

**City of Heyburn Council Meeting**  
**Wednesday, March 22, 2023**  
**7:00 P.M.**

**Mayor:** Dick Galbraith.

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

**Employees Present:**

Tony Morley, Ryan Bertalotto, Paul Ross, Brian Vail, 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 March 08, 2023 City Council Meeting – ACTION ITEM**

Those present reviewed the minutes as presented.

After review, motion by Joanne Justesen to approve the minutes of the March 08, 2023 City Council Meeting as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

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

Those present reviewed the bills as presented.

After review, 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 Agreement for Utility Easement – Lightning Land and Development – ACTION ITEM**

City Administrator Tony Morley presented the Utility Easement Agreement between Lightning Land and Development and the concerned parties. The agreement entails an easement for water and sewer purposes only, which will run across the Stimpson property. Mr. Ross provided more details of negotiations.

Motion by Chad Anderson to approve the Agreement for Utility Easement with Lightning Land and Development. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Lot Lease Proposal with Bradie and Charlie Little for the city owned lot on the Northeast corner of O Street & 21<sup>st</sup> Street for a Temporary Coffee Shop – ACTION ITEM**

Those present reviewed the lot lease proposal with Bradie and Charlie Little for the lease of the city owned property on O & 21<sup>st</sup> Street for a temporary coffee shop. Those present discussed

traffic pattern concerns, the need for a lift station, availability and costs associated with water service, and the monthly lease amount for the property.

Motion by Chad Anderson to approve the Lot Lease Proposal with Bradie and Charlie Little for the city owned lot on the Northeast corner of O Street & 21<sup>st</sup> Street for a Temporary Coffee Shop setting the monthly lease amount of \$450 for one year, contingent upon the City Attorney clarifying the language regarding the breach of contract and the completed traffic plans reviewed and accepted by the City Engineer. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Resolution No. 2023-3 Resolution of the City of Heyburn Declaring Surplus Personal Property, Authorizing and Directing Disposal of Surplus Property, Providing for Related Matters. – ACTION ITEM**

Police Chief Ryan Bertalotto presented Resolution No. 2023-3 to those in attendance, stating that the Water Division intends to declare their old 1999 Ford F150 pickup surplus. The Water Division proposes to transfer it to the Police Department to offset the cost of a potential purchase of the Police Departments 2014 Ford F150.

Motion by Joanne Justesen to approve Resolution No. 2023-3 Declaring Surplus Personal Property, Authorizing and Directing Disposal of Surplus Property declaring the water divisions 1999 Ford F150 as surplus as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Purchase of Vehicle from Police Department by Water Department – ACTION ITEM**

Police Chief Ryan Bertalotto stated the Police Department intends to sell and transfer their 2014 Ford F150 pickup to the Water Division. Stating the pickup has been declared surplus by a past resolution.

Chief Bertalotto stated to meet the minimum Kelley Blue Book value, the Water Division has agreed to transfer one of their old 1999 Ford pickups to the Police Department to help cover the agreed upon purchase and sell amount of \$15,000. The Police Department has also requested that the 1999 Ford pickup be declared surplus so that it can be auctioned off, with the proceeds going towards the cost of the police fleet leasing program.

Motion by Rick Tundag to approve the Purchase of Vehicle from Police Department by the Water Division as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Purchase of Parts for Veolia Disk Filter for Wastewater Treatment Plant – ACTION ITEM**

Wastewater Division Head Brian Vail presented the purchase of parts for the Veolia Disk Filter for the Treatment Plant. Mr. Vail stated due to supply issues the needed parts are already on order.

Motion by Rose Schmitt to approve the Purchase of Parts for Veolia Disk Filter from Veolia Water Technologies Inc. in the amount of \$8,787.48 for the Wastewater Treatment Plant as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Control Valve Rebuild with Prestige Worldwide Technologies – ACTION ITEM**

Wastewater Division Head Brian Vail presented a quote from Prestige Worldwide Technologies for valve rebuilds. Mr. Vail informed the attendees that the manufacturer recommends rebuilding the main valve and its pilot every five years, and it has been well over five years since the city last underwent a rebuild.

Mr. Vail stated that the quote from Prestige Worldwide Technologies is for the rebuilding of seven valves.

Motion by Joanne Justesen to approve the Control Valve Rebuild with Prestige Worldwide Technologies in the amount of \$11,100 for the rebuild of seven valves as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider BKI Engineering Change of Work for Riverton Substation to Integrate Security Cameras into Layout – ACTION ITEM**

City Administrator Tony Morley presented a Change of Work with BKI Engineering, informing attendees that the city plans to integrate security cameras and lay a pad for the delivery of the new transformer. Mr. Morley clarified that this change of work involves the cost for BKI Engineering to incorporate these two items into the project's scope. However, the cost does not include the purchase of cameras, but only covers their layout.

Motion by Chad Anderson to approve the BKI Engineering Change of Work for Riverton Substation to Integrate Security Camera layout and transformer pad in the amount of \$13,494 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Amending Ordinance No. 2023-671 Ordinance of the City of Heyburn Updating Zoning Ordinance to Exclude Concrete Plants from Industrial Light Zones, Renumbering Parcels Near the Intersection of Q Street and 18th Street, Updating Due date for City Bills and when Late Fees Begin to Accrue, Clarifying who May Issue a Notice to Abate, how Notice to Abate may be Served for Abandoned and Wrecked Vehicles or Property, and Clarifying Zoning Code Enforcement and Penalties. Second of Three Readings – ACTION ITEM**

City Attorney Paul Ross presented Ordinance No. 2023-671 to those in attendance. Mr. Ross stated that the Ordinance covers code changes to exclude concrete plants from Industrial Light Zones, corrects an error on addressing of the Tanner properties, updates the due date and late fees for utility bills, and clarifies the zoning code on Notice to Abate and enforcement of the code as well as associated penalties. Pointed to recommendation from P&Z related to the concrete batch, P&Z will pick up the enforcement issues in April's meeting.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2023-671 once by title only for the first of three readings as presented. 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. 2023-671 once by title only.

**Discuss / Consider Fair Housing Month Proclamation – ACTION ITEM**

Mayor Galbraith presented the Fair Housing Proclamation to those present asking the city council to consider authorizing his signature declaring April 2023 as Fair Housing Month.

Motion by Rick Tundag to approve the proclamation declaring April 2023 as Fair Housing Month authorizing the mayor’s signature on the proclamation as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Resolution No. 2023-4 Resolution of the City of Heyburn Outlining Organization and Operations of Public Works Department – ACTION ITEM**

City Attorney Paul Ross presented Resolution No. 2023-4 to those present stating the resolution is being updated to break out an irrigation division as well as updating all references to Public Works Department Heads to Division Heads.

Motion by Chad Anderson to approve Resolution No. 2023-4 Outlining Organization and Operations of Public Works Department as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Irrigation Division Operator Job Description – ACTION ITEM**

Human Resources Director Ashlee Langley presented the job description for Irrigation Division Operator.

Motion by Joanne Justesen to approve the Irrigation Division Operator Job Description as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Temporary Employee Job Description – ACTION ITEM**

Those present reviewed the Temporary Employee Job Description. City Attorney Paul Ross stated this job description is intended to be used for all temporary help of the city, division, and departments will be updated as appropriate.

Motion by Joanne Justesen to approve the Temporary Employee Job Description as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Addendum #1 to 2023 Personnel Policy for Recognized Holidays – ACTION ITEM**

City Attorney Paul Ross addressed the recent addition of Christmas Eve as a recognized holiday and highlighted the need to clarify how the city will handle the holiday if it falls on a weekend.

Those present considered allowing employees to observe the preceding Friday as the holiday when Christmas Eve falls on a weekend, as it does this year, considering that Monday is already an observed holiday.

The 2024 Personnel Policy will include language intended to clarify the recognized holiday moving forward.

Motion by Joanne Justesen to approve Addendum #1 to 2023 Personnel Policy for Recognized Holidays to allow employees to observe the preceding Friday as the holiday when Christmas Eve falls on the weekend. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Mayors Time and Committee Reports.**

Councilwoman Joanne Justesen provided a brief update regarding Joint Powers Animal Control and she had shared the most recent budget information with the City Clerk to be shared with the Council.

Mayor Galbraith stated that an interview for the Water, Wastewater, and Irrigation Division Operator vacancy was completed last week, as well as an interview for temporary summer help. Mayor stated he would keep the council informed of the progress to fill the vacant positions.

**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.

**Motion to Adjourn – ACTION ITEM**

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:32 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer