

# *City of Kimberly* *Agenda*

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City Council  
MEETING AGENDA

July 13, 2021  
6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

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**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.**

## **CALL TO ORDER & PLEDGE OF ALLEGIANCE**

## **WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU**

## **ROLL CALL OF CITY COUNCIL MEMBERS**

## **CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS**

## **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-** none

## **3. NEW BUSINESS:**

**A. DISCUSSION-ACTION ITEM** – Rehabilitating Well #6 – north of Family Health

Services- *Brian*

- B. **DISCUSSION-ACTION ITEM** – Emergency irrigation watering schedule- action per adoption of Resolution #374- *Craig*
- C. **DISCUSSION-ACTION ITEM** – GSE RV Dump report and request for final payment #2, in the amount of \$ 47,638.00. Funding from Park budget line item #1-311-850 and Covid-19 funding. *Brian*
- D. **DISCUSSION-ACTION ITEM** – Contract for employment of a licensed / certified independent contractor performing as a secondary class III drinking water distribution operator. *Craig/Brian- Council action per agenda item #5 – Resolutions*
- E. **DISCUSSION- ITEM** – Kimberly Meadows – T.F. Canal Co. 07-06-2021 water share reduction, 1” to 5/8”, in relation to the city assessment process per city code, Section 17.12.040. *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 June 22, 2021**
- B. **Accounts Payable for July 1, 2021 – July 13, 2021**

General Fund	\$ 23,031.91
Water Fund	\$ 4,484.87
Sewer Fund	\$ 15,599.63
Library	\$ 232.09
<b>TOTAL</b>	<b>\$ 43,348.50</b>

**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 – Resolution # 373**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF KIMBERLY, IDAHO, APPROVING A CONTRACT FOR EMPLOYMENT OF A LICENSED / CERTIFIED INDEPENDENT CONTRACTOR, PERFORMING AS A SECONDARY CLASS III DRINKING WATER DISTRIBUTION OPERATOR; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST.

**B. DISCUSSION-ACTION ITEM – Resolution # 374**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF KIMBERLY, ESTABLISHING IRRIGATION CONSERVATION REGULATIONS, PROVIDING FOR CONTROL OF LAWN AND LANDSCAPE IRRIGATION DURING SPECIFIED TIMES TO PROTECT AND MAINTAIN LIFE, SAFETY AND HEALTH AND ADEQUATE IN-HOUSE POTABLE DRINKING WATER AND FIRE FLOWS; AND PROVIDING AN EFFECTIVE DATE.

**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) (a) and (1) (c).

Eisenhower motion to go into executive session. 2<sup>nd</sup> Tomlinson. All in favor

**11. DISCUSSION-ACTION -** Council to reconvene from executive session.

Councilman Duncan motioned to reconvene from executive session. Burke Richman 2<sup>nd</sup>. All in favor.

**12. DISCUSSION-ACTION -** Council action / decision if any regarding executive session.

Council member Eisenhower motioned to direct staff to proceed as directed in executive session for 1(c). Motion 2<sup>nd</sup>. Tomlinson. All in favor. No action on 1 (a).

**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 July 9, 2021