

# MIINUTES OF City of Kimberly

City Council  
Meeting Minutes

July 28, 2020  
6:00pm

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

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-None

## AMENDMENTS TO THE AGENDA-

Yes, Item #5b added.

Councilman Eisenhower motioned to approve the **Amended Agenda adding Item #5b** - Councilman Tomlinson second the motion.

Roll call:

Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

## DECLARATION OF CONFLICT-None

**1. CITIZEN ISSUES – PUBLIC INPUT** –Emily Rasmussen, Kimberly School Booster Club President, residing at 3778 N 3560 E, Kimberly, ID 83341

Emily has a concern at the 4-way stop regarding the damage done to the “K” emblem that shows significant damage. Calls and comments have come to her as people have seen it. She has heard of what may have taken place there, and would like to know how and what the City could do to help them resolve this issue. Council is there community service costs repaid? Councilman

Duncan asked how much the Boosters paid for the emblem. Emily replied the Booster club spent \$9495.00 for the emblem and that the City had applied it for free.

**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 briefed the Council on the preliminary plat note #13 and that this plat note depicting and describing an 8' wide utility easement/irrigation will be recorded and also incorporated into Final Plat Phase II, which is up shortly on this agenda. Craig asked Kirsti Grabo the project coordinator representing Todd Ostrom Heritage Farms owner to provide any additional information.

Kirsti Grabo – KM Engineering stated that Mr. Eckles has covered all of the information regarding the plat note #13, and that KM Engineering agrees with the stated conditions of approval.

There were no other questions of the Council.

Councilman Eisenhower motioned to approve Heritage Farms Preliminary Plat, providing for establishing Plat Note #13 on Phase II, for the inclusion / depiction of an existing irrigation ditch on or near the north boundary of Phase II.

Councilman Duncan second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

### **3. DISCUSSION-ACTION ITEM DISCUSSION-ACTION ITEM - CONSENT CALENDAR**

Councilman Richman motioned to approve the Consent Calendar

Councilman Tomlinson second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

**Approve Minutes for July 14, 2020**

**A. 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
<b>TOTAL</b>	<b>\$ 58,354.39</b>

**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. *Craig - Ivan McCracken-JUB- Grant - Const. Admin.*

Craig briefed the Mayor and Council on the current status, confirming the project is complete and constructed as designed and approved by the construction engineer, Ivan McCracken-JUB. This is a win win for our City.

Ivan thanked the City for a great project and all the work provided by staff during the grant process and construction.

Councilman Eisenhower motioned to approve the 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

Councilman Richman second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

**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.

Craig briefed the Council and Mayor, detailing this as the final payment for the engineering and construction monitoring side of the TAP grant. Craig thanked the Council for steering staff to get the project done and Ivan for a good job.

Councilman Eisenhower motioned to approve 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.

Councilman Tomlinson second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

**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 briefed the Council on the fence style, location, height and material components.

Craig explained the need to comply with the vision aspect of the zoning ordinance requirements, when a Residential zone and Industrial zone are adjacent. This fence extension should get the City into compliance.

Councilman Duncan motioned to approve - 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 to be done by Butte Fence in the amount of \$5963.62.

Councilman Tomlinson second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

## **5. NEW BUSINESS**

### **A. DISCUSSION-ACTION ITEM-** Heritage Farms Final Plat Phase II- 41 lots.

Craig briefed the Mayor and Council on the Final Plat for Phase II, detailing the installation of all storm water retention areas, the large retention pond near the Emerald Street bus loading area, will be quite deep like the one in front of the new Sticker Elementary School. This retention pond will be privacy fenced. There will also be a water sampling station installed in conjunction with additional lighting per Brian's request. We have our City Engineers, comment sheet providing approval for construction. The City holds now outstanding bonding or bills for the entire subdivision. We all know the improvements made were to correct the Emerald Street sewer pipe, correct the lack of stormwater retention from Bowden Terrace Sub. This phase in-conjunction with the stormwater collection areas, is the icing on the cake, it provides the necessary stormwater retention for the entire subdivision, provides the second access / egress out of the subdivision on Gem Ave. Mayor I would like to call Kirsti Grabo from KM Engineering up to have her go over any issues I may have missed.

Kirsti Grabo KM Engineering. Council, Mayor we have worked very close with Craig, staff and the City Engineer. We support all conditions of approval and look forward to getting the infrastructure installed and sell some lots. We expect to have phase III to Craig soon.

Councilman Eisenhower motioned to approve Heritage Farms Final Plat Phase II- 41 lots, including conditions of approval, in-conjunction with the installation of stormwater retention improvements noted on Phase III

Councilman Tomlinson second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

**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. Awarded Chip seal project was completed on July 8<sup>th</sup>, 2020.

Brian briefed the Council on the project and stated that it complied with the awarded specifications. Brian asked that a retainage be held by the city until the Id. State Tax Commission provides the City with all release documents. Payment is 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. I would like to pay the final payment to the Contractor as soon as the documents are turned in, without delaying the payment to a future Council meeting.

Councilman Eisenhower motioned to approve the Payment to Kloepfer Inc. for Chip Seal project awarded by Council on May 20, 2020 in the amount of \$184,414.05. 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

Councilman Richman second the motion.

Roll call: Councilman Tomlinson-yes, Eisenhower-yes, Duncan-yes, Richman-yes

## **6. ORDINANCES AND RESOLUTIONS –None**

## **7. ADMINISTRATIVE / STAFF REPORTS –**

Chief-Thanked everyone for being such a supportive working family to him and his wife while they were home sick. Said it was great to be back to work. Chief fully expects to be back to full staff tomorrow as well as receiving the last Durango. Officers were called to a Domestic Dispute where one of the Officers had a riffle pulled on him. We were very close to having an Officer involved shooting. Due to this officer's excellent response to the situation it was avoided. Great job to that Officer. Staff has been very busy lately especially with VIN inspections.

Craig-The Center Street Plaza, last three lots have sold and closed. O'Riley documents are in house and I am expecting a Building Permit request within the next ten-days. Looks to be a very nice building going up for them and us. We have another six-plex in progress and site work has started at Agri-Service. Ridley's has closed on their purchase of the Munsee property, that is a good indication for the future.

Brian- the crew will be fully staffed tomorrow. They have been working on disinfecting the wells, replacing back flow devices around town, and placing signage. The crew has been staying very busy.

Councilman Tomlinson asked for clarification on the Chlorine process at the well sites and what type of maintenance is being done.

Brian explained that, yes there are some components that are near to needing some cleaning and maintenance, but all systems are operating as expected and we are aware of necessary maintenance requirements.

Carrie-Thanked the staff for the continued strong support through the Budget process. Things are going very smoothly on all aspects of the department. Excited to wrap up the first Budget process.

Councilman Eisenhower, Carrie is this your first budget?

Carrie, yes.

Councilman Eisenhower, you will do great.

**8. COUNCIL COMMENTS -None**

**9. MAYOR COMMENTS** –Mayor Davidson, gave thanks to the Staff for a great job done on all avenues. Glad to hear everyone is getting healthy and appreciates the team work.

**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) -None

**ADJOURNMENT:**

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Mayor, Burke Davidson

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City Clerk, Carrie Kimball