

MINUTES OF THE REGULAR MEETING OF THE
 COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
 HELD ON JANUARY 28th, 2025, AT 5:00 P.M.
 AT MOUNTAIN HOME CITY HALL CHAMBERS
 MOUNTAIN HOME, IDAHO

- 22274 CALL MEETING TO ORDER/ESTABLISH A QUORUM
- 22274 CALL THE PLANNING & ZONING MEETING TO ORDER/ESTABLISH A QUORUM
- 22274 PRESENTATION
- 1) Presentation by Keller Associates
- 22274 Non-Action Item: Presentation Discussion between the City Council and Planning and Zoning Commission.
- 22275 ADJOURN (PLANNING AND ZONING COMMISSION)
- 22275 RECOGNIZING PERSONS IN THE AUDIENCE
- 22275 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.
- 22275 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
 Impact Fee Advisory Committee - April 8, 2024
 Impact Fee Advisory Committee - November 21, 2024
 Planning & Zoning Commission - January 7, 2025
 Regular City Council Meeting - January 14, 2025
- B. Bills - 1/15/2025 to 1/28/2025 in the amount of \$672,619.57
- C. Treasurer's report for the period ending in 12/31/2024
- D. Approve the Finding of Facts for a preliminary plat of the 10th Street Neighborhood Subdivision with conditions.
(Pulled from the Consent Agenda and moved to New Business)
- E. Approve the Finding of Facts for a conditional use permit located at 895 North 6th East Street.
- F. Approve the Finding of Facts for a conditional use permit for a new electrical substation with conditions located East of Optimist Park, North of West 5th North Street, and West of North Haskett Street.
- G. Approve Preliminary Plat Extensions for Airbase Commons (PZ-23-87)
(Pulled from the Consent Agenda and moved to New Business)
- H. Approve Clearwater Financial as a City Financial Advisor and authorize the Mayor to sign.
(Pulled from the Consent Agenda and moved to New Business)
- I. Adopted and Approve the Limited English Proficiency (LEP) Language Assistance Plan.
- J. Approve a lease agreement with Jason Davis to operate the City Motocross track located at Optimist Park.
- K. Pass Resolution #02-2025R

- 22276 OLD BUSINESS
1)Action Item: Deliberation/Decision to amend City Ordinance 1-6-4 to include a requirement of Livestream, video recording, and publication for all regular and special meetings of the City Council and Planning and Zoning Commission.
2)Action Item: Deliberation/Decision to amend City Ordinance 1-6-4(F) City Council Agendas.
- 22277 NEW BUSINESS
1)Items removed from Consent Agenda
2)Action Item: Deliberation/Decision regarding MHFD billing for services provided.
3)Non-Action Item: Deliberation on Golf Fee per person
4)Non-Action Item: Deliberation on Tournament Play
5)Non-Action Item: Deliberation for a resolution of the City Council of Mountain Home supporting state legislation on exemption of income tax on military pensions.
- 22282 ORDINANCE
1) Ordinance 1804- Amending Mountain Home 1-6-4(G)
- 22283 EXECUTIVE SESSION
- 22282 FINAL COMMENTS
- 22283 ADJOURN

MINUTES OF THE REGULAR MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON JANUARY 28th, 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 January 28th, 2025. A quorum was established with, Councilman Harjo, Councilwoman Garvey, Councilwoman Wirkkala, Councilman Brennan and Mayor Sykes being present.

Mayor Sykes requested to amend the Agenda to add Executive Session for 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.

Mayor Sykes also requested to amend the Agenda to include a presentation for Gary Fletcher.

Councilwoman Wirkkala would like to amend the Agenda to change the New Business Item 5 from Non-Action Item to Action Item.

Tiffany Belt, City Clerk said that she doesn't know how we can add it to an Action Item when we don't have it in the proper Resolution format. It would have to stay as Non-Action Item and come back on the next meeting as Action Item.

Councilwoman Wirkkala asked if we could say with conditions. If Council did want to pass it with conditions, it could be in the proper City format.

Paul Fitzer, City Attorney, said legally there is no impediment to do it this way.

Councilman Brennan made a motion to add Executive Session for Idaho Code Section 74-206(1)(F) to the end of the meeting as well as turning the New Business Item 5 from Non-Action Item to Action Item and adding the retirement presentation. Councilman Harjo seconded the motion.

The following vote was recorded:

Councilman Harjo	AYE
Councilwoman Wirkkala	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE

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

PRESENTATION

1) Retirement of Gary Fletcher from the Mountain Home Fire Department

Mayor Sykes called Gary Fletcher to come forward to present a plaque and thank him for 50 years of service with the Mountain Home Fire Department. Mayor Sykes thank Gary Fletcher wife as well.

CALLED THE PLANNING & ZONING MEETING TO ORDER

The Planning and Zoning Commission took role at 5:13 P.M. with Commissioner Wallaert, Commissioner Roeder, Commissioner Drake, and Commissioner McCormick all being present. Commissioner Mills was absent.

NON-ACTION ITEM: Presentation Discussion between the City Council and Planning and Zoning Commission.

PRESENTATION

1) Presentation by Keller Associates

There was a presentation by James Bledsoe, Jordan Crane and Abby Ryan with Keller Associates with an update on the wastewater system capacity.

Mayor Sykes suspended the Roberts Rules of Order so the Council could ask questions of the presenters.

Chris Curtis, City Public Works Director said that Don Flynn, the Wastewater Superintendent is working on getting 3 quotes in for aeration added to the sewer lagoons to help with breakdown and odor as preventative measures and industry best practices.

There was a discussion about ways to divert the storm water and groundwater away from the sewer lagoons and keeping them in the aquifer.

There was also a discussion about the ponds and their liners, and which ones could use replacing and longevity of the different types of liners.

There was a discussion on how federal grant funding is suspended right now which will make applying for grants more challenging. There is the option of the bond market, which will be a little higher interest rate, but will be better than trying to do it on your own.

The Planning and Zoning Commission and City Council discussed farm usage and future homes being built for future usage and storage.

Councilman Harjo asked if we had the money now, how long would the whole process take to update Lagoon #10.

James Bledsoe said that it could be ready a year from now, that it's already mostly designed.

Councilman Brennan asked how Department Heads and Staff would feel about sending written notice to every one that has final and preliminary plats letting them know that the stance of the City of Mountain Home on building permits for hook up services are first come first serve.

The City Council and Legal are all in agreement that this is a good idea.

ADJORN (PLANNING & ZONING COMMISSION)

Chairperson Wallert adjourned the meeting at 6:11 P.M.

RECOGNIZING PERSONS IN THE AUDIENCE

- No one came forward to speak at this time.

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.

- No Council members had anything to declare.

CONSENT AGENDA

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Councilman Brennan said he would like to pull Item H.

Councilman Harjo asked Paul Fitzer, City Attorney if the minutes from last meeting need to reflect Executive Session for Section 74-206(1)(d).

Paul Fitzer, City Attorney, said yes.

Councilwoman Wirkkala said that she would like to pull Item D and Item G. She also asked for clarification on the Bill Run, under Admin it says Gym Outfitters, treadmills, freight, assembly - \$2,824.87 and then says the same thing again under Fire as to why it's listed twice.

Tiffany Belt, City Clerk explained that the treadmills in the training facility are broken and no longer under warranty. It was approved to purchase one treadmill out of the Admin budget, however the second machine would cost a lot of money to repair and the Police Department and the Fire Department have split the expense to purchase the second machine.

Councilwoman Wirkkala asked about not receiving Wells Fargo statement and receipts and wanted to know if we would be able to get them again.

Tiffany said that it's possible they were missed this time.

Councilman Brennan made a motion to pass the pass the Consent Agenda pulling Items D, G, and H and changing through interlineation Councilman Harjo's comments. Councilman Harjo seconded the motion.

The following vote was recorded:

Councilwoman Garvey	AYE
Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

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

OLD BUSINESS

1)Action Item: Deliberation/Decision to amend City Ordinance 1-6-4 to include a requirement of Livestream, video recording, and publication for all regular and special meetings of the City Council and Planning and Zoning Commission.

Councilman Harjo said this was brought back for formalizing under the formatting and assigning an Ordinance number. All text changes have been made and updated. He said he believes this is ready to move forward.

Councilman Harjo made a motion to approve the Deliberation/Decision to amend City Ordinance 1-6-4 to include a requirement of Livestream, video recording, and publication for all regular and special meetings of the City Council and Planning and Zoning Commission. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

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Councilwoman Wirkkala	AYE
Councilman Harjo	AYE
Councilman Brennan	AYE
Councilwoman Garvey	NAY

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

2)Action Item: Deliberation/Decision to amend City Ordinance 1-6-4(F) City Council Agendas.

Councilman Brennan said all he needed to say last meeting and didn't remember exactly why this was delayed.

Councilman Harjo said that not having Mayor Sykes and Councilwoman Garvey present that it was appropriate to discuss with the full Council.

Councilman Brennan asked Paul Fitzer, City Attorney if it was possible to provide a letter with the blanket statement of "I approve" for all Council Member Agenda request.

Paul Fitzer said he thinks that it is inconsistent with the State Code as it defines how Agendas are set and how the Council acts as a body.

Councilwoman Garvey said that she listened to the last meeting, and she said that she believes that what is in place now is working.

Councilman Brennan and Legal had a discussion on the differences in Resolution vs Ordinance and policy vs law.

Councilman Brennan made a motion to table this Item indefinitely. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilwoman Garvey	AYE
Councilman Harjo	AYE

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

NEW BUSINESS

1)Items removed from the Consent Agenda

Item D. Approve the Finding of Facts for a preliminary plat of the 10th Street Neighborhood Subdivision with conditions.

Councilwoman Wirkkala said she did not want this blanket approved as she voted nay in a previous meeting. She wanted time to hear from Keller Associates and deliberate from that information.

Councilman Harjo made a motion to approve the Finding of Facts for a preliminary plat of the 10th Street Neighborhood Subdivision with conditions.

Councilwoman Garvey asked for a reminder on what this was about.

Brenda Ellis, City Planner said this was for the 117-units and has existing PUD at that location.

Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilman Harjo	AYE
Councilwoman Garvey	AYE
Councilman Brennan	AYE
Councilwoman Wirkkala	NAY

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

Item G. Approve Preliminary Plat Extensions for Airbase Commons (PZ-23-87)

Councilwoman Wirkkala said after hearing what they heard tonight there is a lot to take in and process. She said there is no vested right to have an extension of a preliminary plat. She will not approve this item.

Councilman Brennan asked Paul Fitzer, City Attorney for his legal opinion on this.

Paul said that you're not entitled to extension after extension. We do typically give the first extension.

Councilman Brennan asked City Staff what the process is for if a denial of an extension were to happen, is there a mandatory wait time frame for reapplication.

Chris Curtis, Public Works Director said that it is one year from the date of the preliminary plat approval, not from the request of the extension.

Brenda Ellis, City Planner said again that this is an approved PUD. We've never crossed the bridge of not approving an extension since the Code does allow for an extension.

Councilwoman Garvey made a motion to approve Preliminary Plat Extensions for Airbase Commons (PZ-23-87). Councilman Harjo seconded the motion.

Councilman Brennan asked that if this is approved, can we approve on the condition that the letter we spoke of goes out with the extension to give them the facts?

Brenda said that we can do that and that the applicant is in the room currently.

The following vote was recorded:

Councilwoman Garvey	AYE
Councilman Harjo	AYE
Councilwoman Wirkkala	NAY
Councilman Brennan	AYE

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

Item H. Approve Clearwater Financial as a City Financial Advisor and authorize the Mayor to sign.

Councilman Brennan said he is looking for explanation on the need or desire for this project from Staff.

Tiffany Belt, City Clerk said that the purpose of hiring Clearwater Financial to ensure that we are financially doing the best with our funding sources. We will also need a Financial Advisor to close out the LIDs when the time comes.

Paula Szafranski, City Treasurer added that he would also help with Council Minutes - January 28th, 2025

wastewater bonding.

There was a discussion between Councilman Brennan, Tiffany Belt, and Paula Szafranski regarding how the retention fee works along with services billed.

Councilwoman Wirkkala asked Tiffany if it was possible to get the cost on this more streamlined.

Mayor Sykes asked the Council if he could get a not to exceed number in order to get working on the closure.

Councilwoman Garvey pointed out in the agreement, there is already a not to exceed portion listed.

Councilman Harjo expressed his approval for this agreement.

Councilman Brennan said that he's not ready to vote on this, he needs more time and research. He would like to table this.

Councilman Harjo asked Tiffany how quickly we need to close on this.

Tiffany Belt, City Clerk said that it is a long process. If this gets pushed back to the next meeting, it will push out the recouping of our funding for the LIDs even further.

Councilwoman Garvey made a motion to approve Clearwater Financial as a City Financial Advisor and authorize the Mayor to sign with the caveat that it is brought to the Council the breakdown of when the Departments are using that money so that the Council can see where it is coming from.

Tiffany asked if it could come through as a memo when the bill comes in, like what was done with the treadmills. Councilwoman Garvey approved.

Councilman Harjo seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE
Councilwoman Garvey	AYE

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

2)Action Item: Deliberation/Decision regarding MHFD billing for services provided.

Councilman Harjo praised the effort and the feedback on how the City could follow other municipalities in billing for fire services. However, he expressed concerns about the wording and how billing would be determined, stating he didn't want to waste anyone's time, as the data collected wasn't what he intended to present.

Councilman Harjo made a motion to table indefinitely. Councilwoman Wirkkala seconded the motion.

Councilman Brennan, Chief Moore and Mayor Sykes had a discussion on billing questions.

Councilwoman Garvey said she believes that billing needs to be up to the discretion of the Fire Department as a case-by-case situation.

The following vote was recorded:

Councilwoman Garvey	AYE
Councilman Harjo	AYE
Councilman Brennan	AYE

Councilwoman Wirkkala AYE

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

3)Non-Action Item: Deliberation on Golf Fee per person.

4)Non-Action Item: Deliberation on Tournament Play.

Councilman Harjo stated that Item 3 and Item 4 are kind of one in the same. He said recognizing right now is not the appropriate time to enact something for the lack of data. He said we should use this year to collect data so that a decision can be made for next year.

Councilwoman Garvey stated that to discuss a fee for tournament play, she needs specific numbers. She noted that if significant damage occurs, that's a different matter. While she understands the extra work maintaining the course, she emphasized that staff are paid for that. Tournaments are primarily fundraising and survival mechanisms for organizations. Although she's requested numbers before, she hasn't received them yet, but that is the past.

Councilman Harjo acknowledged the uncertainty around cart usage and the lack of a clear formula now that the City manages operations. He suggested it might be time to start gathering data. He clarified that he wasn't looking to make a decision today and agreed that tournaments benefit their causes. The goal is not to take away from those benefits but to develop a way to establish fees for both tournaments and regular play.

Councilwoman Garvey inquired about the purpose of the greens fees, noting they cover course maintenance, carts, and grounds—expenses that are already accounted for. She pointed out that each participant already pays to play in tournaments.

Councilman Harjo said to table these as well for date uncertain.

Tiffany Belt, City Clerk, asked the Council what specific data they would like to add to the existing data being collected. While some data is already being tracked, it may not align with the Council's priorities or they may want additional data. She requested that any desired data be emailed to her, Paula, or the Mayor, so it can be gathered over the next year and reviewed later.

5)Action Item: Deliberation/Decision for a resolution of the City Council of Mountain Home supporting state legislation on exemption of income tax on military pensions.

Councilwoman Wirkkala stated that passing this resolution does not require a House Bill to be attached. By doing so, when the topic returns to the State House, bill sponsors can directly share the resolution with other legislators to help pass their bill. This will send a strong message that the Mountain Home City Council supports the state income tax exemption for military pensions.

Councilman Harjo expressed concern with support on this House Bill #40 as it has other things in it that he would not be in support of personally. He said he is not interested in this as a product of the City at this moment.

Councilwoman Wirkkala said that is why she didn't put House Bill #40 on there as there is a lot more in there that just dropped last Thursday. All this is as a resolution is just support on the exemption of income tax on military pensions.

Councilman Brennan mentioned he has a conflict of interest, as he will be eligible for a military pension in five days. However, he noted that, as Councilwoman Wirkkala pointed out, there is no reference to House Bill #40. He viewed the statement as a general declaration of the City of Mountain

Home's support for income tax exemptions and had no issues with it.

Councilman Harjo thanked those for their services, his comments are not a slight to those who served. He can't lend support that in the actionable item of House Bill #40, even though this resolution does not site it specifically, he has concerns as a voting citizen that set aside from the support of reduction of income tax for veterans.

Councilman Brennan asked if there is a possibility to add a statement in the resolution that we are not referencing House Bill #40 but we are showing our support on exemptions military pensions.

Councilwoman Wirkkala said she wants input on how to make this universal from Council. She supports putting the statement in.

Councilwoman Garvey agrees with Councilman Harjo. She said her problem is that she doesn't want to personally do it as a resolution. She would rather see this as an email of support.

Mayor Sykes said that if he was to vote today, a letter of support would be the way to go so long as it's not tied to a resolution or a House Bill.

Councilwoman Garvey said that she thinks there are plenty of people working to get this legislation passed. She said she is all for a letter of support.

There was a discussion with Legal about whether this should be a letter or a resolution. Paul said that either way it is done, there needs to be interlineation showing that this is not supporting the entirety of the House Bill.

Councilman Brennan asked Legal if he can still vote on this being that he declared a conflict.

Paul said that as Council is not the decision maker on this bill, that there would just be a resolution or a letter to support this. He does not see how he would be precluded from voting.

Councilwoman Wirkkala made a motion to approve resolution of the City Council of Mountain Home supporting state legislation on exemption of income tax on military pensions and to add that no House Bill number will be attached. Councilman Brennan seconded the motion.

The following vote was recorded:

Councilwoman Wirkkala	AYE
Councilman Brennan	AYE
Councilman Harjo	NAY
Councilwoman Garvey	NAY

The vote being at tie the Mayor voted to Abstain, and so the motion died.

Councilman Brennan asked if he could make a motion for a letter of support, however it's not written yet. He asked if we would have to see the letter first before voting on it.

Mayor Sykes said he would like Legal to draft the letter, if we do a letter of support.

Councilman Brennan made a motion for Paul Fitzer, City Attorney and Councilwoman Wirkkala to draft a letter on this topic. Councilwoman Wirkkala seconded the motion.

Councilman Harjo suggested approaching the issue as a community matter. He proposed that the City Council, Mayor, and Military Affairs Committee

could sign a letter of support for state legislation exempting income tax for veterans in Idaho, should the Council choose to exercise its MOU with the Military Affairs Committee.

Mayor Sykes asked if Councilman Brennan would like to extend on his motion.

Councilman Brennan made a motion to amend his motion to include the leadership of the Military Affairs Committee to also sign on one joint letter. Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE
Councilwoman Garvey	AYE

The vote being unanimous, the motion was carried.

ORDINANCE

1) Ordinance 1804 - Amending Mountain Home 1-6-4 (G)

Councilman Harjo 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:

Councilwoman Garvey	AYE
Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

The vote being unanimous, the motion was carried.

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 Harjo	AYE
Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE

The vote being unanimous, the motion was so ordered and given #1804.

FINAL COMMENTS

Councilman Harjo asked Paul Fitzer, City Attorney about last week's Idaho's city water summit and he has a lot of notes and wanted to know if an email getting this information to the Mayor and the Clerk that they can distribute to Staff and the Council.

Paul said yes, that would be the proper process.

Councilwoman Wirkkala asked to put on the next meeting Agenda an LID #1 Fiber update, on how fuel is being paid for and how much funds are left.

Councilman Brennan and Councilman Harjo support this request.

Councilman Brennan asked for an update on any new information on the Council Minutes - January 28th, 2025

dispatch contract and there were no updates at this time. He asked Mayor Sykes to make this a regular Staff update on the agendas moving forward.

Councilman Brennan addressed that he is aware that there are a lot of people upset with him and some of the other Council members. He wanted to clear up some misinformation. The current vacant lieutenant position is the only position that is frozen per the motion and the vote from last meeting.

Councilman Harjo added the focus of decorum and respect for citizens and City Staff members needs to be maintained.

Tiffany Belt, City Clerk said that she received an email from Erika Pedroza with the Mellen Water District and that DEQ has requested a letter of from the City of Mountain Home be drafted regarding their temporary emergency water usage for them to seek some of the DEQ funding.

Mayor Sykes asked the Council if they are okay with his writing a letter of support. Councilman Brennan gave his support.

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 the motion to enter into Executive Session pursuant to Idaho Code Section 74-206(1) (F). Councilwoman Garvey seconded the motion.

The following vote was recorded:

Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE
Councilman Brennan	AYE

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

The Council went into Executive Session at 8:01 P.M.

The Council came out of Executive Session at 8:16 P.M.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:16 P.M. by orders from Mayor Sykes.



 Rich Sykes, Mayor

ATTEST: 

 Tiffany Belt, City Clerk

