

City of Kimberly minutes

City Council
MEETING minutes

february 14, 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 1-413-438-4503 Enter the Pin number 834 199 256 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

City Clerk Carrie Kimball took roll call:

Tomlinson-Yes

Eisenhower- Yes

Duncan- Yes

Richman- Yes

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

None

AMENDMENTS TO THE AGENDA

None

DECLARATION OF CONFLICT

None

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 – For the City to establish and collect fees for Vehicle Identification Inspections at \$5.00 each and fingerprinting fees at \$15.00 each and to receive the Planning and Zoning -Commission’s recommendation for City initiated text amendments to Kimberly City Code, Title I, Chapter 1.16 General Penalty, Title 6, Chapter 6.08.030 License; Fee, Title 8, Chapter 8.12.40 Violation; Penalty: Chapter 8.20 Yard Sales, Title 10, Article I, Section 10.08.020 Parking in Alleys, Article II Chapter 10 Section 10.08.070 Restrictions, Title 17, Chapter 17.02 Definitions. *Craig and Janine – Council action per agenda item # 6-A-Ordinance and Ordinance # 6-B*

Craig referenced the Staff Report for ORD #677 and #678 as presented to Mayor and Council (see insert). Craig touched on all sections and passed on the Commissions request to accept.

3. NEW BUSINESS:

A. DISCUSSION-ACTION ITEM- Annual 2021-2022 Audit- Council action required for acceptance of the 2021-2022 Audit. *Mike Burr-Craig Eckles-Carrie Kimball*

Craig apologized for Mike Burr not being able to present due to Medical. He stated the fact that Mike, Carrie, and himself went over the Audit and would be stepping in for him tonight. Mike was very pleased at the Cities Audit as a whole. Any and all deficiencies from last years audit have been corrected. As stated in the Auditors Report Page 55, there are no Material Weaknesses nor Significant Deficiencies. Carrie answered the questions she was called upon to answer. (See insert)

Mayor Davidson called for a motion:

Councilwoman Eisenhower motioned to approve the Annual 2021-2022 Audit as presented.

Councilman Tomlinson seconded the motion.

Roll Call:
Tomlinson-Yes
Eisenhower-Yes
Duncan- absent
Richman-Yes

4. UNFINISHED BUSINESS-

A. DISCUSSION-ACTION ITEM- Kimberly Grant Award Application– East End Providers – 229 Main Street North – Cecille Griffith – Request is in the amount of \$3,500.00 for City of Kimberly fiscal year 2022-2023 – Action was deferred from the January 24th 2023, meeting per Council motion, requesting expenditure information.
Cecille Griffith Burke Richman - Cecille Griffith

Ceil updated the Mayor and Council on how wonderful East End providers is doing still after all of these years. She thanked them for their support through the years. Ceil offered the receipts and documentation that was asked of her. Council did not ask to review it.

Mayor Davidson called for a motion:

Councilwoman Richman motioned to approve the Kimberly Grant Award Application– East End Providers – 229 Main Street North – Cecille Griffith – Request is in the amount of \$3,500.00 for City of Kimberly fiscal year 2022-2023.

Councilman Eisenhower seconded the motion.

Roll Call:
Tomlinson-Yes
Eisenhower-Yes
Duncan- Absent
Richman-Yes

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 January 24, 2023**
- B. Approve Minutes for February 7, 2023 Special Meeting**
- C. Accounts Payable for January 25, 2023 – February 14, 2023**

General Fund	\$ 29,836.10
Water Fund	\$ 57,537.35

Sewer Fund	\$ 17,980.33
Library	\$ 854.42
TOTAL	\$106,208.20

Mayor Davidson called for a motion:

Councilwoman Richman motioned to approve the Consent Calendar as presented.

Councilman Eisenhower seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Absent

Richman-Yes

6. 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 – Ordinance 677 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING KIMBERLY CITY CODE, Title I, Chapter 1.16 General Penalty, Title 6, Chapter 6.08.030 License; Fee, Title 8, Chapter 8.12.40 Violation; Penalty: Chapter 8.20 Yard Sales, Title 10, Article I, Section 10.08.020 Parking in Alleys, Article II Chapter 10 Section 10.08.070 Restrictions, Title 17, Chapter 17.02 Definitions. PROVIDING FOR A EPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Mayor Davidson called for a motion:

Councilwoman Eisenhower motioned to Dispense the 2nd and 3rd reading and pas by Title only for ORD #677.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- absent

Richman-Yes

Mayor Davidson called for a motion:

Councilwoman Eisenhower motioned to approve Ordinance 677 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING KIMBERLY CITY CODE, Title I, Chapter 1.16 General Penalty, Title 6, Chapter 6.08.030 License; Fee, Title 8, Chapter 8.12.40 Violation; Penalty: Chapter 8.20 Yard Sales, Title 10, Article I, Section 10.08.020 Parking in Alleys, Article II Chapter 10 Section 10.08.070 Restrictions, Title 17, Chapter 17.02 Definitions. PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- absent

Richman-Yes

- A. DISCUSSION – ACTION ITEM – Ordinance 678 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, ADOPTING FEES TO BE COLLECTED FOR VEHICLE IDENTIFICATION INSPECTIONS AND FINGERPRINTING FEES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.**

Mayor Davidson called for a motion:

Councilwoman Eisenhower motioned to Dispense the 2nd and 3rd reading and pas by Title only for ORD #678.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- absent

Richman-Yes

Mayor Davidson called for a motion:

Councilwoman Eisenhower motioned to approve Ordinance 678 - AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, ADOPTING FEES TO BE COLLECTED FOR VEHICLE IDENTIFICATION INSPECTIONS AND FINGERPRINTING FEES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- absent

Richman-Yes

7. ADMINISTRATIVE / STAFF REPORTS -

Chief- Reported that they have been busy with lots of calls and cases. A few Officers were at training this last week and so it was just himself and Detective Saufley running calls. They had 16 calls from 11am to 5p.m. just on Monday alone. They were able to close two felony cases this week.

Craig- Reported that the “Bully Barn” property is in early stages, but can not discuss anything. He did mention it was Les Schwab though. The Patterson property is still in the early stages, which is about 200 acres just south of the High School.

Brian- Reported that the crew is still hard at work and transitioning from Winter to Spring Maintenance. All sub-divisions seem to be moving along nicely.

Carrie- Thanked the Mayor and Council for hearing out the Audit process and making the motion to approve. Carrie wanted to go on record about how vital her Deputy City Clerk, Melissa Lee, is and has been for the City of Kimberly. She is a go getter, and always stepping in to help when needed. Melissa is cross trained to ensure the city can continue without interruption in the absence of herself.

8. COUNCIL COMMENTS –

None

9. MAYOR COMMENTS –

None

10. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM-

None

ADJOURNMENT:

Mayor, Burke Davidson

City Clerk, Carrie Kimball