

**City of Heyburn Council Meeting**  
**Wednesday, March 27, 2024**  
**7:00 P.M.**

**Mayor:** Mayor Dick Galbraith.

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

**Employees Present:**

Paul Ross, Ivan McCracken, Tony Morley, Ryan Bertalotto, David Roundy, Cole Kuta, Matthew Dalton, and Debra Encinas.

**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 13, 2024 City Council Meeting – ACTION ITEM**

Those present reviewed the minutes of the March 13, 2024 City Council Meeting.

Motion by Joanne Justesen to approve the minutes of the March 13, 2024 City Council Meeting as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

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

Those present reviewed the proposed bills.

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

**POST Basic Patrol Certificate – Officer Dalton**

Mayor Galbraith presented Officer Matthew Dalton with his POST Basic Patrol Certificate. Those present congratulated Officer Dalton on his accomplishment.

**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**

City Attorney Paul Ross let the City Council know that the Planning and Zoning Commission did not make any changes to updating the ordinance and recommended it to City Council. Mr. Ross let the City Council know that the address change letters were mailed out on March 12, 2024. City Engineer Ivan McCracken reported that Building Inspector Jerome Fagaldefeg contacted all the businesses that were affected on Nevada Ave and Oregon Ave by the renumbering and had conversations with all of them including Idaho Power. Mr. Ross will verify the verbiage on the ordinance to make sure it does say Planning & Zoning Department and both the ordinance and summary match. City Administrator Tony Morley stated that there are restrictions on where towers could be placed depending on zoning.

Those in attendance reviewed Ordinance No. 2024-685 as presented.

Motion by Chad Anderson to have City Engineer Ivan McCracken read Ordinance No. 2024-685 once by title for its second reading. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

City Engineer Ivan McCracken read Ordinance No. 2024-685 once by title only.

**Discuss / Consider Ordinance No. 2024-687 An Ordinance of the City of Heyburn, Idaho, Approving The Urban Renewal Plan for the INH-Heyburn District Urban Renewal Project, Which Plan Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to County and State Officials; Providing Severability, Codification, Publication by Summary, And Establishing An Effective Date – ACTION ITEM**

City Attorney Paul Ross presented. Mr. Ross stated that the Planning and Zoning Commission found that the plan was in compliance with the Comprehensive Plan. The Planning and Zoning Commission recommended it to the City Council. Mr. Ross informed the City Council that there is a hearing for the next agenda. Mr. Ross said they are not asking for this to be adopted or anything of that nature right now, they just wanted Council to review. If there are any questions, they are happy to review them and take them back to Brent Tolman.

Those in attendance reviewed Ordinance No. 2024-687 as presented.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2024-687 once by title for its first reading. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-687 once by title only.

**Discuss / Consider Improvements Agreement with The Church of Jesus Christ of Latter-day Saints – ACTION ITEM**

City Attorney Paul Ross explained that the City did the purchase and sale agreement with The Church of Jesus Christ of Latter-day Saints, this regarding the church at 300 South 500 West. The signed agreement has been sent to the church to approve but they wanted something more substantial and recorded to formalize the agreement that the City will do the hook-up for the fees

that were being traded for the acquisition of the extra property along the roadway once services are available.

Motion by Chad Anderson to approve the Improvements Agreement with The Church of Jesus Christ of Latter-Day Saints as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Commercial Garbage Hauling License for Binmaster Logistics, LLC – ACTION ITEM**

Chance Oldham with Binmaster Logistics, LLC presented. Mr. Oldham handed out some flyers to the city council and to members of the audience. Mr. Oldham explained everything on the flyer. Council Member Rick Tundag let the mayor and council know that he is friends with Mr. Oldham and works with him as well but is not affiliated with his business and has nothing to gain from it.

Motion by Chad Anderson to approve the Commercial Garbage Hauling License for Binmaster Logistics, LLC as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

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

Motion by Rick Tundag to approve April as Fair Housing Month Proclamation as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discussion / Review of 2023 Draft All Hazards Mitigation Plan**

Chief Bertalotto presented. Chief Bertalotto explained that the 2017 plan was 610 pages and the updated plan for 2024 is down to 113 pages. The 2017 plan had County and Rupert specific items on there but no Heyburn specific items. Mr. Bertalotto said that Mr. McCracken has been assisting to determine if we had any sort of hazard, man-made or natural disasters, how we would be able to adapt and overcome as a city. This is a regulatory item from FEMA, Department of Homeland Security, and overseen by the Idaho Office of the Emergency Management and this would also provide us with reimbursement should we face any sort of disaster, man-made or natural.

Mr. McCracken stated that some items that he has identified that they may want to include to open the doorway to federal FEMA funding that can be done for hazard prevention and the four categories are: We need a Master Storm Water Run-Off Plan, which goes into flood avoidance; Waste Water Reuse Plan; Fire Mitigation Assessment Plan; Incident Management and Communications Plan. Chief Bertalotto said we need to consider this as a City, some of these items will help us with emergency management, we have four phases, mitigation, preparedness, response and recovery. Chief Bertalotto said they are requesting feedback from the city prior to the May meeting.

**Discuss / Consider Appointment of Planning & Zoning Member – ACTION ITEM**

Motion by Joanne Justesen to affirm the appointment of Rose Schmitt to the Planning & Zoning Committee as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Mayors Time, and Committee Reports.**

Mayor Galbraith let everyone know that the backhoe that was ordered back in October for the Street Department arrived today. Mayor announced that the J Street crossing has been put off until next year because of time constraints. The crossing on A Street for the drain ditch did get done, they just finished up today. The mayor told the council that the city had to relocate the force main underneath the freeway from Wayside, the cost was a little over \$13,000.

Joanne Justesen gave an update on animal control. Mrs. Justesen reported there is a new animal control officer, and they are now going to open on Saturday's.

**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.

No comments were made.

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

The council meeting adjourned at 8:00 PM.

Dick Galbraith  
Mayor

Debra Encinas  
Deputy City Clerk