

**City of Heyburn Council Meeting
Wednesday, September 22, 2021
7:00 P.M.**

Mayor: Dick Galbraith.

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

Employees Present:

Paul Ross, Tony Morley, Noah Shiner, Cole Kuta, 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.

Motion by Rick Tundag to reconsider Resolution No. 2021-7 Adopting a Revised and Updated Personnel Policy to the October 05, 2021 City Council Work Meeting adopted at Council on September 8, 2021. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Minutes of the September 08, 2021 Council Meeting - ACTION ITEM
Those present reviewed the minutes of the September 08, 2021 Council Meeting.

Motion by Joanne Justesen to approve the minutes of the September 08, 2021 Council Meeting as presented. Second by Rick Tundag. 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.

Motion by Rose Schmitt 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 Text Partnership Proposal – ACTION ITEM

Those present reviewed a proposal from Text-My-Gov for services they provide to communicate with and engage residents through smart texting technology.

Motion by Joanne Justesen to approve the Text Partnership Proposal with Text-My-Gov as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Ordinance No. 2021-646 Ordinance of The City of Heyburn, Limiting Mayor Powers as Proscribed In 2021 Idaho Code Update, Renaming City Attorney Department to Legal Department, Requiring Connection to City Water

Systems within Certain Distances of Water Lines, Defining who may Maintain Private Water Supplies, Prohibiting Disconnections and Use of Culinary Water for Irrigation. Third and Final Reading – ACTION ITEM

City Attorney Paul Ross presented Ordinance No. 2021-646 to those present.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-646 once by title only for the third and final reading as presented. 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. 2021-646 once by title only for the final reading.

Motion by Joanne Justesen to adopt Ordinance No. 2021-646 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Resolution No. 2021-14 Resolution of the City of Heyburn Outlining Organization and Operations of Legal Department – ACTION ITEM

City Attorney Paul Ross presented Resolution No. 2021-14. Mr. Ross stated this resolution changes the prior name of the Attorney Department to Legal Department.

Motion by Chad Anderson to adopt Resolution No. 2021-14 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Adoption of Ordinance No. 2021-647 Ordinance of the City of Heyburn, Amending Heyburn Code Title 7 Chapter 1 Updating Animal Control Code and Providing Effective Date. Second of Three Readings. – ACTION ITEM

Those present reviewed Ordinance No. 2021-647. Those present discussed the collection of licensing fees and services received from the Joint Animal Control Facility under the current agreement.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-647 once by title only for the second of three readings as presented. 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. 2021-647 once by title only.

Discuss / Consider Revised Low-Income Home Water Assistance Program (LIHWAP) Home Water Vendor Agreement – ACTION ITEM

City Clerk Ashlee Langley presented the revised Low-Income Home Water Assistance Program Home Water Vendor Agreement. Mrs. Langley stated Idaho Department of Health and Welfare discovered two items that were mistakenly omitted in the original version. Mrs. Langley stated the form has been updated to add these items under vendor responsibilities and includes language regarding the disconnection and restoration of services based on payment pledge from the department.

Motion by Chad Anderson to approve the revised Low-Income Home Water Assistance Program (LIHWAP) Home Water Vendor Agreement as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Proclamation Proclaiming September 20-24, 2021 to be National Clean Energy Week – ACTION ITEM

Mayor Galbraith stated the city received an email asking all municipalities to consider passing a proclamation declaring September 20-24, 2021 as National Clean Energy Week. Mayor stated the proclamation is to implement the cleanest, lowest emitting, and cost-effective energy technologies available.

Motion by Joanne Justesen to approve the Proclamation Proclaiming September 20-24, 2021 to be National Clean Energy Week as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Community Development Director Job Description – ACTION ITEM

This item was tabled.

Mayors Time and Committee Reports

No committee reports.

Mayor Galbraith announced Roman Seipert was sworn into office as Police Officer for the City of Heyburn on September 20, 2021.

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

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

Comments made by two residents.

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 Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; 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 7:40 PM.

No decisions were made.

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

Executive Session returned to open session at 8:33 PM.

Discuss / Consider Purchase and Sale Agreement with Gabriel Humberto Alonzo
– **ACTION ITEM**

Those present reviewed the Purchase & Sale Agreement with Gabriel Humberto Alonzo.

Motion by Joanne Justesen to approve the Purchase and Sale Agreement with Gabriel Humberto Alonzo as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Amended Purchase and Sale Agreement with Roger McBride
– **ACTION ITEM**

Those present reviewed the amended Purchase & Sale Agreement with Roger McBride.

Motion by Joanne Justesen to approve the Amended Purchase and Sale Agreement with Roger McBride as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Motion to Adjourn - ACTION ITEM

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

The council meeting adjourned at 8:53 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer