

City of Emmett Council Meeting

December 7, 2021

The Emmett City Council held a regular meeting at 501 E. Main Street, Emmett, Idaho.
Council President Steve Nebeker called the meeting to order at 7:00p.m.
Council President Steve Nebeker led the **Pledge of Allegiance**
Chris Abrahamsen offered the **Community Invocation**

Council Present: Council President Nebeker, Councilor Denise Sorenson, Councilor Thomas Butler, Councilor Gary Resinkin

Council Present via telephone: Councilor Tona Henderson

Council Absent: Councilor Michelle Welch

Counselor Present: Jake Sweeten

Staff Present: Curt Christensen, Alyce Kelley, Mike Knittel, Steve Kunka, Clint Seamons, Brian Sullivan, Lyleen Jerome

Public Present: Jody Harris 418 N. Commercial, Emmett, ID

Approve Agenda:

Councilor Resinkin moved to **APPROVE THE AGENDA AS PRESENTED**. Seconded by **Councilor Butler**, 5 AYES, 0 NOES, 1 ABSENT **Motion carried**.

Declaration of Conflicts of Interest: None

Declaration of Council Members' Discussion Outside an Open Meeting: None

ELECTED OFFICIALS:

Mayor - None

City Council - None

Announcements and Good of the Order - None

CONSENT AGENDA:

A. Approval of Minutes – November 9, 2021 and November 16, 2021

B. Approval of Accounts Payable.

C. Approve Permits – Bartender Permits: Molly Bemis, Larry Jenkins, Francis Frisbee, James Johnson, Jeremy Russell, Jefferson Jenkins, David Frisbee, Jenny Jensen, Carla Houtz, Nicole Rowley, Naylor Diasson, Susan Jenkins, Helen Frisbee, Samantha Johnson, Maria Dela Luz Marin

Councilor Sorenson moved to **APPROVE THE CONSENT AGENDA AS PRESENTED**. Seconded by **Councilor Henderson**, 5 AYES, 0 NOES, 1 ABSENT **Motion Carried**.

DISCUSSION/INFORMATION UPDATES: None

NON-CONSENT AGENDA

BUSINESS:

A. Request to approve Resolution #R2021-12 A RESOLUTION AMENDING THE LEXIPOL POLICY FOR EMMETT POLICE DEPARTMENT was presented by Steve Kunka, Police Chief. Councilor Henderson **MOVED TO APPROVE RESOLUTION #R2021-12 A RESOLUTION AMENDING THE LEXIPOL POLICY FOR THE EMMETT POLICE DEPARTMENT**. Seconded by Councilor Sorenson. 5 AYES, 0 NOES, 1 ABSENT. **Motion Carried**.

B. Request to approve Lexipol Training Platform Agreement was presented by Curt Christensen, Fire Chief. Councilor Resinkin **MOTIONED TO APPROVE EMMETT FIRE DEPARTMENT LEXIPOL TRAINING PLATFORM WITH MAYOR TO SIGN THE AGREEMENT**. Seconded by Councilor Sorenson. Roll Call Vote – Councilor Nebeker-AYE, Councilor Henderson – AYE, Councilor Butler – AYE, Councilor Sorenson – AYE, Councilor Resinkin AYE, **5 AYES, 0 NOES, 1 ABSENT. Motion Carried**.

C. Request to approve payment to Irby in the amount of \$25,800.00 made by Mike Knittel, Systems Administrator. Councilor Henderson **MOTIONED TO APPROVE PAYMENT TO IRBY IN THE AMOUNT OF \$25,800**, Seconded by Councilor Sorenson. **5 AYES, 0 NOES, 1 ABSENT. Motion Carried**.

D. Request to approve Gem County November 2, 2021 Election Results made by Lyleen Jerome City Clerk. Councilor Henderson **MOTIONED TO ACCEPT AND APPROVE THE OFFICIAL 2021 CANVAS OF ELECTION RESULTS OF THE NOVEMBER 2, 2021 ELECTION AS SUBMITTED BY THE GEM COUNTY CLERK**, Seconded by Councilor Resinkin. **5 AYES, 0 NOES, 1 ABSENT. Motion Carried**.

**GEM COUNTY RESULTS
NOVEMBER 02, 2021 ELECTION**

Precinct	VOTING STATISTICS				
	Total Number of Registered Voters at Cutoff	Number Election Day Registrants	Total Number of Registered Voters	Number of Ballots Cast	% of Registered Voters That Voted
01 Central	735	8	743	127	17.1%
02 North Emmett	702	6	708	117	16.5%
03 Butteview	929	7	936	158	16.9%
04 South Emmett	834	7	841	143	17.0%
05 West Emmett	1,267	10	1,277	172	13.5%
06 Emerson	1,243	0	1,243	153	12.3%
07 Lincoln	1,042	1	1,043	148	14.2%
08 Letha	1,188	7	1,195	131	11.0%
09 Hanna	917	12	929	195	21.0%
10 Brick	782	6	788	182	23.1%
11 Bench	900	6	906	151	16.7%
12 Sweet/Montour	658	7	665	120	18.0%
13 Ola	121	0	121	46	38.0%
Absentee	N/A	N/A	N/A	475	N/A
CO. TOTAL	11,318	77	11,395	2,318	20.3%

DEPARTMENT/ ACTIVITY REPORTS

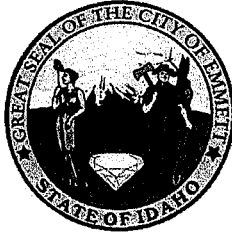
- A. **Building Official/City Planner** – Brian Sullivan, Building/Zoning Administrator – No Report
- B. **Clerk** – Lyleen Jerome, City Clerk – No Report
- C. **Fire** – Curt Christensen, Fire Chief – No Report
- D. **Library** – Alyce Kelley, Director – No Report
- E. **Police** - Steve Kunka, Police Chief – No Report
- F. **Public Works** – Clint Seamons, Public Works Director – No Report
- G. **Systems Administrator** – Mike Knittel, IT Systems Director – No Report
- H. **Engineer**

Councilor Resinkin **MOVED TO ADJOURN MEETING.** Seconded by Councilor Butler. **Motion carried by voice vote.**

Meeting Adjourned 7:12 P.M.

Mayor Gordon Petrie

Lyleen Jerome, City Clerk



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name KIRK WILLE

Date Application Received 12/7/21 By SR

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

Fingerprint Results Attached (New only) _____

Background Check _____

Emmett Police Name/Records Check

Gem County Sheriff's Name/Records Check

Other

Date Requested: _____ Date Completed: _____

[Signature]
Completed by

[Signature]
Chief of Police

City Council

Added to Council Agenda for approval

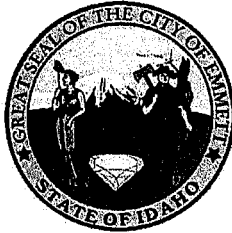
City Council Approved Yes No

12/14/21
Council Date

Official Permit

Created _____

Mailed _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name DANIEL WILLE

Date Application Received 12/7/21 By SR

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Fingerprint Results Attached (New only) _____
- Background Check _____
- _____ Emmett Police Name/Records Check
- _____ Gem County Sheriff's Name/Records Check
- _____ Other

Date Requested: _____ Date Completed: _____

[Signature]
Completed by

[Signature]
Chief of Police

City Council

Added to Council Agenda for approval

City Council Approved Yes No 12/14/21
Council Date

Official Permit

- Created _____
- Mailed _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name STACEY SCHOENFELDER

Date Application Received 12/7/21 By SR

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Fingerprint Results Attached (New only) _____
- Background Check _____
- _____ Emmett Police Name/Records Check
- _____ Gem County Sheriff's Name/Records Check
- _____ Other

Date Requested: _____ Date Completed: _____

[Signature]
Completed by

[Signature]
Chief of Police

City Council

- Added to Council Agenda for approval

City Council Approved Yes No 12/14/21
Council Date

Official Permit

- Created _____
- Mailed _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name SARAH KING

Date Application Received 11/30/21 By SR

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Fingerprint Results Attached (New only) _____
- Background Check _____
- _____ Emmett Police Name/Records Check
- _____ Gem County Sheriff's Name/Records Check
- _____ Other

Date Requested: _____ Date Completed: 12-1-21

_____ Completed by _____ Chief of Police

City Council

- Added to Council Agenda for approval

City Council Approved Yes No 12/7/21

Council Date

Official Permit

- Created _____
- Mailed _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name ALISHIA REA

Date Application Received 12/01/21 By SR

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Fingerprint Results Attached (New only) _____
- Background Check _____
- _____ Emmett Police Name/Records Check
- _____ Gem County Sheriff's Name/Records Check
- _____ Other

Date Requested: _____ Date Completed: 12-3-21
Completed by: [Signature] Chief of Police: [Signature]

City Council

- Added to Council Agenda for approval
- City Council Approved Yes No _____
Council Date

Official Permit

- Created _____
- Mailed _____



CITY OF EMMETT

Bartender Permit Checklist

Applicant Name CYNTHIA SNOOK

Date Application Received 12/7/21 By SJ

- New Application Renewal Application
- Application Notarized
- Fingerprint Receipt Attached (New only)
- Background receipt (New only)
- Copy of Driver's License Attached
- Permit Fee Paid
- Temporary Permit Language added to Receipt (New only)

Police Department

- Fingerprint Results Attached (New only) _____
- Background Check _____
- _____ Emmett Police Name/Records Check
- _____ Gem County Sheriff's Name/Records Check
- _____ Other

Date Requested: _____ Date Completed: _____

[Signature]
Completed by

[Signature] #177
Chief of Police

City Council

Added to Council Agenda for approval

City Council Approved Yes No 12/14/21
Council Date

Official Permit

- Created _____
- Mailed _____



**CITY OF EMMETT
PLANNING & ZONING DEPARTMENT**

**APPLICATION FOR
ANNEXATION W/ DEVELOPMENT AGREEMENT**

DESCRIPTION: ANNEXATION W/ZONING CLASSIFICATION AND DEVELOPMENT AGREEMENT, 65.067 ACRES

APPLICATION NUMBER: ANN/RZ#21-001, DA#21-001

ZONING COMMISSION HEARING DATE: AUGUST 2, 2021 @ 6:00
CITY COUNCIL MEETING: OCTOBER 26, 2021 @ 7:00

APPLICANT: JOHN WOOD
8700 CHAPARRAL RD.
EAGLE, ID, 83616

PROPERTY OWNER: PARK HAMPTON, LLC, JOHN WOOD

SUBJECT PROPERTY LOCATION: 1050 CASCADE ROAD

PARCEL#: RP06N01W073430, RP06N01W074400, AND RP06N02W122119

STAFF PLANNER: BRIAN SULLIVAN

1. APPLICATION SUMMARY:

The purpose of this application is to request annexation with zoning classification of a parcel of land located at 1050 Cascade Rd. into the City of Emmett. The application includes a Development Agreement. The existing county zoning classification is I, Industrial. The requested city zoning classification is I, Industrial, C, Commercial, R2 Duplex, and R 3, Multi-family. This area is eligible to request annexation as it is within the Area of City Impact and contiguous to the existing city limits. The area to be annexed is approximately 65.067+- acres and has frontage on W. Main St. and Cascade Road. The reason for the annexation request is to comply with Emmett City Code 7-5-2A2d (2) and 7-6-5 A & B, which is also discussed later in this report.

- ECC 7-5-2A2d (2) & 7-6-5 A & B
 - In order to receive city sewer and water services, an applicant must apply for both city sewer and city water services for the same property.

- For property that is contiguous to the city limits, the property must be the subject of an application for annexation into the city limits.
- The reason for the development agreement is to designate which areas of the property are to be zoned for each type of use. The zoning classification of MD, Mixed Development would allow the following uses: light industrial, commercial, and multi-family residential for the 65.067 acres. The requested zoning classification would continue the uses being allowed from Gem County.

This summary gave a brief description of the applications and what each one consists of. For information on how these applications comply with the zoning ordinance and comprehensive plan, please look at sections 6 and 7 of this staff report.

2. APPLICATION PROCESS FACTS:

A. Application Submittal:

The complete application for this item was filed by John Wood on May 24, 2021.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Emmett Zoning Commission was published in accordance with requirements of Title 67, Chapter 6509, Idaho Code on July 14, 2021 and October 6, 2021 in the Messenger Index. The physical property was posted on July 23, 2021 and October 18, 2021.

C. Relevant Ordinances and Required Actions:

The subject application will in fact constitute an Annexation application as determined by Emmett City Code (ECC) 9-15-10A - D. By reason of the provisions of the ECC Title 9, Chapter 15, a public hearing is required before the Zoning Commission (“Commission”) and the City Council (“Council”) on this matter. The Commission must make a recommendation to the Council and make findings of fact and conclusions of law relating to compliance with the Comprehensive Plan, per ECC 9-15-10H.

3. APPLICATION & PROPERTY FACTS:

A. Site Address/Location:

The property is located at 1050 Cascade Road. The area to be annexed contains approximately 65.067 acres and fronts Cascade Road and W. Main St. The property abuts the City on the East side and along W. Main Street.

4. LAND USE

A. Existing Land Use(s): Industrial, residential, commercial.

B. Description of Character of Surrounding Area: This vicinity is comprised Wood Grain Sawmill to the north, residential uses and City of Emmett Waste Water Treatment Plant to the West, Residential to the South, and vacant land to the east owned by Gem County Recreation District.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Industrial	M-2 Industrial	Woodgrain Sawmill

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
South of site	Area of City Impact, Mixed Planned Dev.	C- Commercial City, R-2 Duplex, R-3 multi-family, R-2 Residential Transitional	Vacant Land, Apartments, Duplexes, Single Family Homes
East of site	Industrial, Commercial	Industrial, Public	Vacant Land, Patriot center
West of site	Industrial	Industrial	Vacant land, Idaho Foundation for Parks and Lands, Inc., Emmett Waste Water Treatment Plant

D. Existing Site Characteristics: Old Boise Cascade Mill complex

E. Streets and/or Access Information: Parcel has frontage and access to Cascade Road and W. Main Street.

5. IDAHO STATUTE

A. Idaho statute title 50, chapter 2, section 50-222 gives general provisions for annexation by cities. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho’s cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

(2) General authority. Cities have the authority to annex land into a city upon compliance with the procedures required in this section. In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation. Provided further, that said city council shall not have the power to declare such land, lots or blocks a part of said city if they will be connected to such city only by a shoestring or strip of land which comprises a railroad or highway right-of-way.

(3) Annexation classifications. Annexations shall be classified and processed according to the standards for each respective category set forth herein. The three (3) categories of annexation are:

(a) Category A: Annexations wherein:

(i) All private landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the city area of impact provided that the land is contiguous to the city and that the comprehensive plan includes the area of annexation;

(ii) Any residential enclaved lands of less than one hundred (100) privately owned parcels, irrespective of surface area, which are surrounded on all sides by land within a city or which are bounded on all sides by lands within a city and by the boundary of the city’s area of impact; or

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.

This annexation is classified as a category A annexation as outlined above.

6. COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in *italics*.]

The following policies in the Gem Community Joint Comprehensive Plan support approval of this application. The Commission and Council need to consider these and any other policies you deem appropriate in reviewing and deciding on the application:

CHAPTER 3 – HOUSING

- **Future Conditions:** – Continuous planning must occur to reflect the changing economic conditions and/or policies locally and statewide. The Gem Community must recognize and anticipate that future national and state energy policies will impact housing standards.
In planning for residential growth, various densities and housing types should be allowed. Examples of housing types include multi-family, duplex, townhouses, zero-lot-line development, and single-family detached.
- **General Housing Goal Statement:** – The Gem Community recognizes that housing is one of the most basic and important human needs. All citizens must be provided with the opportunity for adequate housing. Housing policies focus on these areas:
 - Encourage development within the Emmett Area of City Impact and Rural Residential areas in the County.
 - B. Encourage workforce housing (affordable to households earning from 80% to 140% of the Area Median Income) in the Gem Community.
 - C. Encourage diversified housing including single-family, multi-family and rental housing.
- **Policies for the Gem Community:**
 - 3.1 Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.
 - 3.2 Create and maintain a high quality of life through the provision of adequate open space and recreational opportunities.

CHAPTER 4- ECONOMIC DEVELOPMENT

- **Industrial /Business Centers**
There are several areas within the community that are designated and marketed for business expansion: Main Street/Cascade Road/Industrial Area
- **Future Conditions**
The Gem community is currently working towards diversification in employment and the community is working together to bring industrial and commercial growth to provide living wage jobs.
 - A substantial increase in residential, commercial and industrial development throughout the planning period as a result of positive community economic development actions.
 - A substantial increase in infill type projects within the City of Emmett will continue.
 - Increase the Gem communities' opportunities in destination tourism.
- **Forecast Needs**
Residents strongly support economic development policies and actions that will create new jobs and encourage existing businesses to expand, while allowing for greater employment opportunities and diversity for residents. There is a direct correlation between government actions/policies and business expansion in the community. With emphasis on economic development, we will grow and create new employment and job diversity.
- **1.0 Economic Development Goal Statement**
Gem County and the City of Emmett will take the necessary steps to increase economic diversity, employment base and tax base for continuing enhancement of quality of life and employment in the Gem community.
- **Policies:**
 - 4.1.1 Develop long-term strategies for economic development and business assistance.
 - 4.1.2 Support business retention, expansion and creation. Assist businesses with the tools and encouragement that will enable them to succeed.
 - 4.1.4 Promote job creation to meet the employment needs of a growing work force; therefore, reducing the need for residents to commute outside of the community for employment. Ensure that needed infrastructure is

provided for new and expanding businesses.

4.1.11 Support the development of cultural and destination tourism opportunities.

CHAPTER 9 - PUBLIC SERVICES AND UTILITIES

- GC9.1.2: Policies for City of Emmett-Encourage annexations within the Impact Area for hook-up to municipal services. *This property is connected to City water and sewer.*
- GC9.2.3 – Revise the zoning and subdivision ordinances and adopt, as necessary, specialized planning tools or development review guidelines, based on the Comprehensive Plan.

This application is a Zoning Amendment application which updates the official zoning map of the City of Emmett and, in that sense, is a revision to the ordinance to keep-up with development changes. The existing and proposed zoning is found to be in accordance with the Comprehensive Plan.

CHAPTER 12 – LAND USE

- **Growth Management-** Gem community citizens consider growth management a high priority issue. Existing elements of growth management include: annexation policies, the Gem Community Comprehensive Plan, Zoning and Subdivision Ordinances, Sewer and Water Plans and Health District

Mixed Planned Development- These areas are unique in that they are accessible by arterials, and/or rail lines and/or the airport. These areas are greatly affected by contiguous industrial, residential and commercial land uses. In order that compatible land uses and efficient uses of the land might occur, these lands are anticipated for a variety of planned, compatible mixed uses. Probable mixed uses for these areas could be commercial, multi-family residential, open space uses (as a means to buffer highway noise), light industrial, office, public and related land uses.

- Policies. Annexing land, and subsequently extending service throughout the Area of City Impact allows for an orderly, logical expansion of the city.
- 12.8 – Protect citizen investments in existing public facilities by managing growth through community planning, reviews and development agreements and fees.
- 12.23 The community should support recreational uses throughout the County.
- 12.31– Support commercial and business developments throughout the county that are compatible with adjacent development and/or agricultural uses.
- 12.36 The development of a variety of compatible land uses should be provided in specific plans and proposals for future development.

7. EMMETT CITY CODE- CONNECTIONS OUTSIDE THE CITY

- ECC 7-5-2A2d & 7-6-5 A & B
 1. In order to receive city sewer and water services, an applicant must apply for both city sewer and city water services for the same property. *This property already is connected to city sewer and city water.*
 2. For property that is contiguous to the city limits, the property must be the subject of an application for annexation into the city limits. *While this property should have been annexed into the city when it was first connected to our municipal system, this is an application for annexation as required by ECC to bring the property into compliance with.*

8. REQUIRED COMMISSION FINDINGS & STAFF ANALYSIS

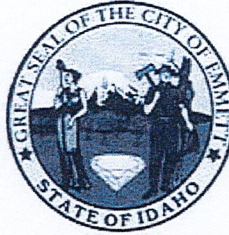
Emmett City Code 9-15-10. H., Commission Review, requires the Commission to make the following findings for any annexation application before recommending approval to the Council: (staff analysis in *italics*)

- A. Determine whether the proposed annexation will be harmonious and in accordance with the specific goals and policies of applicable components of the Gem Community Comprehensive Plan.

The analysis of the Gem Community Comprehensive Plan is provided in Section 6 above. Staff finds the property included in this annexation request lies within the "Area of City Impact" designation of the Future Land Use Map in the Joint Comprehensive Plan. Chapter 12 of the Gem Community Comprehensive Plan describes the intent and development goals of this area. Land in this area is slated to be annexed and zoned when it becomes contiguous with the city limits and when urban services are available.

- B. Recommend that the property sought to be annexed should be zoned as one or more zoning districts (as more fully described in the Emmett Zoning Ordinance).

Staff recommends the Commission and the Council support the zoning classification of MD, Mixed Development to allow the following uses: light industrial, commercial, and multi-family residential for the 65.067 acres and recommend approval of the annexation with re-zone and the Development agreement to City Council.



CITY OF EMMETT
Zoning Commission
Recommendation to City Council

(This recommendation is to be used in conjunction with the Staff Report)

Application: Annexation ANN #21-001 with zoning classification and a Development Agreement DA #21-001

Applicant: Park Hampton, LLC, John Wood

Date of Zoning Commission Public Hearing(s): August 2, 2021

Date of City Council Public Hearing: October 26, 2021

Summary of Public Testimony:

In Favor: None Opposed: None Neutral: None

Recommendation: Approval of the annexation with development agreement of 65.067 acres with Mixed Development (MD) and zoning classifications of C-Commercial, I-Industrial, and R-3, Multi-Family Residential per the findings in the application. Unanimous vote.

Reason(s) and Findings for Recommendation:

The Commission finds the proposed annexation conforms with the basic intent of the Comprehensive Plan, Future Land Use Map, and Emmett City Code. See the attached application/staff report for details.

Required Council Findings and Staff Analysis:

Council shall make findings of fact and conclusions of law to determine:

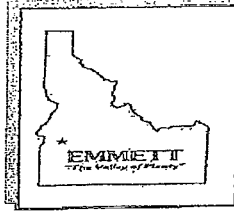
- A. Will the proposed application be harmonious and in accordance with specific goals and policies of applicable components of the Gem Community comprehensive plan, and
- B. To the extent possible, whether the proposed annexation will have a negative fiscal impact upon the existing citizens of Emmett at the time of an annexation and in the future.

Possible Motion:

I make a motion to approve the annexation with development agreement of parcel number RP06N01W073430, RP06N01W074400, and RP01N02W122119 for owner Park Hampton LLC and designate the property as Mixed Development with zoning classification of C-Commercial, I-Industrial, and R-3, multi-Family, based on the application being harmonious and in accordance with the specific goals and policies of applicable components of the Gem Community comprehensive plan and Emmett City Code as outlined in the Staff Report, and that the annexation will not have a negative fiscal impact upon the existing citizens of Emmett at the time of annexation or in the future, and direct staff to create an ordinance to bring back to Council for approval.

Or

I make a motion to deny the application by Park Hampton LLC for annexation and development agreement for the following reason:



CITY OF EMMETT
MASTER PUBLIC HEARING APPLICATION

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org phone: (208) 365-9569 fax (208) 365-4651

TYPE OF APPLICATION: (Please check all that apply.)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> ANNEXATION | <input checked="" type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION |
| <input type="checkbox"/> APPEAL | <input checked="" type="checkbox"/> REZONE | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SUBDIVISION, FINAL | |
| | <input type="checkbox"/> SUBDIVISION, COMBINED/MINOR | |

PROJECT NAME: Mitchell Industrial Park / Emmett Event Center / Blue Valor Event Center / Stoney's Road House /
SITE INFORMATION: Gem on the River RV Park / Multi-family Residences / Self-storage Units

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: _____ Township: _____ Range: _____ Total Acres: 65.067

Subdivision Name (if applicable): _____

Lot: _____ Block: _____

Site Address: 1050 Cascade Road

City: Emmett, ID 83617

Tax Parcel Number(s): RP06N01W073430 Current Zoning: Industrial Current Land Use: Industrial
RP06N01W074400
RP06N02W122119

PROPERTY OWNER:
Name: Park Hampton, LLC / John Wood

APPLICANT:
Name: John Wood

Address: 8700 Chaparral Road

Address: 8700 Chaparral Road

City: Eagle State: ID Zip: 83616

City: Eagle State: ID Zip: 83616

Telephone: (208) 412-5969 Fax: _____

Telephone: (208) 412-5969 Fax: _____

Email: john@jweagle.com

I consent to this application and allow City staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Signature: (Owner)

Date

Signature: (Applicant)

Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

OFFICE USE ONLY

File No.:

Received By: Mishia

Date: 7/24/21

Fee: 1,200

Receipt No: RET21-0524

PHASING PLAN
PARK HAMPTON, LLC
1050 CASCADE ROAD
EMMETT, ID 83617
May 24, 2021

The Boise Cascade mill in Emmett, ID first opened in 1917 as the Boise Payette Lumber Company and later continued as Boise Cascade Company. The mill closed in 2001 and had a significant negative impact on the local economy. The property was purchased by Park Hampton, LLC with the intent to have a venue for the enjoyment of the community and preservation of the historical significance of the site and buildings. The vision is to help revitalize the local economy and provide facilities for businesses and recreational activities. The development intends to maintain the appearance of the existing buildings as much as possible in keeping with their history over the past 100 plus years with minimal updates only as required for the new functions.

Park Hampton, LLC has already started on a projected five-year plan of improvements to meet their goals for the use of the facility. The development involves a very large land area, over 65 acres, which is almost as large as the entire Emmett business district. In order to accommodate the various businesses and activities which are mingled across the property, multiple types of zoning are required for the development. The zoning will include Commercial, Industrial, Mixed Development, R2 and R3.

The projected five-year development plan is in accordance with the Emmett/Gem Community Joint Comprehensive Plan. In fact, much of the buildings and area in the development fall under the Historic and Cultural Resources section of the Comprehensive Plan, Chapter 7, Pages 1 through 6. The major items in development or to be developed include:

1. MITCHELL INDUSTRIAL PARK

The industrial park provides for tenants and businesses in accessory buildings specializing in but not limited to construction disciplines, tiny homes, gun smith, auto restoration, repair shops, etc. These help support a healthy economy and provide needed services to the community. It is in compliance with the conditions as set forth in the Comprehensive Plan, specifically Chapter 4, Economic Development, Pages 1 to 6. Many tenants are now located on the property and more will be added in the future. Land use designation in Chapter 12, Land Use, is both Commercial and Industrial.

2. EMMETT EVENT CENTER

Spaces are available for various shows and events open to the public. Potential exhibits such as gun shows, NRA events, classic car shows, cruise night, holiday activities such as Fourth of July, and similar. There is a large outdoor movie screen available to show drive-in movies. There are 552 parking spaces available for the public. This is listed among the items in the Comprehensive Plan for Recreation and Open Space, Chapter 8. This is generally included in the Commercial category for Land Use per Chapter 12 of the Comprehensive Plan.

3. BLUE VALOR EVENT CENTER

Blue Valor is a venue for multiple types of events and is planned to feature major attractions such as rodeos, music concerts, monster truck rallies, dirt track oval racing, quad races, and various classes of race cars, and other motor sports. The speedway and infield are under construction and the first portion of grandstands is nearing completion. Concession stands and facilities to support the public and participants are scheduled to be installed soon. The venue is planned to open in late summer or early fall 2021. This also falls under the Comprehensive Plan, Recreation and Open Space, Chapter 8. Land use is Commercial.

4. STONEY'S ROAD HOUSE

Stoney's Road House features everything Country—with DJs, live music, dancing, food, and beverages. They even have a mechanical bull for would-be cowboys to ride. Some remodeling has already been done and the grand opening will be scheduled along with the Blue Valor Event Center. They will also feature car shows, movies, etc. It is covered in the Comprehensive Plan, Chapter 4, Economic Development, Pages 4 to 6. Land use is Commercial.

5. GEM ON THE RIVER RV PARK

Construction on the RV park is in the beginning stages and will have about 287 spaces for various size RVs, both long term and short term, with 187 supplemental car parking spaces. Planned are 192 spaces for tent camping with 94 car parking spaces. This is also covered in the Comprehensive Plan, Chapter 8, Recreation and Open Space. Land use is Park/Recreational/Commercial.

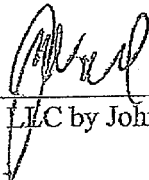
6. MULTI-FAMILY RESIDENCES

Multi-family residences are in the long term planning stages. Once implemented this will fill a need for families and single persons that are having difficulties finding an affordable place to live. Will comply with the Comprehensive Plan, Chapter 3, Housing, Pages 1 to 3. Land use is Residential.

7. SELF-STORAGE UNITS

Future improvements will feature enclosed storage units for household and other goods and outside storage for large items. Planned for 2022-23. Included in the Comprehensive Plan, Chapter 4, Economic Development, Pages 1 and 2. Land use is Commercial.

Submitted by



Park Hampton, LLC by John Wood



Date

NARRATIVE STATEMENT
PARK HAMPTON, LLC
1050 CASCADE ROAD
EMMETT, ID 83617
May 24, 2021

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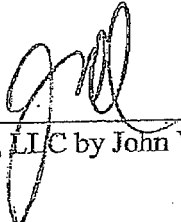
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Submitted by


Park Hampton, LLC by John Wood

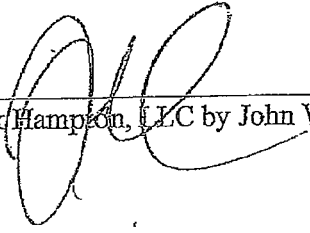
5/24/2021
Date

AFFIDAVIT OF CONSENT
PARK HAMPTON, LLC
1050 CASCADE ROAD
EMMETT, ID 83617
May 24, 2021

Affidavit of Consent agreeing to the submission of the Development Agreement for
Park Hampton, LLC to the City of Emmett, Idaho.

I, John Wood, Owner of Park Hampton, LLC in Emmett, Idaho do hereby agree to the
submission of the attached Development Agreement to the City of Emmett, Idaho.

Submitted by,



Park Hampton, LLC by John Wood

5/24/2021
Date

Emmett Fire Department

501 E. Main St.

Emmett, ID 83617



July 19, 2021

Re: ANN 21-001 Recommendations

Builds or portion of a builds that have undergone a change of use or occupancy change should be evaluated for Fire and Life Safety Compliance by the Emmett Fire Department with the State and Emmett City adopted International Fire Code 2018.

Recommended that if this application is approved, all events associated with racing, burnouts, or other vehicular events have a safety plan in place to be reviewed by the Emmett Fire Department 10 days prior to the event. Fire Chief or his designee should have the ability to do site visits.

Recommend if this application is approved, events with larger than 500 individuals shall have a safety plan approved by the Emmett Fire Department. Submission for approval should be minimum of 10 days prior to the event.

Recommended that fire access lanes be clearly delineated.

Curt Christensen
Chief Emmett Fire Department

Brian Sullivan

From: Hollie Ann Strang <hstrang@co.gem.id.us>
Sent: Friday, July 23, 2021 7:05 AM
To: Alishia Elliott; Brian Sullivan
Cc: Sharron Wiley
Subject: RE: Annexation Application ANN 21-001 w/ rezone and development agreement - City of Emmett

My office has no comments at this time.

Hollie Ann Strang

From: Alishia Elliott [mailto:aelliott@cityofemmett.org]
Sent: Tuesday, July 13, 2021 4:12 PM
To: Steve Kunka <skunka@emmettpolice.com>; diglineidaho@digline.com; EMMETTIRRIGATIONOFFICE@GMAIL.COM; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; Hollie Ann Strang <hstrang@co.gem.id.us>; Laurie Boston <lboston@co.gem.id.us>; Sharron Wiley <swiley@co.gem.id.us>; Neal Capps <ncapps@co.gem.id.us>; Road & Bridge Office <gcrb@co.gem.id.us>; Megan Keene <mkeene@co.gem.id.us>; Megan Keene <mkeene@co.gem.id.us>; juhrig@idahopower.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: Annexation Application ANN 21-001 w/ rezone and development agreement - City of Emmett

Good Afternoon,

Attached is the Annexation Application ANN 21-001 with rezone and development agreement, made by Park Hampton LLC for the property located at 1050 Cascade Road that includes parcels RP06N01W073430, RP06N01W074400, and RP06N02W122119. The parcels total approximately 65.067 +/- acres. See more information attached with this email.

We are asking for comments by **Monday July 26, 2021**. If you do not have any comments you can just reply to bsullivan@cityofemmett.org stating so, for the record.

Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St
Emmett, Idaho 83617
(208)365-9569 ext 6



~~*City of Emmett~~



Gem County Assessor

Hollie Ann Strang

415 E Main Street, Room 201 ~ Emmett, Idaho 83617

Phone: (208) 365-2982 ~ Fax: (208) 365-2163 ~ Email: assessor@co.gem.id.us

Assessor's Office Review for
Subdivision/Administrative Split/
Administrative Combo/Property Boundary Adjustment
~~* Annexation Application #ANN 21-001~~

Date: 7/15/21 Date received from DS: 7/13/21 Review# P-1
Park Hampton LLC RP06N01W073430
Current parcel numbers: LLC - RP06N01W074400
(John Wood) RP06N02W122119

The Gem County Assessor's office has reviewed the submitted documents. Our findings are summarized below.

	Compliant	Non-compliant	Not Reviewed	Initials
Conveyances	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>SW</u>
Closures	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>SW</u>
Fit	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>SW</u>

Comments: New Conveyances, Closures + Fit are not reviewed
for Annexation Permit process.

* I have no comments to enter at this
time for this Annexation Application

Ron Wiley 7/15/21
Mapper Signature Date

Assessor Signature Date

Brian Sullivan

From: Uhrig, Jake <JUhrig@idahopower.com>
Sent: Wednesday, July 14, 2021 6:07 PM
To: Brian Sullivan
Subject: FW: Annexation Application ANN 21-001 w/ rezone and development agreement - City of Emmett

Idaho Power has no comments at this time.

Thank you,

Jake Uhrig

WESTERN DESIGN LEADER
1550 S. Main Street
Payette, ID 83661
Idaho Power | Payette Operations Center
(208) 642-6278
juhrig@idahopower.com

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Tuesday, July 13, 2021 4:12 PM
To: Steve Kunka <skunka@emmettpolice.com>; diglineidaho@digline.com; EMMETTIRRIGATIONOFFICE@GMAIL.COM; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; ncapps@co.gem.id.us; gcrb@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; Uhrig, Jake <JUhrig@idahopower.com>; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: [EXTERNAL]Annexation Application ANN 21-001 w/ rezone and development agreement - City of Emmett

KEEP IDAHO POWER SECURE! External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

Good Afternoon,

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We are asking for comments by **Monday July 26, 2021.** If you do not have any comments you can just reply to bsullivan@cityofemmett.org stating so, for the record.

Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St

*Gem County
Road & Bridge Dept.
402 North Hayes Ave.
Emmett, ID 83617-2646*



*Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us*

July 14, 2021

Brian Sullivan
601 E. 3rd St.
Emmett, ID 83617

RE: Park Hampton LLC (ANN 21-001)

Brian,

Gem County Road & Bridge Department (GCRB) has reviewed the Annexation Application for Park Hampton LLC, property located at 1050 Cascade Road. GCRB has no comments in regards to this application.

If you have any questions please contact our office at 208-365-3305.

Thank you,

A handwritten signature in blue ink, appearing to be "Neal Capps", is written over a faint circular stamp.

Neal Capps, Director
Gem County Road & Bridge

GEM COUNTY

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR



415 E MAIN STREET
ROOM 200
EMMETT, IDAHO 83617
(208) 365-3272

July 14, 2021

City of Emmett
Zoning Commission
Attn: Brian Sullivan, Zoning Administrator
601 E. 3rd Street
Emmett, ID 83617

RE: Annexation with Re-zone & Development Agreement (Park Hampton LLC, Applicant)
Loc: 1050 Cascade Road, Emmett, ID 83617
PIN: RP06N01W073430, RP06N01W074400, RP06N02W122119
FILE NO.: ANN 21-001

Dear Brian,

After reviewing the Annexation with Re-zone and Development Agreement application for Park Hampton, LLC following are my comments concerning the subject parcels:

Parcel RP06N01W073430 has the 2020 taxes paid in full. This parcel or sub parcels will have 2021 taxes due at a future date.

Parcel RP06N01W074400 has the 2020 taxes paid in full. This parcel or sub parcels will have 2021 taxes due at a future date.

Parcel RP06N02W122119 has the 2020 taxes paid in full. This parcel or sub parcels will have 2021 taxes due at a future date.

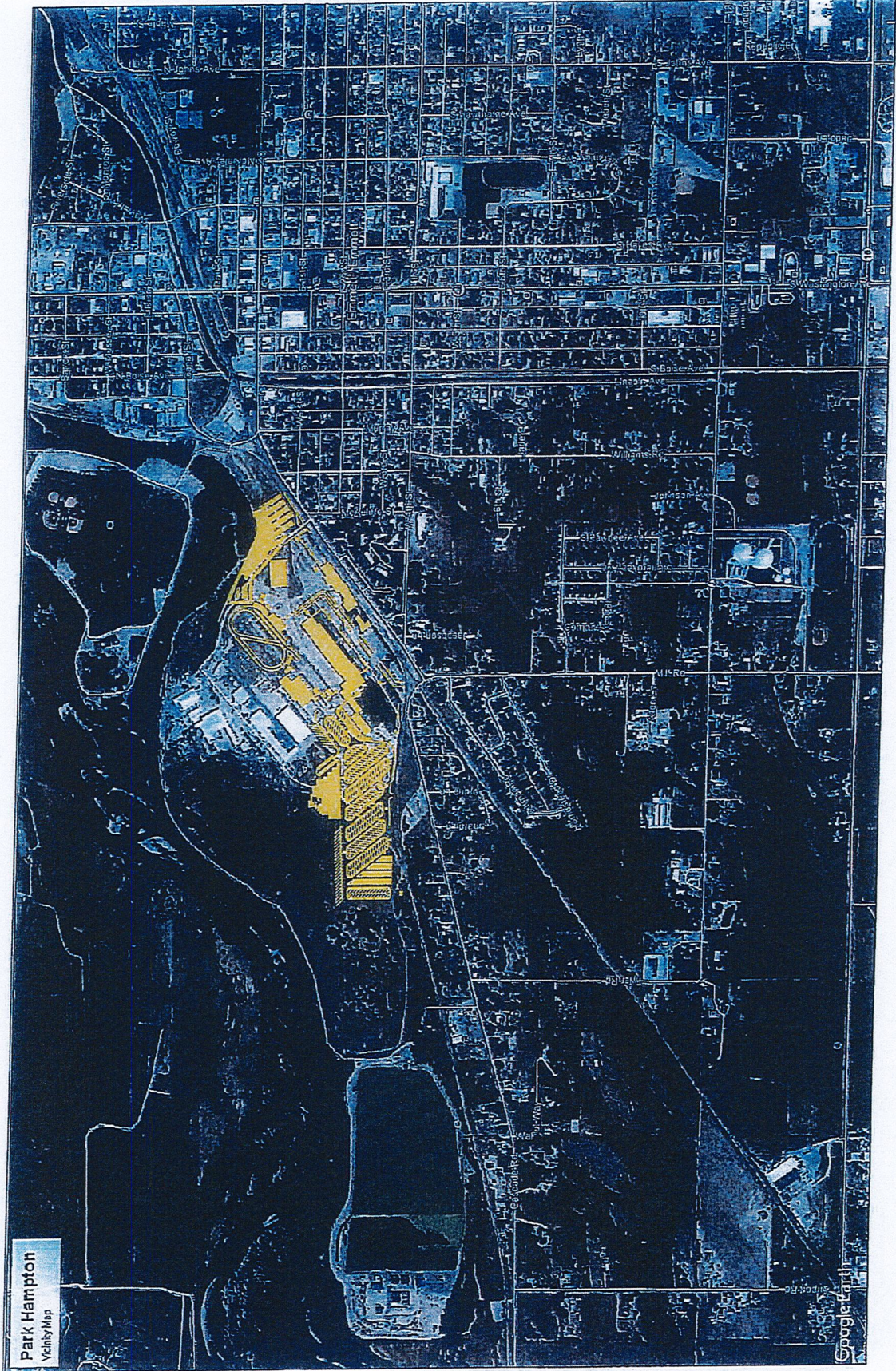
***Please note—Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2021, in order to show up in the 2021 Assessment Roll and 2021 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2021.*

If you have any questions please feel free to contact the Treasurer's office.

Sincerely,

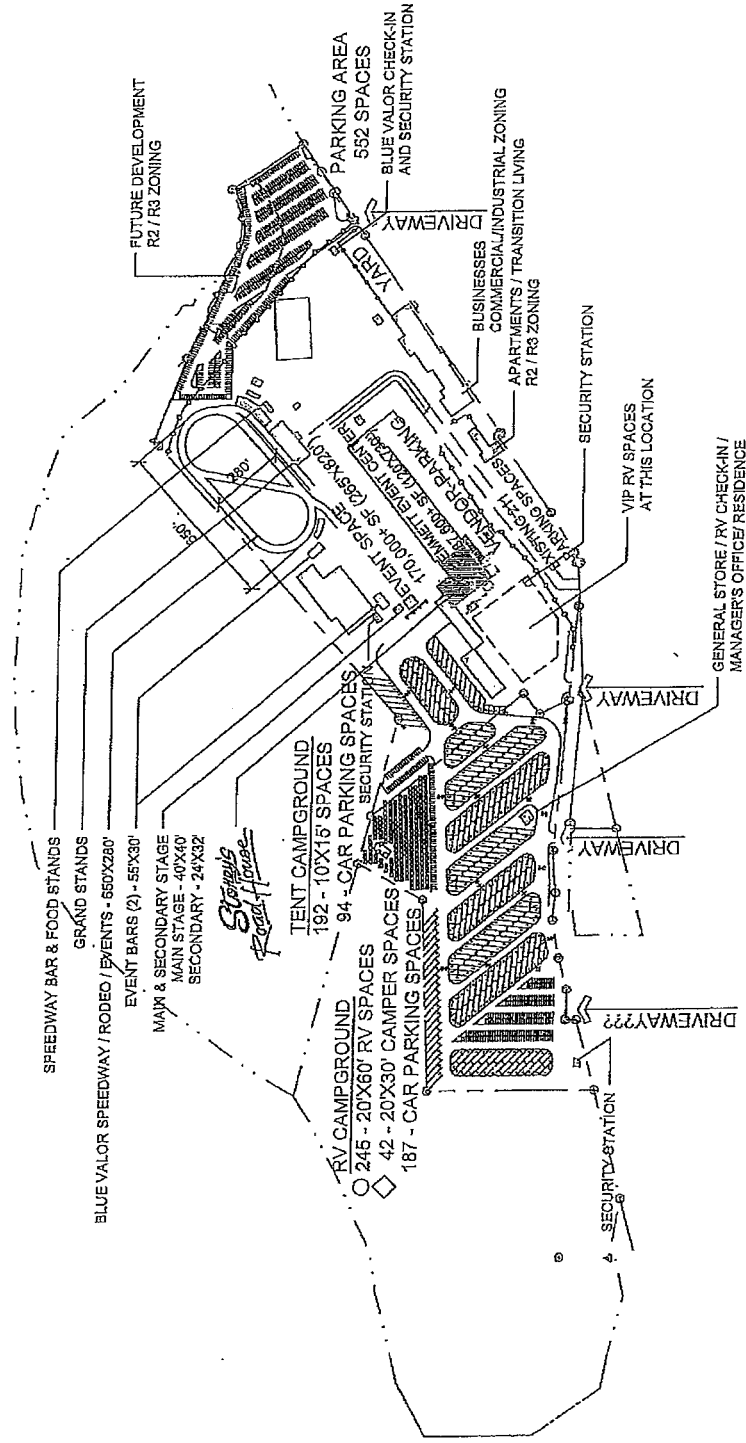
A handwritten signature in cursive script that reads "Megan Keene".

Megan Keene
Gem County Treasurer



Park Hampton
Vehby Map

Google Earth

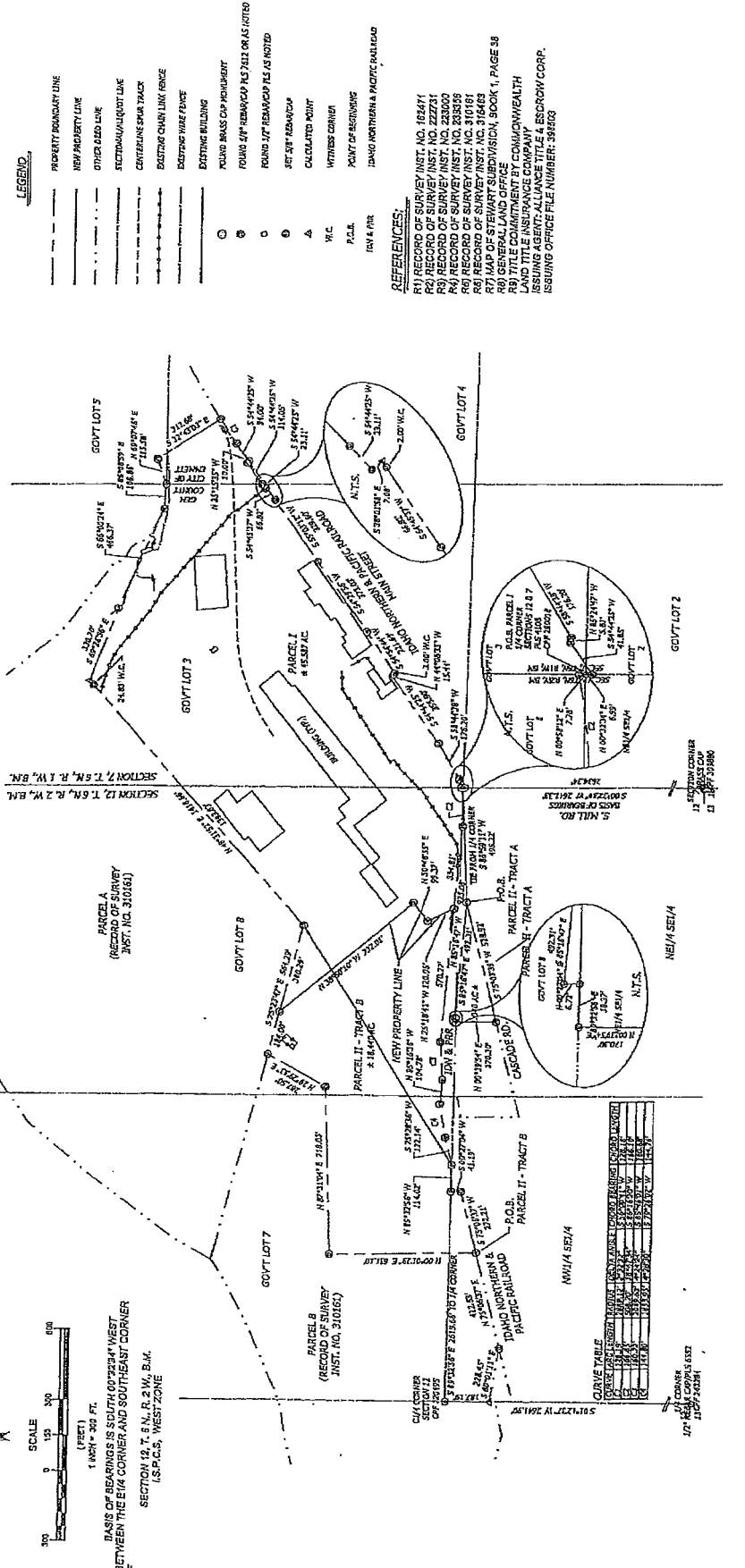


PARK HAMPTON, EVENT AREA PLANNING - COMMERCIAL / INDUSTRIAL / MD / R2 & R3 ZONING

LOCATION: UNINCORPORATED GEM COUNTY, IDAHO
 DATE: JULY 21, 2020 - REVISED MAY 13, 2021

1
 NOT FOR CONSTRUCTION

RECORD OF SURVEY PROPERTY LINE ADJUSTMENT PBA-028
FOR PARK HAMPTON, LLC AND JOHN WOOD
 LOCATED IN PORTIONS OF GOVERNMENT LOTS 7 & 8, AND PORTIONS OF THE NW1/4 SE1/4 & NE1/4 SE1/4 OF SECTION 12, T. 6 N., R. 2 W., B.M.,
 AND IN PORTIONS OF GOVERNMENT LOTS 2, 3, 4 AND 5 OF SECTION 7, T. 6 N., R. 1 W., B.M.,
 GEM COUNTY, IDAHO
 2018



LEGEND

---	PROPERTY BOUNDARY LINE
---	NEW PROPERTY LINE
---	OTHER USED LINE
---	SECTIONAL/QUOTIENT LINE
---	CENTERLINE SHAR TRACK
---	EXISTING CHAIN LINK FENCE
---	EXISTING WIRE FENCE
---	EXISTING BUILDING
○	FOUND BARS CAP POINT/BAR
○	FOUND 1/4" REBAR/CAP BLS 7/16" OR AS NOTED
○	FOUND 1/4" REBAR/CAP BLS AS NOTED
○	SET 3/4" REBAR/CAP
○	CALCULATED POINT
○	WITNESS CORNER
○	POINT OF BEGINNING
○	1/4" N.Y. PIN
○	1/4" N.Y. PIN

REFERENCES:
 R1) RECORD OF SURVEY INST. NO. 182471
 R2) RECORD OF SURVEY INST. NO. 227231
 R3) RECORD OF SURVEY INST. NO. 238000
 R4) RECORD OF SURVEY INST. NO. 238359
 R5) RECORD OF SURVEY INST. NO. 244441
 R6) RECORD OF SURVEY INST. NO. 244441
 R7) MAP OF STEWART SUBDIVISION, BOOK 1, PAGE 58
 R8) GENERAL LAND OFFICE
 R9) TITLE COMMITMENT BY COMMONWEALTH OF IDAHO
 R10) TITLE COMMITMENT BY COMMONWEALTH OF IDAHO
 ISSUING AGENCY: ALLIANCE SURVEYING & MAPPING COMPANY
 ISSUING OFFICE FILE NUMBER: 38463

SURVEYOR'S NOTES:
 1. ALL OF THE FOUND MONUMENTS, FROM RECORDS OF SURVEY INSTRUMENT NO. 310161 SURVEYING TO BEHANCES, 315461 (R6), WERE ACCEPTED AND FIT WITHIN ACCEPTED SURVEYING TOLERANCES.
 2. TRACT A AND TRACT B OF PARCEL II MUST REMAIN A SINGLE PARCEL FOR DEVELOPMENT AND BUILDING PURPOSES.

NOTE
 SAWTOOTH LAND SURVEYING, LLC ASSUMES NO LIABILITY FOR PRESENT OR FUTURE COMPLIANCE OR NONCOMPLIANCE WITH COUNTY PLANNING AND ZONING ORDINANCE RESTRICTIONS AS THEY PERTAIN TO BUILDING PERMITS AND THE ISSUANCE THEREOF.

APPROVAL OF GEM COUNTY DEVELOPMENT SERVICES ADMINISTRATOR
 THIS PROPERTY BOUNDARY ADJUSTMENT IS HEREBY ACCEPTED AND APPROVED, THIS _____ DAY OF _____, 2018, BY THE GEM COUNTY DEVELOPMENT SERVICES ADMINISTRATOR.

2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 (208) 398-8104
 FAX (208) 398-8105
 WWW.SAWTOOTH-SURVEYING.COM

DATE: 12/20/18
 SHEET: 1 OF 2
 DRAWN BY: CHECKED BY: TDRB
 16212

**DEVELOPMENT AGREEMENT
THE CITY OF EMMETT, IDAHO, AND PARK HAMPTON, LLC**

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into as of this ___ day of, ___ 2021, by and between the CITY OF EMMETT, a Political Subdivision of the State of Idaho (“City”) and Park Hampton, LLC, (“Owner”), pursuant to the authority of Idaho Code § 67-6511A, *et seq.*

BACKGROUND:

Owner is the owner of a certain tract of land in the County of Gem, State of Idaho, which land is more particularly described in Exhibit “A” and is hereinafter referred to as the “Project”; and,

City has authority to annex and rezone property pursuant to Title 9, Chapter 15 of the Emmett City Code and Section 67-6504 of the Idaho Code; and,

City has authority to enter into development agreements to condition annexations and rezones; and,

Owner desires to be assured that it may proceed with development of the Project in accordance with this Agreement. In order to obtain this benefit, Owner has determined that it is advantageous to Owner to enter into the Agreement.

NOW, THEREFORE, in consideration of the promises, covenants, and provisions set forth herein, the parties agree as follows:

Section 1. Development of the Project.

1.1 Effective Date. In accordance with Idaho Code § 67-6511A, this Agreement will be effective upon the publication of Ordinance _____, approving the annexation and rezone for the Project, and upon the recordation of this Agreement.

1.2 Permitted Use, Density, and Intensity of Use. This Agreement shall vest the right to develop the Project on land described in Exhibit "A" (Legal Description) and by this reference made a part hereof, with respect to the approved application for the Owner, as restricted by the Conditions of Approval attached to this Agreement as Exhibit "B" and Site Specific Conditions of Approval to this Agreement as Exhibit "C".

1.3 Changes in State and Federal Law. This Agreement shall not preclude the application to the Project of any law that is specifically mandated and required by changes in state or federal laws or regulations. In the event such law prevents or precludes compliance with one or more provisions of this Agreement, City and Owner shall meet and confer to determine how provisions of this Agreement would need to be modified or suspended in order to comply with the law and shall prepare and process the necessary amendment or amendments to this Agreement, or the City Council may elect to terminate this Agreement pursuant to Section 3.4.

1.4 Police Power. Nothing in this Agreement shall be construed to be in derogation of the City's police power to protect the public health and safety in the case of an emergency. For purposes of determining whether the City can exercise its police power inconsistent with the provisions and conditions of this Agreement, "emergency" shall mean a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services involving the Project or the community.

1.5 Surety for Project Completion: In accordance with Emmett City Code and future conditions of approval, the Owner agrees to comply with all lien and/or surety requirements for completion of the project if it is abandoned or otherwise not completed.

Section 2. Cooperation In The Event Of Legal Action.

2.1 In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending such action or proceeding. The City and Owner may agree to select mutually agreeable legal counsel to defend such action or proceeding, or each party may select its own legal counsel. Owner shall pay all reasonable attorneys' fees and costs incurred by the parties arising out of the defense of any third party claim challenging the validity of this Agreement, and Owner shall indemnify the City against any third party costs awarded in such action.

Section 3. Violation; Remedies; Termination.

3.1 General Provisions. Failure or unreasonable delay by the Owner to perform any term or provision of this Agreement, after written notice thereof from the City, shall constitute a violation under this Agreement. Said notice shall specify the nature of the alleged violation and the manner in which said violation may be satisfactorily cured. If the nature of the alleged violation is such that it cannot reasonably be cured within 90 days after written notice, the commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure within such period.

Subject to the foregoing, after notice and expiration of the 90-day period without cure, the violation will be deemed a default under this Agreement and the City, at its option, may institute legal proceedings pursuant to this Agreement and/or give notice of intent to terminate the Agreement.

3.2 Violations by City. In the event City violates any provision under the terms of this Agreement, Owner shall have all rights and remedies provided herein or under applicable law, including without limitation the right to seek specific performance by the City. But in no event shall Owner have any right to punitive damages.

3.3 Enforced Delay; Extension of Time of Performance.

a) In addition to specific provisions of this Agreement, performance by either party hereunder shall not be deemed to be in default where delays or defaults are due to war, insurrection, strike, walk-out, riot, flood, earthquake, fire, casualty, or act of God.

b) Performance hereunder shall not be deemed in default where delays or defaults are due to governmental agencies. An extension of time necessary to gain approval of another independent governmental agency as required in the conditions of approval will be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon.

c) Upon the request of either party hereto, an extension of time for such cause will be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon.

3.4 Termination.

a) This Agreement may be terminated, and the zoning designation upon which the use is based reversed to the zoning district existing immediately prior to the Agreement (deemed appropriate by the City Council), upon the failure by the Owner to comply with the terms and conditions contained in this Agreement after notice by the City to the Owner, or upon the failure of the Owner, each subsequent owner or each other person acquiring an interest in the Project site to comply with the terms and conditions in this Agreement and after the Council has complied with the notice and hearing provisions of Idaho Code § 67-6511A.

Section 4. Hold Harmless – Indemnification.

4.1 Owner shall defend, indemnify, and hold the City, its officers, agents, and employees harmless for injuries to persons or property occurring on the Project arising out of, or resulting from, the negligence or willful conduct of Owner, its agents or employees in performing Owner's duties described in this Agreement or Owner's development activities on the Project.

In the event the City is alleged to be liable in any manner, as a result of the acts, omissions, or negligence of Owner, the Owner shall indemnify and hold the City harmless from and against all liability, claims, loss, costs, and expenses arising out of, or resulting from Owner's development activities on the Project, and Owner shall defend such allegations through counsel chosen by the City. Owner shall bear all costs, fees, and expenses of such defense, including, but not limited to, all attorney fees and expenses, court costs, and expert witness fees and expenses. Owner shall not be obligated to indemnify or defend the City as set forth above from and against any actions liability, claims, loss, costs, or expenses arising out of, or resulting from, the negligence, gross negligence or willful conduct of the City, its agents, officers or employees.

Owner guarantees the City that all services, programs, or activities provided under this Agreement will be in accordance with all applicable federal, state, and local statutes, regulations, and requirements, including, but not limited to, the Americans with Disabilities Act (ADA). Further, Owner agrees to indemnify, defend, and hold the City harmless from and against any loss, expense, or damage of any type incurred by the City as a result of Owner's breach of the guarantee requirements of this paragraph.

Section 5. Notices.

5.1 Any notice, demand, or other communication ("Notice") given under this Agreement shall be in writing and given personally or by registered or certified mail (return receipt requested). If given by registered or certified mail, a notice shall be deemed to have been given and received on actual receipt by the addressee. If personally delivered, a notice shall be deemed to have been given when delivered to the party to whom it is addressed. A courtesy copy of the notice may be sent by facsimile

transmission. Any party may designate any other address in substitution of the address contained herein by like written notice.

5.2 Notices shall be given to the parties at their addresses set forth below:

If to City, to:

City of Emmett
Emmett, Idaho 83617
Attention: Planning Director
Telephone: 208-365-9569
Facsimile: 208-365-4651

If to Owner, to:

John Wood, Park Hampton, LLC
8700 Chaparral Road
Eagle, Idaho, 83616
Telephone, 208-412-5969

Section 6. Assignment.

6.1 If all or any portion of the Project is transferred by Owner to any person or entity (“Transferee”), then Owner may assign or transfer to Transferee all or any portion of its interests, rights, or obligations under this Agreement with respect to the transferred property. The assignment or transfer of interests, rights, or obligations under this Agreement shall not require City approval, but if Owner transfers any portion of the Project to a Transferee, Owner shall continue to be responsible for performing the obligations under this Agreement as to the transferred property until such time as there is delivered to City a legally binding instrument approved by the City whereby Transferee agrees to perform all conditions of approval(s), and/or other obligations of this Agreement applicable to the transferred property as set forth in Idaho Code § 67-6511A.

Section 7. Entire Agreement; Counterparts; Exhibits; Recording.

7.1 Waivers. No provision or condition of this Agreement shall be considered waived unless duly amended as provided in Section 9.1. The failure of the City to require strict performance of any term or condition of this Agreement or to exercise any option herein conferred in any one or all instances shall not be construed to be a waiver or relinquishment of any such term or condition, but the same

shall be and remain in full force and effect, unless such waiver is evidenced by the prior written consent of the City.

7.2 Duty to Act Reasonably. Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

7.3 Exhibits. The following exhibits are attached to this Agreement and incorporated herein by this reference:

Exhibit A – Project Legal Description

Exhibit B – Conditions of Approval

7.4 Recordation of Agreement. The City shall record an executed original of this Agreement at the Gem County Recorder's Office. Owner agrees to pay all recording fees necessary to record this Agreement with the Gem County Recorder's Office.

Section 8. Covenants Appurtenant To The Project.

8.1 All covenants and conditions set forth herein shall be appurtenant to and run with the Project and shall be binding upon Owner's heirs, successors, and assigns until all Conditions of Approval have been satisfied and work completed at which time this Agreement shall be automatically terminated and of no force or effect and the parties shall reasonably cooperate to record any necessary instruments to evidence such termination.

Section 9. Miscellaneous.

9.1 Amendment. Modifications to this Agreement may be made only by the permission of the City Council after complying with the notice and hearing provisions of Idaho Code § 67-6511A. The Agreement may only be modified after public hearing by the City Council. Major modifications as

determined by the Planning Director shall require a hearing and recommendation by the Emmett Zoning Commission prior to hearing by the Council.

9.2 Interpretation: Any term contained in this Agreement will be defined pursuant to Title 9 of the Emmett City Code and if not contained therein general common understanding of the word will apply.

9.3 No Agency, Joint Venture or Partnership. City and Owner hereby renounce the existence of any form of joint venture or partnership between the City and Owner and agree that nothing contained herein or in any document executed in connection herewith shall be construed as making City and Owner joint venturers or partners.

9.4 Severability. If any provision of this Agreement or the application of any provision of this Agreement to a particular situation is held by a court of competent jurisdiction to be invalid, void, or unenforceable, such provision shall be disregarded and this Agreement shall continue in effect. However, if such provision is not severable from the balance of the Agreement so that the mutually dependent rights and obligations of the parties remain materially unaffected, this Agreement shall become void.

9.5 Construction. This Agreement has been reviewed and revised by legal counsel for both City and Owner, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement. This instrument constitutes and contains the entire Agreement of the parties and supersedes and merges all other prior understandings and/or agreements between the parties, if any, whether verbal or written.

9.6 Choice of Law. This Agreement and its performance shall be construed in accordance with and governed by the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Third Judicial District, State of Idaho, County of Gem.

9.7 Merger and Integration. This writing embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. All previous and contemporaneous communications, representations, or agreements, either verbal or written, between the parties are superseded by this Agreement.

9.8 Third Party Beneficiaries. Nothing contained herein shall create any relationship, contractual or otherwise, with, or any rights in favor of, any third party.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto effective the day and year first above written.

City of Emmett

By: _____
Gordon Petrie, Mayor

ATTEST:

Lyleen Jerome, City Clerk

STATE OF IDAHO)
) ss.
County of Gem)

On this ____ day of _____, 2021, before me a notary public, personally appeared Gordon Petrie, known or identified to me, to be the Mayor of the City of Emmett, and the person who executed the said instrument, and acknowledged to me that he executed the same as Mayor.

Notary Public for Idaho
Commission Expires _____



Owner

PARK HAMPTON, LLC

JOHN WOOD, OWNER

STATE OF _____)
County of _____) ss.
_____)

On this _____ day of _____, 2021, before me a notary public, personally appeared John Wood, known or identified to me, to be the Owner of Park Hampton, LLC and the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same as Owner.

Notary Public for _____
Commission Expires: _____

www.marylandnotary.com

**EXHIBIT A
LEGAL DESCRIPTION**

Annexation Parcels: 3 parcels with total of 65.067 acres

A parcel of land being a portion of Parcel C of Property Boundary Adjustment: PBA 16-019 and PBA 17-001, Instrument No. 310161, Gem County Records, located in a portion of Government Lot 8 and a portion of the NE1/4 SE1/4, lying North of the Idaho Northern and Pacific Railroad right-of-way within Section 12, Township 6 North, Range 2 West of the Boise Meridian and a portion of Government Lots 2, 3, 4, and 5, lying North of the Idaho Northern and Pacific Railroad right-of-way and the occupied line along the North side of the Idaho Northern and Pacific Railroad, within Section 7, Township 6 North, Range 1 West of the Boise Meridian, Gem County, Idaho, more particularly described as follows:

BEGINNING at a found 1/2 inch rebar with plastic cap stamped "FISHER PLS 4108" at the Quarter Corner Common to said Sections 7 and 12, as shown on Corner Record Instrument No. 280018, from which a found brass cap, marking the Southwest Corner of said Section 7 as shown on Corner Record Instrument No. 309880, bears South 00° 0 32'34" West a distance of 2641.33 feet;

Thence North 00° 58'12" East, along the west line of said Section 7, a distance of 7.78 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the Northerly right-of-way of the Idaho Northern and Pacific Railroad and the beginning of a non-tangent curve to the right;

Thence along the said Northerly right-of-way of the Idaho Northern and Pacific Railroad the following two (2) courses;

166.85 feet along said non-tangent curve to the right having a radius of 508.70 feet, a central angle of 18°47'34", subtended by a chord bearing South 86° 16'20" West a distance of 166.10 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 85° 16'47" West, a distance of 354.81 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence leaving said Northerly right-of-way, North 25°0 18'41" West, a distance of 120.96 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence North 50°48'55" East, a distance of 99.37 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence North 38° 50'10" West, a distance of 732.01 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561" on the northerly line of said Parcel C;

Thence along the said northerly line the following two (2) courses;

South 75°23'47" East, a distance of 380.29 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 48°31'52" East, a distance of 1,418.66 feet to the Government Meander Line of the left bank of the Payette River, witnessed by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" that bears South 48°31'52" West, a distance of 24.83;

Thence along the said Government Meander Line on the left bank of the Payette River the following two (2) courses;

South 69° 26'56" East, a distance of 330.70 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 66° 00'24" East, a distance of 466.37 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence leaving said Government Meander Line on the left bank of the Payette River, and continuing along the Ordinary High Water Line as described in the Disclaimer of Interest Instrument No. 239286 the following two (2) courses;

South 86°08'59" East, a distance of 106.86 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 69° 07'46" East, a distance of 115.58 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the Easterly line of Parcel A as shown on Record of Survey Instrument No. 222731;

Thence along said Easterly line, South 32° 43'03" East, a distance of 313.68 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the common occupied line between Boise Cascade and the Idaho Northern and Pacific Railroad and the beginning of a non-tangent curve to the left;

Thence along the said common occupied line between Boise Cascade and the Idaho Northern and Pacific Railroad the following fifteen (15) courses;

128.19 feet along said non-tangent curve to the left having a radius of 2,889.12 feet, a central angle of 02°32'32", subtended by a chord bearing South 56° 00'41" West a distance of 128.18 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54°44'25" West, a distance of 94.00 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 35° 15'35" West, a distance of 10.00 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54°44'25" West, a distance of 114.05 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the line common to Government Lots 3 and 4;

Continuing South 54°44'25" West, a distance of 23.11 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 38° 01'58" East, a distance of 7.08 feet to a point witnessed by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" that bears South 54°45'37" West, a distance of 2.00 feet;

South 54°45'37" West, a distance of 66.82 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612"; South 55°03'12" West, a distance of 329.60 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54° 29'56" West, a distance of 373.03 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54° 54'44" West, a distance of 221.69 feet to a point witnessed by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" that bears North 54° 54'44" East, a distance of 3.00 feet;

North 44°06'35" West, a distance of 15.44 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54°44'25" West, a distance of 355.90 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 58°44'38" West, a distance of 176.20 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 85° 24'47" West, a distance of 5.61 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 54°44'25" West, a distance of 41.85 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on the line common to Section 7, Township 6 North, Range 1 West, Boise Meridian and Section 12, Township 6 North, Range 2 West, Boise Meridian;

Thence leaving said common occupied line between Boise Cascade and the Idaho Northern and Pacific Railroad, along said Section line, North 00°32'34" East, a distance of 6.99 feet to POINT OF BEGINNING.

The above described parcel contains 45.587 acres, more or less.

BASIS OF BEARING for this description is South 00° 32'34" West between the E1/4 corner and the southeast corner of Section 12, Township 6 North, Range 2 West of the Boise Meridian. Idaho State Plane Coordinate System, West Zone.

Parcel II — Tract A Legal Description

A parcel of land being Parcel 2, Record of Survey Instrument No. 315463, Gem County Records, located in a portion of Government Lot 8 and a portion of the NE1/4 SE1/4, lying South of the Idaho Northern and Pacific Railroad right-of-way within Section 12, Township 6 North, Range 2 West of the Boise Meridian, Gem County, Idaho, more particularly described as follows:

COMMENCING at a found 1/2 inch rebar with plastic cap stamped "FISHER PLS 4108" at the E1/4 Corner of said Section 12, as shown on Corner Record Instrument No. 280018, from which a found brass cap, marking the Southeast Corner of said Section 12 as shown on Corner Record Instrument No. 309880, bears South 00°32'34" West a distance of 2641.33 feet;

Thence South 86° 59'11" West, 495.22 feet to the intersection of the Southerly right-of-way of Idaho Northern and Pacific Railroad (IDN&PRR) and the Northerly right-of-way of Cascade Road, marked by a found 5/8" rebar with plastic cap stamped "ELSI PLS 7612", and the **POINT OF BEGINNING**;

Thence South 75°03'39" West, along said Northerly right-of-way, 528.92 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence North 00°39'54" East, 170.30 feet to the Southerly right-of-way of IDN&PRR, to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" on said Southerly right-of-way;

Thence along said Southerly right-of-way the following three (3) courses:

South 89°32'56" East, 18.37 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 00° 27'04" East, 6.72 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 85° 16'47" East, 492.31 feet to the **POINT OF BEGINNING**. The above described parcel contains 1.040 acres, more or less.

BASIS OF BEARING for this description is South 00°32'34" West between the E1/4 corner and the southeast corner of Section 12, Township 6 North, Range 2 West of the Boise Meridian. Idaho State Plane Coordinate System, West Zone.

Parcel II - Tract B Legal Description

A parcel of land being a portion of Parcel C of Property Boundary Adjustment: PBA 16-019 and PBA 17-001, Instrument No. 310161, Gem County Records, located in a portion of Government Lots 7 and 8, and a portion of the NW1/4 SE1/4, lying North of the Idaho Northern and Pacific Railroad right-of-way within Section 12, Township 6 North, Range 2 West of the Boise Meridian, Gem County, Idaho, more particularly described as follows:

COMMENCING at a found 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" at the Center Quarter corner of said Section 12 as shown on Corner Record Instrument No. 220495, from which a found 1/2 inch rebar with plastic cap stamped "PLS 6552" marking the South Quarter Corner of said Section 12 as shown on Corner Record Instrument No. 243284, bears South 01° 12'37" West a distance of 2641.90 feet;

Thence South 01° 12'37" West, along the Center of Section line of said Section 12, a distance of 187.19;

Thence South 80°01'11" East, a distance of 228.45 feet to the Northerly right-of-way of Idaho Northern and Pacific Railroad, marked by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence North 75°06'37" East, along said Northerly right-of-way, a distance of 422.53 feet to the southwesterly corner of said Parcel C, marked by a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612" and the POINT OF BEGINNING;

Thence along the westerly and northerly lines of said Parcel C the following four (4) courses; Thence North 00°01'29" East, a distance of 631.10 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence North 87° 31'04" East, a distance of 718.03 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence North 29° 29'33" East, a distance of 287.50 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

Thence South 75° 23'47" East, a distance of 184.00 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence leaving said westerly and northerly lines, South 38° 50'10" East, a distance of 732.01 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence South 50°48'55" West, a distance of 99.37 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561";

Thence South 25°18'41" East, a distance of 120.96 feet to a set 5/8" rebar with plastic cap stamped "PLS 10561" on said Northerly right-of-way;

Thence along said Northerly right-of-way the following eight (8) courses;

North 85° 16'47" West, a distance of 570.27 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

160.72 feet along a non-tangent curve to the left having a radius of 2,089.63 feet, a central angle of 04° 24'24", subtended by a chord bearing South 85°46'01" West a distance of 160.68 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 85° 16'36" West, a distance of 104.78 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

144.80 feet along a non-tangent curve to the left having a radius of 1,853.95 feet and, central angle of 04° 28'30", subtended by a chord bearing South 79° 26'02" West a distance of 144.76 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 75° 28'36" West, a distance of 122.14 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

North 89° 32'56" West, a distance of 114.02 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 00° 27'04" West, a distance of 41.19 feet to a found 5/8" rebar with plastic cap stamped "FLSI PLS 7612";

South 75° 06'37" west, a distance of 272.21 feet to the POINT OF BEGINNING.
The above described parcel contains 18.440 acres, more or less.

BASIS OF BEARING for this description is South 00°32'34" West between the E1/4 corner and the southeast corner of Section 12, Township 6 North, Range 2 West of the Boise Meridian. Idaho State Plane Coordinate System, West Zone.

**EXHIBIT B
CONDITIONS OF APPROVAL**

General Terms

1. Nothing in this Agreement shall be construed as relieving the Owner or its successors from further compliance with all other permit and code requirements for subsequent applications for the same property. Specifically, the processes and information contained in Title 9 of Emmett City Code shall apply to all future development of the property.
2. Entering into this Agreement shall not prevent the City of Emmett from applying new standards, regulations or conditions that do not conflict with the written commitments within this Agreement in any subsequent actions or applications made for the same property.
3. The applicant, Park Hampton, LLC, John Wood, is _____ for annexation and rezone to **MD-Mixed Development to allow for multi-family, commercial, and light industrial uses.** The boundaries of said zone shall be as per the annexation ordinance legal description.

Land Uses

1. The future land uses permitted outright on the property must be consistent with the permitted uses listed below. Uses requiring a special use permit are not allowed. All other land uses are prohibited, unless otherwise allowed through an amendment to this agreement. An amendment to the permitted land uses requires a public hearing before the Emmett City Council.
2. The maximum structure height for the development is sixty feet (60’).

LAND USE TYPE	PERMIT TYPE
Amusement center, outdoor - Events Center/Race Track	Permitted, SUP 19-002
Multi-Family 3-16 units	Permitted
Restaurant	Permitted
Recreational Vehicle Park	Permitted
Manufacturing – Light	Permitted
Office	Permitted
Retail stores and services	Permitted
Dance, music, voice, studio	Permitted
Hotel and motel	Permitted
Office, professional	Permitted
Drive-in-restaurant – fast food	Permitted
Equipment rental and sales - Light	Permitted
Shop for building contractor	Permitted
Service Station/Quick Lube	Permitted
Automotive Sales and Service	Permitted

Amusement Center	Permitted
Salvage Yard	Permitted
Race Track	Permitted

EXHIBIT C

SITE SPECIFIC CONDITIONS OF APPROVAL EVENTS CENTER AND RACE TRACK

1. Currently, the events center and race track have been approved with Gem County by SUP 19-002.
2. The conditions of the Development Agreement (DA) are enforceable as outlined in section 9-18-8 ECC. Modification of this DA can only be done by means of a public hearing.
3. The permit is non-transferable to another property and is only valid for the three parcels annexed into the city limits. Parcels RP06N01W073430, RP06N01W074400, and RP06N02W122119.
4. The events center may operate 7 days a week between the hours of 8:00 am and 10:00 pm. The events center shall be monitored with a decibel meter by the owner or his/her designee as not to create a nuisance to the neighboring residential properties. The decibels shall not be greater than 98 at the property line. After 10:00 pm, the events center may continue to operate following the City of Emmett Noise Ordinance, ECC 5-3-6. A sound curtain or landscape buffer could be constructed to mitigate the noise. Construction would need to be consistent with applicable City building codes.
5. The race track shall be monitored with a decibel meter by the owner or his/her designee as not to create a nuisance to the neighboring residential properties. The decibels shall not be greater than 98 at the property line. All racing shall stop by 10:00pm.
6. The applicant shall provide designated parking areas for events. Ensure all access lanes are a minimum of 20' wide. Access lanes shall be no greater than 150' from all buildings.
7. Comply with any safety plan established by the owner and approved by Emmett Fire Department.
8. Submit plans to Emmett Building Department for review prior to any work including but not limited to remodeling of buildings, additions, new structures, site improvements, etc.
9. The owner shall comply with all ADA (Americans with Disabilities Act) in regards to parking, toilet facilities, building improvements and construction on site.
10. No parking on Cascade Road, West Main Street, or Mill Road.
11. All mobile caterers shall comply with Southwest District Health Department and Emmett Fire Department requirements.
12. Provide on-site toilet and sanitation services to accommodate the size of events planned for the venue.
13. Provide stormwater detention facilities approved by Emmett Public Works.
14. All trash must be contained on site. Provide at a minimum, a three sided enclosure of solid construction, ie, solid wall or fence at least 6' in height. Location for pickup must be approved by the local sanitation company.
15. All newly installed exterior lighting shall be downcast lighting as not to create a nuisance to the neighboring properties and comply with the City of Emmett Dark Sky Ordinance.

16. All new signage, whether perminant or temporary, must comply with the City of Emmett sign ordinance. No off premise signs are allowed.
17. Structures have a fire suppression system. Please provide testing yearly and submit reports to Emmett Building/Zoning Department and Emmett Fire Department.

SITE SPECIFIC CONDITIONS OF APPROVAL RV PARK

1. Zoning this property to Mixed Development allows an RV Park outright and no special use permit is required. Currently the RV Park has been approved by Gem County SUP 19-003.
2. According to the map that was submitted with this application for approval, the RV Park is to be located on the west end of this property.
3. A full design of the RV park is to be submitted to Emmett Building Department for review prior to being constructed. This submittal will include but is not limited to engineering on the water and wastewater system, storm drainage, access roads, and landscaping.
4. Owner is requesting the existing RV's to remain as is until phase 1 of the RV park is constructed. Once constructed, the RV's will move into the park. Owner shall have 120 days to submit plans for construction of phase 1 of the RV park after annexation is complete, and 1 year to construct phase 1 after plans are approved. Dry camping can continue for special events.
5. A 6' fence or solid landscape barrier is to be installed on the south border of the RVpark buffering this use from the residential structures on Cascade Road.
6. Long term stays in this park shall be evalutated with the owner and city staff.
7. All trash enclosures shall be three sided with 6' tall solid wall or fence screening the trash area from view. Location for pickup must be approved by the local sanitation company.
8. All newly installed exterior lighting shall be downcast lighting as not to create a nuisance to the neighboring properties and comply with the City of Emmett Dark Sky Ordinance.
9. All new signage, whether perminant or temporary, must comply with the City of Emmett sign ordinance. No off premise signs are allowed.

Development Requirements

1. All future development on the properties shall submit an application for a Certificate of Zoning Compliance prior to submitting for a building permit.
2. All future development on the properties shall submit a Design Review Application prior to submitting for a building permit. The application will be reviewed by the Design Review Board.



CITY OF EMMETT
PLANNING & ZONING DEPARTMENT

STAFF REPORT

DESCRIPTION: REZONE APPLICATION OF .557+/- ACRES FROM R-2 (TWO FAMILY DUPLEX) TO R-3 (MULTI-FAMILY RESIDENTIAL)

APPLICATION # RZ21-004

ZONING COMMISSION HEARING DATE: NOVEMBER 1, 2021 6:00PM

COUNCIL HEARING DATE: DECEMBER 14, 2021

APPLICANT: GENE G. KING
22965 RED TOP ROAD
WILDER, ID, 83676

PROPERTY OWNER: GENE G. KING

SUBJECT PROPERTY LOCATION: T 06N; R 01W; SECTION 7; 919 S. WARDWELL

PARCEL#: RP06N01W079260

STAFF PLANNER: BRIAN SULLIVAN

1. APPLICATION SUMMARY/BACKGROUND:

The applicant, Gene G. King, is requesting approval of a Rezone application on a parcel of land totaling approximately .0557 acres from R-2 (Two Family/Duplex) to R-3 (Multi-Family/Apartments). The applicant states he would like to build multi-family dwellings. The property is located on the South side of S. Wardwell Avenue at 919 S. Wardwell Ave. The property is bordered on the east and west by residential uses and on the south by the cities RV park.

Parking is required for constructing multi-family residences at 1.5 space per unit. Open space is required at 250 sf up to 1,200 sf of living space, 350 sf per unit containing more than 1,200 sf. All parking, landscaping, open space, setbacks and amenities will be reviewed at time of construction for conformance with ECC.

This summary gives a brief description of the application and what is being asked. For information on how this application complies with the comprehensive plan and zoning ordinance, please look at section 5 and 6.

Comprehensive Plan / Future Land Uses

The parcel falls within the *Area of City Impact* designation of the 2007 Future Land Use Map of the Comprehensive Plan.

2. APPLICATION & PROPERTY FACTS:

- A. Site Address/Location: 919 S. Wardwell Ave.
The parcel is in Township 06N, Range 01W, Section 7
- B. Assessor Parcel No(s): RP06N01W079260
- C. Current Owner(s): Gene G. King
22965 Red Top Road
Wilder, Id, 83676
- D. Applicant(s): Same
- E. Representative: Same
- F. Present Zoning: R-2, Two family/Duplex
- G. Present Comprehensive Plan Designation: Area of City Impact
- H. Property Size: Approximately 0.557 +/- acres

3. APPLICATION PROCESS FACTS:

- A. Application Submittal:
The Rezone application was received by the Zoning Department on 8-16-2021.
- B. Notice of Public Hearing:
Notice of Public Hearing on the application for the Emmett Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code on September 15, 2021, and November 24, 2021. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code on September 15, 2021 and November 18, 2021. The physical property was posted for the public hearing on September 23, 2021 and will remain thru the Council Hearing.
- C. Relevant Ordinances and Required Actions:
The subject application will in fact constitute a rezone as determined by Emmett City Code. By reason of the provisions of the Emmett City Code Title 9, Chapter 15, a public hearing is required before the Zoning Commission and the City Council on this matter.
- C. History of Previous Actions on Property: None
- D. Companion Applications: None
- E. Response Letters Received from:
- Gem County Assessor's Office (no comments)
 - City Fire Department (see comments)
 - Idaho Power (no comments)
 - Emmett Public Works (no comments at this time)
 - Emmett Police Chief (no comments)
 - IT Director (no comments)

- Last Chance Ditch Company (no comments)

4. LAND USE

- A. Existing Land Use(s): Vacant land
- B. Description of Character of Surrounding Area
- C. Adjacent Comprehensive Plan, Zoning and Land Use:

	ZONING DESIGNATION	CURRENT LAND USES
North	R-2, Duplex	Duplex and single-family
South	P Public	City RV Park and softball field
East	R-2, Duplex	Single-Family residence
West	R-2 and R-3	Duplex and single-family

D. Streets and/or Access Information: Parcel has frontage on S. Wardwell Ave.

5. COMPREHENSIVE PLAN GOALS & POLICIES [Staff comments and analysis are shown in *italics*.]

Before the City of Emmett can approve a Rezone application, it must determine that the proposed zone (R-3, multi-Family) complies with the goals and policies of the Comprehensive Plan and Future Land Use Map. The Zoning Commission and City Council must review both the Future Land Use Map and the text of the Plan to see if the proposed zoning matches the vision described in the Plan. Below, staff has copied pertinent sections of the Comprehensive Plan.

Related Excerpts from Comp Plan Chapter 3 Housing:

Purpose: Encourage a variety of housing to fit the individual needs of all residents.

Introduction: The housing element has a pivotal role in growth management plans. The element encourages the development of housing in a way which conserves open space, reduces unnecessary cost, and provides housing choices. With this approach, the Gem Community has a way to guide the effects of growth without losing its sense of community. Providing a wide range of housing opportunities for our residents, encourages neighborhoods to remain strong and people to care about community. We desire to maintain the quality of our neighborhoods while planning for the future.

Future Conditions: Continuous planning must occur to reflect the changing economic conditions and/or policies locally and statewide. The Gem Community must recognize and anticipate that future national and state energy policies will impact housing standards. In planning for residential growth, various densities and housing types should be allowed. Examples of housing types include, multi-family, duplex, townhouses, zero-lot -line development, and single family detached. The Gem Community is committed to orderly, logical and fiscally-sound growth (pay as you go, not putting the burden on current residents).

1.0 General Housing Goal Statement: The Gem Community recognizes that housing is one of the most basic and important human needs. All citizens must be provided with the opportunity for adequate housing. Housing policies focus on these areas:

- Encourage development within the Emmett Area of City Impact and Rural Residential areas in the County.
- Encourage workforce housing (affordable to households earning from 80% to 140% of the Area Median Income) in the Gem Community

- Encourage diversified housing including single-family, multi-family and rental housing.

Policy 3.1.1 Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.

The above sections of the Joint Comprehensive Plan, support the request to re-zone the property from R-2, Duplex to R-3 multi-Family.

Related Excerpts from Comp Plan Chapter 12 Land Use: defining “Area of City Impact”

“Area of City Impact is expected to be the most urbanized area of Gem County. It contains Emmett, which is the county seat and center of government activities and is also the employment center of the county. . .

A planning goal of the Area of City Impact is to keep enough land within this area to ensure an adequate supply of land for urban growth into the future.”

“These land areas are generally adjacent to arterials and are anticipated for a variety of residential densities. Residential areas in close proximity of city limits, activity centers and public transportation routes should range in density from 3 to 25 units per acre. Radiating from city centers, decreased density should be at 2 to 6 units per acre to ensure compatibility with existing residential development and continue to promote the community vision. Examples of housing types include, multi-family, townhouses, zero-lot-line development, single-family attached and single family detached. This designation is only intended for use in the Area of City Impact.”

These descriptions of the Area of City Impact land designation outline the purpose of existing and future uses in this area. It is intended to be “the most urbanized area of Gem County,” which is interpreted to mean land that is designed to accommodate a higher population base, increased density and more traffic than rural areas and is served with water and sewer services and other utilities. These Chapter 12 policies also call for adequate land for “urban growth.”

Related Excerpts from Comp Plan Chapter 12 Land Use: Future Conditions

There are several important social, economic and environmental factors and trends, which will influence future land use in the Gem community throughout the planning period of 2007-2025.

These factors and trends are:

- Increasing population and increasing employment
- Providing for housing diversity
- Increasing demand for business development
- Increasing development along the Payette River
- 12.15 Encourage compatible infill development, which will complement existing neighborhoods.

6. ZONING ORDINANCE

- A. Purpose Statement of Zone: Residential R District: The purpose of the R district is to permit the establishment of residential dwellings and other uses that are compatible with residential uses. Centralized water and sewer facilities are required in the R district in accordance with section 7-6-2 of this code.
- B. The difference between the R-2 Duplex (existing zone) and the R-3, multi-family (proposed zone), besides the uses allowed, is the maximum building height, setbacks, and the minimum lot area, see comparison chart below.

	R-2	R-3 multi-Family	
Max Height	40 ft	45 ft	
Set Back	5’ sides, 5 feet rear, 15’ front living, 20’ garage	10 ft (sides and rear) 15’ front living, 20’ garage	
Min Lot Area	8,000 sq. ft.	8,000 sq ft (for first 2 units) plus 800 sq ft per additional unit	

7. REQUIRED FINDINGS & STAFF ANALYSIS

Emmett City Code 9-15-4, Transmittal to Commission, outlines the process and findings for review and approval of Zoning Amendment applications, which is what Rezone applications are classified under. Section B requires the Commission to find that the request is “in accordance with the adopted Comprehensive Plan.” This is the only standard in the Zoning Ordinance by which the Commission must evaluate Rezone requests. Staff’s analysis of relevant Comprehensive Plan policies is provided above. The Commission and Council must find that the Comprehensive Plan map and policies support the Rezone application.

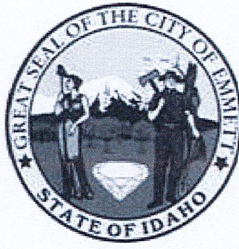
8. STAFF RECOMMENDATION

Staff finds that the proposed Rezone from R-2, Duplex to R-3, multi-Family conforms with the basic intent of the Comprehensive Plan policies and Future Land Use Map. Staff finds the location, which is a parcel adjacent to a previously zoned R-3 parcel and the conformance of this request with the Gem Community Comprehensive Plan are key considerations for approval of this application.

At any time during the processing for an annexation or a rezone application, a request to enter into a development agreement for the subject property may be submitted by the applicant, or may be recommended by the Planning and Zoning Commission at the Commission’s public hearing, or may be required by the City Council at the public hearing.

The Commission or Council must decide if a Development Agreement (DA) should be required for this type of rezone, and state the specific issues to be addressed in the DA. If the applicant agrees to submit an application for a DA, then the commission shall defer its recommendation to the council until a public hearing on the DA is held.

Staff does not feel a DA is relevant for this type of application due to the residential zoning.



CITY OF EMMETT
Zoning Commission
Recommendation to City Council

(This recommendation is to be used in conjunction with the Staff Report for the same application.)

Applications: Rezone RZ #21-004 from R-2 (duplex) to R-3 (multi-family)

Applicant: Gene King

Date of Zoning Commission Public Hearing(s): November 1, 2021

Date of City Council Public Hearing: December 14, 2021

Summary of Public Testimony:

In Favor: Gene King

Neutral: None

Opposed: None

Recommendation: Approval of the Rezone from R-2 to R-3, adopt the staff report, and not require a development agreement. Three commissions in favor, 1 opposed.

Reason(s) and Findings for Recommendation:

The Commission finds the proposed annexation conforms with the basic intent of the Comprehensive Plan and Future Land Use Map.

Possible Motion:

I make a motion to approve the re-zone from R-2, duplex, to R-3, multi-family, for property located at 919 S. Wardwell, parcel number RP06N01W079260, for applicant Gene King, adopt the staff report and not require a development agreement, and direct staff to create an ordinance to bring back to Council for approval.

OR

I make a motion to deny the application by Gene King for a re-zone for the following reason:

EMMETT CITY ZONING COMMISSION
November 1, 2021

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

Chairman Earls called the meeting to order at 6:00 p.m.

Chairman Earls led the **Pledge of Allegiance**.

Commissioners Present: Gwen Earls, Brian Gregory, Kim Butler

Commissioners Online: Jeff Wiechmann

Commissioners Absent: Marta Henry

Staff Present: City Attorney, Jake Sweeten; Zoning Administrator, Brian Sullivan; Recording Clerk, Alisha Elliott

Staff Online: None

Public Present: Matt Heath, Gene King, Amanda King, Brian Kierstead

Review of Agenda:

Commissioner Gregory made a motion to approve the agenda. Commissioner Butler seconded the motion. **Motion Carried.**

Approval of Minutes: Commissioner Wiechmann made a motion to approve the October 4, 2021 minutes.

Commissioner Butler seconded the motion. **Motion Carried.**

#1 Public Hearing: Re-Zone Application by Gene G King, 919 S Wardwell from R-2, Duplex to R-3, Multi-Family

Zoning Administrator's Presentation

Chairman Earls informed the commission that she had ex-parte communication with the neighbor of the property. The only information received from the neighbor was the lot dimensions. Zoning Administrator Sullivan read the staff report application summary to the commission. Chairman Earls asked about the hydrant requirement recommended by the Fire Chief. Sullivan informed the commission that when they adopt the staff report into the record it would include all staff recommendations.

Applicant Presentation

Gene King, 22965 Red Top Rd Wilder, ID, informed the commission that he is asking to rezone the property from R-2 to R-3 and does not have an exact plan in mind to what he will be building on the property. Commissioner Wiechmann expressed that he was against the application.

Public Input

None

Rebuttal

None

The public hearing was closed at 6:23 P.M.

Decision of Public Hearing: ACTION ITEM

Commissioner Wiechmann made a motion to deny the application. Attorney Sweeten informed Commissioner Wiechmann that he would need to state his facts and reasons for denying the application. The motion died for lack of a second. Commissioner Butler made a motion to recommend approval of the rezone application RZ21-004, adopt the staff report and not require a development agreement. Commissioner Gregory seconded the motion. Commissioner Wiechmann opposed. Motion carried.

New Business:

- a. Discussion about email regarding zoning ordinance changes

The commissioners discussed the possible changes to the city zoning codes and requirements. Zoning Administrator Sullivan recommended the commissioners bring the discussion and research to the December meeting as a workshop.

b. Approval of 2022 Meeting Dates **ACTION ITEM**
Commissioner Butler made a motion to approve the 2022 meeting dates. Commissioner Gregory seconded the motion. **Motion Carried.**

Unfinished Business:

None

Items from the Commission:

None

Items from the Building Official/ Zoning Administrator:

December meeting will be a workshop.

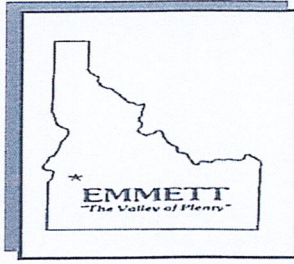
Next Regular Meeting – December 6, 2021

Commissioner Butler will be absent at the next meeting.

Meeting adjourned at 6:53 p.m.

Chairman Gwen Earls

Acting Secretary



CITY OF EMMETT REZONE SUBMITTALS AND CHECKLIST

CITY OF EMMETT

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org Phone: (208) 365-9569 Fax (208) 365-4651

No rezone shall be recommended for approval by the Commission or granted by the City Council unless they find that the requested rezone is in accordance with the adopted Comprehensive Plan.

PRESENT LAND USE: RESIDENTIAL LOT

PROPOSED LAND USE: MULTI-FAMILY

EXISTING ZONING CLASSIFICATION: R2 PROPOSED ZONING: R3

COMPREHENSIVE PLAN DESIGNATION: _____

Submittal Requirements:

FEE: A \$450.00 fee must accompany this completed application. (Non-refundable)

LETTER OF INTENT:

- Intended uses of property if Rezone approved.
- How the proposed rezone relates to the Comprehensive Plan (please refer to page and section numbers of the Comprehensive Plan).

LEGAL DESCRIPTION: A metes and bounds description or lot and block reference of proposed property.

DIGITAL COPY OF LEGAL DESCRIPTION.

SITE PLAN: A vicinity map, which is drawn to scale, must be attached showing the location of the property under consideration.

PROOF OF OWNERSHIP OR VALID OPTION HOLDER: Attach a recorded copy of your property deed, option agreement, quit claim deed, or title report.

*PLAT MAP: Show property under consideration and surrounding properties.

*AERIAL PHOTO: Show property under consideration and surrounding properties.

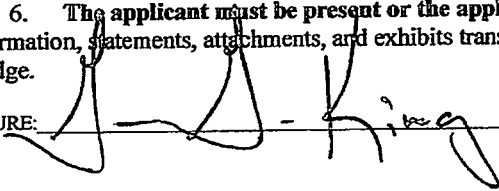
*(THE ABOVE ITEMS WILL BE PROVIDED BY THE ZONING STAFF)

I understand:

1. This application is subject to acceptance by the City of Emmett upon determination that this application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a review by the Administrator and a recommendation shall be forwarded to the City Council that the application be approved, approved conditionally or disapproved.
4. Any review by the City of Emmett's Engineering firm will be subject to a fee determined by the Engineering firm and will be paid by the applicant.
5. The application fee is non-refundable.
6. **The applicant must be present or the application will not be heard.**

All information, statements, attachments, and exhibits transmitted with this application submitted are true to the best of my knowledge.

SIGNATURE: _____



DATE: _____

11-19-2020

****FOR OFFICE USE ONLY****

APPLICATION COMPLETION DATE: _____ COMMISSION HEARING DATE: _____

Checklist

<u>SUBMITTALS</u>	<u>APPLICANT</u> (√)	<u>STAFF</u> (√)
FEE	/	
LETTER OF INTENT	/	
LEGAL DESCRIPTION	/	
DIGITAL COPY	/	
SITE PLAN	/	
PROOF OF OWNERSHIP	/	
PLAT MAP	N/A	
AERIAL PHOTO	N/A	
PROPERTY OWNERS WITHIN 300'	N/A	

The Administrator reserves the right to not officially accept this application until total review is accomplished and all required information is submitted.

The date of the public hearing will be established by the Administrator upon the acceptance of complete application.

Applicant will be responsible for all publication fees involved with a rezone and change to the zoning ordinance map.

Applicant's Signature Kim Borch Date: 8/16/21

FOR OFFICE USE ONLY

APPLICATION COMPLETION DATE: _____ COMMISSION HEARING DATE: _____



1500 S. Washington Ave., Ste. B
Emmett, ID 83617

Instrument # 330303

EMMETT, GEM, IDAHO
2020-11-10 04:06:53 PM No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$15.00
Ex-Officio Recorder Deputy SStewart
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 748180 /KS

QUITCLAIM DEED

For Value Received

Amanda M. King, spouse of the Grantee

do hereby convey, release, remise and forever quit claim unto

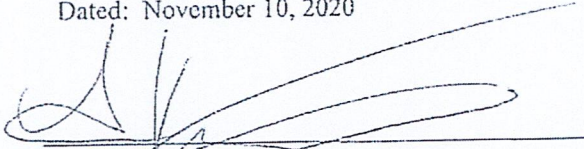
Gene King, a married man as his sole and separate property
whose address is 12195 Sidtop Rd Wilder ID 83676

the following described premises, to-wit:

See Exhibit A attached hercto and made a part hereof.

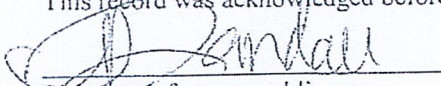
together with their appurtenances.

Dated: November 10, 2020


Amanda M. King

State of WV, County of Gem

This record was acknowledged before me on November 10, 2020 by Amanda M King


Signature of notary public
Commission Expires:

Residing in Emmett, Idaho
My commission expires: February 27, 2021

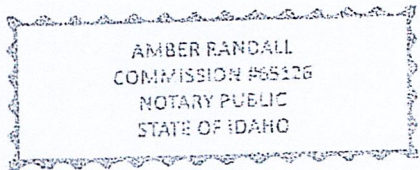
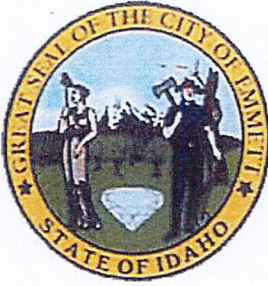


EXHIBIT A

A tract of land in the NW1/4 of the SE1/4 of the SE1/4 of Section 7, Township 6 North, Range 1 West, B.M., Gem County, Idaho , more particularly described as follows:

Beginning at the Southwest corner of the NW1/4 of the SE1/4 of the SE1/4 of said Section 7; thence East on the South line of the said NW1/4 of the SE1/4 of the SE1/4 160 feet to the REAL POINT OF BEGINNING; thence North 45° East, 104.5 feet; thence Southeasterly along a curve to the left, which curve has a radius of 200 feet and a center point located 330 feet East and 262 feet South from the Northwest corner of the NW1/4 of the SE1/4 of the SE1/4, 50.03 feet; thence South parallel to the 1/16th line, 204.3 feet to the South line of the NW1/4 of the SE1/4 of the SE1/4; thence West 120 feet to the REAL POINT OF BEGINNING.



Emmett Zoning Department
 601 E. 3rd St. Emmett, Idaho, 83617
Brian Sullivan:
 bsullivan@cityofemmett.org
Doricela Millan-Sotelo: dmillan-sotelo@cityofemmett.org
 Ph. (208)365-9569 F. (208)365-4651

Affidavit of Legal Interest

I, Gene G. King, residing at 22965 Red Top Rd
Wildce ID 83676 being first duly sworn upon oath, depose
 and say:

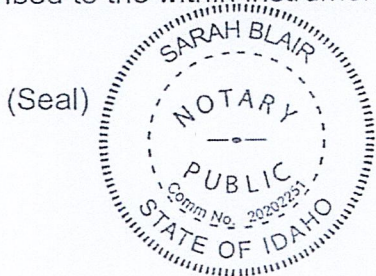
1. That I am the record owner of the property described on the attached, and I grant my permission to Sawtooth Land Surveying to submit the accompanying application pertaining to that property.
2. I agree to indemnify, defend and hold Emmett City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 16th day of August, 2021.

Gene G. King
 Signature

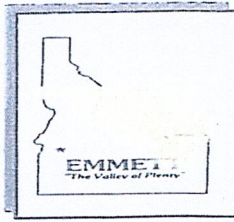
State of Idaho)
 S.S.
 County of Canyon

On this 16th day of August, in the year of 2021, before me
 a notary public, personally appeared Gene G. King,
 proved to me on the basis of satisfactory evidence to be the person whose name is
 subscribed to the within instrument, and acknowledged that he/she executed the same.



Sarah Blair
 Notary Public

My Commission Expires on 06/15/2026



RECEIVED
AUG 16 2021

CITY OF EMMETT MASTER PUBLIC HEARING APPLICATION

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org phone: (208) 365-9569 fax (208) 365-4651

TYPE OF APPLICATION: (Please check all that apply.)

- | | | |
|--|--|--|
| <input type="checkbox"/> ANNEXATION | <input type="checkbox"/> DEVELOPMENT | <input type="checkbox"/> SUBDIVISION, MODIFICATION |
| <input type="checkbox"/> APPEAL | <input type="checkbox"/> AGREEMENT | <input type="checkbox"/> VACATION |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input checked="" type="checkbox"/> REZONE | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT | <input type="checkbox"/> ZONING TEXT AMENDMENT |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> SUBDIVISION, PRELIMINARY | |
| | <input type="checkbox"/> SUBDIVISION, FINAL | |
| | <input type="checkbox"/> SUBDIVISION, COMBINED/MINOR | |

PROJECT NAME: AmberCrombie

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: SE Section: 7 Township: 6N Range: 1W Total Acres: 0.5570

Subdivision Name (if applicable): AmberCrombie N/A

Site Address: 919 S. Wardwell Ave Lot: _____ Block: _____
City: Emmett

Tax Parcel Number(s): PP06N071W079200 Current Zoning: R2 Current Land Use: _____

PROPERTY OWNER:

Name: Gene G. King

Address: 22905 Red Top Road

City: Wilder State: Id. Zip: 83676

Telephone: 208-941-6368 Fax: N/A

APPLICANT:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: 208-516-8146 Fax: N/A

Email: kingexvacation@t.e.aol.com

I consent to this application and allow City staff to enter the property for site inspections related to this application.

[Signature] 11-19-2020

Signature: (Owner)

Date

I certify this information is correct to the best of my knowledge.

[Signature] 11-19-2020

Signature: (Applicant)

Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

OFFICE USE ONLY

File No.: R721-0004 Received By: BIS Date: 8-16-21 Fee: 450.00 Receipt No: 993728

Oct 4th hearing



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

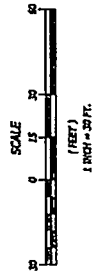
LETTER OF INTENT For Gene King

City of Emmett Planning and Zoning,

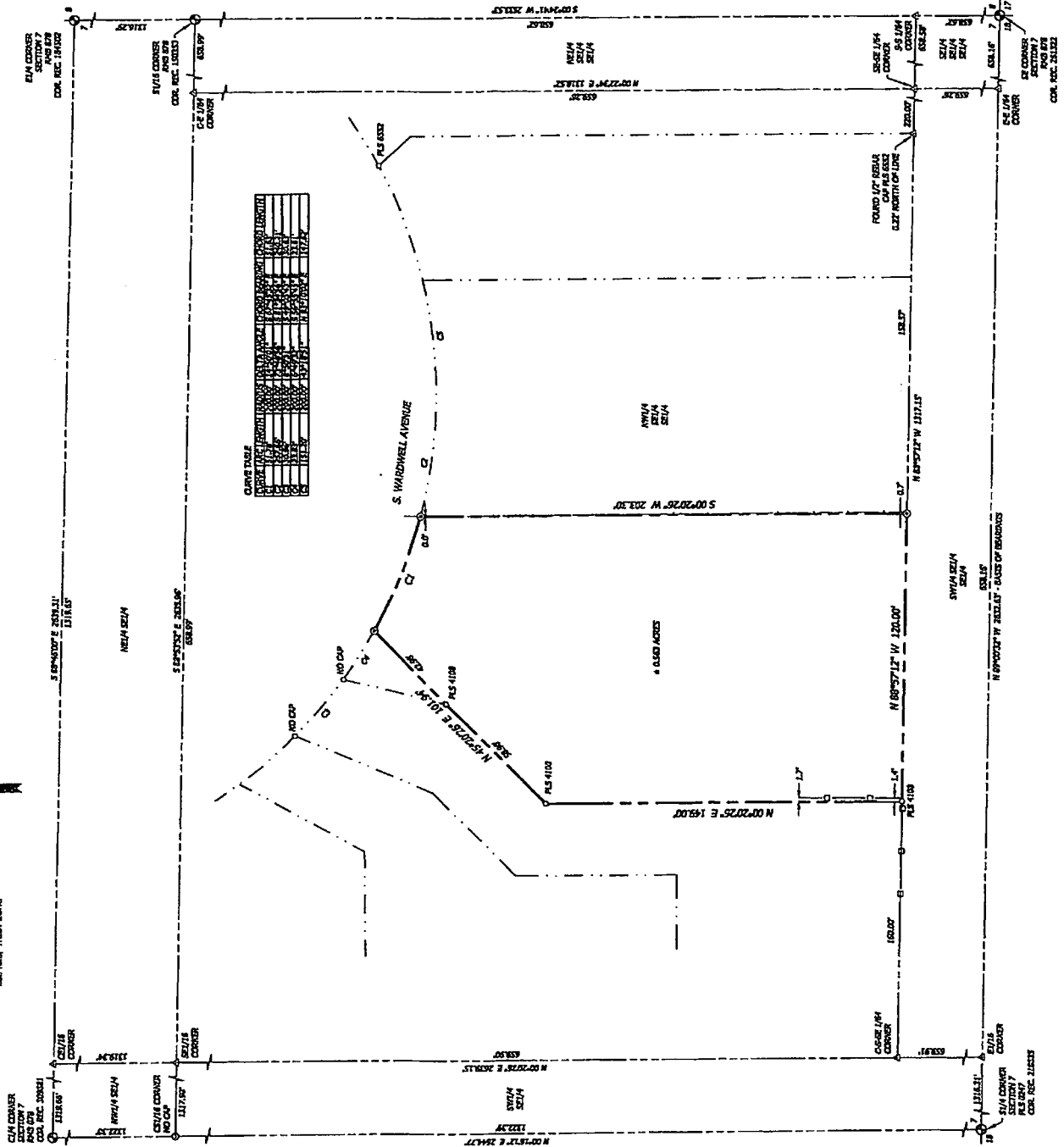
Please accept this letter of intent for Gene King. Gene wishes to rezone his parcel for R2 to R3 for the purpose of building multi-family dwellings. The parcel is located at 919 S. Wardwell Avenue and the Assessor's Parcel No. is RP06N01W079260.

- a) The current parcel is conforming and will remain with the standards prescribed by the zoning ordinance.
- b) This Rezone will not increase the original number of properties.
- c) This Rezone will not change or move any public street, private lanes, easements or publicly dedicated area in any manner.

**RECORD OF SURVEY
FOR GENE KING
LOCATED IN THE NW1/4 SE1/4 SE1/4 OF SECTION 7, T. 6 N., R. 1 W., B.M.
CITY OF EMMETT, GEM COUNTY, IDAHO
2021**



BLK. OF BEARINGS IS NORTH UNLESS NOTED BETWEEN THE SOUTHWEST CORNER AND SW1/4 CORNER OF SECTION 7, T. 6 N., R. 1 W., B.M. I.D.P. C.S. WEST ZONE



LEGEND

---	PROPERTY BOUNDARY LINE
- - -	SECTIONAL LINE
---	OTHER DEED LINE
---	EXISTING WOOD FENCE
---	EXISTING WIRE FENCE
⊙	FOUND BRASS CAP MONUMENT
⊙	FOUND 1/2" REBAR AS NOTED
⊙	FOUND 1/2" REBAR AS NOTED
⊙	SET 5/8" REBAR/ODP PLS 10551
△	CALCULATED POINT

SURVEYOR'S NARRATIVE

THIS RECORD OF SURVEY WAS PERFORMED TO RETRACE AND MONUMENT THE PARCEL DESCRIBED IN QUILT-LAM DEED INST. NO. 30063. A MISSING CALL AFTER THE POINT OF BEGINNING WAS FOUND. THIS RECORD OF SURVEY WAS PERFORMED IN ACCORDANCE WITH PREVIOUS DEED, QUILT-LAM DEED INST. NO. 211493, AND USED. THIS LINE ALSO MATCHES THE GEOMETRY CREATED BY RECORD OF SURVEY INST. NO. 178884. THE SOUTHERLY RIGHT-OF-WAY LINE OF S. WARDWELL AVENUE INCLUDES THE FOUND MONUMENTS ON EITHER SIDE OF THE SUBJECT PARCEL.

REFERENCES:

- R1) PLAT OF THE CITY OF EMMETT AND OUTLYING DISTRICTS
- R2) RECORD OF SURVEY INST. NO. 178884
- R3) RECORD OF SURVEY INST. NO. 121856
- R4) QUILT-LAM DEED INST. NO. 30063
- R5) QUILT-LAM DEED INST. NO. 211493
- R6) QUILT-LAM DEED INST. NO. 211493

CERTIFICATE OF SURVEYOR

I, KEVIN M. BORAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE TRUE POSITION AND DIMENSIONS OF THE PROPERTY AND THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FIELD ACT, IDAHO CODE.



KEVIN M. BORAH, P.L.S. 10561

SURVEY INDEX NO. 614-7-2-4-00-00

2030 S. WASHINGTON AVE.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105
WWW.SAWTOOTHILLS.COM

SANTOOTH
Land Surveying, LLC

SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:
1 OF 1	8/2021	KB	AR	120382



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Parcel Legal Description

A parcel of land located in the NW1/4 SE1/4 SE1/4 of Section 7, Township 6 North, Range 1 West of the Boise Meridian, City of Emmett, Gem County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said NW1/4 SE1/4 SE1/4 (C-S-SE 1/64 Corner) of Section 7;

Thence South $88^{\circ}57'12''$ East, coincident with the south line of said NW1/4 SE1/4 SE1/4 of Section 7, a distance of 160.00 feet to a 1/2 inch rebar/cap PLS 4108 and the **POINT OF BEGINNING**;

Thence North $00^{\circ}20'26''$ East, parallel with the west line of said NW1/4 SE1/4 SE1/4 of Section 7, a distance of 149.00 feet to a 1/2 inch rebar cap PLS 4108;

Thence North $45^{\circ}20'26''$ East, 128.05 feet to the centerline of S. Wardwell Avenue and the beginning of a non-tangent curve to the left, the radius point of said curve is 330 feet east and 262 feet south from the northwest corner of said NW1/4 SE1/4 SE1/4 of Section 7;

Thence easterly, along the arc of said curve to the left and coincident with said centerline, an arc distance of 31.76 feet, having a radius of 175.00 feet, a central angle of $10^{\circ}23'49''$ and subtended by a chord bearing of South $67^{\circ}51'08''$ East, 31.71 feet;

Thence South $00^{\circ}20'26''$ West, parallel with said west line, 229.25 feet to said south line, marked by a 5/8 rebar/cap PLS 10561;

Thence North $88^{\circ}57'12''$ West, coincident with said south line, 120.00 feet to the **POINT OF BEGINNING**.

BASIS OF BEARINGS for this legal description is North $89^{\circ}00'32''$ West, between the southeast corner and the S1/4 corner of Section 7, T. 6 N., R. 1 W., B.M., Gem County, Idaho. I.S.P.C.S., West Zone.

Brian Sullivan

From: Curt Christensen
Sent: Wednesday, September 22, 2021 11:37 AM
To: Alishia Elliott; Brian Sullivan
Cc: Mike Giery
Subject: Rezone Application RZ 21-004
Attachments: SCAN0005.PDF; E12-02.pdf

Brian,

The reviewed hydrant flow rates of the hydrant found on Wardwell (Hydrant #E12-02) are attached to this email. In accordance with IFC2018 Appendix B, the necessary fire flow for a one and two family Group R-3 and R-4 Buildings and townhouse would require a 1000 GPM flow for a 1-hour duration. On that same table, if a 13D sprinkler system were to be added to a R-3/R-4 building then the flow is adjusted to 500 gallons per minute for a duration of half an hour. This hydrant found on at the end of Wardwell produces 638 gallons per minute when pumped down to 20 psi; I assume it would sustain that for the 30 minutes.

The proposed Rezoning application RZ 21-004 would be serviced by the aforementioned Hydrant #E12-02. Construction of any R-3 serviced by hydrant #E12-02 would be require either an upgrade to a hydrant that produced 1000gpm for 1 hour or need the addition of a 13D sprinkler system.

In service,

Chief Christensen
Emmett Fire Chief

On Sep 15, 2021, at 1:58 PM, Alishia Elliott <aelliott@cityofemmett.org> wrote:

<RZ 21-004 Impact Agency Packet .pdf>

APPENDIX B

FIRE-FLOW REQUIREMENTS FOR BUILDINGS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION B101 GENERAL

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings.

SECTION B102 DEFINITIONS

B102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for fire fighting.

FIRE-FLOW CALCULATION AREA. The floor area, in square feet (m²), used to determine the required fire flow.

SECTION B103 MODIFICATIONS

B103.1 Decreases. The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases. The fire chief is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the *fire code official* is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

SECTION B104 FIRE-FLOW CALCULATION AREA

B104.1 General. The fire-flow calculation area shall be the total floor area of all floor levels within the *exterior walls*, and under the horizontal projections of the roof of a building, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by *fire walls* without openings, constructed in accordance with the *International Building Code*, are allowed to be considered as separate fire-flow calculation areas.

B104.3 Type IA and Type IB construction. The fire-flow calculation area of buildings constructed of Type IA and Type IB construction shall be the area of the three largest successive floors.

Exception: Fire-flow calculation area for open parking garages shall be determined by the area of the largest floor.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration requirements for one- and two-family *dwellings*, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(1) and B105.1(2).

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family *dwellings*, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.2 and B105.1(2).

HOME HYDRANTS
PUMP & TANK

TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

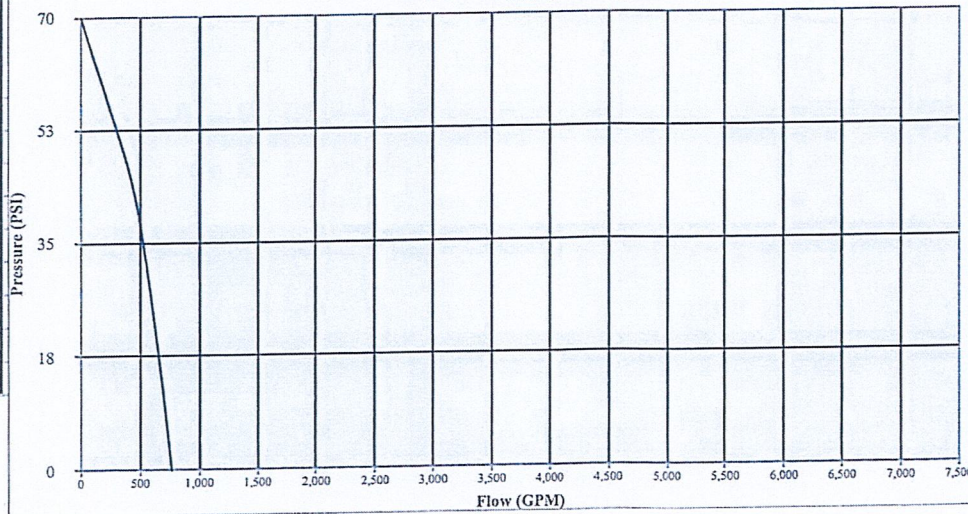
FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	500	1/2
3,601 and greater	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1/2 value in Table B105.1(2)	1

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

Hydrant Flow Result Sheet

City:	City of Emmett	Rating Rep.	
Date:	5/12/21	Results:	
Time:	1000	Hydrant Flow:	237
Location:	Wardwell Loop	Flow @ 20 PSI:	638
Near:	Wardwell Loop	Pressure @ 1500 GPM:	-173
Hydrant Number		Address:	
Size:	6"		Wardwell Loop
Data Input:			
Static	70 psi	Residual	62 psi
Pitot	2 psi	Diameter	2 1/2 inches
Co	0.9	Flowing	237 gpm

Water Supply Graph



Brian Sullivan

From: Steve Kunka
Sent: Wednesday, September 15, 2021 4:15 PM
To: Brian Sullivan
Subject: Rezone Application 21-004, 919 S Wardwell

Brian,

I do not have any comments.

Steve

Sent from my iPhone

Brian Sullivan

From: Uhrig, Jake <JUhrig@idahopower.com>
Sent: Thursday, September 16, 2021 8:08 AM
To: Brian Sullivan
Subject: FW: Rezone Application 21-004, 919 S Wardwell
Attachments: RZ 21-004 Impact Agency Packet .pdf

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Idaho Power has no comments.

Jake Uhrig
WESTERN DESIGN LEADER
1550 S. Main Street
Payette, ID 83661
Idaho Power | Payette Operations Center
(208) 642-6278
juhrig@idahopower.com

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; Uhrig, Jake <JUhrig@idahopower.com>; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: [EXTERNAL]Rezone Application 21-004, 919 S Wardwell

KEEP IDAHO POWER SECURE! External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

Good Afternoon,

Attached is the Rezone Application RZ 21-004 made by Gene King for the rezone of 919 S Wardwell, see more information attached with this email. The parcel is approximately .557 +/- acres.

We are asking for comments by **Tuesday September 28, 2021**. If you do not have any comments you can just reply to bsullivan@cityofemmett.org stating so, for the record.

Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett

Brian Sullivan

From: lastchanceditch@gmail.com
Sent: Thursday, September 16, 2021 11:15 AM
To: Brian Sullivan
Cc: lastchanceditch@gmail.com
Subject: RE: Rezone Application 21-004, 919 S Wardwell

Caution! This message was sent from outside your organization.

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Last Chance Ditch has no objection to the rezone request.

Karen V. Fraley
Treasurer
Last Chance Ditch Company
PH 208-365-1902 * FAX 208-365-1903
Email: lastchanceditch@gmail.com
PO Box 428
118 N Commercial Ave
Emmett ID 83617

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; juhrig@idahopower.com; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: Rezone Application 21-004, 919 S Wardwell

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Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St
Emmett, Idaho 83617

Brian Sullivan

From: Clint Seamons
Sent: Thursday, September 16, 2021 1:33 PM
To: Alishia Elliott; Brian Sullivan
Subject: RE: Rezone Application 21-004, 919 S Wardwell

No Comment.

Clint Seamons
Public Works Director

City of Emmett
601 E 3rd Street
Emmett, ID 83617
Office: (208) 365-9569

From: Alishia Elliott <aelliott@cityofemmett.org>
Sent: Wednesday, September 15, 2021 1:59 PM
To: Steve Kunka <skunka@emmettpolice.com>; brandi.j.richter@usps.gov; Curt Christensen <cchristensen@cityofemmett.org>; Mike Giery <mgiery@cityofemmett.org>; assessor@co.gem.id.us; lboston@co.gem.id.us; swiley@co.gem.id.us; treasurer@co.gem.id.us; mkeene@co.gem.id.us; juhrig@idahopower.com; IGCOwyheeDistrictOperationsAide@intgas.com; Jessica.mansell@intgas.com; monica.taylor@intgas.com; lastchanceditch@gmail.com; Clint Seamons <cseamons@cityofemmett.org>; Mike Knittel <mknittel@cityofemmett.org>; care.inquiry@centurylink.com; director@gcmad.org; Jennifer Kharrl <jkharrrl@co.gem.id.us>
Cc: Brian Sullivan <bsullivan@cityofemmett.org>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>; jsweeten@gravislaw.com
Subject: Rezone Application 21-004, 919 S Wardwell

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Thank you in advance.

Alishia Elliott
Planning Clerk
City of Emmett
601 E 3rd St
Emmett, Idaho 83617
(208)365-9569 ext 6

Brian Sullivan

From: Hollie Ann Strang <hstrang@co.gem.id.us>
Sent: Tuesday, September 21, 2021 12:48 PM
To: Brian Sullivan
Cc: Sharron Wiley
Subject: Rezone Application 21-004, 919 S Wardwell

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My office has no comments at this time.

Hollie Ann Strang

Gem County Assessor
415 E. Main St. Rm. 201
Emmett, ID 83617
208-477-2010

GEM COUNTY CONFIDENTIALITY DISCLAIMER: *This message (including any attachments) may be privileged, confidential and/or protected from disclosure under applicable law. It is intended only for the use of the individual or entity above-named. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient please notify the sender by reply email and immediately delete this email.*

GEM COUNTY

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR



415 E MAIN STREET
ROOM 200
EMMETT, IDAHO 83617
(208) 365-3272

September 21, 2021

City of Emmett
Zoning Commission
Attn: Brian Sullivan, Zoning Administrator
601 E. 3rd Street
Emmett, ID 83617

RE: Re-zone–Property Owner, Gene G. King
Loc: 919 S. Wardwell
PIN: RP06N01W079260
FILE NO.: RZ 21-004

Dear Brian,

After reviewing the Re-zone application for Gene King following are my comments concerning the subject parcel:

Parcel RP06N01W079260 has the 2020 taxes paid in full. This parcel or sub parcels will have 2021 taxes billed at a future date.

*****Please note–Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2021, in order to show up in the 2021 Assessment Roll and 2021 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2021.***

If you have any questions please feel free to contact the Treasurer's office.

Sincerely,

Megan Keene
Gem County Treasurer



AUTHORIZATION TO ENGAGE JMCM CONSULTING

SCOPE OF WORK

JMCM Consulting (CONSULTANT) will prepare a project plan and application for the Assistance to Firefighter Grant Program(s). The total project request will be determined after reviewing the CLIENT's need assessment. The amount will be discussed with the CLIENT representative BEFORE the application is submitted.

The CLIENT will provide CONSULTANT all of the information needed to develop the project proposal. CONSULTANT will work with the CLIENT to identify the CLIENT's greatest needs and advise projects that have a higher likelihood of funding (based on CONSULTANT's experience and the AFGP Program Guidance).

PROJECT SCHEDULE

Once the "Authorization to Engage JMCM Consulting" and the CLIENT's information worksheets are received, CONSULTANT will begin work on the application.

Client will be provided actual dates, once FEMA publishes the application period dates.

Once the final application is loaded to FEMA's GO portal, the CLIENT will be notified and be given the opportunity to review the application before it is submitted. Once approved the CLIENT may submit the application OR the CLIENT may authorize the CONSULTANT to submit on their behalf. CLIENT understands they are responsible for the content of the application.

PROJECT COST

JMCM Consulting will provide professional project development and administrative services for 5% of the federal funded grant amount. This fee is NOT included in the project cost request. It cannot be paid from grant funds the department may receive. It must be paid from the Client's general fund as a fee for professional services. No grant funds from any federal program can be used to pay consulting fees.

Once the total cost of the project is determined, the CLIENT will be provided a PROJECT COST estimate worksheet. If the grant funds, professional service fees will be due in full 30 days from date of grant official award.

This agreement will remain in effect for the current and subsequent years, until cancellation by either party by written notification.

JMCM Consulting

STANDARD TERMS AND CONDITIONS

1. GENERAL

- 1.1 Each of the parties warrants its power to enter into this agreement and has obtained all necessary approvals to do so.
- 1.2 Each party acknowledges that this agreement and the conditions contain the whole agreement between the parties and that it is not relied upon any oral or written representations made to it by the other or its employees or agents.
- 1.3 CONSULTANT is not the employee of the CLIENT and affirms that no CONFLICT OF INTEREST exists.
- 1.4 This agreement remains in effect for current and subsequent years until cancelled in writing by either party.

- 1.5 Non-Exclusive Agreement. Nothing in this agreement shall prevent the Client from using the services of another independent contractor from performing similar work in accordance with Client's needs.
- 1.6 Supervision. In accordance with Consultant's status as an independent contractor and not as an employee, the Client shall not have the right to control the means or methods by which Consultant performs the services in this agreement. However, the Client shall have the right to control or direct Consultant as to the result to be accomplished with respect to such services.
- 1.7 Payment of Taxes; No Employee Benefits. As an independent contractor, Consultant (i) agrees to be solely responsible for all federal, state, and local payment, withholding, and filing requirements for payroll, income, self-employment, retirement, disability, or unemployment taxes, assessments, or regulations, and (ii) is not eligible for any vacation, sick leave, pension, bonus, insurance, or other benefit now or in the future established by the Client or others for employees of the Client.

2. CLIENT'S RESPONSIBILITIES

- 2.1 Designate CLIENT's representative that has the authority to provide information and instructions to the CONSULTANT.
- 2.2 Provide CONSULTANT with all information needed to develop the project proposal, including, but not limited to, financial records, operation records, budgets, revenue sources, incident records and all other information requested by the CONSULTANT pertaining to this project.
- 2.3 CLIENT certifies information provided to the CONSULTANT is accurate and correct and will not hold CONSULTANT responsible for inaccurate or incomplete information provided by the CLIENT.
- 2.4 Obtain consents and approvals necessary to prepare the project proposal and submit the application.
- 2.5 Notify CONSULTANT when CLIENT learns of any development that affects scope or timing of CONSULTANT's services.
- 2.6 CLIENT agrees to follow procurement laws as defined by FEMA and CLIENT'S governmental authority.
- 2.7 CONSULTANT agrees to prepare all procurement specifications generically so as to avoid conflicts of interest.

3. PERIOD OF SERVICE


- 3.1 CONSULTANT will prepare the project proposal to submit for funding consideration to the Assistance to Firefighter Grant Program(s) during the published application period.
- 3.2 Once the application period is published, the CLIENT will be promptly notified.
- 3.3 The CONSULTANT will assist with the project until the closeout documents are submitted and approved at which time the CONSULTANT will provide the CLIENT written notification that services for this project are completed.

4. PROJECT COSTS

- 4.1 CONSULTANT will provide professional project development and administrative services for 5% of the federal funded grant amount. Once the total cost of the project is determined, the CLIENT will be notified of this amount.
- 4.2 CLIENT understands that project development services are provided at no charge.

5. CONSULTANT'S OUTPUT, MATERIALS AND INFORMATION

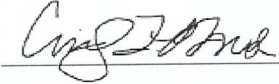
- 5.1 **All tangible and intellectual items prepared by CONSULTANT, such as project narratives or information or (without limit) any other materials created or provided pursuant to this contract by the CONSULTANT are considered intellectual property and shall be and remain the CONSULTANT's property and copyright. CLIENT may retain copies for reference, but any substantive reuse on another project; in whole or in part; or distribution to a third party by any means without CONSULTANT's written consent is prohibited.**
- 5.2 CONSULTANT shall not unreasonably withhold or deny written permission for the CLIENT to disclose the narrative created by the CONSULTANT to the CLIENT's attorneys, accountants, auditors or other professional agents associated with the entity for the purposes of conducting usual audits and other business of the CLIENT.
- 5.3 CLIENT agrees they will not copy, share or distribute information contained in the project proposal or grant application with anyone other than the aforementioned.

- 5.4 CLIENT agrees that if the CONSULTANT's work product is distributed or shared without the CONSULTANT's permission, CLIENT will be responsible for payment of the 5% professional services fee due to distribution without authorization.
 - 5.5 CLIENT agrees that if a project application is created and submitted pursuant to this Agreement is denied, and the CLIENT does not retain the CONSULTANT to assist with resubmission of this project; and CLIENT resubmits any or part of the information contained in the CONSULTANT's work product, such an act will be considered a continuance of the of this original agreement; therefore professional fees will be due to the CONSULTANT if the project is successfully awarded funding in the same manner as this original agreement.
 - 5.6 CONSULTANT undertakes not at any time to divulge or allow to be divulged to any person any confidential information relating to the business or affairs of the Client.
6. PAYMENT
 - 6.1 If CLIENT receives an AFGP award, CONSULTANT will submit an invoice for payment, due within 30 days of the published award date.
 - 6.2 If CLIENT fails to make payment within thirty (30) days of receipt of invoice, a late fee of \$25 per month will be applied. In addition, CONSULTANT may give written notice to suspend services until paid in full or payment arrangements have been made.
 - 6.3 CONSULTANT's compensation shall not be reduced by any amounts.
 - 6.4 This agreement may be terminated without cause by either party before completion of services; however 100% of the professional services will be payable within the terms set forth in the agreement.
7. SERVICES UPON PROJECT FUNDING
 - 7.1 CONSULTANT agrees to provide the following services for the CLIENT upon receipt by the CLIENT of an official grant award notification. These services will be provided to the extent agreed upon between the CONSULTANT and the CLIENT.
 - 7.1.1CONSULTANT will assist CLIENT with submission necessary performance reports or other documentation as required by AFGP.
 - 7.1.2CONSULTANT will assist CLIENT with submission of required documents to complete/close the awarded grant.
 - 7.1.3If requested, CONSULTANT will assist CLIENT with development and/or review of equipment specifications.
 - 7.1.4CONSULTANT will assist CLIENT with understanding procurement requirements as defined by FEMA and CLIENT'S local jurisdiction.
8. MISCELLANEOUS
 - 8.1 The agreement shall be governed by the laws of the State of Alabama and Chambers County, Alabama.
 - 8.2 CLIENT agrees that CONSULTANT reserves the right to withdraw from the project if the CLIENT fails to follow his/her advice or engages in conduct which makes continued administration of the project difficult or if the CLIENT directs the CONSULTANT to engage in conduct which CONSULTANT perceives as unethical or illegal or in direct conflict to AFGP program guidance.
 - 8.3 Nature of Agreement. Nothing contained in this agreement shall be construed to create an association, trust, partnership, or joint venture or impose a trust or partnership.
- 

IN WITNESS WHEREOF, the CLIENT has signed and approved engaging JMCM Consulting for the purpose of developing and submitting an application to Assistance to Firefighter Grant Program. Signature certifies that Standard Terms and Conditions have been read and agrees to all conditions.

The parties certify that the person(s) signing this contract have the authority to contract for the professional services set forth in this agreement.

JMCM Consulting, LLC.
By: Cindy Tubbs Monroe, President



PO Box 252, Five Points, Alabama 36855
Office (334) 864-0094
Fax (334) 864-0147 or (800)-211-9006
cmonroe@jmcmconsulting.com

City of Emmett, Idaho
Date: _____

By: _____
Title: _____
Signature:

Third Party Authorization for Account Access

This document serves as authorization for JMCM Consultants (hereafter JMCM) to access, operate and make necessary authorized edits to the named entity's account in the following systems for the purpose of managing the entities grant(s):

This includes the following systems:

- ✓ FEMA Grant Outcomes (GO) web portal (go.fema.gov) (act as Authorized Organization Representative)

Required information:

- Providing the username and password to JMCM Consultants
- Providing the email address associated with the account(s).
- **Name one (1) primary contact (with name, email, phone number) for the entity that JMCM will work with.**
- Immediately notifying JMCM whenever any change is made to the account such as entity's bank account, point of contact, or password.

JMCM agrees they will not disclose the username, password, or any individual information to anyone except the primary contact without written permission from the primary contact or person authorized to conduct business for the entity (for example Board Chairman, President, Fire Chief, City Manager, City Clerk, etc.)

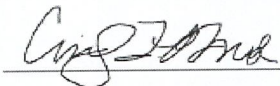
It is understood, the entity is responsible for the accuracy of information entered into each of these portals. JMCM will enter information that is provided and approved by the entity. Entity reserves the right to request changes to this information at any time. JMCM will not be held responsible for any errors or omission of information.

This authorization will remain in effect until revoked in writing by the entity. All request for revocation should be addressed hard copy to:

Cindy Monroe, President, JMCM Consulting, LLC. PO Box 252, Five Points, Alabama 36855.

JMCM Consulting, LLC.

By: Cindy Tubbs Monroe, President



PO Box 252, Five Points, Alabama 36855

Office (334) 864-0094

Fax (800)-211-9006

cmonroe@jmcmconsulting.com

City of Emmett, Idaho

Date: _____

By: _____

Title: _____

Signature:

**JMCM Consulting
Project Cost Estimate**

Calculated Date:

11/18/2021

2021 AFG Total Grant Request

Department:

Emmett

County

Gem

City, State

Emmett, ID

Total Value of Equipment Project

Grant # EMW-2021-FG	
PPE	\$ -
SCBA	\$ -
MICROGRANT	\$ 52,000.00
Communications	\$ -
Equipment	\$ -
Training	\$ -
Modify Facilities	\$ -
Total Request	\$ 52,000.00
FEMA Award	\$ 49,523.81
Department Match	\$ 2,476.19
JMCM Consulting Fee*	\$ 2,358.28
Total Cost to Dept**	\$ 4,834.47

Total Value of Vehicle Replacement Project

Grant # EMW-2021-FG	
Vehicle	\$ 415,000.00
Total Request	\$ 415,000.00
FEMA Award	\$ 395,238.10
Department Match	\$ 19,761.90
JMCM Consulting Fee*	\$ 18,820.86
Total Cost to Dept**	\$ 38,582.76

*Fee will be payable to JMCM Consulting thirty (30) days following the official award notification date listed on the Award Package cover letter.

**These values are determined based on the original project estimate. If the amount of the project is reduced by FEMA, the fee payable will be reduced accordingly.

Item Detail

Item Detail				
Air Compressor	6000 PSI breathing air compressor, minimum of 10 CFM, HP bank bottle storage system, and NFPA approved containment fill station. Included is CO monitoring and filtration system	\$ 52,000	1	\$52,000.00
4 Door Pumper	NFPA 1901 commercial chassis, 4 door, pumper, equipped, min 1250 gpm/1000 gal tank.	\$ 415,000	1	\$ 415,000.00

Emmett Fire Department

501 E. Main St.

Emmett, ID 83617



Mayor I make the motion to approve the contract with JMCM Consulting with the Mayor to sign.

ORDINANCE NO. O2021-11

AN ORDINANCE OF THE CITY OF EMMETT, IDAHO; AMENDING TITLE 5, CHAPTER 3, SECTION 4-5, SUBSECTION B.2., TO INCLUDE "ELECTRONIC SMOKING DEVICES" IN THE DEFINITION OF "SMOKE" OR "SMOKING"; AND SETTING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF EMMETT, IDAHO, as follows:

I. City Code Section 5-3-4-5 B.2. is amended by interlineations and additions to read as follows:

"Smoke" or "smoking" means and includes: possession, carrying, or holding a lighted pipe, cigar, or cigarette of any kind, or electronic smoking device (also known as electronic cigarettes or "e-cigarettes") or any other lighted smoking equipment, or the lighting or emitting or exhaling of smoke of a pipe, cigar, or cigarette or any kind, or electronic smoking device or of any other lighted smoking equipment.

II. Effective date: This ordinance shall take effect and shall be in force from and after its passage, approval and publication as required by law.

Passed by City Council on the ___ day of _____, 202__

Approved by the Mayor on the ___ day of _____, 202__

MAYOR

ATTEST:

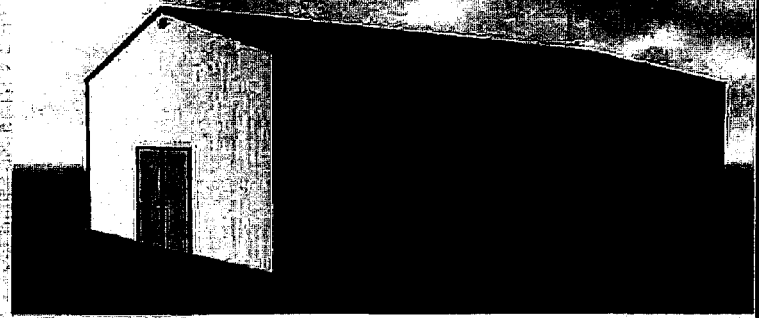
CITY CLERK



STEEL BUILDINGS

SINCE 1983

Made in the USA with 100% American steel



Building Quotation

Quote #

Date

12/8/2021

Name	Clint Seamons	Building Consultant:	Joe Ferguson
Street		Consultant Phone:	(816) 779-7517
City	Emmett	Consultant Email:	jferguson@worldwidesteelbuildings.com
State	ID		
Zip	83617		
Phone	208-941-1251		

Building Dimension		Loads		Stamped Engineered Plans	
Width	24	Wind Speed	115 Mph	Building	YES
Length	36	Ground Snow	30 lb.	Foundation	NO
Eave Height	14	Collateral Load	2 PSF		
Roof Pitch	4:12	Style	Gable	Truss Type	Web Truss

Steel Sheeting Color		Package includes: Trusses And Truss Hardware Pre-Cut Sheeting 80,000 PSI Self-Drilling Sheeting Screws With Neoprene Washers Elevation & Pier Placement Plans Steel Purlins/Girts Edge Mounted On 2' Centers Delivery to Jobsite
Walls	TBD	
Wainscot	None	
Roof	TBD	
Trim	TBD	
Soffit	None	

Included Options:

ITEM	QTY	Size	ITEM	QTY	Size
6068 Steel Door W/ Grade 3 KnobLockset W/	1	6x6'-8"			

Warranty Info		Building Price	\$25,684.21
Steel Truss	50 Years	Production Discount	-\$3,422.55
Steel Sheeting	Lifetime	Sale Price	\$23,300.00

Does Not Include:
Unloading, Anchor Bolts, Assembly, Concrete, Garage Doors,
Walk Doors, Windows, Gutters, Anything Not Listed Above

Sales Tax (if applicable)	\$0.00
Total Building Price	\$23,300.00
Production Discount Expires	10-Dec-21
Initial Payment Due	\$5,825.00



MADE IN THE USA WITH 100% AMERICAN STEEL

Quote excludes any items not listed above

10606 State Route YY
Peculiar MO 64078

City's Strategic Pillars
12/14/2021

- Economically Vibrant and...
- Health-conscious city
- Legally compliant with all state and federal laws
- Performing its constitutional mission (protecting people and property)
- With adequate infrastructure for growth

Building/Zoning Department Goal

- Educate staff to obtain intimate knowledge of building and zoning codes. 45%
- Update outdated city ordinances, implement new ordinance-----70% zoning and building only.
- Obtain accessibility inspector certification-----40%
- Comprehensive Plan overhaul and revision----- 17%
- Digitalize and organize all building and zoning files and plans----16%

Accomplishments since last report

1. Permits, November: New house = 2, Foundation Only =, Commercial 1 Pending =, Duplex =, Apartment = - Hangars = Manufactured Home =, Fees Collected: \$ 4,358.55
2. Reviewing house plans and zoning applications
3. Started preliminary work on updating our zoning map
4. Continued work with Logan Simpson for the comprehensive plan
5. Review Impact fee ordinances and Intergovernmental Agreement to collect impact fees for EMS
6. Drafted Area of City Impact map for proposed new boundaries, met with County Zoning Staff and County Commissioners to discuss proposed boundary change
7. Finalized construction plan review for Skyhawk Sub.
8. Plan review for WASCO 2nd building on Judo Lane
9. Take manufactured housing setup and inspection class 11-17-21
- 10.

Plan for next 30 days

11. Daily operations, plan reviews, contractor talks, developer talks, etc.
12. Updates to Title 7, water and sewer, city code.
13. Work to update the "Living or Not Living" in and RV ordinance
14. Prepare a workshop for zoning commission members to discuss lot sizes in the community
15. NFIP 301 class, (Floodplain) Caldwell, Idaho, 12-14-21
16. Development meeting, E. 4th and S. Substation Rd.
17. Zoning Applications:
 - Annexation 1050 Cascade Road, hearing with Council, 11-9-21
 - Development Agreement 1050 Cascade Road, hearing with Council, 11-9-21
 - Rezone 1909 E. 12th St. Public Hearing with Zoning Commission, 9-13-21, Hearing left open, waiting for a DA
 - Work on drafting development agreement for 1909 E. 12th
 - Payette River Estates annexation and preliminary plat, 69 lots, West of Twin Buttes, public hearing with Council 11-9-21, waiting on TIS, should be delivered this week, will re-notice public hearing for January 11, 2022.
 - Re-zone 919 S. Wardwell Zoning public hearing 11-1-21, recommend approval, City Council 12-14-21
 - Administrative lot split, 333 E. 12th
 - Administrative lot split, 1117 S. Commercial
 - SUP, 510 S. Washington, residence in a commercial zone

Training (see attached)

This report does NOT contain any data required by ordinance or statute...that is covered in a separate report

City's Strategic Pillars
12/7/21

- Economically Vibrant and...
- Health-conscious city
- Legally compliant with all state and federal laws
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- With adequate infrastructure for growth

Clerk's Goals this Budget Year

- Increase ACH (Direct Pay) 10% from prior year
- Update All Application Forms/ On-line Access /Submission On-line
- Digitalize Resolutions and Legal Documents
- ADA Compliance Updates to City Hall

Expenditures requiring authorization / purpose of expenditure - none

Training

Accomplishments since last report

- ACH (Direct Pay) customers 571 in December 2021.
- Onboard New Employee to Public Works
- Updated 2022 AIC Directory of Government Officials
- Submitted one Workman's Comp Claim – Police Dept
- Received \$1,000 Grant Funds – Blue Cross of Idaho for Health, (Mayor's walking Challenge)
- Attended Association of Tax Payers Conference presented by Idaho State Tax Commission
- Received W/2 and 1099 Forms for end of year 2021

Plan for next 30 days

- Train Utility Clerk on Accounts Payables 60% complete
- Interview and hire part time payment clerk
- Promote ACH (Direct Pay) and increase client participation by 10%
- Scan Minute Book updates to archives file
- Update Ordinance and Resolution Logs
- Complete the transition from American Legal to MuniCode Codifiers (98% complete)
- Working with Kendrick to make all applications fillable so they can be submitted electronically
- Scheduled records retention and destruction for December
- State of Idaho Annual Road and Street Report
- Complete November Bank Recon
- Prepare November Financial Statements
- Review and update ICRMP Asset List for insurance coverage
- Prepare 2021 Annual Survey of Local Government Finance Report
-

City's Strategic Pillars

- Economically Vibrant and...
- Health-conscious city
- Legally compliant with all state and federal laws
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- With adequate infrastructure for growth

Emmett Fire Department Goals this Budget Year (with percentage of completion to date)

- Work to provide a training area to include a burn building where class A materials can be burnt and provide a constant, realistic and rigorous training program (25% of completion)
- Provide all equipment necessary to allow for daily mission execution while meeting operational goals. (70% of completion)
- Implement a community based risk program that educates so that in each iteration high standards will be enforced, thus making our community safer. (50% of completion)
- Provide a positive work environment thus keeping well-trained and motivated firefighters for at least five year tours. (64% of completion)

Expenditures requiring authorization from higher and purpose of expenditure

No less than Top Ten Accomplishments since last

- Inspected underground fire line for a suppression system multiple times, multiple locations, Senior Center for event, Gem County Jail, T mobile,
- Meetings: LEPC
- Participated in a Fire Drill at EHS
- Tested hydrant for a proposed new business
- Participated in an event at Carberry Elementary
- Assisted a home owner with questions regarding a building being removed from her property
- Smoke detectors: 2 homes 5 smokes
- Previewed a Ladder truck
- Helped senior center with alarm problems numerous conversations with Alarm Company
- Helped with food prep and organization for events at the Senior Center
- Collected toys and food for the Friendship Coalition
- Filled out paperwork for AFG grant
- Light Parade-Decorated the 1932 for the holiday season
- Station Tour
- Put lights up at City Hall, Station, Banners and lights Main Street and Highway
- Helping Library with Alarm system

Plan for next 30 days

- Get AFG Grant submitted
- Insulate Hazmat trailer
- Meet with Boise Fire
- FD strategic plan for growth

Training (See Attached)

This report does NOT contain any data required by ordinance or statute...that is covered in a separate report

Emp, Title	Training/Hours	Date	Location	Cost/Certificate
Chief	Sepsis 1 hour	11/10	Online	\$0

City's Strategic Pillars 12/14/2021 @ LIBRARY

- Economically Vibrant and...
- Health-conscious city
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Mission: Emmett Public Library is the heart of the community! Serving as a resource for information, education and recreation, as well as a place to meet, gather and learn.

Library Goals this Budget Year (with percentage of completion to date, (FY 21-222)

- "Balancing of Efficiencies" with patron services and library usage (Growth); by collaborating with other community entities that support the library's mission of 2021-2022, partnerships that help the library as it stretches to serve a growing community.
- Library will implement a software to recover patron's fees; expand delivery of learning opportunities through in-house & outreach programs. Pending new Assistant Librarian is trained & LYNX Consortium.
- Library will develop Adult/Senior support services the goal of, "A Place For Seniors To Age & Stay"
- Develop grant/gift programs as well as in-kind contributions, providing no less than \$50,000 a year towards budget. **To date: Donations=\$0.00 + Grants=\$10,000.00, In-Kind Donations=\$0.00**

Expenditures requiring authorization from higher and purpose of expenditure- None at this time

Yearly Training list-

No less than Top Ten Accomplishments since last report

- First Books Grant awarded FY21-22, distribution is a monthly drop off at Head Start.
- December Make & Mingle adult and teen event
- Food for Fines Dec 1- 31
- Idaho Humanities Foundation Grant \$10,000 approved and received!!!!
-

NEXT 30 DAYS

Annual State Library Report due 12/31/2021

Idaho Teen Reading Challenge (Nov-March)

Friends Christmas Bazaar thru Dec 18th

Conference Rm Coffee Club – First Wednesday 10-11am, Jan-March

Plan programs & fundraisers FY 2022

This report does NOT contain any data required by ordinance or statute...that is covered in a separate report.

2021-22 Library Stats	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	EP	21-22	2021	2020	2019
PATRONS												TOTALS	Totals	Totals	Totals
Resident	4731	4751										4751	4712	4505	4250
NonResident	3123	3146										3146	3106	2031	2066
Adult-Circulation	2986	3070										6056	38249	30755	27442
Teen-Circulation	708	707										1415	5860	4291	3916
Juvenile-Circulation	3965	4347										8312	47290	32652	26285
TOTAL BOOKS	7659	8124	0	0	0	0	0	0	0	0	0	15783	91399	67698	57643
Audios-Circulation	198	176										374	2992	2259	2481
In-house Tech-Circ	57	68										125	266	1150	2393
In-house Book-Circ	84	441										525	7220	2308	2545
Trade/Exchange-Circ	106	128										234	1194	1774	3489
Hobbies/Games/Kits-Circ	26	31										57	736	391	368
Video/DVD	2193	2418										4611	29275	23544	21331
TOTAL CIRCULATION	10323	11386	0	0	0	0	0	0	0	0	0	21709	133082	99124	90250
Outreach Children/Seniors	37/28	293/00										308	272/36	2169	2358
Children's Activities	130	147										277	2022	3507	3421
Family Activities	43	55										98	2234	774	1891
Computer Usage	359	359										718	1722	4189	6458
WiFi Usage	149											149	1767	3494	6092
Reference/Phone	81	97										178	1850	8881	14430
Meeting Room	7	11										18	12	774	1541
Proc: Audios CD's	7	0										7	76	123	81
Proc: DVDs/BRAY	112	38										150	471	316	558
Proc: Books	282	202										484	2697	2443	2529
Hobby/Collection/Tech	0	0										0	118	25	95
ILL snt/recvd	9	7										16	159	168	321
Audios Withdrawn/Hobby	0	61										61	41	132/01	156/43
Videos/DVD Withdrawn	0	0										0	198	125	426
Books Withdrawn	348	48										396	1139	1711	1857
Patron Visits	3719	4138										7857	39741	45867	60743
Curbside	5	7										12	1832	107	New
Volunteers	109	124										233	255	1031	1345.5
Friends of the Library-Yearly													2476	2502	2002

City's Strategic Pillars

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Police Department Goals this Budget Year (with percentage of completion to date)

- Retain 100% of Patrol Officers and Patrol Sgts. for no less than 3 years. **(37% of Completion)**
- Proactively make residences and businesses along 1/5 of the main arterials in the city at least 80% ordinance compliant each year, in addition to reacting to citizen complaints; new arterials will be targeted each year (2020 4th Street). (20%)
- Update our reserve program with the newest policies and procedures directed by Idaho P.O.S.T. and double the number of officers.
- Updating (90% complete) and implementing (10% completed) a complete standardized protocols and policies manual utilizing current industry practices. This is a partnership with Lexipol that has been recognized in risk management for law enforcement.

Expenditures requiring authorization from higher and purpose of expenditure

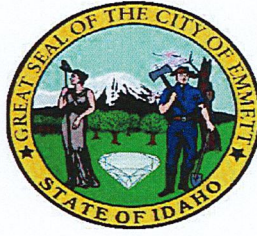
Training Last 30 days

See attached

- Officer Hall will be going to POST in January.
- Hall and Roehr are setting guidelines for how long they have to give before citations are issued with certain ordinances. This has been forwarded to the prosecutor for his review.
- Officer Woodrum has completed FTO and will be challenging POST.
- SRO taught the effects of tobacco products and alcohol to the health classes at the middle school.
- Officer Gomez has completed FTO and will be attending POST in April.
- School board has accepted new terminology for lockdowns. Talked to Lt. Harper on Nov. 5th about having him come and present to all school admins in the future.
- Working with public works and county roads on getting the speed limit to be 25 on 12th street to the east of Washington.
- Signed up all of our officers to attend a hostage negotiation training being hosted by GCSO in the months of NOV. and DEC. This training is next week 11-17-21.
- Will be scheduling a meeting with county and IT to install E-citation in September. IT from County and City have met with state just waiting on county to install printers in their patrol cars. County has installed printers and IT has started installing and testing software.
- Have 6 applicants in the hiring process for the one patrol opening. Will also be creating an eligibility list.
- Rifle upgrades have been completed. Paper work being sent to ATF.
- Police and Sherriff's Office put on joint Cops and Shoppers program at Bi-Mart.
- Will be hosting an E-impact training/crash report training in January.
- Sending to PD staff members to CISM training in December.

Plan for next 30 days

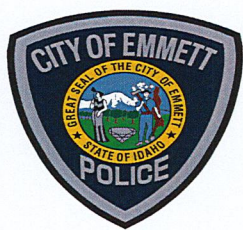
- Implementation of new lockdown procedure.
- Police Department join social media platform.
- Get officers trained in ABLE (Active Bystandership for Law Enforcement project).
- Installment of e-citation.
- Look into obtaining grants for the purchase of digital speed limit signs.
- Look into grants for an additional officer (traffic enforcement).
- Research the possibility of increasing our wages for our officers.
- Working on improving Alert sense with dispatch and process for reporting of missing children. Need to meet with Sherriff Wonder to set guidelines.
- Remodel will be done by the assistance of public works. Get estimates for replacement of wall, replacement of carpet and repaint PD. Have a sketch of remodel and will be getting it to public works.



CITY ORDINANCE November Report

	NEW	RESOLVED	OUTSTANDING
Junk / Abandoned Vehicles	6	6	19
Parking Violations	1	1	10
Prohibited Accumulations	0	1	8
Sidewalk Obstruction	0	1	2
Weeds/Trees	0	1	4
Animals Present / No permit	8	8	5
*Misc. Other	7	7	0
Citizen Complaint	11		
Officer Initiated	28		

*Description of Misc Other -



EMMETT POLICE DEPARTMENT

November Patrol Statistics

	TOTAL
Felony Arrests - Male	10
Felony Arrests - Female	6
Misd. Arrests - Male	18
Misd. Arrests - Female	9
Traffic Stops	99
Infraction Cite	12
Dispatched Calls	314
Officer Initiated	172
Reports	103
Dogs Taken to Pound	3
Ordinance Calls	40

Community Involvement

Multiple police officers, firefighters and the mayor participated in the Readers Become Leaders program through the league of Idaho cities. This event was held at Carberry.

EPD officers participated in an escort for an armed service member's return to his home.

Attended a meeting with local school officials and other officials around the state to discuss school safety.

Multiple officers attended Veterans Day Assemblies at both Carberry Elementary School and the Emmett High School. One officer actually spoke at one of the assemblies.

Both City Fire and City Police did a presentation for 2 boy scout troops.

Assisted with the GCRD Lighted Parade.

Nature	Reported
Welfare Check	01:39:55 11/01/21
Accident HR	04:14:40 11/01/21
DUI	07:36:33 11/01/21
Warrant Arrest	07:43:51 11/01/21
Drugs PCS	08:28:18 11/01/21
Assault	09:59:05 11/01/21
Disturb Peace	13:03:44 11/01/21
Fraud	13:25:30 11/01/21
Parking Problem	13:55:38 11/01/21
VIN Inspec Veh	14:48:23 11/01/21
Stray Dog	16:17:22 11/01/21
Suspicious	16:47:49 11/01/21
Medical	18:57:06 11/01/21
Agency Assist	19:15:34 11/01/21
Harassment	20:17:16 11/01/21
Traffic Stop	23:36:52 11/01/21
Unwanted Subj	04:33:56 11/02/21
Custodial Int	06:58:50 11/02/21
Agency Assist	08:26:41 11/02/21
Suspicious	09:18:50 11/02/21
Welfare Check	09:54:20 11/02/21
Disorderly	09:58:07 11/02/21
Drugs PCS	11:11:07 11/02/21
Accident PI	16:10:21 11/02/21
Traffic Compl	17:48:27 11/02/21
Juvenile Prob	19:24:23 11/02/21
Traffic Stop	22:24:58 11/02/21
Tobacco Viol	07:45:00 11/03/21
Traffic Stop	08:07:30 11/03/21
Juvenile Prob	08:52:20 11/03/21
Truancy	10:19:41 11/03/21
Civil Compl	11:42:51 11/03/21
Willful Conc	11:44:16 11/03/21
Stray Dog	12:10:47 11/03/21
Juvenile Prob	13:17:44 11/03/21
Accident PD	13:30:59 11/03/21
Medical	15:56:00 11/03/21
ABANDONED VEH	15:57:19 11/03/21
911 AHM	15:58:08 11/03/21
Found Property	16:18:02 11/03/21
ABANDONED VEH	16:22:23 11/03/21
Traffic Compl	17:10:16 11/03/21
Traffic Stop	17:12:10 11/03/21
Warrant Arrest	17:16:41 11/03/21

Harassment	18:13:59 11/03/21
Traffic Stop	19:41:55 11/03/21
Disturb Peace	21:27:57 11/03/21
Traffic Stop	00:07:43 11/04/21
Traffic Stop	00:25:43 11/04/21
Unknown Problem	04:39:07 11/04/21
Alarm Bus	05:30:06 11/04/21
Suspicious	08:30:00 11/04/21
Theft-Automobil	09:10:37 11/04/21
ATLC	10:41:36 11/04/21
Funeral Escort	11:07:08 11/04/21
Harassment	14:00:18 11/04/21
Juvenile Prob	15:42:59 11/04/21
Traffic Stop	16:35:52 11/04/21
Traffic Stop	17:05:06 11/04/21
Stray Dog	17:17:19 11/04/21
DUI	17:45:21 11/04/21
Elder Abuse	18:14:10 11/04/21
Livestock Cow	19:03:51 11/04/21
Traffic Stop	19:51:55 11/04/21
Drugs PCS	21:16:42 11/04/21
Medical	21:24:22 11/04/21
Agency Assist	21:36:39 11/04/21
Juvenile Prob	22:36:33 11/04/21
Traffic Stop	23:22:17 11/04/21
Traffic Stop	23:54:31 11/04/21
Medical	04:37:21 11/05/21
ABANDONED VEH	07:36:42 11/05/21
Truancy	09:56:35 11/05/21
Ord Viol EPD	11:52:07 11/05/21
Medical	11:59:56 11/05/21
Ord Viol EPD	14:36:58 11/05/21
Traffic Compl	15:17:39 11/05/21
Child Abuse	15:20:46 11/05/21
Traffic Stop	15:22:13 11/05/21
Traffic Stop	16:25:07 11/05/21
Suspicious	16:34:25 11/05/21
Civil Compl	16:51:49 11/05/21
Traffic Stop	17:17:11 11/05/21
Traffic Hazard	17:59:46 11/05/21
Traffic Stop	18:42:09 11/05/21
Suspicious Veh	18:42:38 11/05/21
Traffic Stop	21:01:12 11/05/21
Information	21:24:53 11/05/21
Traffic Stop	02:31:28 11/06/21

ABANDONED VEH	03:23:49 11/06/21
Traffic Compl	06:44:16 11/06/21
Custodial Int	07:49:40 11/06/21
Property Damage	09:35:13 11/06/21
Disturb Peace	11:48:38 11/06/21
Fire Gas Leak	12:26:18 11/06/21
Shooting Compl	13:09:22 11/06/21
Warrant Arrest	13:41:29 11/06/21
Traffic Stop	17:22:35 11/06/21
Traffic Stop	18:50:33 11/06/21
Traffic Stop	18:56:52 11/06/21
ABANDONED VEH	19:05:55 11/06/21
Ord Viol EPD	19:14:41 11/06/21
Traffic Stop	19:19:24 11/06/21
Parking Problem	19:31:27 11/06/21
Traffic Stop	19:33:35 11/06/21
Unattended Dth	21:18:39 11/06/21
Traffic Stop	23:30:46 11/06/21
Alarm Bus	00:05:51 11/07/21
Suspicious Veh	00:18:21 11/07/21
Alarm Bus	00:40:27 11/07/21
Traffic Stop	00:40:46 11/07/21
Motorist Assist	01:01:55 11/07/21
Medical	02:14:14 11/07/21
Traffic Stop	03:16:46 11/07/21
Alarm Bus	04:20:35 11/07/21
911 AHM	08:05:22 11/07/21
Medical	09:27:47 11/07/21
Traffic Stop	10:57:36 11/07/21
Mental Issue	14:15:03 11/07/21
Welfare Check	16:01:54 11/07/21
Animal Cmplnt	16:07:00 11/07/21
Warrant Arrest	16:15:12 11/07/21
Traffic Compl	17:50:54 11/07/21
Trespassing	20:34:09 11/07/21
Ord Viol EPD	04:09:06 11/08/21
Juvenile Prob	07:55:43 11/08/21
Juvenile Prob	09:11:42 11/08/21
911 AHM	11:20:01 11/08/21
Welfare Check	13:04:11 11/08/21
Juvenile Prob	13:16:56 11/08/21
Stray Dog	13:53:22 11/08/21
Traffic Stop	14:07:11 11/08/21
Animal Cmplnt	14:08:31 11/08/21
Public Assist	14:40:06 11/08/21

Property Damage	14:50:06 11/08/21
Drugs PCS	15:29:08 11/08/21
Battery	15:35:54 11/08/21
Stabbing	15:45:59 11/08/21
Accident HR	17:24:28 11/08/21
Medical	17:39:56 11/08/21
Accident PD	18:58:22 11/08/21
Welfare Check	19:01:07 11/08/21
Information	20:50:17 11/08/21
911 AHM	05:30:57 11/09/21
Medical	11:40:39 11/09/21
Theft	12:29:22 11/09/21
Domestic	14:03:05 11/09/21
Drugs POP	15:43:21 11/09/21
Traffic Stop	16:14:04 11/09/21
Medical	17:07:17 11/09/21
Fire Gas Leak	17:48:24 11/09/21
Wanted Person	18:16:40 11/09/21
Public Assist	18:30:59 11/09/21
911 AHM	18:48:53 11/09/21
Drugs POP	19:05:28 11/09/21
Traffic Compl	19:19:22 11/09/21
Sex Offense	22:08:28 11/09/21
Theft-Automobil	23:10:26 11/09/21
Traffic Stop	08:58:44 11/10/21
Traffic Compl	11:52:56 11/10/21
Traffic Stop	12:07:23 11/10/21
Civil Standby	13:27:54 11/10/21
Traffic Compl	14:11:17 11/10/21
Sex Offense	14:55:51 11/10/21
Civil Compl	15:02:56 11/10/21
Shooting Compl	15:17:47 11/10/21
Traffic Compl	16:22:07 11/10/21
Public Assist	19:02:47 11/10/21
Civil Compl	20:17:00 11/10/21
Juvenile Prob	21:20:03 11/10/21
Stray Dog	08:38:04 11/11/21
ABANDONED VEH	10:23:23 11/11/21
Welfare Check	10:27:03 11/11/21
911 AHM	18:57:58 11/11/21
Traffic Stop	20:05:42 11/11/21
Traffic Stop	20:10:27 11/11/21
Juvenile Prob	20:10:51 11/11/21
Traffic Stop	20:54:12 11/11/21
Agency Assist	22:30:28 11/11/21

Traffic Stop	23:40:15 11/11/21
Traffic Stop	00:32:08 11/12/21
Stray Dog	08:29:34 11/12/21
Found Property	08:58:19 11/12/21
Drugs PCS	10:03:07 11/12/21
Ord Viol EPD	10:36:37 11/12/21
Weapon Offense	12:06:58 11/12/21
911 AHM	13:30:52 11/12/21
Stray Dog	13:50:29 11/12/21
Traffic Stop	14:23:11 11/12/21
Alarm Res	15:34:58 11/12/21
Wanted Person	15:49:10 11/12/21
Stray Dog	16:01:11 11/12/21
Theft	16:03:05 11/12/21
Ord Viol EPD	16:40:59 11/12/21
Fire Structure	16:42:43 11/12/21
Accident PI	17:31:15 11/12/21
Disturb Peace	17:39:13 11/12/21
Traffic Stop	18:39:21 11/12/21
Traffic Compl	18:57:34 11/12/21
Information	19:30:44 11/12/21
Civil Standby	20:31:51 11/12/21
Animal Cruelty	21:04:08 11/12/21
Traffic Stop	23:13:10 11/12/21
Traffic Stop	23:27:04 11/12/21
ABANDONED VEH	23:37:37 11/12/21
Traffic Stop	23:58:45 11/12/21
Traffic Stop	00:25:44 11/13/21
Traffic Stop	00:30:25 11/13/21
Disturb Peace	01:00:59 11/13/21
Traffic Stop	01:09:44 11/13/21
Disturb Peace	02:15:08 11/13/21
Welfare Check	11:04:38 11/13/21
Animal Cmplnt	14:29:42 11/13/21
Extra Patrol	14:33:13 11/13/21
Stray Dog	15:13:06 11/13/21
Trespassing	16:35:57 11/13/21
Public Assist	17:07:00 11/13/21
Stray Dog	17:21:11 11/13/21
Welfare Check	17:41:39 11/13/21
Domestic	17:43:07 11/13/21
Harassment	19:10:12 11/13/21
911 AHM	19:37:08 11/13/21
Traffic Stop	21:10:21 11/13/21
Battery	21:31:11 11/13/21

Animal Cmplnt	22:29:08 11/13/21
Accident PD	10:46:53 11/14/21
Medical	12:27:23 11/14/21
Suspicious	12:44:02 11/14/21
Public Assist	13:05:00 11/14/21
Animal Cmplnt	14:43:14 11/14/21
911 AHM	15:06:27 11/14/21
Medical	15:37:20 11/14/21
Disturb Peace	16:07:53 11/14/21
Alarm Fire	17:38:10 11/14/21
Suspicious Veh	18:18:43 11/14/21
Theft-Motorcycl	18:24:53 11/14/21
Suspicious Veh	19:51:02 11/14/21
Suspicious Veh	19:54:32 11/14/21
Medical	00:12:26 11/15/21
Suicidal Subj	00:42:07 11/15/21
Unattended Dth	03:00:57 11/15/21
Stray Dog	10:59:21 11/15/21
Traffic Stop	11:50:52 11/15/21
Traffic Stop	13:10:43 11/15/21
Suicidal Subj	13:52:21 11/15/21
Traffic Stop	14:46:31 11/15/21
Traffic Stop	14:56:57 11/15/21
Threats	15:57:46 11/15/21
Stray Dog	16:13:19 11/15/21
Accident PD	18:07:55 11/15/21
Trespassing	18:50:57 11/15/21
Traffic Hazard	19:38:25 11/15/21
Stray Dog	08:49:24 11/16/21
Child Abuse	09:20:56 11/16/21
Medical	14:33:36 11/16/21
911 AHM	15:15:22 11/16/21
Animal Cmplnt	17:31:16 11/16/21
Wanted Person	18:50:19 11/16/21
Property Damage	23:25:45 11/16/21
Traffic Stop	00:06:09 11/17/21
Accident PI	11:11:30 11/17/21
Medical	11:24:40 11/17/21
Stray Dog	11:33:43 11/17/21
911 AHM	14:59:00 11/17/21
Information	15:03:57 11/17/21
Suicidal Subj	15:28:43 11/17/21
Harassment	15:42:30 11/17/21
Traffic Stop	16:36:40 11/17/21
Traffic Stop	18:50:19 11/17/21

Welfare Check	21:01:00 11/17/21
Traffic Stop	21:43:28 11/17/21
Extra Patrol	08:44:55 11/18/21
Animal Cmplnt	11:28:07 11/18/21
Fraud	11:37:53 11/18/21
Traffic Stop	13:57:35 11/18/21
Stray Dog	16:50:06 11/18/21
Traffic Stop	17:12:39 11/18/21
Found Property	18:05:59 11/18/21
911 AHM	18:14:29 11/18/21
Traffic Stop	19:00:53 11/18/21
911 AHM	20:28:04 11/18/21
Traffic Stop	21:41:33 11/18/21
Livestock Cow	21:43:54 11/18/21
Traffic Stop	23:24:50 11/18/21
Animal Cmplnt	07:56:41 11/19/21
Medical	08:48:11 11/19/21
Welfare Check	10:09:34 11/19/21
Stray Dog	10:48:42 11/19/21
ABANDONED VEH	11:36:27 11/19/21
Juvenile Prob	11:50:37 11/19/21
Warrant Arrest	16:23:47 11/19/21
Civil Compl	20:06:37 11/19/21
Animal Cmplnt	20:43:01 11/19/21
Theft	21:00:53 11/19/21
Juvenile Prob	21:41:38 11/19/21
Accident HR	21:58:43 11/19/21
Drugs PCS	22:33:59 11/19/21
Disturb Peace	00:08:59 11/20/21
Suspicious	05:33:05 11/20/21
Custodial Int	07:50:10 11/20/21
Disturb Peace	09:38:03 11/20/21
Welfare Check	10:34:39 11/20/21
ABANDONED VEH	14:21:01 11/20/21
Medical	15:53:01 11/20/21
Drugs PCS	16:17:59 11/20/21
Traffic Stop	17:31:58 11/20/21
Traffic Stop	20:15:54 11/20/21
Missing Person	22:30:45 11/20/21
Animal Cmplnt	23:03:00 11/20/21
911 AHM	23:06:23 11/20/21
Agency Assist	08:16:54 11/21/21
Animal Cmplnt	10:52:50 11/21/21
Medical	11:13:50 11/21/21
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911 AHM	13:56:19 11/21/21
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Domestic	17:39:17 11/21/21
Warrant Arrest	17:42:26 11/21/21
Traffic Compl	20:19:18 11/21/21
Traffic Stop	21:08:27 11/21/21
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Traffic Stop	04:16:58 11/22/21
Traffic Stop	07:48:59 11/22/21
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Traffic Stop	18:51:49 11/23/21
Shooting Compl	19:40:07 11/23/21
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Traffic Stop	08:58:17 11/24/21
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Medical	13:21:22 11/24/21
Traffic Compl	13:29:00 11/24/21
Medical	14:31:24 11/24/21
911 AHM	14:48:11 11/24/21
Traffic Compl	14:55:41 11/24/21
Animal Found	16:36:29 11/24/21
Traffic Hazard	17:21:18 11/24/21
Traffic Stop	17:23:33 11/24/21
Traffic Stop	17:53:35 11/24/21

Traffic Stop	18:28:22 11/24/21
Traffic Stop	18:42:03 11/24/21
Traffic Stop	18:48:45 11/24/21
Suspicious	21:35:30 11/24/21
Traffic Stop	22:05:53 11/24/21
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Domestic	22:29:24 11/24/21
Welfare Check	01:54:43 11/25/21
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Traffic Stop	11:44:33 11/25/21
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Disturb Peace	23:54:24 11/26/21
Disturb Peace	08:42:17 11/27/21
Alarm	11:45:46 11/27/21
Harassment	12:06:48 11/27/21
Accident PD	13:45:01 11/27/21
Disturb Peace	15:47:18 11/27/21
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Traffic Compl	20:49:50 11/27/21
Traffic Stop	23:36:15 11/27/21
Traffic Stop	00:07:59 11/28/21
Trespassing	04:53:24 11/28/21
Alarm Bus	05:07:47 11/28/21
Alarm Bus	12:45:43 11/28/21
Civil Compl	13:16:48 11/28/21
Domestic	13:47:16 11/28/21
Sex Offense	15:53:35 11/28/21
Animal Cmplnt	17:28:39 11/28/21
Domestic	18:04:39 11/28/21
Public Assist	18:30:27 11/28/21

Runaway	19:12:36 11/28/21
Domestic	19:37:09 11/28/21
Alarm Bus	03:46:11 11/29/21
Public Assist	08:49:32 11/29/21
Medical	08:54:47 11/29/21
Suspicious	11:31:51 11/29/21
Traffic Stop	12:08:01 11/29/21
Traffic Stop	12:33:46 11/29/21
Traffic Stop	12:44:13 11/29/21
Animal Cmplnt	13:04:47 11/29/21
Alarm Medical	14:56:22 11/29/21
Public Assist	15:34:22 11/29/21
Traffic Stop	15:45:32 11/29/21
Threats	16:03:50 11/29/21
Fraud	16:54:42 11/29/21
Traffic Stop	19:37:37 11/29/21
Public Assist	21:33:14 11/29/21
Runaway	21:48:53 11/29/21
Alarm Bus	23:01:31 11/29/21

City's Strategic Pillars
12/14/21

- Economically Vibrant and...
- Health-conscious city
- Legally compliant with all state and federal laws
- Performing its constitutional mission (protecting people and property)
- With adequate infrastructure for growth

Public Works Goals

- Replace all water distribution lines less than 6" in diameter to meet mandatory minimum main line size requirement. **75%**
- Design for well #6 at City Park. **60%**
- Reduce I&I inside sewer collection lines to less than 50% of current rate per Sewer Capital Improvement Plan. **60%**
- Implement Airport Pavement, and Master Capital Improvement Plan. **50%**
- Start design on Wastewater Treatment Plant air piping **25%**
- Design Hawthorne Lift Station. **35%**
- Replace Utilities at Wardwell Loop. **10%**
- Create Cemetery Master Plan. **5% on hold**

Expenditures requiring authorization / purpose of expenditure

- None

Training last 30 days

- None

Accomplishments since last report

1. Johns Ave Ribbon Cutting occurred 11/24/21
2. New weather station installed at Emmett Airport
3. Installing new 14" and 8" water for reserve in Legacy Heights
4. Finish paving at Payette River
5. Annual Backflow Testing: Letter is in November utility bills notifying city residents of change to Single Test Due Date of June 1st starting 2022 for residential irrigation backflows, details of this change can be found on the city website.
6. Assisted by city attorney, added a "Build by" clause to Section 24 Construction of Structure in the existing hangar lease that will be used for future hangar lease agreement.
7. Surface Repair to the taxiway and runway has been completed at the Emmett Municipal Airport
8. Hawthorne Lift Station has been approved and will go to design.
9. Installing new meters and radios in water system.
10. Repairing potholes in the Right of Way
11. Have all storm sewer connected and roadway sections started on Johns AVE. project
12. Adjusted all utilities on Johns From 4th St to 12th St
13. Implemented Neptune 360 for water system

Plan for next 30 days

1. Complete sidewalks, lighting, striping and landscape on Johns Ave Project.
2. Sewer manhole - grout and/or replacement for those leaking water
3. Repair bad water valves and water valve boxes
4. Water valve exercising for all water distribution valves.
5. Flushing for the next thirty days.
6. Upgrade fire hydrants older than 18 years.

This report does NOT contain any data required by ordinance or statute...that is covered in a separate report

City's Strategic Pillars

- Economically Vibrant and...
- Health-conscious city
- Legally compliant with all state and federal laws
- Performing its constitutional mission (protecting people and property)
- With adequate infrastructure for growth

Systems Admin Goals (with percentage of completion to date)

- Complete fiber optic network to inner city facilities. Airport in planning stage. **88% Airport & Locust Booster will be last major site to complete inner-city facilities. Cemetery to be completed this fall.**
- Migrate all servers to cloud over the next 5 years. **35% SysAdmin, Library, Public Works converted to SharePoint cloud storage. Will get clerks converted after FTTH pilot project.**
- Complete Geographic Information System mapping of all city infrastructure assets (ongoing). **70% Updating Johns Ave with construction updates.**
- Convert city network from a bridged configuration to routed. **30% Initial plan and IP address scheme. Converted City Park and Fire Department thus far.**

Expenditures requiring authorization from higher and purpose of expenditure

- None

Training last 30 days

No less than Top Ten Accomplishments since last report

1. Completion of Wi-Fi at High School
2. Start of Docufiber GIS project
3. Program Cradlepoint router for new ambulance
4. Grant planning meeting with Fatbeam
5. Install power monitor at Industrial Park POP
6. WASCO fiber cut
7. Scope of work meeting with Compunet
8. Fix Wi-Fi issue in Library conference room
9. Fiber splicing and network rack at Tin Building
10. Eticket kick off of with county
11. Fiber damage and repair on Judo Lane
12. Hardware design and order for new Veeam server
13. Library circulation computer fix
14. Flier design for subdivision fiber options
15. Replace smart lock at Well 9
16. Pull fiber cable from Water Tower to Tin Building
17. Veeam licensing upgrade and renewal
18. Network setup for wireless redundant links at Highlands
19. New SCADA software rollout

Plan for next 30 days

20. E-Ticket equipment project	21. Desktop rotations at library x2 and PD x2
22. Initial data dump for Docufiber project	23. Eticket laptop software installs
24. Airport weather station/flight record connection	25. Cemetery lighting and camera expansion
26. GIS fiber mapping platform build	27. Cemetery fiber pull
28. FTTH pilot project builders info form	29. Library conference room TV warranty repair
30. Veeam replication server upgrade	31. VMWare upgrade virtual servers (new budget)