

MINUTES OF THE JOINT SPECIAL MEETING OF THE
COUNCIL AND
PLANNING AND ZONING COMMISSION, WORKSESSION
FOR THE CITY OF MOUNTAIN HOME
HELD ON JUNE 6th, 2022
AT 5:00 P.M.
AT THE MOUNTAIN HOME CITY HALL
160 SOUTH 3RD EAST STREET

The Council of the City of Mountain Home, Elmore County, Idaho, met at Mountain Home City Hall, 160 South 3rd East, Mountain Home, Idaho on June 6th, 2022. A quorum was established with, Councilman Brennan and Councilwoman Garvey appeared via Zoom, Councilman Stokes was present at 5:00 p.m. Councilman McCain and Mayor Sykes were not present.

Approve Minutes

There were no minutes to approve at this time.

Recognizing Persons Not On the Agenda

Misty Pierce asked why they are considering letting accessory dwelling units in a yard be bigger than single family homes in some areas of town.

Bill Vanhandel came forward and said he was concerned about people abusing the concept of the accessory dwelling unit and he did feel there was an expectation in existing neighborhoods of the makeup of the neighborhood.

Public Hearing and Action

There were no noticed Public Hearings.

New Business

Discussion/Work Session - Accessory Dwelling Units Ordinance

There was a discussion and work session about Accessory Dwelling Units between the Planning and Zoning Commission and the City Council.

Old Business

There was no Old Business to discuss at this time.

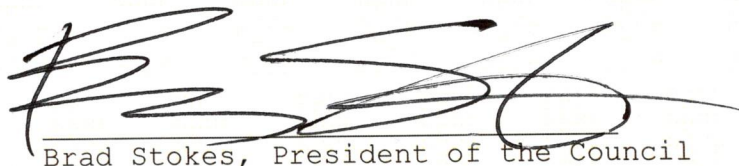
Department Head Items

There was no Department Head Items to discuss.

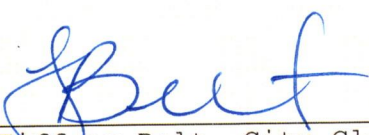
Items Requested by Commissioners/Staff

There were no items to discuss currently.

There being no further business to come before the Council, the meeting was adjourned at 6:07 P.M. by orders from the Council President.


Brad Stokes, President of the Council

ATTEST:


Tiffany Belt, City Clerk



MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON JUNE 13th, 2022, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21529 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21529 DEPARTMENT HEAD REPORTS
- 21529 PRESENTATION
1. Trophy presentation - 4th grade Field Day City competition between the Mountain Home Police Department and Mountain Home Fire Department by Recreation Superintendent Darcy Braithwaite.
 2. Presentation by Keller Associates regarding the Wastewater master plan.
- 21529 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.
- 21530 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
 - Airport Advisory Committee - May 17, 2022
 - City Council - May 23, 2022
 - Joint Work Session - June 6, 2022
 - B. Bills - 5/24/22 to 6/13/22 in the Amount of \$573,254.27
 - C. Payroll 4/22/22 TO 5/21/2022 in the Amount of \$625,879.03
 - D. Approve the applications for a firework license for the following companies:
 1. TNT Fireworks - Walmart Parking Lot
 2. TNT Fireworks - Albertson's Parking Lot
 3. Phantom Fireworks - Airman Pawn Parking Lot
 - E. Approve assignment and assumption of lease and consent for Stan Bybee to assign his Airport Hangar land lease, Building #5, to David Henniger and authorize the Mayor and City Clerk to sign.
 - F. Pass Resolution #14-2022R - Approving the Lease Agreement with David Henninger/Grandview Flying Service for Hangar Space indicated by building #5 at the Mountain Home Municipal Airport and authorize the Mayor and City Clerk to sign
 - G. Approve a cooperative agreement between Elmore County and the City of Mountain Home for non-emergency dispatch services from October 1, 2022 to September 30, 2023, in the amount of \$56,482.00 and authorize the Mayor, City Clerk and Police Chief to sign.
 - H. Approve Memorandum of the agreement for joint action between Elmore County and the City of Mountain Home for Plat vacation of Lots 9-12 and 19-22, BLK 10, of Fruitdale Subdivision and authorize the Mayor and City Clerk to sign.
 - I. Approve emergency mutual aid interlocal cooperation agreement between Elmore County Sheriff and the City of Mountain Home and authorize the Mayor, City Clerk, and Police Chief to sign.
 - J. Approve the emergency mutual aid interlocal

- cooperation agreement between Elmore County Search and Rescue and the City of Mountain Home and authorize the Mayor, City Clerk, and Police Chief to sign.
- K. Approve Finding of Facts Decision for the annexation of Copium Investments located at 370 West 12th South Street.
 - L. Approve Finding of Facts Decision for zoning R-4 of Copium Investments located at 370 West 12th South Street.
 - M. Approve Finding of Facts Decision for a conditional use permit for Copium Investments located at 370 West 12th South Street.
 - N. Approve Finding of Facts Decision to amend existing PUD for 10th Street Neighborhood.
 - O. Approve Finding of Facts decision to re-zone from I-2 & C-4 to an R-4 PUD - The Village.
 - P. Approve Finding of Facts Decision for denial to amend Mountain Home City Code 9-9-16(B) Home Occupation Criteria requested by Randy Scales
 - Q. Approve Finding of Facts Decision to zone R-4 PUD entitled Falcons Landing.
 - R. Approve Finding of Facts Decision for preliminary plat entitled Falcons Landing.
 - S. Approve Finding of Facts Decision for a conditional use permit for United Metals located at 1145 Airbase Road.
 - T. Approve request to go out for proposal to perform accounting services for the annual audit and year-end entries.
 - U. Approve agreement with the Cottages Investors II, LLC to allow The Cottages of Mountain Home to use the Parks & Recreation building as a first location during an emergency and authorize the Mayor and City Clerk to sign
 - V. Approve agreement with the Cottages Investors II, LLC to allow The Cottages of Mountain Home to use the Discovery Building as a second location during an emergency and authorize the Mayor and City Clerk to sign.

21531

NEW BUSINESS

- 1) Items removed from Consent Agenda
- 2) **Action Item:** Deliberation/Decision allowing EKC, INC. to provide construction management services for the Mountain Home Outdoor Aquatics Facility project, approving EKC, LLC pre-construction contract of \$9,550.00 and authorizing the Mayor and City Clerk to sign.
- 3) **Action Item:** Discussion/Decision to proceed with Biarri Networks to create a LID #1 design.
- 4) **Action Item:** Deliberation/Decision to allow the sale of liquor within 300 feet of a church at the property located at 440 North Main Street on behalf of Mr. Raymond Bartausky.

21532

BUDGET PRESENTATIONS - CIVIC GROUPS

- 1) Domestic Violence
- 2) Visitor Center

21533

ORDINANCES

- 1) **Action Item:** Ordinance #1751 - annexation of Copium Investments located at 370 West 12th South Street.
- 2) **Action Item:** Ordinance #1752 - zoning R-4 of Copium Investments located at 370 West 12th South Street.
- 3) **Action Item:** Ordinance #1753 - amend existing PUD for 10th Street Neighborhood.
- 4) **Action Item:** Ordinance #1754 - Zone R-4 PUD entitled Falcons Landing.
- 5) **Action Item:** Ordinance #1755 - re-zone from I-2 & C-4 to an R-4 PUD - The Village.

21535

RECOGNIZING PERSONS IN THE AUDIENCE

21535

FINAL COMMENTS

21535

EXECUTIVE SESSIONS

- 1) Pursuant to Idaho Code Section 74-206(1)(a) - to consider the hiring of a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.
- 2) Pursuant to Idaho Code Section 74-206(1)(b) to consider

- the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.
- 3) Pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

21537

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON June 13th, 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 June 13th, 2022. A quorum was established with, Councilman Stokes, Councilwoman Garvey, Councilman Brennan, and Mayor Sykes being present. Councilman McCain was absent.

DEPARTMENT HEAD COMMENTS/REPORTS

- Scott Conner, Police Chief said they have openings at the animal shelter and an admin position at the PD.

- Darcy Braithwaite, Recreation Superintendent said they are busy with summer programming.

- Shasta Hochstrasser, Library Director thanked St. Luke's for their donation toward the family water run. She said the Zimmerman Family donated money to the library that will be used to buy more graphic novels for kids. She went over the programming they have planned.

- Gene Palmer, Street Superintendent said the crew has been busy chip sealing. Today his crew is cleaning up after the storm yesterday.

- Brock Cherry, Community Development Director, said he hired Chis Curtis from Code Enforcement as an Assistant City Planner.

- Hank Patrick, Building official said he has a part time and full time Code Enforcement position available.

- Mark Moore, Fire Chief said they are going to start education for wildfire safety and they had success with fundraising on Crazee Dayz.

- Rich Urquidi, Director of Public Works said we have pumped a lot less water this year with the rain. He said we are down about twenty single family homes from this time last year.

- Mayor Sykes said the Council will receive an invitation to the AIC awards where the city won two awards.

PRESENTATION

1. Trophy presentation - 4th Grade Field Day City competition between the Mountain Home Police Department and Mountain Home Fire Department by Recreation Superintendent Darcy Braithwaite.

Darcy Braithwaite, Recreation Superintendent presented an award to the Fire Department for their competition on the 4th grade Field Day.

2. Presentation by Keller Associates regarding the Wastewater master plan.

James Bledsoe from Keller Associates gave a presentation on the Wastewater Master Plan.

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.

- None of the Council had anything to declare at this time.

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 Councilmember 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.

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Councilman Brennan said on item K the vote was not unanimous, and he would like it to reflect that one Council member voted against it. He also wanted to address Item O, he would like it stated they have to provide sidewalk around the whole property line and make it so there is no left turn onto West 5th North from the property.

Councilman Brennan made a motion to approve the Consent Agenda as printed with changes through interlineation to Item K addressing the vote, three Council members in favor and one against and Item O stating there must be a sidewalk on the whole property line and a no left coming out of Haskett onto West 5th North. Councilman Stokes seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

NEW BUSINESS

Items Removed from Consent Agenda Section. ACTION ITEM.

There were no items removed from the Consent Agenda.

2)Action Item: Deliberation/Decision allowing EKC,INC. to provide the construction management services for the Mountain Home Outdoor Aquatics Facility project, approving EKC, LLC pre-construction contract of \$9,550.00 and authorizing the Mayor and City Clerk to sign.

Tiffany Belt, City Clerk explained this would get crews out to the pool so the city could have a full quote on the project. She said we applied for a \$750,000.00 grant the city will have to match. Right now, the city has the match for the original project.

There was a discussion about the contract for the project.

Councilman Brennan said this has remained his top priority and he does not want to see the size of the project reduced. He said it doesn't matter what the WECRD does and whether they open their pool or not, he remains committed to the city building a new pool.

Councilman Stokes made a motion to approve EKC, INC. to provide the construction management services for the Mountain Home Outdoor Aquatics Facility project, approving EKC, LLC pre-construction contract of \$9,550.00 and authorizing the Mayor and City Clerk to sign with the caveat that Tiffany negotiate to lower the \$50,000.00 fee from EKC to a lower amount. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

3)Action Item: Deliberation/Decision to proceed with Biarri Networks to create a LID #1 design.

Councilman Brennan said he tried to do some research on this company but he wondered if the company is completing projects on time and on budget.

Tiffany Belt, City Clerk said they came highly recommended from Bruce Patterson, who is working with the City on the fiber project.

Councilwoman Garvey made a motion to approve to proceed with Biarri Networks to create a LID #1 design. Councilman Stokes seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

4)Action Item: Deliberation/Decision to allow the sale of liquor within 300 feet of a church at the property located at 440 North Main Street on behalf of Mr. Raymond Bartauskyy.

Raymond Bartauskyy came forward to speak about his purchase of the old Kar Parts building and now an opportunity to purchase a liquor license has presented itself. He would like permission from the Council to sell liquor within 300 ft of a church. He said he is planning a retail space and perhaps an event center.

Dan Davis with Calvary Chapel in Mountain Home spoke to the Council about his feelings having alcohol served within 300 ft of his church. He said while it isn't ideal, that is life.

Councilman Brennan said he would like to see this go to public hearing.

Councilman Stokes said the first thing he sees in the state statute is they are talking about a predominantly residential neighborhood.

Councilwoman Garvey said being that it is the downtown corridor there are alcohol sales all around.

Dan said he would like to know more about this operation before it is approved.

Councilman Brennan said he would like to see this either go to public hearing or be tabled so Dan could go speak to the board of Calvary Chapel and they would have time to formulate a response.

Councilwoman Garvey said when you look at the layout of the downtown there are already alcohol sales near churches in that area.

Councilwoman Garvey made a motion to allow the sale of liquor within 300 ft of a church at 440 North Main Street. Councilman Stokes seconded the motion.

Councilman Brennan asked if the motion could be amended to state this strictly applies to Mr. Bartauskyy and wouldn't automatically grant this approval to someone else down the road.

There was a discussion about whether or not this would apply to future applications.

After discussion Councilwoman Garvey declined to amend her motion, stating there was nothing from legal that said she needed to.

The following vote was recorded:

Councilman Brennan	NAY
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

BUDGET PRESENTATION - CIVIC GROUPS

1)Domestic Violence

Kim Middleton was present and advised the Domestic Violence Council would like to request \$5,000.00 from the City this year.

2)Visitor Center

Tabitha King and Jenn Gilbert, Executive Director of the Chamber of Commerce for Mountain Home were present and advised the Visitor's Center would be asking the City for the same donation as previous years of \$5,000.00.

ORDINANCE

1)Action Item: Ordinance #1751 - annexation of Copium Investments located at 370 West 12th South Street

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The City Clerk read the Ordinance for its first and final reading by Title Only.

Mayor Sykes asked, "Does the Council wish this Ordinance to pass."

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	NAY
Councilwoman Garvey	AYE

The majority of the vote being in favor, the motion was so ordered and given #1751.

2)Action Item: Ordinance #1752 - zoning R-4 of Copium Investments located at 370 West 12th South Street.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The City Clerk read the Ordinance for its first and final reading by Title Only.

Mayor Sykes asked, "Does the Council wish this Ordinance to pass."

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	NAY
Councilwoman Garvey	AYE

The majority of the vote being in favor, the motion was so ordered and given #1752.

3)Action Item: Ordinance #1753 - amend existing PUD for 10th Street Neighborhood.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The City Clerk read the Ordinance for its first and final reading by Title Only.

Mayor Sykes asked, "Does the Council wish this Ordinance to pass."

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1753.

4)Action Item: Ordinance #1754 - zone R-4 PUD entitled Falcons Landing.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The City Clerk read the Ordinance for its first and final reading by Title Only.

Mayor Sykes asked, "Does the Council wish this Ordinance to pass."

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1754.

5)Action Item: Ordinance #1755 - re-zone from I-2 & C-4 to an R-4 PUD - The Village.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The City Clerk read the Ordinance for its first and final reading by Title Only.

Mayor Sykes asked, "Does the Council wish this Ordinance to pass."

The following vote was recorded:

Councilman Stokes	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1755.

RECOGNIZING PERSONS IN THE AUDIENCE

- No one came forward to speak at this time.

FINAL COMMENTS

- Councilman Stokes said he was glad to get an update on the pool.

• Mayor Sykes said the city was approached by Fish and Game about the pond at Legacy Park. He said they want to line it with bentonite and make it deeper, so it is a better fishing location. Possibly it will become an all ages fishing spot.

• Councilman Brennan asked what the process to move forward after the retirement of the Wastewater Superintendent looked like.

Tiffany Belt, City Clerk said they have techs that need to test for their water three certification, and they are preparing for that.

EXECUTIVE SESSIONS - Action Items Below

1) Pursuant to Idaho Code Section 74-206(1)(a) - to consider the hiring of a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.

Councilman Stokes made a motion to enter into executive session pursuant to Idaho Code Section 74-206(1) - to consider the hiring of a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, pursuant to Idaho Code 74-206(1)(b) - to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent and pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Councilman Brennan seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

The Council entered into executive session at 8:46 p.m.

The Council came out of executive session at 9:01 p.m.

2) Pursuant to Idaho Code Section 74-206(1)(b) - to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

Councilman Stokes made a motion to enter into executive session pursuant to Idaho Code Section 74-206(1) - to consider the hiring of a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, pursuant to Idaho Code 74-206(1)(b) - to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent and pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Councilman Brennan seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE

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

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3) Pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

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The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE


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

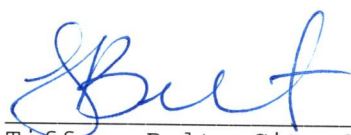
The Council entered into executive session at 8:46 p.m.

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:01 P.M. by orders from Mayor Sykes.


Rich Sykes, Mayor

ATTEST: 
Tiffany Belt, City Clerk

