paid to Kloepfer Inc. is \$184,414.05. **Payment to be made in two payments. First payment shall be for 95% or \$175,193.35, paid on 7-29-2020 and the second payment, \$9,220.70 shall be held by the City until it receives the applicable Idaho State Tax Commission release documents.** Awarded Chip seal project was completed on July 8th, 2020. *Brian. Council action required.*

6. ORDINANCES AND RESOLUTIONS –

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain

procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

A. DISCUSSION-ACTION ITEM-

7. ADMINISTRATIVE / STAFF REPORTS -

8. COUNCIL COMMENTS -

9. MAYOR COMMENTS –

10. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM- Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters under Idaho Code 74-206 (1)

ADJOURNMENT:

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 242 Hwy 30 E., Kimberly, Idaho 83341 or call 208-423-4151.

Robert Tomlinson	Jim Eisenhower	Burke Davidson	Nancy Duncan	Burke Richman
Councilman	Councilman	Mayor	Council President	Councilman