

**MINUTES OF THE
COUNCIL MEETING OF THE
MAYOR & COUNCIL
MARCH 23RD, 2021**

Minutes of the regular council meeting of the Mayor and the City Council of Rupert, Idaho on the twenty-third day of March, 2021, in the council chambers located inside City Hall at 624 F Street, Rupert, Idaho at the hour of 7:00 PM.

Present: Mayor Michael D. Brown
Councilmembers Present: Jones, Faux, Heward, Swensen
City Administrator Kelly Anthon
City Clerk Bayley Maughan
City Attorney Lance Stevenson

Visitors: Vincent Sandstoe, Jeff McEuen, David Joyce, Mary Andersen, Leslie Garner (Employees)
Tony Poovey, Todd Wheeler, Jeff Sigmon, Don Taylor, Kody Taylor, Justin Warr, Amy Manning (Visitors)

Mayor Brown called the meeting to order and welcomed everyone at 7:00 PM.

Councilwoman Jones led everyone in the Pledge.

Don Garner gave invocation.

Mayor Brown called for any addenda to the agenda and there were none.

CONSENT AGENDA

Item: A. & B. Approval of the Bills, Payroll, & Minutes

Councilman Swensen made a motion to approve the bills, payroll, and minutes of the March 9th, 2021 regular council meeting. Councilwoman Jones seconded and the motion carried.

RECOGNITIONS – AWARDS – PROCLAMATIONS

Item: A. 2021 Annual Fair Housing Proclamation

Mayor Brown read aloud and signed the 2021 Annual Fair Housing Proclamation, declaring April to be Fair Housing month in the City of Rupert.

NEW BUSINESS

Item: A. PUBLIC HEARING – Jeff Sigmon & High Output Development – Farm Land Estates Annexation, Zoning Designation & Preliminary Plat Approval

Cody Taylor introduced the application for annexation and preliminary plat approval. There had already been discussions with City departments regarding utilities and irrigation. There were already utilities running to the property. There would also be access to the highway and irrigation systems.

Mayor Brown opened the hearing at 7:13 PM.

Resident 1 – had concerns about irrigation services. Also stated that his wife had attended the Planning and Zoning meeting and was told by the board that there was nothing that anyone could do to fight the development, so he wanted to know what the point of having a public hearing was.

Taylor responded that the board had told the public present at the Planning & Zoning meeting that the City could not stop development, that it was coming regardless of everyone’s feelings about it, and that it would be a benefit to the public, if properly controlled by the City through these processes.

City Administrator, Kelly Anthon, reminded everyone that this was only the preliminary plat, to go along with the annexation, and that there would be two more hearings for the final platting of the subdivision.

Resident 2 – Had concerns that if this property was annexed, it would make her property subject to City laws regarding what type and how many animals she could have.

Mayor Brown stated that only the property being annexed at this meeting would be subject to City laws.

Resident 3 – Asked if anyone was going to be coming and knocking on his door about what he does on his property or trying to force him to annex as well.

Again, Mayor Brown stated that only the property being annexed at this meeting would be subject to City laws. And that only at the owner’s request, would the City be annexing any other properties for the time being, with the administration that is in place.

Resident 2 – Asked about the canal that was going to be buried. What would this entail and how would it affect her property?

Taylor responded that MID was already looking to bury the canal anyways and that it is on MID property and would actually help improve the irrigation system.

With no further comments, Mayor Brown adjourned the hearing at 7:22 PM.

ORDINANCES – RESOLUTIONS

Item: A. Ordinance 21-503 Sigmon Annexation Ordinance

ORDINANCE NO. 21-503

AN ORDINANCE OF THE CITY OF RUPERT, IDAHO, ANNEXING REAL PROPERTY TO THE CITY OF RUPERT, IDAHO: DECLARING THE SAME TO BE A PART OF THE CITY OF RUPERT, IDAHO; DIRECTING THE CITY CLERK TO FILE WITH THE COUNTY RECORDER, ASSESSOR, AND TAX COLLECTOR OF MINIDOKA COUNTY, IDAHO, AND WITH THE STATE TAX COMMISSION, BOISE, IDAHO, A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING THAT A MAP AND LEGAL DESCRIPTION OF SAID LANDS BE FILED AS PROVIDED BY LAW; DECLARING SAID LANDS TO BE ZONED UNDER THE RUPERT CITY ZONING ACT AS DESIGNATED HEREIN; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

Councilwoman Jones made a motion to suspend the rules and have one reading by title only or Ordinance 21-503. Councilman Heward seconded and the motion carried.

City Attorney, Lance Stevenson, read Ordinance 21-503 aloud, by title only.

Councilwoman Jones made a motion to adopt Ordinance 21-503 and to approve of the preliminary plat for the Jeff Sigmon property. Councilman Heward seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

NEW BUSINESS (Continued)

Item: B. PUBLIC Hearing – Joel Parker – Country Fields Planned Unit of Development Phase II Preliminary Plat Approval

Anthon explained that the City had reviewed the preliminary plat and had previously approved the final plat for phase one. The City had been working with Joel Parker on the development for quite some time. There were no concerns from the City.

Mayor Brown opened the public hearing at 7:35 PM.

There were no public comments.

Mayor Brown adjourned the public hearing at 7:36 PM.

Councilwoman Jones made a motion to approve of the Final Plat for Phase II of the Joel Parker – Country Fields PUD. Councilwoman Faux seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Item: C. Annual Report from iii-A

Amy Manning, representing Idaho Independent Intergovernmental Authority, gave a recap of the previous year's claim history, financial status and changes in benefits.

Item: D. Annual Report from the Recreation Department

Mary Andersen presented a PowerPoint presentation regarding the stats from the recreation department over the past year.

Item: E. Discussion & Possible Ratification of the New Rupert Range Board Appointments

Mayor Brown stated that he would like to appoint Todd Wheeler, Chris Hall, Tony Poovey, Richard Chesser, and Jeff Hines to the Rupert Range Board.

Councilwoman Jones made a motion to ratify the Mayor's appointment of Todd Wheeler, Chris Hall, Tony Poovey, Richard Chesser, and Jeff Hines to the Rupert Range Board for a term of 2 years each.

Councilman Heward seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Item: F. Discussion & Possible Approval of the Development Agreement for Silvercrest Estates

Anthon presented all three development agreements on the agenda together. Each were fairly standard and similar, however New Haven Subdivision had different irrigation requirements so their agreement

contained language regarding using a sand point. The City had been working with each developer and there were no concerns on either end about what was being required by the agreements.

Councilwoman Jones made a motion to approve of the Development Agreement for Silvercrest Estates, contingent upon final review and approval from Stevenson and Anthon. Councilwoman Faux seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Item: G. Discussion & Possible Approval of the Development Agreements for Country Fields PUD

Councilwoman Faux made a motion to approve of the Development Agreement for Country Fields PUD, contingent upon final review and approval from Stevenson and Anthon. Councilman Heward seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Item: H. Discussion & Possible Approval of the Development Agreement for New Haven Subdivision

Councilwoman Faux made a motion to approve of the Development Agreement for New Haven Subdivision, contingent upon final review and approval from Stevenson and Anthon. Councilman Heward seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Item: I. Discussion & Possible Approval of the Minidoka Irrigation District Discharge Agreement

Stevenson stated that the City had been trying to work this type of agreement with MID for a long time, however until they were separated from the Federal government, they were not able to negotiate with the City on the discharge water issue.

Both the City Administrator and Attorney were comfortable with the language in the agreement, including the quality of water to be discharged and the penalties. The MID Board would be taking formal action on the item at their next board meeting. It was recommended that the City table the agreement until the MID board could meet and propose any changes.

Councilwoman Jones made a motion to table the Minidoka Irrigation District Discharge Agreement until the April 13th, 2021 regular council meeting. Councilman Heward seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

15. EXECUTIVE SESSION

Councilman Heward made a motion to move to Executive Session pursuant to Idaho Code 74-206 to have discussions under subsections (1)(b), (1)(c), (1)(f), Councilwoman Jones seconded and the roll call was as follows:

Ayes: Councilwoman Jones, Councilwoman Faux, Councilman Heward, Councilman Swensen

Nays: None

The motion carried.

Executive Session Began 8:43 PM.

Discussions under subsections (1)(b), (1)(c), (1)(f).

Open Session Resumed 9:04 PM.

With no further business before the Mayor and Council, Mayor Brown adjourned the meeting at 9:04 PM.