

CITY OF WEISER
CITY COUNCIL MEETING
55 West Idaho Street
Weiser, ID 83672
Monday
NOVEMBER 14, 2022
7:00 pm

Call to Order [7:00:12 PM](#)

ROLL CALL

PRESENT: Layna Hafer (via phone), Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell.

ABSENT: None.

STAFF: Randall Hibberd, David Tate, Mike Campbell, Margaret Taggart, Lonnie Chambers, Carl Smith, Bill Taylor, Wayne Wallace, Pete Ney and Sherri Breaux.

Guests: Shanie McLaren, Brian Dolton, Mark Burgess, Phil Janquart, Todd Meyers, Christina Stanley, Georgana Hansec and Kelly D Hansec.

Invocation was given by Reverend Mark Burgess. [7:00:40 PM](#)

Pledge of Allegiance, was led by Wayne Wallace. [7:01:52 PM](#)

Commission Reports – None. [7:02:15 PM](#)

Committee Reports:

[7:02:22 PM](#) - Sterling Blackwell, Library Report. The Library has over 30,000 items in it's collection now and they are grateful for the City stepping in to help secure the rest of those book shelves. Lots of fantastic things have happened the last month with several more happening in the coming months. If you haven't been to the Library lately I highly suggest you go out and check out all the new books that are being added . Our Youth section is over flowing are we're actually in the process of looking for someone to build us some custom shelves to match the ones that were previously built.

[7:03:01 PM](#) – Cliff Barberis, Public Facilities Committee Report. The Committee met and got a presentation from Hilary Kyle and Oscar Padilla about different projects we could possibly think about in the future. They went around the valley and looked at different things from Cornhole, Ping Pong, Pickle Ball and different things to get people active. There was quite a bit of talk about putting a walk path around Memorial Park which would be quite an endeavor so there's got to be money that has to come up. Some ideas were thrown out about what people would want and what would be fun to see here instead of taking their activity on the sidewalks or on the side of the road.

[7:04:12 PM](#) - Mayor Hibberd, along that line I just signed a grant agreement this morning for \$20,000.00 to go toward that with no matching funds.

[7:04:26 PM](#) – Cliff Barberis, so anyway we're looking at redoing the Horseshoe Pits if possible just things to get people active.

[7:04:44 PM](#) – Sterling Blackwell, I do not have an update on our Animal Shelter and I actually don't know who I'm suppose to talk to because they usually reach out to me, so I apologize. I know they are making progress I just don't know what the progress has been the last thirty days.

[7:05:25 PM](#) - Mike Hopkins, Public Services Committee Report. The Committee met to discuss the Fry Foods 2023 Industrial Discharge Permit, we listened to a presentation from Lonnie Chambers which told us a little about the flows and different concentrations of oils and those kind of things going into our system that need to be monitored and then we have clean up methodologies that we use to do those. We also commented that Fry Foods has done a pretty descent job at this point in time to cover up part of their bone yard by putting up a security fence. They've moved a lot of the equipment back from the highway so it looks a lot better as you're driving down the highway. We do have an action item on our agenda and basically what we were doing is going over that contract with Fry Foods so we

are all in agreement about how we are going to deal with disposable wastes in our sewer system.

Department Reports were presented by Clerk Tate. [7:06:51 PM](#)

MINUTES [7:10:00 PM](#)

7:10:14 PM – Mayor Hibberd asked people in the audience to keep all comments quiet as it plays havoc with our recording.

7:10:26 PM

Motioned by Larry Hogg and seconded by Cliff Barberis to approve the minutes of one (1) Regular City Council Meeting on October 11, 2022 as presented and place them on file.

7:10:37 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

BILLS [7:10:46 PM](#)

Motioned by Mike Hopkins and seconded by Alicia Fowler to approve the bills as reviewed by the Finance Committee and present them to the Treasurer to have warrants drawn for payment.

7:11:17 PM

ROLL CALL VOTE:

AYES: Cliff Barberis, Layna Hafer, Sterling Blackwell, Larry Hogg, Mike Hopkins and Alicia Fowler

ABSTAINED: None

MOTION CARRIED.

MINUTES OF PLANNING AND ZONING [7:11:33 PM](#)

7:11:46 PM – Sterling Blackwell noted a spelling error on the June 27th Meeting.

7:12:21 PM

Motioned by Sterling Blackwell and seconded by Cliff Barberis to approve the minutes of one (1) Special P & Z Meeting on June 27, 2022 with that correction and one (1) Regular P & Z Meeting on September 19, 2022 as presented and place them on file.

7:12:26 PM

AYES: Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

UNFINISHED BUSINESS:

NEW BUSINESS:

FRY FOODS 2023 INDUSTRIAL DISCHARGE PERMIT – Action Item. [7:12:36 PM](#)

Lonnie Chambers, Wastewater Department Supervisor, the permit this year went great, Fry Foods was happy with everything so it is now ready for the Mayor to sign if the Council so wishes. Mayor Hibberd, were there any significant changes? Lonnie, there was one small change in the verbiage on Fats, Oils and Grease. Currently in the old permit it just said we do four random tests per month, the verbiage was changed so that if the City believes the sample is over the 100 max that we can test that at any given time. We will still do the random once per week test on the Fat Oils and Grease, anything over 100 what we found at the Wastewater Plant is that it does cause an issue with foaming, it coats things so that is why there is a limit on the permit.

[7:14:00 PM](#) - Mike Hopkins, there was one concern in the middle of that when they were wanting a secondary probe reading morning and evening, is that something that is part of this agreement? Lonnie Chambers, it's not part of the permit but what Mr Hopkins is talking about is that Fry Foods wanted to

be able to put their probe in the City's Sample Station so they could get the reading right away. We do bill on pH if they're under a certain amount or over. The City wants to keep everything separate so we are not going to be putting a Fry Foods pH probe in the City property.

7:14:59 PM – Mayor Hibberd, I would once again remind the audience to not be speaking during this meeting, we do have members up here that do have a hard time hearing and talking in the audience makes it difficult, plus it makes it difficult for recordings so I would appreciate you not talking.

****Motion made out of time sequence, see page five.**

7:37:48 PM – Mayor Hibberd, would there be a motion to accept the Fry Foods 2023 Industrial Discharge Permit.

7:37:56 PM

Motioned by Mike Hopkins and seconded by Cliff Barberis to approve the Fry Foods 2023 Industrial Discharge Permit.

7:38:12 PM

ROLL CALL VOTE:

AYES: Alicia Fowler, Larry Hogg, Mike Hopkins, Sterling Blackwell, Cliff Barberis and Layna Hafer

NAYES: None

ABSTAINED: None

MOTION CARRIED.

DAVID J. TOUSSAINT REQUESTING ANNEXATION AND A C-3 COMMERCIAL ZONING DESIGNATION – Action Item. 7:15:31 PM

Larry Hogg, P&Z Commission Council Representative. You received in your packets both the Staff Report and the Findings of Facts from the members of the P & Z Commission. I will say the applicant for annexation was very upfront with their intention for the property and some of the comments and concerns are more related to the use of the property than the actual annexation. I would remind everyone that annexation is what we are dealing with so I ask you to keep that in mind because the use of the property for what we are deciding tonight is just what we allow in a C-3 Zone. So the question is shall we annex the property and shall we designate it as C-3 Commercial. If we approve it, they would be able to do anything that is allowed in a C-3 Commercial Zone. Just in my opinion the Commission did vote four to one to support approval of the annexation. There were concerns related to a specific use that is allowed in C-3 and I know you have had a chance to look at those. My two cents worth here is that, Filling Stations or Service Stations are allowed in C-3, to me we already have similar businesses within a rocks throw of this property. The difference being, if that is the ultimate use the property will be subject to standards and rules and regulations far greater in my opinion than any of the other like businesses that are close to the property. To me this is an improvement to the entrance to our City...

7:19:49 PM – Mayor Hibberd after a loud comment from the audience, asked, could we keep the comments down.

and I would recommend approval of the request for annexation and C-3 Commercial District.

7:20:13 PM – Mike Hopkins, it sounded like their desire was to have City water and sewer to their location is that an issue for the City to supply that, and they pay for it of course? Clerk Tate, as of right now it hasn't become an issue. Mike Campbell, everything they have planned to do that we have discussed is well within reason and definitely capable.

7:20:47 PM – Sterling Blackwell, so running all that stuff underneath the river, they pay for that? Mike Campbell, yes. Do they already own the property? Clerk Tate, no, Mr. Toussaint owns the property.

7:21:25 PM – Sterling Blackwell, for the benefit of our audience can you remind us the steps, so if we annex this in and make it C-3 where we allow it to be whatever C-3 qualifies for what are the next steps for this to move? Larry Hogg, that would depend on what the owners of the property as I understand it, end up wanting to do. They can put a hardware store in there or a drive-in restaurant or leave it vacant, we're not deciding any of that today. Sterling, but that would be the next step, if we annex it the property owner could sell it or submit their own plans for building something. Larry, whatever they would like within the C-3. Sterling, there's no other property there that has been annexed, this would be the first piece on that side of the river? Larry, correct.

7:22:28 PM – Sterling Blackwell, because we had so many concerns in our packets, I'm just trying to make sure I have a clear understanding of when are we able to address concerns from our public. There was another loud comment from the audience.

7:22:44 PM – Mayor Hibberd asked Police Chief Smith to escort the person from the meeting. Chief Smith asked the person to leave and he refused at first but eventually went out of the meeting with two other ladies.

7:24:19 PM – Sterling Blackwell, it's a big decision so I'm just trying to make sure I understand exactly what we're voting on.

7:24:30 PM – Layna Hafer, so once the property is annexed then we do provide the police support, that does come with the annexation, right? Mayor Hibberd, that's correct, it's part of the City.

7:24:55 PM – Cliff Barberis, what is it zoned south of there? Mayor Hibberd, it's in the impact area but we don't have any zoning because that is the county.

7:25:20 PM – Mike Hopkins, then we will have property taxes and those kind of things.

7:26:10 PM – Larry Hogg, there's been an ordinance drawn up #1264 which we have a copy of to annex the land with a C-3 zoning and I move to approve Ordinance #1264. Clerk Tate, we're not there yet. Mayor Hibberd, would you like to have the Ordinance read? Larry Hogg, yes please.

7:26:59 PM – Clerk Tate, lets drop down to item three on the agenda.

***7:30:43 PM** – Motion made, see below.

ORDINANCE #1264 ANNEXING CERTAIN PROPERTY & DESIGNATING A C-3 COMMERCIAL ZONE – Action Item.

7:27:04 PM - City Clerk David Tate read Ordinance #1264 in full.

7:30:18 PM – Mayor Hibberd, so that would be the Ordinance, so going back to number two the request for annexation and the C-3 Commercial Zoning designation, what would be the Council's recommendation?

***7:30:43 PM**

Motioned by Mike Hopkins and seconded by Larry Hogg to approve the David J. Toussaint Annexation and C-3 Commercial Zoning Designation.

7:30:57 PM – Cliff Barberis, I'm concerned with the traffic, you get a big semi out there pulling doubles and trying to get in there with that raise in the bridge and here lately you can't hardly go south without passing seventy-five cars. I just have a concern about the traffic and turning in and out of there.

7:31:43 PM

ROLL CALL VOTE:

AYES: Larry Hogg and Mike Hopkins

NAYES: Cliff Barberis, Alicia Fowler, Sterling Blackwell and Layna Hafer

ABSTAINED: None

MOTION FAILED.

7:31:12 PM – Mayor Hibberd, so that takes care of item three also.

AUTHORIZE POLICE TO PURCHASE 14 HANDHELD RADIOS & ACCESSORIES USING ARPA FUNDS \$49,046.44 – Action Item. 7:32:18 PM

Police Chief Carl Smith, it came to light that there was ARPA money and that communications qualified to be able to use ARPA money. I met with David and put together a quote to replace our aging portable radios. I'm asking to purchase fourteen portable radios and the accessories that go with them. Currently we have two sets of portable radios that are ten to fifteen years old. This one radio would replace two radios. This would be a great opportunity to replace that aging fleet of radios which I was going to have to start doing one to two radios at a time, but this affords us to be able to do it all in one fell swoop. Also, the County is going to the same radios and the Fire Department is going to the

same radios so we would all have the same communications. I am asking the City Council to approve the amount of \$49,046.44 to purchase these fourteen radios.

[7:33:48 PM](#) – Sterling Blackwell, how much of it comes from ARPA? Mayor Hibberd, all of it.

7:33:55 PM

Motioned by Cliff Barberis and seconded by Alicia Fowler to authorize the purchase of 14 Handheld Radios & Accessories from BK Technologies using ARPA Funds in the amount of \$49,046.44.

7:34:12 PM

ROLL CALL VOTE:

AYES: Mike Hopkins, Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler and Sterling Blackwell

NAYES: None

ABSTAINED: None

MOTION CARRIED.

KELLER PROFESSIONAL SERVICE AGREEMENT SUNDANCE POINTE ELECTRIC DISTRIBUTION DESIGN \$14,800.00 – Action Item. [7:34:59 PM](#)

Mike Campbell, this is for the electrical design for the Agile Subdivision on the west side of the road for I believe 165 lots. This will design both first and second phase to get the power to and also through out the subdivision. It definitely has to be engineered to make sure we get the right amount of transformers per house and uses and stuff. This would let us go forward with finishing the design so we can get stuff ordered that is roughly a year to year and a half out.

7:35:43 PM – Mayor Hibberd, do we get reimbursed for this? Mike Campbell, we will, we will divide this up per lot.

7:35:52 PM – Larry Hogg, how does that work being split between lots? Mike Campbell, we will divide the cost up per lot that it costs us to install it including the engineering and then they'll pay the total amount but it will be broken down per lot. Larry, so the same guy is paying it's just...Mike, before they start building in there all the fees associated with it will have to be paid up front. Larry, so is that by phase? Mike, for these first two phases yes. Clerk Tate, because that was all the preliminary was was Phase 1 and Phase 2 so there was no more to engineer, because they did not include the two final phases if you remember correctly. Mike, and the power has to go to the north end of that second phase no matter what to tie it all together, so it will have to be all the way in.

7:37:02 PM

Motioned by Sterling Blackwell and seconded by Mike Hopkins to approve the Keller Professional Service Agreement for the Sundance Pointe Electric Distribution Design in the amount of \$14,800.00.

7:37:16 PM

ROLL CALL VOTE:

AYES: Sterling Blackwell, Mike Hopkins, Layna Hafer, Cliff Barberis, Alicia Fowler and Larry Hogg

NAYES: None

ABSTAINED: None

MOTION CARRIED.

****7:37:31 PM** – Mayor Hibberd, I messed up, we didn't follow through with the action item on Fry Foods and so going back to that subject. (Line item one)

REQUEST AUTHORIZATION TO PURCHASE A NEW BUCKET TRUCK FOR THE ELECTRIC DEPARTMENT \$249,805.00.00 – Action Item. [7:38:34 PM](#)

Wayne Wallace, Electric Department Supervisor. I am here tonight to request the spending authority to replace a 1999 Aerial Bucket Truck with a 2022 Aerial Bucket Truck for the sum of \$249,805.00. They have let us know that that price could change by the time we take delivery. Even if we add it to the cart tomorrow, it may not be the exact same price at delivery time, we're probably looking at eight months out to receive this truck. I did budget for this \$275,000.00 to purchase this truck which I'm sure is going to be plenty to do, but I do want to get it out there that this price could change by the time this truck arrives.

7:39:52 PM – Mayor Hibberd, from what I understand, if later on it goes up more than what the Council is willing to spend, we can back out on it. Wayne Wallace, that is my understanding as well,

I'm surely hoping that is not the case.

7:40:08 PM – Wayne Wallace, Versa Lift and Terex were three to four years out on any truck. Altec, by going with a very standard, no options whatsoever, but going through the specs on it it's going to work just fine for our application here. The aerial reach is five feet taller than the truck we have now.

7:40:53 PM – Cliff Barberis, so if we sign a contract that we want this thing, that doesn't mean squat does it? They can raise the price whatever they want, right? Mike Campbell, not necessarily, they will do their best to keep it this price but with the way prices are changing no vehicle manufacturers right now will guarantee a price that far out. They just want us to beware if the price comes in higher we do have the option to come back to Council to discuss it before we purchase it, they're not going to hold us to it but he is pretty sure it's going to stay the same price he just didn't want to promise that due to shipping changes and cost of goods that have changed so much, and where this is eight months out he just wanted us to be very well aware that this quote could change in the next eight to ten months before we see this truck. Just fore warned that it's a possibility. Sterling Blackwell, if it can go up it can go down, right? Mike, it very well could. I did ask him that same question and he did say that's not impossible depending on cost of goods, importing of goods and timing. The problem is these goods are not available to put this truck away until they're ordered and when they're received even they're paying different prices for them than their standard bid quotes. I think we are seeing that across the board in almost all purchasing at this time.

7:42:11 PM – Mike Campbell, our truck if you'll remember for the Water Department, we got it in within a couple of months after we ordered it in January Ford went to the same thing, they wouldn't hold the price for us after I believe January 15th or something to that nature. So we got in on it and they held the price but after that they went up. As a matter of fact they won't even quote price right now on some of these trucks.

7:42:35 PM – Mayor Hibberd, but in order to order the truck we have to have approval.

7:42:41 PM – Sterling Blackwell, and eight months seems faster than what we had talked about during the planning season, it seemed liked it was almost two years I thought. Wayne Wallace, it's the best we are going to be able to do, yes.

7:42:48 PM - Larry Hogg, that was my question, so this is pretty much the only game in town. Wayne Wallace, it is, and they don't have any problem selling it to the next guy if we want to back out of it, the next guy will buy it. As an example, that same truck in 2019 was \$50,000.00 cheaper than it is in 2022, that is the price difference we are seeing.

7:43:22 PM – Mike Campbell, the other thing, we are going to buy this through our Source Well Purchasing Agreement so that's without the bidding and specing out. We use Source Well which is allowed by the State of Idaho where it's bought under a large purchasing agreement on it. That's I.D. #33639.

7:43:51 PM
Motioned by Sterling Blackwell and seconded by Alicia Fowler to approve the request for authorization to purchase a New Bucket Truck for the Electric Department in the current amount of \$249,805.00.

7:44:06 PM
ROLL CALL VOTE:
AYES:
NAYES:
ABSTAINED:
MOTION CARRIED.

Layna Hafer, Cliff Barberis, Alicia Fowler, Larry Hogg, Mike Hopkins and Sterling Blackwell

None
None

ADJOURNMENT – Action Item. **7:44:25 PM**
Motioned by Sterling Blackwell and seconded by Cliff Barberis to adjourn.

7:44:33 PM
AYES:
NAYES:
ABSTAINED:
MOTION CARRIED.

Layna Hafer, Larry Hogg, Cliff Barberis, Alicia Fowler, Mike Hopkins and Sterling Blackwell

None
None

THIS REGULAR CITY COUNCIL MEETING WAS ADJOURNED AT [7:44:35 PM](#)

Randall E Hibberd, Mayor

David Tate, Clerk/Coordinator