

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON NOVEMBER 28th, 2022, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21681 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21681 DEPARTMENT HEAD COMMENTS/REPORTS
- 21682 CONFLICT OF INTEREST DECLARATION
 Has any Council Member received information pertaining to or otherwise had any contact with any person regarding any items on this City Council agenda? If so, please set forth the nature of the contact
- 21682 CONSENT AGENDA - All matters listed within this Consent Agenda section require formal Council action, but are typically routine or not of great controversy and will be enacted by one motion. Questions for the purpose of clarification may be asked about a particular item before the motion is voted on. However, for lengthy discussion or separate motion a Council member or citizen may request an item be removed from the Consent Agenda section and placed on the Regular Agenda. ALL CONSENT AGENDA ITEMS LISTED BELOW ARE ACTION ITEMS.
- A. Approval acceptance of minutes
 City Council - November 14, 2022
 - B. Bills - 11/15/22 to 11/28/22 in the Amount of \$372,638.71
 - C. Treasurer's report for the period ending October 31, 2022
 - D. Approve request to go out for qualifications to update the Master Transportation Plan.
 - E. Approve Grant Application 2022/23-015 request to allow the Library to apply for Idaho Commission for Libraries grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - F. Approve Grant Application 2022/23-016 request to allow the Library to apply for Idaho Commission for Libraries grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - G. Approve Grant Application 2022/23-018 request to allow the Police Department to apply for an Idaho Transportation Department grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - H. Approve the Finding of Facts decision for denial of a conditional use permit to allow a Mobile Food Concession Yard on American Legion Blvd. to rezone.
 - I. Approve the Finding of Facts decision to approve the conditional use permit with conditions for Blue Yonder Subdivision.
 - J. Approve the Finding of Facts decision for the proposed preliminary plat for Blue Yonder Subdivision.
- 21683 OLD BUSINESS
- 1) **Action Item:** Deliberation/Decision to waive the fiber hook-up fee for Mountain Home Senior Citizen Center.
- 21683 NEW BUSINESS
- 1) Items Removed from Consent Agenda Section.
 - 2) **Non-Action Item:** Discussion with Bruce Patterson and Entry Point team on the LID #1 Fiber Optics Project.
 - 3) **Non-Action Item:** Discussion on going out for a request for qualification (RFQ) to operate the optimist Park motocross track and Optimist Park BMX track.

- 4) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts to approve the proposed preliminary plat with conditions for Fall Creek Subdivision. (Staff report provided via email on October 13, 2022)
- 5) **Action Item:** Deliberation/Decision to waive building permit fees requested by Elmore County.

21686 RECOGNIZING PERSONS IN THE AUDIENCE

21686 FINAL COMMENTS

21686 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON NOVEMBER 28th, 2022, AT 6:00 P.M.

The Council of the City of Mountain Home, Elmore County, Idaho, met at the Mountain Home City Hall Chambers, 160 South 3rd East, Mountain Home, Idaho on November 28th, 2022. A quorum was established with, Councilman Stokes, Councilman Brennan, Councilwoman Garvey, Councilman McCain and Mayor Sykes being present.

DEPARTMENT HEAD COMMENTS/REPORTS

- Shasta Hochstrasser, Library Director said once a month they have family history group and they have purchased a library subscription for Ancestry.com. She outlined the programming the library would be hosting in the next month.

- Betsy Hiddleston, Communications Assistant said she is working on the Christmas Parade and they are currently at 17 entries. She said they have a proclamation into the governor's office to officially designate Mountain Home as the mural capital of Idaho.

- Brock Cherry, Community Development Director said they are focused on the Master Transportation Plan and getting a partner to help the City finalize the plan in the next year. He said the parade will be live streamed this year with live commentary, something that has never been done before but they are excited about. He said before the end of the year he will provide the Council with a detailed Community Development update.

- Hank Patrick, Building Official said the building permits have slowed down which is normal this time of year.

- Gene Palmer, Street Superintendent said they are transitioning to winter and have gotten the sanders ready.

- Jon Thompson, Chief of Police said Shop with a Cop was very well attended this year. The department is in the process of hiring a new Lieutenant.

- Mark Moore, Fire Chief said they responded to a significant structure fire on the 19th of November. He said a Fire Department Leadership Training has become available and it can be tailored to your specific type of department.

- Rich Urquidi, Director of Public Works said the Street Department was getting sand out this morning to prepare for the anticipated storm. Most of the wells are shut down for winter and the Water Department is focused on the main three wells right now. Wastewater is focusing on the lagoons right now, he thought they are at about 250 million gallons currently and will probably be at 350 million before winter is over.

- Tiffany Belt, City Clerk said they viewed a pool in Boise and it was full of useful knowledge about the Myrtha style pools and they are trying to clarify with legal some contract information and may call a special meeting to get council approval on the project. She said tonight a bill needs to be added to the bills to be paid out for MSBT Law, they went to an automated invoicing system and the email from the system was rejected by the City's emailing system.

- Paula Szafranski, City Treasurer said the auditors will be out next week.

- Daniel Katsules, Fiber Admin said in the last month their department has been trying to get fiber drilled through rock which has slowed the process. He said there is a new subdivision in Morning View they are working to get hooked up to fiber.

• Mayor Sykes said the walking path bridge is completed and the path should be open again soon. He thanked the employees who helped with the Christmas display downtown and he hopes everyone will come out for the tree lighting Friday night.

- Councilman Brennan asked when the opening date is for Taco Bell.

Brock said it looks like the building is close to ready but they are working to get staff for opening.

CONFLICT OF INTEREST DECLARATION

Councilman Brennan said he had contact with someone related to item number five under new business.

Councilman McCain said had also had contact with someone regarding the same item.

CONSENT AGENDA

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- I. Approve the Finding of Facts to approve the conditional use permit with conditions for Blue Yonder Subdivision.
- J. Approve the Finding of Facts for the proposed preliminary plat for Blue Yonder Subdivision.

Tiffany Belt, City Clerk asked to have prepay to MSBT Law added under the bills.

Councilwoman Garvey said through interlineation she would like to add on Item I and J on page 7, she would like it to match the verbiage on page 8 item 1.

Councilman Brennan said he agreed but page 8 item 1 should say share Southern boundary with no more than two single family residential lots.

Councilman Stokes made a motion to approve the consent agenda with minor edits Item B will have the prepay for MSBT Law added in, and on Items I and J the edits Councilman Brennan and Councilwoman Garvey spoke of. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes AYE

Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was carried and so ordered.

OLD BUSINESS

1) Action Item: Deliberation/Decision to waive the fiber hook-up fee for Mountain home Senior Citizen Center.

Councilwoman Garvey said it was a hard thing to look at but if they waive the fee everyone would be asking for the same.

Councilman Brennan asked if the fee was waived how the hook up would be paid for.

Paula Szafranski, City Treasurer said it would be paid by the city.

Councilman Brennan said based on the letter they talk about time constraints, and he wondered if there was a meet in the middle where it was waived in this budget cycle and the senior center put the fees in their budget for the next fiscal year.

Councilwoman Garvey said in the past with things the Senior Center has needed they have held fundraisers and this amount could be fairly easily raised based on their fundraising power.

Councilwoman Garvey made a motion to give the Senior Citizens Center the access or fiber needed now but it has to be paid in full by September 30, 2022.

Councilman Brennan asked if that was creating more or less an installment plan as well.

Tiffany Belt, City Clerk maybe the Senior Center could purchase the equipment and the city could do the rest.

Mayor Sykes said he would be willing to donate \$1,000.00 toward the Senior Center's connection if the Council would allow the city to absorb the rest of the cost.

Councilwoman Garvey said she also has a soft spot for the Senior Center but she feels as a council person she has the fiscal responsibility to recognize the precedence this might set for the future.

Councilman Stokes seconded Councilwoman Garvey's former motion.

Councilwoman Garvey reiterated her motion was to give the Senior Citizens Center the access or fiber needed now but by September 30, 2023 the entire amount of \$2,217.90 must be paid.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was carried and so ordered.

NEW BUSINESS

1) Items Removed from Consent Agenda Section. ACTION ITEM.

There were no items removed from the Consent Agenda to be discussed.

2) Non-Action Item: Discussion with Bruce Patterson and Entry Point team on the LID #1 Fiber Optics Project.

Bruce Patterson with Entry Point was present and went over the LID #1 Fiber Optics Project and preparing the project for bid.

The Council discussed the particulars with the city fiber crew and Bruce.

3) Non-Action Item: Discussion on going out for a request for qualifications (RFQ) to operate the Optimist Park motocross track and Optimist Park BMX track.

Tiffany Belt, City Clerk said the operator of the Motocross track will be moving and cannot operate the track after the end of the year. She said she feels it is time to go out for qualifications for someone to operate both the motocross and BMX tracks.

The Council was in agreement for the City Clerk to proceed on going out for a request for qualifications for someone to operate the Motocross and BMX tracks.

4) Action Item: Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts to approve the proposed preliminary plat with conditions for Fall Creek Subdivision. (Staff report provided via email on October 13, 2022)

Brock Cherry, Community Development Director went over the proposed project for Fall Creek Subdivision. He said having Hayden Homes as another developer in Mountain Home is very exciting.

Tim Mokwa with Hayden Homes was present to discuss the proposed project.

Councilman Brennan said he appreciates the dedication of property to the city, but he would like to see the land given to the City moved to a more visible area for security purposes, which he understands would take three lots out for the builder.

Tim said he is not in favor of that, particularly in the difficult time for home sales currently. He said it was his understanding it was a staging lot not a substation.

Brock said we know the Southwest portion of town is high use, and the city recognizes there is value in having land there for future purposes.

Councilman McCain made a motion to approve the Planning and Zoning commission recommendation and finding of facts to approve the proposed preliminary plat with conditions for Fall Creek Subdivision. Councilwoman Garvey seconded the motion.

Councilman Brennan asked if the berm could be put in before phase II.

Councilman McCain said he thought it was to be put in as phase II was being put in. He amended his motion to add that the stripping of phase II and III be done at the same time, to finish the berm. Councilwoman Garvey seconded the amendment to the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	NAY
Councilman McCain	AYE
Councilwoman Garvey	AYE

The majority of the vote being in favor, the motion was carried and so
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ordered.

5)Action Item: Deliberation/Decision to waive building permit fees requested by Elmore County.

Councilman Brennan read from the letter from Elmore County that stated there wouldn't be a need for fire calls for the building and asked Chief Moore if he would agree.

Chief Moore, Fire Chief said he was unsure how that was possible.

Councilman Brennan said he doesn't have a problem waiving most of the fees because they should be good partners with the County.

Councilman McCain made a motion to waive all the Impact Fees for the county facility except the fiber fee since the City would have to pay it.

Councilwoman Garvey said the fee for fiber is in there because any new construction must pay the fee for fiber connection.

Councilman McCain said he would like to amend his motion to waive all \$16,443.64. Councilwoman Garvey seconded the motion.

Councilman Stokes said he also doesn't understand how they would not be using at least the city fire services.

Councilwoman Garvey said if she understood legal correctly, there is a process in the city code where the city would not have to come up with the money for the impact fees.

Paul Fitzer, City Attorney said there is a process where if you can demonstrate that a property would not burden the level of existing services the impact fees can be waived.

Councilwoman Garvey asked if there was an ability to charge for fire services in the event they are used.

Chief Moore said he was unaware of ever having done that.

Councilman Stokes said he felt the impact fees were reasonable because based on the drawings the building is not just a storage building, it will also hold vehicles and therefore will be using roads.

The following vote was recorded:

Councilman Stokes	NAY
Councilman Brennan	NAY
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being a tie the Mayor voted NAY and the motion failed.

Councilman Brennan made a motion to waive all the fees for Elmore County except for the Fire fee.

Councilman Stokes asked about the Police and Streets.

Jon Thompson, Police Chief said they may get some calls to back the Sheriffs Department but overall there won't be an impact.

Richard Urquidi, Director of Public Works said he felt since the streets are already in place there wouldn't be impact there either.

There was no second to Councilman Brennan's motion and it died.

Councilman Stokes made a motion to waive the \$1,495.00 commercial fiber
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fee for Elmore County.

There was no second to Councilman Stokes motion and the motion died.

Councilwoman Garvey said once these fees have been whittled down and passed by the council the County will have the right to appeal and the approval or denial will rest with one city employee.

Mayor Sykes said he was willing to go along with Councilman Brennan's motion to waive all fees but the fire impact fee.

Councilman Brennan made a motion to waive all the required fees other than the required fire fee of \$2,273.28.

The council discussed with Brock and Paul what the impact fee is collected for and applied towards.

Councilman Brennan said he does feel there is a fire impact.

Councilman McCain seconded the motion.

The following vote was recorded:

Councilman Stokes	NAY
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The majority of the vote being in favor, the motion was carried and so ordered.

RECOGNIZING PERSONS IN THE AUDIENCE

- Bret Dearing came forward and spoke about a new paralegal service he was offering in Mountain Home.

FINAL COMMENTS


- There were no final comments at this time.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:21 P.M. by orders from Mayor Sykes.

ATTEST:


Tiffany Belt, City Clerk


Rich Sykes, Mayor

