

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON JULY 25th, 2022, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21578 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21578 DEPARTMENT HEAD COMMENTS/REPORTS
- 21578 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
- 21578 PUBLIC HEARING
 1) City proposed 10 year Capital Improvement Plan and the development impact fees ordinance.
- 21578 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 - July 6, 2022
 Special City Council - July 7, 2022
 Planning & Zoning Commission - July 6, 2022
 City Council - July 11, 2022
 - B. Bills - 07/12/22 to 7/25/22 in the Amount of \$632,586.05
 - C. Treasurer's report for the period ending June 30, 2022
 - D. Approve City Hall's request to proceed with a TPO product roof on City Hall.
 - E. Accept Bailey & Company, Chtd. CPAs proposal for accounting services, proceed with letter of engagement and authorize the Mayor and City Clerk to sign required documents.
 - F. Approve Finding of Facts Decision zoning C-3 PUD of Golf View Apartments.
 - G. Approve Finding of Facts Decision to rezone from C-4 to R-4 PUD - West 8th Townhomes.
 - H. Approve Finding of Facts Decision to rezone property located at 950 Sunset Strip from C-3 to I-2.
 - I. Approve Finding of Facts Decision to amend Mountain Home City Code Title 9, Chapter 9, by adding Section 29,9-9-29: Mobile Food Concession yard.
 - J. Approve Finding of Facts Decision to amend Mountain Home City Code Title 9, Chapter 3, Section 2: Definitions to include Mobile Food Concession and Mobile Food Concession Yard.
 - K. Approve Finding of Facts decision to amend Mountain Home City Code Title 9, Chapter 7, Section 4, 9-7-4:Land Use Chart allowing Mobile Food Concession Yards in LO/R, C-1, C-2, C-3, C-4, I-1 and I-2 Zoning Districts with a Conditional Use Permit.
 - L. Approve Finding of Facts Decision for a conditional use permit for an off-premises sign located at 404 North Main Street requested by Ron Cox.
 - M. Approve Finding of Facts decision 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.
 - N. Approve Finding of Facts decision for a conditional use permit to allow a drive-in (drive-thru) located on 2400 block of American Legion .Boulevard requested by Dustee Woolestenhulme.

- O. Approve grant application request for grant 2022/23-007 for Idaho Commission for Libraries Summer STEM and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
- P. Approve airport hanger land lease for Row A, Lot #10 for Martin Pike and authorize the Mayor and City Clerk to sign.
- Q. Pass Resolution #15-2022R - Approving the amended Lease Agreement with Martin Pike for Hangar Space indicated by Row A, Lot #10 at the Mountain Home Municipal Airport and authorize the Mayor and City Clerk to sign.
- R. Approve Runway Estates Subdivision Final Plat #1.
(Pulled from the Consent Agenda and placed under New Business)
- S. Approve Thunderbolt Landing Subdivision Final Plat #1.
- T. Approve Public Works Department's request to go out for bid for the Desert Canyon Bicycle Pedestrian Facility.

21579

NEW BUSINESS

- 1) Items Removed from Consent Agenda Section.
- 2) **Discussion/Action Item:** Whether to draft and submit a letter to the Elmore County Commissioners regarding the proposed Mayfield Springs Planned Community application.
- 3) **Action Item:** Pass Resolution #16-2022R - Establishing an Equivalent Dwelling Unit ("EDU") Table
- 4) **Action Item:** Deliberation/Decision on City's proposed 10-year Capital Improvement Plan and the development impact fees ordinance.
- 5) **Action Item:** Deliberation/Decision on the draft compression breaks ordinance.
- 6) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for a conditional use permit for a monument sign in a residential zone located at 520 East 8th North Street requested by Jeff Lewis with Idaho Public Health District No. 4.
- 7) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation to vacate a portion of Fruitdale Subdivision.
- 8) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for 10th Street Neighborhood Preliminary Plat.
- 9) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts to rezone a portion of 830 North 2nd East from C-3 to Freedom Estates R-4 PUD.
- 10) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for Freedom Estates Preliminary Plat.
- 11) **Action Item:** Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts to rezone Lincoln Square Apartments II R-4 PUD.

21583

ORDINANCE

- 1) **Action Item:** Ordinance #1756 amending Section 1, Article D, Chapter 1, Title 7 of Mountain Home City Code.

21584

RECOGNIZING PERSONS IN THE AUDIENCE

21584

FINAL COMMENTS

21584

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 and Idaho Code

Section 50-206 to discuss the removal of appointive officers.

21484

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON JULY 25th, 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 25th, 2022. A quorum was established with, Councilman Stokes, Councilman Brennan, Councilwoman Garvey, Councilman McCain and Mayor Sykes being present.

DEPARTMENT HEAD COMMENTS/REPORTS

- Brock Cherry, Community Development Director said they will be working with the local businesses this week and going over what BVEP presented to City officials last week.
- Jonathon Thompson, Police Lieutenant said they are going through the testing process with new trainees.
- Shasta Hochstrasser, Library Director outlined the programming for the next couple of weeks at the library.
- Rich Urquidi, Director of Public Works said from this time last year the city is down 29 single family home builds. He said the well is going pretty well and the second week in August it should be ready for another pump test.
- Mark Moore, Fire Chief said they are working on testing for new firefighters.

CONFLICT OF INTEREST DECLARATION

Councilman Brennan said he received an email from Misty Pierce about the carwash on the agenda tonight.

CONSENT AGENDA

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- allowing Mobile Food Concession Yards in LO/R, C-1, C-2, C-3, C-4 I-1 and I-2 Zoning Districts with a Conditional Use Permit.
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 - O. Approve grant application request for grant 2022/23-007 for Idaho Commission for Libraries Summer STEM and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - P. Approve airport hanger land lease for Row A, Lot #10 at the Mountain Home Municipal Airport and authorize the Mayor and City Clerk to sign.
 - Q. Pass Resolution #15-2022R-Approving the amended Lease Agreement with Martin Pike for Hangar Space indicated by Row A, Lot #10 at the Mountain Home Municipal Airport and authorize the Mayor and City Clerk to sign.
 - R. Approve Runway Estates Subdivision Final Plat #1. **(Pulled from the Consent Agenda and placed under New Business)**
 - S. Approve Thunderbolt Landing Subdivision Final Plat #1.
 - T. Approve Public Works Department's request to go out for bid for the Desert Canyon Bicycle Pedestrian Facility.

Councilman Stokes said he would like to pull Item R.

Councilman Brennan said on Items F and G the motion was made to approve the developments contingent on the availability of the amount of water needed being available. He said on Item J he was confused on the language and asked for some clarification.

Brock Cherry, Community Development Director said it was his recommendation to allow it to be asphalt or concrete.

Councilman Brennan said he prefers it be pavement or concrete.

Councilman McCain said he doesn't see a problem with a place starting out with just a hard surface, it is the continuing without getting parking lots paved he has a problem with.

Councilman Stokes made a motion to approve the Consent Agenda as printed passing items K through interlineation and pulling Item R.

Councilman Stokes amended his motion to include edits to Items F & G including comments and edits from Councilman Brennan concerning availability of water at the time of building. Councilwoman Garvey 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.

NEW BUSINESS

1) Items Removed from Consent Agenda Section. ACTION ITEM.

Item R: Approve Runway Estates Subdivision Final Plat #1.

Councilman Stokes said he was never in favor of this development He asked if there are any legal ramifications for saying no to a final plat.

City Attorney, Paul Fitzer said once a preliminary plat is approved by the letter of the law when you are able to break ground the final plat is no longer at the discretion of the council as long as they have complied and checked the boxes to receive final plat.

Councilman McCain made a motion to approve Runway Estates Subdivision Final Plat #1. Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

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

Councilman Brennan said he wanted to put on the record that he doesn't support this development and never has, but since this vote is mostly a formality and has legal ramifications if not approved, he is voting yes.

Councilwoman Garvey echoed Councilman Brennan's comments.

2)Discussion/Action Item: Whether to draft and submit a letter to the Elmore County Commissioners regarding the proposed Mayfield Springs Planned Community application.

It was discussed the Mayor and Council are against the Mayfield Springs Planned Community and Brock Cherry, Community Development Director would draft a letter to the Elmore County Commissioners expressing the reasons why the City Council was against the development.

3)Action Item: Pass Resolution #16-2022R - Establishing an Equivalent Dwelling Unit ("EDU") Table.

Councilwoman Garvey made a motion to pass Resolution #16-2022R - Establishing an Equivalent Dwelling Unit ("EDU") Table. Councilman McCain seconded the motion.

The following vote was recorded:

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

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

4)Action Item: Deliberation/Decision on City's proposed 10-year Capital Improvement Plan and the development impact fees ordinance.

Councilman Brennan said he doesn't feel the proposed impact fees are accurate.

There was a discussion about the proposed impact fees.

Councilwoman Garvey said even if the growth didn't come at the same rate as was projected then the city doesn't collect the money. She said the fees are supposed to be looked at yearly, so if this doesn't work then they can be looked at again next year.

Councilman Brennan said he doesn't want to over or underestimate, he would like it to be a more accurate view on the city's future growth.

There was a discussion on how to make the impact fees more in line with current growth.

Councilman McCain made a motion to approve the City's proposed 10-year Capital Improvement Plan and the development impact fees ordinance.

Councilwoman Garvey seconded the motion.

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.

5)Action Item: Deliberation/Decision on the draft compression brakes ordinance.

Councilwoman Garvey made a motion to pass the compression brake ordinance adding only after emergency situations. 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.

6)Action Item: Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for a conditional use permit for a monument sign in a residential zone located at 520 East 8th North Street requested by Jeff Lewis with Idaho Public Health District No. 4.

Councilman Stokes made a motion to approve the Planning and Zoning Commission's recommendation and Finding of Facts for a conditional use permit for a monument sign in a residential zone located at 520 East 8th North Street. Councilwoman Garvey 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.

7)Action Item: Deliberation/Decision on Planning and Zoning Commission's recommendation to vacate a portion of Fruitdale Subdivision.

Brock Cherry, Community Development Director said he worked with Elmore County to make this beneficial for all the parties involved. Currently part of Fruitdale Subdivision is in the City and part of it is in the County. He said they did a unitary agreement and the county is allowing the city to make the agreement on their behalf.

Councilman Brennan made a motion to approve Planning and Zoning Commission's recommendation to vacate a portion of Fruitdale Subdivision. Councilwoman Garvey 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.

8)Action Item: Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for 10th Street Neighborhood Preliminary Plat.

Councilman Brennan said he would like to stick with the stipulation of water availability at the time of the building permit.

Councilman Brennan made a motion to approve Planning and Zoning Commission's recommendation and Finding of Facts for 10th street Neighborhood Preliminary Plat adding the condition of water availability at the time of issuing the building permit. 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.

9)Action Item: Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts to rezone a portion of 830 North 2nd East from C-3 to Freedom Estates R-4 PUD.

Brock Cherry, Community Development Director said where the old bowling alley is they are proposing an infill housing project.

Terran Mitchell came forward to speak on the proposed housing project.

The Council discussed the project with the developers and they addressed blocking off access from this development to the roads that belong to the adjacent HOA.

Councilman Stokes made a motion to approve the Planning and Zoning recommendation and Finding of Facts to rezone a portion of 830 North 2nd East from C-3 to Freedom Estates R-4 PUD.

Councilman Stokes amended his motion to contradict what Planning and Zoning had recommended and approve rezoning a portion of 830 North 2nd East from C-3 to Freedom Estates R-4 PUD. 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.

10)Action Item: Deliberation/Decision on Planning and Zoning Commission's recommendation and Finding of Facts for Freedom Estates Preliminary Plat.

Councilman Brennan said he would like to add the standard water availability clause. So it is known you aren't going to be able to build in the city if there is no water.

Councilwoman Garvey made a motion to approve the Finding of Facts for Freedom Estates Preliminary Plat adding in reducing the height restriction down to thirty ft., with two parking spots per unit and adding in that you can only build in the City if there is water available. Councilman Stokes

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.

11)Action Item: Deliberation/Decision on Planning and Zoning Commissions recommendation and Finding of Facts to rezone Lincoln Square Apartments II R-4 PUD.

Brock Cherry went over the plans for development which would be a single three-story building.

Terran Mitchell came forward with the developers to discuss the proposed development. They went over how they intended to meet the desired two to one parking space ratio.

Councilman Stokes made a motion to approve Planning and Zoning Commission's recommendation and Finding of Facts to rezone Lincoln Square Apartments II R-4 PUD. Councilwoman Garvey seconded the motion.

Councilman Stokes amended his motion to include water availability at build and emergency access being the responsibility of the developers. Councilwoman Garvey seconded the amended 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.

ORDINANCE

1)Action Item: Ordinance #1756 amending Section 1, Article D, Chapter 1, Title 7 of Mountain Home City Code.

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
Councilwoman Garvey	AYE
Councilman McCain	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	NAY

Councilwoman Garvey AYE
Councilman McCain AYE

The majority of the vote being in favor, the motion was so ordered and given #1756.

RECOGNIZING PERSONS IN THE AUDIENCE

• Earl Pino spoke to the Council about the changes being made at the Farmer's Market at Railroad Park.

• Misty Pierce came forward to speak to the Council about the Farmer's Market.

• Councilman Stokes said in his opinion the Farmer's Market rents the entirety of the park. It isn't the City charging you fees to participate, it is the entity who has rented the park.

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 and Idaho Code Section 50-206 to discuss the removal of appointive officers.

Councilman Stokes made a motion to go into Executive Session 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 and Idaho Code Section 50-206 to discuss the removal of appointive officers. Councilwoman Garvey seconded the motion.

The following vote was recorded:

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

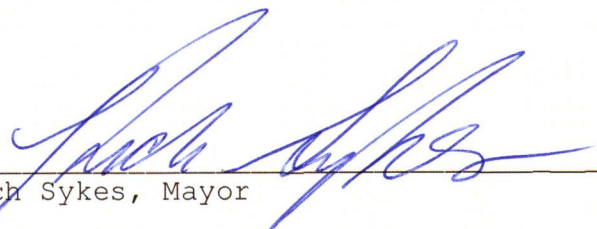
The vote being unanimous, the motion was carried and so ordered.

The Council entered into executive session at 8:04 p.m.

The Council came out of executive session at 8:47 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:48 P.M. by orders from Mayor Sykes.



Rich Sykes, Mayor

ATTEST: 

Tiffany Belt, City Clerk

