

**City of Heyburn Council Meeting
Wednesday, October 10, 2018
7:00 P.M.**

Mayor: Mayor Cleo Gallegos.

Council Present: Chad Anderson, Dick Galbraith, Joanne Justesen, and Rose Schmitt.

Employees Present:

Tony Morley, Ashlee Langley, and Paul Ross.

Welcome & Pledge

Meeting conducted by Mayor Cleo Gallegos who welcomed everyone to the meeting.

Mayor Gallegos asked Aliza Ross to lead those present in the Pledge of Allegiance.

Discuss / Consider Minutes of the September 26, 2018 Council Meeting & the October 02, 2018 City Council Work Meeting – ACTION ITEM

Motion by Joanne Justesen to approve the minutes of the September 26, 2018 Council Meeting & the October 02, 2018 City Council Work Meeting as presented. Second by Rose Schmitt.

Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Motion by Chad Anderson to approve the bills as presented. Second by Dick Galbraith. Roll-

Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Declare Engineering Firm from the Request for Qualifications for Engineering Services for the Wastewater Collection Facility Project based on Scoring Results– ACTION ITEM

City Administrator Tony Morley stated the results from the scoring of the Request for Qualifications for Engineering Services for the Wastewater Collection Facility Project were in. Mr. Morley presented the below results.

J-U-B Engineers, Inc.: 404

Civil Science Infrastructure, Inc.: 414

TD&H Engineering / Diederel Engineering: 366

Forsgren Associates, Inc.: 420

Great West Engineering, Inc.: 376

Keller Associates: 410

T-O Engineers: 382

Motion by Chad Anderson to declare Forsgren Associates, Inc. as the Engineering Firm from the Request for Qualifications for the Wastewater Collection Facility Project and authorize the City Administrator to start negotiating a contract with the firm. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Declare Engineering Firm from the Request for Qualifications for Engineering Services for the Wastewater Treatment Plant Project based on Scoring Results – ACTION ITEM

City Administrator Tony Morley stated the results from the scoring of the Request for Qualifications for Engineering Services for the Wastewater Treatment Plant Project were in. Mr. Morley presented the below results.

HDR Engineers, Inc.: 479

TD&H Engineering / Riedesel Engineering: 378

Forsgren Associates, Inc.: 422

Motion by Dick Galbraith to declare HDR Engineers Inc. as the Engineering Firm from the Request for Qualifications for the Wastewater Treatment Plant Project and authorize the City Administrator to start negotiating a contract with the firm. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Selecting a Grant Administrator for the Wastewater Treatment Plant and Wastewater Collection Project Idaho Community Development Block Grant Project – ACTION ITEM

City Administrator Tony Morley stated the city solicited three entities for a Grant Administration services for the Wastewater Treatment Plant and Wastewater Collection System projects and received one decline and no response from the other entity. Mr. Morley stated Region IV Development responded and are willing to provide administrative services for the grant.

Motion by Joanne Justesen to select Region IV Development as the Grant Administrator for the Wastewater Treatment Plant and Wastewater Collection Projects through the Idaho Community Development Block Grant. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Resolution No. 2018-11 Declaring April 2019 to be Fair Housing Month in the City of Heyburn and Affirming the City's Commitment to Fair Housing Policies as Herein Provided – ACTION ITEM

Resolution No. 2018-11

RESOLUTION OF THE CITY OF HEYBURN DECLARING
APRIL 2019 TO BE FAIR HOUSING MONTH IN THE CITY
OF HEYBURN AND AFFIRMING THE CITY'S COMMITMENT
TO FAIR HOUSING POLICIES AS HEREIN PROVIDED.

Mr. Morley stated as part of the grant process for the Idaho Community Development Block Grant the proposed resolution needs passed. Mr. Morley stated this resolution simply declares

April 2019 to be Fair Housing Month in the City of Heyburn and affirms the City's commitment to Fair Housing Policies.

Motion by Chad Anderson to approve Resolution No. 2018-11 declaring April 2019 to be Fair Housing Month in the City of Heyburn as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Resolution No. 2018-12 Adopting a Policy Prohibiting the Use of Excessive Force Against Non-violent Civil Rights Demonstrators. - ACTION ITEM
RESOLUTION NO. 2018-12

A RESOLUTION OF THE CITY COUNCIL OF HEYBURN, IDAHO, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS.

City Administrator Tony Morley stated Resolution No. 2018-12 is also part of the grant process for the Idaho Community Development Block grant. Mr. Morley stated this resolution is for adopting a policy prohibiting the use of excessive force against non-violent civil rights demonstrators.

Motion by Joanne Justesen to approve Resolution No. 2018-12 adopting a Policy Prohibiting the use of Excessive Force against Non-Violent Civil Rights Demonstrators as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Idaho Community Development Block Grant Citizen Participation Plan - ACTION ITEM

City Administrator Tony Morley presented the Idaho Community Development Block Grant Citizen Participation plan to those present. Mr. Morley stated this plan certifies the activities that are to be completed.

Motion by Dick Galbraith to approve the Idaho Community Development Block Grant Citizen Participation Plan as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Ordinance No. 2018-602 Amending Heyburn Code Title 1 Chapter 5 Expanding Potential Depository Institutions Available for Use by City and Providing Preference – ACTION ITEM - First Reading
ORDINANCE NO. 2018-602

ORDINANCE OF THE CITY OF HEYBURN, AMENDING HEYBURN CODE TITLE 1 CHAPTER 5 EXPANDING POTENTIAL DEPOSITORY INSTITUTIONS AVAILABLE FOR USE BY CITY AND PROVIDING PREFERENCE.

City Attorney Paul Ross presented Ordinance No. 2018-602 to those present. Mr. Ross stated the current City Code is more restrictive on depository institutions available for use by the city than Idaho Code requires. Mr. Ross explained that the city currently uses financial institutions outside

of what Heyburn City Code allows. Mr. Ross recommended the City correct this in the code for future use of these institutions.

Motion by Dick Galbraith to have City Attorney Paul Ross read Ordinance No. 2018-602 amending Heyburn Code Title 1 Chapter 5 expanding potential depository institutions available for use by City and providing preferences, by title only for the first of three readings. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2018-602 one time, by title only for the first of three readings.

Mayors Time & Committee Reports

Councilman Chad Anderson updated those present on the outcome of the 1st Annual Riverton Pumpkin Festival. Mr. Anderson stated the festival was a great success and they had a really good turnout.

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

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

Executive Session

Pursuant to Idaho Code 74-206(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; (c) to acquire an interest in real property which is 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. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Motion by Dick Galbraith to go into Executive Session as per Idaho Code 74-206(1)(a) personnel, (c) interest in real property, and (f) litigation. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Executive Session Minutes

The Executive Session was conducted by Mayor Cleo Gallegos. The topics were a matter of (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general; (c) to acquire an interest in real property which is 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.

The Executive Session began at 7:30 PM.

No decisions were made.

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

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

Motion to Adjourn

Mayor Cleo Gallegos asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:48 PM.

Cleo Gallegos
Mayor

Ashlee Langley
City Clerk/Treasurer