

Minutes of the City of Kimberly Agenda

City Council
MEETING AGENDA

April 26, 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 1-617-675-4444 Enter the Pin number 108 651 592 5656 followed by the pound # sign.

There were no phone participations.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Davidson called the meeting to order and led the Pledge of Allegiance

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU

ROLL CALL OF CITY COUNCIL MEMBERS

Council members present were, Tomlinson, Eisenhower, Duncan and Richman

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

None

AMENDMENTS TO THE AGENDA

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.

No citizens signed up and no public testimony given.

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.

Mayor Davidson stated the public hearing rules noted above.

Public Hearings:

A. Annexation request of the Alyeska Properties LLC, rezone boundary change. Requested zoning change from Agriculture to R-2 Limited Residential, compliant with the adopted Comprehensive land use designation. Parcel # RP10S18E291810 containing approximately 5.53 acres. Legally described as SEC 29 T 10 R 18, NW 660' X 396' EXC NE 156.75', X 132' SE NE, west of Brentwood Subdivision, Twin Falls County, Idaho. Subject land is contiguous to Kimberly City limits, is accessed off Brentwood Drive / Main Street. Council action per Ordinance adoption. *Craig*

Craig briefed the Mayor, Council and attendees on the Alyeska annexation, detailing the potential number of lots to be around 20, access off Main Street onto Brentwood Drive, anticipated sewer and water connections shall come from the South Oak Street area adjacent to the Kimberly School Football field. Applicant/owner shall acquire sewer capacities, and have a sewer/water model completed. The development shall provide a code compliant hammer head/cul-de-sac at the end of Brentwood by extending further west to the west boundary of the Alyeska parcel where a code compliant hammer head / T or Cul-de-sac shall be developed. Yes, this is over the 600' length, but the improvement of a life-safety emergency response turning radius is the benefit to the existing Brentwood folks and the Alyeska residents. If you have been down there you will see that it is difficult to get turned around and back out of there, a bad scenario for any emergency response teams. The property is adjacent to the City limits, is a Category A annexation and all notice procedures have been complied with per Id. Code.

Craig, asked Mayor Davidson to call on the applicant representative, Tim Vawser to address any questions of the Council.

Council member Richman asked if this ground was part of the KN Turf Farm?

Vawser stated, no actually this ground was part of the Centennial Sub in the beginning.

There were no other questions of the Mayor and Council.

Mayor Davidson opened the public hearing. There was no public testimony. Mayor Davidson closed the public hearing.

3. NEW BUSINESS:

- A. DISCUSSION-ACTION ITEM-** Eagle Scout project - new onsite, park reservation equipment to be installed, at the Main City Park, South Park, Kimberly Meadows Park and Ballard's Park.

Mayor Davidson thanked Connor Marriott for preparing his project for his Eagle Scout requirement and told him that his hard work to achieve the Eagle Scout status will be a positive attribute for the rest of his life.

Janine gave the history of the park reservation notice boxes, explained the past four years of vandalizing of the notice boxes, continued costly replacement and briefed the council on the new locations Connor's project is providing the new vandal proof notice boxes, in the other parks. The Scout project is a very strong sturdy metal box with a protective guard over the plexi glass view area. Janine praised the eagle scout project and is excited to see a final solution to stop the vandalism.

Mayor called on Craig.

Craig thanked the Marriott's for proposing a great project and appreciates working with them the past few months and turned the floor over to Eagle Scout, Connor Marriott.

Connor presented the project. See attached presentation.

Craig asked Connor for competition date. Start of project is next week first of May, and hopes to have it completed by end of May.

Councilman Tomlinson motioned to approve the project as presented.

Councilman Duncan seconded.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes

- B. DISCUSSION-ACTION ITEM-** Chip seal bid presentation – request for Council bid award for the Chip Seal Project 2021-2022 to be awarded to Kloepfer Concrete in the amount of \$144,371.88 and to be taken from GL #01-431-780. –

Brian briefed the Council on the bids, explained Klopper was the low bidder, that they have had

projects in Kimberly of past and have always done a great job.

Councilman Richman asked if there was a problem getting materials?

Brian said he has not seen a problem getting materials, but the cost is higher due to oil costs.

Craig asked for the completion date

Brian stated that they were hoping to have it done before K.GND, but not later than Sep. 1, 2022

Mayor asked legal counsel if he had any questions.

Tim had none

Councilman Eisenhower motioned to approve the Chip seal award to Kloepfer Concrete in the amount of \$144,371.88 and the funding to be taken from GL #01-431-780. (see bid attached)

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes

C. DISCUSSION-ACTION ITEM - Kimberly Police Department requests approval for payment to Magnet Forensics for maintenance costs associated with IT forensics – Magnet Forensics Axiom – 6AX03-1 and Magnet Forensics Outrider Computer maintenance – LE. Chief Perry – Funding per Craig COVID 2021-CARES

Chief Perry briefed the Council on the maintenance need for the forensic files and its relationship to the new computer to be purchased per the next agenda item.

Councilman Richman asked if the maintenance fee was an annual contract. Chief Perry stated, it is and it will not be in the 2023 budget because this billing will cover us through the 2023 fiscal year.

Craig briefed the Mayor and Council on the funding for the project, see attached spread sheet. This funding shall be taken from the Mayor Council contingency fund. As you can see from the Cares funding sheet a year ago, there was approximately \$52,000 put into Council contingency and carried into fiscal year 2022 after this expenditure and the next one on this agenda, there will be approximately \$23,000 remaining. There is \$13,000 earmarked for the phone system upgrades, now that we understand the fiber optics in our building, we will be preparing for that transition in our 2023 budget. I will be meeting with Carrie and Brian on the remaining Cares funding to get it allocated in this fiscal year, so that I can meet my audit expenditure time frame.

Councilman Duncan motioned to approve the Magnet Forensics Axiom – 6AX03-1 and Magnet Forensics Outrider Computer maintenance-LE, in the amount of \$6,200.00 for a one- year service time period.

Councilman Richman seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes.

D. DISCUSSION-ACTION ITEM – Kimberly Police Department requests approval for payment to Stephenson’s Computer Consulting, Inc. for a Dell Precision 5820 Tower for IT Forensic data processing. *Chief Perry – Funding per Craig COVID 2021-CARES*

Councilman Duncan asked when you run the software, is this not running it through the server.

Chief Perry stated, no it is not part of the server, it is on a separate hard drive and locked in a secure off site, that I can’t even get into.

Councilman Richman motioned to approve the purchase of the Dell Precision 5820 Tower from Stephenson’s Computer Consulting, Inc. to be used by the Police Department for IT Forensic data processing at a cost of \$4,330.47.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes.

4. UNFINISHED BUSINESS-

None

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.

Councilman Eisenhower motioned to approve the consent calendar as presented.

Councilman Duncan seconded the motion.

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

A. Approve Minutes for April 12, 2022
B. Accounts Payable for April 13, 2022 – April 26, 2022

General Fund	\$ 27,574.93
Water Fund	\$ 35,111.07
Sewer Fund	\$ 2,521.87
Library	\$ 738.59
TOTAL	\$ 65,946.46

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.

Mayor Davidson, the next order of business is the proposed Ord. No. 673, I will entertain a motion that the 2nd and 3rd reading rules be dispensed and that the proposed Ord. No 673 pass it first reading by title only.

Councilman Eisenhower motioned that proposed Ord. No. 673 pass its first reading by tile only and that the 2nd and 3rd reading rules be dispensed relative thereto.

Mayor Davidson called for a second.

Councilman Duncan seconded the motion as stated by Councilman Eisenhower.

Mayor Davidson, I would now entertain a motion to formally adopt proposed ordinance No. 673.

Councilman Eisenhower stated, I would like to make a motion to adopt the proposed Ord. No. 673, AN ORDINANCE OF THE CITY OF KIMBERLY, STATE OF IDAHO, ANNEXING CERTAIN REAL PROPERTY DESCRIBED BELOW; PROVIDING THE ZONING CLASSIFICATION THEREFOR; PROVIDING FOR THE NECESSARY ZONING DISTRICT / AREA OF IMPACT MAP AMENDMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Councilman Duncan seconded the motion to adopt Ord. No. 673 as read by title only.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes.

7. ADMINISTRATIVE / STAFF REPORTS -

Chief, were staying busy doing case work, investigating the fire at Ballard's, two search warrants this week, school is keeping Alex very busy, new car arrives tomorrow, decals will be put on May 16th. Emily will be back tomorrow on light duty. When she comes back there will be a schedule change and Bunderson will be put on swing shift. We are going to make sure we have enough officers on during the busy time. Chief thanked Craig for getting the employment add in the paper, it is on the web, face book and State Police site. July has a lot going on, a wedding, Jessie's wife is having a baby in July, KGD and officers taking vacation.

Brian, were mowing, spraying, the RV dump opening date will be held off after this weekend, due to cold temperatures. I hope to have it up and running in a week. T.F. Canal co. opened the gates today, Kimberly Meadows is to be online, by end of week, we hope all PI Systems will be online. Arbor day is this Thursday at 9:00 a.m., special guests will be there and seedlings will be provided again this year.

Craig thanked the Council for being good stewards of the CARES funding, briefed the Council on the upcoming subdivision plats, Canyon Glenn, 3- Emeralds, Ballard's Ph III, and Patterson property in the works around 400 lots in the works. Watch your financials, take a look at my building official inspection line, you will see I am in the red approximately \$30,000, and over by 600% on B/P revenue. We have discussed this of recent I want to make sure I keep you updated. This status is because of the rush from the builders to beat the DIF fees. Permits are tapering down, and buildable lots are getting fewer. Building permits will slow some due to higher interest rates, the easy build lots are gone, lots of canal easements, some up to 27' wide. Nancy you hit on this last meeting and it is holding the same. Thanks to Brian and the completion of the recent Water Master Plan, our city is in good shape for water capacity availability, some pressure reduction stations will be required on the north west boundaries, that is a good thing, most cities are needing to boost pressure. Council thanks for your help last year, good planning on the sewer capacity purchases of past. Council as we all can remember, a lot of the growth were seeing is not new growth, it is a resurrection of planned expired platted growth in Ballard's, Patterson, Heritage Farms, Canyon Glen and Centennial, from the 2006-time frame. Glad to see it coming to fruition. That's all for now.

Mayor, Janine did you have anything else to add?

Janine no I have covered all that I need to. Thanks

8. COUNCIL COMMENTS –

None

9. MAYOR COMMENTS –

None

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)

None

ADJOURNMENT:

Mayor adjourned the meeting.

Mayor, Burke Davidson

City Clerk, Carrie Kimball