

City of Kimberly minutes

City Council
MEETING minutes

February 22, 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 1-301-969-4623 Enter the Pin number 657 052 552 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

Tomlinson – yes

Eisenhower – yes

Duncan - yes

Richman – yes

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

Student Sam Morerer joined the audience. He is job shadowing Tim Stover, Legal Counsel

AMENDMENTS TO THE AGENDA

None

DECLARATION OF CONFLICT

None

1. CITIZEN ISSUES – PUBLIC INPUT

None

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. DISCUSSION-ACTION ITEM- 2022 Capital Improvement Plan -*See insert*

B. DISCUSSION-ACTION ITEM- 2022 Development Impact Fee assessment and criteria- *See insert*

3. NEW BUSINESS:

A. DISCUSSION-ACTION ITEM- Kimberly Grant Award Application– East End Providers – 229 Main Street North – Cecille Griffith – Request is in the amount of \$3,500.00 for fiscal year 2022- *Burke Richman - Cecille Griffith*

Mayor Davidson called for a motion to approve.

Council member Duncan motioned to approve the Request for the Kimberly Grant Award Application– East End Providers – 229 Main Street North – Cecille Griffith – Request is in the amount of \$3,500.00 for fiscal year 2022.

Council Member Richman seconded the motion.

Roll call:

Tomlinson - yes

Eisenhower - yes

Duncan - yes

Richman - yes

B. DISCUSSION-ACTION ITEM- Food / merchandise vendors at City Park. Craig

Council gave staff direction to gather more information and bring back for further discussion.

4. UNFINISHED BUSINESS

None

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 February 8, 2022**
- B. Accounts Payable for February 9, 2022 – February 22, 2022**

General Fund	\$ 23,437.59
Water Fund	\$ 87,154.56
Sewer Fund	\$ 2,465.50
Library	\$ 1,446.16
TOTAL	\$ 114,503.81

Mayor Davidson called for a motion.

Council member Tomlinson motioned to approve the Consent Calendar as presented.

Council Member Eisenhower seconded the motion.

Roll call:

Tomlinson - yes
Eisenhower - yes
Duncan - yes
Richman - yes

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 adopting a Capital Improvement Plan**

Mayor Davidson called for a motion to dispense 2nd and 3rd readings and to pass by title only for Ordinance #672

Council member Eisenhower motioned to approve and dispense 2nd and 3rd readings and to pass by title only for Ordinance #672

Council Member Richman seconded the motion.

Roll call:

Tomlinson - yes
Eisenhower - yes
Duncan - yes
Richman - yes

Mayor Davidson called for a motion to approve ORDINANCE NO. #672 by Title Only.

Council member Eisenhower motioned to approve

ORDINANCE NO. #672

AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, ADOPTING A CAPITAL IMPROVEMENT PLAN AND ASSOCIATED COSTS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW

Council Member Tomlinson seconded the motion.

Roll call:

Tomlinson - yes
Eisenhower - yes
Duncan - yes
Richman - yes

B. DISCUSSION-ACTION ITEM - An Ordinance adopting a Development Impact Fee Schedule and assessment criteria.

Mayor Davidson called for a motion to dispense 2nd and 3rd readings and to pass by title only for Ordinance #671

Council member Richman motioned to approve and dispense 2nd and 3rd readings and to pass by title only for Ordinance #671

Council Member Duncan seconded the motion.

Roll call:

Tomlinson - yes
Eisenhower - yes
Duncan - yes
Richman – yes

Mayor Davidson called for a motion to approve ORDINANCE NO. #671 by Title Only.

Council member Eisenhower motioned to approve

ORDINANCE NO. #671

AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING CITY CODE, TITLE 17, BY ADDING CAPTER 17.18 SCHEDULE OF DEVELOPMENT IMPACT FEES, AND ASSESSMENT CRITERIA; SECTION 1, 17.18.010 LEGISLATIVE FINDINGS; SECTION 1, 17.18.020 AUTHORITY AND APPLICABILITY; SECTION 1, 17.18.030 INTENT; SECTION 1, 17.18.040 DEFINITIONS; SECTION 1, 17.18.050 DEVELOPMENT IMPACT FEES IMPOSED; SECTION 1, 17.18.060 SERVICE AREAS; SECTION 1, 17.18.070 USE OF DEVELOPMENT IMPACT FEE FUNDS; SECTION 1, 17.18.080 REFUNDS OF DEVELOPMENT IMPACT FEES PAID; SECTION 1, 17.18.090 CREDITS AGAINST DEVELOPMENT IMPACT FEES; SECTION 1, 17.18.100 APPEALS AND MEDIATION; SECTION 1, 17.18.200 ENFORCEMENT AND COLLECTION; SECTION 1, 17.18.300 MISCELLANEOUS PROVISIONS; SECTION 1, 17.18.400; PENALTY FOR VIOLATION; SECTION 2, PROVIDING FOR A REPEALER CLAUSE; SECTION 3, PROVIDING FOR A SEVERABILITY CLAUSE; AND SECTION 4, PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Council Member Duncan seconded the motion.

Roll call:

Tomlinson - yes
Eisenhower - yes
Duncan - yes
Richman – yes

7. ADMINISTRATIVE / STAFF REPORTS -

Chief Perry-Updated Mayor and Council that his officers have been very busy. He believes the Car burglars have moved up into the Wood River Valley. The Police Department up there have put out a statement urging citizens to lock their vehicles. Currently there are 14 open Felony cases. It was a busy weekend, including more sex crimes, No Contact Orders, and Domestic violence. Very busy for it still being winter. The new Police truck has still not even been built or assigned

a VIN#, they are looking at possibly another 10-months. Sgt. Bunderson is on the mend and home. Surgery went well and we are looking forward to having him back next week. Officer Camacho will start his solo shifts on February 28th and Officer Alvarez shifted into Phase III on February 21st.

Craig- Not much more to add tonight, except thanking the staff again for their help in gathering information for the Development Impact Fees project.

Brian- Updated that his crew is still geared up for the winter season. Well #1 is back **online** and still working on Well #7. The 2022 Chip Seal Documents have been sent to Legal Counsel and once its approved it can go out for bid. Proud to announce The City of Kimberly has won the award from NIRWA for Best Source Protection Plan in the state of Idaho. Will be receiving the Award in person March 10, 2022.

Carrie- Congratulated the City crew on the Water Protection Award. Thanked Craig for his long hours and dedication to provide the City with an outstanding document for the Development Impact Fee Schedule. The collections rate is outstanding, only \$1247.62 of outstanding bills for the month of February. Large victory with the IRS, they had made 2 errors and after 5 months of back-and-forth mailings, they granted the City the clearing of Penalties and acknowledged it was their error.

8. COUNCIL COMMENTS –

Richman- Complimented Craig on his outstanding work on Development Impact Fee Document.

Duncan- Complimented Craig on his outstanding work on Development Impact Fee Document.

9. MAYOR COMMENTS –

None

10. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM

None

ADJOURNMENT:

Mayor, Burke Davidson

City Clerk, Carrie Kimball