

**City of Heyburn Council Meeting**  
**Wednesday, March 13, 2024**  
**7:00 P.M.**

**Mayor:** Mayor Dick Galbraith.

**Council Present:** Chad Anderson, Joanne Justesen, Stegen Phillips, and Rick Tundag.

**Employees Present:**

Paul Ross, Ivan McCracken, Ryan Bertalotto, and Ashlee Langley.

**Welcome & Pledge**

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

**Discuss / Consider Minutes of the February 28, 2024 City Council Meeting & March 05, 2024 Special City Council Meeting – ACTION ITEM**

Those present reviewed the minutes of the February 28, 2024 City Council Meeting & March 05, 2024 Special City Council Meeting.

Motion by Chad Anderson to approve the minutes of the February 28, 2024 City Council Meeting & March 05, 2024 Special City Council Meeting as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

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

Those present reviewed the proposed bills.

Motion by Joanne Justesen to approve the bills as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Discuss / Consider Waiver of Fees for Use of Riverside Park Amphitheater – Southern Idaho Youth Theatrics – ACTION ITEM**

Jeremy Cox, representing Southern Idaho Youth Theatrics, requested a waiver of fees for utilizing the Riverside Park Amphitheater. Mr. Cox emphasized that their organization operates as a nonprofit, dedicated to offering youth in the community the chance to engage in theatrical performances. This year's production is "Oliver."

Motion by Joanne Justesen to approve the waiver of fees for use of Riverside Park Amphitheater for the all the dates requested for Southern Idaho Youth Theatrics as presented. Second by Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Discuss / Consider Loader Lease/Purchase Options for Street Division – ACTION ITEM**

City Engineer Ivan McCracken presented various loader lease options for the Street Division. Mr. McCracken underscored the importance of acquiring the equipment to fulfill the requirements of the shoreline development grant project, highlighting that the grant fees would cover the monthly lease amount, thereby reimbursing the city.

Motion by Rick Tundag to approve the lease from Western States Equipment for a loader for Street Division as presented. Second by Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Comments from the Public**

**This time is designated for members of the public to address their city elected officials. Comments related to any Public Hearing(s) and land use items should be made during the public hearing for those specific items(s). Individuals will be limited to a maximum of three (3) minutes.**

Mayor Galbraith invited members of the public to share their comments by opening the floor.

Two residents shared their comments concerning the proposed address change for 15th Street Drive stating their opposition to the proposed changes.

**Discuss / Consider Ordinance No. 2024-684 Ordinance of the City of Heyburn, Annexing Property Owned by Idaho Department of Highways, Unincorporated Parcel Under Interstate 84 Between 575 West and 600 West, Heyburn, Idaho, to City of Heyburn, Zoning Property as Commercial General, Amending Zoning Map, renaming 15<sup>th</sup> Street Drive To 15<sup>th</sup> Street, renaming North and South Portion of 14<sup>th</sup> Street Drive to Heritage Street, renaming 14<sup>th</sup> Street Drive to 14<sup>th</sup> Street, renaming 14<sup>th</sup> Circle Drive to Legacy Drive, renaming 16<sup>th</sup> Street Drive to 16<sup>th</sup> Street, renumbering homes as Needed, and Effective Date. – ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-684 as presented. The City Council acknowledged the importance of correcting existing addresses to comply with the EMS addressing grid. Mr. Ross reported that he had spoken with Marlene Kelly, who requested additional time for her address change. Therefore, he has extended the deadline for her until January 1, 2025.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2024-684 once by title for its final reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-684 once by title only.

Motion by Joanne Justesen to adopt Ordinance No. 2024-684 with the change of renaming 15<sup>th</sup> Street Drive to 15<sup>th</sup> Drive as discussed. Second by Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Nay.

**Discuss / Consider Ordinance No. 2024-685 Ordinance of the City of Heyburn Updating Title 8, Chapter 18 Regarding Telecommunications Towers, Antennas and Related Facilities, General, Scope, and Applicability, Definitions, Exemptions, Permitted/Prohibited Locations, Special Use Permit, Annual Information Report, Removal and Security for Removal, Preexisting Telecommunications Towers, Enforcement, Structural Design and Standards, Separation and Setback Requirements, Permits, Fees and Bonds, Construction Provisions, Indemnification, Insurance, Illumination and Security Fences, Compliance and Maintenance, Miscellaneous, Updating Mistakes in Public Easement Code, renaming Nevada Avenue to Nevada Street, Renaming Oregon Avenue to Oregon Street, Renumbering Homes as Needed, Publication by Summary, and Effective Date. – ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-685 as presented. Mr. Ross elaborated on the regulation of telecommunication towers and the renaming of addresses for those located within 208 Business Park, Eric J Higley, Ace Real Estate Investments, and Nesbit Veterinary Services PLLC, as outlined in the Ordinance. Mr. Ross clarified that this Ordinance is being presented for the first reading only and emphasized that it must undergo review and recommendation by the Planning & Zoning Commission before the council can proceed with adoption.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2024-685 once by title for its first reading. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-685 once by title only.

**Discuss / Consider Proclaiming April 6-12, 2024, as the Week of the Young Child – ACTION ITEM**

Mayor Galbraith stated that he received a request for the city to proclaim April 6<sup>th</sup> – 12<sup>th</sup>, 2024 as the Week of the Young Child and asked council to consider authorizing his signature on the proclamation.

Motion by Rick Tundag to approve proclaiming April 6-12, 2024, as the Week of the Young Child authorizing the mayor's signature on the proclamation. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Discuss / Consider Eminent Technical Solutions Project Quote for Traffic Camera and Internet Upgrade – ACTION ITEM**

City Administrator Tony Morley presented a proposal from Eminent Technical Solutions for the installation of a Traffic Camera at the intersection of Highway 30 and O Street. Mr. Morley highlighted that this camera would not only aid in identifying individuals responsible for spillage on the road near Gossner's, but also enhance internet connectivity at the RV Park and Wastewater Treatment Plant.

After discussion, this item was tabled.

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

Mayor Galbraith addressed a recent complaint concerning the alley at S & T Street, citing concerns about 4-wheelers, snowmobiles, and other vehicles treating it like a road rather than an alley. Mayor stated that he has instructed the Street Division to install speed bumps in the alley to address the issue.

Councilwoman Joanne Justesen provided an update on Joint Powers Animal Control, noting successful fundraising efforts, the current occupancy of 16 dogs in the shelter, and the addition of a new Animal Control Officer.

Those present reviewed the monthly Department Reports for February 2024.

**Executive Session**

**Pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. – ACTION ITEM**

This item was tabled.

**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 Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

The council meeting adjourned at 8:36 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer