

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON JULY 11th, 2022, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21495 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21495 PRESENTATION
 1. Recognition of Planning and Zoning Commissioner Nancy Brletic for her service on the Planning and Zoning Commission.
- 21495 DEPARTMENT HEAD REPORTS
- 21495 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.
- 21495 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
 - Special City Council - June 16, 2022
 - Special City Council - June 21, 2022
 - Airport Advisory Committee June 21, 2022
 - Planning & Zoning Commission June 21, 2022
 - City Council - June 27, 2022
 - B. Bills - 6/27/22 to 7/11/22 in the Amount of \$325,899.89
 - C. Payroll 5/22/22 TO 6/21/2022 in the Amount of \$671,223.15
 - D. Approve the Water Department's request not to accept Blue Sky Constructions, LLC's bid for College Park water main replacement project.
 - E. Approve Street Department's request to go out for bid for the reconstruction of East Jackson Street.
- 21497 OLD BUSINESS
A) Action Item: *(Legislative continued from May 9, 2022 and June 27, 2022)* Deliberation/Decision on suggested definitions for Multi-Family developments.
- 21497 NEW BUSINESS
- 1) Items removed from Consent Agenda
 - 2) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit for an off-premises sign located at 404 North Main Street requested by Ron Cox.
 - 3) **Action Item:** Discussion/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a Drive-In establishment associated with a carwash located on City View Drive requested by Kelly Stedman, Wollpert.
 - 4) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a drive-in (drive-thru) located on 2400 block of American Legion Boulevard requested by Dustee Woolestenhulme.
 - 5) **Action Item:** Deliberation/Decision regarding the Rock Church's appeal of a temporary modular building request by Andrew Bailey.
 - 6) **Non-Action Item:** Deliberation on creating an ordinance that addresses compression release engine brakes,

specifically semi-trucks.

- 21508 RECOGNIZING PERSONS IN THE AUDIENCE
- 21508 FINAL COMMENTS
- 21510 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON July 11th, 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 July 11th, 2022. A quorum was established with, Councilman Stokes, Councilman McCain, Councilman Brennan, and Mayor Sykes being present. Councilwoman Garvey attended via zoom.

PRESENTATION

1. Recognition of Planning and Zoning Commissioner Nancy Brletic for her service on the Planning and Zoning Commission.

Brock Cherry, Community Development Director presented Nancy Brletic with a plaque for her service on the Planning and Zoning Commission.

DEPARTMENT HEAD COMMENTS/REPORTS

- Jonathon Thompson, Police Lieutenant said Patriot Thunder was successful yesterday.

- Shasta Hochstrasser, Library Director thanked Parks and Rec for helping out with the library summer events. Today is the last day for the Summer Reading Program and she thanked the sponsors of the program.

- Gene Palmer, Street Superintendent said they have the street sweeper running in the morning and the painting crews out. He said they are working on East Jackson currently.

- Brock Cherry, Community Development Director, said Thunder Bolt Landing is preparing their final plat. He said commercially there are a lot of great things happening in Mountain Home.

- Mark Moore, Fire Chief thanked all the people and Departments that helped with the July 4th fireworks.

- Rich Urquidi, Director of Public Works said Idaho Power has asked the City to shut down some of the wells during the heat to help conserve energy and in return the City gets a credit for conserving power.

- Tiffany Belt, City Clerk said she had sent an email to the Council this afternoon, regarding the flea market. She gave an overview of how the process might be changing.

Councilman Brennan asked if he was under the wrong impression, they had only leased the main section of the park.

Tiffany said they don't have a lease but a park reservation with a special event permit.

- Paula Szafranski, City Treasurer thanked everyone for attending the budget work sessions, she said the department heads put a lot of work into it.

Councilman Stokes asked if there would be a final for the council to preview before the approval of the budget.

Paula said she would give them copies of all of the worksheets but there is not usually another budget meeting.

- Betsy Hiddleston, Communication Assistant said there was some issues with the website today, but they have been corrected. She said they have reached out to Boise Valley Economic Development to help with Economic Council Minutes - July 11th, 2022

Development and the city's transition from Economic Development to Community Development.

- Mayor Sykes said they are looking at breakaway ballards for the downtown so the curbs are not destroyed.

- Councilman McCain asked for the line to be painted at the intersection of 5th and North Second East by Albertsons.

- Councilman Stokes said there is a wine stroll this week, the Elmore County Fair runs this week and there will be music in Carl Miller Park on Friday.

- Councilman Brennan said the Department Heads were supposed to give feedback on the budget cuts.

Mayor Sykes said they would get together tomorrow and come back with answers.

Paula said when they get everything back from the county and the state at the end of July there will be a better idea of where the budget truly is and the levy rate.

Councilman Brennan said his concern was you are asking the Council to approve the budget or vote before we have all the numbers back.

Paula said you would see the numbers at the end of July but she has to publish by August 8th so it will need to be to the newspaper by August 3rd.

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

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B. Bills - 6/27/22 to 7/11/22 in the Amount of \$325,899.89

C. Payroll - 5/22/2022 TO 6/21/2022 in the amount of \$671,223.15

D. Approve the Water Department's request not to accept Blue Sky Constructions, LLC's bid for College Park water main replacement project.

E. Approve Street Department's request to go out for bid for the reconstruction of East Jackson Street.

Councilman Brennan said the language of the bid and the picture from Item E do not match and asked the language to be changed.

Rich Urquidi, Director of Public Works said they would correct the language.

Councilman McCain made a motion to approve the Consent Agenda as printed. Councilman Brennan seconded the motion.

The following vote was recorded:

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

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

OLD BUSINESS

A. Action Item: (Legislative continued from May 9, 2022 and June 27, 2022) Deliberation/decision on suggested definitions for Multi-Family developments.

Brock Cherry, Community Development Director presented on the definition for Multi-Family Developments.

Councilman Brennan asked about the duplex through four-plex definition.

Brock said we could add through interlineation that multi-family be everything above a four-plex on a single-family lot.

Councilman Stokes made a motion to approve the suggested definitions for multi-Family developments adding through interlineation Brock's comments including tri-plex's and four-plex's on a single lot. Councilman McCain seconded the motion.

Councilman Brennan asked if this has been approved by the City Attorney.

Paul Fitzer, City Attorney said he has not looked at it yet.

Councilman Stokes amended his motion to add pending legal approval from the City of Mountain Home. Councilman McCain amended his second.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Stokes	AYE
Councilwoman Garvey	AYE
Councilman McCain	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 on Planning and Zoning commission recommendation and finding of facts for a conditional use permit for an off-premises sign located at 404 North Main Street requested by Ron Cox.

Councilman Brennan asked that one condition be added to this. He said he just requests the signs follow all state laws on advertising as well.

There was a discussion about off premise signs.

Brock said the City ordinance is outdated and will need to be looked at again for updating.

Paul Fitzer said basically you are allowed to regulate the time of day, the place and manner, the size of the sign and the color. He said but you really cannot get into the message of the sign, the case law has gotten more strict.

Councilman McCain said they aren't changing the message of the sign but the off-premises location of the sign.

Councilman McCain made a motion to approve the off-premises sign at 404 North Main Street for Ron Cox as long as ITD has also given their consent. Councilwoman Garvey seconded the motion.

Councilman Brennan said based on the conversation, maybe a condition is only valid if our ordinance revamp finds it to be nonconforming to the downtown standards.

Councilman McCain said they would be grandfathered in if the ordinance is changed.

Councilman Brennan asked to have the state code added regulations as well.

Councilman McCain amended his motion to also follow state code. Councilwoman Garvey amended her second.

The following vote was recorded:

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

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

3)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a Drive-In establishment associated with a carwash located on City View Drive requested by Kelly Stedman, Wollpert.

Brock Cherry, Community Development Director said this is the drive-thru associated with the proposed car wash.

Darce Leesburg with Briberg Real Estate was present to address the Council. He went over the plans for an express carwash. He said from each wash there will be fifty gallons reclaimed and twenty gallons of fresh water used.

Brock urged the council to make changes to the way a carwash is designated in the future. This is not the true intention of the drive-thru designation.

Councilman Brennan made a motion to approve the conditional use permit for the drive-thru on City View Drive. Councilman Stokes seconded the motion.

Councilman Stokes said while it does sound like a lot of water with each carwash when residents do it at home it is most likely much more water used.

The following vote was recorded:

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

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

4)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a

drive-in (drive-thru) located on 2400 block of American Legion Boulevard requested by Dustee Woolestenhulme.

Councilman Stokes made a motion to approve the conditional use permit to allow a drive-in drive-thru located on 2400 block of American Legion Boulevard requested by Dustee Woolestenhulme. Councilman McCain seconded the motion.

The following vote was recorded:

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

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

5)Action Item: Deliberation/Decision regarding The Rock Church's appeal of a temporary modular building request by Andrew Bailey.

Paul Fitzer, City Attorney said it would violate our code to approve this based on city code 9-9-26. He said in the code it says a temporary modular building will be permitted for no longer than six months unless otherwise approved. The reason behind that was so construction trailers could be on site for longer than six months. He said while the applicant had a right to appeal the Community Development decision, he agrees with the decision.

Councilman McCain made a motion to deny the appeal of a temporary modular building request by Andrew Bailey. Councilman Stokes seconded the motion.

The following vote was recorded:

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

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

6)Non-Action Item: Deliberation on creating an ordinance that addresses compression release engine brakes, specifically semi-trucks.

There was a discussion about addressing concerns with compression release engine brakes.

Mark Sauerwald was present to discuss it and said most cities our size and bigger have an ordinance addressing this issue. He thought signage could be put up prohibiting it in the city.

Councilman Stokes said he would be okay with moving forward with this.

Councilman Brennan asked if this should be a misdemeanor or an infraction.

The consensus was to make it an infraction rather than a misdemeanor and to move forward with this item and bring it back to the council.

RECOGNIZING PERSONS IN THE AUDIENCE

- Suzette Poole came before the Council to speak about the changes with the farmer's market in Railroad Park. She had concerns about the farmer's market not being registered with the state and does not have a 501C3.

Councilman Brennan asked what code is being violated.

Suzette said it is the Idaho tax code.

Councilwoman Garvey said it is important to note that an illegal business isn't being run. She may not have a 501C3, however that does not mean she is not paying taxes. Councilwoman Garvey said she would like to know exactly which code is being violated.

Suzette said she is not targeting anyone.

The Council said they would like to see the specific codes and they would look into it.

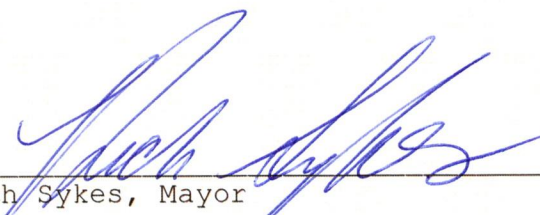
• Brendan McCarthy spoke to the council about the great job the library director is doing. He said he isn't here to complain but he wondered if recreation might be able to do some water events to keep kids cool this summer.

FINAL COMMENTS

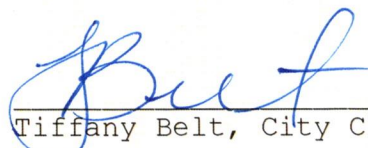
- There were no comments at this time.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 7:22 P.M. by orders from Mayor Sykes.



 Rich Sykes, Mayor

ATTEST: 

 Tiffany Belt, City Clerk

