

City of Heyburn Council Meeting & Public Hearing
Wednesday, May 22, 2019
7:00 P.M.

Mayor: Mayor Cleo Gallegos.

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

Employees Present:

Tony Morley, Ernest Juarez, Dan Bristol, Ashlee Langley, and Paul Ross.

Welcome & Pledge

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

Discuss / Consider the Minutes of the May 08, 2019 Council Meeting & Public Hearing

– **ACTION ITEM**

Motion by Chad Anderson to approve the minutes of the May 08, 2019 Council Meeting & Public Hearing 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 Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider 2019 Camp Hosts Additional Assignment & Wage– ACTION ITEM

After a brief discussion, this item was tabled to the June 04, 2019 City Council Work Meeting.

Discuss / Consider Declare Surplus List – ACTION ITEM

City Building Inspector Ernest Juarez presented a surplus list to those present. The surplus list included a ditch witch, Hustler Grass Catcher, Phone Cases, Police Cage, Used Flip Phones, Used Smart Phones, and a UTV Sweeper.

Motion by Joanne Justesen to Declare Surplus List as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Vehicle Purchase for Building Department – ACTION ITEM

City Building Inspector Ernest Juarez asked the city council to consider the purchase of a vehicle for the Building Department. Mr. Juarez provided those present with two quotes, one 2019 Ford Ranger from Goode Motor Ford, LLC in the amount of \$23,638.86, and a 2019 Ram from Young Automotive in the amount of \$24,244.00.

Motion by Dick Galbraith to approve the purchase of a 2019 Ram 1500 Classic Tradesman 4x4 Crew Cab 5'7" Box from Young Automotive in the amount of \$24,244.00 for the Building Department. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Boulevard Developers Agreement – ACTION ITEM

This item was tabled.

Discuss / Consider Reimbursement Resolution – ACTION ITEM

This item was tabled.

Discuss / Consider City Excessive Force Policy – ACTION ITEM

City Attorney Paul Ross presented the Excessive Force Policy to those present. Mr. Ross stated this is a policy prohibiting the use of excessive force against non-violent civil rights demonstrators and is one of the requirements for the Community Development Block Grant.

Motion by Joanne Justesen to approve the City Excessive Force Policy as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Ordinance No. 2019-609 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map Under Heyburn Code 8-3-2, Providing Effective Date, Second of Three Readings – ACTION ITEM

Those present reviewed Ordinance No. 2019-609 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map Under Heyburn Code 8-3-2.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2019-609 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map Under Heyburn Code 8-3-2, second of three readings, by title only. 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. 2019-609 once by title only for the second of three readings.

Discuss / Consider Ordinance No. 2019-610 Amended Heyburn Code Title 7 Chapter 1 Updating Animal Control Code and Providing Effective Date, Second of Three Readings – ACTION ITEM

Those present reviewed Ordinance No. 2019-610 Amended Heyburn Code Title 7 Chapter 1 Updating Animal Control Code.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2019-610 Amended Heyburn Code Title 7 Chapter 1 Updating Animal Control Code and Providing Effective Date, second 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. 2019-610 once by title only for the second of three readings.

Discuss / Consider Voting Delegate for the 2019 Association of Idaho Cities Annual Business Meeting – ACTION ITEM

Those present considered voting delegates for the 2019 Association of Idaho Cities Annual Business Meeting. Each member city is entitled to cast one vote during the Annual Business Meeting held during the conference scheduled for June 19-21, 2019, in Boise. Voting delegates must be elected officials. Elected Officials planning on attending the 2019 conference included Mayor Gallegos, Joanne Justesen, and Rose Schmitt.

Motion by Chad Anderson to select Councilmember Rose Schmitt as the Voting Delegate and Joanne Justesen as an alternate for the Association of Idaho Cities Annual Conference in June 2019. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Magic Valley Folk Festival Donation – ACTION ITEM

Those present considered the annual request for donation to the Magic Valley Folk Festival.

Motion by Joanne Justesen to approve the annual donation to Magic Valley Folk Festival in the amount of \$250.00. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayors Time & Committee Reports

Councilmember Joanne Justesen provided those present with an update from the last Joint Powers Animal Control Board Meeting. Mrs. Justesen stated the board was approached by the City of Burley about a regional facility. Mrs. Justesen informed those present that she would share additional information as it became available.

Mayor Gallegos turned the time over to City Administrator Tony Morley who informed those present that City Building Inspector Ernest Juarez received his Commercial Inspection Certification. Those present congratulated Mr. Juarez on his accomplishment.

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)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. - ACTION ITEM

Motion by Joanne Justesen to go into Executive Session as per Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely

to be litigated. 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 (f) Litigation.

The Executive Session began at 8:01 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 8:31 PM.

Motion to Adjourn

Mayor Cleo Gallegos asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:31 PM.

Cleo Gallegos
Mayor

Ashlee Langley
City Clerk/Treasurer