

**City of Heyburn Special Council Meeting
Tuesday, November 10, 2020
7:00 P.M.**

Mayor: Mark Rosa – Absent (Recalled 9 November 2020), Dick Galbraith (Appointed by Council to replace Recalled Mayor Mark Rosa)

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

Employees Present:

Paul Ross, Tony Morley, and Ashlee Langley.

Welcome & Pledge

Meeting conducted by Council President Dick Galbraith who welcomed everyone to the meeting and led the Pledge of Allegiance.

Discuss / Consider the Minutes of the October 28, 2020 Council Meeting & Public Hearing – ACTION ITEM

Those present reviewed the minutes of the October 28, 2020 Council Meeting & Public Hearing.

Motion by Joanne Justesen to approve the minutes of the October 28, 2020 Council Meeting & Public Hearing 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

Those present reviewed the bills.

Motion by Joanne Justesen to approve the bills as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Accept the Minidoka County Commissioner’s Canvass of Votes for the Mayor Recall Election – ACTION ITEM

MINIDOKA COUNTY RESULTS		
GENERAL ELECTION - NOVEMBER 3, 2020		
CITY OF HEYBURN MAYOR RECALL MARK ROSA		
District	FOR	AGAINST
3 Heyburn 1	255	154
4 Heyburn 2	120	70
Absentee	373	216
CO. TOTAL	748	440

Motion by Joanne Justesen to accept the Minidoka County Commissioner’s Canvass of Votes for the Mayor Mark Rosa Recall Election as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Appoint Mayor – ACTION ITEM

City Attorney Paul Ross reviewed the State Statute with those present regarding recall, vacancy, and appointment of Mayor.

Those present discussed the appointment of Council President Dick Galbraith as Mayor until the next election. Council President Dick Galbraith stated he would accept the appointment.

Motion by Joanne Justesen to appoint Dick Galbraith to serve as Mayor until the next city election. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Affirm; Joanne Justesen – Affirm; Rose Schmitt – Affirm.

Swearing in of Mayor

City Clerk Ashlee Langley swore in newly appointed Mayor Dick Galbraith.

Discuss / Elect Council President – ACTION ITEM

Motion by Chad Anderson to elect Joanne Justesen to serve as Council President. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Wastewater Treatment Plant Improvement Contractor’s Application for Payment No. 11 – ACTION ITEM

City Administrator Tony Morley reviewed Wastewater Treatment Plant Improvement Contractor’s Application for payment No. 11 in the amount of \$304,672 with those present.

Motion by Joanne Justesen to approve Wastewater Treatment Plant Improvement Contractor’s Application for Payment No. 11 in the amount of \$304,672 as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Submission of Reimbursements through the Coronavirus Relief Fund (CARES Act) – List #3 – ACTION ITEM

City Administrator Tony Morley presented the Coronavirus Relief Fund (CARES Act) List #3 to those present. Mr. Morley stated the list includes reimbursement for the installation of Camera’s at City Hall and an AV System for the Council Chambers to allow electronic streaming of council meetings and better sound for those attending in person.

Motion by Chad Anderson to approve the submission of reimbursements through the Coronavirus Relief fund in the amount of \$72,375.47 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Network Operating Agreement Executed by the United States of America Department of Energy Acting by and Through the Bonneville Power Administration and City of Heyburn – ACTION ITEM

After discussion, this item was tabled.

Discuss / Consider Summary of Ordinance No. 2020-634 – ACTION ITEM

City Attorney Paul Ross stated the Summary of Ordinance No. 2020-634 related to alcohol was created to save the city money on publication costs.

Motion by Chad Anderson to approve the Summary of Ordinance No. 2020-634 as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Ordinance No. 2020-638 An Ordinance of the City of Heyburn, a Political Subdivision of the State of Idaho, Adopting the 2018 Version of the International Building Code, the International Residential Code, Parts I-IV And IX, the International Energy Conservation Code, the International Mechanical Code, the International Fuel Gas Code, the International Existing Building Code, as Adopted by the State of Idaho and Providing for Successive Versions to be Adopted. Providing Exceptions and Amendments Thereto; Providing for Fees, Providing for Exemptions; Providing for Severability; Repealing Conflicting Ordinances and Providing an Effective Date. Be it Ordained by the City Council of the City of Heyburn, Idaho – ACTION ITEM

City Attorney Paul Ross presented Ordinance No. 2020-638 to those present.

After discussion, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2020-638 by title only. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2020-638 by title only.

Discuss / Consider Idaho Shelter Coalition Memorandum of Understanding – ACTION ITEM

City Attorney Paul Ross presented the Idaho Shelter Coalition Memorandum of Understanding to those present.

Motion by Joanne Justesen to approve the Idaho Shelter Coalition Memorandum of Understanding as presented and to authorize the Mayors signature. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Ordinance No. 2020-639 Ordinance of the City of Heyburn, Amending 6-2-3 Increasing Gross Vehicle Weight for Parking in Residential Areas – ACTION ITEM

City Attorney Paul Ross stated Ordinance No. 2020-639 addresses the weight limit for parking in residential areas raising the limit from 6,000 to 10,000. Those present discussed Semi-parking throughout the city and the damage to the roads and safety concerns.

After discussion, this item was tabled for redrafting the ordinance.

Discuss / Consider Renegotiation of the Area of Impact with Minidoka County

– ACTION ITEM

City Attorney Paul Ross stated there have been discussions with the other entities in Minidoka County on renegotiating the area of impact. Mr. Ross explained to those present the process for renegotiating the area of impact.

After discussion, motion by Joanne Justesen to start the renegotiation of the Area of Impact with Minidoka County. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Discuss / Consider Setting Limits for Miscellaneous Employee Benefits as per Employee Handbook – ACTION ITEM

City Administrator Tony Morley presented a list of limits per department for miscellaneous employee benefits.

After discussion, this item was tabled.

Discuss / Consider Bids for Purchase of GPS Arrow EOS – ACTION ITEM

City Administrator Tony Morley presented bids for the purchase of a GPS Arrow EOS for mapping the city.

After discussion, this item was tabled.

Discuss / Consider Resolution No. 2020-15 Approving an Authorized Representative / Authorized Signature Certifier for the Community Connect Grant Program

– ACTION ITEM

City Administrator Tony Morley stated Resolution No. 2020-15 would authorize the city to apply for the Community Connect Grant Program. Mr. Morley stated the council will need to submit an Authorized Representative Request along with the Resolution.

After discussion, motion by Joanne Justesen to approve Resolution No. 2020-15 with City Administrator Tony Morley as the Authorized Representative for the City as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

Mayors Time & Committee Reports

No committee reports.

Mayor Galbraith asked Council President Joanne Justesen if she would be willing to continue her appointment to the Joint Animal Control Board. Council President Joanne Justesen stated she would continue to serve as the cities board member of the Joint Animal Control Board.

Mayor Galbraith stated his pledge as Mayor is the same as it was as councilman and that is to make decisions for the City of Heyburn and its residents to the best of his ability and experience.

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

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

Comments were made by three residents.

Motion to Adjourn - ACTION ITEM

Mayor Galbraith asked for a motion to adjourn the meeting.

Motion by Joanne Justesen to adjourn the council meeting. Second by Chad Anderson.

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

The council meeting adjourned at 8:44 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer