

City of Kimberly minutes

City Council
MEETING minutes

AUGUST 22, 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 1-414-909-6169 Enter the Pin number 543 771 546 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

Duncan- Yes

Richman- Yes

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS -Susie Crain KGND-Mayor

Mayor Davidson asked Susie Crain to approach the podium and give her dissertation and perspective on how KGND went this year.

Susie stated that KGND gets better and better every year. There were more vendors this year than last year. She had to continue to turn them away, there's not enough space at our little park, and stated that was a good problem to have. She gave a Huge thank you to Brian, Don and their PW crew. They work so hard in making sure the park grounds all look nice. They are a phenomenal crew. They go above and beyond helping with road blocks and anything else needed. It's a hot and tiring job, but perform like champions. This includes all the clean up after the event. It couldn't happen without them. Huge thank you again. Also, a big shout out to Carrie and Melissa. It's a phenomenal help there in the office. There is so much that goes on behind the scenes. Also, Craig, Mayor, and Chief; thank you for your endless support. All of the goings on would not be possible without all these pieces. This year Jade Sumsion and Ken Olchawa ran the parade again. Susie heard the city tossed out double the candy this year, and everyone loved it. Susie was excited that the large American Flag was able to be in the Parade. It took about 30-people to carry it. It was very touching to see that. Thank you to Larae Saufley for that. There was a new element added to the Opening Ceremony this year. Mayor Davidson stood and gave a wonderful tribute to our Veterans, retired, current, active, and First Responders.

It was wonderful and hopes this becomes a part of it every year. The Library Foundation also had another great year. Thank you, Stephanie Snarr, she was there helping with set up, take down, and all the shifts in between. She enjoys having them there every year. Some of the entertainment that was there was Kimberly Road, Infinity Dental, the Bounce House, CSI Reptile show, Biff Hutch, Heath Clark, and the car show. They are always such a great addition to this event. Big shout to the CSI Fish Hatchery for making the fish scramble possible. It was a struggle this year but it was pulled off. Also, the Chicken Round-Up, thank you to Don Pannell, she has a soft spot for him; its her dad. Without him there wouldn't be a Chicken-Round-Up. The Fireworks America delivered an absolute fantastic show. It was later then normal due to an accident on the freeway. She was able with help to get the sponsor's and most of the community notified that they would be starting later then normal. Susie gave a big thank you to all of the sponsors who made the Fireworks possible. Susie stated there is a 20% discount if half of next years show is paid 6-months in advance. She believes that's a great deal for the KGND event and would like to get the first \$5,000.00 paid in December to see the sponsor money go further. She has full faith that raising the full amount by next years event is not a problem. Huge thank you to RCFD for being there to ensure safety. She believes this event will continue to grow and be wonderful, because here in Kimberly we have the best neighbors.

Duncan-Gave praise to Susie for her job well done.

Susie- replied it's a team effort for sure.

Duncan- commented yes, but it has to be headed by someone, and that's you. Great job.

Tomlinson- commented that it is not just the Kimberly community that looks forward to this event. He has spoken to many other people from surrounding areas that really enjoy our KGND.

Mayor Davidson- Wanted to publicly thank Susie for all her hard work. Also thankyou to Mr. and Mrs. Tomlinson for collecting the boxes all year for the Chicken Round-Up to ensure the kids have a box and some feed to take them home with.

Susie- Thanked the Mayor and said the community outreach about KGND is amazing. People are asking more and more every year about the event. She feels people are planning their summer around it.

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. DISCUSSION – ACTION - Public Hearing- Annual Appropriation Budget- Proposed 2023-2024 Annual Appropriation budget in the amounts of, general fund \$3,181,908.00, library \$141,120.00, Water \$1,079,705.00 and Sewer \$1,932,999.77 for a total fund appropriation of \$6,335,732.77. The proposed tax levy on all taxable properties for general fund purposes, affords a maximum non-exempt property tax budget of \$1,610,751.00 for the fiscal 2023–2024 (FY-2024), beginning October 1, 2023, ending September 30, 2024. *Carrie – Craig - Council action per adoption of Ordinance #680.*

Carrie- went over all of the numbers that were in the Proposed FY 2023-2024 Budget and showed a true and balanced Budget. She touched on the General Fund, Library, Water, and Sewer Revenues and Expenses. She thanked the Council once again for a very productive and positive Budget Workshop. At the workshop some of the funds from City Revenue sharing had not come in. There have been a little over \$600,000.00 deposited since then and the City is in more than good standings.

Craig-While we were still on Water and Sewer budget talk, Craig talked about how the Council had started this Annexation on the corner of 3400 and HWY 30, west of Sierra and to the RR Tracks, years ago. The city had bought enough Sewer Capacities for that. That property is off and ready to meet the demand there. There was a pretty big hit and collected about \$635,000.00 on the Patterson property. You will see that reflected in the Portfolio Carrie has handed out to you. She has done a good job keeping you updated on those figures. Craig went over the L-2 and praised the Mayor and Council for being such great Stuarts in the monetary decision making. Nine years ago, the city was capped out at a 9% levy. The City of Kimberly has been at their lowest Levy to date in the past 30+ years. Last year we were right at 4%, and this year was even lower at the

3.865% mark. All of this has been done through new growth and most importantly without raising utility rates. Looking at the documents, the \$416,605,000.00 is new value between Commercial and Residential. It was about \$200,035,000.00 more than a year ago. Remember the library is controlled by city statute. They can collect up to 1% legally and lawfully. He knows there has been discussion that maybe in the future they need to add onto the library. When that happens this Mayor and Council will be there to support them. Great leadership to this Mayor and Council. They have been good Stewards of the money. This is the first year that the Chief is able to use the DIF to obtain a new vehicle. We are starting to see that DIF money go in different directions. The library has about \$5,000.00 in there. Remember the statute is first in first out. It feels good to reap the rewards of your good decisions. We are still collecting the DIF for 3400/HWY 30, and will continue to plug away at grants. Times have changed as you all know. Its not the same as 8-10 years ago. Security is different, buildings are different. Access to the grounds is different. As the Chief can tell you, these chambers are used daily and nightly for the Police Department. Security is pretty good, there are a few more spots we need to tighten up. Its in our budget to do so. Our top priority is the safety of the citizens and our staff. The biggest change from the previous years budget, this council has greatly valued their most important asset, and that is the staff. Speaking for all of the staff, there isn't one person that doesn't appreciate that. Its nice to see Mr. Godfry here, as everyone knows its hard to keep good employees and get them to come to work. It's the Public and Private sectors. Kuddos to the council. It has been factored in for the Department Heads, and staff the same increase for salaries. There have been huge hits with Idaho Power and other utilities. Those have been factored in along with some depreciation for a new CSO vehicle. Other cities are dealing with lawsuits due to not have proper vehicles for securing dogs. The most important part of this year's budget is there is some room in it. There are times where a computer fails, or something up front needs updated, or the Chief needs something. The city is in a good position, with the lowest levy in 30-years. Great job to the Commission, and Council.

Richman- stated that when we vote for raises for Staff and Department heads, that takes effect on October 1, 2023 correct?

Craig- Replied yes if you adopt this Budget tonight, it will be effective October 1, 2023.

ORDINANCE NO. 680 - AN ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, LEVYING AD VALOREM TAXES FOR THE CITY FISCAL YEAR BEGINNING ON THE 1ST DAY OF OCTOBER, 2023, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 2024, UPON ALL TAXABLE PROPERTY IN THE CITY OF KIMBERLY, IDAHO, TO PROVIDE REVENUE TO PAY THE CITY GENERAL CURRENT EXPENSES AND PROVIDING THAT THE CITY CLERK SHALL FILE A CERTIFIED COPY OF THIS ORDINANCE AND STATE TAX COMMISSION FORM L-2 WITH THE COUNTY COMMISSIONERS AND AUDITOR OF TWIN FALLS COUNTY, IDAHO AND FILE A COPY OF THIS ORDINANCE WITH THE SECRETARY OF STATE.

Mayor Davidson called for a motion:

Councilman Richman motioned to Dispense the 2nd and 3rd reading and pas by Title only for ORD #680.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Duncan- Yes

Richman-Yes

Mayor Davidson called for a motion:

*Councilman Richman motioned to approve **ORDINANCE NO. 680** - AN ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, LEVYING AD VALOREM TAXES FOR THE CITY FISCAL YEAR BEGINNING ON THE 1ST DAY OF OCTOBER, 2023, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 2024, UPON ALL TAXABLE PROPERTY IN THE CITY OF KIMBERLY, IDAHO, TO PROVIDE REVENUE TO PAY THE CITY GENERAL CURRENT EXPENSES AND PROVIDING THAT THE CITY CLERK SHALL FILE A CERTIFIED COPY OF THIS ORDINANCE AND STATE TAX COMMISSION FORM L-2 WITH THE COUNTY COMMISSIONERS AND AUDITOR OF TWIN FALLS COUNTY, IDAHO AND FILE A COPY OF THIS ORDINANCE WITH THE SECRETARY OF STATE.*

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Duncan- Yes

Richman-Yes

B. DISCUSSION – ACTION - Public Hearing – NWDC Kimberly LLC - Annexation request of the 2.27 acres located in the Kimberly Impact Area - rezone - boundary change. Requested zoning change from Agriculture to Commercial Gateway, is for the west portion of the subject parcel. Re-zone is compliant with the adopted Kimberly 2019, Comprehensive land use designation map. Subject land is described as parcel #RP10S18E179020, SEC 17 T 10 R 18, 2.227A IN SE CORNER SE of the SE, N & E OF HWY 30, Twin Falls County, Idaho. Subject land is contiguous to Kimberly City limits, is accessed off US Hwy 30 and 3500E. Subject property is located at the North West corner of intersection 3500 E / US 30. *Craig - Council action per adoption of Ordinance 681*

Craig- went through the detailed packet that was given out. (*see attached*). He went through all the maps and conditions. This property bought sewer capacities back in 2017. They will be connecting to water and sewer over at Red Cap Plaza. This is a complete packet. He introduced Zach Graham, standing in for the property as their Engineer.

Zach Graham- Had nothing to add and stood for questions.

Craig- Stated he wanted to make sure the developer was clear on lining up with the manhole. He read page 4, condition #3 regarding lining up with the manhole. He then asked Zach if he was clear on that.

Zach Graham- replied yes, he is very clear on that.

ORDINANCE NO. 681 - AN ORDINANCE OF THE CITY COUNCIL 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 THE NECESSARY COMPREHENSIVE LAND USE MAP AMENDMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Mayor Davidson called for a motion:

Councilman Richman motioned to Dispense the 2nd and 3rd reading and pas by Title only for ORD #681.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Duncan- Yes

Richman-Yes

Mayor Davidson called for a motion:

*Councilman Richman motioned to approve **ORDINANCE NO. 681** - AN ORDINANCE OF THE CITY COUNCIL 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 THE NECESSARY COMPREHENSIVE LAND USE MAP AMENDMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; 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

Duncan- Yes

Richman-Yes

3. NEW BUSINESS:

None

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.

A. Approve Minutes for August 8, 2023

B. Accounts Payable for August 9, 2023 – August 22, 2023

General Fund	\$ 27,174.62
Water Fund	\$ 37,698.57
Sewer Fund	\$ 2,673.92
Library	\$ 954.30
TOTAL	\$ 68,501.41

Mayor Davidson called for a motion:

Councilwoman Duncan motioned to approve the Consent Calendar as presented.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Duncan- Yes

Richman-Yes

6. ADMINISTRATIVE / STAFF REPORTS -

Chief- Updated Mayor and Council that his trip to Washington DC went well. He thought he was there to represent the State of Idaho, but in fact it was for the whole North West. DOJ is trying to make it easier for Rural Communities to get the Grants they offer vs just the major cities. He apologized for missing last Council Meeting and the Budget Workshop due to his trip. He thanked them for the opportunity to attend it. Officer Wells and Quiterio both have added a new baby to their families in the last 2-weeks. Officer Wells looks to be out until October 2, 2023. Officer Quiterio is looking to come back Saturday August 26, 2023. He will be finishing up his last 2-days of FTO training and then will be on his own and on B Team. Chief is sad to report that Det. Saufley has resigned from the KPD and will be taking a job with the State of Idaho. It is a huge loss to the Department, but wishes him well on his new position in the

Juvenile Detention Center as a Counselor. They are gaining a great man. Chief has moved Sgt. Arrington into the Detectives position and will be attending training for about 2-years to get up to speed. Officer Rochford will be taking over as the new SRO Officer, this too will require some training. They have been very busy and currently have 25 open cases. All but 2 are felonies.

Duncan- Asked if he will be recruiting for just an Officer.

Chief- Replied yes, he is hoping to steal one from another agency.

Duncan- Asked about Arrington's training, and how long.

Chief- Replied yes, he will need about 2-years' worth of training.

Duncan- Stated it was a good choice to use a seasoned Officer.

Craig- Stated he appreciated the Chiefs budget being in order since he was out of town and couldn't be at the Budget Workshop. Craig reminded the Mayor and Council of the AARPA money that was sitting in Contingency has been pulled out to purchase the new Generator for the building. Craig praised Brian and Don on a job well done on their budget and accounting for what things need fixed. Great job on well budget. There will be some weed abatement equipment coming our way. Craig praised the new CSO Officer Ryan on a wonderful job done. He has sent out 219 letters and about 50% have complied. Another mobile truck wanted to set up in town. The city took some hits on their allowance being 14 calendar days per year, on Facebook, not allowing them in city limits all year. The brick-and-mortar business reached out to thank the city for supporting the tax-based businesses in town. Which support the General Fund, Water, and Sewer Fund and future connections in the city limits. Craig mentioned we will be looking at another annexation coming up. Those Sewer Capacities have already been bought. Those are about \$7,000.00 a piece now. The city was able to secure those Capacities early on for new growth. The developers have been going for many years now. Should be seeing Olsen's Final Platt in 2-3 weeks; they acquired another piece of land. Craig spoke on the DIF accounts. They are starting to build up. Hope to see the acct for the light at 3400/HWY 30 get completed. The police Department has enough to buy a new vehicle this next Fiscal Year. Some cities have had to refund money back to the builders, and this is why its so important for all the numbers to be turned in correctly for the audit. He reminded all Department heads to be working on this and have them turned in. Craig moved onto CIPP project. He reminded everyone that The LGIP Chobani fund will be coming to an end at some point. He will be meeting with Tim Stover, Legal Counsel, about dropping the contract to a year-by-year one. The cities that have used CIPP have gained another 45-years for their pipes. Hopefully by spring we will see our project up and going in the original townsite. With the approximate figures of LGIP \$403,000.00, Bond \$274,000.00, and \$206,000.00 in interest it will get done. It's a home run for the city. Craig thanked Janine for being his right arm, and thanked the whole staff for working together. Craig is anticipating some Forgone next year, but is still waiting on the numbers. Next P.H. 10-24-23.

Don- Updated Mayor and Council that the new crew members in PW are making great progress and doing a great job so far.

Duncan- Asked when the Ally Project would be done.

Don- Replied it was a 2-week project and they are at about the half way mark now.

Carrie- Updated Mayor and Council on the Portfolio sheet that was handed out. (*See insert*).

7. COUNCIL COMMENTS -

Richman- Thanked the Police Department for the invite to the BBQ on August 11, 2023 for Saufley's going away. He was sorry he was out of town and had to miss it.

8. MAYOR COMMENTS –

Mayor- Stated he was pleased that the CIPP project is in site and that it is at no extra cost to the citizens. No added rate increases as well.

9. 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:

Mayor, Burke Davidson

City Clerk, Carrie Kimball