

Minutes of the City of Kimberly City Council meeting

City Council
MEETING AGENDA

October 25, 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 1-470-228-6642 Enter the Pin number 880 711 867 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

Craig Eckles took roll call:

Tomlinson-Yes

Eisenhower- Yes

Duncan- Yes

Richman- Yes

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

Eagle Scout Service Project – Connor Marriott- BSA Troop #42- *Mayor and staff presentation*

Staff briefed the Council of the project photos on the overhead. It was the installation of 7 solid steel park reservation components at Ballard's, Kimberly Meadows, South Park and the Main City Park.

Mayor Davidson presented Connor Marriott with a plaque and thanked him for a very professional job and something that will benefit the city parks for many years.

AMENDMENTS TO THE AGENDA

DECLARATION OF CONFLICT

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- Mayor recommendation to the Council of re-appointment of a Planning and Zoning Commission member. Appointment is to be effective November 1, 2022, expiring, 10-31-2028.

Mayor Davidson recommended the re-appointment of Stephanie Snarr.

Councilmember Eisenhower motioned to approve the Mayors recommendation of Stephanie Snarr for a six year term beginning 11-1-2022, ending 10-31-2028.

Councilmember Duncan seconded the motion.

Roll call:

Council member Tomlinson – yes

Council member Eisenhower – yes

Councilmember Duncan – yes

Councilmember Richman – yes

B. DISCUSSION-ACTION ITEM – City initiated closure of streets for the following locations: a section of East Madison Street, between Chestnut Street and Ash Street, from 4:00 p.m. to 8:00 p.m., on October 31st, 2022, during the annual KBOA Trunk or Treat

event and the closure of a section of Center Street from the alley behind Guppies, including the alley, extending west to Oak Street, including Oak Street, on Saturday December 3rd, 2022, from 5:00 p.m. to 9:00 p.m. during the annual St. Nicholas festival. These closure requests are for the life, safety and health of our citizens attending these two events.

Craig briefed the Council on the life safety needs to close the two streets as noted on the agenda.

Council member Duncan stated that was a good move and needed to be done and ahead of the events so the city and KBOA can plan and prepare.

Council Duncan motioned to approve the city-initiated street closures as detailed on the agenda.

Council member Burke Richman seconded the motion.

Roll Call:

Council member Tomlinson – yes

Council member Eisenhower – yes

Councilmember Duncan – yes

Councilmember Richman – yes

- C. DISCUSSION-ACTION ITEM-** Approval of Beer, Wine, license. Applicant has received necessary approvals from the State of Idaho, Twin Falls County and have paid all applicable Kimberly City license fees. - *City Clerk, Carrie Kimball – Council action required.*

Craig, I am missing Carrie she has this fine tuned. Craig briefed the Council and ask them to look at the T.F. County page where the Commissioners had not signed the document. Staff stated that he had contacted the Records office and asked for a signed copy. I was informed that the County does not keep a copy of the original signed license. I requested the approved minutes where Commission member Hall approved the license in their consent agenda. Council you have a copy of the T.F. County approved minutes. I am good with that document, since I cannot get a copy of the signed license.

Council member Eisenhower motioned to approve the beer wine licenses for the Kimberly Family Dollar Store as submitted.

Council member Tomlinson seconded the motion.

Roll Call:

Council member Tomlinson – yes

Council member Eisenhower – yes

Councilmember Duncan – yes

Councilmember Richman – yes

D. DISCUSSION-ACTION ITEM – Council approval to re-invest existing CD’s and Money Market funds at D.L. Evans Bank-Kimberly Idaho, into 24-month CD accounts, bearing approximately 2.75% interest.

Council I am pinch hitting tonight with Carrie not hear tonight, we have been working on this together for a while. Timing is of essence on the re-investment of our funds, the four accounts from D.L. Evans are before you. Some of these accounts have expired and rolled automatically. The Mayor and met with Myron, the Kimberly Branch manager and D.L. Evans has agreed to extend their offer that was given when the city invested the monies from Wells Fargo, that the City would not be penalized an early withdrawal fee should we need the money or move forward with the CIPP sewer pipe lining project.

Craig stated that we need to be aware that the FDIC only covers the first 250,000 at each banking institution. Council be aware as I know you are, the State Investment Pool and many of the noted finance institutions in the investment doc. are not FDIC insured as our auditor for the past four or five years stated, we have money at risk. Council I have researched with about 7 other banking institutions that have comparable rates to D.L. Evans. There is one entity out there that is about ¼ percent higher, but there is a stiff early withdrawal penalty. Council my recommendation is to reinvest at D.L Evans at the approximate 2.75 percent rate.

Council member Eisenhower asked if there had been discussions with D.L. Evans regarding them offering a matching rate.

Craig stated there had been, but the rate form D.L. Evans was the highest quote I had, with a no penalty early withdrawal.

Councilmember Eisenhower asked if there was any way that First Fed could give us FDIC on funds over 250,000 or was that regulated federally.

Craig stated that it is regulated federally, and he is not aware of any way around that.

Council member Duncan motioned to re-invest the accounts at D.L. Evans into 24 month CD’s as soon as possible with the agreement that there would be no early one time withdrawal penalty.

Council member Robert Tomlinson seconded the motion.

Roll Call:

Council member Tomlinson – yes

Council member Eisenhower – yes

Councilmember Duncan – yes

Councilmember Richman – yes

E. DISCUSSION-ACTION ITEM – Review -update of Investment Portfolio Policy, Res. No.289 – adopted, 03-12-13.

Craig discussed Resolution No. 289 regarding the allowance of unlimited funds to be held in our normal checking account, and many non FDIC depositories and the State Investment pool with no FDIC. The language in the resolution really is contradictory to that. I would like to clean up this investment portfolio policy so that I and Carrie are protected where we have funds in certain accounts that are not FDIC insured as our auditor has continued to inform us that we have several millions not FDIC insured and at risk. I want to make sure that if I go to jail, that Mayor and Council you go with me. I would ask Council for you to direct staff to work on cleaning up the investment portfolio document, have legal counsel review it and bring it back. I would also like to see that we invest around 500,000 to a million at First Fed. in a CD if they will offer us a rate acceptable. I did check with them and they did not offer a onetime no penalty withdrawal but would do some more checking on that.

Council member Duncan motioned to direct the City Administrator to clean up / amend the investment portfolio document and have legal counsel review it for adoption.

Council member Eisenhower seconded the motion.

Roll Call:

- Council member Tomlinson – yes*
- Council member Eisenhower – yes*
- Councilmember Duncan – yes*
- Councilmember Richman – yes*

4. UNFINISHED BUSINESS-

There was no unfinished business.

A. DISCUSSION-ACTION ITEM-

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 October 11, 2022

B. Accounts Payable for October 12, 2022 – October 25, 2022

General Fund	\$ 40,689.69
Water Fund	\$ 37,738.41
Sewer Fund	\$ 4,860.31
Library	\$ 1,228.37
TOTAL	\$ 84,516.78

Council member Eisenhower motioned to approve the consent agenda as submitted.

Council member Tomlinson seconded the motion.

Roll Call:

*Council member Tomlinson – yes
Council member Eisenhower – yes
Councilmember Duncan – yes
Councilmember 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 –

Brian briefed the Council on the status of Phase III Ballard's, Olsen Farms Sub and Centennial Sub. Brian told the Council that the RV Station is now closed for the season due to freezing temperatures and stated that the RV station netted about \$3,600 after equip. lease costs.

Craig briefed the Council on the DIF fees. Councilmember Duncan had asked about them at the last Council meeting. Craig referenced the Oct, 4, 2022 General Fund Cash Investment doc prepared by Carrie depicting the DIF balances. Carrie has done an excellent job in making sure the DIF funds are accurately accounted for and deposited weekly to the respective accounts at D. L. Evans Bank. Craig reiterated that as the Council will recall there was an excessive amount of building permits processed by the city prior to the adoption of DIF fees last April. Looking at the financials there was an increase of \$270,000 in revenue over the expected budgeted about of \$40,000. We are back to normal building permit processing and amounts. Some thoughts are that we are in a recession. This is the time when developers annex, plan, plat, install infrastructure in preparation for the upswing economy. As we have discussed all the growth that Kimberly is seeing excluding Park Vista is not new growth, it is growth approved back in 2004-2006, finally coming to fruition. I expect our land owners and developers to move in this same direction now. Council please mark your calendar for November 22nd, your meeting the week of Thanksgiving. I have noticed a P-H for the annexation recommendation from the P & Z – DIF committee, for the lands lying west of Ballard's and Ridgeline as we discussed about a year ago and the Council gave direction to move forward with the annexation and developer proposed zone changes. That is all for tonight.

Legal Counsel Tim Stover had no comments and introduced State Senate Glenneda Zuiderveld who is in the audience and asked the Mayor if it was appropriate to let her introduce herself.

Mayor Davidson invited Senate Elect Zuiderveld to the podium.

Id. State. Senate Elect Dist. 24 Glenneda introduced herself, stated she is attending all the jurisdictions in her district, stated high way funds will be tight in the future and hopes to win a successful election.

8. COUNCIL COMMENTS –

There were no council comments.

9. MAYOR COMMENTS –

There were no Mayor comments.

10. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM- *None* - 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 Davidson adjourned the meeting

Mayor, Burke Davidson

City Clerk, Carrie Kimball