

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON MAY 8th, 2023, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

21795 CALL MEETING TO ORDER/ESTABLISH A QUORUM

21795 PRESENTATION

21795 DEPARTMENT HEAD REPORTS

21796 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.

21796 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 - April 17, 2023
 Regular City Council - April 24, 2023
- B. Bills - 4/25/23 to 5/8/23 in the Amount of \$554,122.91
- C. Payroll for the period ending 3/22/2023 to 04/21/2023
 in the amount of \$626,359.24
- D. Approve Grant Application 2023/24-004 request to allow the Library to apply for the Unity Workforce grant and authorize the Grant Administrator to complete all documents and the Mayor and City Clerk to sign.
- E. Approve Grant Application 2023/24-005 request to allow the Parks Department to apply for the Blue Cross Community Project and authorize the Grant Administrator to complete all documents and the Mayor and City Clerk to sign all required documents.
- F. Approve the finding of facts with conditions for annexation and zone C-4 Heavy Commercial located at Airbase Rd.
- G. Approve the finding of facts with conditions for a conditional use permit to allow an RV Park.
- H. Approve the amendment to lease land located at 3085 Industrial Way between the City of Mountain Home and United Parcel Services, Inc.
- I. Approve the recommendation of Brendan McCarthy to the impact Fee Advisory Committee. **(Removed from the Consent Agenda and placed under New Business)**
- J. Approve the recommendation of Kelly McCormick to the Impact Advisory Committee. **(Removed from the Consent Agenda and placed under New Business)**
- K. Requesting permission to seek quotes for the Outdoor Aquatic Facility project, as no bids were submitted on May 4, 2023, during the bid opening.

21796

NEW BUSINESS

- 1) Items removed from Consent Agenda
- 2) Action Item: Deliberation/Decision on Imagine Venture's request for development waivers for the proposed Golfview Apartments.
- 3) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts a Conditional Use Permit to allow for the addition of three (3) portable classrooms at 415 West 2nd North. (Staff report provided via email on April 26, 2023)
- 4) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts for the

annexation of property located south of Airbase Road between S. 14th West Street and Jerome Street with conditions. (Staff report provided via email on April 26th, 2023)

- 5) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts to Zone C-4 property located south of Airbase Road between S. 14th West Street and Jerome Street with conditions.
- 6) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts to approve Eagles Nest Preliminary Plat consisting of 13.055 acres located south of Airbase Road between S. 14th West Street and Jerome Street with conditions. (Staff report provided via email on April 26, 2023)
- 7) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts to amend City Code by addition of Chapter 1, Title 9, Section 7; Chapter 3, Title 9, Section 2; Chapter 7, Title 9, Section 4. The additions will outright permit all City of Mountain Home facilities and structures, provide a definition for City facilities and structures, and update the Zoning land use chart to illustrate all City of Mountain Home facilities and structures as permitted with conditions. (Staff report provided via email on April 26, 2023)

21801

ORDINANCES

- 1) Action Item: Ordinance #1772 annexation of 0.536 acres of parcel RP0306E352535.
- 2) Action Item: Ordinance #1773 - zone C-4 property of 0.536 acres of parcel RP036S06E352535.

21802

RECOGNIZING PERSONS IN THE AUDIENCE

21802

FINAL COMMENTS

21802

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON May 8th, 2023, 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 May 8th, 2023. A quorum was established with, Councilman Green, Councilman Bundy, Councilman Brennan, and Mayor Sykes being present. Councilwoman Garvey was present via phone.

PRESENTATION

1) Presentation by Chief Thompson recognizing individuals with a Lifesaving Award.

Sergeant Josh Martinez, Corporal Kyle Rawlins, Deputy First Class Michael Dunn, Deputy Josh Strong, Officer Daniel Heath, and Officer Seth West were presented with Lifesaving Awards for their actions on February 3rd, 2023, while serving in their jobs they saved the life of a man who was unresponsive in his home. Giving the individual CPR and using the defibrillator contributed to his survival during the emergency.

Mayor Sykes said it doesn't go unnoticed what these officers did in saving a life and thanked all the officers for what they do in the community.

2) Update on Well #17 by Keller Associates

James Bledsoe from Keller Associates was present and gave an update on Well #17. He presented the Council with options for the well and advised on the best steps moving forward.

He said the most expensive options will be what gets the most production. They will need to add casing and drill further down and place the screen and that is the recommendation from Keller Associates.

Rich Urquidi, Director of Public Works said they were seeking direction from the Council to see which option the Council would like to go with for the well, so a change order could be brought back to the Council for approval.

The Council was presented with three options for moving forward with Well #17 and decided to move forward with Keller Associates recommendation. Rich will bring it back at the next meeting for Council approval.

DEPARTMENT HEAD COMMENTS/REPORTS

- Shasta Hochstrasser, Library Director said she will be hiring a summer intern again this year. They will also be having a story stroll ribbon cutting Friday, May 19th.

- Brock Cherry, Community Development Director said this Saturday will be busy with the Mountainbound Groundbreaking and the Airport fly in.

- Rich Urquidi, Director of Public Works said the beginning of the month is always busy for the Water Department, so they are doing turn offs and ons and working on the wells. He said the city's water usage was lower than average this year. He said the Street Department has been busy with potholing and other spring time activities.

- Tiffany Belt, City Clerk said she has been updating the cemetery records getting ready for Memorial Day. She said she will be in Leadership Academy this Wednesday and Thursday and out of the office.

- Mark Moore, Fire Chief said the Fire Station parking lot was striped today and the new parking lot looks great.

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.

- Councilman Brennan said he received an email from Brendan McCarthy about the permitting in the park.

- Councilman Green and Councilwoman Garvey said they received the same email from Brendan McCarthy.

- Councilman Bundy said he would like to say he is an employee of the Mountain Home School District but the item related to the school district tonight does not affect him differently than any other citizen.

CONSENT AGENDA

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- I. Approve the recommendation of Brendan McCarthy to the Impact Fee Advisory Committee. **(Removed from Consent Agenda and placed under New Business)**
- J. Approve the recommendation of Kelly McCormick to the Impact Fee Advisory Committee. **(Removed from Consent Agenda and placed under New Business)**
- K. Requesting permission to seek quotes for the Outdoor Aquatic Facility project, as no bids were submitted on May 4, 2023, during the bid opening.

Councilman Brennan said the pool project is his passion and the delays have been hard on everyone. Now that no bids have been received the City will go to work finding companies that can complete the work for the project.

Councilman Brennan made a motion to pass the Consent Agenda pulling Items I & J. Councilman Green seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Green	AYE
Councilwoman Garvey	AYE
Councilman Bundy	AYE

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

NEW BUSINESS

- 1) Items removed from the Consent Agenda

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I: Approve the recommendation of Brendan McCarthy to the Impact Fee Advisory Committee.

Councilman Brennan said he felt packing the Committee with developers to the point that it is currently, and then adding two additional members really may not be a large enough part of the committee to make a difference and give the non-developers a voice.

Councilwoman Garvey said as the City ordinance reads these two members fit what the ordinance requires.

Councilman Green made a motion to approve the two additional members to the Committee. Councilwoman Garvey seconded the motion.

Councilman Brennan asked that the items be separated for the votes.

Councilman Green amended his motion to approve the recommendation of Brendan McCarthy to the Impact Fee Advisory Committee. Councilwoman Garvey seconded the amended motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilman Bundy	AYE

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

Councilman Brennan said he has nothing against the two people proposed for the board he just wants the board to be balanced in terms of development and non-development.

Item J: Approve the recommendation of Kelly McCormick to the Impact Fee Advisory Committee.

Councilman Green said he agreed going forward this Committee should be more balanced, but the items tonight are to put the Committee in compliance with our statute.

Councilman Green made a motion to approve the appointment of Kelly McCormick to the Impact Fee Advisory Committee. Councilman Brennan seconded the motion.

Councilman Brennan reiterated he felt packing the Committee with developers to the point that it is currently, and then adding two additional members really may not be a large enough part of the committee to make a difference and give the non-developers a voice.

The following vote was recorded:

Councilman Green	AYE
Councilman Bundy	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

Action Item: Deliberation/Decision on Imagine Venture's request for development waivers for the proposed Golfview Apartments.

Kevin Halverson, the developer for the proposed Golfview Apartments came forward and explained a bit about the project.

Paul Fitzer, City Attorney said when you wait to collect impact fees

until the Certificate of Occupancy is issued you risk the city not being able to collect the money.

Councilman Brennan asked if the development were to be sold before it was built would that decision go to the next owner.

Paul answered that it would. He said it goes to the approval of the process itself.

The Council discussed the pros and cons of allowing payment at the time of the certificate of occupancy.

Councilwoman Garvey said her concern was setting the precedence of doing this with one development and then all future developments asking for the same thing.

Councilman Brennan said he feels alright about letting the first development pay impact fees at Certificate of Occupancy, but how does the Council know Golfview Apartments will actually be first. There are several developments that have been approved.

Councilwoman Garvey said she wanted to make it clear she is not in support of a letter to reduce property taxes for this venture. She feels that should be left to large industries who will bring a large economic impact to the city. The community thrives on property taxes, and she said she will not sign a letter of support for that.

Brock Cherry, Community Development Director said he recommends this item be tabled until the next meeting to allow staff time to draft a development agreement.

Councilman Brennan said he is willing to entertain this idea but as of now there are unknown conditions, but a development agreement is usually in the city's best interest. He said he is also unwilling to support a letter supporting property tax reduction.

Councilman Bundy said he would be happy to see Brock do his due diligence and bring information back to the Council for review. He feels this body is in agreement about the letter supporting property tax relief.

Mayor Sykes said Brock will get together the information and bring it back to the Council, then the Council can hold a special meeting before the sale of the development closes.

It was decided to hold a special meeting by the 18th of May.

Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts a Conditional Use Permit to allow for the addition of three (3) portable classrooms at 415 West 2nd North. (Staff report provided via email on April 26, 2023)

Councilman Brennan made a motion to approve the Planning and Zoning Commission recommendation to allow for three portable units at 415 West 2nd North. Councilman Green seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Bundy	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

Action Item: Deliberation/decision on Planning and Zoning Commission recommendation and finding of facts for the annexation of property located

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south of Airbase Road between S. 14th West Street and Jerome Street with conditions. (Staff report provided via email on April 26, 2023)

Councilman Brennan said he would like to discuss this item with the next two items.

Councilwoman Garvey asked if there could be a small synopsis in the packet for these items in the future.

Councilman Brennan said he had concerns with there only being one access in and out of the property. He said it is detrimental to the safety of those living there and the safety of those on the road outside of the project.

Councilman Green made a motion to approve Planning and Zoning Commission's recommendation and finding of facts for the annexation of property located south of Airbase Road between S 14th West Street and Jerome Street with conditions. Councilman Bundy seconded the motion.

Councilman Brennan asked the developer if they would be willing to commit to having an access point in the direction of Autumn Road, leaving it open for future development.

Brock Cherry, Community Development Director said it is important to acknowledge the roadway would have to be dedicated but for this property when it comes in, we are telling them this is where we are planning to make a public roadway. He said it could be developed in such a way the County blocks it.

The developer said they would be willing to look into an emergency access point in the west area.

Councilman Brennan asked if they are willing to leave a spot clear so future traffic can get in or out. Today's emergency access could be a future road. He said the next developer could be required to connect before annexation.

Brock said the next development could be private as well and wouldn't be required.

Councilman Brennan said if there isn't more than a one way in one way out, he will vote against this.

The developer said he would be willing to work on the access.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	NAY
Councilwoman Garvey	NAY
Councilman Bundy	AYE

The vote being a tie the Mayor voted AYE, the motion was carried and so ordered.

Action Item: Deliberation/decision on Planning and Zoning Commission recommendation and finding of facts to Zone C-4 property located south of Airbase Road between S. 14th West Street and Jerome Street with conditions.

Councilman Brennan made a motion to deny the zoning of C-4 for this development.

Councilwoman Garvey said she is concerned with how busy Airbase Road gets adding a development with high density will just make an already congested area that much worse. She said she is also concerned with this area being prime commercial ground for the city and it possibly isn't the best fit to have a housing development in that area. She said she isn't against the

complex and is appreciative any time someone wants to build in Mountain Home.

Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	NAY
Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilman Bundy	NAY

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

Councilman Green made a motion to set Planning and Zoning Commission's recommendation and finding of facts to zone C-4 property located south of Airbase Road between S. 14th West Street and Jerome Street with conditions. Councilman Bundy seconded the motion.

Mayor Sykes said he agrees with Councilwoman Garvey about the density of the project on Airbase Rd., but he is for small government and believes you should do with the ground you own what you like within reason. He said he agrees with Councilman Brennan about the safety aspects but feels the developer is willing to make concessions for safety.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	NAY
Councilwoman Garvey	NAY
Councilman Bundy	AYE

The vote being a tie the Mayor voted AYE, the motion was carried and so ordered.

Councilman Bundy said he was also concerned for safety but did feel the developer would honor what he said he would in regard to emergency access.

Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts to approve Eagles Nest Preliminary Plat consisting of 13.055 acres located south of Airbase Road between S. 14th West Street and Jerome Street with conditions. (Staff report provided via email on April 26, 2023)

Councilman Green made a motion to accept Planning and Zoning Commission recommendation and finding of facts to approve Eagles Nest Preliminary Plat consisting of 13.055 acres located south of Airbase Road between S. 14th West Street and Jerome Street with conditions and subject to availability of water at time of building and the twenty-five-foot easement. Councilman Bundy seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	NAY
Councilwoman Garvey	NAY
Councilman Bundy	AYE

The vote being a tie the Mayor voted AYE, the motion was carried and so ordered.

Brock Cherry, Community Development Director asked for clarification is the easement an emergency services easement only.

Councilman Brennan said at the bare minimum an emergency services easement and if the easement is there hopefully it connects in the future it can be used for that purpose and for the safety of the residents there.

Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and finding of facts to amend City Code by addition of Chapter 1, Title 9, Section 7; Chapter 3, Title 9, Section 2; Chapter 7, Title 9, Section 4. The additions will outright permit all City of Mountain Home facilities and structures, provide a definition for City facilities and structures, and update the Zoning land use chart to illustrate all City of Mountain Home facilities and structures as permitted with conditions. (Staff report provided via email on April 26, 2023)

Councilman Brennan said his stance on this is the city should report to its people and ask permission for the things we do.

Councilwoman Garvey said she doesn't know that we always need to ask because sometimes there are things that have to be done, but she does agree the city shouldn't just have all the power without having public input.

Councilman Brennan asked Councilman Bundy how the state handles this with state owned buildings within a municipality or county. Are ordinances from the city or county still followed.

Councilman Bundy said there are some exceptions but typically the ordinances of the city or county are still followed.

Councilman Brennan made a motion to deny the Planning and Zoning Commission recommendation and finding of facts to amend City Code by addition of Chapter 1, Title 9, Section ; Chapter 3, title 9, Section 2; Chapter 7, Title 9, Section 4. Councilman Green seconded the motion.

Councilwoman Garvey said it isn't difficult to hold a public hearing and just ensures the City is still listening to the people of Mountain Home.

The following vote was recorded:

Councilman Green	AYE
Councilman Bundy	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

ORDINANCES

1) Action Item: Ordinance #1772 Annexation of 0.536 acres of parcel RP03S06E352535.

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

The following vote was recorded:

Councilman Green	AYE
Councilman Bundy	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 Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilman Bundy	AYE

The vote being unanimous, the motion was so ordered and given #1772.

2)Action Item: Ordinance #1773 - Zone C-4 property of 0.536 acres of a parcel RP03S06E352535.

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

The following vote was recorded:

Councilman Green	AYE
Councilman Bundy	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 Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilman Bundy	AYE

The vote being unanimous, the motion was so ordered and given #1773.

RECOGNIZING PERSONS IN THE AUDIENCE

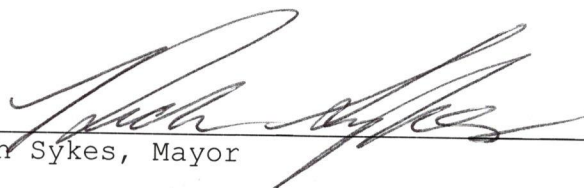
- No one came forward at this time.

FINAL COMMENTS

- Councilman Green thanked Brock for hosting the Looking Glass Academy. He also thanked the citizens and stakeholders who took their time to attend the academy as well.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:09 P.M. by orders from Mayor Sykes.


 Rich Sykes, Mayor

ATTEST: 
 Tiffany Belt, City Clerk

