

MINUTES OF THE REGULAR MEETING OF THE  
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
 HELD ON SEPTEMBER 24<sup>th</sup>, 2024, AT 5:00 P.M.  
 AT MOUNTAIN HOME CITY HALL CHAMBERS  
 MOUNTAIN HOME, IDAHO

- 22179 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 22179 RECOGNIZING PERSONS IN THE AUDIENCE
- 22179 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.
- 22179 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 - August 20, 2024  
 City Council - September 10, 2024
  - B. Bills - 9/11/24 to 9/24/24 in the Amount of \$1,101,712.39
  - C. Treasurer's report for the period ending 8/31/2024
  - D. Approve write-offs for 2023-2024 in the amount of \$31,814.96
  - E. Approve public notice for 2025 regular City Council meeting dates.
  - F. Approve the Military Liaison position agreement between the City of Mountain Home and Marty Anderson from October 1, 2024, to September 30, 2025, and authorize the Mayor and City Clerk to sign. **(Tabled by Council)**
  - G. Approve the Airport Manager agreement between the City of Mountain Home and Altitude Aviation Service LLC. and authorize the Mayor and City Clerk to sign.
  - H. Approve renewal of prosecution and general legal service with Paul J. Fitzer, MSBT Law.
  - I. Approve insurance policy renewal with ICRMP Insurance for October 1, 2024, to September 30, 2025.
  - J. Approve worker's compensation and employer liability insurance policy renewal with State Insurance Fund for October 1, 2024, to September 30, 2025.
  - K. Approve the service agreement with Elmore County Domestic Violence Council, Inc., and authorize the Mayor and City Clerk to sign.
  - L. Approve the service agreement with Mountain Home Arts Council Inc. and authorize the Mayor and City Clerk to sign.
  - M. Approve the service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.
  - N. Approve the service agreement with Treasure Valley Transit Inc., and authorize the Mayor and City Clerk to sign.
  - O. 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.
  - P. Approve the service agreement with mountain Home Senior Citizens, Inc., and authorize the Mayor and City Clerk to sign.
  - Q. Pass Resolution #26-2024R authorizing the destruction of surplus property and authorizing the Mayor and City Clerk to sign.

- R. Pass resolution #27-2024R authorizing the destruction of surplus property and authorizing the Mayor and City Clerk to sign.
- S. Approve the lease paperwork for a 2024 Kubota Utility vehicle through Mountain West Bank and authorize the Mayor and City Clerk to sign. **(Pulled from the Consent Agenda and placed under New Business)**
- T. Pass Resolution #28-2024R - Authorize the Execution and Delivery of an Equipment Lease Agreement and all other schedules attached with Mountain West Bank for a 2024 Kubota Utility vehicle and authorize the Mayor and City Clerk to sign. **(Pulled from the Consent Agenda and placed under New Business)**
- U. Authorize the Mayor and City Clerk to sign all required documents for grant application 2024/25-005.
- V. Authorize the Mayor and City Clerk to sign all required documents for grant application 2024/25-006.
- W. Authorize the Mayor and City Clerk to sign all required documents for grant application 2024/25-007.

22180

## OLD BUSINESS

- 1)Action Item: Deliberation/Decision regarding Mountain Home Irrigation District's proposed Memorandum of Understanding. (Item presented to City Council on August 13, 2024)
- 2)Non-Action Item: Staff update regarding Mellen Subwater District.
- 3)Action Item: Deliberation/Decision regarding the cooperative agreement between Elmore County and the City of Mountain Home for dispatch services from October 1, 2024 to September 30, 2025, and authorize the Mayor and Police Chief to sign.
- 4)Action Item Deliberation/Decision regarding the proposed sidewalk cafes ordinance.
- 5)Action Item: Deliberation/Decision regarding proposed changes to MH Code 5-1-13.
- 6)Action Item: Deliberation/Decision regarding proposed changes to MH Code 6-7B-14.

22182

## NEW BUSINESS

- 1)Items removed from Consent Agenda
- 2)Action Item: Deliberation/Decision to reconsider the one-way alley between North 2<sup>nd</sup> East and East 2<sup>nd</sup> North, and East Jackson back to a two-way alley.
- 3)Deliberation/Decision regarding Willow creek Homeowners Association's request to dedicate existing water and sewer Line to the City of Mountain Home.
- 4)Action Item: on Planning and Zoning Commission recommendation and Finding of Facts to zone C-4 with the PUD entitled "Bennett Ranch Station" with the conditions.
- 5)Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts for "Bennett Ranch Station" preliminary plat with the conditions.

22184

## ORDINANCES

- 1)Action Item: Ordinance #1800 - Amending 5-1-13.
- 2)Action Item: Ordinance #1801 - Amending 6-7B-14.

22184

## FINAL COMMENTS

22186

## ADJOURN

MINUTES OF THE REGULAR MEETING OF THE  
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
HELD ON SEPTEMBER 24<sup>th</sup>, 2024, AT 5:00 P.M.

The Council of the City of Mountain Home, Elmore County, Idaho, met at the Mountain Home City Hall Chambers, 160 South 3<sup>rd</sup> East, Mountain Home, Idaho on September 24<sup>th</sup>, 2024. A quorum was established with, Councilwoman Garvey, Councilman Harjo, Councilwoman Wirkkala, and Mayor Sykes being present. Councilman Brennan was to be late.

AMEND AGENDA

- 1) Amend Agenda to table Item F from Consent to be discussed under Executive Session under subsections B and F.

Councilwoman Wirkkala made a motion to table Item F and place the item under Executive Session under subsections B and F. Councilman Harjo seconded the motion.

The following vote was recorded:

Councilwoman Wirkkala	AYE
Councilman Harjo	AYE
Councilwoman Garvey	AYE

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

Councilman Brennan arrived at 5:04 p.m. and the meeting continued.

RECOGNIZING PERSONS IN THE AUDIENCE

- No one came forward to speak at this time.

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 spoke with Eric Orr about the Irrigation District decisions.

CONSENT AGENDA

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Council Minutes - September 24<sup>th</sup>, 2024

- J. Approve worker's compensation and employer liability insurance policy renewal with State Insurance Fund for October 1, 2024 to September 30, 2025.
- K. Approve the service agreement with Elmore County Domestic Violence Council, Inc., and authorize the Mayor and City Clerk to sign.
- L. Approve the service agreement with Mountain Home Arts Council, Inc., and authorize the Mayor and City Clerk to sign.
- M. Approve the service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.
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- P. Approve the service agreement with Mountain Home Senior Citizens, Inc., and authorize the Mayor and City Clerk to sign.
- Q. Pass resolution #26-2024R authorizing the destruction of surplus property and authorizing the Mayor and City Clerk to sign.
- R. Pass resolution #27-2024R - authorizing the destruction of surplus property and authorizing the Mayor and City Clerk to sign.
- S. Approve the lease paperwork for a 2024 Kubota Utility vehicle through Mountain West Bank and authorize the Mayor and City Clerk to sign all documents. **(Pulled from the Consent Agenda and placed under New Business)**
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- W. Authorize the Mayor and City Clerk to sign all documents for grant application 2024/25-007.

Councilman Harjo said he would like to amend the approval of the minutes from the last City Council meeting to reflect that the Irrigation District discussion was with David Knox not David Asquina.

The Council discussed whether or not the process of the City civic groups receiving money from the City is followed per contract.

Councilman Brennan asked to have Items S and T pulled and placed under New Business.

Councilwoman Garvey made a motion to approve the Consent Agenda as printed pulling Items S & T under new business and modifying the Council Meeting Minutes through interlineation, tabling Item F and approving the addition of an Executive Session regarding 74-206 Items B and F. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

#### OLD BUSINESS

1) Deliberation/Decision regarding Mountain Home Irrigation Districts proposed Memorandum of Understanding. (Item presented to City Council on August 13, 2024)

Eric Orr came forward and spoke to the Council about the proposed MOU with the Irrigation District and the City of Mountain Home.

The Council discussed if this is something the City should be putting money into and what is right for the City taxpayers.

Councilwoman Garvey made a motion to approve giving up to \$200,000.00 to the Mountain Home Irrigation District once there is a clean MOU and the details had been worked through, with the City Attorney writing the MOU. Councilman Harjo seconded the motion.

Councilman Brennan said if there are details to work out we should not be approving anything. Councilwoman Wirkkala said she agrees.

Councilwoman Garvey amended her motion to specifically state \$200,000.00 and the Council will vote on the MOU to be approved by Council when it is finalized. Councilman Harjo seconded the amendment to the motion.

The following vote was recorded:

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

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

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

There was no update to provide at this meeting.

3) Action Item: Deliberation/Decision regarding the cooperative agreement between Elmore County and the City of Mountain Home for dispatch services from October 1, 2024 to September 30, 2025, and authorize the Mayor, City Clerk and Police Chief to sign.

Councilman Harjo made a motion to approve the cooperative agreement between Elmore County and the City of Mountain Home for dispatch services from October 1, 2024 to September 30, 2025, and authorize the Mayor, City Clerk and Police Chief to sign. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

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

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

4) Action Item: Deliberation/Decision regarding the proposed sidewalk cafes ordinance. (Item continued from June 11, 2024)

Councilwoman Wirkkala made a motion to approve the proposed sidewalk cafes ordinance. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

5) Action Item: Deliberation/Decision regarding proposed changes to MH Code 5-1-13.

Councilman Brennan said the word consecutive appears twice in the ordinance and he would like it removed from the ordinance through interlineation.

Councilman Brennan made a motion to approve the changes to MH Code 5-1-13 with the changes made through interlineation. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

6)Action Item: Deliberation/Decision regarding proposed changes to MH Code 6-7B-14.

Councilman Brennan made a motion to approve the changes to MH Code 6-7B-14. Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

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

#### NEW BUSINESS

##### 1)Items removed from the Consent Agenda

Item S: Approve the lease paperwork for a 2024 Kubota Utility vehicle through Mountain West Bank and authorize the Mayor and City Clerk to sign all documents.

Councilman Brennan said he would like to pay for this Kubota all in cash instead of leasing the equipment.

Councilman Brennan made a motion to buy the 2024 Kubota Utility vehicle outright instead of financing through Mountain West Bank. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

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

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

Item T: Pass Resolution #28-2024R - Authorize the Execution and Delivery of an Equipment Lease Agreement and all other schedules attached with Mountain West Bank for a 2024 Kubota Utility vehicle and authorize the Mayor and City Clerk to sign.

Due to the approval from Council to purchase the equipment outright there was no need to pass a resolution for this item.

##### 2)Action Item: Deliberation/Decision to reconsider the one-way alley

between North 2<sup>nd</sup> East, and East 2<sup>nd</sup> North, and East Jackson back to a two-way alley.

Councilwoman Garvey made a motion to reconsider the one-way alley between North 2<sup>nd</sup> East, and East 2<sup>nd</sup> North, and East Jackson back to a two-way alley. Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

3)Action Item: Deliberation/Decision regarding Willow Creek Homeowners Association's request to dedicate existing water and sewer line to the City of Mountain Home.

Councilman Brennan asked if there was benefit to the City in taking on these lines.

Chris Curtis, Director of Public Works said he there is not a benefit to the city.

Councilman Brennan made a motion to deny the request from Willow Creek Homeowners Association's request to dedicate existing water and sewer line to the City of Mountain Home. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

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

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

4)Action Item: Deliberation/decision on Planning and Zoning Commission recommendation and Finding of Facts to zone C-4 with the PUD entitled "Bennett Ranch Station" with the conditions.

Councilman Harjo said he felt there are factors in this decision that are still unknown and made a motion to table this decision. Councilwoman Garvey seconded the motion.

Councilman Harjo amended his motion to table the decision until the next meeting on October 8<sup>th</sup>, 2024. Councilwoman Garvey seconded the amendment.

The following vote was recorded:

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

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

5)Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts for "Bennett Ranch Station" preliminary plat with the conditions.

This item was tabled until October 8<sup>th</sup>, 2024.

ORDINANCES1)Action Item: #1800 - Amending 5-1-13.

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

The following vote was recorded:

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

The vote being unanimous, the motion was so ordered and given #1800.

2)Action Item: #1801 - Amending Title 6, Chapter 6 of Mountain Home City Code.

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

The following vote was recorded:

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

The vote being unanimous, the motion was so ordered and given #1801.

FINAL COMMENTS

Councilwoman Wirkkala asked about the hiring board for golf course restaurant.



Mayor Sykes said the Council was welcome to join, and the Council would be given the information for all the applicants. He thanked everyone who attended Air Force Appreciation Day.

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.

Councilman Harjo made a motion to go into executive session pursuant to Idaho Code Section 74-206 (b). Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

The Council went into executive session at 6:43 p.m.

The Council came out of executive session at 7:41 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 ramification of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated.

Councilman Harjo made a motion to go into executive session pursuant to Idaho Code Section 74-206 (b). Councilman Harjo seconded the motion.

The following vote was recorded:

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

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

The Council went into executive session at 6:43 p.m.

The Council came out of executive session at 7:41 p.m.

Item F: Approve the Military Liaison position agreement between the City of Mountain Home and Marty Anderson from October 1, 2024 to September 30, 2025, and authorize the Mayor and City Clerk to sign.

Councilman Harjo made a motion to send the Military Liaison contract to the City Attorney for redraft as discussed and a thirty day extension to the current contract. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

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

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

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 7:42 P.M. by orders from Mayor Sykes.



Rich Sykes, Mayor



ATTEST:

Tiffany Belt, City Clerk

