

MINUTES OF THE REGULAR MEETING OF THE  
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
 HELD ON MAY 9<sup>th</sup>, 2022, AT 6:00 P.M.  
 AT MOUNTAIN HOME CITY HALL CHAMBERS  
 MOUNTAIN HOME, IDAHO

- 21495 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 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  
 Planning & Zoning Commission - April 18, 2022  
 City Council - April 25, 2022
  - B. Bills - 4/26/22 to 5/9/22 in the Amount of \$318,670.25
  - C. Payroll 3/22/22 TO 4/21/2022 in the Amount of \$630,034.77
  - D. Approve the appointment of William James to the Airport Committee with a 4-year term to expire in February 2026.
  - E. Approve grant application requested for grant 2021/22-0016 from Idaho Commission for Libraries for Mountain Home Public Library and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
  - F. Approve Finding of Facts Decision annexation for United Metals located at 1145 Airbase Rd.
  - G. Approve Finding of Facts Decision zoning C-4 for United Metals located 1145 Airbase Rd.
  - H. Approve Finding of Facts Decision zoning R-4 (PUD) of LaBelle Property Subdivision. **(Pulled from Consent Agenda and placed under New Business)**
  - I. Approve Finding of Facts Decision preliminary plat of LaBelle Property Subdivision. **(Pulled from Consent Agenda and placed under New Business)**
  - J. Approve Finding of Facts Decision annexation of Thomason/Krall property located at the corner of Airbase Rd. and Garrett Street
  - K. Approve Finding of Facts Decision zone C-4 Heavy Commercial of Thomason/Krall property located at the corner of Airbase Rd. and Garrett Street.
  - L. Approve Finding of Facts Decision annexation of Thomason/Krall property located at East of Jerome Street, South of Colthorp Avenue, West of Garrett Street.
  - M. Approve Finding of Facts Decision zone R-4 Residential of Thomason/Krall property located at East of Jerome Street, South of Colthorp Avenue, West of Garrett Street, and North of Airbase Rd.
  - N. Approve Finding of Facts re-zone a portion of land from C-4 heavy commercial to R-4 residential of Thomason/Krall property located at East of Jerome Street, South of Colthorp Avenue, and West of Garrett Street.
  - O. Approve Finding of Facts decision for a conditional use permit for a drive-up window of Thomason/Krall property located at the corner of Airbase Rd. and Garrett Street.

21496

## OLD BUSINESS

- A) **Action Item:** *(Legislative continued from April 25, 2022)*  
Deliberation/Decision on Planning and Zoning commission recommendation to deny amending the 2020 City Comprehensive Plan to include Impact Fees and Zoning Title Amendment.
- B) **Non-Action Item:** Deliberation on suggested definitions for Multi-Family developments.

21497

## NEW BUSINESS

- 1) Items removed from Consent Agenda
- 2) **Action Item:** Deliberation/Decision to add clarification to the digital message board policy.
- 3) **Action Item:** Discussion/Decision to approve Elmore Sportsman Association's request to lease two buildings located at Optimist Park.
- 4) **Action Item:** Deliberation/Decision to pass resolution #13-2022R approving Elmore Sportsman Association to lease two buildings owned by the City located in Optimist Park and authorize the mayor and City Clerk to sign.
- 5) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for annexation for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts
- 6) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for Zoning R-4 for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts.
- 7) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for a conditional use permit for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts.
- 8) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation to amend existing PUD for 10<sup>th</sup> Street Neighborhood and finding of facts.
- 9) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation to amend Mountain Home City Code 9-9-16(B) Home Occupation Criteria requested by Randy Scales and finding of facts.
- 10) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation to zone R-4 PUD entitled Falcons Landing and finding of facts.
- 11) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation preliminary plat of Falcons Landing and finding of facts.
- 12) **Action Item:** Deliberation/Decision on Planning and Zoning recommendation for a conditional use permit for United Metals located at 1145 Airbase Road and finding of facts.
- 13) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation rezone from I-2 & C-4 to an R-4 PUD - The Village requested by Robert Nash and finding of facts.
- 14) **Action Item:** Deliberation/Decision on request by TKM Architecture to apply for a Planned Unit Development for property less than 3 acres. (RPA3S06E260395)
- 15) **Action Item:** Deliberation/Decision on request by TKM Architecture to apply for a Planned Unit Development for property less than 3 acres. (RPA3S06E260395)

21504

## ORDINANCES

- 1) **Action Item:** Ordinance #1742 - Creation of Local Improvement District #1 (LID#1)
- 2) **Action Item:** Ordinance #1743 - Annexation of United Metals.
- 3) **Action Item:** Ordinance #1744 - Zoning C-4 United Metals.
- 4) **Action Item:** Ordinance #1745 - Zoning R-4 PUD of Labelle Estates PUD
- 5) **Action Item:** Ordinance #1746 - Annexation of Thomason/Krall Property located at the corner of Airbase Rd. and Garrett Street.
- 6) **Action Item:** Ordinance #1747 - Zoning C-4 Heavy Commercial of Thomason/Krall Property located at the corner of Airbase Rd. and Garrett Street.
- 7) **Action Item:** Ordinance #1748 - Annexation of Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Ave., and West of Garrett Street.
- 8) **Action Item:** Ordinance #1749 - Zoning R-4 Residential of

Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Avenue, West of Garrett Street and North of Airbase Road.

- 9) **Action Item:** Ordinance #1750 - Re-Zone a portion of land from C-4 heavy commercial to R-4 residential of Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Ave., and West of Garrett Street.

21508

RECOGNIZING PERSONS IN THE AUDIENCE

21508

EXECUTIVE SESSIONS

- 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 by imminently likely to be litigated.

21510

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE  
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
HELD ON May 9<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 May 9<sup>th</sup>, 2022. A quorum was established with, Councilman Stokes, Councilwoman Garvey, Councilman Brennan, Councilman McCain and Mayor Sykes being present.

DEPARTMENT HEAD COMMENTS/REPORTS

- Scott Conner, Police Chief said they did the annual Police Chief for a day last week and had a lot of fun with it. This Thursday they will have a Shop with a Cop Fundraiser at the Airbase Rd. McDonalds.

- Shasta Hochstrasser, Library Director, gave an overview on her programming at the library for the next two weeks.

- Hank Patrick, Building Official said they are extremely busy right now and they have gotten plans for the dialysis clinic behind Walmart. He said they didn't have any applicants for the part time code enforcement position, so they reopened it.

- Rich Urquidi, Director of Public Works said the City wells pumped around six million gallons in April and the normal is over ninety million, he thinks weather and precipitation played a part in reducing water usage. Guho started today redoing sidewalks on side streets.

- Paula Szafranski, City Treasurer, said the budget is going through its process. She said they are still waiting on some final numbers regarding salary and then she will request a Special Meeting with the City Council to discuss it.

- Brock Cherry, Community Development Director, said he believes they have selected a candidate for the Assistant City Planner position.

- Councilman Brennan asked if the part time code enforcement would be able to work in the evenings.

Hank said he wouldn't mind if they did that but it was not currently being advertised for, but it could be amended to reflect that.

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.

- All of the council said they received emails from Misty Pierce and Rena Huff regarding the LaBelle subdivision.

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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- Councilman Brennan said he would like to add to Item H the finding of facts for the LaBelle Subdivision.

- Councilwoman Garvey said she would like to pull Items H and I.

Councilman Brennan made a motion to approve the consent agenda as printed removing Items H and I. 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.

#### OLD BUSINESS

Action Item: (Legislative continued from April 25, 2022)  
Deliberation/Decision on Planning and Zoning commission recommendation to deny amending the 2020 City Comprehensive Plan to include Impact Fees and Zoning Title Amendment.

Brock Cherry, Community Development Director went over the ways the Impact Fees could be changed.

Councilman Stokes asked for Brock to give a total per home cost of services, such as water hookup, sewer and Impact Fees.

Brock said the approximate number is between eight and ten thousand dollars, which is comparable to other Idaho cities. He said something that could be looked at is changing the impact fees for multifamily development.

Councilwoman Garvey said she feels it is important to know that if we only charge a developer sixty percent, the city is left to come up with the other forty percent.

Councilman Brennan said for single family homes he feels the impact fee revisions should go into effect immediately upon passage and not given the grace period the other developments might be given. He feels option two gives that grace period to existing developments that have developed their final plat in that time. He asked if that money was waived per ordinance, does the city have to set money aside to make up for that.

City Attorney, Paul Fitzer said if the city does not set aside money to make up the difference, then the level of service will drop. He said if you want to take things out then that is fine, but you have to maintain the level of service, so you are not charging existing tax payers twice.

Councilman Brennan said so the advice is not to do option two.

Paul said he sees legal problems with it down the road.

Mayor Sykes said he thought when we talked about subsidies under state constitution you weren't allowed to subsidize.

Paul said that is true of enterprise funds, if it was enterprise funds it would be absolutely not.

The council discussed how the money from Impact Fees is budgeted.

Councilwoman Garvey made a motion to adopt and implement the Impact Fees in their entirety and limit the Parks Impact Fee to \$1,000.00 from \$1416.00 and revise the Capital Improvement Plan to reflect so, and she would like to know what that will look like with the change to the proposed park fees. The new Impact Fees would be in full effect on October 1<sup>st</sup>, 2022. Councilman McCain seconded the motion.

Councilman Brennan asked what the vote tonight is for. Would it bring this option to a public hearing.

Brock said if this was the motion that was passed then yes, it would bring that option to a Public Hearing.

Councilwoman Garvey said she felt it needed to be stated, if you took tenth street for instance, impact fees could be used to fix the street if the developers tear it up. Without that the citizens are footing the bill.

The following vote was recorded:

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

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

Non-Action Item: Deliberation on suggested definitions for multi-family developments.

Brock Cherry, Community Development Director said he has brought forth several definitions of multifamily for the Council to consider.

After discussion it was decided this item would be brought back to the Council with more input and clarifications, with Councilman McCain's help.

#### NEW BUSINESS

Items Removed from Consent Agenda Section. ACTION ITEM.

Item H: Approve Finding of Facts Decision zoning R-4 PUD of LaBelle

Property Subdivision.

Councilwoman Garvey said she had concerns because she had been told the water rights were not transferred into the current owners name yet and the well for irrigation may not pump enough to care for all of those homes.

Councilman Brennan said he would like to see clarification added to page five of the findings of fact for this subdivision. He said it should reflect there was a four to zero vote that they be assessed one EDU per dwelling unit and at that point the well is moot.

Councilman Stokes made a motion to approve Items H and I from the Consent Agenda with the revisions from Councilman Brennan and Councilwoman Garvey. Councilwoman Garvey 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.

Item I: Approve Finding of Facts Decision preliminary plat of LaBelle Property Subdivision.

Councilman Stokes made a motion to approve Items H and I from the Consent Agenda with the revisions from Councilman Brennan and Councilwoman Garvey. Councilwoman Garvey 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.

2)Action Item: Deliberation/Decision to add clarification to the digital message board policy.

Tiffany Belt, City Clerk said the digital message board policy needs to be clarified. She proposed adding an additional item to the policy.

Councilwoman Garvey made a motion to add Item four: Events and activities that are open to the general public at no cost. 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.

3)Action Item: Deliberation/Decision to approve Elmore Sportsman Association's request to lease two buildings located at Optimist Park.

Tiffany Belt, City Clerk said Elmore County Sportsman was under the Quail umbrella and they would like to obtain the lease individually now as a 501C3.

Councilman Stokes asked if it would be in both parties' best interest to have thirty day cancellation policy.

Councilman Brennan said since it is a program that schedules things out quite far, he feels 180 days is appropriate for cancellation.

Councilman Brennan made a motion to approve the lease with the dates from the original lease with a 180 day no cause termination language added. Councilwoman Garvey 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.

4)Action Item: Deliberation/Decision to pass resolution #13-2022R approving Elmore Sportsman Association to lease two buildings owned by the City located in Optimist Park and authorize the Mayor and City Clerk to sign.

Councilman Brennan made a motion to approve resolution #13-2022R approving Elmore Sportsman Association to lease two buildings owned by the City located in Optimist Park and authorize the Mayor and City Clerk to sign, pending approval from the City Attorney. 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.

5)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation for annexation for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts.

Councilman Brennan said in the Comprehensive Plan most citizens stated they do not want this type of development in town, so he is against annexation of this development.

The developer of the project came forward to speak and answered the council's questions about the project.

Councilman Stokes made a motion to approve the Planning and Zoning commission recommendation for annexation for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts. Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

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

6)Action Item: Deliberation/Decision on Planning and Zoning commission



recommendation for Zoning R-4 for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts.

The Council discussed the requirements that had been requested for the development and found they had been agreed to.

Councilwoman Garvey made a motion to approve zoning R-4 for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts. Councilman Stokes seconded the motion.

The following vote was recorded:

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

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

7)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation for a conditional use permit for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts.

Councilwoman Garvey made a motion to approve the Planning and Zoning commission recommendation for a conditional use permit for Copium Investments located at 370 West 12<sup>th</sup> South Street and finding of facts. Councilman McCain seconded the motion.

The following vote was recorded:

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

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

8)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation to amend existing PUD for 10<sup>th</sup> Street Neighborhood and finding of facts.

Brock Cherry, Community Development Director spoke about the proposed development. He explained the applicant had requested to build to 45 ft. and three stories.

The developer explained the three-stories and said they will be single family zero lot line townhomes.

Councilman Brennan said he feels the three-foot side setback is too close. He said legal counsel says the deviation from standard CUP cannot be used to conditionally permit a use not so designated in the land use table. There is a proposed neighborhood mini storage facility and that is something not allowed in a residential neighborhood. He said it varies a lot from the underlying zone of an R-4.

There was a discussion of street width for the development.

Steve Taylor, the project developer was present to discuss the project.

Councilman Brennan asked if it could be imposed that the storage units only be available to people that live in the development.

City Attorney, Paul Fitzer said he would rather the Council decide if

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they want it or don't, rather than making it contingent on living in the development.

Councilman McCain made a motion to approve the Planning and Zoning commission recommendation to amend existing PUD for 10<sup>th</sup> Street Neighborhood and finding of facts.

Councilman Brennan asked if the approval of this would ever open up the argument of a storage unit facility in a R-4 zone.

Paul said it still not an allowed use in R-4 zone.

Councilman McCain made a motion to approve the Planning and Zoning commission recommendation to amend existing PUD for 10<sup>th</sup> Street Neighborhood and finding of facts. Councilwoman Garvey 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.

9)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation to amend Mountain Home City Code 9-9-16 (B) Home Occupation Criteria requested by Randy Scales and finding of facts.

Brock Cherry, Community Development Director said the owner would like to do CrossFit classes in a building detached from the home on the property.

Councilwoman Garvey said she drove by the property and she feels there will be parking issues.

Brock said this is the applicant asking that the code be amended, he is not asking specifically for himself.

Councilwoman Garvey said to preserve the residential nature of neighborhoods it would be best to leave businesses in the business corridors.

Councilman McCain made a motion to deny the Planning and Zoning recommendation to amend Mountain Home City Code 9-9-16(B) Home Occupation Criteria request by Randy Scales and finding of facts. Councilwoman Garvey 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.

10)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation to zone R-4 PUD entitled Falcons Landing and finding of facts.

Bart Cochran who is the CEO of LEAP Housing came forward and spoke to the Council about the mission of LEAP Housing and the Falcons Landing development.

Councilwoman Garvey made a motion to approve the Planning and Zoning

commission recommendation to zone R-4 PUD entitled Falcons Landing and finding of facts. 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.

11)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation preliminary plat of Falcons Landing and findings of facts.

Councilman Stokes made a motion to approve the Planning and Zoning commission recommendation preliminary plat of Falcons Landing and findings of facts. Councilwoman Garvey 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.

12)Action Item: on Planning and Zoning commission recommendation for a conditional use permit for United Metals located at 1145 Airbase Road and finding of facts.

Stephanie Hopkins came forward to speak with the council about the development for United Metals. She went over the results of the environmental studies they have done on this property. The intent of this project is to provide storage units for the citizens of varying sizes.

Councilman Brennan made a motion to approve the Planning and Zoning commission recommendation for a conditional use permit for United Metals located at 1145 Airbase Road and findings of fact, contingent on no soil being removed from the property. 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.

13)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation re-zone from I-2 & C-4 to an R-4 PUD - The Village requested by Robert Nash and finding of facts.

Rob Nash was present with his partner Todd McCoy to speak about their proposed development, The Village. He said the development is 24-plexes and will be 192 units total. There will be amenities such as a clubhouse and pool as well.

Mayor Sykes asked if this warranted any ITD changes.

Rich Urquidi, Director of Public Works said it did not.

Councilman Brennan said he would like to see sidewalks added to the Council Minutes - May 9<sup>th</sup>, 2022

plans for the entire development and not just to the first entrance.

Rob said there are a lot of power lines in that area, and it would be a big expense.

Councilman Brennan outlined his concerns about the development and traffic safety.

Councilwoman Garvey said she likes the project but does not like the location. It is in an industrial area and next to the railroad tracks.

There was a discussion on traffic safety and the area of the development.

Councilman Stokes said he agrees with Councilman Brennan on the sidewalk issue. He also had concerns of traffic safety.

Councilman McCain said RV's and other recreational vehicles will have to be stored offsite.

Rob said he doesn't see a lot of people in two-bedroom apartments having RVs.

Councilman McCain said they are parked all over town currently.

Councilman Brennan made a motion to approve the Planning and Zoning recommendation to re-zone from I-2 & C-4 to an R-4 PUD contingent upon sidewalk going all the way back to the end of the property and at this time entering into an agreement where the cars will not be able to turn left coming out of the development onto West 5<sup>th</sup> North.

Councilman Stokes asked how that would be policed with Wolfpac pellet going that way too.

Councilman Brennan said it is already designated a no truck route.

Councilman Stokes seconded the motion.

The following vote was recorded:

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

Mayor Sykes said he agrees with Councilmen Brennan and Stokes if they can solve the left turn issue.

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

Brock said you could close it to turning left during peak times.

Councilman Brennan said there is no where in the city that only regulates traffic during peak times.

14)Action Item: Deliberation/Decision on request by TKM Architecture to apply for a Planned Unit Development for property less than 3 acres. (RPA3S06E257555)

Terran Mitchell came forward to speak to the Council about his client's project they would like to build on infill sites. He said access points would be through the existing Lincoln Square apartments and also through the existing commercial ingress egress easement. This is the current owners of the Lincoln Square Apartments.

Councilman Brennan said if it is the same owners he would like to see all the traffic go out through Lincoln Square.

Councilwoman Garvey made a motion to approve the request by TKM Architecture to apply for a Planned Unit Development for property less than 3 acres (RPA3S06E257555). Councilman Brennan 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.

15)Action Item: Deliberation/Decision on request by TKM Architecture to apply for a Planned Unit Development for property less 3 acres. (RPA3S06E260395)

Councilman Stokes asked why there are 1.5 parking stalls per unit.

Terran Mitchell said the reason for this is half of the units are one bedroom and the other half are two bedrooms.

Councilwoman Garvey made a motion to approve the request by TKM Architecture to apply for a Planned Unit Development for a property less than 3 acres (RPA3S06E260395). 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.

#### ORDINANCE

1)Action Item: Ordinance #1742 - Creation of Local Improvement District #1(LID#1).

Tiffany Belt, City Clerk said there were some edits that needed to be stated for the record per legal. In the title authorizing sole source will be removed. On page 3 section 5 we will list City Engineer and remove sole source in that same paragraph.

Councilman Stokes made a motion to suspend the three reading rule and read the edited Ordinance by title only for its one and only reading tonight. Councilman Brennan 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 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 Stokes	AYE
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1742

2)Action Item: Ordinance #1743 - Annexation of United Metals.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilman McCain 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 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 Stokes	AYE
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1743.

3)Action Item: Ordinance #1744 - Zoning C-4 United Metals.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilman McCain 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 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 Stokes	AYE
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1744.

4)Action Item: Ordinance #1745 - Zoning R-4 PUD of Labelle Estates PUD.

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

The vote being unanimous, the motion was so ordered and given #1745.

5)Action Item: Ordinance #1746 - Annexation of Thomason/Krall Property located at the corner of Airbase Rd. and Garrett Street.

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

The vote being unanimous, the motion was so ordered and given #1746.

6)Action Item: Ordinance #1747 - Zoning C-4 Heavy Commercial of Thomason/Krall Property located at the corner of Airbase Rd. and Garrett Street.

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

The vote being unanimous, the motion was so ordered and given #1747.

7) Action Item: Ordinance #1748 - Annexation of Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Ave., and West of Garrett Street.

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

The vote being unanimous, the motion was so ordered and given #1748.

8) Action Item: Ordinance #1749 - Annexation - Zoning R-4 Residential of Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Avenue, West of Garrett Street, and North of Airbase Road.

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

The vote being unanimous, the motion was so ordered and given #1749.

9) Action Item: Ordinance #1750 - Re-Zone a portion of land from C-4 heavy commercial to R-4 residential of Thomason/Krall Property located at the East of Jerome Street, South of Colthorp Ave., and West of Garrett Street.

Councilman Stokes made a motion to suspend the three reading rule and read the Ordinance by title only for its one and only reading tonight. Councilman McCain 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 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 Stokes	AYE
Councilman Brennan	AYE
Councilman McCain	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was so ordered and given #1750.

#### RECOGNIZING PERSONS IN THE AUDIENCE

- Samantha Venable-Harjo spoke to the Council about the importance of the School Bond and how the Friends of the Mountain Home School District is trying to help inform the public about the upcoming school bond.

#### 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 Council Minutes - May 9<sup>th</sup>, 2022

order to fill a particular vacancy or need.

Councilman Stokes made a motion to enter into executive session pursuant to Idaho Code Section 74-206(1) - 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, pursuant to Idaho Code 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 and 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. 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.

The Council entered into executive session at 9:53 p.m.

The Council came out of executive session at 10:40 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 enter into executive session pursuant to Idaho Code Section 74-206(1) - 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, pursuant to Idaho Code 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 and 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. 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.

The Council entered into executive session at 9:53 p.m.

The Council came out of executive session at 10:40 p.m.

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.

Councilman Stokes made a motion to enter into executive session pursuant to Idaho Code Section 74-206(1) - 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, pursuant to Idaho Code 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 and 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. 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.

The Council entered into executive session at 9:53 p.m.


The Council came out of executive session at 10:40 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 10:41 P.M. by orders from Mayor Sykes.

  
Rich Sykes, Mayor

ATTEST:

  
Tiffany Belt, City Clerk

