

**City of Heyburn Council Meeting**  
**Wednesday, July 24, 2024**  
**7:00 P.M.**

**Mayor:** Mayor Dick Galbraith.

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

**Employees Present:**

Tony Morley, Cole Kuta, 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 Minutes of the July 10, 2024 City Council Meeting – ACTION ITEM**

Those present reviewed the minutes of the July 10, 2024 City Council Meeting.

Motion by Joanne Justesen to approve the minutes of the July 10, 2024 City Council Meeting as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – 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 Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Idaho Community Development Block Grant Program Request for Funds – ACTION ITEM**

City Clerk Ashlee Langley stated that Region IV Development is requesting the mayor's signature on the Idaho Community Development Block Grant Program Request for Funds form. Mrs. Langley stated they are also requesting payment in the amount of \$7,300 for grant services provided from November 1, 2023, through June 30, 2024.

Motion by Chad Anderson to approve the Idaho Community Development Block Grant Program and Request for Funds in the amount of \$7,300 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Consideration of the Heyburn Downtown Eligibility Report – Brent Tolman**

- a) **Presentation and review of the report**
- b) **Discussion of the Eligibility Report**

Brent Tolman from the Heyburn Urban Renewal Agency presented and reviewed the report for the Heyburn Downtown Urban Renewal District. Mr. Tolman stated that the study area includes 150 parcels of property, totaling approximately 172 +/- acres, and includes the proposed ABI

development. The area is located between the Snake River to the south and 18th Street to the north, and between H Street on the east and S Street on the west. District excludes the old Simplot properties. Mr. Tolman provided a detailed review and eligibility report for the specified area, noting that the Heyburn Urban Renewal Agency requested an evaluation of the study area for a finding of eligibility. Mr. Tolman also reviewed the ten qualifying characteristics that designate a study area as deteriorated and/or deteriorating.

**Discuss / Consider Resolution No. 2024-7 A Resolution of the Mayor and Council of the City of Heyburn, a Municipal Corporation of Idaho, determining a Certain Area within the City to be a Deteriorated or Deteriorating area as Defined by Idaho Code Sections 50-2018(9) and 50-2903(8); Directing the Urban Renewal Agency of Heyburn, Idaho, to Commence the Preparation of an Urban Renewal Plan Subject to Certain Conditions, which Plan may Include Revenue Allocation Provisions for all or Part of the Area; and Providing an Effective Date. – ACTION ITEM**

Those present reviewed Resolution No. 2024-7 as presented.

Motion by Chad Anderson to approve Resolution No. 2024-7 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Ordinance No. 2024-688 Ordinance of the City of Heyburn adding Title 8 Chapter 17 Establishing Regulations for Small Cells, Providing Definitions, General Provisions, Additional Requirements, Exceptions to Standards, Miscellaneous, Severability, correcting 8-18-4 And 10 to Remove Reference of Council for Variance or Special Use Permit, Updating Gumm Address, Publication by Summary, and Effective Date. Third Reading – ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-688 as presented. City Attorney Paul Ross confirmed that there have been no changes since the last council meeting.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2024-688 once by title only for its third reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-688 once by title only.

Motion by Chad Anderson to adopt Ordinance No. 2024-688 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Ordinance No. 2024-694 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map under Heyburn Code 8-3-2, Providing Effective Date. First Reading – ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-694 as presented. City Attorney Paul Ross noted that the J&M rezone has not been reflected in the map being presented tonight but will be corrected for the second reading of the ordinance.

Motion by Rick Tundag to have City Attorney Paul Ross read Ordinance No. 2024-694 once by title only for its first reading. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-694 once by title only.

**Discuss / Consider the FY 2024-25 Beer, Wine, and Liquor Licenses – ACTION ITEM**

Those present reviewed the Fiscal Year 2024-25 Beer, Wine, and Liquor Licenses applications as presented. Mayor Galbraith stated that all applicants, except Stevo's, have provided the necessary application and payment. Stevo's is still in the process of completing the application. Mayor Galbraith asked the city council to consider approving Stevo's application contingent upon the submission of copies of the State and County licensing and payment to the city clerk.

Motion by Chad Anderson to approve the FY 2024-25 Beer, Wine, and Liquor Licenses, including Stevo's, Stevo's being contingent upon the submission of copies of the State and County licensing and payment to the city clerk. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Vehicle Plan Updates & Associated Purchases – ACTION ITEM**

Sergeant Kuta provided an update on the police department vehicle plan. Sergeant Kuta presented a quote from The Bancorp for a 2024 Dodge Durango, scheduled for lease starting in October 2024, with an annual lease amount of \$8,361.34. Additionally, Sergeant Kuta presented a quote from Premier Vehicle Installation for the upfitting of the Durango, amounting to \$15,603.37.

Motion by Joanne Justesen to approve the lease for the 2024 Dodge Durango from The Bancorp at an annual lease amount of \$8,361.34, and to approve the quote from Premier Vehicle Installation for the upfitting of the Durango at \$15,603.37, as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Eminent Technical Solutions Service Contract Renewal – ACTION ITEM**

This item was tabled.

**FY 2024-25 Budget Work Session (if necessary)**

This item was tabled.

**Discuss / Consider the Adoption of the 2024-25 FY Tentative Budget – ACTION ITEM**

Those present reviewed the Fiscal Year 2024-25 Tentative Budget.

Motion by Chad Anderson to approve the Adoption of the 2024-25 FY Tentative Budget as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rick Tundag – Aye.

**Discuss / Consider Ordinance No. 2024-695 Ordinance for Annual Appropriation**

**of the City of Heyburn for the Fiscal Year Beginning 1 October 2024, Appropriating the Sum of \$21,016,071 to Defray the Expense and Liabilities of the City of Heyburn for the Fiscal Year, authorizing a Levy of Sufficient Tax Upon Taxable Property, and Specifying the Objects and Purposes for which said Appropriation is made. First Reading.**

**– ACTION ITEM**

Those in attendance reviewed Ordinance No. 2024-695 as presented.

Motion by Rick Tundag to have City Attorney Paul Ross read Ordinance No. 2024-695 once by title only for its first reading. Second by Joanne Justesen. Roll-Call Vote: Joanne Justesen – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-695 once by title only.

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

Mayor Galbraith stated that he attended the Magic Valley Folk Festival on Monday, July 22, 2024, and shared his positive experience with those in attendance.

Councilwoman Joanne Justesen shared with those present that the Joint Powers Animal Control Facility is full and adoptions are needed. Councilwoman Justesen stated that dog food donations are also needed.

City Administrator Tony Morley provided a brief update on the Regional Animal Control Facility committee. Mr. Morley stated that the committee has developed a ghost budget as they have no idea how much the cost is going to be to run the facility.

**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)(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; (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**

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

### **Executive Session Minutes**

The Executive Session was conducted by Mayor Dick Galbraith. The topics were a matter of (b) matters of personnel, (c) interest in real property, and (f) pending litigation.

The Executive Session began at 7:50 PM.

No decisions were made.

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

Executive Session returned to open session at 8:17 PM.

**Motion to Adjourn – ACTION ITEM**

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:17 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer