

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON JANUARY 23rd, 2024, AT 5:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21993 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21993 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
- 21993 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
 Planning & Zoning Commission - January 2, 2024
 City Council - January 9, 2024
 - B. Bills - 1/10/24 to 1/17/24 in the Amount of \$949,293.32
 - C. Treasurer's report for the period ending 12/31/23
 - D. Approve Grant Application 2023/24-015 request to allow the Library to apply for the Select Health Award and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - E. Approve Grant Application 2023/24-016 request to allow the Parks Department to apply for the Select Health Award and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - F. Approve the Parks Department request to purchase new playground equipment and surfacing for Richard Aguirre Parks.
 - G. Pass Resolution #1-2024R - Approve the destruction of surplus property and authorize the Mayor and City Clerk to sign.
 - H. Approve the appointment of Laurel Waters to the Library Board, filling the remaining term of Samantha Venable Harjo, which will expire in February 2025.
- 21993 OLD BUSINESS
- 21993 NEW BUSINESS
- 1) Items Removed from Consent Agenda Section.
 - 2) **Action Item:** Deliberation/Decision regarding the consumer price index increase for Republic Services per their Waste & Recycling Collection contract for City residential and commercial services.
 - 3) **Action Item:** Deliberation/Decision on Planning and Zonings Commission recommendation for the annexation of 263 acres located West of the City Airport and East of NW Bypass Road (RPO3S06E280015) with conditions requested by Zach Simons, CBRE. **(Pulled from the agenda to be brought back at a later date)**
 - 4) **Action Item:** Deliberation/Decision on the Planning and Zoning Commission's recommendation to zone I-1 for 263 acres located West of the City Airport and East of NW Bypass Road (RPO3S06E280015) with conditions requested by Zach Simons, CBRE. **(Pulled from the agenda to be**

brought back at a later date)

- 5) **Action Item:** Deliberation/Decision on the Planning and Zoning Commission's recommendation to vacate a portion of Garrett's Addition subdivision comprised of lots 37 and 38, total of 2.02 acres with conditions requested by Aleks Yanchuk, Living Development, LLC.
- 6) **Action Item:** Deliberation/Decision on Planning and Zoning Commission recommendation for Preliminary Plat "Bradford Townhomes" consisting of 2.02 acres located at the corner of NW Foster Drive and NW Bradford with conditions requested by Aleks Yanchuk, Living Development, LLC.
- 7) **Action Item:** Set a public hearing date for the proposed fee increase for nonresident cards at the Library.
- 8) **Action Item:** Set a date for a Council workshop to discuss the Airport Hangar land lease.
- 9) **Action Item:** Deliberation/Decision to provide a letter of support to Mountain Home School District #193 for Community Funding Project Grant.
- 10) **Action Item:** Deliberation/Decision to allow Elmore Ambulance Service personnel to access the City of Mountain Home training facility for routine use.
- 11) **Action Item:** Deliberation/Decision regarding public comment on the City Council agendas.
- 12) **Action Item:** Deliberation/Decision regarding spending limits.

- 21999 RECOGNIZING PERSONS IN THE AUDIENCE
- 22000 FINAL COMMENTS
- 22000 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON JANUARY 23rd, 2023, 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 3rd East, Mountain Home, Idaho on January 23rd, 2023. A quorum was established with Councilwoman Garvey, Councilman Brennan, Councilwoman Wirkkala, Councilman Harjo and Mayor Sykes being present.

DEPARTMENT HEAD COMMENTS/REPORTS

- Jon Thompson, Police Chief said they will start the Community Academy in February.

- Mark Moore, Fire Chief said with weather permitting in February, they will do training with the department and hopefully do a live training with the old Sequel buildings.

- Shasta Hochstrasser, Library Director said the Friends of the Library book sale will be this Friday or Saturday. She went over programming for the next couple of weeks.

- Brenda Ellis, City Planner said there is nothing on the upcoming meeting except land use ordinances.

- Betsy Hiddleston, Communications Director thanked everyone who came out to the Turner House Ribbon Cutting last week. She said she and Brenda will be going to the Idaho Power meetings to talk about substation planning. Betsy said she would begin working on State of the City this week.

- Chris Curtis, Director of Public Works said the snow melt off went really well. The sample from Well #17 hasn't come back yet but they are anticipating it will be fine. Chris said the pump house bid came back at \$1.6 million and that will come to the Council for approval. He said they are looking at a bulk water system upgrade. He said there were two lift station pump failures, and both were installed in 2001 with a 15-year life expectancy.

Councilman Brennan made a motion to add an Executive Session after final comments pursuant to Idaho Code 74-206(1)(b) and 74-206(1)(f). 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.

CONFLICT OF INTEREST DECLARATION

Councilwoman Wirkkala said she did receive comments from a resident about Republic Services. She said she contacted James Gilbert to get clarification about where the remainder of the money for the grant the school district was applying for would come from. Also, she said she had spoken with Josh Martinez in regard to the training facility.

The entire Council stated they had received comments about the trash rates and the training facility.

Mayor Sykes pulled items 3 and 4 under New Business and amended the agenda to add item 13 under New Business, Highway 30 lift station.

Councilman Brennan made a motion to approve amending the agenda adding item 13 to New Business declaring it an emergency because it needs to be fixed to avoid any wastewater issues and pulling Items 3 and 4 from new business. 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.

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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- F. Approve the Parks Department's request to purchase new playground equipment and surfacing for Richard Aguirre Parks.
- G. Pass Resolution 1-2024R - Approve the destruction of surplus property and authorize the Mayor and City Clerk to sign.
- H. Approve the appointment of Laurel Waters to the Library Board, filling the remaining term of Samantha Venable Harjo, which will expire in February 2025.

Councilman Brennan said on Item G section 3 he would like to strike salvage from the verbiage and allow the City Clerk or designee to dispose of the item by auction only.

Tiffany Belt, City Clerk said not always at auction is the item sold, and at that point it is declared salvage.

Councilman Brennan said then he would like it worded similar to that so that it takes away the option to throw things away.

Councilwoman Gavey made a motion to pass the Consent Agenda as printed with the notated changes on Item G to reflect go to auction before salvaging. 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

NEW BUSINESS

Council Minutes - January 23, 2023

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

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

2) Action Item: Deliberation/Decision regarding the consumer price index increase for Republic Services per their Waste & Recycling Collection contract for City residential and commercial services.

Rachelle Klein and Chad Murphy were present from Republic Services to speak about the consumer price index increase Republic Services was requesting.

The Council discussed the City contract with Republic Services and the consumer price index increase.

Councilman Brennan asked if there was any discretion on how the donation funds for Mountain Home from Republic Services were used.

Rachelle said that has always been at the City's discretion.

Councilman Brennan said currently there is no DARE program in Mountain Home and thought that may be a good use of funds. He asked if Republic Services uses the same Consumer Price Index every year.

Rachelle said they do use the same index each year because it compares so closely, unlike the Water, Wastewater and Trash index.

Councilman Brennan made a motion to accept the consumer price index for Republic Services per the current contract for waste and recycling services for residential and commercial. 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.

3) Action Item: Deliberation/Decision on the Planning and Zoning Commission's recommendation for the annexation of 263 acres located West of the City Airport and East of NW Bypass Road (RPO3S06E280015) with conditions requested by Zach Simons CBRE.

This item was pulled from the agenda by Mayor Sykes.

4) Action Item: Deliberation/Decision on the Planning and Zoning Commission's recommendation to zone I-1 for 263 acres located West of the City Airport and East of NW Bypass Road (RPO3s06E280015) with conditions requested by Zach Simons, CBRE.

This item was pulled from the agenda by Mayor Sykes.

5) Action Item: Deliberation/Decision on the Planning and Zoning Commission's recommendation to vacate a portion of Garrett's Addition subdivision comprised of late 37 and 38, total of 2.02 acres with conditions requested by Aleks Yanchuk, Living development, LLC.

Councilman Brennan asked why the road has been cut so many times to get services to the currently built structures.

Aleks Yanchuk was present and said they would repair the road as soon as they could, but to get services to the current structures it was necessary.

Councilman Brennan asked to speak with legal privately for a moment.

Mayor Sykes recessed the meeting at 5:59 p.m.

The meeting was called to order again at 6:01 p.m.

Councilman Brennan asked on page 4 of the proposed vacation agreement there is a short paragraph written by Ian Wolf, he asked what effect this has, and is it binding to the City.

Chris Curtis, Director of Public Works said with the vacation the entire legal description will go away.

Councilman Brennan said he would like to put one more condition into writing that the condition to both the vacation and zoning of those will be the developer will have to repave the road in its entirety and width from Foster to Dogwood.

Chris said before certificate of occupancy they would have to repair half of the road and anything they dug up.

Aleks said he is worried if it is too cold in February to make the repairs, but the units are finished and not occupied vandalism and theft could be done at the units.

Chris said there was an option of temporary certificate of occupancy or a bond.

Councilman Brennan made a motion to approve the vacation as written, adding a condition that the entire width of NW Bradford from the first cut traveling North to Foster must be repaved in the entire width of the road, adding curb, gutter and sidewalk as required on one side of the road and half of Foster to the furthest cut. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

6)Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation for Preliminary Plat "Bradford Townhomes" consisting of 2.02 acres located at the corner of NW Foster Drive and NW Bradford with conditions requested by Aleks Yanchuk, Living Development, LLC.

Councilman Brennan made a motion to approve the preliminary plat adding the same condition that the entire width of NW Bradford from the first cut traveling North to Foster must be repaved in the entire width of the road, adding curb, gutter and sidewalk as required on one side of the road and half of Foster to the furthest cut. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

7)Action Item: Set a public hearing date for the proposed fee increase for nonresident cards at the Library.

Councilman Brennan made a motion to set a public hearing date for February 13th, 2024 for the proposed fee increase for nonresident cards at the Library. Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

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

8)Action Item: Set a date for a Council workshop to discuss the Airport Hangar land lease.

The Council discussed the options of when to host a workshop for the Airport Hangar land lease.

Councilman Brennan made a motion to set a City Council workshop to discuss the Airport Hangar land lease on February 27th, 2024. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

9)Action Item: Deliberation/Decision to provide a letter of support to Mountain Home School District #193 for Community Funding Project Grant.

Councilman Harjo asked that when there are matters that have to do with the base or school that the appropriate liaison appear at the Council Meeting.

Councilman Brennan made a motion to approve providing a letter of support to Mountain Home School District #193 for Community Funding Project Grant. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

10)Action Item: Deliberation/Decision to allow Elmore Ambulance Service personnel to access the City of Mountain Home training facility for routine use.

Councilman Harjo said in the City's personnel policy it is clear the training facility is only for city employees and their spouses.

Councilman Brennan made a motion to deny Elmore Ambulance Service personnel access to the City of Mountain Home training facility for routine use.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE

Councilman Harjo	AYE
Councilwoman Wirkkala	AYE

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

11)Action Item: Deliberation/Decision regarding public comment on the City Council agendas.

Councilwoman Wirkkala said she would like to see public comment moved to the beginning of the meeting.

Councilman Harjo said he would like clarification if people could speak on items that were on the agenda for the meeting.

Paul Fitzer, City Attorney said if something has its own comment period or is something that will be heard but maybe not on the same agenda then it would be inappropriate to have comment given on the item. He said if there is an item without public comment it is at the discretion of the Council if they will hear comments on the item. He said while it is permissible most City Councils do not accept comments on items that are on the agenda.

Councilman Brennan said he has always been in favor of hearing from the citizens and having public comment at the beginning of the meeting.

Councilwoman Wirkkala made a motion to move public comment to the beginning of the agenda. Councilman Brennan seconded the motion.

The following vote was recorded:

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

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

12)Action Item: Deliberation/Decision regarding spending limits.

Councilwoman Wirkkala said she would like to know what the Mayor's spending limit is. She asked for recent examples where money was reallocated.

Mayor Sykes said he has no discretionary spending limit.

Councilman Brennan asked if there is discretion to move money within the department as long as the money wasn't being moved from one department to another.

Mayor Sykes said everything is brought back to Council.

Paula Szafranski, City Treasurer said when a line is overdrawn the department head will have to take from one line to another to cover the expense. Any transfers that come up have to go to the council for approval.

Councilwoman Wirkkala asked how the caboose was moved and the concrete underneath.

Paula said in the budget workbook under parks there is a line for Railroad Park \$35,000.00 and that was a capital asset budgeted in the CIP. There was also a line for buildings and ground which was used for the concrete plaza around the caboose for ADA compliancy.

Councilwoman Garvey said her issue is Railroad Park facilities is very broad and the council was not told about it and the Council did not receive a memo. She thinks anything over \$10,000.00 or maybe even \$5,000.00 the council should be asked.

Councilman Brennan asked if Councilwoman Garvey is asking for a memo to the Council or an agenda item asking for the money to be moved.

Councilwoman Garvey said if money is spent in a different manor than what is initially approved then the Council should be informed.

Mayor Sykes asked if Councilwoman Garvey would like a more detailed description of what the money will be used for.

Councilwoman Garvey said she would like to see that.

Paul Fitzer, City Attorney said if each of those items has to come back to the council it will essentially be amending the budget, which makes things murky. If you want to change the purchasing policy that could be done and made into a Resolution.

Councilwoman Garvey said with this the Council could have a say in things like moving the caboose or putting in an amphitheater. She said she would like to see the purchasing policy amended.

Councilman Harjo said there is an established process and procedure to inform the Council about changes with expenditures. He said he felt in fairness to everyone we should stick with a process that works. He feels there should be a difference with things that matter to public safety and are funded with enterprise funds.

Councilman Brennan made a motion to table this discussion until the February 13th meeting. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

13) Action Item: Highway 30 Lift Station

Chris Curtis, Director of Public Works explained that two lift station pumps had failed.

Councilman Brennan made a motion to approve the lift station repairs and purchase necessary equipment. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

RECOGNIZING PERSONS IN THE AUDIENCE

- Bud Adams spoke to the Mayor and Council about the City Fiber Optics Program.

- Don Guss came forward to speak to the Council about various improvements he would like to see the City make.

- Lyle Furch thanked the Council for becoming so effective in the last few years.

• Kathy Brooks said the City did a great job with the streets and she can tell the new Council will do a great job.

FINAL COMMENTS

Councilman Harjo said he would like to see an airport liaison appointed.

Councilwoman Garvey said she would like to see all the departments have a liaison.

EXECUTIVE SESSION

1) 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.

Councilwoman Garvey made a motion to go into executive session pursuant to Idaho Code Section 74-206(1)(b), and 74-206(1)(f). Councilman Brennan seconded the motion.

The following vote was recorded:

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

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

The Council entered into executive session at 7:18 p.m.

The Council came out of executive session at 8:23 p.m.

2) 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.

Councilwoman Garvey made a motion to go into executive session pursuant to Idaho Code Section 74-206(1)(b), and 74-206(1)(f). Councilman Brennan seconded the motion.

The following vote was recorded:

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

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

The Council entered into executive session at 7:18 p.m.

The Council came out of executive session at 8:23 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:23 P.M. by orders from Mayor Sykes.

Rich Sykes

Rich Sykes, Mayor

Tiffany Belt

ATTEST:

Tiffany Belt, City Clerk

