

# AMENDED City of Kimberly Agenda

City Council  
MEETING AGENDA

september 13, 2022

6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

**Provisions are being made to support Council, Staff and Public participation, in this public meeting, via a telephone conference call option, or you may attend in person.**

**Currently face masks are not required by the Mayor, to be worn if you attend in person.**

**TO PARTICIPATE BY PHONE, call in at approximately 5:55 p.m. to the conference call number 1-402-295-5407 Enter the Pin number 649 437 878 followed by the pound # sign.**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU**

**ROLL CALL OF CITY COUNCIL MEMBERS**

**CEREMONIES, 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.

### **Public Hearings**

A. Proposed Budget Amendment for Fiscal Year 2022 per Idaho Code 50-1002, for consideration to amend said budget to incorporate State of Idaho HB 772 funding in the amount of \$77,214.44. The sum of \$77,214.44 be, and the same is appropriated to defray the expenses and liabilities of the City of Kimberly, Twin Falls County, Idaho, for the fiscal year 2022, beginning October 1, 2021, ending September 30, 2022. Craig – Carrie Action *by Council per Ord. # 675*

### **3. NEW BUSINESS:**

A. **DISCUSSION-ACTION ITEM** - Special Event Application for Show and Shine Classic Cars -closure of Main Street, between Center Street and Madison Street. Street closure on September 24, 2022 during the hours of 6:00 p.m. to 10:00 p.m. Applicant, Aaron Gupton doing business as Guppies Hotrod Grille. Application is attached and was approved by Chief Perry. -*Craig Eckles and Aaron Gupton*

B. **DISCUSSION-ACTION ITEM**- Request for exemption of park reservation fees, paid by Synergy Brotherhood MC – benefit fundraiser for Voices Against Violence. Event is Scheduled for October 8<sup>th</sup>, 202 at the City Park. Fee Exemption, is for \$35.00 paid, per ICCU #3263. A nonrefundable, \$25.00 park application fee has been paid per check #3262. This Fee Exemption is in accordance to Kimberly Ordinance Ord. #654, Chapter 12. *Craig- Scott Flinn.*

C. **DISCUSSION-ACTION ITEM**- Police Chief Perry requests council approval to disburse Mayor/Council Contingency funds per line item # 01-415-490, not to exceed \$4000.00 for future Police Officer Academy Tuition. This request is for Fiscal Year 2021-2022 and 2022-2023. – *Chief Perry*

### **4. UNFINISHED BUSINESS-**

A. **DISCUSSION-ACTION ITEM-**

**5. CONSENT CALENDAR- Discussion - Action** -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 August 23, 2022**

## B. Accounts Payable for August 24, 2022 – September 13, 2022

General Fund	\$ 59,946.05
Water Fund	\$ 32,459.34
Sewer Fund	\$ 16,995.58
Library	\$ 542.53
<b>TOTAL</b>	\$109,943.50

### 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-** AN ORDINANCE 675 OF THE CITY OF KIMBERLY, IDAHO, AMENDING ORDINANCE 667 THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 2022; BEGINNING ON THE 1<sup>ST</sup> DAY OF OCTOBER, 2021, AND ENDING ON THE 30<sup>TH</sup> DAY OF SEPTEMBER 2022, APPROPRIATING ADDITIONAL FUNDS RECEIVED BY THE CITY OF KIMBERLY, IDAHO. AMENDMENT IS INCORPORATING STATE OF IDAHO HB 772 FUNDING.

### 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)

- 1. Discussion – Action Item** - Executive Session - 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 (c)
- 2. Discussion – Action Item** – Decision if any regarding executive session.

**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

Posted September 9, 2022  
Amended Agenda posted 9-12-2022