

MINUTES OF THE REGULAR MEETING OF THE  
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
 HELD ON JUNE 11<sup>th</sup>, 2024, AT 5:00 P.M.  
 AT MOUNTAIN HOME CITY HALL CHAMBERS  
 MOUNTAIN HOME, IDAHO

- 21847 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21847 RECOGNIZING PERSONS IN THE AUDIENCE
- 21847 BUDGET PRESENTATIONS - CIVIC GROUPS  
 1) Domestic Violence - Cynthania Clark, Executive Director  
 2) Visitor Center - Coordinator at the Desert Mountain Visitor Center  
 3) Arts Council - Chris DeVore, Executive Director
- 21847 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.
- 21847 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  
     Regular City Council - May 28, 2024  
     Special City Council - May 29, 2024  
     Special City Council - May 30, 2024
  - B. Bills - 5/29/24 to 6/11/24 in the Amount of \$1,047,509.56
  - C. Payroll for the period ending 4/22/2024 to 5/21/2024 in the amount of \$723,509.56
  - D. Approve the Memorandum of Understanding between the Idaho Transportation Department and the City.
  - E. Pass Resolution 14-2024R addressing the inconsistent numbering of residences located on the 200 Block of East 10<sup>th</sup> North Street Steet and authorize the Mayor and City Clerk to sign.
  - F. Pass Resolution 15-2024R to approve the Destruction of surplus property and authorize the Mayor and City Clerk to sign.
  - G. Pass Resolution 16-2024R approving the appointment of Laura Powell as a member of the Urban Renewal Board to fill the remaining term created by the resignation of Commissioner Keith Yagues, the term of which shall expire on January 1, 2027.
  - H. Approve the appointment of James Green to the Planning and Zoning Commission, filling the remaining term of Travis Eikeness, which expires in February 2028. **(Pulled from Consent Agenda and placed under New Business)**
  - I. Approve the Planning and Zoning Commission recommendation requested by Shawn Brownlee to grant a preliminary plat extension for Blue Yonder Subdivision.
  - J. Award the bid to TCG Construction for the BLM SEAT Base a the Mountain Home Airport.
  - K. Approve the Construction agreement with TCG Construction for the BLM SEAT Base and authorize the Mayor and City Clerk to sign all documents.
  - L. Approve the airport hangar land lease for Row D, Lot #3, for Brion Bethel and authorize the Mayor and City Clerk to sign.
  - M. Pass Resolution 17-2024R - Approving the Lease Agreement with Brion Bethel, Hangar Space

indicated by Row D, Lot #3 at the Mountain Home Municipal Airport, and authorizing the Mayor and City Clerk to sign.

21848

## OLD BUSINESS

- 1) Non-Action Item: Deliberation regarding the Golf Course Concession Agreement with Kurly's 2 Sports Grill LLC is set to terminate on September 30, 2024.
- 2) Non-Action Item: Staff update regarding Mellen Sub Water District.

21850

## NEW BUSINESS

- 1) Items removed from Consent Agenda
- 2) Action Item: Discussion/Decision regarding the request by Dennis Wilson, Superintendent of Rachard McKenna Public Charter Schools, to waive the Building Permit Fee, Impact Fees (Police, Fire, and Streets), plan review fee, and equivalent dwelling unit fee (EDU's) for Wastewater in the amount of \$78,842.64.
- 3) Action Item: Deliberation/Decision regarding Mr. Asenbauer's concerns and request to amend CMH Code 5-1-13 (Occupancy of Recreation or Other Vehicles).
- 4) Action Item: Deliberation/Decision regarding the one-way alley proposal.
- 5) Action Item: Deliberation/Decision regarding bulk water fee and set a public hearing if required.
- 6) Action Item: Deliberation/Decision to amend CMH Code 5-1-13.
- 7) Non-Action Item: Deliberation on proposed sidewalk cafes ordinance.
- 8) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to approve the preliminary plat for the "Axtell Subdivision development with conditions requested by Sharloynn Hammond.

21854

## FINAL COMMENTS

21854

## ADJOURN

MINUTES OF THE REGULAR MEETING OF THE  
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
HELD ON JUNE 11<sup>th</sup>, 2024, AT 5:00 P.M.

The Council of the City of Mountain Home, Elmore County, Idaho, met at the Mountain Home City Hall Chambers, 160 South 3<sup>rd</sup> East, Mountain Home, Idaho on June 11<sup>th</sup>, 2024. A quorum was established with, Councilman Harjo, Councilwoman Wirkkala, Councilwoman Garvey and Mayor Sykes being present. Councilman Brennan appeared via telephone.

RECOGNIZING PERSONS IN THE AUDIENCE

Brandon McCarthy was present and thanked everyone who worked on the sidewalk café ordinance.

BUDGET PRESENTATIONS - CIVIC GROUPS

1.Domestic Violence - Cythania Clark, Executive Director

Kathy Figueredo spoke to the Council and advised they were seeking \$7,000.00 from the City this year to support the goals of the Domestic Violence Shelter.

2.Visitor Center - Coordinator at the Desert Mountain Visitor Center

Denise Beresi was present with Shaun Brazell from the Chamber of Commerce and advised they are asking for \$10,000.00 this year in donation from the City.

3.Arts Council - Chris DeVore, Executive Director

Chris DeVore, Executive Director of the Arts Council was present and requested a donation in the amount of \$7,000.00, the amount they received the previous year.

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.

- Councilwoman Wirkkala said she received communication from James Green on Item H in the Consent Agenda. Rod Dudley on New Business Item 2 and Brandon McCarthy and Rod Dudley sent in resumes that tie into Item H.

- Councilwoman Garvey said she communicated with the same people Councilwoman Wirkkala stated.

- Councilman Harjo said he had the same communication but that he also spoke with Jayme Wasson regarding Old Business Item 1.

- Councilman Brennan said he communicated with James Green, Rod Dudley and Brandon McCarthy about the Planning and Zoning seat, as well as Kristofer Walleart and William Lamb. He said he spoke with the Police Sergeants about Item 4 on new business.

- The rest of the Council said they had also spoken with Kristofer Walleart about the Planning and Zoning position.

CONSENT AGENDA

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- D. Approve the Memorandum of Understanding between the Idaho Transportation Department and the City.
- E. Pass Resolution 14-2024R addressing the inconsistent numbering of residences located on the 200 Block of East 10<sup>th</sup> North Street and authorize the Mayor and City Clerk to sign.
- F. Pass Resolution 15-2024R to approve the destruction of surplus property and authorize the Mayor and City Clerk to sign.
- G. Pass Resolution 16-2024R to approve the destruction of surplus property and authorize the Mayor and City Clerk to sign.
- H. Approve the appointment of James Green to the Planning and Zoning Commission, filling the remaining term of Travis Eikeness, which expires in February 2028. **(Pulled from Consent Agenda and placed under New Business)**
- I. Approve the Planning and Zoning Commission recommendation requested by Shawn Brownlee to grant a preliminary plat extension for Blue Yonder Subdivision.
- J. Award the bid to TCG Construction for the BLM SEAT Base at the Mountain Home Airport.
- K. Approve the Construction agreement with TCG Construction for the BLM SEAT Base and authorize the Mayor and City Clerk to sign.
- L. Approve the airport hangar land lease for Row D, Lot #3 for Brion Bethel and authorize the Mayor and City Clerk to sign.
- M. Pass Resolution 17-2024R - Approving the Lease Agreement with Brion Bethel, Hangar Space indicated by Row D, Lot #3 at the Mountain Home Municipal Airport, and authorizing the Mayor and City Clerk to sign.

Councilwoman Wirkkala pulled Item H to be discussed under New Business.

Councilwoman Garvey made a motion to approve the Consent Agenda as printed pulling Item H. Councilman Harjo seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

#### OLD BUSINESS

1) Non-Action Item: Deliberation regarding the Golf Course Concession Agreement with Kurly's 2 Sports Grill LLC is set to terminate on September 30, 2024.

The Council discussed the Golf Course Concession Agreement and how the new contract should be structured and with what rates and how utilities will be factored.

Councilman Harjo said with the material changes the Council has requested this evening there has been enough direction to complete the contract and bring it back for Council review.

It was decided to table this item until the June 25<sup>th</sup>, 2024 Council Meeting.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

2) Non-Action Item: Staff update regarding Mellen Sub Water District.

There was an update sent to the Council on June 11<sup>th</sup>, 2024 updating the Council on the well issues with Mellen Water District, so there was no need to discuss it in this meeting.

NEW BUSINESS

1) Items removed from the Consent Agenda

Item H: Approve the appointment of James Green to the planning and Zoning Commission, filling the remaining term of Travis Eikeness, which expires in February 2028.

Councilwoman Wirkkala thanked James Green for applying for the Planning and Zoning position, however, she felt the process had not been observed. She said normally there is a public announcement seeking candidates and she received emails from candidates she sees as a better fit.

Councilwoman Garvey said she too has been sought out by residents eager to fill the Planning and Zoning Commission vacancy.

Councilwoman Wirkkala made a motion to deny the appointment of James Green to the Planning and Zoning Commission, filling the remaining term of Travis Eikeness which expires February 2028, in the addition to opening this up as a public announcement to get more applicants. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

2) Action Item: Deliberation/Decision regarding the request by Dennis Wilson, Superintendent of Richard McKenna Public Charter Schools, to waive the Building Permit Fee, Impact Fees (Police, Fire, and Streets), plan review fee, and equivalent dwelling unit fee (EDU's) for Wastewater in the amount \$78,842.64.

Councilman Brennan said the proper process for waiving impact fees has not been followed here according to City Ordinance.

Dennis Wilson said in two trips to the Development Services Office there was no mention that the letter he submitted would not be sufficient.

There was discussion of which fees the school should be required to pay.

Mayor Sykes asked the Council if they would like to have the school fill out the impact fee assessment and bring it back to the next Council meeting.

Councilman Harjo said he disagrees with charging another tax paying entity paying impact fees to the City.

Councilwoman Garvey said the City has to follow state statute on impact fees and to waive them the City has to follow proper protocol.

Mayor Sykes said the process should be followed so the City does not circumvent state statute or its own ordinance.

It was decided this item would be brought back to the next Council meeting on June 25<sup>th</sup>, 2024.

3)Action Item: Deliberation/Decision regarding Mr. Asenbauer's concerns and request to amend CMH Code 5-1-3 (Occupancy of Recreation or Other Vehicles).

Hank Patrick, Building Official said the tenant that was staying on the property in a camper has found a place to rent and will be moving off the property within a couple of months.

4)Action item: Deliberation/Decision regarding the one-way alley proposal.

Councilman Harjo said he spoke to Chris Curtis, Director of Public Works and after discussion he thinks it makes a lot of sense to make the alley's one way.

Councilman Brennan said he spoke with the personnel at the PD to get their opinion on the proposal from a safety standpoint.

Councilman Harjo made a motion to approve the proposal regarding one-way alley proposal directly coordinating with the map from E 5<sup>th</sup> N street to Jackson Street consisting of four city blocks. Councilwoman Wirkkala seconded the motion.

Chris Curtis, Public Works Director said this request was based on the concerns of business owners in the area.

The following vote was recorded:

Councilman Brennan	NAY
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

5)Action Item: Deliberation/Decision regarding bulk water fee and set a public hearing if required.

Councilman Harjo said he thinks making sure this is metered and charged accordingly will allow for the City to gather data on how often the bulk water is accessed and charge for it accordingly.

It was decided to leave the bulk water fees as they are currently assessed by City resolution.

6)Action Item: Deliberation/Decision to amend CMH Code 5-1-13.

Councilwoman Garvey said she liked the proposed amendments to code 5-1-13.

Councilman Brennan said he would like to see a change made in paragraph B where the second subsequent offense shall be a misdemeanor. He would like to see the same language maintained and it would say after one conviction, the second and all subsequent offenses would be a misdemeanor.

Paul Fitzer, City Attorney said it probably didn't need to be specified but it could be clarified.

Councilman Brennan said he would like to see the City Council's hands tied at a maximum amount of time in which we can grant an extension to an ordinance. He said he doesn't want to grant more and have the Council start making exceptions when residents ask for repeat extensions.

Councilwoman Garvey made a motion to approve the amendments to City Code 5-1-13 adding that the request for extension of time for temporary occupants may be granted by the City Council of up to an additional 168 consecutive hours and through interlineation from legal that in section B upon first conviction second and subsequent offenses shall be deemed misdemeanors. Councilman Brennan seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

7) Non-Action Item: Deliberation on proposed sidewalk cafes ordinance.

The Council went over the proposed café ordinance Development Services was proposing, and the fees proposed.

Mayor Sykes requested any changes the Council had be emailed to Brenda Ellis, Senior City Planner so she could prepare the ordinance to return to the Council.

Councilman Harjo requested the Council send the edits to Brenda within a week from today's meeting.

8) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to approve the preliminary plat for the "Axtell Subdivision" development with conditions requested by Sharolynn Hammond.

Councilman Harjo made a motion to approve the Planning and Zoning Commission recommendation and Finding of Facts to approve the preliminary plat for "Axtell Subdivision" development with conditions requested by Sharolynn Hammond. Councilman Brennan seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

FINAL COMMENTS

Councilman Brennan offered apologies if he cut anyone off during the meeting, it was hard to hear some things over the phone.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 7:32 P.M. by orders from Mayor Sykes.

  
\_\_\_\_\_  
Rich Sykes, Mayor

ATTEST:

  
\_\_\_\_\_  
Tiffany Belt, City Clerk

