

**City of Heyburn Council Meeting**  
**Wednesday, April 10, 2019**  
**7:00 P.M.**

**Mayor:** Mayor Cleo Gallegos.

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

**Employees Present:**

Tony Morley, Ashlee Langley, and Paul Ross.

**Welcome & Pledge**

Meeting conducted by Mayor Cleo Gallegos who welcomed everyone to the meeting and lead those present in the Pledge of Allegiance.

Mayor Gallegos asked for a motion to accept the amended the agenda. Mayor Gallegos stated the agenda was amended to include Fair Housing Proclamation for April 2019 as item #12 due to the fact that the proclamation is time sensitive and requires action to be taken before the next council meeting.

Motion by Dick Galbraith to accept the amended the agenda with the reason declared by Mayor Gallegos. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Minutes of the March 27, 2019 Council Meeting & the April 02, 2019 City Council Work Meeting - ACTION ITEM**

Motion by Joanne Justesen to approve the minutes of the March 27, 2019 Council Meeting & the April 02, 2019 City Council Work Meeting as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

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

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.

**HDR Engineering, Inc. Update on Wastewater Treatment Plant Design – Brad Bjerke**

Brad Bjerke, Project Engineer and Alison Hornak, Water/Wastewater EIT from HDR Engineering, Inc. presented an update on the design of the Wastewater Treatment Plant to those present. Mr. Bjerke stated the design is at approximately 60% completion. Mr. Bjerke stated at this time they are working on getting the big items identified in order to take the design out to bid. Mr. Bjerke presented the three major components of the design to those present. Those components included a third clarifier, UV disinfection, and a screw press dewatering unit. Mr. Bjerke and Ms. Hornak presented 3D modeling to those present showing them each of the three major areas of the project design.

Those present thanked Mr. Bjerke and Ms. Hornak for the update.

**Discuss / Consider Summary of Ordinance No. 2019-606 Ordinance of the City of Heyburn, Repealing Existing Parking Code, Title 6 Chapter 2, Adopting a New Parking Code, Title 6 Chapter 2, Providing Penalties, and Providing Effective Date – ACTION ITEM**

City Attorney Paul Ross stated this Summary of Ordinance No. 2019-606 was created to save money on publication costs.

Motion by Joanne Justesen to approve the Summary of Ordinance No. 2019-606 Ordinance of the City of Heyburn, Repealing Existing Parking Code, Title 6 Chapter 2, Adopting a New Parking Code, Title 6 Chapter 2, Providing Penalties, and Providing Effective Date as presented. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Ordinance No. 2019-607 Ordinance of the City of Heyburn Amending Heyburn Code Title 7 Chapter 1 Updating Animal Control Code, Third and Final Reading – ACTION ITEM**

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2019-607 Ordinance of the City of Heyburn Amending Heyburn Code Title 7 Chapter 1 Updating Animal Control Code by title only for the Third and Final Reading. 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. 2019-607 by title only for the third and final reading.

Motion by Dick Galbraith to adopt Ordinance No. 2019-607 Ordinance of the City of Heyburn Amending Heyburn Code Title 7 Chapter 1 Updating Animal Control Code as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Ordinance No. 2019-608 Adding Penalties to Title 6 Chapter 2, Providing Effective Date, First of Three Readings – ACTION ITEM**

Those present discussed possible changes to the Ordinance regarding the penalty amounts.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance 2019-608 Adding Penalties to Title 6 Chapter 2, with the change of rates to \$35.00 fee across all penalties, Providing Effective Date for the First of Three Readings. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2019-608 by title only for the first of three readings.

**Discuss Resolution No. 2019-3 Adopting a Schedule of Revised Animal Control Rates and Fees for Services Provided and Regularly Charged as Specified by City Code; Providing an Effective Date**

Those present discussed Resolution No. 2019-3. Questions were raised regarding the fees being collected and who would be collecting them.

**Discuss Resolution No. 2019-4 Resolution of the City of Heyburn, Adopting a Schedule of Parking Code Rates and Fees for Services Provided and Regularly Charged as Specified by City Code; Providing an Effective Date**

Those present discussed Resolution No. 2019-4 and the fees for parking violations.

**Discuss / Consider Destination Southern Idaho Membership Directory Magazine Advertisement – ACTION ITEM**

Those present discussed placing an ad in the Destination Southern Idaho Membership Directory Magazine to showcase the Heyburn Riverside RV Park.

Motion by Dick Galbraith to approve advertising in the Destination Southern Idaho Directory Magazine selecting the quarter of a page option in the amount of \$499.00. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider 2nd Quarter Treasurers Financial Report – ACTION ITEM**

Those present reviewed the 2<sup>nd</sup> Quarter Treasurers Financial Report.

Motion by Chad Anderson to approve the 2<sup>nd</sup> Quarter Treasurers Financial Report as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Fair Housing Proclamation April 2019 – ACTION ITEM**

City Administrator Tony Morley stated the Fair Housing Proclamation is part of the application for USDA funding.

Motion by Chad Anderson to approve the Fair Housing Proclamation April 2019 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Mayors Time & Committee Reports**

Mayor Cleo Gallegos thanked the city council in their efforts and purchases to keep Heyburn City Employees safe at work.

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

Mayor Gallegos opened this time up to the public for additional comments.

**Executive Session**

**Pursuant to Idaho Code 74-206(1)(b) to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges, brought against, a public officer, employee, staff member or individual agent, or public school student. The mere presence of legal counsel at an executive session does not satisfy this requirement. – ACTION ITEM**

Motion by Joanne Justesen to go into Executive Session as per Idaho Code 74-206(1)(b) personnel. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

#### Executive Session Minutes

The Executive Session was conducted by Mayor Cleo Gallegos. The topic was a matter of (b) to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges, brought against, a public officer, employee, staff member or individual agent, or public school student.

The Executive Session began at 8:39 PM. No decisions were made.

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

Executive Session returned to open session at 9:12 PM.

#### **Motion to Adjourn**

Mayor Cleo Gallegos 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 9:12 PM.

Cleo Gallegos  
Mayor

Ashlee Langley  
City Clerk/Treasurer