

# **CITY OF KIMBERLY MINUTES**

CITY COUNCIL  
MEETING MINUTES

July 12, 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.**

**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 1-617-675-4444 Enter the Pin number 764 826 909 6749 followed by the pound # sign.**

*There were no phone participations.*

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

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

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

*Council members present were: Tomlinson, Duncan and Richman*

## **CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS**

*Susie Crain updated Mayor and Council on the huge success of Kimberly Good Neighbor Days. Susie stated this was by far the best year for vendor and patron turn out. She thanked the public works crew highly for their hard work. Thanked the rest of the City for a job well done. Everything came together and fun was had by all. Susie stated what great feedback she received for allowing the vendors to start on Saturday afternoon. The fireworks were of course AMAZING and Susie and The City of Kimberly thank all of the sponsors for an outstanding show.*

## **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 shall state their name and street address prior to testifying. Comments shall be limited to **3** minutes per person excluding the applicant presentation and final follow-up comments. 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. Public input is not for question, answer debate. Your comments shall be heard and recorded accordingly.

*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.

**A. DISCUSSION-ACTION ITEM - Public Hearing-** Council to receive the P & Z Commission's recommendation for the preliminary plat for Canyon Glen Subdivision, containing approximately 32.55 acres, to be subdivided into 92 residential lots, three common lots for storm water retention and a PI irrigation system. Subject property is in the Kimberly City limits, south of Stonegate Subdivision, East of Emerald Drive, north of 3600 N., legally described as KIMBERLY ACRES INSIDE, SW SE, EXC SE 7.4A, (29-10-18), parcel No. RPK86710298550, zoned R-2 Limited Residential. Applicant / Owner: Lawrence and Lance Gunderson - Representative: Engineer PE, Stephen Andersen, Civil Science. *Craig - Janine- Council action required*

*Craig read the public hearing rules into the record.*

*Janine went through the Staff report and history. (see attached staff report)*

*Craig touched on the 27 conditions as presented. (see attached commission findings and CC conditions of approval)*

*Craig pulled up several maps through his dissertation of the conditions. He was very precise and dedicated to ensuring everyone was aware and understanding the Preliminary Plat process as he touched on the information. Craig mentioned our 40-year comp plan and that this land has been planned for about 25 years to be developed as you see it tonight, nearly the same as was planned before the city at the annexation of this property. He stated it was good to work with the Canyon Glenn group (formally Stone Gate Phase II). Craig asked Brian to clarify the water pipe size in the cul-de-sacs. The temporary loops on all of the cul-de-sacs coming out of Stonegate Phase I shall be upgraded to 6" or 8" permanent lines?*

*Brian Reed, confirmed with Lawrence Gunderson, one of the owners of Canyon Glen Subdivision, that the staff report was correct and that the upgrades will be to 8" permanent water lines, in the existing cul-de-sac areas.*

*Craig asked representative Stephen Anderson to come to the podium to answer any questions the Mayor and Council had, and to clarify any info on the staff report / application.*

*Mayor and Council for the record as you can see from the P & Z Commission minutes, there were three individuals that testified, Nathan Carlson, regarding future sidewalks, gaps going towards the school, complained about speeding vehicles on Emerald and lack of enforcement, Todd Foster on the reason for the dead-end cul-de-sacs all having to be connected and William Kells was opposed to having this development and it not being accessible to outsiders.*

*PE Engineer, Stephen Anderson spoke on what a pleasure it was to work with the City of Kimberly on this project, the staff report is accurate, Craig, Janine, Brian and JUB have done a very thorough job and they are looking forward to seeing it come to life.*

*Mayor Davidson opened the public hearing, there was no one signed up to testify and no one asked to testify. Mayor Davidson closed the public hearing.*

*The Council deliberated on the application. There were no questions or changes made.*

*Mayor Davidson called for a motion:*

*Councilman Tomlinson motioned to approve the preliminary plat for Canyon Glen Subdivision, containing approximately 32.55 acres, to be subdivided into 92 residential lots, three common lots for storm water retention and a PI irrigation system including conditions of approval, staff report and Commission findings.*

*Councilman Duncan seconded the motion.*

*Roll Call:*

*Tomlinson-Yes*

*Eisenhower-Absent*

*Duncan- Yes*

*Richman-Yes*

### **3. NEW BUSINESS:**

- A. DISCUSSION-ACTION ITEM** - Kimberly Public Works Department requests approval for payment to Advanced Pump & Equipment, Inc, for the purchase of a backup sewer lift station pump and motor, for the 1<sup>st</sup> Federal Plaza location, at a cost of \$8,606.24.  
*Funding – COVID 2021 CARES Contingency line item 01-415-500 – Craig – Brian*

*Mayor Davidson called for a motion:*

*Councilman Richman motioned to approve the payment to Advanced Pump & Equipment, Inc, for purchase of a backup sewer lift station pump and motor, for the 1<sup>st</sup> Federal Plaza location, at a cost of \$8,606.24. Funding – COVID 2021 CARES Contingency line item 01-415-500.*

*Councilman Tomlinson seconded the motion.*

*Roll Call:*

*Tomlinson-Yes*

*Eisenhower-Absent*

*Duncan- Yes*

*Richman-Yes*

- B. DISCUSSION-ACTION ITEM** - Kimberly Public Works Department requests approval Payment to The Fire Store - for the purchase of a Honda-1000-500W-1.8 HP – portable emergency flood light at a cost, of \$1,706.00. *Funding - COVID 2021-CARES- Contingency line item 01-415-500 - Craig – Brian*

*Mayor Davidson called for a motion:*

*Councilman Richman motioned to approve Payment to The Fire Store - for the purchase of a Honda-1000-500W-1.8 HP – portable emergency flood light at a cost, of \$1,706.00. Funding - COVID 2021-CARES- Contingency line item 01-415-500*

*Councilman Duncan seconded the motion.*

*Roll Call:*

*Tomlinson-Yes*

*Eisenhower-Absent*

*Duncan- Yes*

*Richman-Yes*

- C. DISCUSSION-ACTION ITEM** - Kimberly Public Works Department requests approval Payment to Floyd Lilly Co. for the purchase of a Tsurumi sump pump - 2-inch connection – 2/3 HP with fittings, at a cost of \$619.24. *Funding - COVID 2021-CARES- Contingency line item 01-415-500 - Craig - Brian*

Mayor Davidson called for a motion:

Councilman Richman motioned to approve Payment to Floyd Lilly Co. for the purchase of a Tsurumi sump pump - 2-inch connection – 2/3 HP with fittings, at a cost of \$619.24. Funding - COVID 2021-CARES- Contingency line item 01-415-500

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Absent

Duncan- Yes

Richman-Yes

**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 28, 2022**

**B. Accounts Payable for June 29, 2022 – July 12, 2022**

General Fund	\$ 44,667.39
Water Fund	\$ 16,053.88
Sewer Fund	\$ 15,782.34
Library	\$ 316.92
<b>TOTAL</b>	<b>\$ 76,820.53</b>

Mayor Davidson called for a motion:

Councilman Tomlinson motioned to approve the consent calendar as presented.

Councilman Duncan seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Absent

Duncan- Yes

Richman-Yes

## **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.

*None*

## **6. UNFINISHED BUSINESS**

*None*

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

**Chief Perry-** Commented that Kimberly Good Neighbor Days was great once again this year. Everything ran smoothly. Everything is going well in the Police Department. He announced that Crpl. Vogler and his wife welcomed a new baby girl this week. Congratulations to them.

**Craig-** Great job to Janine on her hard work for the Canyon Glenn PP packet. Stated once again the Canyon Glen owners were great to work with. There were many steps to this and they stuck right in there. It's a win win for them and the City. Craig stated He and Carrie have been working hard on the budget still and its was going okay, still waiting on numbers. Lots of different factors there. Craig will be looking to be annexing the property directly west of Sierra Way and west of Ridgeline, extending west to 3400 E. for both areas. Hoping for some open park space on this future annexation. We have met with Gerald Martins about the separation of the Industrial zone and Residential zone in the Sierra Way area, west to 3400 E. Then West of Ridgeline to 3400 E. He will keep everyone posted. Regarding 3-Emeralds delays, that is mostly due to the Canal Company. What you see today is ground work for the irrigation system which can occur prior to the Council's preliminary plat approval at the owner's own risk if the design is changed. We are nearing the submittal of preliminary plat to the Council of 3-emeralds-Olsen Farms Sub.

**Duncan-**will there be fencing around the irrigation ponds and storm water retention areas and along the whole South Side?

**Craig** – yes, you will get to see all of those subdivision infrastructure requirements. Everything on the South Side is already fenced.

KGND was GREAT! The staff was absolutely amazing as always. There was a different feeling this year, it felt relaxed. Craig stated the Heath Clark Band put on a great show and really draws the people in. He thanked Mr. Tomlinson for his help at the chicken roundup. Craig felt the "Family Feeling" is back.

**Brian-**Thanked Craig and Carrie for help with the purchases to come with the ARPA money. Brian really stressed how superb his crew was on getting geared up for KGND. They did an amazing job getting everything ready, during, and the clean up after. He stated they are now moving into the summer projects.

**Mayor-** "Did the practice field get cleaned up?"

**Brian-** “Yes. Ted said the clean-up was great.”

**Carrie-** Agreed with everyone’s comments.

**8. COUNCIL COMMENTS –**

*None*

**9. MAYOR COMMENTS –**

**Mayor-** spoke on how wonderful KGND was. Very impressed.

**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)

**ADJOURNMENT:**

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Mayor, Burke Davidson

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City Clerk, Carrie Kimball