

City of Heyburn Council Meeting
Wednesday, April 22, 2020
7:00 P.M.

Mayor: Mark Rosa.

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

Employees Present:

Paul Ross, Tony Morley, Brian Vail, Dan Bristol, and Ashlee Langley.

Welcome & Pledge

Meeting conducted by Mayor Mark Rosa who welcomed everyone to the meeting and asked Brian Vail to lead those present in the Pledge of Allegiance.

Discuss / Consider the Minutes of the April 08, 2020 Council Meeting – ACTION ITEM

Motion by Chad Anderson to approve the minutes of the April 08, 2020 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

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 Change Order #2 for Wastewater Treatment Improvements – ACTION ITEM – Tony Morley / Brad Bjerke

After a brief discussion, this item was tabled to the next regularly scheduled council meeting.

Discuss / Consider Change Order #3 for Wastewater Treatment Improvements – ACTION ITEM – Tony Morley / Brad Bjerke

After a brief discussion, this item was tabled to the next regularly scheduled council meeting.

Discuss / Consider Lease Agreement & Concessionaire's License for 2020 with Idaho Water Sports – ACTION ITEM – Nate Ashby

Nate Ashby represented Idaho Water Sports and asked the city council to consider approval of the 2020 Lease Agreement & Concessionaire's License. Mr. Ashby stated Idaho Water Sports is requesting no changes from last year's agreement.

Motion by Joanne Justesen to approve the Lease Agreement & Concessionaire's License for 2020 with Idaho Water Sports as presented. Second by Chad Anderson. 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 ownership, management, and control; prohibit granting of franchise; city not liable for damages; duties of department head; right to turn off water; waste prohibited; 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 line; ownership, management, and control of service line; arrangement of service line pipes; branch service; permit required; customer line maintenance; permit to do plumbing; service call charge; tampering unlawful; authority to place meter; ownership of meters; maintenance of meters; location and access of meters; billing periods; billing, collection, and termination of utility services; 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. Second of three Readings, by Title Only – ACTION ITEM

Those present reviewed updated Ordinance No. 2020-624 which included changes recommended at the last city council meeting as well as changes recommended by city staff. Language regarding contracting for maintenance or installation for customers was removed.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2020-624 once by title only for the second of three readings. Second by Rose Schmitt. 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 for the second of three readings.

Discuss / Consider Adoption of Ordinance No. 2020-626 Ordinance of the City of Heyburn, adding to Title 1 Chapter 1 adding information on City of Heyburn Municipal Incorporation. First of Three Readings, by Title Only – ACTION ITEM

City Attorney Paul Ross presented Ordinance No. 2002-626 to those present. Mr. Ross stated this ordinance codifies the cities municipal incorporation information and provides public notice of such incorporation.

Those present reviewed Ordinance No. 2020-626.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2020-626 once by title only for the first of three readings. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2020-626 once by title only for the first of three readings.

Discuss / Consider Acceptance of Infrastructure in Biscotti Subdivision – ACTION ITEM

City Building Official Tony Morley recommended the council accept the portions of Biscotti Estates, LLC. Phase 1 that have been finished; including the asphalt, storm drains, and curbing; the wastewater collection system including the lift station, piping, and collection lines; the culinary water system including the piping and valves; and the electrical system. Mr. Morley stated the city is also waiting on approval from the Department of Environmental Quality. Mr. Morley indicated street lighting is required and not yet installed and recommended the council allow 1-year to get street lighting in and accepted at a later time. Failure to accomplish any of these stipulations will result in a hold on all permits being issued to the developer.

Mr. Morley stated he would like to remind the council that all subdivision improvements have a 2-year warranty from the date of acceptance as per the Development Agreement.

Motion by Dick Galbraith to approve the acceptance of infrastructure in Biscotti Subdivision as outlined above but conditional on DEQ approval and excluding the street lighting allowing 1-year to get street lighting in and failure to comply with any of these terms will place a hold on any permits being issued to the developer. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Professional Services Agreement with Civil Science for Potable Water Projects – ACTION ITEM

City Administrator Tony Morley presented the Professional Services Agreement with Civil Science to those present. Mr. Morley explained this agreement would allow the city along with the help of Civil Science the ability to start planning out the water system projects that were addressed in the Facilities Plan. These projects would be done in a phased approach using the cities money as funds become available through user fees. Mr. Morley stated Civil Science will develop individual task orders for individual projects.

Stephan Anderson, Project Manager for Civil Science was present for questions.

After a brief discussion, this item was tabled in order to allow time to work out contract details with legal counsel.

Discuss / Consider United States Department of Agriculture Water System Grant Agreement – ACTION ITEM – Tony Morley

City Administrator Tony Morley presented the United States Department of Agriculture Water System Grant Agreement to those present. Mr. Morley stated this agreement will allow the city to start accessing the grant funds for improvements at the Wastewater Treatment Plant.

Motion by Chad Anderson to approve USDA Grant Agreement as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider 2nd Quarter Treasurers Financial Report FY 2019-20 – ACTION ITEM
– Ashlee Langley**

City Clerk/Treasurer Ashlee Langley presented the 2nd Quarter Treasurers Financial Report to those present. Mrs. Langley stated this report does not show the effects the city may experience due to COVID-19 as the report is only from January 1, 2020 thru March 31, 2020. Mrs. Langley stated she will be providing council monthly graphs in order to track the effects COVID-19 may have on the city financially.

Motion by Joanne Justesen to approve the FY 2019-20 2nd Quarter Treasurers Financial Report as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayors Time & Committee Reports

No committee reports.

Mayor Rosa stated he received a phone call this week from Karen Kelley with United States Army Corps of Engineers to confirm the city will be receiving \$500,000 in grant funding to be used towards improvements at the Wastewater Treatment Plant.

Mayor Rosa stated the city received a letter from the United States Department of Interior indicating that they will start the transfer of the city ball fields to the city of Heyburn the first part of 2021.

Mayor Rosa also thanked the city employees for working hard on getting the irrigation system going and handling all the crises in the last few weeks dealing with the COVID-19 pandemic. Mayor stated Wastewater Manager Brian Vail did a great job on the interview with the Newspaper and KMVT and since then the trash in the sewer in starting to slow.

Mayor Rosa stated there will be a City-wide Power Outage May 5, 2020 starting at 7:00 AM, lasting anywhere from 5-15 minutes. This outage is needed in order to move a couple of power poles.

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 Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

The council meeting adjourned at 8:05 PM.

Mark Rosa
Mayor

Ashlee Langley
City Clerk/Treasurer