

City of Heyburn Council Meeting
Wednesday, September 27, 2023
7:00 P.M.

Mayor: Dick Galbraith.

Council Present: Chad Anderson, Cleo Gallegos, Rose Schmitt, and Rick Tundag.

Employees Present:

Ririe Thomander, Tony Morley, Ryan Bertalotto, Ivan McCracken, Paul Ross, and Ashlee Langley. Brian Vail – by phone.

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 the Minutes of the September 13, 2023 City Council Meeting & Public Hearing – ACTION ITEM

Those present reviewed the minutes of the September 13, 2023 City Council Meeting & Public Hearing.

Motion by Rose Schmitt to approve the minutes of the September 13, 2023 City Council Meeting & Public Hearing as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – 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 Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider NRA Firearms Program Grant Application – ACTION ITEM

Police Chief Ryan Bertalotto and Corporal Ririe Thomander presented information to those present for the NRA Foundation State Funds grant for law enforcement. Corporal Thomander stated the police department seeks the council's approval to apply for the NRA Foundation State Funds grant, which would be used to purchase "red dot" pistol optics for recently acquired pistols. This grant also includes provisions for targets and ammunition to help officers become skilled with the new equipment.

The grant is anticipated to cover equipment costs ranging from \$12,330 to \$13,000. While the NRA does not require any matching funds, the city will need to acknowledge the grant if it's awarded.

The submission deadline is November 1, 2023.

Motion by Chad Anderson to approve submitting a grant application to the NRA Firearms Program Grant as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Wastewater Division Acquisition of Pipe Camera – ACTION ITEM

Wastewater Division Head Brian Vail presented quotes from SWS Equipment, LLC and MetroQuip, Inc. for a pipe camera intended for use by the Wastewater Division. Mr. Vail emphasized that the existing camera owned by the city is currently non-operational and has been out of commission for several months. Mr. Vail highlighted the critical role of this equipment in identifying and addressing issues within the city's utility lines.

City Attorney Paul Ross provided a review of the Idaho Procurement Law concerning purchases exceeding the \$75,000 threshold. After discussion, those present decided to revisit the solicitation of bids and present them at the upcoming council meeting.

Discuss / Consider Creation of City Library – ACTION ITEM

Those present revisited previous conversations regarding the creation of a city library and explored the possibility of opting for a library district instead. City Attorney Paul Ross provided valuable insights into the legal and financial aspects of establishing a city library. He also outlined several options for consideration, which included:

- Taking no action on the matter.
- Creating a City Library without imposing a levy.
- Creating a City Library with a levy.
- Exploring the option of supporting a Library District.

These options were discussed to facilitate a comprehensive understanding of the choices available and their implications.

After discussion, this item was tabled until June 2024.

Discuss / Consider Adopting Ordinance No. 2023-680 Ordinance of the City of Heyburn, Rezoning Northern 1,103 Feet of the J&M Ag, LLC, and Nicholas Kraus Property open field North of L Street and 21st Street, Heyburn, from Commercial General to Residential High. – ACTION ITEM

City Attorney Paul Ross stated that on September 19, 2023, the Planning & Zoning Commission conducted a Public Hearing during which members of the public were provided with an opportunity to express their views on the Application for Zoning Map Amendment submitted by J&M Ag, LLC and Kraus Farms. This application pertains to the proposed rezoning of a portion of the open field located north of L Street and 21st Street. The Planning & Zoning Commission recommended rezoning the northern portion to the Council. Their recommendation is to rezone the portion of the property as "Residential High."

Mr. Ross also informed that a Public Hearing for this matter has been scheduled for October 25th. He emphasized that during the present meeting, only the first reading of the Ordinance can be addressed and considered.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2023-680 once by title only for the first of three readings. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Nay; Rose Schmitt – Nay; Rick Tundag – Aye.

Mayor Galbraith cast the deciding vote breaking the tie by voting Aye.

City Attorney Paul Ross read Ordinance No. 2023-680 by title only.

Discuss / Consider Purchase & Sale Agreement with City of Emmett for (10) Dell Latitude Laptops – ACTION ITEM

Police Chief Ryan Bertalotto stated the police department is seeking council approval to acquire 10 Dell Latitude Laptops, which are approximately 2-3 years old from the city of Emmett at no cost (a donation).

The Chief stated that the city of Emmett has requested a formal "Entity to Entity Purchase Agreement" to properly document and track the property transfer.

The Chief stated these computers will enable officers to download and access files even when not connected to the internet. They will also prepare the department for future implementation of records management and computer-aided dispatch solution. Officers will have the ability to type report narratives in their vehicles, reducing the need to return to the station. This will keep patrol cars on the streets and minimize downtime at the station.

Motion by Rick Tundag to approve the Purchase & Sale Agreement with city of Emmett for (10) Dell Latitude Laptops for the Police Department as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

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

Chief Bertalotto stated the police department respectfully requests that the council approve the purchase of vehicle equipment for the next two police vehicles scheduled for leasing in Fiscal Year 2023-24. The Chief stated funding for this equipment is readily available within the current Fiscal Year 2022-23 budget. These funds were made available through the sale of surplus vehicles earlier this year and are allocated from budget lines 77-00 and 75-00 within the police department's budget. Mr. Ross inquired whether these were pursuant to state bid prices, which Chief confirmed.

Motion by Cleo Gallegos to approve the vehicle plan update with the two additional vehicles and associated purchases in the amount of \$31,338.58 as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Mayors Time and Committee Reports

Mayor Galbraith provided an update to those present regarding the collapsed sewer line on S Street stating the city is just waiting on Waltons for the repair.

Mayor also explained that the reason the wastewater camera bids exceeded the \$75,000 threshold was because he had specifically instructed Brian Vail to procure a high-quality camera rather than a cheaper one. He emphasized that, based on his prior experience, investing in higher-quality equipment ensures longevity and reliability.

No committee reports.

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.

Comments made by two members of the public.

Executive Session

Pursuant to Idaho Code 74-206(1)(c) To acquire an interest in real property not owned by a public agency: (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 Cleo Gallegos to go into executive session pursuant to Idaho Code 74-206(1)(c) and (f). Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Executive Session Minutes

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

The Executive Session began at 8:22 PM.

No decisions were made.

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

Executive Session returned to open session at 8:47 PM.

Motion to Adjourn – ACTION ITEM

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:48 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer