

**City of Heyburn Council Meeting & Public Hearing**  
**Wednesday, June 12, 2024**  
**7:00 P.M.**

**Mayor:** Mayor Dick Galbraith.

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

**Employees Present:**

Tony Morley, Ryan Bertalotto, Ivan McCracken, 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 22, 2024 City Council Meeting, and the June 04, 2024 Special City Council Meeting – ACTION ITEM**

Those present reviewed the minutes of the May 22, 2024 City Council Meeting, and the June 04, 2024 Special City Council Meeting.

Motion by Joanne Justesen to approve the minutes of the May 22, 2024 City Council Meeting, and the June 04, 2024 Special City Council Meeting as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – 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 Stegen Phillips. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Discuss / Consider Waiver of Fees and Monetary Contributions to the Annual Riverton Pumpkin Festival – Hope Organization, Kari Anderson – Riverside Park – Saturday, October 05, 2024 – ACTION ITEM**

Kari Anderson, representing the Hope Organization, requested the city council to consider waiving the fees for using Riverside Park for the annual Riverton Pumpkin Festival, scheduled for October 5, 2024. Mrs. Anderson also asked if the council would consider making a monetary contribution, as they have done in the past. She explained that the contribution would be used for advertising, insurance, and pumpkins.

Councilman Chad Anderson disclosed that he is part of the Hope Organization but receives no financial gain from his participation. Councilman Anderson assured that his involvement in the organization does not influence his decisions as a council member.

Motion by Stegen Phillips to approve the Waiver of Fees for the use of Riverside Park for October 05, 2024, and a Monetary Contribution in the amount of \$1,000 to the Annual Riverton Pumpkin Festival as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

**Discuss / Consider Sanitation Contract – ACTION ITEM**

Those present reviewed the current contract for sanitation services with Total Waste Management. City staff informed the council that they had met with Lyle Santos, the owner of Total Waste Management, who requested a renegotiation of the contract for an increase, stating that he could not continue to provide services at the current rate. The mayor stated that the city would request something in writing from Mr. Santos. Once that is received, the council would need to go back out to bid due to the size of the contract, as renegotiating would not be appropriate.

City Attorney Paul Ross reviewed the bidding procurement guidelines with those present.

No decisions were made.

**Public Hearing for the Annexation and Zoning pursuant to Idaho Code 50-222 and 67-6511 of property belonging to Moyle Holdings, LLC, contiguous to the City of Heyburn, RP10S23E096381, located at 2536 21<sup>st</sup> Street, Heyburn, Idaho.**

City Attorney Paul Ross provided those present with information regarding the annexation and zoning of 2536 21st Street. Mr. Ross stated that at the planning and zoning meeting, the parcel was recommended to the council for consideration of annexation with a zoning designation of Commercial General.

Mayor Galbraith opened the Public Hearing.

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 closed the public hearing.

**Discuss / Consider Ordinance No. 2024-689 Ordinance of the City of Heyburn, Annexing Property Owned by Moyle Holdings, LLC, a Commercial Property in Unincorporated Minidoka County Located at 2536 21<sup>st</sup> St, Heyburn, Idaho, to City of Heyburn; Zoning Property as Commercial General; Amending Zoning Map. Second Reading – ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-689 as presented.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2024-689 once by title only for its second reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-689 once by title only.

### **Mayors Time, Committee Reports, and Department Reports.**

Mayor Galbraith announced that the Police Department has hired a new employee. Mayor also mentioned that more interviews have been conducted for summer help, and expressed hope that the city will soon be fully staffed with temporary help for the season.

Mayor Galbraith acknowledged that, despite being short-staffed, the departments have been working well together to manage the workload as best they can.

Councilwoman Joanne Justesen provided an update on the Joint Powers Animal Control committee. Councilwoman Justesen informed those present that she has uploaded the financials and Animal Shelter count to SharePoint for the city council's review.

**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.

### **Executive Session**

**Pursuant to Idaho Code 74-206(1)(c) To acquire an interest in real property not owned by a public agency; and (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**

City Administrator Tony Morley stated that he didn't have the item ready for (c) to acquire an interest in real property, as he had just received the information today.

City Attorney Paul Ross mentioned that he had a couple of items to discuss under (f) pending litigation.

Mayor Galbraith asked for a motion to go into executive session pursuant to Idaho Code 74-206(1)(f) to discuss pending litigation.

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

### **Executive Session Minutes**

The Executive Session was conducted by Mayor Dick Galbraith. The topic was a matter of (f) pending litigation.

The Executive Session began at 7:46 PM.

No decisions were made.

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

Executive Session returned to open session at 8:16 PM.

**Motion to Adjourn – ACTION ITEM**

Mayor Galbraith asked for a motion to adjourn the meeting.

Motion by Joanne Justesen to adjourn the council meeting. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

The council meeting adjourned at 8:16 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer