

City of Kimberly
minutes

City Council
MEETING minutes

April 8, 2025

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 1 407-440-1458 Enter the Pin number 195 799 477 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

City Clerk Carrie Kimball took roll call:

Tomlinson-Yes

Snarr-Yes

Duncan- Yes

Richman- Yes

Tim Stover joined by phone

CEREMONIES, ANNOUNCEMENTS, PRESENTATIONS

None

AMENDMENTS TO THE AGENDA

Yes, Carrie Kimball stated there was a typo on Item 3D, correcting the amount to \$1,030.00 vs \$1,0300.00.

Mayor Davidson called for a motion:

Council Member Tomlinson motioned to approve the amended item #3D to reflect \$1,030.00.

Council Member Richman seconded the motion.

Roll Call:

Tomlinson-Yes

Snarr-Yes

Duncan- Yes

Richman-Yes

DECLARATION OF CONFLICT

None

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.

There were three people signed up for Citizen In-put.

Skip Young- *"I'm actually here in leu of my parents at 613 Adams St. I want to start off by saying Good Evening, Mayor and Council Members. As you know my name is Skip Young, and my parents live at 613 Adams St. in the Forth Hamilton Sub-Division here. I'm in front of you because of the ally way that sits behind the property. Uh, this Ally way kind of sits in the middle of the Sub-division about ¾'s of the way through, and it goes in about 660 feet then it dead ends. But first, let me give you a little bit of my back ground. I've been an architectural Designer for the last 20-years. My primary focus of work is, uhm, commercial with multi-family housing in the Treasure Valley. I work with a lot of various Architects. They come to me with projects. I do them from start to finish, and its from Code Analysis to construction and administration. So, when my parents decided a while back to build a detached shell or building for a garage, and a little bit of space. However, we were informed by the city, since this building was going to be close to the Alley, that the Alley is considered a street. So, the Alley has a 25' set-backs on each side. Based off the definition of a street set-back. And, I won't go back to far into this, but you know a street based off of 9.08.004, is for the public to enter, you know mostly to keep vehicular travel. I also found in 17.02.010, with-in the city code, The alleys and streets provide access, provides secondary access to the back of the properties. So, I was taken back by the substantial set-backs on each side of the alley way being 25 feet. I'm like this has got to be an over site. I've never encountered this before. So, I collaborated with other Architects just ot se if they have experienced something like this. And we came to the conclusion, no. Typically, an alley is 45 feet on each side. So, first thing I'd like to do is to request a formal response from the city with a practical reason why Kimberly needs 25 feet from each edge for an ally. Especially, ya know, one that dead ends. Really doesn't make any sense. Uhm, with that, the reason I bring that up, I've provided copies for the Counsil here..."*

(Mayor asked Caralee to bring them up)

Skip- *“So in these three examples, are cities I’m familiar with on how to identify the alley and their set-backs. And, uhm, the first one ill go with would be Nampa. I’m very familiar with Nampa. Nampa has(inaudible) just like Kimberly. Alleys are 20 feet wide with utility poles on each side. Uhm, however with Nampa, they have a 5-foot set back on each side, and in their examples, they show, they measure 15 feet from the center line of the alley over. So, one sides 15 feet from center making it 5. In Meridian, in these examples, that I brought to you reminds me of, ya know, Kimberly being older, established in 1905. They have older Sub-divisions with alleys in them. So, with Nampa, I think we have all been out to Nampa. There are allot of different residential Sub-divisions with alleys. They identify as 5 feet. The same with Boise. Boise does it when an alleys present, its 5 feet. So, what these cities have done, they identified a win win senecio. It’s a win for the city. It’s a win for the property owners that have to deal with alleys in their property. For the city, it increases revenue when these set backs are back to ya know, 5-foot. It increases revenue in permits, as well as more taxes. Property values will be higher because property owners have the opportunity improve or beautify their landscape. Cuz, uh, ya know I’m very familiar with this area, and looking at the new, new, uh, wow, the explosion of Sub-divisions, Alleys are a thing of the past. They just aren’t used anymore. But when I see these alleys that have, ya know a singular, or single, uh, detached garage, their basically rendered useless. Cars are now much larger and taller. So, ya know you kindda, they’ve fallen apart. Now if someone here in Kimberly, wanted to build, say, a wood shop that’s larger then 200 square feet, you can’t do it. No matter the size of the lot. Cuz, again, 25 feet, its just, its, I’ve never heard of that before. So, we propose that the city re-adjust the set-backs for an alley. Again, it’s a win win situation and I guarantee you if people in these older sub-divisions will be a lot happier by allowing them to do something that they have wanted to do, but cant due to what I think is over stepping these set-backs, And lastly, uh, this is in regards to Council Meeting that dad spoke about, and, uh, it was back on the 27th of August of this last year. It was during the executive session. The quote was, **“anything prior to 1980 can not change”** When I read this at the meeting I was like, what is this referring to. So, we would like to know is this a code reference. I talk to architects and showed them this and they were like, man, so we would like to know what this is. Other than that, that’s all I have. Thank you for your time”*

Larry Young- residing at 613 Adams St. Kimberly, ID 83341 *“My son stole all of my thunder so I’m up here just talkin. Okay, first of all Good Evening, Mayor and Council, thank you. I’d like to talk about the set-back, and, uh, it seems extravagant to me. Without an alley, a set-back is what, 10 feet. So, if my neighbor built a building, let’s say, over 200 square feet, he’ll have to set it back 10 feet. If I did the same thing, keep in mind, this is not in the alley, uhm, I would also set it back 10 feet. Just between those two buildings is 20 feet. Now, with an alley, or a designated alley is 25 feet. If my neighbor did the same thing, he would be back 25 feet. I would be back 25 feet. Now all of a sudden we got 70 feet. Take out the alley of 20 foot and we still have a 30 foot difference between those 2, which is kind of to me, a waste. You can build a lot of stuff in that amount of area. Speaking of alleys, uh, our block, all these people that are butted up to this, this ah, I call it a paper alley, its not an alley, it’s a paper alley. But all the people that are butted up to it, we have started to put together all of the requirements that Idaho Power has requested in order to make an easement, if the City does vacate the alley that we are talking about. So that’s the reason I am up here asking for the changes in the set-backs of property is because of the time you get what, 14-people together, and all thinking the same way is gonna be tough. And I think we also have to have surveys done. I can’t remember everything. Anyway,*

that's why I'm up here asking for change in set-back. If you, ah, look around, drive around Kimberly, you'll see a lot of buildings that do not conform to the 25 foot. I don't know where, or, well they just don't. We have one in our block that is over 200 square feet, and its, ah, about a foot over the property line. We have one over on, ah, is it Jefferson and Ash that is a foot off the property line on Ash. And it has a bonus room above it. It's a big building. It's 13 feet off of the alley. So, ya know, its not out of reason to say okay, lets adjust these 25 foot back out to a common number here that we can use and work with. Something else, I, uh, looked at Hansen, I looked at Twin Falls, I looked at Jerome, and Filer and all their set-backs are 3 feet. Buhl, had to be a 5. It's one of the different ones that I saw which was 5 feet, and that's on the back property line. So, keeping that in mind, I think like my son said, there may be people right here in Kimberly that would love to build a building in their yard, but due to this 25-foot set-back, its sometimes impossible where their house is at. Cuz it has to be 10 foot away from that house too. So, ya know if, if, anyways. I would appreciate looking at it, and maybe adjusting it where we could work with it. It would be a great help to myself and maybe even others. I don't know. Thank you.

Mayor Davidson- Thanked them both. Stated he knows many, many emails have gone out on this very thing to the Youngs. He asked that they leave their current email address with the City Clerk Carrie to ensure they are getting them. He restated he knows for certain many emails have gone out to them on this.

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.

PUBLIC HEARINGS:

None

3. NEW BUSINESS:

- A. DISCUSSION ACTION ITEM** – Kimberly High School Graduation Parade – Class of 2025 – Special Event Application – May 20th, 2025, approximate start and finish times are – 6:00 p.m. to 7:30 p.m. *Craig, Darin Gonzales, Chief Bunderson*

Darin Gonzales- Stated there were some minor changes to the Parade Route that Chief Bunderson has approved. He stated things would run smoothly. (*See attached packet*)

Mayor Davidson called for a motion:

Council President Duncan motioned to approve the Kimberly High School Graduation Parade – Class of 2025 – Special Event Application – May 20th, 2025, approximate start and finish times are – 6:00 p.m. to 7:30 p.m.

Council Member Richman seconded the motion.

Roll Call:

Tomlinson-Yes

Snarr-Yes

Duncan- Yes

Richman-Yes

B. 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 2025-2026. (Council action per resolution #387) Craig

City Clerk Carrie Kimball confirmed there was only one bid for water shares this year and it was Funk Farms. Their bid came in at \$190.00/share for 190 total shares.

C. DISCUSSION–ACTION ITEM – Adoption of Resolution No. 387 – A 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 FOR YEARS 2025 AND 2026; 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 ADMINISTRATOR TO REQUEST A SEASONAL WATER TRANSFER FROM THE TWIN FALLS CANAL COMPANY. Craig

Mayor Davidson called for a motion:

Council President Duncan motioned to approve Adoption of Resolution No. 387 – A 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 FOR YEARS 2025 AND 2026; 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 ADMINISTRATOR TO REQUEST A SEASONAL WATER TRANSFER FROM THE TWIN FALLS CANAL COMPANY.

Council Member Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes

Snarr-Yes
Duncan- Yes
Richman-Yes

D. DISCUSSION–ACTION ITEM – In accordance with Kimerly Ordinance No. 654, KYA – Kimberly Youth Association – A charitable tax-exempt organization pursuant to internal revenue code section 501- C- 3), requests an exemption of fees paid for the 2025 baseball-softball season, in the amount of \$1,0300.00 paid per check #497, to the City on 03-06-2025. A nonrefundable, reservation fee of \$25.00, shall be collected or deducted from any exemption amount awarded by the City Council. *Craig*

Stephanie Mattson- representing KYA- Stephanie has been helping out KYA for about 5-years now. She has watched it grow. It’s fantastic to see all the families coming in. The KYA try very hard to keep costs affordable for the kids. The main issue in summer is the lack of space. They ended up with about 30 teams total last year. That’s about 300-400 athletes. Went over the request for exemption of fees packet (*see attached*). She stated that KYA was coming to the City of Kimberly to request the exemption of fees for the 2025 baseball/softball season. This is specifically for their Pee-Wee pitching machine league. Ages 7-8. Last year they had 8 teams. That’s 80-100 students. The City Park has provided that space. Stephanie was taking this on to relieve some duties for Cassandra Searby so she could spend more time with her family. She is new to this process and is thankful to be here tonight.

Duncan- Expressed her gratitude for KYA being involved with the youth. It’s a wonderful thing and the city has always supported the youth programs the best they could. She stated last year the Council chose to wave 50% of the fees, and had explained with the new park needing built to accommodate more functions, the waiving of fees may have to come to a stop. Collecting the park fees allows for the current and new park to be maintained. She understands the cost factor on trying to help the kids, and supports trying to keep the costs down. Duncan stated that since Stephanie is new, she thought she could catch her up to speed. Going forward park fees will be essential to keep things running.

Tomlinson- Stated he noticed there was no liability Insurance provided and asked her to get it to Janine or Carrie to complete the packet.

Stephanie Mattson- Agreed, and said she would get right on that.

Mayor Davidson called for a motion:

Council Member Richman motioned to approve KYA – Kimberly Youth Association – A charitable tax-exempt organization pursuant to internal revenue code section 501- C- 3), requests an exemption of fees paid for the 2025 baseball-softball season, a refund of half the fees of \$515.00 minus the non-refundable reservation fee of \$25.00 in the amount of \$490.00

Council Member Tomlinson seconded the motion.

Roll Call:

Tomlinson-Yes
Snarr-Yes
Duncan- Yes
Richman-Yes

4. UNFINISHED BUSINESS:

None

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 25, 2025**
- B. Accounts Payable for March 26, 2025 – April 8, 2025**

General Fund	\$ 32,470.12
Water Fund	\$,4,591.23
Sewer Fund	\$ 15,605.37
Library	\$ 1,229.13
TOTAL	\$ 53,895.85

Mayor Davidson called for a motion:

Council Member Richman motioned to approve the Consent Calendar as presented.

Council Member Tomlinson seconded the motion.

Roll Call:
Tomlinson-Yes
Snarr-Yes
Duncan- Yes
Richman-Yes

6. ADMINISTRATIVE / STAFF REPORTS -

Chief Bunderson- not present

City/P&Z Administrator Craig Eckles- not present

Public Engineer Brian Reed- Stated the PW crew has been busy gearing up for summer. They have been working on the PI Systems, and water is hopeful sometime from 4/15/205-4/21/2025. Brian is hoping to get the RV Dump open once the sporadic cold spells are over. Chip Seal bid

has been published and is out for bid. Bid opening in set for April 25, 2025. Crack seal bids are also in the works.

City Clerk/Treasurer Carrie Kimball- Spoke on behalf of Craig, he was unable to attend tonight due to not feeling well. He gave his apologies.

Legal Council Tim Stover- Stated he was hoping to be at the next meeting in person.

7. COUNCIL COMMENTS -

None

8. MAYOR COMMENTS –

None

9. EXECUTIVE SESSION – DISCUSSION-ACTION ITEM-

None

ADJOURNMENT:

City Clerk, Carrie Kimball

Mayor, Burke Davidson