

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

**Mayor:** Mark Rosa.

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

**Employees Present:**

Paul Ross, Debra Encinas, Tony Morley, and Ashlee Langley.

**Welcome & Pledge**

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

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

Those present reviewed the minutes of the July 08, 2020 Council Meeting.

Motion by Dick Galbraith to approve the minutes of the July 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**

Those present reviewed the bills, a question was asked regarding the bill from Commercial Collision Center, Kloepfer, Inc., and Xpediter Technology.

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

**Discuss / Consider Approving Elk Meadows Phase 2 Final Plat – ACTION ITEM**

City Administrator Tony Morley stated Elk Meadows Phase 2 has been approved by the Planning & Zoning Commission as well as the city council. Mr. Morley stated they are ready to start construction and asked council to consider authorizing the Mayor to sign the Final Plat.

After discussion, motion by Dick Galbraith to approve Elk Meadows Phase 2 Final Plat as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider SCADA Software and Electrical Components for Wastewater Treatment Plant - (John Barrutia, DC Engineering & Jordan Campbell, IBEX Controls) – ACTION ITEM**

Those present discussed in length the options for SCADA Software and Electrical Components for the Wastewater Treatment Plant. Those present discussed costs, quality, integration, security, product warranties, and several other considerations as they weighed options on different software types.

After discussion, motion by Joanne Justesen to stay the course with the specified components of Alan Bradley Software as the SCADA Software and Electrical Components for the Wastewater Treatment Plant as originally planned. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discussion Regarding Iron Bacteria in Water System – ACTION ITEM**

Mayor Rosa stated the city has received permission from DEQ to spike the wells with Chlorine. Those present discussed the iron bacteria in the city wells and how the city will clear up the bacteria. Mayor Rosa stated the cost will be less than \$500.

City Administrator Tony Morley stated there may be additional costs associated with this. Mr. Morley stated he is looking into seeking a grant for a long-term solution.

**Discuss / Consider Quote on Trade-In of Bobcat Skid-Steer Loader – ACTION ITEM**

Wastewater Treatment Plant Manager Brian Vail stated this is an annual trade-in that the city does on the Bobcat Skid-Steer Loader. Mr. Vail stated this program ensures a new loader that is maintenance free every year.

After discussion, motion by Dick Galbraith to approve the Trade-In of Bobcat Skid-Steer Loader as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Overview of ADA Celebration Campaign – ACTION ITEM**

Those present reviewed Resolution No. 2020-10 proclaiming commitment to full implementation of the Americans with Disability Act.

After discussion, motion by Joanne Justesen to approve the ADA Celebration Campaign as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Override of Veto of Ordinance No. 2020-622 Ordinance of the City of Heyburn, Amending Title 1 Chapter 12 Repealing Sections Regarding City Clerk, City Treasurer, City Attorney, and City Employees and Departments; Renumbering Sections Regarding Depositories, Official Newspaper and Website, Corporate Seal, Elections, and Initiative, Referendum and Recall; Creating New Section for City Officers, Employees, and Departments; Specifying Appointed Officers, Providing Employee Policies and Procedures, Creating Human Resources Department, Public Works Department, Municipal Services Department, Community Development**

**Department, Police Department, and City Attorney Department; Amending Cite to Zoning Administrator Under New Code; and Providing Effective Date. –ACTION ITEM**

Mayor Rosa stated he has vetoed Ordinance No. 2020-622 because he felt it is conflicting with Idaho State Statutes. Mayor Rosa stated he is the Chief Administrator of the City and the council may not assign the Mayor's authority. Mayor Rosa stated he felt this ordinance will cause confusion between the Mayor, City Administrator, and Department Heads.

Motion by Dick Galbraith to override veto of Ordinance No 2020-622. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Motion by Joanne Justesen to authorize Council President Dick Galbraith to sign the Ordinance. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Resolution No. 2020-4 Resolution of the City of Heyburn Outlining Organization and Operations of Police Department. –ACTION ITEM**

Those present reviewed Resolution No. 2020-4 outlining the organization and operations of the Police Department.

After discussion, this item was tabled.

**Discuss / Consider Resolution No. 2020-5 Resolution of the City of Heyburn Outlining Organization and Operations of Human Resources Department. –ACTION ITEM**

Those present reviewed Resolution No. 2020-5 outlining the organization and operations of the Human Resources Department.

After discussion, motion by Joanne Justesen to approve Resolution No. 2020-5 outlining the organization and operations of a Human Resources Department. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider the Adoption of the 2020-21 FY Tentative Budget – ACTION ITEM**

After discussion, this item was tabled to the August 04, 2020 Work Meeting to allow time to get the L-2 Form from Minidoka County for the property tax portion of the budget.

**Discuss / Consider the FY 2020-21 Beer & Wine Licenses: – ACTION ITEM**

**TAG, Inc.**

**Hub Plaza**

**Love's Travel Stops & Country Stores, Inc.**

**Joe's River Bar**

**Conner's Café Inc.**

**Upper Crust Bistro & Grill, LLC**

**Stevos Restaurant**

City Clerk Ashlee Langley stated she has not received all the required documents and fees from all the applicants but asked the council to consider approving the licenses contingent upon compliance with the city's Beer & Wine License Ordinance and Resolution.

After discussion, motion by Dick Galbraith to approve the Beer and Wine Licenses for TAG, Inc., Hub Plaza, Love's Travel Stops & County Stores, Inc., Joe's River Bar, Conner's Café Inc., Upper Crust Bistro & Grill, LLC, and Stevos Restaurant contingent upon compliance with the ordinances and resolution of the city. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

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

City Clerk Ashlee Langley asked the council to consider approval of the 3<sup>rd</sup> Quarter Treasurer Financial Report. Mrs. Langley stated once approved the report will be published on the city's website.

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

### **Discuss / Review Department Status Reports**

Tony Morley addressed the recent vandalism to the covered bridge at Heyburn Riverside Park.

### **Mayors Time & Committee Reports**

Councilwoman Joanne Justesen provided an update from the most recent Animal Control Board Meeting. Mayor Rosa thanked Councilwoman Joanne Justesen for the work she puts into the Animal Control Board.

Council President Dick Galbraith stated he has had several requests to have the public comment section added back to the agenda. Mayor Rosa stated he did not know if he would bring public comments back. Mayor stated it was stopped due to COVID-19 and the council meetings are long. Mayor Rosa stated if anyone would like to talk to the Mayor to call City Hall to schedule a meeting with the Mayor. After further discussion, it was decided to add Public Comments back to the agenda.

### **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 8:48 PM.

Mark Rosa  
Mayor

Debra Encinas  
Deputy City Clerk