

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON MARCH 13th, 2023, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21746 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21746 DEPARTMENT HEAD REPORTS
- 21747 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.
- 21747 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
 Airport Advisory Committee - January 17, 2023
 Regular City Council - February 27, 2023
 - B. Bills - 2/28/23 to 3/13/23 in the Amount of \$742,704.94
 - C. Payroll for the period ending 1/22/2023 to 02/21/2023 in the amount of \$638,310.53.
 - D. Approve the application for a carnival license for Rainier Amusement to bring a carnival to Railroad Park June 2nd-11th (minus set-up and take-down dates). **(Removed from Consent Agenda and placed under New Business)**
 - E. Approve Grant Application 2022/23-024 request to allow the Library to apply for the Idaho Commission for Libraries grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - F. Approve Grant Application 2022/23-025 request to allow the Library to apply for the Idaho Commission for Libraries grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - G. Approve Grant Application 2023/24-002 request to allow the Police Department to apply for a US Department of Justice grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - H. Approve Grant Application 2023/24-003 request to allow the Airport to apply for the Idaho Transportation Department Division of Aeronautics grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - I. Approve the grant agreement with the Idaho Transportation Department Division of Aeronautics to construct hanger taxilanes at the City Airport and authorize the Mayor and City Clerk to sign all required documents.
 - J. Approve the pipeline crossing agreement with Union Pacific Railroad for the water transmission line for the Well #17 project and authorize the Mayor and City Clerk to sign.
 - K. Approve airport hangar land lease for Row F, Lot #2 for Tracy and Associates LLC., and authorize the Mayor and City Clerk to sign.
 - L. Pass Resolution #14-2023R - Approving the amended Lease

- Agreement with Tracy and Associates LLC., Hangar Space indicated by Row F, Lot #2 at the Mountain Home Municipal Airport, and authorizing the Mayor and City Clerk to sign.
- M. Approve airport hangar land lease for Row F, Lot #3 for Lucas P. Donaldson and authorize the Mayor and City Clerk to sign.
 - N. Pass Resolution #15-2023R Approving the amended Lease Agreement with Lucas P. Donaldson, Hangar Space indicated by Row F, Lot #3 at the Mountain Home municipal Airport, authorizing the Mayor and City Clerk to sign.
 - O. Pass Resolution #16-2023R - declaring certain real property consisting of two parcels of land totaling +/-1.47 acres of land commonly known as the Hot Creek Road Extension, direct the City Clerk to set a Public Hearing for April 10th, 2023, and authorize the Mayor and City Clerk to sign the resolution.
 - P. Approve the request by the Recreation Department to go out for a re-bid for City outdoor aquatic facility construction.
 - Q. Approve the request of the Community Development Department to select Vitruvian Planning and Ardurra for Consulting and technical services for the Master Transportation Plan updates.
 - R. Approve the agreement for sewer services at 1135 Airbase Road, outside of the city limits, and authorize the Mayor and City Clerk to sign.
(Removed from Consent Agenda and placed under New Business)

21748

OLD BUSINESS

- 1) Non-Action Item: *(Legislative continued from February 27, 2023)* further discussion regarding the operation of wheeled devices in the downtown overlay ordinance amendment.

21748

NEW BUSINESS

- 1) Items removed from Consent Agenda
- 2) Action Item: Deliberation/decision on Mellen Water District Land Lease Agreement.
- 3) Action Item: Deliberation/decision on Heat Detection Ordinance proposal.
- 4) Action Item: Deliberation/decision on the Airport Advisory Committee recommendation to meet quarterly rather than monthly at the Airport conference room.

21750

RECOGNIZING PERSONS IN THE AUDIENCE

21750

FINAL COMMENTS

21750

EXECUTIVE SESSION - Action Items Below

- 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.
- 2) Pursuant to Idaho Code Section 74-206(1)(c) - to acquire an interest in real property not owned by a public agency.
- 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.

21751

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON MARCH 13th, 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 March 13th, 2023. A quorum was established with, Councilwoman Garvey, Councilman Green, Councilman Brennan, and Mayor Sykes being present. Councilman McCain was absent.

MOTION TO AMEND

Councilman Brennan made a motion to amend the agenda to change Item 1 in Old Business from a Non-action Item to a Action Item. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Green	AYE
Councilwoman Garvey	AYE

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

DEPARTMENT HEAD COMMENTS/REPORTS

- Jon Thompson, Police Chief said this week Detective Max Corley will be certified by state post as a High-risk Liability Instructor. On Friday they will pick up the last of the new patrol vehicles from Salt Lake City.

- Hank Patrick, Building Official said the car wash has picked up their building permit.

- Shasta Hochstrasser, Library Director said tomorrow is adult craft night and later this week is the Teen Craft Night. She went over the program for the next two weeks.

- Brock Cherry, Community Development Director said he is hoping to get the Master Transportation Plan approved so the city can get to work on that. He said they received applications for annexation and development of a four-plex community.

- Rich Urquidi, Director of Public Works said they have been changing out services around East 8th North and North 6th East for the sewer project.

- Betsy Hiddleston, Communications Specialist said filming for State of the City has wrapped and she is hoping to finish editing the video by Friday. She said they have been looking at the response from the Master Transportation Plan survey. Betsy announced Brock Cherry was featured on the Idaho Business Review Power List they publish quarterly.

- Mark Moore, Fire Chief said the hiring committee has selected Jon Harwood as their new full time firefighter.

- Joe Bonjournu, Deputy Fire Chief from Meridian spoke to the Council about the proposed heat detection ordinance.

- Paula Szafranski, City Treasurer said the auditors will be present at the next meeting to go over the audit for the last fiscal year.

- Tiffany Belt, City Clerk announced the departure of Jaime McDaniel as Grant Administrator, she has taken a position elsewhere but will be missed.

- Mayor Sykes said after 17 years Hampton Wright has resigned from the URA Board and the City wishes him well and thanks him for his service as one

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of the founding members of the Urban Renewal Agency.

- Councilman Brennan said he emailed the city requesting a special meeting on a certain topic and was ignored by city staff. He said he hopes this isn't something that will continue.

- Councilwoman Garvey echoed Councilman Brennan's sentiments and said she was also ignored.

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.

- The Council had nothing to declare at this time.

CONSENT AGENDA

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consisting of two parcels of land totaling +/-1.47 acres of land commonly known as the Hot Creek Road Extension, direct the City Clerk to set a Public Hearing for April 10th, 2023, and authorize the Mayor and City Clerk to sign the resolution.

- P. Approve the request by the Recreation Department to go out for a re-bid for City outdoor aquatic facility construction.
- Q. Approve the request of the Community Development Department to select Vitruvian Planning and Ardurra for Consulting and technical services for the Master Transportation Plan updates.
- R. Approve the agreement for sewer services at 1135 Airbase Road, outside of the city limits, and authorize the Mayor and City Clerk to sign. **(Removed from Consent Agenda and placed under New Business)**

Councilman Brennan asked to have Items D and R removed from the consent agenda and placed under New Business.

Councilman Brennan made a motion to pass the Consent Agenda pulling Items D & R and amend Items K, L, M, and N to remove the language about decrease in consumer price index in paragraph two through interlineation and eliminate the paragraph on termination of agreement by the city entirely. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Green	AYE
Councilwoman Garvey	AYE

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

OLD BUSINESS

1)Action Item: (Legislative continued from February 27, 2023) further discussion regarding the operation of wheeled devices in the downtown overlay ordinance amendment.

Councilwoman Garvey proposed a change in the last sentence of the ordinance to say this is a violation of the title 1-4-1 instead of just a violation of the provision of this infraction.

Councilman Brennan made a motion to approve the Mountain Home City Ordinance for operation of wheeled devices in Mountain Home with a change in interlineation to violations of this provision will come from title 1-4-1 of Mountain Home City Code. Councilman Green seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilman Green	AYE
Councilwoman Garvey	AYE

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

NEW BUSINESS

1)Items removed from the Consent Agenda

D: Approve the application for a carnival license for Rainier Amusement to bring a carnival to Railroad Park June 2nd-11th (minus set-up and take-down dates).

The Council discussed making a background check a part of the process of applying for a carnival license.

Councilman Brennan made a motion to deny this application at this time, until the application can be redone to include consent for a background check.

Councilwoman Garvey said she felt the application could be revamped and some of the things like Airport Mechanic License be moved to a separate application.

Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

R: Approve the agreement for sewer services at 1135 Airbase Road, outside of the city limits, and authorize the Mayor and City Clerk to sign.

Brock Cherry, Community Development Director explained the location of the property requesting sewer services.

Councilman Brennan said he did not feel the application should be before the Council because the property is contiguous and able to be annexed by the city, so there is no reason they shouldn't be if they want to benefit from city services.

Councilman Brennan made a motion to deny the contract for sewer services outside the city. Councilman Green seconded the motion.

Rich Urquidi, Director of Public Works said this is before the Council because United Metals is going to put in sewer line for the city and to do so they must take the line across other properties, some of which aren't annexed. He said United Metals asked all the properties for an easement to run the sewer line through those properties. Once the line has gone through the property in question it will leave no room for a septic tank in that location. Rich said if this is denied United Metals will most likely have to put in a septic tank of their own because they will be more than 200 ft. from city services and ordinance states that over 200 ft. from city services a property may have a septic system within city limits.

The Council discussed what options are available for the property to receive sewer services.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

Action Item: Deliberation/Decision on the Mellen Water District land lease agreement.

Tiffany Belt, City Clerk said she feels after talking with representation from Mellen Water District, they will want to renegotiate a land lease with the city.

The Council discussed and directed Tiffany with the best way to proceed with renegotiating the Mellen Water District land lease agreement.

Councilman Brennan asked if they could extend the current agreement by ninety days to come up with the best agreement for everyone moving forward.

Paul Fitzer, City Attorney said it was possible to do that.

Councilman Brennan made a motion to extend the current agreement until Council Minutes - March 13th, 2023

June 30, 2023 to work out the terms of the new agreement moving forward. Councilman Green seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

Action Item: Deliberation/decision on Heat Detection Ordinance proposal.

Mark Moore, Fire Chief talked about the group of Fire Department organizations that worked together with the goal of creating this ordinance.

Brian Reed, Fire Marshall came before the council and explained the need for a Heat Detection Ordinance which would require heat alarms to be installed in garages.

Councilman Brennan said his only comment was to add an effective date to the ordinance, so those that already have blueprints are not affected by this at building inspection time.

There was a discussion about when to make the ordinance effective.

Councilwoman Garvey made a motion to approve the decision on Heat Detection Ordinance proposal effective July 1, 2023. Councilman Green seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

Action Item: Deliberation/decision on the Airport Advisory Committee recommendation to meet quarterly rather than monthly at the Airport conference room.

Councilman Brennan made a motion to approve the request by the Airport Advisory Committee to meet quarterly rather than monthly. Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

RECOGNIZING PERSONS IN THE AUDIENCE

- Brandon McCarthy expressed gratitude for the start of the Master Transportation Plan, and he was hopeful there could be a similar program for Parks and Rec. He would like to see a comprehensive plan for the Parks and Recreation Departments.

FINAL COMMENTS

- There were no comments at this time.

EXECUTIVE SESSIONS

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 Brennan made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(b), 74-206 (1)(c), and 74-206 (1)(f). Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The Council entered into executive session at 7:44 p.m.

The Council came out of executive session at 9:12 p.m.

2) Pursuant to Idaho Code Section 74-206(1)(c) - to acquire an interest in real property not owned by a public agency.

Councilman Brennan made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(b), 74-206 (1)(c), and 74-206 (1)(f). Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The Council entered into executive session at 7:44 p.m.

The Council came out of executive session at 9:12 p.m.

3) Pursuant to Idaho Code Section 74-206(1)(f) - to communicate with legal counsel to the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated.

Councilman Brennan made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(b), 74-206 (1)(c), and 74-206 (1)(f). Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Green	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

The Council entered into executive session at 7:44 p.m.

The Council came out of executive session at 9:12 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:12 P.M. by orders from Mayor Sykes.


Rich Sykes, Mayor

ATTEST: 
Tiffany Belt, City Clerk

