

City of Kimberly Agenda

City Council
MEETING AGENDA

March 28, 2023

6:00 pm

242 Hwy 30 E., Kimberly, ID 83341

Provisions are being made to support Council, Staff and Public participation, in this public meeting, via a telephone conference call option, or you may attend in person.

TO PARTICIPATE BY PHONE, call in at approximately 5:55 p.m. to the conference call number 717-964-0439 Enter the Pin number 131 416 214 followed by the pound # sign.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU

ROLL CALL OF CITY COUNCIL MEMBERS

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

AMENDMENTS TO THE AGENDA

DECLARATION OF CONFLICT

1. CITIZEN ISSUES – PUBLIC INPUT –No person shall be permitted to speak from a location other than the public podium. This section of the agenda is reserved for citizens wishing to address the Council regarding a City-related issue. In order to ensure adequate public notice, Idaho Law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing. Persons wishing to speak will have **3** minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight’s meeting if time permitting. Public participation at a Kimberly City Council meeting is limited to participation in the public comment portion of the meeting. The City Council does not take any action or make any decisions during public comment.

2. PUBLIC HEARINGS RULES - Items listed as public hearings allow citizen comment on the subject matter before the Council. Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for presentation by the applicant, submission of information from City staff, and is followed by public testimony. The rules for testifying include the following: applicant will have 15 minutes to present their project; testimony by the public will be limited to 3 minutes per person. Testimony at public hearings on

applications brought forth from the Planning & Zoning Commission can be used to reaffirm previous testimony.

A. Public Hearing

3. NEW BUSINESS:

A. DISCUSSION-ACTION ITEM- Seasonal Water Share Lease Agreement approving the leasing of 190 shares of Twin Falls Canal Company Stock owned by the City of Kimberly to Darrell Funk Farms for years 2023-2024. (Council action per resolution #382 herein below) *Craig*

4. UNFINISHED BUSINESS-

A. DISCUSSION-

5. CONSENT CALENDAR- Discussion - Action -The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

A. Approve Minutes for March 14, 2023

B. Accounts Payable for March 15, 2023 – March 28, 2023

General Fund	\$ 10,754.05
Water Fund	\$ 58,591.70
Sewer Fund	\$ 2,287.90
Library	\$ 1,205.51
TOTAL	\$ 72,839.16

6. ORDINANCES AND RESOLUTIONS –

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

A. DISCUSSION-ACTION ITEM – RESOLUTION NO. 382

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF KIMBERLY, IDAHO, APPROVING THE LEASING OF 190 SHARES OF TWIN FALLS CANAL COMPANY STOCK OWNED BY THE CITY OF KIMBERLY TO DARRELL FUNK FARMS; AND AUTHORIZING AND

DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THE LEASE WITH DARRELL FUNK FARMS; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO REQUEST A SEASONAL WATER TRANSFER FROM THE TWIN FALLS CANAL COMPANY.

7. ADMINISTRATIVE / STAFF REPORTS -

8. COUNCIL COMMENTS -

9. MAYOR COMMENTS –

10. DISCUSSION-ACTION ITEM- Council to accept Councilman Jim Eisenhower’s resignation, effective 03-28-2023 following the adjournment of the Council meeting of 03-28-2023. *Mayor –Council action required.*

11. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM- Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters under Idaho Code 74-206(1)

ADJOURNMENT:

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 242 Hwy 30 E., Kimberly, Idaho 83341 or call 208-423-4151.

Robert Tomlinson	Jim Eisenhower	Burke Davidson	Nancy Duncan	Burke Richman
Councilman	Councilman	Mayor	Council President	Councilman