

City of Kimberly Agenda

City Council
MEETING AGENDA

April 25, 2023

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 1-414-909-7099 Enter the Pin number 975 774 916 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

Presentation of 2022 STATS for Kimberly/Hansen Police Department – Chief Perry

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 ITEM- Special Event Application – Kimberly High School District Graduation Parade set for May 23, 2023- *Craig Eckles – Darin Gonzales - Council Action required*

B. DISCUSSION-ACTION ITEM- Defer regular City Council Meeting on May 23, 2023 to May 30, 2023- *Mayor Davidson*

C. DISCUSSION-ACTION ITEM- Magic Valley Metropolitan Organization (MVMPO) Draft Joint Powers Agreement/Draft By-Laws *Craig Eckles Council Action required*

4. UNFINISHED BUSINESS- Council action was deferred from the April 11th, 2023 meeting following the public hearing, to April 25, 2023 on agenda items # (A) and (B) *Craig Eckles– Council Action required*

A. DISCUSSION-ACTION ITEM- AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING CITY CODE, TITLE 17, BY ADDING CAPTER 17.19 ROCK CREEK RURAL FIRE PROTECTION DISTRICT’S CAPITAL INFRASTRUCURE PLAN, ASSOCIATED DEVELOPMENT IMPACT FEES AND APPLICABLE REGULATIONS. ADDING SECTION 1, 17.19.010 LEGISLATIVE FINDINGS; SECTION 1, 17.19.020 AUTHORITY AND APPLICABILITY; SECTION 1, 17.19.030 INTENT; SECTION 1, 17.19.040 DEFINITIONS; SECTION 1, 17.19.050 DEVELOPMENT IMPACT FEES IMPOSED; SECTION 1, 17.19.060 SERVICE AREAS; SECTION 1, 17.19.070 USE OF DEVELOPMENT IMPACT FEE FUNDS; SECTION 1, 17.19.080 REFUNDS OF DEVELOPMENT IMPACT FEES PAID; SECTION 1, 17.19.090 CREDITS AGAINST DEVELOPMENT IMPACT FEES; SECTION 1, 17.19.100 APPEALS AND MEDIATION; SECTION 1, 17.19.200 ENFORCEMENT AND COLLECTION; SECTION 1, 17.19.300 MISCELLANEOUS PROVISIONS; SECTION 1, 17.19.400; 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.

B. DISCUSSION-ACTION ITEM- RESOLUTION NO. 383- A RESOLUTION AMENDING THE 2022 CITY OF KIMBERLY, IDAHO COMPREHENSIVE

PLAN MAP, ADOPTED PER RESOLUTION NO. 380, NOVEMBER 22, 2022, TO PROVIDE FOR THE ROCK CREEK FIRE DISTRICT’S DEVELOPMENT IMPACT FEE BOUNDARY MAP, CAPITAL INFRASTRUCTURE PLAN, ASSOCIATED DEVELOPMENT IMPACT FEES, APPLICABLE REGULATIONS AND PROVIDING AN EFFECTIVE DATE. *Craig – Council Action Required*

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 April 11, 2023

B. Accounts Payable for April 12, 2023 – April 25, 2023

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|--------------|--------------|
| General Fund | \$ 29,492.01 |
| Water Fund | \$ 55,392.43 |
| Sewer Fund | \$ 1,951.22 |
| Library | \$ 1,099.06 |
| | |
| TOTAL | \$ 87,934.72 |

6. ADMINISTRATIVE / STAFF REPORTS -

7. COUNCIL COMMENTS -

8. MAYOR COMMENTS –

9. 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.

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| Robert Tomlinson | | Burke Davidson | Nancy Duncan | Burke Richman |
| Councilman | | Mayor | Council President | Councilman |

