

MINUTES FOR NOVEMBER 19, 2025: PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING

CALL TO ORDER: Mayor Jared Hillier called the Public Hearing and Regular City Council Meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Jared Hillier, Council President Nick Hainline, Council Member Nathan Kerbs, Council Member Erika Cornett, and City Attorney Tim Stover were present. Council Member Wes Owsley was absent.

AGENDA AMENDMENTS: None.

CONSENT AGENDA: Nick Hainline made a motion to accept the consent agenda (Minutes for 11-5-2025 and Treasurer's Report) as written. The motion was seconded by Nathan Kerbs. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: aye
Wes Owsley: absent
Erika Cornett: aye

Motion passed.

ANIMAL CONTROL/CODE OFFICER REPORT: Brenna McLean was present, the report was read into record by Mayor Hillier.

LIBRARY REPORT: Library Director Geri Omohundro was present to give the report. The report is on file.

PUBLIC HEARING: Special Use Permit Application-Jim Brown

Mayor Hillier opened the Public Hearing at 6:06 PM. The following statements were given by the public:

1. Jim Brown: Mr. Brown introduced himself as the owner of the property and bus barn. The bus yard has been operating on the property for over 70 years. Tom Cooper with CA Transportation purchased the property 12 years ago, and Mr. Brown purchased it 2 years ago. The property consists of three 20x40 foot lots and a currently operational mechanic shop. He would like to add a lean-to storage unit for boats and RV's, not furniture, that has no power or electricity to it. He feels there would be minimal traffic. The special use permit if approved will keep costs minimal for Mid-Columbia Bus Company and the mechanics' garage. Mr. Brown asked if the property is zoned residential, but the property has never been used for residential purposes, the property has always been used for commercial purposes and across the street is zoned commercial, why isn't a rezone being discussed? He also stated nothing on the property would change with the application except for the addition of the lean-to storage units with no electricity or power.

2. Brandon Chambers: Mr. Chambers introduced himself as the mechanic renting the mechanic shop on the subject property. He apologized to the council for not knowing about the special use permit process before opening. He stated that he is in favor of the application submitted and believes he as Ducks Garage would be an asset to the community.

3. Bill Hicks: Mr. Hicks introduced himself as the superintendent of the Hagerman Joint School District. He has submitted a letter in favor of the application which is on file, and stated the application has his full and unwavering support. Costs for bussing for the school district would be two times the current costs if busses came from elsewhere. He also believes the storage units would be beneficial for the school district if they were to keep the large grill that is stored outside the football stadium there.

4. Johnna Helmer: Ms. Helmer introduced herself as the representative of Mid-Columbia Bus Company. She stated that closing the bus barn location would be detrimental to Mid-Columbia and the drivers who are all local. She stated that Mid-Columbia has worked to get all local regular and substitute drivers who are Hagerman residents over the last few years. Contract costs for storage for the bus barn would go up for the school and community if the bus barn had to be moved. She also stated that Mid-Columbia has their own mechanic in Filer, but they are 40-45 minutes away so having a mechanic on site has been beneficial in emergencies. She supports the application.

5. Gabriella Morales: Mrs. Morales introduced herself as one of the bus drivers for the Hagerman Joint School District. She has kids that go to Hagerman Schools and lives here, and stated that having to go to Buhl or Filer to pick up the bus in the morning would greatly impact her family, as she has a 5-year-old child who would need to be woken up even earlier for school. She also has concerns about children, especially from broken homes, who are already waiting outside for the bus in the morning waiting for even longer in bad weather if the busses are late because they have to drive farther. She feels that by moving the bus yard something is being 'fixed' that is not broken and this would be a setback.

6. Debra Hillier: She is a resident, and stated that she has no issue with Brandon being there and he has helped them a few times, but it is a residential area. She is worried about the busses, and asked if the special use permit application is denied will the busses have to leave and if Mr. Brown will kick the busses off the property. Mayor Hillier answered that those questions will likely be answered as the application is discussed.

7. Chris Foster: Mr. Foster stated that he lives at 380 1st Ave South, kiddie corner to the subject property. Mr. Foster stated that he is not necessarily against the application but stated that he has noticed an increase in traffic in the area. He asked the following questions:

- A. What side will the third side, the flat side, of the storage units will be facing?
- B. What will the hours of operation be?

He also stated that he has noticed and is appreciative that nobody is backing up to fill up the busses etc at 6:00 AM.

8. Carol Pettey: Ms. Pettey stated that she lives at 475 Second Ave South and it has always been the bus barn, which she has never had an issue with, but she is opposed to the special use permit application. She does not want buildings along the road to Mrs. Sears property. She has noticed an increase in traffic.

She visited City Hall and looked at the drawings and has questions about the fire hydrant on the road, and asked if they would build around it or if it would go away. She has concerns about noise as well, and does not believe it would just be storage for the winter for boats and RV's. Renters would cause an increase in noise and be getting off the river in the dark etc. It has always been zoned residential and is commercial across the street, but she can't picture it as a commercial zone in that area. She asked if the permit is approved what is to say Mr. Brown would not be adding more in the future under the special use permit. She stated that it has always been zoned residential and has no issues with the busses or mechanic shop, but she does not want big storage units blocking her view and causing more traffic in the area.

9. Debra Hillier: Mrs. Hillier stated that it is hard to see what is coming around the corner and has witnessed a few near accidents. She has concerns if the mechanic shop and storage units are there, and asked where are the vehicles being worked on to be parked?

10. Juanita Sears: Mrs. Sears stated that she lives at 271 South Ave. It is a small road wide enough for one vehicle, and she is concerned about having to wait during a medical emergency if big trucks and 5th wheels are swinging into the property. She feels that it is too small of an area for what Mr. Brown wants to do, and that has been shared with him. She also opposed Rustic Edge RV, and has issues with the view of the park, exhaust and noise even though the Miller's have done a great job. She has concerns about intoxicated boaters or campers being in the area. She does not want her property values affected further as her property is her livelihood. Mrs. Sears stated that she does not have a problem with Brandon Chambers, who has helped her, or the school busses. She is opposed to the storage units and does not want to look at them.

11. Jim Brown: Mr. Brown addressed the following concerns of residents:

A. Storage Unit Building: the building would be alongside what he hopes would be a culvert eventually. The storage units would be delayed until the canal had been filled in. The setbacks and building would help limit the noise level by having an enclosed unit on that side. Mr. Brown stated that an RV would never pull down the small road, as it is not on the property and would pull into the bus yard and back into the spaces. The small road is an access to Mrs. Sears property and would not be used. The open face to pull into the units would be facing the bus barn, and there would be no need for renters to go down the access road. He also clarified that there would be no concrete floors, power in the storage units.

B. Increased traffic: as a boater himself, he feels that most boaters leave their boats on their own property during the boating season and that is how he envisions the business operating. The RVs would be a little different, but there is room to back in and pull onto the property.

C. Noise: he feels that the storage units would offset the noise from the busses starting in the morning and that the noise would be minimal. He thinks the busses are far noisier than people bringing in their boats and RV's.

D. Setbacks: the storage units would begin well over 20 feet off the road. The units would be in front of and below the fire hydrant. If you are coming down the road from the high school, the neighbors fence line is basically on the property line and the units would be underneath that location. He does not think the view would be obstructed.

Mr. Brown also stated that he does not think there would be increased traffic and that nobody would be using the access road to Mrs. Sears property. He did present two options for placement. The second placement of the units would not be ideal because of space. One is more aesthetically pleasing, but he feels the first option would reduce the noise level of the busses and not be hindered with the open face by the wind coming from the West. Mr. Brown also stated that he was not aware of the special use permit being needed either, as there has never been one needed for the property.

Councilman Nathan Kerbs asked Mr. Brown if the liability for the open front would be on Mr. Brown. Mr. Brown said yes, and he already carries the necessary liability insurance. There is also security there with the foot traffic from the mechanic shop and drivers being in and out.

Councilwoman Erika Cornett asked Mr. Brown if there is an environmental impact on the canal from the mechanic shop. Mr. Brown responded that no, but there is a safety issue because the canal is a swamp. He has spent a lot of time clearing it out on both ends of the property, and that there needs to be a culvert added there.

Mayor Hillier added to the record that there was mail in comments from Mid-Columbia Bus company and Mr. Hicks in favor of the application, and two petitions submitted, with one petition for and one against the application.

Brock Nichols: Mr. Nichols stated he lives in town, and asked if there is an EPA issue on the property already, if that had been looked into, where they are putting their wastewater, whether there is a grease trap in place already, and what is currently being done with the water leaving the property already?

Mr. Brown responded that there is no water inside the shop now, so the water being referenced was the wastewater from the city running down the canal.

Mayor Hillier clarified that he believes Mr. Nichols was asking if there are storage tanks for the oil. Mr. Brown responded that there are 2 thousand pound tanks on the property that he has annual safety inspections for, and that there are enhancements and monitoring available from Leonard Petroleum.

Mayor Hillier closed the Public Hearing at 6:44 PM.

NEW BUSINESS:

- A. Decision Regarding Public Hearing-Action Item: Mayor Hillier stated that the current council has no responsibility for the past decisions or mistakes of previous councils, and those decisions have no bearing on the current council. City Attorney Tim Stover agreed, and stated that the bus barn having operated on the property falls under City Code 10-7-1 dictating non-conforming use and is okay to move forward as it always has. The other two uses are problematic in a residential zone, and with allowed uses for a residential zone and uses requiring special use permits being what they are under the City zoning ordinance, following the ordinance does not allow mechanic shop or storage units. Mr. Stover stated that if Mr. Brown would like to apply for a rezone, that would align with what he wants to do on the property. Mr. Stover urged caution on behalf of the council, as allowing residential property to be used for uses not described in city code for

residential zones would set a precedent. The way Mr. Stover read the application, the application is for the storage units, and the mechanic shop already operating is a separate issue. Mr. Stover also called attention to the requested use on the application being written as 'commercial', with storage units and mechanics shops not being allowed under commercial code either. Nathan Kerbs stated that keeping the busses operating is the most important and needs to stay as they are. Based on the comments provided during the public hearing, routine maintenance is done elsewhere and Mid-Columbia does routine maintenance elsewhere. The mechanic is utilized for emergency situations with the busses and he is comfortable making a motion to deny. After discussion, it was decided that the busses can continue as a non-conforming use. Nick Hainline made a motion to deny the special use permit application by Jim Brown for the property described on the application as 251 West South Street. The motion was seconded by Nathan Kerbs. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: aye
Wes Owsley: absent
Erika Cornett: aye

Motion passed. The motion was then clarified as being denied due to the Special Use application being submitted for Commercial uses, when it is Residential 1 and should be rezoned. Mr. Brown was invited to call the city attorney to discuss how to move forward.

- B. Area of Impact-Discussion-Action Item: Due to legislative changes, the county will have more discretion of City areas of impact. Gooding County has told the City Attorney they do not intend to make a lot of changes. This item will be on the next agenda.
- C. ICRMP Region 2 Board of Trustees Nomination-Action Item: City Clerk & Treasurer Ashley Cook informed the Council that the board seat currently held by another mayor has opened up due to the mayor not being re-elected, and the City of Hagerman has the opportunity to nominate Mayor Hillier as a candidate to join the ICRMP Board of Trustees. Mayor Hillier has agreed to being nominated and would like to advocate for our region and community and be involved with such a great resource. Nick Hainline made a motion to nominate Mayor Hillier for the ICRMP Region 2 Board of Trustees. Nathan Kerbs seconded the motion. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: aye
Wes Owsley: absent
Erika Cornett: aye

Motion passed.

- D. Employee Appreciation-Action Item: Nick Hainline made a motion to approve a \$50.00 credit at Swensen's market per City employee for annual employee appreciation. The motion was seconded by Erika Cornett. A roll call vote was held. The Council votes are officially recorded as:

Nick Hainline: aye
Nathan Kerbs: aye
Wes Owsley: absent
Erika Cornett: aye

Motion passed.

OLD BUSINESS: None.

CITIZEN'S COMMENT: Jim Brown asked why he was told he needed a special use permit for the busses and mechanic shop and storage units, and is concerned that it was bad advice.

*Mayor Hillier did respond that it was suggested but all the information needed was on paper. Mr. Brown was invited to call the City Attorney to discuss options moving forward.

MAYOR'S COMMENT: None.

CLOSE: Council President Nick Hainline made a motion to close the City Council Meeting for November 19, 2025. The motion was seconded by Nathan Kerbs.

ADJOURNED: 7:10 PM.

Nick Hainline, Council President

Ashley Cook, City Clerk/Treasurer