

May 3, 2021

Gooding City Council Minutes

Work Session

The work session of the Mayor and Council of the City of Gooding, Idaho was called to order at 6:00 pm in the Gooding Municipal Building, 308 5th Ave West, Gooding, Idaho on May 3, 2021.

Roll Call

Present were Mayor Brekke, Councilpersons Arkoosh, Pierce, Cram and Shepherd.

Employees

Present were Public Works Director Larry Bybee, City Clerk Hollye Lierman and Attorney Brendan Ash.

Visitors

Present was Todd Bunn.

Agenda

Discuss Shipping Containers, Railroad Boxcars or Other Containers Used for Storage in City Limits: City Code currently only allows shipping containers, railroad boxcars or other such containers in the industrial area with a special use permit. Todd Bunn feels that allowing these containers affects property value and shouldn't be allowed. Todd stated allowing the containers would cause additional enforcement from the Council that isn't necessary. The recourse for having containers in any other zoning according to the Gooding City Code is a misdemeanor, a fine of not more than \$300 or by imprisonment for not more than 6 months. Removal and/or demolition of noncompliance unit will be at violators or owner's expense at 200% of cost the City incurs.

Discuss Tiny Homes Within City Limits: Attorney Ash suggested tiny homes can be allowed if they do not violate the residential code. This would eliminate tiny homes in a backyard. The Council felt this would be a reasonable solution to tiny homes.

There being no further business, the meeting adjourned at 6:55 pm.

Regular Meeting

The regular meeting of the Mayor and Council of the City of Gooding, Idaho was called to order at 7:00 pm in the Gooding Municipal Building, 308 5th Ave West, Gooding, Idaho on May 3, 2021. Pledge of Allegiance was led by Councilwoman Shepherd.

Roll Call

Present were Mayor Brekke, Councilpersons Arkoosh, Cram, Pierce and Shepherd.

Visitors

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Present were Cindy Bigler, Aubrey Cheney and Terry Platts.

Consent Calendar

(Consent Calendar contains items which require formal Council action, but which are typically routine or not of great controversy. Council members can approve the items listed on the consent calendar as one item or, if finding a correction needs to be made, can pull that item for discussion. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.)

Mayor Brekke asked, "Consent Calendar Items numbered are before you, are there any items to be removed?" There being no objection, Councilman Cram moved to approve the Consent Calendar.

1. April 19, 2021 Meeting Minutes
2. April 26, 2021 Special Meeting Minutes
3. Accounts Payable in the amount of \$160,152.03
4. April Payroll in the amount of \$184,851.16
5. April Building Permits

No.	Date	Name	House	Street	Use	Value	Fee
13-21	3/30/21	Dustin Vincent	215	Texas	Storage Shed	\$ 49,716.00	\$ 1,126.78
14-21	3/31/21	Chris Depman	333	8th E	Fence	\$ 4,000.00	\$ 30.00
15-21	4/2/21	Alfredo Cruz	601	Montana	Fence	\$ 3,000.00	\$ 30.00
16-21	4/12/21	Jeri Marciel	1536	Marie	Fence	\$ 5,200.00	\$ 30.00
17-21	4/15/21	Jack Bellis	1133	California	Deck	\$ 3,600.00	\$ 148.60
18-21	4/22/21	Rick Bauman	150	Main	Fence	\$ 4,000.00	\$ 30.00
19-21	4/28/21	Richard Braun	924	Victory	Addition	\$ 5,313.00	\$ 137.85
20-21	4/28/21	Debra Comstock	233	10th W	Fence	\$ 500.00	\$ 30.00
						\$ 75,329.00	\$ 1,563.23

Motion seconded by Councilman Pierce. Motion carried by roll call vote.

Visitors Business

None.

Public Input

None.

Unfinished Business

Trailer Coach Parking Ordinance: Chief Fisher discussed trailers that are used daily and if they would fall under the same guidelines as trailers that are not used daily. Attorney Ash will look over the draft ordinance and work with Chief Fisher to finalize the ordinance.

Lloyd McLeod; Request Water Rights/Access for 1021 Colorado Street: Not in attendance. Mayor requested this item be moved to the next meeting.

Shipping Containers, Railroad Boxcars or Other Containers Used for Storage in City Limits:

Councilman Arkoosh made a motion to maintain the existing ordinances pertaining to shipping

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containers, railroad boxcars or other containers used for storage in City limits. Motion seconded by Councilman Cram. Motion carried.

Tiny Homes Within City Limits: Councilman Cram made a motion to maintain the existing ordinances pertaining to building regulations and permits. Motion seconded by Councilman Arkoosh. Motion carried.

Library District Lease Agreement: Attorney Ash stated he added the requested changes to the lease agreement. Councilman Arkoosh made a motion to accept the draft Library District Lease Agreement to present to the Library Board. Motion seconded by Councilman Cram. Motion carried.

Gooding City & Gooding Recreation District Agreement: PWD Bybee stated this was presented at the last meeting but was tabled until Councilman Arkoosh and the Mayor were present. After review of the agreement Mayor Brekke asked to move this item to the next meeting to change some verbiage in the draft.

Southern Idaho Economic Development (SIED) FY2022 Commitment in the Amount of \$3,300 Request: This item was tabled until Mayor Brekke returned. At the last council meeting the mannerism and professionalism received from SIED was unprofessional and the question was asked what SIED provides to Gooding City. City Clerk Lierman stated the City was asked to violate policies during the most recent interaction with SIED which would have created a large liability to the City. PWD Bybee stated he agreed with Clerk Lierman and it's hard for him to provide what benefits they offer but it's up to the Council to decide. City Clerk Lierman stated other cities in the Magic Valley have opted not to commit to SIED, they catch the overflow from Twin Falls and Jerome. Discussion was held regarding how many years the City has contributed and how the City has benefited from the contribution. Councilman Cram made a motion not to contribute to SIED this fiscal year. Motion seconded by Councilman Pierce. Motion carried.

Police Request to Surplus Hand Guns: Chief Fisher stated his department has changed to Glock 45 hand guns due to cost and the amount of ammunition they can carry. The County also carries 9 mm's so if needed they can share or swap clips. The firearms being traded or sold are 6 Glock 35 pistols, 3 Glock 23 pistols, a Ruger Mini 14 rifle and a Mossberg 9200 12 Gauge. Salt Lake Wholesale Sports often take trade in firearms and they also allow for local purchase by officers instead of directly trading them in. They provide the general firearm purchase form and provide a trade in value for the firearms. Current and former officers as well as local deputies would like to purchase the guns. This will alleviate shipping of the items and some cost for ATF transfers. Attorney Ash stated he feels it's in the best interest for the City if Chief Fisher trades the guns back to the vendor. If the City doesn't surplus the guns back to the vendor it may open the City to possible liabilities. Councilman Arkoosh made a motion to authorize the surplus of the handguns and to purchase the new Glock 45 handguns contingent upon processing the surplus guns through Salt Lake Wholesale Sports. Motion seconded by Councilman Cram. Motion carried.

New Business

Planning & Zoning Recommendation for 345 Nebraska Street Variance Permit: Planning & Zoning Chairman Terry Platts stated a public hearing was held on April 29, 2021 for the Variance

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Permit for Chuck Cram at 345 Nebraska Street. Chuck will be placing a shed against the fence on the north side of his property. Terry stated there were no objections and the Planning & Zoning Commission approved his request contingent upon the City Council's approval. Terry stated the P&Z Commission recommends approving this request.

Approval or Denial for Variance for 345 Nebraska Street: Councilman Cram has abstained from this item. Councilman Arkoosh made a motion to approve the Variance Permit for 345 Nebraska Street. Motion seconded by Councilman Pierce. Motion carried.

Sign Permit Approval for Aubrey Cheney at 337 Main Street: Councilman Arkoosh made a motion to approve the sign permit for Aubrey Cheney at 337 Main Street. Motion seconded by Councilman Pierce. Motion carried.

Sign Permit Approval for Gooding County University of Idaho Extension Office: Councilman Arkoosh made a motion to approve the sign permit for Gooding County University of Idaho Extension Office at 203 Lucy Lane and waive the permit fees. Motion seconded by Councilman Cram. Motion carried.

Keller Associates Invoice #0210854 for WWTP Project: Councilman Arkoosh made a motion to approve Keller Associates Invoice #0210854 for the WWTP Project in the amount of \$180,780. Motion seconded by Councilman Cram. Motion carried.

Request to Purchase Used Aerators from Morgan City, Utah: PWD Bybee stated the aerators at the wastewater plant are failing and in order to keep the existing plant in compliance while the new plant is in design and construction the aerators will need to be replaced or rebuilt. To rebuild the aerators the cost is prohibitive. Keller Associates has located some used floating aerators that can be tethered to the existing aerator bridge to keep the plant in compliance. The floating aerators are owned by Morgan City, Utah. Councilman Arkoosh made a motion to authorize the purchase of the floating aerators from Morgan City, Utah. Motion seconded by Councilman Pierce. Motion carried.

Keller Associates Progress Report for Water Project & WWTP Project: PWD Bybee presented a copy of the April 2021 progress report to the Council.

Credit Card & E-Check Service Fees: City Clerk Lierman stated the office has completed the process of implementing the service fees for credit cards and e-checks to the customers. This has been in the works since the completion of the FY21 budget.

- Credit/Debit cards for utility payments will include a service fee of \$3.95 per transaction.
- Credit/Debit cards transactions for miscellaneous payments and reconnect fees will include a service fee of 2.95%.
- A flat fee of .95¢ will be applied to all payments made via e-check.

Department Reports

City Council: Councilman Cram stated he has a concern regarding a corner on 8th Ave E and Oregon. There is a bush that makes it hard to see if any vehicles are coming. PWD Bybee said his department will look into it.

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Police Chief Dave Fisher: Chief Fisher stated there was discussion on Facebook regarding a dog being abused. Chief Fisher has checked on this dog numerous times and talked to the owners. The owners are doing everything they can with the dog. They have shortened the tether, bolted the food dish to the dog house and when they leave water for the dog it plays in it. Mayor Brekke and Councilwoman Shepherd both stated they have seen the dog and agree that it is being taken care of.

Chief Fisher also stated he will be enrolling his officers in the Blue to Gold University for training. The cost would be \$2,700 and the officers would be able to take the training anytime. He stated this will save money since there will not be a need to travel or lodge.

Public Works Director Larry Bybee: PWD Bybee stated the City has received a "Notice of Intent to Enforce" letter from DEQ in regards of exceeding the ammonia discharge limit. He has requested a meeting with DEQ.

Staff will be meeting with Keller Associates to review the 30% design of the WWTP on May 5th.

Attorney Brendan Ash: Attorney Ash requested an executive session to discuss legal matters.

City Clerk Hollye Lierman: Nothing to report.

Executive Session: Councilman Pierce moved to adjourn into executive session in accordance with Idaho Code 74-206 Section (f) to communicate with legal counsel to discuss contract terms at 8:15 pm. Motion seconded by Councilwoman Shepherd. Upon roll call, Councilpersons Arkoosh, Cram, Pierce and Shepherd voted aye. Motion carried.

The meeting reconvened at 8:34 pm.

There being no further business Councilwoman Shepherd made a motion to adjourn the meeting. Motion seconded by Councilman Pierce. Motion carried. Meeting adjourned at 8:35 p.m.

ATTEST:

Hollye Lierman – City Clerk

Jeff Brekke - Mayor