

City of Heyburn Council Meeting
Wednesday, October 11, 2023
7:00 P.M.

Mayor: Dick Galbraith.

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

Employees Present:

Tony Morley, Cole Kuta, Ivan McCracken, 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 the Minutes of the September 27, 2023 City Council Meeting – ACTION ITEM

Those present reviewed the minutes of the September 27, 2023 City Council Meeting.

Motion by Chad Anderson to approve the minutes of the September 27, 2023 City Council Meeting as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Those present reviewed the proposed bills.

Motion by Rose Schmitt to approve the bills as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – Aye.

Discuss / Consider Resolution No. 2023-11 Resolution of the City of Heyburn, Consolidating and Adopting a Schedule of Revised Rates and Fees for Services Provided and Regularly Charged as Specified by City Code; Including Community Development, Electrical, Engineering, Municipal Services, Parks and Recreation, Police, Sanitation, Street, Wastewater, Water Departments; Providing an Effective Date – ACTION ITEM

Those present discussed Resolution No. 2023-11, concerning revised rates and fees for various services. City Attorney Paul Ross clarified that this resolution does not propose any rate increases. He mentioned that a rate resolution is scheduled for the first December meeting to review Parks and update various fees, addressing issues in the Building Department and other areas, including necessary fee adjustments.

Mr. Ross explained that the current resolution's primary purpose is to reverse the recent change made to irrigation assessments. An increase was slated to take effect in the new year, but due to the absence of a completed rate study to validate these numbers, this particular aspect of the

resolution will be reversed. Additionally, there is a minor cosmetic change related to square footage in the Building Department's schedule.

Motion by Chad Anderson to adopt Resolution No. 2023-11 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – Aye.

Discuss / Consider Resolution No. 2023-12 Resolution of the City of Heyburn Declaring Surplus Personal Property, Authorizing and Directing Disposal of Surplus Property, Providing for Related Matters – ACTION ITEM

Mayor Galbraith presented Resolution No. 2023-12, addressing surplus personal property disposal. The Mayor explained that surplus firearms were to be sold through online auctions to acquire store credit for optics and new gun parts.

Chief Bertalotto submitted a written memo to city council requesting surplus declaration for Kenwood radios, which need new batteries. The estimated value per radio, including the charging cradle, ranges from \$100 to \$150 online, totaling approximately \$1,300 to \$1,950.

The Police Department also seeks surplus approval for additional firearms equipment, listed separately for council consideration.

Motion by Chad Anderson to adopt Resolution No. 2023-12 as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – Aye.

Discuss / Consider Idaho Transportation Department Office of Highway Safety 2024 Traffic Enforcement Grant Project Agreement – ACTION ITEM

Mayor Galbraith stated the police department is requesting councils' authorization to allow the mayor to sign the Traffic Enforcement Grant Project Agreement (TEGPA) with the Idaho Transportation Department (ITD) for FY 2023/2024. The grant aims to support additional officers, extended patrol hours, and traffic enforcement.

Chief Bertalotto submitted a written memo to the council outlining the agreement's key points. It allows the police department to access grant funds for traffic enforcement and related equipment. The ITD offers mobilizations to provide extra officers during holidays at no cost to the city. Moreover, grant funding is available for equipment, with the city responsible for a 25 percent match using officer wages dedicated to traffic enforcement. This partnership with ITD intends to bolster community safety without overburdening the city's budget, building on previous successful collaborations.

Motion by Cleo Gallegos to authorize the mayor and Chiefs signatures on the Idaho Transportation Department Office of Highway Safety 2024 Traffic Enforcement Grant Project Agreement as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – Aye.

Discuss / Consider Reappoint Heather Petersen as a member of the Planning & Zoning Commission – ACTION ITEM

Mayor Galbraith stated that Heather Petersen’s term on the Planning & Zoning Commission expired and as such she would need to be re-appointed in order to continue to serve on the commission. Mayor thanked Heather Petersen for continuing to serve on the Planning and Zoning Commission.

Motion by Cleo Gallegos to affirm the Reappoint Heather Petersen as a member of the Planning & Zoning Commission for a term of 3 years and 8 months set to expire on 28 June 2027 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Affirm; Cleo Gallegos – Affirm; Rick Tundag – Affirm; Rose Schmitt – Affirm.

Discuss / Consider Reappoint Bryan Jensen as a member of the Planning & Zoning Commission – ACTION ITEM

Mayor Galbraith stated Bryan Jensen’s term on the Planning & Zoning Commission has also expired and indicated that he must be re-appointed in order to continue serving on the commission.

Motion by Chad Anderson to affirm the Reappoint Bryan Jensen as a member of the Planning & Zoning Commission for a term of 5 years set to expired on 26 September 2028 as presented. Second by Cleo Gallegos. Roll-Call Vote: Chad Anderson – Affirm; Cleo Gallegos – Affirm; Rick Tundag – Affirm; Rose Schmitt – Affirm.

Discuss / Consider Appointing Cindy Povlsen as a member of the Planning & Zoning Commission – ACTION ITEM

Mayor Galbraith stated that he approached Cindy Povlsen about the possibility of serving on the Planning and Zoning Commission, and she graciously accepted the offer to do so. Mayor stated he felt like she would be a great addition to the commission and asked for the council to affirm his appointment. Mayor thanked Cindy Povlsen for agreeing to serve on the Planning and Zoning Commission.

Motion by Cleo Gallegos to affirm Appointing Cindy Povlsen as a member of the Planning & Zoning Commission for a term of 5 years set to expire on 11 October 2028 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Affirm; Cleo Gallegos – Affirm; Rick Tundag – Affirm; Rose Schmitt – Affirm.

Mayor thanked Bryan Jensen for his years of service and appreciate his willingness to do another term.

Mayors Time, Committee Reports, and Department Reports

No committee reports.

Mayor Galbraith gave a brief update on the “S” Street sewer line repair.

The mayor was recognized for his participation in the Blue Cross of Idaho Mayors Walking Challenge.

The mayor and city council discussed the success of the Pumpkin Festival.

Those present reviewed the Department Reports for September 2023.

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 Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Cleo Gallegos – Aye; Rick Tundag – Aye; Rose Schmitt – 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 7:30 PM.

No decisions were made.

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

Executive Session returned to open session at 8:01 PM.

Motion to Adjourn – ACTION ITEM

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:03 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer