

City of Heyburn Council Meeting & Public Hearing
Wednesday, March 23, 2022
7:00 P.M.

Mayor: Dick Galbraith.

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

Employees Present:

Tony Morley, Ivan McCracken, Myron McCarty, Ryan Bertalotto, Ashlee Langley, and Paul Ross (by phone).

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 March 09, 2022 City Council Meeting and the March 14, 2022 Special City Council Meeting – ACTION ITEM

Those present reviewed the minutes of the March 09, 2022 City Council Meeting and the March 14, 2022 Special City Council Meeting.

Motion by Chad Anderson to approve the minutes of the March 09, 2022 City Council Meeting and the March 14, 2022 Special City 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 reviewed the bills presented.

After review, motion by Chad Anderson 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 Zero-Turn Riding Mower – ACTION ITEM

Street Department Manager Myron McCarty presented bids for the purchase of a zero-turn riding mower to those present.

After review, motion by Chad Anderson to approve the purchase of a 72” Diesel Turf Tiger zero-turn riding mower from K & R Rentals, Inc. & Sales in the amount of \$22,153 as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Public Hearing for Zoning submitted by the City of Heyburn pursuant to Idaho Code 67-6511 of the properties belonging to Juan and Rosemary Mata, Second Chance LLC, Diann Stapleman and Leon Walton, Rene and Julia Soliz, Gary Buerkle, Whitehead Rentals LLC, Donald and Susan Hirsch, Shawn and Patricia Dockstader, Jehu and Sesilia Cervantes, Reyes and Leticia Vargas, Jeff and David Farran, Rosalio and Gabriel Gutierrez, Hector and Connie Gonzalez, Arlene Buerkle and Terri Souza, Kenny and Shirlee Martsch, Project Mutual Telephone Co, Gilbert Wiese, Wayside Estates Inc, Rosalio Gutierrez-Telles, Randy Thueson, Nancy Weech, Bonifacio and Rosalinda Rodriguez, James and Kari French, Dora Bengoechea, Anson Parke, Lila Davis, George and Mary Brisbin, Joel Gomez, Dianne Buerkle, Evelio and Maria Montoya, and Tracey and Pamela Whitaker contiguous to the City of Heyburn. These properties are currently zoned by Minidoka County as Commercial General and the city solicits proposals for zoning of the land after annexation. The city further solicits proposals for street names for 300 West, 300 South, and West Rocky Lane.

City Attorney Paul Ross provided a brief introduction to the Public Hearing for the zoning of properties located within the Heyburn Residential portion of Wayside Subdivision.

Mayor Galbraith opened the public hearing for the zoning of those located in Wayside Residential Subdivision.

Those speaking in favor were: None.

Those speaking in neither against nor in favor were: None.

Those speaking against were: None.

Hearing no further comments, Mayor Galbraith closed the public hearing.

Discuss / Consider Adopting Ordinance No. 2022-654 Ordinance of the City of Heyburn, Annexing Residential Properties located in Wayside Subdivision, Unincorporated Minidoka County Property Located South of 300 South, West of 300 West, North of the Lands of Clark and Heyburn Estates, along West Rocky Lane, and East of Highway 24, Heyburn, Idaho, to City of Heyburn; Zoning Properties as Commercial General; Renaming 300 West to Wayside Lane, renaming 300 South to 35th Street, renaming West Rocky Lane to Rocky Lane, assigning new addresses for all Properties; Amending Zoning Map – ACTION ITEM

Those present discussed renaming 300 West to Baker Lane rather than Wayside Lane as the Ordinance currently suggests.

After discussion, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-654 reading once by title only changing 300 West to Baker Lane, renaming 300 South to 35th Street, and renaming West Rocky Lane to Rocky Lane. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-654 once by title only.

Motion by Joanne Justesen to adopt Ordinance No. 2022-654 waiving the rule requiring three readings and adopt in one reading. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Letter to Idaho Transportation Department Identifying a Preferred Concept for 208 & 211 Interchanges – ACTION ITEM

City Engineer Ivan McCracken discussed options presented by the Idaho Transportation Department for the reconstruction of the 208 and 211 interchanges. Mr. McCracken asked the city council if they would like to send a letter to ITD identifying a preferred concept for each interchange.

After discussion, motion by Chad Anderson to approve sending a letter to the Idaho Transportation Department selecting the Tight Dimond for the 211 interchange and the Diverging Dimond for the 208 interchange also mentioning the addition of signalization, acceleration lanes, future fourth leg to the west out of Love’s Travel Stop, utility crossing on I-84 within the construction limits, use of 105.5 Klb trucks as the design vehicle at the interchanges instead of WB-64s. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Adopting Resolution No. 2022-1 Resolution of the City of Heyburn Adopting an Idaho Policing Policy – ACTION ITEM

Chief Bertalotto presented Resolution No. 2022-1 for the adoption of the Idaho Policing Policy to those present. Chief Bertalotto stated the policy has been endorsed by the Idaho Chiefs of Police Association, ICRMP, and the Idaho Sheriffs’ Association and would cost \$625 for this year and \$1500 annually thereafter.

After review and discussion, motion by Rose Schmitt to Adopt Resolution No. 2022-1 Resolution of the City of Heyburn Adopting an Idaho Policing Policy as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Fair Housing Month Proclamation – ACTION ITEM

City Attorney Paul Ross presented the Fair Housing Month Proclamation to those present stating guarantees receiving funding from the Community Development Block Grant are required to proclaim April as Fair Housing Month.

After review, motion by Rick Tundag to approve the Fair Housing Month Proclamation as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Mayors Time and Committee Reports

No Committee Reports.

Mayor Galbraith stated the city received many donated items from Idaho State Police thanks to Chief Bertalotto. Mayor Galbraith encouraged those present to visit the Police Department and see the improvements that have been made so far.

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

Mayor Galbraith opened the time for comments from the public.

Hearing no comments, Mayor asked for a motion to go into executive session.

Executive Session – Pursuant to Idaho Code 74-206(1)(c) - To acquire an interest in real property not owned by a public agency. – ACTION ITEM

Motion by Joanne Justesen to go into executive session pursuant to Idaho Code 74-206(1)(c).

Second by Rick Tundag. 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 (c) interest in real property.

The Executive Session began at 8:20 PM.

No decisions were made.

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

Executive Session returned to open session at 8:43 PM.

Motion to Adjourn – ACTION ITEM

Mayor Galbraith asked for a motion to adjourn the meeting.

Motion by Chad Anderson to adjourn the council meeting. Second by Joanne Justesen.

Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

The council meeting adjourned at 8:44 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer