

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON MARCH 28th, 2022, AT 6:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 21435 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 21435 DEPARTMENT HEAD COMMENTS/REPORTS
- 21436 PRESENTATION
 Presentation of FY21 Audit - Harris & Co.
 General update from Mountain Home Adult Training Academy
- 21436 RECOGNIZING PERSONS IN THE AUDIENCE
- 21437 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
- 21437 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 - February 28, 2022
 Planning & Zoning Commission - March 7, 2022
 City Council - March 14, 2022
 - B. Approval acceptance of corrected Planning & Zoning Commission minutes:
 Planning & Zoning Commission - February 7, 2022
 Planning & Zoning Commission - February 11, 2022
 Planning & Zoning Commission - February 22, 2022
 - C. Bills - 03/15/22 to 3/28/22 in the Amount of \$434,833.37
 - D. Treasurer's report for the period ending February 28, 2022
 - E. Approve grant application requested for grant 2022/23-004 for FEMA Hazard Mitigation Grant for Well #17 back-up generator and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
 - F. Approve request by the Recreation Department to go out for bid for City outdoor aquatic facility construction.
 - G. Approve request by Water Department to go out to bid for drilling of well #17.
 - H. Approve amendment No. 6 to task orders 10, 11 and 12 with Keller Associates for water, wastewater and general engineering support and authorize the Mayor to sign.
 - I. Approve amendment No. 1 to task orders 21 with Keller Associates to include the construction phase of the College Park Rehabilitation project.
 - J. Approve request for the Water Department to go out to bid for the College Park Rehabilitation project.
 - K. Approve request to vacate a right-of-way.
- 21438 OLD BUSINESS
- Council Minutes - March 28, 2022

- A) **ACTION ITEM:** (Legislative continued from February 28, 2022) Pass Resolution #07-2022R Intent to create fiber LID #1.

21438

NEW BUSINESS

- 1) Items Removed from Consent Agenda Section.
- 2) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for annexation for Copium Investments located at 370 W 12th South Street and finding of facts.
- 3) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for Zoning R-4 for Copium Investments located at 370 West 12th South Street and finding of facts.
- 4) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for a conditional use permit for Copium Investments located at 370 West 12th South Street and finding of facts
- 5) **Action Item:** Deliberation/Decision on Planning and Zoning commission recommendation for a preliminary plat for Autumn Park Subdivision and finding of facts.

21442

ORDINANCE

- 1) **Action Item:** Ordinance #1738 - Annexation of East 8th North
- 2) **Action Item:** Ordinance #1739 - Zoning C-3 East 8th North
- 3) **Action Item:** Ordinance #1740 - Annexation of 10th Street Neighborhood
- 4) **Action Item:** Ordinance #1741 - Zoning R-4 PUD of 10th Street Neighborhood

21366

FINAL COMMENTS

21366

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON MARCH 28th, 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 March 28th, 2022. A quorum was established with, Councilman Stokes, Councilman McCain, Councilwoman Garvey and Mayor Sykes being present. Councilman Brennan was present via Zoom.

Mayor Sykes moved the Old Business Action Item to the beginning of the meeting so that Bruce Patterson could travel home earlier in the evening.

OLD BUSINESS

Action Item: (Legislative continued from February 28, 2022) Pass Resolution #07-2022R Intent to create fiber LID #1.

Bruce Patterson, with EntryPoint Solutions gave a presentation on a potential LID #1 for the City of Mountain Home. He answered questions about how the LID would work.

The Council discussed what would be the best way for the City to move forward with the project.

Councilman Brennan and City Attorney, Paul Fitzer were disconnected from the meeting at 6:44 p.m. and the meeting continued.

DEPARTMENT HEAD COMMENTS/REPORTS

- Hank Patrick, Building Official said they received 46 applications for new single-family homes this year. In all of last year there were 73 applications, so he expects this year will be above that.

Paul Fitzer and Councilman Brennan were connected via Zoom again at 6:47 p.m. and the meeting continued.

- Kyle Land, Fiber Foreman said they are working on connecting houses on SW Raelynn St.

- Mark Moore, Fire Chief said they are going to do Wildland Fire Training.

- Shasta Hochstrasser, Library Director said they are having the Friends of the Library book sale at the end of this week. She outlined the various activities that would be running through the month of April. The library will be hiring a summer intern through grant money again this summer.

- Scott Conner, Police Chief said they have a lot of training going on.

- Rich Urquidi, Director of Public Works said the Airport Taxiway bid will open on Thursday. He said they had a meeting this morning for the DCIP grant and they are working toward a five-million-dollar grant for the wells with the air base.

- Paula Szafranski, City Treasurer said she spoke with Jamie McDaniel, the City grant administrator about possibly going out for a grant for electric cars and a charging station for them. She said the auditors are here tonight to present the FY21 audit.

- Darcy Braithwaite, Recreation Superintendent said the parks are all extremely busy. She asked that pet owners clean up after their pets. The fitness court is nearly finished, and they are hoping to open it by the end of April. She said Recreation is working on their summer programming.

- Shirley Batchelor, Wastewater Superintendent said they are preparing Council Minutes - March 28, 2022

for irrigation season.

- Dave Sonnentag, Water Superintendent said they are doing line locating for well #17 and for the College Park project.

- Tiffany Belt, City Clerk said there will be ICRMP training April 5th and 6th in Boise and the Department Heads that couldn't make it that day will attend the training the 13th and 14th of April.

- Brock Cherry, Community Development Director said Loves is no longer considering Mountain Home, there were some improvement conditions that made that specific site unusable for them. He said the OpenGov software is now fully implemented.

- Councilman McCain said he is thrilled about all the things going on for the City right now. It looks like spring is in full swing and you can see projects being worked on.

- Mayor Sykes said he and Betsy are working on the State of the City address and he will be out on base for the Month of the Military Child Proclamation next Monday.

- Paula said Harris and Company is trying to recruit a new auditor for the City.

- Gene Palmer, Street Superintendent said they are doing road patching and road painting.

PRESENTATION

Presentation of FY21 Audit - Harris & Co.

Josh Tyree from Harris & Co. was in attendance and gave a presentation of the FY21 audit.

General update from Mountain Home Adult Training Academy

Mr. Porter was present to give an update on the Mountain Home Adult Training Academy. He said they run a leadership academy for some of the cities in Bingham County that is customizable and gives professional development training.

RECOGNIZING PERSONS IN THE AUDIENCE

- Philip Wise from Gin Group, spoke to the council about their development, Turner House. He said their group feels the city's impact fees are already high, and a raise in them would put the project in jeopardy.

- Dan Jacobs, a property owner on Autumn Ave came forward to speak about the proposed Autumn Park Subdivision. He said the subdivision is not recognizing the roadway and it is clearly stated in his deed. He said as a property owner he is feeling railroaded on the road right-of-way.

- John Paul spoke to the Council about the proposed Autumn Park Subdivision.

- Kristine Lee spoke to the Council about the impact of the proposed subdivision on Autumn Ave.

- Dan Weitz came forward about the proposed impact fees. He cautioned the council that raising the impact fees might affect the ability for most developers to build.

- Eddie Wilson spoke about the implementation of the impact fees. He said

he is looking at developing land and this will negatively affect his ability to build his project.

Brock Cherry, Community Development Director said there will be public hearings for impact fees at the Planning and Zoning meeting on the 4th of April.

- Shane Stevenson spoke to the Council about the Autumn Park Subdivision. He said his concern is for the Rolling Hills subdivision and burden the density of the project will place on the existing subdivision.

- Mitchell Shook, the founder of Advanced Stream came before the Council to speak about access to fiber.

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.

- Councilman Stokes said he had spoken to Shane Stevenson about contiguous, harmonious development and density next to R-4 zones.

- Councilwoman Garvey said she spoke to Shane Stevenson regarding the same subject.

- Mayor Sykes said he spoke with Kristine Lee about their road, Autumn Avenue.

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
 - Special City Council - February 28, 2022
 - Planning & Zoning - March 7, 2022
 - City Council - March 14, 2022
- B. Approval acceptance of corrected Planning & Zoning Commission minutes:
 - Planning & Zoning Commission - February 7, 2022
 - Planning & Zoning Commission - February 11, 2022
 - Planning & Zoning Commission - February 22, 2022
- C. Bills - 3/15/22 to 3/28/22 in the Amount of \$434,833.37
- D. Treasurer's Report - for the Period Ending 2/28/2022
- E. Approve grant application requested for grant 2022/23-004 for FEMA Hazard Mitigation Grant for Well #17 back-up generator and authorize the Grant Administrator to complete all grant documents and the Mayor and City Clerk to sign all required documents.
- F. Approve request by Recreation Department to go out to bid for City outdoor aquatic facility construction
- G. Approve request by Water Department to go out to bid for drilling of well #17.
- H. Approve amendment No. 6 to task orders 10, 11 and 12 with Keller Associates for water, wastewater and general engineering support and authorize the Mayor to sign.
- I. Approve amendment No. 1 to task orders 21 with Keller Associates to include the construction phase of the College Park Rehabilitation project.
- K. Approve request to vacate a right-of-way.

Councilman Stokes asked about the SCADA master plan and said when it was finished, he would like for the Council to get a copy.

- Councilwoman Garvey said on the March 7th Planning and Zoning meeting minutes it needs to state that either the Chair did vote or did not, but currently it says he voted aye and the next sentence said he did not vote. She requested that be corrected.

Councilman Brennan said when the Council is asked to amend task orders that are significantly higher than previously thought, that might be a good spot to use the ARPA funding for.

Mayor Sykes said at the next meeting there would be information on another avenue for funding the well with a DCIP grant.

Councilman Stokes made a motion to approve the Consent Agenda as printed with an amendment to the March 7th Planning and Zoning minutes. 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.

OLD BUSINESS

Action Item: Pass Resolution #07-2022R Intent to create fiber LID #1 (Legislative continued from February 28, 2022)

Councilman McCain made a motion to go out to public hearing for resolution #07-2022R Intent to create fiber LID #1. Councilwoman Garvey seconded the motion.

Councilman Brennan said he felt it was important to get the take rate numbers up before a public hearing was held.

Councilman Stokes said he would like the connection fee on the paperwork to be amended from \$3,000.00 to \$4,500.00. It was agreed to change the connection fee range on the paperwork for the public hearing.

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.

NEW BUSINESS

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

There were no items pulled from the Consent Agenda for further discussion.

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

Brock Cherry, Community Development Director said there would be items coming before the Council this evening for 370 West 12th South. He said this item is for annexation of the property. This property is contiguous to the City with property to the West that is already annexed.

Councilman Brennan asked the developer if these would be truly mobile homes or if they would have permanent foundation structures.

The project developer, Isaac Whitman said they will provide the pad sites and people will be able to move homes in and out.

Councilman Brennan asked if it was harder to get loans on homes without a permanent foundation.

Isaac said he thought the lending process was different and most usually run through credit unions.

Councilman Brennan asked if they would be rentals or if they would all own their own mobile home.

Isaac said they would each bring their own home and they, as developers would lease the lot.

Councilman Stokes asked if the developer saw this as a good fit.

Isaac said all the neighbors he had spoken to felt it would be an improvement to the area.

Councilman Brennan read from the comprehensive plan where it says the most undesirable housing type is manufactured homes with more people trying to discourage it than encourage it.

Councilman McCain asked where the provision in the plan was for the boat and RV parking that is usually required for this type of development.

Brock said the applicant felt their target resident probably wouldn't make use of that additional storage space.

Councilman McCain said he knew of several local mobile home parks that do have designated space for storage and it is utilized.

Councilwoman Garvey asked what the standard size storage unit for this type of property is.

Brock said he would check and get an accurate size back to the Council.

Councilman Stokes said it looked like the requirement is 100 SQFT of storage space. What is proposed is only 40 SQFT.

Councilman Brennan said based on the comments on the comprehensive plan he doesn't feel this development is desired in the City of Mountain Home at this time.

Councilman Brennan made a motion to deny annexation for Copium investments at 370 West 12th South Street.

Mayor Sykes asked if the applicant was asking not to have the RV storage area.

Brock said that was correct and the conditional use permit allows for the applicant to deviate from certain property development standards, such as setbacks and adding certain components.

Mayor Sykes said he understands there is concern about the parks, but he also knows people need places to live.

Councilman McCain said he is concerned about this development becoming a code enforcement issue.

Councilman Stokes asked if the applicant would be amenable to making the storage sheds 100 SQFT.

Isaac said he has a hard time seeing how it would configure with current plans but he wasn't against it.

Councilman McCain asked if the applicant was denied annexation could the applicant reapply with a plan more in alignment to what the Council was

looking for.

Paul Fitzer, City Attorney said rather than vote to deny the annexation the Council could choose to deny waiving the provision and remand the annexation back to the Planning and Zoning Commission to reflect the change and it will require an additional public hearing, because it is a material change.

There was no second to Councilman Brennan's motion and the motion died.

Councilman McCain made a motion to remand this back to the Planning and Zoning Commission to bring the CUP into full compliance with the manufactured home ordinance. 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.

3)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation for Zoning R-4 for Copium Investments located at 370 West 12th South Street and finding of facts.

This item was automatically remanded back to the Planning and Zoning Commission with the vote to remand the annexation to the Commission.

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

This item was automatically remanded back to the Planning and Zoning Commission with the vote to remand the annexation to the Commission.

5)Action Item: Deliberation/Decision on Planning and Zoning commission recommendation for a preliminary plat for Autumn Park Subdivision and finding of facts.

Brock Cherry, Community Development Director said it is important to note the application before the Council does not encompass Autumn Rd. He said he believes with other applications that will be brought forward this is not the last time dealings with Autumn Road will come before the Council.

There was discussion about what the Council would be approving tonight.

Paul Fitzer, City Attorney said the City will not be interfering in the road dispute, but he wanted to make sure the plat before the City Council today does not include any of that property and does not create a stub to enter into it. The City does not have the right to grant access to an adjoining property.

Councilman McCain made a motion this item be tabled until the applicant can bring back documentation legal counsel will be comfortable with explaining the property the applicant will be using is his property.

Chuck Christiansen, with Quadiant Consulting went over the easement document with the council and said it is the developer's position that this road is not part of their property.

Councilman Stokes and Councilwoman Garvey said they wondered if there could be some single family houses before the multifamily houses the applicant was proposing.

Chuck said when the plan was developed the owner made sure it was in compliance with the city's zoning.

Councilman Brennan said he felt if block two, lots 13 and 15 could be single family homes he felt that would be sufficient. He also felt 15, 16 and 17 could be combined into two lots both with single family residences.

Councilwoman Garvey said if you are going to combine it would be 14, 15, 16 and 17.

Councilman Stokes said if you just combine the three lots and then split them in half it makes the lots comparable to the other lots in the neighborhood.

Councilman Brennan said he had concerns about the thin strip of storm water retention on the South side of Highland Street. He said it feels like a barrier to future development at that side of the street. Councilman Brennan said the additional traffic on Rolling Hills to be over 800 additional daily trip counts.

Paul said he was satisfied based on the representation of the applicant's representative as long as that representation makes its way into the conditions of approval and looking at P&Z's conditions it is not there. He would want to make sure a motion to approve would include the property would not be permitted to access this disputed road until it becomes a public road by court order or agreement of all interested parties.

Councilman McCain withdrew his motion to table this item.

Councilman Brennan said he feels there are too many unanswered questions currently. He made a motion to set this out for a City Council Public Hearing.

Chuck said the property owner chose this property based on the City of Mountain Home's requirements and existing zoning. The city annexed the property and zoned it and the developer made sure this property conformed with all the city's requirements. They also completed traffic studies.

Paul said what applicant's representative relayed to the council was entirely correct.

Councilman Brennan rescinded his motion and asked Chuck if the development was willing to move the retention strip to the South of the property.

Chuck said yes. He asked if Councilman Brennan was asking for the roadway to be moved or that it just not be used as a waterway strip.

Mayor Sykes said he thought what was being asked was if there was another development there, they could use the road.

Councilman McCain said if that were the case the road would have to be moved.

Councilman Brennan wasn't sure if that was truly a yes because he would still need to talk to the property developer.

Chuck said he could speak for the developer on that issue and on combining the lots.

Councilman Stokes made a motion to approve the Planning and Zoning Commission recommendation for a preliminary plat for Autumn Park Subdivision and finding of facts with conditions. The Council is requiring legal documentation about Autumn Ave. and the easements. In block three, lot four will be removed, the five-foot storm water retention strip will be removed. Lots within block one 15, 16 and 17 combined into two single family residential units as well as in block two parcels 13 and 15 as single family

residential units. No more than fifty percent of the front yards of the lots will be sod.

Councilman McCain said you couldn't take out lot four in block three, it is still a viable lot.

Councilman Stokes amended his motion to leave lot four in block three in the plat. 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.

ORDINANCES

Action Item: Ordinance #1738 - Annexation of East 8th North.

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 #1738.

Action Item: Ordinance #1739 - Zoning C-3 East 8th North.

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. 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 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 #1739.

Action Item: Ordinance #1740 - Annexation of 10th Street Neighborhood.

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 #1740.

Action Item: Ordinance #1741 Zoning R-4 PD of 10th Street Neighborhood.

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 #1741.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:11 P.M. by orders from Mayor Sykes.



Rich Sykes, Mayor

ATTEST: 

Tiffany Belt, City Clerk

