

MINUTES OF THE REGULAR MEETING OF THE  
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
 HELD ON OCTOBER 24<sup>th</sup>, 2022, AT 6:00 P.M.  
 AT MOUNTAIN HOME CITY HALL CHAMBERS  
 MOUNTAIN HOME, IDAHO

21657 CALL MEETING TO ORDER/ESTABLISH A QUORUM

21657 DEPARTMENT HEAD COMMENTS/REPORTS

21657 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

21657 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 Commission - September 20, 2022  
 Planning & Zoning Commission - October 3, 2022  
 City Council - October 11, 2022
- B. Bills - 10/12/22 to 10/24/22 in the Amount of \$437,294.84
- C. Treasurer's report for the period ending September 30, 2022
- D. Approve Grant Application 2022/23-014 request to allow the Parks & Recreation Departments to apply for The Fruit Tree Planting Foundation grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
- E. Approve the lease agreement with Pioneer Equipment Co. for GPS technology storage in the Animal Shelter fiber optic area and authorize the Mayor and City Clerk to sign.
- F. Approve the Fiber Department's request not to accept the bids from Crown Utilities, LLC and Sawtooth Directional Drilling for Local Improvement District #1.
- G. Approve Finding of Facts to amend the 2020 Mountain Home Comprehensive Plan to include the City of Mountain Home Police, Fire, Parks and Streets Department's Impact Fee Studies and Capital Improvement Plan as Appendix "N".
- H. Approve the Finding of Facts to rezone R-4 PUD and Preliminary Plat entitled Colthorp Commons PUD.
- I. Approve the Finding of Facts to Annexation of Mountainbound Custom Storage and RV Park.
- J. Approve the Finding of Facts to zone I-1 (*Light Industrial*) PUD entitled Mountainbound Custom Storage and RV Park.
- K. Approve the Finding of Facts for preliminary plat requested by Jennifer Loveday.
- L. Approve the Finding of Facts for a conditional use permit to allow a drive-in (drive-thru) located on 2745 American Legion Boulevard.

21658 NEW BUSINESS

- 1) Items Removed from Consent Agenda Section.
- 2) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a Mobile Food Concession Yard on American Legion BLVD. (*Staff report provided via email October 13, 2022*)



- 3) **Action Item:** Deliberation/Decision to enter into a development agreement with Leap Housing to pay the prior impact fee of \$1,050.18 per dwelling unit rather than the existing impact fee of \$3,977.00 per dwelling unit at the request of Leap Housing

21659

## ORDINANCES

- 1) **Action Item:** Ordinance #1766 zoning R-4 PUD Colthorp Commons.
- 2) **Action Item:** Ordinance #1767 Annexation of Mountainbound Custom Storage and RV Park.
- 3) **Action Item:** Ordinance #1768 zoning I-1 PUD Mountainbound Custom Storage and RV Park

21661

## RECOGNIZING PERSONS IN THE AUDIENCE

21661

## FINAL COMMENTS

21661

## 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 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)(c) - to acquire an interest in real property not owned by a public agency.
- 4) Pursuant to Idaho Code Section 74-206 (1)(d) - to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.
- 5) 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.

21662

## ADJOURN



MINUTES OF THE REGULAR MEETING OF THE  
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,  
HELD ON OCTOBER 24<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 October 24<sup>th</sup>, 2022. A quorum was established with, Councilman Stokes, Councilman Brennan, Councilwoman Garvey, Councilman McCain and Mayor Sykes being present.

DEPARTMENT HEAD COMMENTS/REPORTS

- Shasta Hochstrasser, Library Director said they have been approved to work with Idaho Health and Welfare as a telehealth provider. She said they are getting a drive by book drop installed, and outlined her programming.

- Gene Palmer, Street Superintendent said they are transitioning to winter and have gotten the sanders ready.

- Lieutenant Ty Larsen said on November 5<sup>th</sup> they will be doing testing for new officers.

- Mark Moore, Fire Chief said the open house was a success and broke attendance records.

- Rich Urquidi, Director of Public Works said they are winterizing the wells that aren't being used. Wastewater is getting the farm ready for the winter. He said they will be starting work on the walking path bridge on Wednesday.

- Paula Szafranski, City Treasurer said City Hall and Public Works will be giving out candy at the Spooktacular and they have already started working on displays for Christmas.

CONFLICT OF INTEREST DECLARATION

The councilmembers had nothing to declare at this time.

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.

- A. Approval acceptance of Minutes
  - Airport Commission - September 20, 2022
  - Planning and Zoning Commission - October 3, 2022
  - City Council - October 11, 2022
- B. Bills - 10/12/22 to 10/24/22 in the Amount of \$437,294.84
- C. Treasurer's Report - for the Period Ending 9/30/2022
- D. Approve Grant Application 2022/23-014 request to allow the Parks & Recreation Departments to apply for the Fruit Tree Planting Foundation grant and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
- E. Approve the lease agreement with Pioneer Equipment Co. for GPS technology storage in the Animal Shelter fiber optic area and authorize the Mayor and City Clerk to sign.
- F. Approve the Fiber Department's request not to accept the bids from Crown Utilities, LLC and Sawtooth Directional Drilling for Local Improvement District #1.
- G. Approve Finding of Facts to amend the 2020 Mountain Home Comprehensive Plan to include the City of Mountain Home Police, Fire, Parks, and Streets Department's Impact Fee Studies and Capital Improvement Plan as appendix "N".
- H. Approve the Finding of Facts decision to rezone R-4 PUD and Council Minutes - October 24, 2022



- Preliminary Plat entitled Colthorp Commons PUD.
- I. Approve the Finding of Facts to Annexation of Mountainbound Custom Storage and RV Park.
- J. Approve the Finding of Facts to zone I-1 (*Light Industrial*) PUD entitled Mountainbound Custom Storage and RV Park.
- K. Approve the Finding of Facts for the preliminary plat requested by Jennifer Loveday..
- L. Approve the Finding of Facts for a conditional use permit to allow a drive-in (drive-thru) located on 2745 American Legion Boulevard.

Councilman Brennan said the word "including" should be changed to "includes" on the first line of paragraph two for Item E. He asked to have Item F pulled.

Mayor Sykes pulled Item F to be discussed under new business.

Councilman Brennan wanted Item H corrected through interlineation to include EDU availability at the time of building permit.

Councilwoman Garvey said there was a spelling error on page seven of Item I. Paragraph 4a subsection I and asked to have it corrected.

Councilman Brennan made a motion to approve the consent agenda with the exceptions of Item I, changing the typo. Item H the restrictions of water availability at the time of building permit issuance and pulling Item F from the Consent Agenda. He made a change to Item E through interlineation, changing including to includes. 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 F: Approve the Fiber Department's request not to accept the bids from Crown Utilities, LLC and Sawtooth Directional.

The Council discussed rejecting the bids and how they would proceed forward with the project if they didn't go with the bids.

Mayor Sykes explained as the quotes are coming in now, it would double the cost of the project to the customer.

Councilwoman Garvey made a motion to approve the Fiber Department's request not to accept the bids from Crown Utilities, LLC and Sawtooth Directional. 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.

2) Action Item: Deliberation/Decision on Planning and Zoning commission recommendation and finding of facts for a conditional use permit to allow a Mobile Food Concession Yard on American Legion Blvd. (Staff report provided via email October 13, 2022)

This Item was pulled from the agenda to be brought back to a future meeting.



3)Action Item: Deliberation/Decision to enter into a development agreement with Leap Housing to pay the prior impact fee of \$1,050.18 per dwelling unit rather than the existing impact fee of \$3,977.00 per dwelling unit at the request of Leap Housing.

Bart Cochrane, CEO of LEAP Housing was present to address the Council. He said because this is a federally funded work force housing project, there is limitation on the amount of rent that can be charged.

Councilman Stokes said he is against impact fees at this time, because of where the economy is.

Councilwoman Garvey said she felt it was important to remind the Council that any impact fees waived is money the city has to come up with. So the City will need to come up with a \$175,000.00 difference out of the budget somewhere.

Paula Szafranski, City Treasurer said in the past they have waived impact fees on projects, but they did have to transfer money out of the street budget into the street impact budget to adjust for that waiver.

Bart said without the fees being waived it does put the project in jeopardy.

Councilman McCain said because the City's budget would have to make up the difference for any waived impact fees he would make a motion to deny entering into a development agreement with Leap Housing to pay the prior impact fee of \$1,050.18 per dwelling unit rather than the existing impact fee of \$3,977.00 per dwelling unit. Councilwoman Garvey seconded the motion.

Councilman Stokes said he hopes, regardless of the outcome tonight, Leap is able to bring a housing development to Mountain Home.

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.

#### ORDINANCE

1.Action Item: Ordinance #1766 zoning R-4 PUD Colthorp Commons.

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
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	AYE
Councilwoman Garvey	AYE
Councilman McCain	AYE

The vote being unanimous, the motion was so ordered and given #1766.

2. Action Item: Ordinance #1767 Annexation of Mountainbound Custom Storage and RV Park.

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 #1767.

3. Action Item: Ordinance #1768 zoning I-1 PUD Mountainbound Custom Storage and RV Park

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 #1768.

RECOGNIZING PERSONS IN THE AUDIENCE

- No one came forward to speak at this time.

FINAL COMMENTS

- There were no final comments at this time.

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 order to fill a particular vacancy or need.

Councilman Stokes made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), 74-206 (1)(c), 74-206(1)(d) and 74-206 (1)(f). 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 6:43 p.m.

The Council came out of executive session at 8:05 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 go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), 74-206 (1)(c), 74-206(1)(d) and 74-206 (1)(f). 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 6:43 p.m.

The Council came out of executive session at 8:05 p.m.

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

Councilman Stokes made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), 74-206 (1)(c), 74-206(1)(d) and 74-206 (1)(f). 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 6:43 p.m.

The Council came out of executive session at 8:05 p.m.

4) Pursuant to Idaho Code Section 74-206(1)(d) - to consider records that are exempt from disclosure as provided in Chapter 1, title 74, Idaho Code.

Councilman Stokes made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), 74-206 (1)(c), 74-206(1)(d) and 74-206 (1)(f). 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 6:43 p.m.

The Council came out of executive session at 8:05 p.m.

5) 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 Stokes made a motion to go into executive session, pursuant to Idaho Codes Sections 74-206 (1)(a), 74-206 (1)(b), 74-206 (1)(c), 74-206(1)(d) and 74-206 (1)(f). 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 6:43 p.m.

The Council came out of executive session at 8:05 p.m.

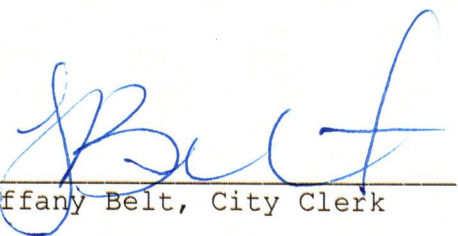
ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:06 P.M. by orders from Mayor Sykes.

  
Rich Sykes, Mayor



ATTEST:

  
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Tiffany Belt, City Clerk

