

City of Heyburn Council Meeting
Wednesday, February 27, 2019
7:00 P.M.

Mayor: Mayor Cleo Gallegos

Council Present: Chad Anderson, Dick Galbraith, Joanne Justesen, and Rose Schmitt.

Employees Present:

Tony Morley, Debra Encinas, Paul Ross and Dan Bristol.

Welcome & Pledge

Meeting conducted by Mayor Cleo Gallegos who welcomed everyone to the meeting.

Mayor Gallegos asked Joanne Justesen to lead those present in the Pledge of Allegiance.

Discuss / Consider Minutes of the February 13, 2019 Council Meeting – ACTION ITEM

Motion by Chad Anderson to approve the minutes of the February 13, 2019 Council Meeting as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Motion by Dick Galbraith to approve the bills as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider April DeZorzi's Hardship pertaining to David Pena's Account – ACTION ITEM

April DeZorzi presented her hardship regarding David G. Pena's utility account at 1801 21st Street in Heyburn. Ms. DeZorzi said she was left as the Personal Representative for Mr. Pena. Ms. DeZorzi said she was going to need about 6 months to get everything in order. Ms. DeZorzi said she has \$350.00 that she could pay on the account tomorrow morning and would just need sometime to empty & clean the house. The City Council discussed the different options that they could work with.

City Attorney Paul Ross explained the parameters of what the city code permits regarding hardship and the different options that go with it.

The City Council agreed on giving Ms. DeZorzi a shut-off date of March 22, 2019 if she pays \$350.00 on the account tomorrow.

Motion by Dick Galbraith to approve April DeZorzi's Hardship pertaining to David G. Pena's account and give her a shut-off date of March 22, 2019 if she pays \$350.00 on the account tomorrow. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen- Aye; Rose Schmitt – Aye.

Discuss / Consider Short Form Consulting Services Contract with Civil Science Inc. for On-Call Development Review – ACTION ITEM

City Administrator Tony Morley explained that the city has a need for somebody with engineering background to look at plats and make sure they conform to what the city standards are and from time to time do inspections when needed.

Stephen Andersen with Civil Science gave a presentation on what the contract involves.

Motion by Joanne Justesen to approve the Short Form Consulting Services Contract with Civil Science Inc. for On-Call Development Review as presented. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Framing Bids for Street Department Building Offices – ACTION ITEM

City Administrator Tony Morley explained that they are having a hard time getting complete bids that can be presented to the City Council. Mr. Morley asked that this item be tabled.

After a brief discussion, this item was tabled.

Discuss / Consider Plumbing Bids for the Street Department Building – ACTION ITEM

This item was tabled.

Discuss / Consider Sharing Expenses with Total Waste Management for Spring Clean-Up – ACTION ITEM

Lyle Santos informed the City Council that he reached out to the Minidoka County Commissioner in charge of the landfill, Wayne Schenk, and scheduled a meeting for Monday, March 11, 2019 at 8:30 a.m. for the city to request a bigger dump fee allocation.

Wayne Schenk introduced himself and advised the council that Southern Idaho Solid Waste is requesting that a representative from the city come to the Minidoka County Commissioners meeting on March 11th with their request. If this request does get approved by the Minidoka County Commissioners then it will go to Southern Idaho Solid Waste's monthly meeting on March 27, 2019 for approval.

After further discussion, this item was tabled.

Discuss / Consider Ordinance No. 2019-605 Upgrading Parking Code and Providing Effective Date, first reading – ACTION ITEM

City Attorney Paul Ross explained that he was not able to just amend Ordinance No. 2019-605, he had to rewrite it, which now changes the title to Ordinance of the City of Heyburn Repealing

the Existing Parking Code and Replacing the Heyburn Code Title 6 Chapter 2 Parking Code. Mr. Ross explained some of the corrections that have been made and some that still need corrected. Mr. Ross let the City Council know that he is open to any recommendations or corrections that they may have. Mr. Ross and the City Council discussed several sections of the ordinance.

Mr. Ross read Ordinance No. 2019-605 one time, by title only, for the first reading.

Motion by Chad Anderson to approve Ordinance No. 2019-605 Repealing the Existing Parking Code and Replacing the Heyburn Code Title 6 Chapter 2 Parking Code and providing Effective Date of March 27, 2019, first reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Final ESPA City Agreement for Allocation of Mitigation Obligations Under the Final Settlement Agreement – ACTION ITEM

City Attorney Paul Ross explained that this was in the last City Council meeting, but that it was missing some data. He said that this is the final and complete version with the addendum.

Motion by Chad Anderson to approve the Final ESPA City Agreement for Allocation of Mitigation Obligations Under the Final Settlement Agreement. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider 2019 Water Lease Between the City of Pocatello and the City of Heyburn – ACTION ITEM

City Attorney Paul Ross explained the Water Lease Agreement between the City of Pocatello and the City of Heyburn. Mr. Ross said that he has estimated that the City of Heyburn's portion will be \$3270.85 for 2019.

Motion by Dick Galbraith to approve the 2019 Water Lease Agreement Between the City of Pocatello and the City of Heyburn. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayor's Time & Committee Reports

Mayor Gallegos asked the City Council to start thinking about or considering sponsoring a City Baseball or Soccer Team. Chad Anderson then explained what is required as far as the cost and what is covered.

Mayor Gallegos also informed the City Council that she spoke to Mr. Moyle about the sign on 21st Street, and he has already assigned this to his assistant, just waiting for the weather to clear up to move forward with it.

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

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

Wayne Schenk came up to the podium and explained why the dumping fees were raised. Mr. Schenk also let the City Council know about a bike/walking path that they are considering between Rupert and Heyburn. Mr. Schenk also presented a few public announcements.

Executive Session

Pursuant to Idaho Code 74-206(1)(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 as per Idaho Code 74-206(1)(b) to consider 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. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Executive Session Minutes

The Executive Session was conducted by Mayor Cleo Gallegos. The topics were a matter of (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.

The Executive Session began at 8:29 PM.

No decisions were made.

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

Executive Session returned to open session at 8:42 PM.

Motion to Adjourn

Mayor Gallegos asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:42 PM.

Cleo Gallegos
Mayor

Debra Encinas
Deputy City Clerk