

**City of Heyburn Council Meeting**  
**Wednesday, July 13, 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 June 22, 2022 City Council Meeting & Public Hearing and the July 12, 2022 City Council Work Meeting and the July 12, 2022 Special City Council Meeting & Wayside Estates Special Board Meeting – ACTION ITEM**

Those present reviewed the minutes from the previous meetings. Councilman Anderson asked for a correction to be made to the public comments section of the June 22, 2022 meeting minutes.

After review, motion by Chad Anderson to approve the minutes of the June 22, 2022 City Council Meeting & Public Hearing with the noted correction made and the July 12, 2022 City Council Work Meeting and the July 12, 2022 Special City Council Meeting & Wayside Estates Special Board 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 Chad Anderson 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 USDA Wastewater Project Payment Concurrence No. 16 – ACTION ITEM**

City Engineer Ivan McCracken presented the USDA Wastewater Project Payment Concurrence No. 16 to those present. Mr. McCracken stated the payment concurrence is in the amount of \$1,691.45.

After discussion, motion by Joanne Justesen to approve the USDA Wastewater Project Payment Concurrence No. 16 in the amount of \$1,691.45. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider GSE Construction Change Order #4 for the R & 17<sup>th</sup> Street Lift Station and Forcemain Project – ACTION ITEM**

City Engineer Ivan McCracken presented the GSE Construction Change Order #4 in the amount of \$44,985.

After discussion, motion by Joanne Justesen to approve GSE Construction Change Order #4 for the R & 17<sup>th</sup> Street Lift Station and Forcemain Project \$44,985. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Contract Amendment with Forsgren for R & 17<sup>th</sup> Street Lift Station and Forcemain Project – ACTION ITEM**

City Engineer Ivan McCracken presented a request for a contract amendment with Forsgren for the R & 17<sup>th</sup> Street Lift Station and Forcemain.

After discussion, motion by Joanne Justesen to approve moving forward with a contract amendment with Forsgren for R & 17<sup>th</sup> Street Lift Station and Forcemain Project in the amount of \$6,000. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discussion on Pingree Water Lease – Kip Hunter – ACTION ITEM**

Kip and Brandi Hunter and city council discussed what the city's plans are for the Pingree water that is currently being leased to the Hunters for irrigation use. City indicated it did not intend to remove use of water for irrigation within the next 5 years to permit continued use, leasing, and updating irrigation systems, but such intention was subject to change depending on circumstances.

**Discuss / Consider Fuel Surcharge Proposal from Total Waste Management Contract – ACTION ITEM**

Lyle Santos owner of Total Waste Management asked city council to consider a contract amendment to add a 20% fuel surcharge due to the increase in fuel costs. Mr. Santos stated the surcharge would be for fuel only and the percentage would go down as fuel prices decrease.

After discussion, motion by Joanne Justesen to approve considering an amendment to the contract with Total Waste Management to include a fuel surcharge as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Adopting Ordinance No. 2022-657 Ordinance of the City of Heyburn, Annexing Property Owned by Arlen Buerkle, Unincorporated Minidoka County Property Located at 343 South 300 West, Heyburn, Idaho, to City of Heyburn; Zoning Property as Commercial General; Amending Zoning Map. Second of Three Readings – ACTION ITEM**

Those present reviewed Ordinance No. 2022-657.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-657 once by title only. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-657.

Motion by Joanne Justesen to waive the rule requiring three readings and adopt Ordinance No. 2022-657 on the second reading as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider 3<sup>rd</sup> Quarter Treasurer Financial Report – ACTION ITEM**

Those present reviewed the 3<sup>rd</sup> Quarter Treasurers Financial Report.

After review, motion by Chad Anderson to approve the 3<sup>rd</sup> Quarter Treasurer Financial Report as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Low-Income Home Energy Assistance Program for the FY 2022-23 Season – ACTION ITEM**

Michael Darrington, General Manager for United Electric presented. Those present reviewed the FY 2022-23 LIHEAP Agreement for the Low-Income Home Energy Assistance Program.

Motion by Joanne Justesen to approve the Low-Income Home Energy Assistance Program for the FY 2022-23 Season as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Water Rights Lease Agreement with City of Pocatello – ACTION ITEM**

City Attorney Paul Ross stated two cities have joined the Water Rights Lease Agreement with City of Pocatello requiring a new agreement to add these cities. As the City acquires more water rights, those calculations will change in the future. Mr. Ross recommended approval of the agreement as presented.

Motion by Joanne Justesen to approve the Water Rights Lease Agreement with City of Pocatello. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Safe and Sane Firework Permit for 322 S Highway 24 – Outlet Fireworks – ACTION ITEM**

City Attorney Paul Ross stated the safe and sane firework permit has already been approved due to the timing of the annexation of the properties along the highway. The firework stands had agreements in place prior to annexation and they were not aware of the need to permit for the Independence Day holiday. Mr. Ross stated if council approval was required in advance, it would have made it to where the stands along the highway could not have operated during the holiday or move out of city limits. Mr. Ross stated he recommended approval and ratification at the next council meeting which is tonight.

Motion by Chad Anderson to approve the Safe and Sane Firework Permit for 322 S Highway 24 – Outlet Fireworks. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Dangerous Firework Permit for 310 S Highway 24 – Michelle Gage**  
– **ACTION ITEM**

Motion by Chad Anderson to approve the Dangerous Firework Permit for 310 S Highway 24. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Job Description for Police Department Community Resource Officer**  
– **ACTION ITEM**

Police Chief Ryan Bertalotto presented the Community Resource Officer job description to those present providing detailed information regarding the creation of this position within the Police Department.

After discussion, motion by Rick Tundag to approve the job description for Community Resource Officer with the addition of the length of assignment added to the job description. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

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

Councilwoman Justesen provided a brief update from the Joint Powers Animal Control Board.

Councilman Anderson provided an update on the Annual Riverton Pumpkin Festival.

Those present reviewed Department Reports for June 2022.

**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 one resident.

**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 8:38 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer