

MIINUTES OF City of Kimberly

City Council

Meeting Minutes

June 23, 2020
6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

CALL TO ORDER & PLEDGE OF ALLEGIANCE- Mayor Davidson called the meeting to order and led the Pledge of Allegiance.

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU

ROLL CALL OF CITY COUNCIL MEMBERS MEMBERS-*City Clerk Carrie Kimball confirmed by roll call the following officials in attendance.*

*Councilman Tomlinson
Councilman Eisenhower
Council President Duncan
Councilman Richman*

CEREMONIES, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS

AMENDMENTS TO THE AGENDA-*None*

DECLARATION OF CONFLICT-*None*

1. CITIZEN ISSUES – PUBLIC INPUT-*None*

2. PUBLIC HEARINGS RULES-*None*

3. DISCUSSION – ACTION ITEM - CONSENT CALENDAR-- Councilman Eisenhower motioned to approve the Consent Calendar-Councilman Tomlinson second the motion. *Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

A. Approve Minutes for June 9, 2020

B. Accounts Payable for June 10, 2020 – June 30, 2020

General Fund	\$ 15,556.61
Water Fund	\$ 33,751.66
Sewer Fund	\$ 726.14
Library	\$ 1,357.22
TOTAL	\$ 51,391.63

4. NEW BUSINESS

- A. DISCUSSION - ACTION ITEM- PROPOSED ORD. NO. 663. AN ORDINANCE PROVIDING FOR AMENDMENTS TO CHAPTER 13.08, SEWER SERVICE SYSTEM, TITLE 13 OF THE KIMBERLY MUNICIPAL CODE, DIVISION VII PERMITS, CHARGES AND FEES, SECTION 13.08.380 INEQUITABLE RATES - APPLICATION FOR REVIEW TO INCLUDE A MANNER OF CORRECTING INEQUITABLE RATES AND A TIME PERIOD WITHIN WHICH CLAIMS FOR INEQUITABLE RATES MUST BE MADE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION BY SUMMARY ACCORDING TO LAW.**

Council action shall be taken per adoption of Ordinance No. 663- Brian

Eisenhower-*This is strictly putting a boundary on any inequitable rates, this is in no way setting new rates for the general population, right?*

Tim Stover-*This is an old Ordinance, its been around for a while. We just cleaned some things up. There was some language in there that needed that. Did you see where we struck the whole paragraph? We were just cleaning up some things.*

Eisenhower-*Okay, okay.*

Tim Stover-*That does not say fee schedule. That needs to be done by resolution, Public Hearing, and all that good stuff.*

Eisenhower-*Very good, thank you.*

- A. DISCUSSION - ACTION ITEM- Approval of Beer, Wine, and or Liquor licenses. Applicants have received necessary approvals from the State of Idaho, Twin Falls County and have paid all applicable Kimberly City license fees.**

1. JC's Cactus Grill, LLC Beer and Wine License Application for the 2020/2021 year. This License includes Beer and Wine.
2. Maverik Inc., #204 Beer and Wine License Application for the 2020/2021 year. This License includes Beer and Wine sales.
3. Maxie's Pizza and Pasta of Kimberly Beer and Wine License Application for the 2020/2021 year. This License includes Beer and Wine.
4. Ridley's Family Market, Inc. Beer and Wine License Application for the 2020/2021 year. This License includes Beer and Wine sales.

Councilman Eisenhower motioned to approve the Approval of Beer, Wine, and or Liquor licenses. Applicants have received necessary approvals from the State of Idaho, Twin Falls County and have paid all applicable Kimberly City license fees.

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4. Ridley's Family Market, Inc. Beer and Wine License Application for the 2020/2021 year. This License includes Beer and Wine sales.

Councilman Duncan second the motion. *Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

B. DISCUSSION-ACTION ITEM- PROPOSED RESOLUTION NO. 367 – A RESOLUTION OF THE CITY OF KIMBERLY, IDAHO, PROVIDING FOR REGULATIONS FOR THE USE OF FIREWORKS IN THE CITY LIMITS.

Tim Stover-*We just have an ordinance that dates back to 1937, and we don't want to have to put the Chief in jail. I've got some information for Craig or Carrie that we can work on changing the Ordinance so we don't have to go through this every year.*

Duncan-*What about Good Neighbor Days, are we getting one for that?*

Craig-*We don't, that's a City sponsored event, so we don't need to.*

Tomlinson-*So we have anyone else that needs to do this?*

Craig-*Not at this time, I'm not aware of anyone.*

Mayor-Bob*I do believe the Chief was just reading through the Ordinances and came across this. He was just wanting to make sure he was following guidelines.*

Tomlinson-*I just knew there were other fireworks in the city and I've just never seen anyone apply for this.*

Chief Perry-*Yes, when I found this, I wanted to make sure because obviously in my position and the Cities position, I wanted to make sure that it was done correctly.*

Mayor-*We aren't changing the Ordinance so do we need to...*

Tim Stover-*No, you don't have to read the Title. When we get to Ordinances and Resolutions, just make a motion to pass the Resolution.*

Craig-*Any other questions? (pause) Okay.*

Councilman Eisenhower motioned to approve RESOLUTION NO. 367 – A RESOLUTION OF THE CITY OF KIMBERLY, IDAHO, PROVIDING FOR REGULATIONS FOR THE USE OF FIREWORKS IN THE CITY LIMITS FOR JEFF PERRY ON JULY 3, 2020.

-Councilman Tomlinson second the motion. *Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

5. 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- ORDINANCE NO. 663 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING CHAPTER 13.08 SEWER SERVICE SYSTEM, TITLE 13 OF THE KIMBERLY MUNICIPAL CODE, DIVISION VII PERMITS, CHARGES AND FEES, SECTION 13.08.380 INEQUITABLE RATES - APPLICATION FOR REVIEW TO INCLUDE A MANNER OF CORRECTING INEQUITABLE RATES AND A TIME PERIOD WITHIN WHICH CLAIMS FOR INEQUITABLE RATES MUST BE MADE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION BY SUMMARY ACCORDING TO LAW.**

*Counselman Eisenhower made a motion that the second and third reading rules be dismissed for **ORDINANCE 663** and be passed by first read Title only. Counselman Tomlinson second the motion. Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

*Counselman Eisenhower made a motion to adopt **ORDINANCE NO. 663 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING CHAPTER 13.08 SEWER SERVICE SYSTEM, TITLE 13 OF THE KIMBERLY MUNICIPAL CODE, DIVISION VII PERMITS, CHARGES AND FEES, SECTION 13.08.380 INEQUITABLE RATES - APPLICATION FOR REVIEW TO INCLUDE A MANNER OF CORRECTING INEQUITABLE RATES AND A TIME PERIOD WITHIN WHICH CLAIMS FOR INEQUITABLE RATES MUST BE MADE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION BY SUMMARY ACCORDING TO LAW.** Counselman Tomlinson second the motion. Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

- A. DISCUSSION-ACTION ITEM- RESOLUTION NO. 367 – A RESOLUTION OF THE CITY OF KIMBERLY, IDAHO, PROVIDING FOR REGULATIONS FOR THE USE OF FIREWORKS IN THE CITY LIMITS.**

*Counselman Duncan made a motion to approve **RESOLUTION NO. 367 – A RESOLUTION OF THE CITY OF KIMBERLY, IDAHO, PROVIDING FOR REGULATIONS FOR THE USE OF FIREWORKS IN THE CITY LIMITS.** Counselman Tomlinson second the motion. Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes*

6. ADMINISTRATIVE / STAFF REPORTS -

Chief Perry-Updated Mayor and Counsel on the Department assisting on the Graduation Program this Saturday at the High School. The officers have been out patrolling more and interacting with the community more.

Craig-*Updated the Mayor and Counsel on the moving forward of the Center Street Plaza project.*

Thank you to Brian for your help on that. Have been in contact with Agri-Service regarding the canal company. That's been a huge snag there. They have been looking for some improvements off site. There has been so rallying back and forth. Should be seeing some progress in the next four weeks. I've got Brian prepped for that. We will all be glad to see that get done and move forward. Hopefully we don't have to go out for an extension on that, but will do if we need to. Heritage Farms Phase II, Public Hearing and Final Plat scheduled for July 28, 2020. We are working with Parkvista, I have the Final Plat on for July 14, 2020. That's not a Public Hearing on that one. Kuddos to Brian! Having an in-house Engineer has been really really nice. Streamline's our processes much faster. Thanks to the Chief of Police for working with the plans for the new Fiesta Ole to the south of where you see them today. We will be working very closely with them on their new facility. Its been a very great business here in Kimberly. Thank you to the Public Works crew for wrapping up your parts of these projects. The Center street TAP project is done. We should be bringing to you at your next council meeting the final payout for the LHTAC TAP Grant. We will be getting all the bills paid for the Chip and Crack sealing. Kuddos to our crew. I know Ivan mentioned 2016, but it was actually 2017. Those are long hard processes. We will see how we fit into the next application for funding. I will be sliding it off to my right on this next one. Kevin Kuther is the head over the TAP Grant, they are pretty supportive of a sidewalk project. That's what they are about, not streets as you know. We have been able to use our maintenance money for the streets. As you come down Center St. you can actually see how nice those three street lanes are going to be, in front of the school campus, once that area is crack sealed, chip sealed and stripped. Our expenses are still under budget for asphalt so far around \$46,000 out of our \$67,000 budget, it will go fast. The three lanes provide for the East and West travel lane and a safety center turn lane in the center. The next sidewalk project, ITD was not willing to work with us on. Its really hard for this location going from the tracks to Polk St. That right of way is extremely limited. The grant projects will not put any dollars into an area that there's not room to put it in. We are looking at Polk St. from the Taylor property to Stricker Elementary on the South side of Polk. This is the time to do it with no approaches. I am working with T.F. Highway Dist. and LHTAC to see what we can put together where that area is not in the city limits and the grant criteria requires the dollars to be spent in the city on city right of way.

Eisenhower-*Is there a significant amount of pedestrian traffic from the tracks to Polk?*

Craig-*No not at this time.*

Eisenhower-*What area are you thinking of next then?*

Craig-*We are looking at Polk St. from the Taylor property West to Stricker Elementary.*

Duncan-*There's a big section there that hasn't been annexed right?*

Craig-*Yes, so we are just kind of looking through he opportunities there. That's the kind of project they are looking for. They want to see their dollars stretched as far as they possibly can. Without having to cut driveways and that sort of thing.*

Eisenhower-*Which is why you wouldn't go on the south side.*

Craig-*Yes, you'll see the sidewalk on the Northside and on the Westside by the Taylor property.*

Eisenhower-*I'm sure they would be very happy to see that. Then future developments wouldn't have to do that.*

Craig-*That's right. Any other questions?*

Duncan-*Is there any interest up on the two lots by First Fed on the South side of Kimberly Road?*

Craig-*The two lots west of First Fed Plaza are under contract with O'Reilly Auto Parts.*

Duncan-*So that's still happening?*

Craig-*Yes, you bet.*

Brian-*Briefed Mayor Counsel on the crew gearing up for Good Neighbor Days. They have been busy putting barriers in place, hanging banners, and other duties. Water and port-a-potties will be reinstated at the park starting the 29th. Carrie, Melissa, and I have been working on the Cross-Connection Controllers. As of now we have three residents that we need to take care of. Crew will start filling in potholes and get ready for chip seal. Will be approving plans for phase II of Parkvista, then off to Craig.*

Eisenhower-*Great job on the transitions on Center Street. I've actually had people come up to me and say how nice it is.*

Duncan-*It just looks so so nice.*

Brian-*Our crew did a great job!*

Tomlinson-*Do we still have complaints from the ones behind us about dust and stuff?*

Brian-*Yes and no, its calmed down some. We will be working on a solution this next budget. I've got some quotes for a fence. The other complaint was the grass and I'm trying to work with them on that. I haven't heard from Teresa this week. There are some things we will be doing this next year.*

Eisenhower-*Do you think it's a case of if they can't see it they can't smell it?*

Brian-*ehhhh, if they smell it we will get calls.*

Eisenhower-*I'm just saying sometimes if you can see it, you think you can smell it*

Brian-*We will just have to see how things pan out.*

Eisenhower-*Okay*

Carrie-*Updated about Backflow testing, worked hard to make sure everyone had water before closing. Busy with budget and getting Payables and Utility Bills ready. Flow of traffic in lobby is still slow.*

7. COUNCIL COMMENTS -None

8. MAYOR COMMENTS –*At this point we are going forward with Kimberly Good Neighbor Days. There will be a few changes this year. I wanted to let you know we will be closing the RV Dump that Friday about 4:00pm through Sunday about noon. This will be for parking and staging. Last year there were some folks dumping and the smell was quite patient. Working on posting signs up to let everyone know. Kevan Hafer had his first surgery in Boston and doing very well! We do not have a need for executive session tonight.*

Richman-*Are we still having a car show, or what are they called the drifter's?*

Mayor-*Yes sir. We do have a new venue coming in. The staff and I went down and had a mini show to check out the safety and ask questions. Ill be honest Its really a neat thing. The kids are going to love it. A couple of young men were there that got the chance to ride. We will not be having a dinner Friday night. The Lions Club asked to not be a part of it this year for whatever reason, and we respect them for that. The vendors will be open Friday night instead. The Miss Kimberly pageant will be Saturday morning and ending with the Fireworks show Saturday night.*

Duncan-*Id like to see a report after GND, a report on payables. This hasn't been done the last few years and Id like to see one this year. I want to see the finances and how the different vendors did.*

Mayor-*We will schedule for that this year.*

Duncan-*Thank you.*

Mayor-*I talked to the county commissioner and Filer Fun Days moved forward and so far, no Covid cases have come from that. They are still planning the HWY 30 Music Festival.*

ADJOURNMENT:

Mayor, Burke Davidson

City Clerk, Carrie Kimball