

City of Kimberly Agenda

City Council
MEETING AGENDA

January 25, 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.

TO PARTICIPATE BY PHONE, call in at approximately 5:55 p.m. to the conference call number 1-513-796-6932 Enter the Pin number 839 371 732 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, APPOINTMENTS

1. Mike Burr, annual audit presentation for fiscal year ending 2021. *Council approval/action*

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

3. NEW BUSINESS:

A. DISCUSSION-ACTION – Mike Burr, annual audit presentation for fiscal year ending 2021. *Mike Burr -Council approval/action*

B. DISCUSSION – ACTION – Council direction regarding park fee exemptions, in-conjunction with proposed park development impact fees. *Craig*

C. DISCUSSION – ACTION ITEM. Request for exemption of park reservation fees, paid by Idaho Vipers, for the 2022 youth baseball season. Fee Exemption, is for \$6,200.00 paid, per First Federal check #001246. A nonrefundable, \$25.00 park application fee has been paid per check #0012471156. This Fee Exemption is in accordance to Kimberly Ordinance Ord. #654, Chapter 12. *Craig-Janine*

D. DISCUSSION – ACTION ITEM. Per Kimberly City Code Chapter 17.15, Section 17.15.010 “Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and zoning ordinance changes for the unincorporated area.” Applicant / Owner requesting annexation is Alyeska Properties LLC c/o Gerald Martens. Subject property is legally described as RP10S18E291810, non-developed farm land, located at the West end of Brentwood Drive, accessed off South Main Street. Parcel contains approximately 5.52 acres and is zoned Agriculture. Action by the Council is not to approve the subject application. It is to direct staff to proceed or not proceed with an annexation application to be processed before the Planning and Zoning Commission. *Craig*

E. DISCUSSION – ACTION ITEM. Per Kimberly City Code Chapter 17.15, Section 17.15.010 “Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and zoning ordinance changes for the unincorporated area”. Applicant / Owner requesting annexation is Don McFarland-Big Sky Farms LLC c/o Gerald Martens. Subject properties are non-developed farm land, described as Parcels RP10S18E203050 containing 26.23 acres, zoned Agriculture, Parcel RP10S18E203005 containing 11.88 acres, zoned Agriculture, Parcel RP10S18E203601 containing 22.26 acres, zoned Light Industrial, Parcel RP10S18E205400 containing 3.19 acres, zoned Agriculture, Parcel RP10S18E205560, containing 9.19 acres, zoned Agriculture and Parcel P10S18E205405 containing 10.68 acres zoned Agriculture. Subject properties are located South of Hwy 30, East of 3400 East, North of the Union Pacific right of way - tracks and west of Sierra Way. Action by the Council is not to approve the subject application. It is to direct staff to proceed or not proceed with an annexation application to be processed before the Planning and Zoning Commission. *Craig*

F. DISCUSSION – ACTION ITEM. Per Kimberly City Code Chapter 17.12, Section 17.12.030 (k) 5. “The Council may, determine at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and /or park improvements.” Ballard’s Phase III Subdivision Park in lieu fees: A cash in lieu fee for a park area required per Title 17, section K (2) of Kimberly Subdivision Ordinance applicable to Ballard’s Phase III Subdivision = Total Park in-lieu fees to be paid prior to issuance of any building permits. = \$52,911.46 *Craig*

G. DISCUSSION – ACTION ITEM. Per Kimberly City Code Chapter 17.12, Section 17.12.030 (k) 5. “The Council may, determine at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be uses for park land acquisition and /or park improvements.” Centennial PUD Subdivision Park in lieu fees: A cash in lieu fee for a park area required per Title 17, section K (2) of Kimberly Subdivision Ordinance applicable to Centennial PUD Subdivision = Total Park in-lieu fees to be paid prior to issuance of any building permits. = \$16,927.00 *Craig*

4. 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 January 11, 2022

B. Accounts Payable for January 12, 2022 – January 31, 2022

General Fund	\$ 34,579.25
Water Fund	\$ 24,780.97
Sewer Fund	\$ 16,247.50
Library	\$ 772.67
TOTAL	\$ 76,380.39

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 –

6. UNFINISHED BUSINESS

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

Posted January 21, 2022