

City of Heyburn Council Meeting
Wednesday, October 24, 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 City Administrator Tony Morley to lead those present in the Pledge of Allegiance.

Discuss / Consider Minutes of the October 10, 2018 City Council Meeting – ACTION ITEM

Motion by Joanne Justesen to approve the minutes of the October 10, 2018 City Council Meeting as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Motion by Dick Galbraith to approve the bills as presented. 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 Comprehensive Plan Project based on Scoring Results– ACTION ITEM

City Administrator Tony Morley presented the results from the scoring of the Request for Qualifications for Engineering Services for the Comprehensive Plan Project to those present.

Agnew::Beck: 374

Egret+Ox Planning, LLC: 332

Future West: 351

Great West Engineering: 432

Horrocks Engineers: 440

J-U-B Engineers, Inc.: 471

Parallel Strategies: 376

Rural Communities Consultants: 378

Mr. Morley stated that J-U-B Engineers, Inc. scored the highest. Mr. Morley thanked all the engineering firms that submitted proposals.

Motion by Chad Anderson to declare J-U-B Engineers, Inc. as the Engineering Firm from the Request for Qualifications for the Comprehensive Plan Project and authorize the City Administrator Tony Morley 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 Development Agreement for Biscotti Estates – ACTION ITEM

City Administrator Tony Morley presented the Development Agreement for Biscotti Estates to those present. Mr. Morley stated that there are some wastewater collection system concerns that the developer has been addressing diligently. Mr. Morley stated the development is still waiting on DEQ approval and conditions have been built into the agreement regarding DEQ approval as well as the collection system.

Owner Ryan Phips, CEO of Western Mountain Homes Todd Taylor, Construction Manager Jake Larson, and Project Engineer from Civil Science Jake Southwick were all present to answer questions from the city council.

Motion by Dick Galbraith to approve the Developers Agreement for Biscotti Estates as presented authorizing the Mayors signature. Second by Chad Anderson. 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 - Second 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 read Ordinance No. 2018-602 one time, by title only, for the second of three readings.

Discuss / Consider Resolution No. 2018-13 Sign and Submit Resolution Idaho Community Development Block Grant – ACTION ITEM

**City of Heyburn, Idaho
Sign and Submit Resolution
RESOLUTION # 2018-13**

A RESOLUTION OF THE CITY COUNCIL OF HEYBURN, IDAHO AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO THE IDAHO DEPARTMENT OF COMMERCE FOR AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT TO PARTIALLY FINANCE IMPROVEMENTS TO THE CITY'S WASTEWATER SYSTEM

City Administrator Tony Morley presented Resolution No. 2018-13 to those present. Mr. Morley stated this resolution would allow the Mayor to sign and submit an application to the Idaho Department of Commerce for the Idaho Community Development Block Grant without having to take it to council for prior approval.

Motion by Joanne Justesen to approve Resolution No. 2018-13 Sign and Submit Resolution Idaho Community Development Block Grant as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Change Order #17 for the Additional Bore and Jack Performed on the Heyburn 21st Street Project – ACTION ITEM

Jake Southwick, Project Engineer for Civil Science Inc. stated Change Order #17 was needed for the additional Bore and Jack work Performed on the Heyburn 21st Street Project. Mr. Southwick stated the change order is at no additional cost to the city but needs council approval in order for the Mayor to sign and send off to the Idaho Transportation Department.

Motion by Chad Anderson to approve Change Order #17 for the Additional Bore and Jack Performed on the Heyburn 21st Street Project as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Phone Service Agreement with Eminent Technical Solutions, LLC – ACTION ITEM

City Administrator Tony Morley presented the Phone Service Agreement with Eminent Technical Solutions, LLC to those present. Mr. Morley stated the process to move the phones from Project Mutual Telephone to ETS has begun but before the final cutover the agreement needs to be in place.

Motion by Dick Galbraith to approve the Phone Service Agreement with Eminent Technical Solutions, LLC pending legal review. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Repair of Drying Beds at the Wastewater Treatment Plant – ACTION ITEM

Wastewater Treatment Plant Operator Jack Gilson asked the city council to consider repairing the existing drying beds at the Wastewater Treatment Plant. Mr. Gilson stated the condition of the current beds need repaired in order to continue to handle the solids until future upgrades are made at the plant. Mr. Gilson stated the estimated cost of the repairs needed are \$41,000 to \$42,000.

Those present thanked Mr. Gilson for the explanation and better understanding of the needs at the Treatment Plant.

Motion by Dick Galbraith to approve repair of the Drying Beds at the Wastewater Treatment Plant. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayors Time & Committee Reports

Councilman Chad Anderson stated the next Pickle ball Committee meeting will be sometime mid-November but an official date has not been set.

Councilwoman Joanne Justesen stated the next Animal Control Board Meeting is scheduled for Monday, October 29, 2018.

Mayor Cleo Gallegos announced the new hire of Jennifer Gonzalez as Deputy City Clerk.

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)(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 Chad Anderson to go into Executive Session as per Idaho Code 74-206(1)(c) to acquire 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 (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 7:37 PM.

No decisions were made.

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

Executive Session returned to open session at 8:00 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 8:01 PM.

Cleo Gallegos
Mayor

Ashlee Langley
City Clerk/Treasurer