MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON SEPTEMBER 23rd, 2025, AT 5:00 P.M.
AT MOUNTAIN HOME CITY HALL CHAMBERS
MOUNTAIN HOME, IDAHO

22460 CALL MEETING TO ORDER/ESTABLISH A QUORUM

22460 RECOGNIZING PERSONS IN THE AUDIENCE

22460 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.

22460 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.

1) Approval acceptance of minutes: Planning & Zoning Commission - August 19, 2025.
2) Approval acceptance of minutes: Regular City Council – September 9, 2025.
3) Approval acceptance of minutes: Special City Council – September 12, 2025.
4) Approve expenditures from 9/10/2025 to 9/23/2025 in the amount of $1,340,599.32
5) Treasurer's Report for the period ending 8/31/2025.
6) Approved write-offs for 2024-2025 in the amount of $6,874.06
7) Approve public notice for 2026 regular City Council meeting dates.
8) Authorize the Mayor and City Clerk to sign all required documents for the grant application 2025/26-004.
9) Approve Final Plat – Blue Yonder Subdivision 2
10) Approve Final Plat – Blue Yonder Subdivision 3
11) Approve Final Plat – Thunderbolt Landing 3
12) Approve insurance policy renewal with ICRMP Insurance for October 1, 2025, to September 30, 2026.
13) Approve worker's compensation and employer liability insurance policy renewal with State Insurance Fund for October 1, 2025, to September 30, 2026.
14) Approve agreement with Cottages Investors II, LLC to allow The Cottages of Mountain Home to use the Parks & Recreation building as a first location during an emergency and authorize the Mayor and City Clerk to sign.
15) Approve agreement with Cottages Investors II, LLC to allow The Cottages of Mountain Home to use the Discovery Building as a second location during an emergency and authorize the Mayor and City Clerk to sign.
16) Approve Resolution 20-2025R and authorize the Mayor to sign. **(Pulled from Consent Agenda)**
17) Approve Resolution 21-2025R and authorize the Mayor to sign.

22460 OLD BUSINESS

1) Non-Action Item: Discussion on adopting a City ordinance and policies regarding TNR.

22461 NEW BUSINESS

1) Items removed from the Consent Agenda
2) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to amend the "Turner House Depot" preliminary plat with conditions.
3) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to amend the entitled R-4 PUD "Turner House Depot" with conditions.
4) Approve the service agreement with Mountain Home Arts Council, Inc., and authorize the Mayor and City Clerk to sign.
5) Approve the service agreement with Mountain Home Senior Citizens, Inc., and authorize the Mayor and City Clerk to sign.
6) Approve the service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.
7) Approve the service agreement with Elmore County Domestic Violence Council, Inc., and authorize the Mayor and City Clerk to sign.
8) Approve the service agreement with Mountain Home Chamber of Commerce, Inc., for the Desert Mountain Visitor Center, and authorize the Mayor and City Clerk to sign.
9) Approve the service agreement with Treasure Valley Transit, Inc., and authorize the Mayor and City Clerk to sign.

22463 ORDINANCE

1) Ordinance 1808 – Amending Mountain Home Code Title 7, Chapter 3, Section 2.

22463 FINAL COMMENTS

22463 EXECUTIVE SESSION

1) 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.

22464 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON SEPTEMBER 23rd, 2025, AT 5:00 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 September 23rd, 2025. A quorum was established with Councilwoman Wirkkala, Councilman Brennan, Councilman Harjo, and Mayor Sykes being present. Councilwoman Garvey was absent.

RECOGNIZING PERSONS IN THE AUDIENCE

Stephen Nameth spoke on the TNR discussion on the agenda.

Crystal Moore from Lost Paws came forward to discuss TNR and their opinions on the matter.

Nikki Davis came forward with her experiences with Lost Paws and the TNR service they provide.

Ted Thompson said he spoke with an Airport Committee member about the air traffic control frequency and was told it would be on the agenda, but he expressed frustration that it was not and his concerns that it was not being considered.

Tisha Thornberg came forward to discuss her feelings on TNR and Lost Paws.

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.

Councilman Harjo, Councilman Brennan and Councilwoman Wirkkala all said that they had several emails and calls from citizens regarding TNR.

CONSENT AGENDA

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Councilwoman Wirkkala said that she would like to pull Item 16 from the Consent Agenda. She also asked for confirmation and clarification on Items 9 and 10 from Chris Curtis, Public Works Director, that Keller and Associates provided a wastewater report on May 20, 2025 with some concerns listed, to ensure that they had been addressed. She also stated for the record that the Blue Yonder plat had been approved in 2022.

Councilman Harjo mentioned Items 9 and 10, he wanted to ensure that through our attorneys and land use that the conditions in the preliminary plat go forward to the findings of fact and approval of the final plat.

Legal confirmed this as correct.

Councilman Brennan made a motion to pass the Consent Agenda as printed, while pulling Item 16. Councilwoman Wirkkala seconded the motion. The vote goes as follows: Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

OLD BUSINESS

1) Non-Action Item: Discussion on adopting a City ordinance and policies regarding TNR.

Mayor Sykes suspended Robert's Rules of Order for this item only so that a discussion could take place.

Councilman Harjo said that he and Geoff Schroder, City Attorney, had worked on a proposal over the last couple of months and have a shell of what could exist that might permit a TNR program to operate independently in the City of Mountain Home.

Geoff Schroder explained that he served as City Attorney and Prosecutor, handling neighbor disputes over animal control, and that most success had come through mediation. He said the goal was to protect volunteers from violating statutes and ensure animals were safe and treated properly. He emphasized that part of the framework was dictated by state law and partly by the City's authority to maintain public welfare. While Councilman Harjo would present slides, he provided legal context and answered questions. He added that he and Councilman Harjo had reviewed ordinances from other cities and planned to draft a framework that was enforceable without creating criminal or nuisance violations.

Councilman Harjo stated that their goal was to reduce feral cat colonies while protecting public health and safety, emphasizing partnerships with local nonprofits for TNR. He noted that existing state law and city codes already provide a legal framework for managing domestic animals. The framework aims to standardize TNR without being burdensome, and licensed veterinary care is non-negotiable in Idaho, as the Department of Occupational Professional Licensing requires veterinarians to be licensed. He added that this is why this item was just a discussion, as there is not yet enough completed to present a finished product.

Mayor Sykes acknowledged how much work Councilman Harjo and Geoff Schroder put into the presentation.

There was continued discussion between the Council, Mayor Sykes, and Geoff Schroder about the definitions of ownership and accepting responsibility, animals at large, and animal nuisance.

Mayor Sykes called forward Beverly King of Lost Paws to ask about a $2.00 fee per cat. She explained that, as of three days ago, they had spayed and neutered 323 feral cats and emphasized that they were volunteering their time for a service the City should have provided, yet now faced a fee for their community work.

Geoff Schroder explained that the answer was no; the $2.00 had only been a number mentioned in a proposal by Councilman Harjo, there was no ordinance or set fee, and it was still only the design phase.

There was a continued discussion between Council, Geoff Schroder, and Beverly King.

Councilwoman Wirkkala said they were open to hearing different scenarios, feedback, and proposals from the organizations providing these services and asked them to send emails. She also requested that the matter return to Council at the end of November for a vote and that the organizations provide updates at every council meeting so it would be on record.

There was continued discussion between Council, Geoff Schroder on humanity and open feeding of animals and how that could translate to responsibility and ownership.

Councilman Harjo said that this was a long topic with much more to cover and that they would have everything put together and ready in two months.

Mayor Sykes restored Robert's Rules of Order for the remainder of the meeting.

<u>NEW BUSINESS</u>

<u>1) Items removed from the Consent Agenda</u>

<u>Item 16) Approve Resolution 20-2025R and authorize the Mayor to sign.</u>

Councilwoman Wirkkala asked if the three members of the Impact Fee Committee would be added to the Planning and Zoning Commission and stated she would not support the measure if they were not. She added that if the members' duties increased, a public hearing should be held to consider raising their pay from $60 per meeting to a more appropriate amount set by the Council.

Councilman Brennan noted that Planning and Zoning Commission members were designated by ordinance to meet specific criteria, such as residency or profession, and said he had not yet reviewed which vacancies remained. He explained this was a key reason why members could not simply be transferred from one committee to another.

Councilwoman Wirkkala asked Legal if the three individuals currently on the Impact Fee Committee qualify to be able to fill the roles legally required.

Geoff Schroder explained that the Planning and Zoning Commission was not required to have specific work areas, as state code only required members to live within city limits, the area of impact, or the county. He noted that the Impact Advisory Committee, however, required two members involved in real estate or development and two who were not. He added that these roles overlapped well with the current makeup of the P&Z Commission, and that adding more members would be a policy decision.

Councilman Brennan made a motion to approve Resolution 20-2025R. Councilman Harjo seconded the motion. The vote goes as follows: Councilman Harjo; aye, Councilwoman Wirkkala; nay, Councilman Brennan; aye. The motion passed by a majority vote.

<u>2) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to amend the "Turner House Depot" preliminary plat with conditions.</u>

Mayor Sykes called forward Phil Wuest, owner of Turner House Depot LLC, and Van Elg with JUB Engineers.

There was a discussion between Councilman and Phil Wuest and Van Elg regarding the differences between their previous proposal and the current request, including all the specific changes that had been made.

Councilman Brennan said he wanted the development agreement to guarantee that certain elements would be completed by the middle of the project, such as Phase 3 or 4, rather than waiting until all the houses were built.

Phil Wuest said that seemed reasonable and asked if the motion could include a requirement that, before approval of the phase containing the 144th lot, the commercial pad be developed in accordance with city C1 zoning requirements for this type of parcel.

There was continued discussion between the Council, Phil Wuest, Van Elg, and City staff.

Councilwoman Wirkkala said that she did not support this suggested plan, as she would like to see something finalized before signing her name to it. She said that she wanted to see the development agreement in writing before approving.

Phil Wuest said that the preliminary plat already shows what Councilman Brennan was asking for. He clarified that the request for the development agreement would essentially require the building to be constructed on the specified lot as shown on the plat before issuing a building permit for the 140th or 144th house. He added that the Council would see the development agreement again before signing the order.

Mayor Sykes stepped out at 6:46 P.M. and returned at 6:47 P.M.

There was a discussion between the Councilmembers summarizing and clarifying what everyone has asked for and recommended.

Councilman Brennan and Paul Fitzer, City Attorney, had a discussion on how to appropriately word a motion based on all things that had been discussed.

Councilman Brennan made a motion to approve Planning and Zoning Commission recommendation and Finding of Facts to amend the "Turner House Depot" preliminary plat with conditions. Councilman Harjo seconded the motion. The vote goes as follows: Councilwoman Wirkkala; nay, Councilman Brennan; aye, Councilman Harjo; aye. The motion passed by majority vote.

<u>3) Action Item: Deliberation/Decision on Planning and Zoning Commission recommendation and Finding of Facts to amend the entitled R-4 PUD "Turner House Depot" with conditions.</u>

Councilman Brennan made a motion to approve Planning and Zoning Commission recommendation and Finding of Facts to amend the entitled R-4 PUD "Turner House Depot" with conditions and change through interlineation that the commercial building of not less than 3,200 square feet must be built before the 144th residential building permit could be pulled. Councilman Harjo seconded the motion. The vote goes as follows: Councilman Harjo; aye, Councilwoman Wirkkala; nay, Councilman Brennan; aye. The motion passed by majority vote.

<u>4) Approve the service agreement with Mountain Home Arts Council, Inc., and authorize the Mayor and City Clerk to sign.</u>

Councilwoman Wirkkala thanked Tiffany Belt, City Clerk, for getting this back on the agenda. She said she wanted to add provisions to the contracts requiring each civic group to match their own fundraising efforts to receive funding, submit financial documents before the next budget meeting as part of the annual report, and report to Council biannually on the services they provided to the community.

Councilman Brennan addressed Councilwoman Wirkkala's request for civic groups to report to Council every 6 months stating that if the contract is approved at the beginning of the fiscal year and they ask for their money right at the beginning of the year, what is the penalty for not coming back? Is the penalty just simply the next year's request.

Mayor Sykes suspended Robert's Rules of Order to allow for dialogue on this topic between Council and City staff, and Legal.

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

<u>5) Approve the service agreement with Mountain Home Senior Citizens, Inc., and authorize the Mayor and City Clerk to sign.</u>

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

6) Approve the service agreement with Mountain Home Historical Society, Inc., and authorize the Mayor and City Clerk to sign.

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

7) Approve the service agreement with Elmore County Domestic Violence Council, Inc., and authorize the Mayor and City Clerk to sign.

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

8) Approve the service agreement with Mountain Home Chamber of Commerce, Inc., for the Desert Mountain Visitor Center, and authorize the Mayor and City Clerk to sign.

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

9) Approve the service agreement with Treasure Valley Transit, Inc., and authorize the Mayor and City Clerk to sign.

Councilwoman Wirkkala made a motion to table New Business Items 4 through 9 to the next City Council meeting. Councilman Brennan seconded the motion. The vote goes as follows Councilman Brennan; aye, Councilwoman Wirkkala; aye, Councilman Harjo; aye. The motion passed by unanimous vote.

ORDINANCE

1) Ordinance 1808 – Amending Mountain Home Code Title 7, Chapter 3, Section 2.

Councilman Harjo made a motion to suspend the three-reading rule and read the ordinance in title only for its one and only reading. Councilwoman Wirkkala seconded the motion. The vote goes as follows: Councilman Harjo; aye, Councilwoman Wirkkala; aye, Councilman Brennan; aye. The motion passed by unanimous vote.

Tiffany Belt, City Clerk, read the Ordinance for its first and final reading.

Mayor Sykes asked, "Does the Council wish this ordinance to pass?"

The vote goes as follows: Councilman Harjo; aye, Councilwoman Wirkkala; aye, Councilman Brennan; aye. The motion passed by unanimous vote.

FINAL COMMENTS

Councilwoman Wirkkala said she attended the Airport Advisory Committee special meeting, where they set today as the date to present frequency change issues, and asked Councilman Harjo, the committee liaison, if there was an update.

Councilman Harjo said the committee had received input on both sides of the topic, but the submitters had not provided anything formal. He noted that he did not believe the matter was ready due to time constraints for everyone involved.

Councilwoman Wirkkala asked if a date could be set to have this issue presented.

Councilman Harjo said that he would follow up with staff and the committee chairman to get a date established.

Councilwoman Wirkkala asked Tiffany Belt discussed if a public hearing was needed to increase the pay for P&Z, which it did not as it was already accounted for in the budget.

EXECUTIVE SESSION

1) 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.

Councilman Brennan made a motion to enter into Executive Session Pursuant to Idaho Code Section 74-206(1)(f). Councilwoman Wirkkala seconded the motion. The vote goes as follows: Councilman Harjo; aye, Councilwoman Wirkkala; aye, Councilman Brennan; aye. The motion passed by unanimous vote.

The Council went into Executive Session at 7:20 p.m.

The Council came out of Executive Session at 8:00 p.m.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:00 p.m. by orders from Mayor Sykes.

Rich Sykes, Mayor

ATTEST:
Tiffany Belt, City Clerk