

MINUTES OF THE REGULAR MEETING OF THE  
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
 HELD ON SEPTEMBER 26<sup>th</sup>, 2022, AT 6:00 P.M.  
 AT MOUNTAIN HOME CITY HALL CHAMBERS  
 MOUNTAIN HOME, IDAHO

- 21622 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21622 MOTION TO ADD NEW BUSINESS/REMOVE ORDINANCE  
 Colthorp Commons  
 Impact Fees
- 21622 DEPARTMENT HEAD COMMENTS/REPORTS
- 21623 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
- 21623 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 - September 12, 2022
  - B. Bills - 09/13/22 to 9/26/22 in the Amount of  
 \$492,163.45
  - C. Treasurer's report for the period ending August 31,  
 2022
  - D. Approve write-offs for 2021-2022 in the amount of  
 \$5,932.66
  - E. Approve Grant Application 2022/23-008 request to allow  
 the Recreation Department to apply for the St.  
 Luke's CHIF for 2022-2023 programming 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 2022/23-009 request to allow  
 the Recreation Department to apply for the Boise  
 Board of Realtors grant for Story Walk 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 2022/23-010 request to allow  
 the Police Department to apply for the REALTORS  
 Community Foundation Grant and authorize the  
 Grant Administrator to complete all grant  
 documents and the Mayor and City Clerk to sign  
 all required documents.
  - H. Approve request to lease purchase 8 Dodge Chargers for  
 the Police Department with the Lease paperwork  
 through Mountain West Bank.
  - I. Pass Resolution #19-2022R - Authorizing the Execution  
 and Delivery of an Equipment Lease Agreement and  
 all other schedules attached thereto with  
 Mountain West Bank for 8 Dodge Chargers for the  
 Police Department and Authorize the Mayor and  
 City Clerk to sign.
  - J. Approve engagement letter for audit services with  
 Harris & Co., P.A. to audit FY22 financials and  
 authorize the Mayor to sign.
  - K. Approve the Military Liaison position agreement  
 between the City of Mountain Home and Marty  
 Anderson from October 1, 2022 to September 30,  
 2023, and authorize the Mayor and City Clerk to  
 sign.
  - L. Appoint Marty Anderson as project coordinator for the

- Installation Resilience Grant with the Office of Local Defense Community Cooperation (OLDCC) Community Investment Program.
- M. Approve a 1-year extension of the Golf Course Management agreement with T.J. Gomez to expire on September 30, 2023.
  - N. Approve insurance policy renewal with ICRMP Insurance for October 1, 2022 to September 30, 2023.
  - O. Approve renewal of the current agreement with CDI Affiliated Services, Inc., for collecting unpaid utility bills from October 1, 2022 to September 30, 2023.
  - P. Approve renewal of the current agreement with CDI Affiliated Services, Inc., for collecting returned checks from October 1, 2022 to September 30, 2023.
  - Q. Approve extension of the current agreement with Entry Point for consulting services for the Fiber Optics projects.
  - R. Approve renewal to continue on the State of Idaho contract and allow the City to continue to use WEX Government Fleet Card Program for fuel in City vehicles and equipment for the 2022/2023 budget year.
  - S. Approve service agreement with Elmore County Domestic Violence Council, Inc. and authorize the Mayor and City Clerk to sign.
  - T. Approve service agreement with Mountain Home Arts Council, Inc., and authorize the Mayor and City Clerk to sign.
  - U. Approve service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.
  - V. Approve the service agreement with Treasure Valley Transit, Inc., and authorize the Mayor and City Clerk to sign.
  - W. Approve service agreement with Mountain Home Chamber of Commerce, Inc., for the Desert Mountain Visitor Center, and authorize the Mayor and City Clerk to sign.
  - X. Approve the service agreement with Mountain Home Senior Citizens, Inc., and authorize the Mayor and City Clerk to sign.
  - Y. Approve Finding of Facts Decision for a conditional use permit for drive-in (drive-thru) establishment located at 2400 block of American Legion BLVD.
  - Z. Approve Autumn Park Subdivision Final Plat.
  - AA. Approve the Public Works Director's request to purchase a 2022 Holland Workmaster 105 tractor with attachments for the City Airport.

21625

## NEW BUSINESS

- 1) Items Removed from Consent Agenda Section.

21625

## ORDINANCES

- 1) **Action Item:** Ordinance #1765 Amending Mountain Home City Code by adding a New Title 9, Chapter 4 entitled Development Impact Fees of Mountain Home City Code.

21626

## RECOGNIZING PERSONS IN THE AUDIENCE

21626

## FINAL COMMENTS

21626

## 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.
- 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.

21627

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE  
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
HELD ON SEPTEMBER 26<sup>th</sup>, 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 3<sup>rd</sup> East, Mountain Home, Idaho on September 26<sup>th</sup>, 2022. A quorum was established with, Councilman Stokes, Councilman Brennan, Councilwoman Garvey, Councilman McCain and Mayor Sykes being present.

ADD TO NEW BUSINESS AND REMOVE ORDINANCE FROM AGENDA.

Mayor Sykes asked that Colthorp Commons be added to the agenda under New Business, due to the time sensitive nature of the issue. Also, he said he would like to pull the ordinance from tonight's agenda to be brought back at a later meeting.

Councilman Stokes made a motion to approve adding Colthorp Commons to the agenda and remove the Ordinance from tonight's agenda. Councilwoman Garvey seconded the motion.

Councilman Brennan asked if it was proper to add the item to New Business tonight.

Paul Fitzer, City Attorney said while it does not violate anything, it does preclude anyone who would have wanted to hear the elected officials talk about and deliberate the matter from attending because they weren't informed it would be on the agenda this evening.

Councilman Stokes said based on legal advice, he would like to amend his motion and add Colthorp Commons under New Business on the October 11<sup>th</sup> meeting. Councilwoman Garvey seconded the amended 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.

DEPARTMENT HEAD COMMENTS/REPORTS

- Darcy Braithwaite, Recreation Superintendent said they are in the third week of soccer and the walking path bridge will be under construction soon. She said they are preparing for Spooktacular next month.
- Gene Palmer, Street Superintendent said they are prepared to pave in front of Hacker tomorrow morning.
- Lieutenant Russel Griggs thanked all the COPS and officers that worked through AFAD and the Homecoming Parade. He said they are working at Hacker with a program called Adopt a Cop.
- Hank Patrick, Building Official said Code Enforcement is doing a great job and the full time enforcement officer is working on his certifications.
- Mark Moore, Fire Chief said they are testing the fire trucks and doing preventative maintenance. He said the open house is October 15<sup>th</sup>.
- Brock Cherry, Community Development Director said Chris Curtis and John Matthews have both become certified to fly drones for the city. He said the new city podcast is going great.

- Rich Urquidi, Director of Public Works said the temperature changes have curtailed people's water use and farming has about wrapped up. The lagoon levels are where they need to be for winter collection.

Councilman Brennan asked how things were looking with the new well and sand trap.

Rich said there was quite a bit of sand at 1,500 gallons a minute, so they are looking at ways to get rid of the sand in the water. The expense of remedying the sand would cost as much as drilling a whole other well, so one option they may utilize is slowing the flow down and putting in another hole.

- Tiffany Belt, City Clerk said she has been working with the contractor for the pool and work should be started soon and they will be working over the winter to complete it.

- Councilman Brennan said he was concerned about the amount of law enforcement calls over the Farmer's Market in Railroad Park.

Mayor Sykes said moving forward the park belongs to the person with the reservation.

Councilman Brennan said he would like to see the lease on Railroad Park split into three sections.

- Mayor Sykes said City staff will be doing acts of kindness this week for Tiger Kind. He said he signed the final paperwork today for the DOD Grant and the money should be coming to the City from the grant soon.

#### CONFLICT OF INTEREST DECLARATION

The councilmembers had nothing to declare at this time.

#### CONSENT AGENDA

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- L. Appoint Marty Anderson as project coordinator for the Installation Resilience Grant with the Office of Local Defense Community Cooperation (OLDCC) Community Investment Program.
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- Q. Approve extension of the current agreement with Entry Point for consulting services for the Fiber Optics Projects.
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- S. Approve service agreement with Elmore County Domestic Violence Council, Inc., authorize the Mayor and City Clerk to sign.
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- U. Approve service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.
- V. Approve the service agreement with Treasure Valley Transit, Inc., and authorize the Mayor and City Clerk to sign.
- W. Approve service agreement with Mountain Home Chamber of Commerce, Inc., for the Desert Mountain Visitor Center, and authorize the Mayor and City Clerk to sign.
- X. Approve the service agreement with Treasure Valley Transit, Inc., and authorize the Mayor and City Clerk to sign.
- Y. Approve Finding of Facts Decision for a conditional use permit for drive-in (drive-thru) establishment located at 2400 block of American Legion BLVD.
- Z. Approve Autumn Park Subdivision Final Plat.
- AA. Approve the Public Works Director's request to purchase a 2022 Holland Workmaster 105 tractor with attachments for the City Airport.

Councilman Stokes asked if the deposit is applied to the final bill before the amount that is unpaid on utility bills is written off.

Paula Szafranski, City Treasurer said the deposit is applied when the account is final billed.

Councilman Brennan asked for clarification on which amount in the contract is correct on Item K.

Tiffany Belt, City Clerk said it is the amount in parentheses of \$3,605.00 is the correct amount.

Councilman Brennan said if that could be corrected by interlineation that would be great.

Tiffany Belt, City Clerk explained the extension on the Golf Pro Contract.

Councilman Brennan asked to have Item S pulled from the agenda and placed under New Business

Mayor Sykes pulled Item S from the agenda.

Councilman Brennan made a motion to approve the consent agenda changing Item K through interlineation and pulling Item S. Councilwoman Stokes 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.

NEW BUSINESS

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

Item S: Approve service agreement with Elmore County Domestic Violence Council, Inc., and authorize the Mayor and City Clerk to sign.

Councilman Brennan said he has concerns with the organization, because they are letting men who identify as women stay in the shelter. He felt it could potentially put women and children in danger. He has spoken with several people who believe this is not the right thing to do, and he doesn't disagree. He said he supports a shelter of this nature and even a shelter for men for the same purpose.

Councilman Brennan made a motion to deny payment to the Domestic Violence Council.

Councilman McCain asked to hear from the City Attorney.

Paul Fitzer, City Attorney said it could be construed you are discriminating against a protected class.

Councilman Brennan asked if it changes anything because it is a specific cause and it is a donation from the City.

Paul said the city is not in charge of the organization and cannot impose regulations on the organization.

Councilwoman Garvey said she understands the concern, but this group does good work, and to take money from them could really hurt the work they do.

There was no second to the motion and it died.

Councilman Brennan made a motion to table this item until the Director of the Elmore County Domestic Violence Council could come before the Council and speak to how some victims of domestic violence are housed.

There was no second and the motion died.

Councilman Brennan made a motion to table this item indefinitely.

There was no second and the motion died.

Councilman Stokes said he understands the concerns, but he feels sure there is some sort of protocol in place to deal with sheltering abuse victims that may identify as female.

Councilman Stokes made a motion to approve the service agreement with Elmore County Domestic Violence Council Inc. and authorize the Mayor and City Clerk to sign. Councilwoman Garvey seconded 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 ordered.

ORDINANCE

1.Action Item: Ordinance #1765 Amending Mountain Home City Code by adding a new Title 9, Chapter 4 entitled Development Impact Fees of Mountain Home City Code.

This item was pulled from the agenda to be brought back to a future meeting.

RECOGNIZING PERSONS IN THE AUDIENCE

- No one came forward to speak at this time.

FINAL COMMENTS

- There were no final comments at this time.

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 go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), and 74-206 (1)(f). 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.

The Council entered into executive session at 6:54 p.m.

The Council came out of executive session at 7:13 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 go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), and 74-206 (1)(f). 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.

The Council entered into executive session at 6:54 p.m.

The Council came out of executive session at 7:13 p.m.

3)Pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel to 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 Stokes made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), and 74-206 (1)(f). Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

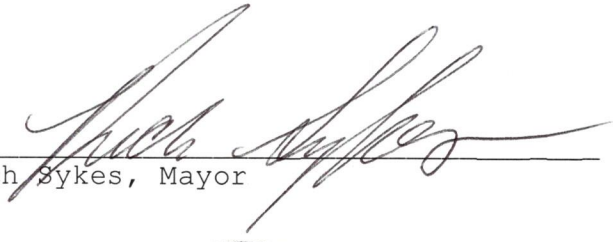
The vote being unanimous, the motion was carried and so ordered.

The Council entered into executive session at 6:54 p.m.

The Council came out of executive session at 7:13 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 7:13 P.M. by orders from Mayor Sykes.

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

ATTEST:   
 \_\_\_\_\_  
 Tiffany Belt, City Clerk

