

**City of Heyburn Council Meeting**  
**Wednesday, January 13, 2021**  
**7:00 P.M.**

**Mayor:** Dick Galbraith.

**Council Present:** Chad Anderson, Joanne Justesen, Rose Schmitt, and Rick Tundag.

**Employees Present:**

Tony Morley, Paul Ross, Dan Bristol, Ivan McCracken, and Ashlee Langley.

**Welcome & Pledge**

Meeting conducted by Mayor Dick Galbraith who welcomed everyone to the meeting and lead those present in the Pledge of Allegiance.

**Discuss / Consider Minutes of the December 09, 2020 Council Meeting and the December 17, 2020 Special Council Meeting– ACTION ITEM**

Motion by Joanne Justesen to approve the minutes of the December 09, 2020 Council Meeting and the December 17, 2020 Special Council Meeting as presented. Second by Rose Schmitt.  
Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Paying the Bills – ACTION ITEM**

Those present discussed the bills from Bailey Oil Inc., Goble Sampson Associates Inc., and Holden Kidwell Hahn & Crapo.

After discussion, motion by Rose Schmitt to approve the bills as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Wastewater Treatment Plant Improvement Contractor’s Application for Payment No. 13 – ACTION ITEM**

City Administrator Tony Morley presented the Contractor’s Application for Payment No. 13 in the amount of \$883,076.

Motion by Joanne Justesen to approve Wastewater Treatment Plant Improvement Contractor’s Application for Payment No. 13 in the amount of \$883,076 as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Amendment No. 1 to the Construction Engineering Services for Wastewater Treatment Improvements – ACTION ITEM**

Brad Bjerke, Project Engineer for HDR Engineering presented Amendment No. 1 to the Construction Engineering Services Agreement for the Wastewater Treatment Plant Improvements. Mr. Bjerke explained additional engineering time is required due to pandemic

pandemic related delays, additional shop drawing review due to requests for substitutions related to the availability of equipment and materials, changing electrical supply from Allen Bradley components to LS Electric, unforeseen underground conditions related to inefficient as-build drawings, an increase of changes due to repair and replacement of aged equipment, and an increase in observation time related to added contract times for pandemic materials and labor shortages. Mr. Bjerke stated the amendment totals \$106,377 in additional engineering costs.

After discussion, motion by Joanne Justesen to approve Amendment No. 1 to the Construction Engineering Services for Wastewater Treatment Improvements in the amount of \$106,377 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Road and Parking Surfaces at Wastewater Treatment Plant**  
**– ACTION ITEM**

City Administrator Tony Morley presented the need for consideration regarding parking and road surfaces at the Wastewater Treatment Plant. Mr. Morley stated the decision did not need to be made tonight and would come before council in the form of a change order at a future date but wanted to provide the information and get the council thinking about how they would like to address the need.

After discussion, no decisions were made, and this item was tabled.

**Discuss / Consider Awarding the Bid for R & 17<sup>th</sup> Street Lift Station– ACTION ITEM**

City Administrator Tony Morley stated the okay to award the bid to the lowest bidder has not yet been received by USDA.

After discussion, this item was tabled.

**Discuss / Consider Adopting Ordinance No. 2020-637 Ordinance of the City of Heyburn, Annexing Property Owned by Michael & Kimberly Ball, Unincorporated Minidoka County Property Located at 506 South River Drive, Heyburn, Idaho, to City of Heyburn; Zoning Property as Residential Low; Amending Zoning Map, Third and Final Reading – ACTION ITEM**

City Attorney Paul Ross provided information regarding Ordinance No. 2020-637.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2020-637 once by title only for the third and final reading. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

City Attorney Paul Ross read Ordinance No. 2020-637 once by title only.

Motion by Chad Anderson to adopt Ordinance No. 2020-637 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Adopting Summary of Ordinance No. 2020-638 Ordinance of the City of Heyburn, Repealing and Adopting New Title 2 Chapter 1 Regarding Adoption of International and State Codes, Providing for Code Adoption and Appointed Official, Permit Fees, Exemptions, Severability, Copies Available, Adopting International Building Code, International Residential Code, International Energy Conservation Code, International Existing Building Code, International Fuel Gas Code, International Mechanical Code, Idaho Fire Code, Abatement of Dangerous Buildings Code, Idaho Plumbing Code, International Property Maintenance Code, and National Electrical Code, Providing for Purpose, Adoption, and Amendments of Each Code – ACTION ITEM**

City Attorney Paul Ross stated the attached summary of Ordinance No. 2020-638 has already been published due council meeting cancelations and the need to publish it within the 30-day requirement. Mr. Ross stated the summary was created to save of publication costs.

Mr. Ross asked the council to ratify the adoption of Summary of Ordinance No. 2020-638.

Motion by Joanne Justesen to ratify the approval and adoption of summary of Ordinance No. 2020-638 as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Bid for Gate for Street Department – ACTION ITEM**

City Administrator Tony Morley asked the council to table this item stating the Street Department Manager was going to try and repair the existing gate.

**Discuss / Consider Water Department Manager Job Description – ACTION ITEM**

City Attorney Paul Ross stated the council will start seeing job descriptions on the agendas due to the recent creation of the HR Department and the recommendations from ICRMP and the Association of Idaho Cities to have job descriptions in place for all employees. Mr. Morley stated the two job descriptions on the agenda tonight have already been approved by a prior Mayor but need to be formally approved by the council.

After discussion, motion by Chad Anderson to approve the Water Department Manager Job Description as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Discuss / Consider Wastewater Department Manager Job Description – ACTION ITEM**

After discussion, motion by Chad Anderson to approve the Wastewater Department Manager Job Description as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

**Executive Session**

**Pursuant to Idaho Code 74-206(1)(a) - To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need; (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. -**

**ACTION ITEM**

Motion by Joanne Justesen to go into executive session pursuant to Idaho Code 74-206(1)(a) and (b). Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

### **Executive Session Minutes**

The Executive Session was conducted by Mayor Dick Galbraith. The topic was a matter of (a) and (b) personnel.

The Executive Session began at 8:00 PM.

No decisions were made.

Motion by Chad Anderson to adjourn executive session. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Executive Session returned to open session at 8:14 PM.

### **Discuss / Consider Employment Agreement for City Engineer - ACTION ITEM**

Motion by Joanne Justesen to approve the Employment Agreement for City Engineer as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

### **Discuss / Consider Appointment of City Treasurer - ACTION ITEM**

Mayor Galbraith stated that due to changes in the restructuring and creation of city departments a formal appointment of a City Treasurer separate from City Clerk is warranted. Mayor Galbraith stated historically the City Clerk/Treasurer has always been one position and the intent at this time is to keep it that way but with two separate job descriptions. Mayor Galbraith stated he would like to appoint Ashlee Langley as City Treasurer.

Motion by Joanne Justesen to approve the appointment of Ashlee Langley as City Treasurer. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

### **Mayors Time, Committee Reports, and Department Reports**

Mayor Galbraith stated he is learning there is a lot more to being Mayor than what is on the surface and he is finding himself involved in a lot of things he was not even aware of. Mayor Galbraith stated he is pushing forward and hopes he is doing a job that the council will feel happy with their choice and that he is making the citizens of Heyburn happy.

Council President Joanne Justesen provided those in attendance with an update on the Joint Powers Animal Control Facility. Mrs. Justesen stated the Ordinance for vicious animals is still being worked on and Idaho Human Society is now stopping by the shelter and picking up dogs. Mrs. Justesen stated she brought up the issue regarding dogs being refused or no place to leave animals after the shelter closes. Mrs. Justesen also provided the General Ledger and Animal Control Officer Report to the City Clerk to upload to the electronic council packet.

Those present reviewed the monthly department head reports for December 2020.

**Comments from the Public (Each person has 3 min. to comment).**

Mayor Galbraith opened this time up to the public for additional comments.

Comments were made by one attendee.

**Motion to Adjourn - ACTION ITEM**

Mayor Galbraith asked for a motion to adjourn the meeting.

Motion by Joanne Justesen to adjourn the council meeting. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

The council meeting adjourned at 8:30 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer