

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON FEBRUARY 27th, 2017, AT 6:00 P.M.
AT MOUNTAIN HOME CITY HALL CHAMBERS
MOUNTAIN HOME, IDAHO

- 19927 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 19927 RECOGNIZING PERSONS IN THE AUDIENCE
- 19927 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.
- A. APPROVAL OF MINUTES
 - Planning & Zoning Commission - November 21, 2016
 - Planning & Zoning Commission - February 6, 2017
 - City Council - February 13, 2017
 - B. BILLS - 2/14/17 to 2/27/17 in the Amount of \$200,045.99
 - C. TREASURER'S REPORT - for the Period Ending 1/31/17
 - D. APPROVE PLANNING AND ZONING RECOMMENDATION for the proposed amendments to the City Code relating to Title 9: Land Use and Development: Sections 9-3-2. 9-7-8 and 9-9-2 for the City of Mountain Home
 - E. APPROVE REQUEST TO WAIVE BUILDING PERMIT FEES for the English Congregation of Jehovah's Witnesses of Mountain Home in the amount of \$1,571.92 for their building remodel (**Pulled from Consent Agenda and placed under New Business**)
 - F. APPROVE GROUP SPORTS ACTIVITIES AGREEMENT for the Elmore County Youth Baseball and Authorize the Mayor to sign (**Pulled from Consent Agenda and continued to the March 13th meeting**)
 - G. APPROVE TEMPORARY CONSTRUCTION EASEMENT with Bideganeta Construction for the construction of the Announcer's Stand at Optimist Park and Authorize the Mayor and City Clerk to sign
 - H. APPROVE AMENDMENT #1 TO AGREEMENT for Engineering Services to extend the expiration date of the Agreement to December 31, 2017 and Authorize the Mayor to sign
 - I. APPROVE TASK ORDER #1 for Horrocks Engineers for General Planning Services in an as-needed basis to be paid on a time and materials basis utilizing the hourly rates approved as part of the Master Professional Services Agreement and Authorize the Mayor to sign
 - J. APPROVE TASK ORDER #2 for Horrocks Engineers to complete a graphic conceptual plan for Phase I of the proposed Mountain Home Business Rail Park to be paid on a time and materials basis utilizing the hourly rates approved as part of the Master Professional Services Agreement in a not to exceed amount of \$12,000.00 and Authorize the Mayor to sign
 - K. APPROVE REQUEST TO TRAVEL for Mayor Rich Sykes to travel to Las Vegas, NV May 21st - 24th, 2017 for the International Conference of Shopping Centers for Economic Development of the City in an amount not to exceed \$2,000.00

- L. APPROVE BUDGETED TRANSFER from General Fund in the amount of \$434,203.00 to Economic Development in the amount of \$150,861.00 and Golf Course - Operating Expenses in the amount of \$283,342.00

- 19928 OLD BUSINESS
Discussion/Decision on City Participation with the Mountain Home Air Force Base water pipeline project
- 19928 NEW BUSINESS
Items Removed from Consent Agenda Section
Discussion/Decision on proposed changes at the Cemetery by the Cemetery Sexton
Discussion/Decision on the purchase of a Liquor License
- 19930 ORDINANCES
Ordinance - Updating section 9-3-2, 9-7-8 and 9-9-2 of Land Use and Development for Carports in Setback Areas
- 19930 FINAL COMMENTS
- 19931 EXECUTIVE SESSION - Pursuant to Idaho Code Section 74-206(1)(c) - To acquire an interest in real property which is not owned by a public agency
- 19931 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON FEBRUARY 27th, 2017, 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 February 27th, 2017. A quorum was established with, Councilman Bundy, Councilman Schroeder, Councilman Bryant and Mayor Sykes being present. Councilman Schipani was absent.

RECOGNIZING PERSONS IN THE AUDIENCE

No one came forward 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.

- A. APPROVAL OF MINUTES
 - Planning & Zoning Commission - November 21, 2016
 - Planning & Zoning Commission - February 6, 2017
 - City Council - February 13, 2017
- B. BILLS - 2/14/17 to 2/27/17 in the Amount of \$200,045.99
- C. TREASURER'S REPORT- for the Period Ending 1/31/17
- D. APPROVE PLANNING AND ZONING RECOMMENDATION for the proposed amendments to the City Code relating to Title 9: Land Use and Development: Sections 9-3-2, 9-7-8 and 9-9-2 for the City of Mountain Home
- E. APPROVE REQUEST TO WAIVE BUILDING PERMIT FEES for the English Congregation of Jehovah's Witnesses of Mountain Home in the amount of \$1,571.92 for their building remodel **(Pulled from Consent agenda and placed under New Business)**
- F. APPROVE GROUP SPORTS ACTIVITIES AGREEMENT for the Elmore County Youth Baseball and Authorize the Mayor to sign **(Pulled from Consent Agenda and moved to the March 13th meeting)**
- G. APPROVE TEMPORARY CONSTRUCTION EASEMENT with Bideganeta Construction for the construction of the Announcer's Stand at Optimist Park and Authorize the Mayor and City Clerk to sign
- H. APPROVE AMENDMENT #1 TO AGREEMENT for Engineering Services to extend the expiration date of the Agreement to December 31, 2017 and Authorize the Mayor to sign
- I. APPROVE TASK ORDER #1 for Horrocks Engineers for General Planning Services in an as-needed basis to be paid on a time and materials basis utilizing the hourly rates approved as part of the Master Professional Services Agreement and Authorize the Mayor to sign
- J. APPROVE TASK ORDER #2 for Horrocks Engineers to complete a graphic conceptual plan for Phase I of the proposed Mountain Home Business Rail Park to be paid on a time and materials basis utilizing the hourly rates approved as part of the Master Professional Services Agreement in a not to exceed amount of \$12,000.00 and Authorize the Mayor to sign
- K. APPROVE REQUEST TO TRAVEL for Mayor Rich Sykes to travel to Las Vegas, NV May 21st - 24th, 2017 for the International Conference of Shopping Centers for Economic Development of the City in an amount not to exceed \$2,000.00
- L. APPROVE BUDGETED TRANSFER from General Fund in the amount of \$434,203.00 to Economic Development in the amount of \$150,861.00 and Golf Course - Operating Expenses in the amount of \$283,342.00

• Mayor Sykes pulled item E. He said he was pulling item E so the Council could discuss it further.

• Mayor Sykes pulled item F because City Attorney, Jay Friedly wished to make some changes to the agreement.

Councilman Schroeder made a motion to approve the Consent Agenda as amended. Councilman Bryant seconded the motion.

The following vote was recorded:

Councilman Bryant	AYE
Councilman Schroeder	AYE
Councilman Bundy	AYE

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

OLD BUSINESS

Discussion/Decision on City Participation with the Mountain Home Air Force Base water pipeline project

Public Works Director Rich Urquidi said the window to decide is closing and he wanted the Council to take into consideration the 6,000 gallons per minute is equivalent to three to four wells the city has.

It was decided the Council would get information from the County Commissioners and research this further before it is brought back to a future City Council Meeting.

NEW BUSINESS

Items Removed from Consent Agenda Section

Item E: Request to Waive Building Permit Fees for the English Congregation of Jehovah's Witnesses of Mountain Home in the amount of \$1,571.92 for their building remodel

Councilman Schroeder said there was a similar situation a year ago from the Baptist Church and the Council has never approved a waiver of Building Permit Fees for a church that he is aware of. The main reason being they are already tax exempt and receive city services free of charge. He said there are three provisions in the Idaho Constitution that prevent this.

Councilman Bundy asked if the City had a history of waiving fees in these situations.

Councilman Schroeder answered fees are routinely waived for government entities and there are a couple private entities fees that have been waived for facilities that are open to the general public. He said he felt the ordinance needed to be amended so it was clear the City cannot do that for religious entities.

Building Official, Mike McCain said in the time he has been with the City they have never waived building permit fees for church organizations.

Councilman Schroeder made a motion to deny the request to waive building permit fees for the English Congregation of Jehovah's Witnesses of Mountain Home in the amount of \$1,571.92 for their building remodel. Councilman Bryant seconded the motion.

The following vote was recorded:

Councilman Bryant	AYE
Councilman Schroeder	AYE
Councilman Bundy	AYE

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

Discussion/Decision on proposed changes at the Cemetery by the Cemetery Sexton

Larry Cronin, Cemetery Sexton said he would like to have section F in the Cemetery changed so that the headstones in that section can be either

flat or raised. He said last year the Cemetery had 65 funerals and only three were in the flat section. He said Section D is the only section left to buy plots in a raised section.

Mayor Sykes asked how much more mowing time it would take each week if the section was converted to allow raised headstones.

Larry answered it would add about six hours of trimming.

Councilman Bundy asked if the six hours would be absorbed into the current man hours budgeted or if they would need additional funding.

Larry said it was something they could take on with the man hours the Cemetery has now and less than the man hours they would need if they needed to start using the additional five acres that are in the annex area. He said there is also the niche wall for cremations.

Larry said he would like to change the ordinance that says you can only have one full casket and two sets of urns put into one site and change it to say two caskets and two urns can be put into a plot. He said they would only need to make each grave another half foot deep to maintain the eighteen inches of soil on top.

Councilman Schipani was present at 6:23 and the meeting continued.

Nina Patterson, City Clerk said she just wanted to make it clear that the decision would have to be made when the first person went in, they couldn't change their mind later to add another casket.

Councilman Schroeder made a motion to approve the proposed changes at the Cemetery by the Cemetery Sexton. Councilman Bundy seconded the motion.

The following vote was recorded:

Councilman Bryant	AYE
Councilman Schroeder	AYE
Councilman Schipani	AYE
Councilman Bundy	AYE

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

Discussion/Decision on the purchase of a Liquor License

Paula Riggs, Economic Development Director said the City currently has fifteen liquor licenses out and according to state code we are only allowed nine with a population the size of Mountain Home. She said Economic Development received a call from the owner of Cal's Bar that he is interested in selling his liquor license. Paula said she did some investigating and the City could buy the license and lease it out to a business. She said there is no set price on it at the moment but the bar owner is saying between \$100,000.00 and \$150,000.00.

Councilman Bryant said the price he is asking is very inflated. He said he thought a license would only be worth \$30,000.00 to \$40,000.00.

Mayor Sykes said he couldn't see spending more than the license was worth to buy it.

Councilman Bundy asked what the lease amount would be for a restaurant.

Mayor Sykes said it would be whatever the City decided to charge.

Councilman Schroeder said he is reluctant to entangle the City in what is essentially a private market and a private business.

Councilman Bryant said he has no problem with the idea but he thought the price was outrageous.

Councilman Schroeder said the additional concern is we can get another restaurant here. He said if the City were to facilitate the transaction the City would then be subsidizing the competition.

Jay Friedly, City Attorney said there are some issues as to whether the City should even buy a license.

Councilman Schroeder said he would like to distinguish between if it is permissible with Alcohol Beverage Control and if it is permissible for the City to do this. He said from the research he has done so far it is not something that can be done.

Councilman Bundy said he would like to know what other Cities are doing this and how it is working for them.

It was decided Councilman Bryant would do more research with Paula Riggs, Economic Development Director.

ORDINANCES

Ordinance - Updating sections 9-3-2, 9-7-8 and 9-9-2 of Land Use and Development for Carports in Setback Areas

Councilman Schroeder asked Building Official, Mike McCain if some changes could be made to the ordinance before the Council passed it.

It was decided there would be changes made to the ordinance and it would be brought back to the next Council Meeting on March 13, 2017.

FINAL COMMENTS

- Councilman Schroeder said there was a bill in the packet it would allow the County Commissioners to decide if property owners should get tax exemption. He said his only concern is there is a clause where it could be decided on trade secret. Currently the amount is set at \$3,000,000.00 and it would change to \$500,000.00.

Councilman Bundy said if they are going to claim a value it should be common knowledge what the value is.

Paula Riggs, Economic Development Director said she has known about this but not on personal property, it has always before been a \$3,000,000.00 Capitol Improvement.

Councilman Schroeder said new plant and building facilities means manufacturing facility or facilities and personal property related thereto.

Paula said she has always felt the \$3,000,000.00 was too high of a number for rural communities but \$500,000.00 could be going from one extreme to another.

- Councilman Bryant asked if we are likely to get any of the matches Buxton Company has given us.

Paula Riggs said they were just given those matches and are now in the preliminary stages of sending Mountain Home's portfolio to those matches.

- Nina Patterson, City Clerk wanted to let the Council know because of the City working to get employees on workmen's comp back to work as quickly as possible the experience modification for the City is down to .75 which has saved Mountain Home \$34,000.00 in premiums.

Council Minutes - February 27th, 2017

• Tiffany Belt, Deputy City Clerk said the City has been working on wellness in a hope to lower insurance premiums because they are set to go up substantially when the policy is renewed.

• Councilman Schipani asked Paula Riggs what happened with the new sushi restaurant.

Paula said he is still interested though has had some setbacks with his other restaurant. She said he is scheduled to make another site visit to Mountain Home.

EXECUTIVE SESSION

Executive Session - Pursuant to Idaho Code Section 74-206(1)(c) - To acquire an interest in real property which is not owned by a public agency

Councilman Schroeder made a motion to go into executive session pursuant to Idaho Code Section 74-206(1)(c) - To acquire an interest in real property which is not owned by a public agency. Councilman Schipani seconded the motion.

The following vote was recorded:

Councilman Bryant	AYE
Councilman Schroeder	AYE
Councilman Schipani	AYE
Councilman Bundy	AYE

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

The Council went into Executive Session at 7:07 P.M.

The Council came out of Executive Session at 7:31 P.M.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 7:32 P.M. by orders from Mayor Sykes.

ATTEST:

Nina Patterson
Nina Patterson, City Clerk

Rich Sykes
Rich Sykes, Mayor

