

City of Heyburn Council Meeting & Public Hearing
Wednesday, March 25, 2020
7:00 P.M.

Mayor: Mark Rosa.

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

Employees Present:

Paul Ross, Ashlee Langley, and Tony Morley.

Welcome & Pledge

Meeting conducted by Mayor Mark Rosa who welcomed everyone to the meeting and asked Former Mayor Cleo Gallegos to lead the Pledge of Allegiance.

Discuss / Consider Minutes of the March 11, 2020 Council Meeting & Public Hearing and the March 16, 2020 Special Council Meeting– ACTION ITEM

Motion by Dick Galbraith to approve the minutes of the March 11, 2020 Council Meeting & Public Hearing and the March 16, 2020 Special Council Meeting as presented. Second by - Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

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

Discuss / Consider Exchanging Water and Wastewater Hookup Fees for Easement or Land Acquisition – ACTION ITEM (750 21st Street - William Fulcher) – Tony Morley

City Administrator Tony Morley stated he has been in discussion with William Fulcher who owns property located at 750 21st Street regarding annexation and easements along 21st Street. Mr. Morley stated the Fulcher's are interested in gaining access to city culinary water and wastewater systems and the city would benefit from an easement along 21st Street. Mr. Morley stated in conversations with the property owner the idea of exchanging water and wastewater hookup fees for an easement along 21st Street or land acquisition was discussed. Mr. Morley asked the council to consider allowing the city to enter negotiations with the Fulcher's for this exchange.

Motion by Dick Galbraith to authorize the City Administrator to enter negotiations regarding with William Fulcher for the exchange of water and wastewater hookup fees for easement or land acquisition at 750 21st Street. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Declaration of an Emergency due to COVID 19 – ACTION ITEM

After a brief discussion regarding the Extreme Emergency Order that includes Statewide Stay-Home Order issued by Governor Little this item was tabled.

Discuss / Consider Employee Pay for Leave of Absence due to Coronavirus (COVID-19) and other potential remedies. – ACTION ITEM

Those present discussed how they would like to handle employee absences due to COVID-19 and other potential circumstances related to the virus.

Motion by Dick Galbraith to approve Employee Pay for Leave of Absence due to Coronavirus (COVID-19) and other potential remedies through April 22, 2020. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider City of Heyburn Infectious Disease Protocols for City Hall – ACTION ITEM

Those present reviewed a draft policy regarding infectious disease protocols due to COVID-19.

Motion by Joanne Justesen to approve the City of Heyburn Infectious Disease Protocols for City Hall as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Public Hearing on Adopting a Schedule of Revised Fees for Sanitation Rates and Fees

Mayor Mark Rosa opened the public hearing on Adopting a Schedule of Revised Fees for Sanitation Rates.

Mayor Rosa asked for those speaking in favor of the Schedule of Revised Fees for Sanitation Rates to step forward.

Those speaking in favor were: Cleo Gallegos stated that its common sense that the city would need to pass along the rate increase to the citizens that the contract provides. Mrs. Gallegos stated as a citizen she is for it.

Mayor Rosa asked for those speaking neither against nor in favor of the Schedule of Revised Fees for Sanitation Rates to step forward.

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

Mayor Rosa asked for those speaking against the Schedule of Revised Fees for Sanitation Rates to step forward.

Those speaking against were: None

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

Discuss / Consider Resolution No. 2020-3 Resolution of the City of Heyburn, adopting a Schedule of Revised Fees for Sanitation Rates and Fees; Providing Effective Date – ACTION ITEM

Those present reviewed Resolution No. 2020-3 for the increase in sanitation rates and fees.

Motion by Dick Galbraith to adopt Resolution No. 2020-3 Resolution of the City of Heyburn, adopting a Schedule of Revised Fees for Sanitation Rates and Fees as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Adoption of Ordinance No. 2020-624 Ordinance of the City of Heyburn, replacing title 3 chapter 1 to provide purpose; definitions; city to have exclusive management and control; prohibit granting of franchise; city not liable for damages; duties of department head; right to turn off water; prohibit waste; mayor may limit use of water; inspection of premises; permits and service connection fees; extension of water mains within city; extension of water mains outside city; water system connection fees; water line capital improvement fund; disbursement of funds; installation charges; length of service; installation and maintenance; arrangement of service pipes; branch service; permit required; customer line maintenance, permit to do plumbing, service call charge, tampering unlawful; authority to place meter; ownership of meters; location and access of meters; billing periods; billing, collection, and termination of utility accounts; water rates, fees; water rates outside city; meter rates for multiple meters; service outside city; fire service connection; fire hydrants; unlawful contamination or cross-connections; backflow prevention devices; inspection of new construction; inspection of existing buildings, structures, or improvements and termination of water supply; penalties. First of Three Readings, by Title Only – ACTION ITEM

Those present reviewed Ordinance No. 2020-624. Those present discussed the water rate section briefly.

City Attorney Paul Ross stated the city may need to do some more research on whether this would affect the rates charged to Wayside Sewer.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2020-624 for the first of three readings, by title only. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2020-624 once, by title only.

Discuss / Consider 2020 Fair Housing Proclamation – ACTION ITEM (Tony Morley)

City Administrator Tony Morley presented the 2020 Fair Housing Proclamation to those present. Mr. Morley stated this proclamation is passed annually by the city.

Motion by Joanne Justesen to approve the 2020 Fair Housing Proclamation as presented. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Appoint Planning & Zoning Commission Member - Scot Bell – ACTION ITEM

Mayor Rosa stated he has accepted the resignation of Maureen Newton and would like the city council to affirm his appointment of Scot Bell to the Heyburn Planning & Zoning Commission to fulfill the remainder of that term.

Motion by Joanne Justesen to affirm the appointment of Scot Bell to the Heyburn Planning & Zoning Commission. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Appoint Urban Renewal Member – Mark Williams – ACTION ITEM

Mayor Rosa stated he has accepted the resignation of Dan Lloyd and would like the council to affirm his appointment of Mark Williams to the Heyburn Urban Renewal Agency. Mayor Rosa read a short bio on Mark Williams.

Motion by Dick Galbraith to affirm the appointment of Mark Williams to the Urban Renewal Agency with a term set to expire February 2024. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayors Time & Committee Reports

Mayor Rosa asked for committee reports.

Councilwoman Joanne Justesen stated the upcoming Animal Control Board meeting has been postponed.

Mayor Rosa asked those in attendance to be patient and kind to one another during these difficult times.

We will not be Accepting Comments from the Public at this Time - Please note comment time has been Temporarily suspended due to Coronavirus (COVID-19) this is to ensure safety of all those in attendance. Please submit comments in writing prior to 5:00 PM on 24 March 2020.

No comments from the public.

Motion to Adjourn - ACTION ITEM

Mayor Rosa asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:11 PM.

Mark Rosa
Mayor

Ashlee Langley
City Clerk/Treasurer