

**City of Heyburn Council Meeting & Public Hearing**  
**Wednesday, August 24, 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 Minutes of the August 10, 2022 Council Meeting & Public Hearing - ACTION ITEM**

Those present reviewed the minutes as presented.

After review, motion by Joanne Justesen to approve the minutes of the August 10, 2022 Council Meeting & Public Hearing as presented. Second by Chad Anderson. 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 Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Energy Conservation Agreement executed by Bonneville Power Administration and City of Heyburn – ACTION ITEM**

United Electric General Manager Michael Darrington provided those present with information regarding the changes being requested to the Energy Conservation Agreement with Bonneville Power Administration.

After discussion, motion by Chad Anderson to approve the Energy Conservation Agreement executed by Bonneville Power Administration and City of Heyburn as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider / NRU Board Conference Update – Michael Darrington**  
– **ACTION ITEM**

Michael Darrington provided an update to those present from the most recent Regional Northwest Requirement Utilities board meeting.

**Discuss / Consider Transformer Purchase from United Electric – ACTION ITEM**

Those present reviewed information for the purchase of a 15-year-old transformer from United Electric Co-Op. Mr. Darrington stated the transformer has been well maintained with all the required oil-tests completed when needed.

After discussion, motion by Joanne Justesen to approve the Transformer Purchase from United Electric Co-Op in the amount of \$350,000 pending the water and PCBs in the transformer oil test result come back clean. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider South Central Community Action Partnership Environmental Impact Statement Need for Responsible Entity – ACTION ITEM**

Kerry Robinet with South Central Community Action of Twin Falls and Michele McFarlane with RIVDA of Twin Falls asked the city council to consider being the responsible entity for the Environmental Impact Statement as part of the Self-Help Housing Program.

After discussion, motion by Chad Anderson to approve the city being responsible entity for the Environmental Impact Statement for the Self-Help Housing Program as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Northgate Development Urban Renewal Eligibility Report**  
– **ACTION ITEM**

Brent Tolman provided those present with information from the Urban Renewal Agency for the Northgate Development Urban Renewal Eligibility Report. Mr. Tolman presented the study area map and identified the qualifying characteristic for the study area. Mr. Tolman stated the study area meets one or more of the qualifying characteristics, is eligible for inclusion in an urban renewal project area, and that the city council at its discretion may make a finding that the study area qualifies as a deteriorated or deteriorating area and is appropriate for an urban renewal project.

The city council identified the qualifying characteristic findings pertaining to the study area.

**Discuss / Consider Adoption of Resolution No. 2022-4 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. 2022-4.

After discussion, motion by Chad Anderson to adopt Resolution No. 2022-4 as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Public Hearing for Fiscal Year 2022-23 Annual Appropriation 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.**

Mayor Galbraith opened the public hearing for the Fiscal Year 2022-23 Annual Budget.

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 / Adoption of Ordinance No. 2022-661 Ordinance for Annual Appropriation of the City of Heyburn for the Fiscal Year Beginning 1 October 2022, Appropriating the Sum of \$12,960,058 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. Second Reading of Three Readings. – ACTION ITEM**

After discussion, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-661 once by title only. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-661 by title only.

Motion by Joanne Justesen to waive the rule requiring three readings and adopt Ordinance No. 2022-661 on its second reading as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Public Hearing for Updating Zoning Ordinance Parking Standards and Loading Standards**

City Attorney Paul Ross provided those present with the changes being requested to city code for zoning ordinance parking and loading standards.

Mayor Galbraith opened the public hearing for updating Zoning Ordinance Parking Standards and Loading Standards.

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. 2022-664 Ordinance of the City of Heyburn, Updating Zoning Ordinance Parking Standards and Loading Standards, Updating Non-Zoning Ordinance for Location for Payment of Parking Violations, Permitting Code Enforcement Officer for Parking Code, Setting Parking Infraction Violation Fines with Escalation for Multiple Offenses, and Authorizing Code Enforcement Officer to Assist with Abatements and Giving Notice for Abatement Citations, Removing Option of Occupying Recreational Vehicles on Construction Sites. Second Reading of Three Readings. – ACTION ITEM**  
Those present reviewed the proposed changes to city code.

After discussion, motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2022-664 once by title only for its second reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-664 by title only.

**Public Hearing for ZONING pursuant to Idaho Code 67-6511 of the properties belonging to Gabriel Alonzo contiguous to the City of Heyburn. The Alonzo Property, RP10S23E143401, an open field located east of the intersection at “A” Street and 17<sup>th</sup> Street, Heyburn, Idaho. This property is currently zoned by Minidoka County as Agricultural Medium, and the city solicits proposals for zoning of the land after annexation.**

City Attorney Paul Ross provided a brief overview of the proposed zoning of properties belonging to Gabriel Alonzo located at A & 17<sup>th</sup> Street.

Mayor Galbraith opened the public hearing for consolidating and adopting a schedule of revised rates and fees for services.

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 Adoption of Ordinance No. 2022-662 Ordinance of the City of Heyburn, Annexing Properties owned by Gabriel Alonzo, Unincorporated Agricultural Minidoka County Open Field Property Located East of the Intersection of “A” Street and 17<sup>th</sup> Street, Heyburn, Idaho, to City of Heyburn; Zoning Property as Residential Medium; Amending Zoning Map. – ACTION ITEM**

Those present reviewed the proposed Ordinance for the Annexing and Zoning of properties owned by Gabriel Alonzo at A & 17<sup>th</sup> Street.

After discussion, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-662 once by title only for the first of three readings. 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. 2022-662 by title only.

**Public Hearing for ZONING pursuant to Idaho Code 67-6511 of the properties belonging to Lightning Land & Development, LLC, Armando and Wendy Correa, Mary Morrison, Roberto Hernandez, and State of Idaho Department of Highways contiguous to the City of Heyburn. Properties, RP061500090010, RP10S23E090321, RP10S23E091820, RP07640000008A, RP07640000011A, RP07640000014A, and RP10S23E097215, open farmland north of I-84 and west of 500 West; Lots 8, 9, 10, 11, and 14 of Millard Subdivision known by the addresses of 348 “A” and “B” 500 West; and remaining unannexed Interstate 84 between Exits 208 and 211, Heyburn, Idaho.**

City Attorney Paul Ross presented information for the proposed zoning recommendation of the properties owned by Lightning Land & Development, LLC, Armando and Wendy Correa, Mary Morrison, Roberto Hernandez, and State of Idaho Department of Highways.

Mayor Galbraith opened the public hearing for consolidating and adopting a schedule of revised rates and fees for services.

Those speaking in favor were: Zane Gillett.

Those speaking neither in favor nor against were: Brent Tolman and Tim Vaughn.

Those speaking against were: None.

Hearing no further comments, Mayor closed the public hearing.

**Discuss / Consider Adoption of Ordinance No. 2022-663 Ordinance of the City of Heyburn, Annexing Properties owned by Lightning Land & Development, LLC, Armando and Wendy Correa, Mary Morrison, Roberto Hernandez, and State of Idaho Department of Highways, Unincorporated Minidoka County Farm Property located North of Interstate 84 and West of 500 West, 348 “A” and “B” South 500 West, and Remaining Interstate 84 Between Exits 208 and 211, Heyburn, Idaho, to City of Heyburn; Zoning Properties; Assigning new Addresses for Properties; Amending Zoning Map. – ACTION ITEM**

Those present reviewed the Ordinance for the annexation and zoning of properties located North of Interstate 84 and West of 500 West, 348 “A” and “B” South 500 West, and Remaining Interstate 84 Between Exits 208 and 211, Heyburn.

After discussion, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-663 once by title only. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-663 by title only.

Motion by Joanne Justesen to suspend the rule requiring three readings and adopt Ordinance No. 2022-663 in one reading as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider 2022 Fall Clean-Up with Total Waste Management and United Metals LLC – ACTION ITEM**

Those present discussed dates for Fall Clean-Up 2022.

After discussion, motion by Chad Anderson to approve setting the 2022 Fall Clean-Up dates for October 8<sup>th</sup> thru October 15<sup>th</sup> as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider City Water Operator to Serve as Heyburn Estates Water Operator – ACTION ITEM**

Those present discussed the city serving as the Water Operator for Heyburn Estates.

After discussion, motion by Chad Anderson to approve the City Water Operator to Serve as Heyburn Estates Water Operator as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Discuss / Consider Elk Meadows Secondary Exit – ACTION ITEM**

Those present reviewed options for a secondary exit out of Elk Meadows subdivision onto 18<sup>th</sup> Street.

After discussion, motion by Joanne Justesen to approve the Elk Meadows Secondary Exit as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

**Mayors Time, and Committee Reports**

Councilwoman Justesen provided a brief update on the Joint Animal Control Board meeting.

Mayor Galbraith stated there has been a lot of activity within Heyburn recently and our new Police Chief and his department have been handling things very well. Mayor Galbraith stated the residents can feel confident in the abilities of our department and the talented Officers in Heyburn.

City Administrator Tony Morley provided a brief update to those present from the Public Works Department.

Mayor Galbraith confirmed a quorum for the upcoming City Council Work Meeting scheduled for September 6<sup>th</sup>.

**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 two residents.

**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.

Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

The council meeting adjourned at 9:34 PM.

Dick Galbraith  
Mayor

Ashlee Langley  
City Clerk/Treasurer