

City of Heyburn Council Meeting
Wednesday, October 23, 2024
7:00 P.M.

Mayor: Mayor Dick Galbraith.

Council Present: Chad Anderson, Joanne Justesen, Stegen Phillips, and Rick Tundag.

Employees Present:

Tony Morley, Ryan Bertalotto, 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.

Consent Agenda – ACTION ITEM

The consent calendar consists of items that are considered to be routine in nature and will be enacted in the form of one motion. Any item can be removed from the consent calendar and heard in its regular order at the request of any council member or the mayor.

- a. **Approve the Minutes of the October 09, City Council Meeting & Public Hearing**
- b. **Approve Paying the Bills**

Those present reviewed the consent agenda items.

Motion by Joanne Justesen to approve the items on the consent agenda as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Discuss / Consider Power Engineers General Services Agreement and Task Order for Advanced Biofuels of Idaho Electrical Service – ACTION ITEM

City Administrator Tony Morley presented the Power Engineers General Services Agreement and a Task Order for Advanced Biofuels of Idaho (ABI) Electrical Service. Mr. Morley explained that, as ABI plans to connect to the city’s electrical system, an analysis is required to determine if the substation can support the load demand. This transmission facility analysis will assess both the in-station and out-station capacities. Mr. Morley added that the city will be fully reimbursed for the cost of the analysis conducted by Power Engineers.

Motion by Chad Anderson to approve the Power Engineers General Services Agreement and Task Order for Advanced Biofuels of Idaho Electrical Service as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Discuss / Consider Amending Northgate Subdivision to further subdivide Lots within the subdivision submitted by Tim Vaughn with Lightning Land and Development, LLC for the property located north of 1-84 and west of 500 West, Heyburn, ID – ACTION ITEM

This item was continued until November 13, 2024, City Council Meeting.

Discuss / Consider Ordinance No. 2024-697 Ordinance of the City of Heyburn, Vacating 9th Street North of Riverside Cemetery to Adjacent Owner City of Burley and Riverside Cemetery District, Amending Street Map, Ordering New Legal Description, Providing Effective Date. Second Reading. – ACTION ITEM

Those present reviewed Ordinance No. 2024-697, with City Attorney Paul Ross confirming that no changes had been made since its last reading.

Motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2024-697 once by title only for the second reading. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2024-697 once by title only.

Discuss / Consider Easement Agreements within Biscotti Estates Subdivision with Holman, Seely, and Biscotti – ACTION ITEM

Those present reviewed the easement agreements within Biscotti Estates Subdivision with Holman, Seely, and Biscotti. City Administrator Tony Morley confirmed that all necessary signatures had been obtained on the documents. Mr. Morley explained that these agreements will permit the city to remove a berm along the road.

Motion by Joanne Justesen to approve the Easement Agreements within Biscotti Estates Subdivision with Holman, Seely, and Biscotti as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Discuss / Consider Canceling November 27, 2024, and December 25, 2024, City Council Meetings – ACTION ITEM

Mayor Galbraith asked the City Council to consider whether they would like to cancel the City Council meetings scheduled for November 27, 2024, and December 25, 2024, or if they would prefer to reschedule them.

Motion by Joanne Justesen to approve canceling November 27, 2024, and December 25, 2024, City Council Meetings but to schedule a meeting the week of December 16th if needed. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Update on Paving Contract for Villa Walking Path

City Engineer Ivan McCracken provided an update on the Villa Walking Path project. Mr. McCracken stated that advertisements for bids would be published on October 24th and 31st, with bids scheduled to open on November 8th and to be presented at the November 13th City

Council meeting. Mr. McCracken noted that paving might not be feasible this year, but the goal is to secure a contractor to begin the project in the spring of next year.

Mayors Time & Committee Reports

Mayor Galbraith noted that the City Engineer has been actively working on grant projects to ensure the city meets all deadlines. Additionally, the mayor announced that the Wastewater Treatment Plant will host an open house on Friday, October 25, 2024, from 11:30 AM to 1:30 PM for their new Building.

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.

No comments were made.

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; 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. – ACTION ITEM

Motion by Stegen Phillips to go into executive session pursuant to Idaho Code 74-206(1)(b), (c), and (f). Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Stegen Phillips – Aye; Rick Tundag – Aye.

Executive Session Minutes

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

The Executive Session began at 7:39 PM.

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

Executive Session returned to open session at 8:00 PM.

Motion to Adjourn – ACTION ITEM

Mayor Galbraith asked for a motion to adjourn the meeting.

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

The council meeting adjourned at 8:00 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer