

City of Kimberly minutes

City Council
MEETING minutes

september 27, 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 1-406-686-2650 Enter the Pin number 658 561 714 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.

Public Hearings

None

3. NEW BUSINESS:

A. DISCUSSION-ACTION ITEM- Council sets Department Head parity salaries effective October 1, 2022 per approved Annual Appropriation Budget, ORD #674. Fiscal year 2022-2023. – *Council action require*

The mayor stated as per the adopted Budget, it was his job to recommend that the Council approves the wage increase for the October 1 start date. He stood for questions.

Councilman Richman stated he thought they had already done this.

Mayor Davidson called for a motion:

Councilman Richman motioned to approve the Department Head parity salaries effective October 1, 2022 per approved Annual Appropriation Budget, ORD #674. Fiscal year 2022-2023.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes

B. DISCUSSION-ACTION ITEM- Kimberly High School – Special Event Application Street Closure – Homecoming Parade 09-30-2022- street closure is approximately from 12:00 p.m. to 1:30 p.m. – *Darin Gonzales – Craig Eckles*

Craig confirmed there was a full application, Insurance Binder, and map in place. He thanked Darin Gonzales for the updated map and hoped the air quality would be better this time.

Mayor Davidson called for a motion:

Councilman Eisenhower motioned to approve the Kimberly High School – Special Event Application Street Closure – Homecoming Parade 09-30-2022- street closure is approximately from 12:00 p.m. to 1:30 p.m.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes

C. DISCUSSION-ACTION ITEM- Council to appoint Library Trustee for A 5-year term beginning October 1, 2022 ending September 30, 2027.- *Mayor Davidson*

Mayor Davidson spoke on Shermans past 15-years serving on the board and his background as a CPA benefitting the library.

Mayor Davidson called for a motion:

Councilman Richman motioned to approve the appointment of Sherman Hansen for the Library Trustee for A 5-year term beginning October 1, 2022 ending September 30, 2027

Councilman Eisenhower seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

Richman-Yes

The certificate was presented the Sherm and all parties congratulated and thanked him.

D. DISCUSSION-ACTION ITEM- Buildings and Grounds access- *Mayor Davidson*

Mayor- “I don’t know if you are all aware, here a week and a half ago: we had a major incident out here that the Police Department was involved in with multiple suspects. We had cars

impounded, other agencies in and out. Just allot going on. The back gate as you know has been closed and locked up to keep people out. Keep employees safe. So, with everything that is happening, Chief can fill you in. So many more things since then. Uhhh it's it's time we talk about the Councils, help me out Craig, how the council enters the building and enters the grounds and the time frames. If I can get a little feed back from ya there. Do you have anything else to add there Craig?"

Craig- "No, that covers it."

Mayor- "Chief?"

Chief- "Uhhh, just that yeah, we bring some pretty questionable people in here. Late hours of the night. Just knowing that the building is secure and that there is nobody else in it at the time is really reassuring. Just for the safety of the officers and the safety of whoever is floating around the building after hours. That would be my two cents on that."

Mayor- "The time frames that we live in now days is uhhh, we have checked around a little bit, there are allot of jurisdictions out there that are only allowing certain time frames for the Council in the building and how they enter. So, we wanted to bring this out and visit about it. Get your though patterns on it. Uh."

Eisenhower- "So for me, I'd say probably in the last 12-years or so, I've probably come in to the building maybe three, four, times after hours to grab some paperwork that I may have forgot or what have you. So, for me it's not all that impactful, but I mean it is nice that if I need to come and grab something I have forgot, to be able to do that, but it's very rare. Doesn't happen like hardly ever but. So, it's a convenience."

Duncan- "Mr. Mayor"

Mayor- "Yes Ma'am."

Duncan- "I, I would like to contribute my thoughts, uhm I agree that we live in a completely different day and time. So, our Police and any of the rest of the staff are there late at night. They shouldn't have to worry about somebody getting access. They are doing everything they can to restrict strangers access and I don't feel like any of us need to be there after hours either."

Mayor- "Any other comments?"

Richman- "So the cards, you can get in at any time right, with the card."

Chief Perry- "Yes sir."

Richman- "So I mean we don't really need the card if someone's here during the day. We don't even need to have the cards I would imagine."

Chief Perry- "I would imagine."

Richman- "So you need a motion or..."

Mayor- “It’s a discussion action, yes.”

Tomlinson- “The thing is, like Kimberly Meadows, they have their HOA meeting here 3-4 times a year. Mayor, since you and I are still on their board, part of that we are the only ones that have been here to allow them in. Will we want to continue that or you going to ask us to go somewhere else?”

Mayor- “It’s not the only HOA that does it. I’m going to ask Craig to uhm uh kinda go over....”

Tomlinson- “Well I don’t know the others.”

Mayor- “What happens with other entities that enter the building.”

Craig- “Sure, you bet. Carrie, jump in there. Cuz Carrie works with them on one end and I’m on the other end. Ridgeline uses the facility, and they have someone come in before 5:00pm, and that’s the HOA President. So, they are in here setting up and their meeting starts at 6:00pm. So, they are in here and taken care of. Of course, like always, there’s to be no food, no drinks in here. We have one other one that comes in and Carrie hands out the key to them just like they do for the KBOA. Is that correct Carrie?”

Carrie- “Yes, so the Diversion Program comes in here and meets the last Wednesday of every month. Tianna Liermann will come in about 10:30 in the morning and she will get the key. Of course, I’ve cleared it with Chief and made sure he is okay and knows about it so he can alert the night shift. When she is done with her meeting, she locks up, we give her an envelope, and drops the key into the mail slot that now comes into, directly into the office into a box.”

Craig- “So there is a way to accommodate those folks that are reserving this room. Either with the key you are talking about or they come in before 5:00pm.”

Carrie- “Yeah, we have also had other people come in and say they will be here by 4:45 so we can show them how to use the key with the door so they can let people in that they were expecting to come in.”

Craig- “That’s gone on for several years.”

Mayor- “Don’t your officers check the building every time after the meetings?”

Chief- “They are supposed to. Unless someone sets the alarm on them.”

Mayor- “Any other questions or comments Council?”

Eisenhower- “I think it’s unnecessary to restrict the Council. That’s just my opinion.”

Tomlinson- “I also feel that the Council should not be restricted.”

Richman- “I feel like we should”

Tomlinson- “It’s okay.”

Mayor Davidson called for a motion:

Councilman Richman motioned to approve to Restrict the Councils access to the building to regular business hours.

Councilman Duncan seconded the motion.

Roll Call:

Tomlinson-No

Eisenhower-No

Duncan- Yes

Richman-Yes

Mayor- Yes

4. UNFINISHED BUSINESS-

A. DISCUSSION- Update on remaining Covid Funds. -Craig Eckles

Craig went over the handout that was presented (*see insert*). Reminded Mayor and Council that there are still approximately \$13,000.00 left over from the COVID funds that will carry over. We have until December of 2023 to spend the remaining funds. He will be getting back to council regarding the generator and installation that we are getting bids on that was previously approved by them.

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 September 13, 2022

B. Accounts Payable for September 14, 2022 – September 27, 2022

General Fund	\$294,273.98
Water Fund	\$ 37,855.58
Sewer Fund	\$ 1,092.45
Library	\$ 1,134.00
TOTAL	\$334,356.01

Mayor Davidson called for a motion:

Councilman Richman motioned to approve the Consent Calendar as presented.

Councilman Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Eisenhower-Yes

Duncan- Yes

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.

None

7. ADMINISTRATIVE / STAFF REPORTS -

Chief- Updated that they have been very busy with high priority cases. The overtime will be big on this next payroll. They had a suspect on Polk that had to be tazed and taken into custody. The suspect somehow slipped his cuffs and smeared feces all over the back of Officer Wells patrol car. Also, he ripped out the headliner, the back light bar, and the radar antenna and bracket. Looks to be roughly \$1600.00 in damages. The DOJ Grant has been awarded, but since estimates for equipment was over 9 months ago, they may have to scale back a bit.

Eisenhower- asked is they will be seeking restitution.

Chief said yes, but that takes years sometimes to recover it all.

Richman asked how he was able to slip his cuffs.

Chief stated it happens often, but most suspects won't rip the car apart as well. This man is facing several felonies.

Craig- Updated about Army Corp. It was \$500,000.00 4-years ago for CIPP. We are still on the list. Projects are decided by A, B, C, and D. Tracey from JUB came out and was hoping to Piggy Back off of Twin Falls. Craig recommended that Council try to rally up some more funds and get the problem areas done. Craig is collecting about \$110,000.00/year from Chobani that's to go towards the project. Craig briefed the Council on the annexation parcels west of Sierra Way and Ridgline Sub. That goes before the P & Z Commission on Oct. 19th., and will be in front of you in November.

Brian- Praised the Council for allowing the Car show on Main Street. He had several patrons come up to him and say what a wonderful thing the Council did by approving the application. It was greatly appreciated by the car show attendees. Thanked the Chief and his staff for the help. All Sub-Division projects moving along nicely!

Carrie- Updated that there was only \$1476.00 in outstanding collections for August. Carrie and Melissa are wrapping up this Fiscal Year, and preparing for the upcoming Audit.

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, Burke Davidson

City Clerk, Carrie Kimball