

# City of Kimberly Meeting minutes

City Council  
MEETING minutes

APRIL 13, 2021

6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

**Due to the COVID-19, pandemic the State of Idaho requires certain distances between people and group size restrictions, for their safety.**

**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.**

**Currently face masks are not required by the Mayor, to be worn if you attend in person.**

**TO PARTICIPATE BY PHONE, call in at approximately 5:55 p.m. to the conference call number, 1-567-228-0060 Enter the Pin number 278 466 133 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**

Council Members present: Eisenhower, Duncan, and Richman

## **CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS**

Chief Zent with Rock Creek Fire Department-*See insert*

## **AMENDMENTS TO THE AGENDA**

None

## **DECLARATION OF CONFLICT**

None

## **1. CITIZEN ISSUES – PUBLIC INPUT –**

None

**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 –Site Lease Agreement – SAFELINK INTERNET – A five year lease ending September, 30 2025.**

Craig briefed the Council on the lease agreement and said he had reached out and got other municipalities current rates. Of three nearby cities, we are at least 50% higher than their leases, some extend for longer periods, and two were fairly current. I talked to Briana at City of Twin Falls, and we are over 50% higher than their lease. Twin Falls and Kimberly have the same 3% increase, each year, over the base from the previous year. This lease tonight is retroactive to October 1, 2021. When, Carrie and I went through our franchise agreements, I looked at a Council approval date and didn't, realize that the previous lease with Safelink was also a retroactive. Mayor and Council I have gone over everything, do you have any questions?

Council member Duncan asked why we were higher.

Craig stated that was a good question, and sometimes the site location is a determining factor due to topography and lay of the land as to the value of the lease site.

*Mayor Davidson called for a motion.*

*Council member Richman motioned to approve the Site Lease Agreement – SAFELINK INTERNET – A five year lease ending September, 30 2025, retroactive to 10-01-2020 as detailed in the lease agreement.*

*Council Member Eisenhower second the motion.*

*Roll call:*

*Tomlinson – absent*

*Eisenhower - yes*

*Duncan – yes*

*Richman-yes*

**B. DISCUSSION-ACTION ITEM –Mayor recommendation to the Council of re-**

appointment of a Planning and Zoning Commission member. Appointment is to be effective April 15, 2021, 2021 for six years, expiring 04-15-2027.

*Mayor Davidson recommended to the Council a reappointment of P & Z Commission member, Jeff Cooper for another six years.*

*Mayor Davidson called Craig Eckles for comment.*

*Craig stated that Mr. Cooper has been a very dedicated, punctual Commissioner and looks at the codes, facts and ordinances when participating on the board. I will say like Jim and I say, we don't always agree, but we act in what is best for the City and the land owners in accordance to the adopted laws of the city. Jeff and I are right there. He is a good P & Z Commission member.*

*Council member Duncan motioned to the re-appointment of Jeff Cooper to the Planning and Zoning Commission. . Appointment is to be effective April 15, 2021, for six years, expiring 04-15-2027.*

*Council Member Richman second the motion.*

*Roll call:*

*Tomlinson – absent*

*Eisenhower - yes*

*Duncan – yes*

*Richman-yes*

**C. DISCUSSION-ACTION ITEM-** In accordance with Idaho Code 63-802A, the City of Kimberly sets the 2021-22 Annual Appropriation Budget, Public Hearing date to be held Tuesday, at 6:00 p.m., August 24, 2021, at Kimberly City Hall – 242 Hwy. 30.

**Carrie-** Mayor and Council; I have been working closely with Craig and the State on our Revenue Allocations. I have pushed our date out for the Public Hearing as far as I can allow. This will allow me to gather the most current Revenue Disbursements to be built in to the next budget and still meet all reporting deadlines. I'm requesting August 24<sup>th</sup> to be the Public Hearing date.

**Richman-** Will we still have our Budget Workshop and when?

**Carrie-** Yes, we will, unsure of that date at this moment.

*Mayor called to make a motion to approve:*

*Council member Richman motioned to approve the City of Kimberly, 2021-22 Annual Appropriation Budget, Public Hearing date, to be held Tuesday, at 6:00 p.m., August 24, 2021, at Kimberly City Hall – 242 Hwy. 30. In accordance with Idaho Code 63-802A.*

*Council Member Richman second the motion.*

*Roll call:*

*Tomlinson – absent*

*Eisenhower - yes*

*Duncan – yes*

*Richman-yes*

**4. CONSENT CALENDAR- Discussion - Action -**

**A. Approve Minutes for March 23, 2021**

**B. Accounts Payable for April 1, 2021 to April 13, 2021**

General Fund	\$ 17,795.68
Water Fund	\$ 4,644.72
Sewer Fund	\$ 14,639.51
Library	\$ 290.25
<b>TOTAL</b>	<b>\$ 37,370.16</b>

*Mayor called for a motion to Approve the Consent Calendar.*

*Council Member Eisenhower Motioned to approve the Consent Calendar.*

*Council Member Duncan second the motion.*

*Roll call:*

*Tomlinson – absent*

*Eisenhower - yes*

*Duncan – yes*

*Richman-yes*

**5. ORDINANCES AND RESOLUTIONS –**

None

**6. UNFINISHED BUSINESS**

None

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

**Chief Perry-** Updated that the phones were still not working correctly. The PD fax line was down AGAIN, so he was having to utilize the front office fax line. Looking forward to getting someone out here to finally fix the issues we are having. Chief gave a run down on the .25-mile PRT course that the Officers, minus Saufley, had finished up the week prior for their bi-annual training. Chief presented First Quarter Stats via power point. See insert.

**Craig-** Congratulations to the Chief on such a great group of officers and their citation / court collection close outs.

Updates on Election Bill 87, looks like its up in the air and will most likely die out.

American Rescue Plan Act confirmed restrictions and final amount of approximately 75% of our last adopted budget should be getting to me next week.

**Nancy-** What I find ironic is like everyone should just get real. Congress just passed this spending budget that had nothing to do with COVID what-so-ever, yet we have to use it for COVID.

**Craig-** I thought it was interesting in Governor Little's statement, he says, what is the process for allocating ARPA funds in Idaho. Governor Little said he's committed to working close with the Legislature in the allocations of these funds, however, some of the Direct Funds to these agencies will be education, K-12 (we have a ton of money going to education) this money is our future Grandchildren's future on how we spend this. They are the ones that will be paying those bills back. In the beginning there were certain cities that didn't take it, and wish they did after it was done. Certainly, what I'm seeing right now, is that they are going to go after it, if they don't somebody else will get that money. So, I intend on pursuing to see, if we can put a package together, qualify, and meet all the criteria for approximately three million dollars.

**Nancy-** So you have to get Pre-Approval? For a Project?

**Craig-** Absolutely.

**Nancy-** So wouldn't our Slip Line to our sewer qualify for it? Like a Capital Project?

**Craig-** They see that as fixing and maintenance, they don't see that as job creation.

**Mayor-** Craig and I have been brainstorming, we will be bringing some ideas to you at a later time. As we move forward and learn more.

**Craig-** Those are all good questions. It's not just a free handout, there's no cash match but it will be tough money to get and keep legal. They will have the final say when we get it over to them.

Just to give you an update, Carrie can you pull my map up please (see insert). This is the most current Comprehensive Plan, adopted by you about a year ago. This map picks up the Agri-Service area now, Brian will update you on that. There are calls that are coming in, be prepared, they are just off of 3400, the Olsen land west of Kimberly Meadows. I expect we will be getting an annexation request and be going through the process for water and sewer.

**Nancy-** How many acres is that, Craig?

**Craig-** Well see that's kind of the part where the Realtors are kind of failing to tell the potential buyer future owner. It is all currently zoned agriculture. (Then referenced map) There's about 77-acres total if you take the tracks out. We have spent hours upon hours upon hours, dealing with the Realtors, and I have to agree with the Chief and feel for Carrie, it keeps her running. It's come to the point where its requiring appointments, not just walking through the doors anymore. The story they are told is they bought this property for houses, and then I have to tell them, well you bought industrial zoned ground. I am being approached on the 40 acres at the south east corner of 3600 and Polk street east, the Meyers property for development in the County, the Patterson 100 acres directly south of the High School in the city limits, the Gunderson property and now the Holland property south of Heritage farms and 80 acres. All of these areas require water and sewer models and acquisition of water and sewer Edu's. I will keep you posted on those as they progress. Carrie, could you pull up on the overhead the building elevation for Infinity Dental's new building. Mayor and Council I am working on their permit right now, getting existing utility easements, common road accesses re-located and some lot lines removed.

**Nancy-** I was going to ask about the status of the dental clinic. Very nice, what a nice asset to this part of town and Center Street Plaza as the last three lots develop, gas station convience retail sales.

**Craig-**yes, there will be one unit for lease in the Infinity dental building, on the west side of their building. There building is right at 7,000 sq. ft. at about \$1,250,000 construction value.

**Brian Reed-** Updated that the PI system was live as of the previous Wednesday. The R.V. Dump in sunder construction and has a completion date of around May 24, 2021. The Chip Seal Opening Bid went well and will be bringing it in front of Council soon. Tillam Subdivision doing well. Very happy with ParkVista's progress. Ridgeline 3, 4, and 5 are doing good. Should be seeing more on Phase 3 within the next month.

**Carrie Kimball-** Melissa is out on Vacation this week. The City is keeping me very quick on my toes. I have been very busy with Backflow Reports, Utilities, Assessments, and Budget.

## **8. COUNCIL COMMENTS –**

**Nancy-** Mr. Eckles I know you are working on development impact fees. Where are we on that.

**Craig-** Nancy I am working on them; I believe this morning in the staff meeting additional capital expenditures were being finalized for building upgrades including a look into this City Hall building and its air system. Where I am at right now, is that I have had to slide that project to the side, I am being over-whelmed with land use application deadlines. I am definitely going to have to make some changes for my departments, that will be up for discussion during our budget. I to want to see the development impact fee process put in place, or I would have not brought it to this Council's attention, I am stretched pretty far now. Chief Zent, you / Rock Creek Fire Dist., had Ann Westcott from Keller's and Associates recently went through the cost of having a development impact fee product created, that cost runs about \$9,000 per million dollars of adopted budget.

**Chief Zent-** that is correct.

**Craig –** Aaron if I remember correctly, Rock Creek Fire Dist. can't collect development impact fees, but Cities like Kimberly, which are covered by Rock Creek Fire Dist. can collect their Fire Dist. impact fees, at the time I issue a building permit. Then the City would pass it back to the fire dist.

**Chief Zent-** that is correct.

Development impact fee documents are very detailed Typically when a development impact fee document is created / contracted out will cost between \$50,000 to \$80,000 for a five-million-dollar appropriation budget.

**Chief Zent-** that is correct.

**Craig –** I definitely want to see the development impact fee document, come to fruition. I have to create a Development Impact fee committee per State Statue. The State Statue allows for the P & Z commission to be that committee and I expect to go that direction. The governing document for development impact fees is HB 87 and is being amended as we speak tonight.

**Nancy-** well we can see from your update tonight that it is important and would be good to try to get ahead of the building permit issuance on these new subdivisions.

**Craig-** I totally agree. I am catching up on noticed deadline land use applications and hope to get my hands back on it, as the final capital dollar figures come in. I will be asking the Mayor to schedule some workshops for just this and the American Cares funding, in the very near future prior to our budget workshops. Greatly appreciate the Mayor and Council support.

## **9. MAYOR COMMENTS –**

None

**10. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM-**

None

**ADJOURNMENT:**

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Mayor, Burke Davidson

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City Clerk, Carrie Kimball