

City of Heyburn Council Meeting & Public Hearing
Wednesday, May 25, 2022
7:00 P.M.

Mayor: Dick Galbraith.

Council Present: Chad Anderson, Joanne Justesen, Rose Schmitt, and Rick Tundag.

Employees Present:

Tony Morley, Ivan McCracken, Ryan Bertalotto, Paul Ross, and Ashlee Langley.

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 the Minutes of the May 11, 2022 City Council Meeting
– **ACTION ITEM**

Those present reviewed the minutes of the May 11, 2022 City Council Meeting.

After review, motion by Chad Anderson to approve the minutes of the May 11, 2022 City Council Meeting as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Those present reviewed the bills as presented.

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

Discuss / Consider Wastewater Treatment Plant Contractor’s Application for Payment #22 (Final) – ACTION ITEM

City Engineer Ivan McCracken presented the Wastewater Treatment Plant Contractor’s Application for Payment No #22 to those present. Mr. McCracken stated the project is complete and the contractor is requesting final payment in the amount of \$324,437.

After discussion, motion by Joanne Justesen to approve the Wastewater Treatment Plant Contractor’s Application for Payment #22 in the amount of \$324,437 as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider “The Field of Dreams Project” at Heyburn Baseball Fields - McCain Foods – ACTION ITEM

McCain Foods Plant Manager Joseph Hendrickson asked the city council for use of the Heyburn Baseball Fields for “The Field of Dreams Project” scheduled for June 14th and June 16th, 2022,

from 5 PM to 7 PM. Mr. Hendrickson stated the event is being held to allow the employees of McCain Foods the opportunity to see their hard work put to good use. Mr. Hendrickson stated although it is an employee event it is also open to the public. The event will include booths, vendors, and bounce houses. Mr. Hendrickson stated they are excited to have the Heyburn Police Department, Minico Baseball Team, and various vendors present at the event.

After discussion, motion by Rose Schmitt to approve the “The Field of Dreams Project” at Heyburn Baseball Fields for McCain Foods for June 14th and 16th, 2022 and to require proof of insurance. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Waiver of Fees for Use of Central Park – ACTION ITEM
2022 Lunch in the Park Program – Russ Taylor**

Those present discussed the 2022 Lunch in the Park Program.

After discussion, motion by Chad Anderson to approve the waiver of fees for the use of Central Park for the 2022 Lunch in the Park Program from June 6th through July 29th with the required insurance as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider De-Annexation for Gerardo Salinas located at 205 14th Street, Heyburn
– ACTION ITEM**

Gerardo Salinas asked for an explanation of the process that was taken in order to annex his property at 205 14th Street.

City Attorney Paul Ross provided Mr. Salinas with information regarding the process of his property’s annexation in accordance with Idaho Code 50-222(1)(3)(a)(i). Mr. Ross offered all documents related to the annexation of the property to Mr. Salinas.

After discussion, this item was tabled.

Public Hearing for ZONING pursuant to Idaho Code 67-6511 of the properties belonging to City of Heyburn, Steven Morrison, Skyler Doman and Misty Bauer contiguous to the City of Heyburn. The Heyburn, Morrison, Doman/Bauer Properties, respectively RP10S23E106605, RP10S23E104800, RP10S23E104989, RP10S23E104900, and RP10S23E108420, located at 375 and 376 South 450 West, and Heyburn roadway property along 21st Street and 450 West Road, Heyburn, Idaho

City Attorney Paul Ross provided a brief introduction to the Public Hearing for the zoning of properties belonging to City of Heyburn, Steven Morrison, Skyler Doman and Misty Bauer contiguous to the City of Heyburn.

Mayor Galbraith opened the public hearing for the zoning of the properties described in the Hearing Notice.

Those speaking in favor were: None.

Those speaking neither in favor nor against were: None.

Those speaking against were: None.

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

Discuss / Consider Ordinance No. 2022-656 Ordinance of The City of Heyburn, Annexing Property Owned by City of Heyburn, Skyler Doman and Misty Bauer, and Steven Morrison, Unincorporated Minidoka County Property Located North of 21st Street Between Minidoka Fire Protection District and 450 West, West of 450 West between Interstate 84 and 21st Street, 376 South 450 West, and 375 South 450 West, Heyburn, Idaho, to City of Heyburn; Zoning Property as Commercial General; Renaming 450 West to H Street, Assigning New Addresses for the Doman/Bauer and Morrison Properties; Amending Zoning Map – ACTION ITEM

Those present reviewed Ordinance No. 2022-656.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2022-656 once by title only for the first of three readings as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-656 once by title only.

Discuss / Consider 2021-22 Beer & Wine License for Stinker Store #68 – ACTION ITEM

City Clerk Ashlee Langley stated she has received all the required documents and the fee for the 2021-22 Beer & Wine License for Stinker Store #68.

After discussion, motion by Chad Anderson to approve the 2021-22 Beer & Wine License for Stinker Store #68 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider 2021-22 Beer & Wine License for Stinker Store/The Hub #121 – ACTION ITEM

Mayor Dick Galbraith asked the council to consider approval of the 2021-22 Beer & Wine License for Stinker Store/The Hub #121 contingent upon receiving a copy of the county license. Mayor explained that the county commissioners will not be meeting until June 6th to consider approval.

After discussion, motion by Joanne Justesen to approve the 2021-22 Beer & Wine License for Stinker Store/The Hub #121 contingent upon receiving a copy of the Minidoka County license. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Mayors Time, and Committee Reports

No Committee Reports.

Mayor Galbraith announced that City Employee Jerome Fagaldefeg received his Residential Building Permit Certificate.

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

Mayor Galbraith opened this time for comments from the public. Comments were made by two residents.

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; (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 Chad Anderson to go into executive session pursuant to Idaho Code 74-206(1)(b) and (f). Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Executive Session Minutes

The Executive Session was conducted by Mayor Dick Galbraith. The topics were a matter of (a) personnel and (f) pending litigation.

The Executive Session began at 7:51 PM.

No decisions were made.

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

Executive Session returned to open session at 8:35 PM.

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 Rose Schmitt. Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

The council meeting adjourned at 8:35 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer