

**City of Heyburn Council Meeting & Public Hearing
Wednesday, August 11, 2021
7:00 P.M.**

Mayor: Dick Galbraith.

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

Council Absent: Chad Anderson.

Employees Present:

Paul Ross, Tony Morley, Noah Shiner, Ivan McCracken, and Ashlee Langley.

Welcome & Pledge:

Meeting conducted by Mayor Dick Galbraith who welcomed everyone to the meeting and lead those present in the Pledge of Allegiance.

Mayor Galbraith excused Councilman Chad Anderson from the meeting.

Discuss / Consider Minutes of the July 28, 2021 Council Meeting & Public Hearing & the August 03, 2021 City Council Work Meeting – ACTION ITEM

Those present reviewed the minutes of the July 28, 2021 Council Meeting & Public Hearing & the August 03, 2021 City Council Work Meeting.

Motion by Joanne Justesen to approve the minutes of the July 28, 2021 Council Meeting & Public Hearing & the August 03, 2021 City Council Work Meeting as presented. Second by Rick Tundag. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Those present reviewed the bills.

Motion by Rose Schmitt to approve the bills as presented. Second by Joanne Justesen. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Wastewater Treatment Plant Improvement Contractor's Application for Payment No. 20– ACTION ITEM

City Administrator Tony Morley provided those present with an update on the improvements at the Wastewater Treatment Plant.

Motion by Rose Schmitt to approve the Wastewater Treatment Plant Improvement Contractor's Application for Payment No. 20 in the amount of \$140,182 as presented. Second by Rick Tundag. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Amendment to Owner-Engineer Agreement Amendment No. 1 with Forsgren Associates for R & 17th Street Lift Station and Forcemain – ACTION ITEM

City Administrator Tony Morley presented the Amendment to Owner-Engineer Agreement with Forsgren Associates for the R & 17th Street Lift Station and Forcemain. Mr. Morley stated the agreement reflects the engineer adjustment for Resident Engineer Mike Soucie for 15 weeks of the construction period.

Motion by Joanne Justesen to approve the Amendment to Owner-Engineer Agreement Amendment No. 1 with Forsgren Associates for R & 17th Street Lift Station and Forcemain as presented. Second by Rick Tundag. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Joining Call to Action Coalition – ACTION ITEM

Jed Thomas provided those present with information regarding a local coalition committed to formulating a plan of action to help struggling youth throughout the community. Mr. Thomas stated the coalition is scheduled to meet on September 30, 2021 at 7:00 PM at the Burley Best Western Inn and encouraged anyone interested to attend. Mr. Thomas asked the council to consider providing a letter of support to the Call-to-Action Coalition.

Motion by Joanne Justesen to approve Joining Call to Action Coalition as presented. Second by Rose Schmitt. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Public Hearing for the Application for Preliminary and Final Plat submitted by Western Mountain Homes for the Final Phase of Biscotti Estates Subdivision, Heyburn, Idaho.

Hearing continued to the August 25, 2021 City Council Meeting due to the lack of quorum at the Planning & Zoning Meeting on the 10th.

Discuss / Consider Application for Preliminary and Final Plat Submitted by Western Mountain Homes for the Final Phase of Biscotti Estates Subdivision, Heyburn, Idaho. – ACTION ITEM

This item was continued to August 25, 2021 City Council Meeting for the same reason as the Public Hearing.

Discuss / Consider Adopting Resolution No. 2021-13 Resolution of the City of Heyburn Authorizing the Water Department to Purchase All City Water Rights from the General Fund for \$1,676,115.00 and Providing the Terms of Repayment; Providing an Effective Date – ACTION ITEM

City Attorney Paul Ross presented Resolution No. 2021-13 to those present. Mr. Ross stated the resolution is an interdepartmental loan between the Water Department and General Fund for the terms and repayment of water rights.

Motion by Joanne Justesen to adopt Resolution No. 2021-13 Resolution of the City of Heyburn Authorizing the Water Department to Purchase All City Water Rights from the General Fund for \$1,676,115.00 and Providing the Terms of Repayment; Providing an Effective Date contingent upon the clarification of 0% interest being added to the terms of the loan. Second by Rose Schmitt. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider / Adoption of Ordinance No. 2021 - 645 Annual Appropriation Ordinance - ACTION ITEM - First Reading

Those present reviewed Ordinance No. 2021-645 Annual Appropriation Ordinance for the Fiscal Year 2021-22 budget.

After review, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-645 Annual Appropriation Ordinance once by title only. Second by Rose Schmitt. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

City Attorney Paul Ross read Ordinance No. 2021-645 once by title only.

Discuss / Consider Pipe Purchase and Well Updates – ACTION ITEM

Water Department Manager Brian Vail and City Engineer Ivan McCracken provided those present with update on the wells throughout the city. Mr. Vail also asked the council to consider the purchase of pipe for several upcoming projects.

After discussion, motion by Joanne Justesen to approve the purchase of pipe as presented. Second by Rick Tundag. Roll-Call Vote: Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Mayors Time, Committee Reports, and Department Reports

Council President Joanne Justesen stated the next Animal Control Board Meeting is scheduled for Monday, August 16, 2021.

Those present reviewed the Department Head reports.

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

Mayor Galbraith opened this time up to the public for additional comments.

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. – ACTION ITEM

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

Executive Session Minutes

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

The Executive Session began at 7:48 PM.

No decisions were made.

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

Executive Session returned to open session at 8:24 PM.

Motion to Adjourn - ACTION ITEM

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

The council meeting adjourned at 8:24 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer