

City of Heyburn Council Meeting & Public Hearing
Wednesday, November 30, 2022
7:00 P.M.

Mayor: Dick Galbraith.

Council Present: Chad Anderson, Joanne Justesen, Rose Schmitt, and Rick Tundag.

Employees Present:

Tony Morley, Ivan McCracken, Ryan Bertalotto, 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 November 09, 2022 City Council Meeting
– ACTION ITEM**

Those present reviewed the minutes as presented.

After review, motion by Joanne Justesen to approve the minutes of the November 09, 2022 City Council Meeting as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Paying the Bills – ACTION ITEM

Those present reviewed the bills as presented.

After review, there was a motion by Rose Schmitt to approve the bills as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Repair or Upgrade of John Deere Tractor – ACTION ITEM

Street Department Head Myron McCarty stated the engine has gone out on the 2016 John Deere Tractor Mower. Mr. McCarty presented options for the repair or upgrade of the tractor.

After discussion, there was a motion by Joanne Justesen to approve the repair of the John Deere Tractor by Agri-Service as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Lowering Speed Limit on 500 West between 21st Street and 31st Street to 35 MPH – ACTION ITEM

Street Department Head Myron McCarty presented a proposal to those present requesting the speed limit on 500 West, now in the City as O Street, between 21st Street and 31st Street be lowered to 35 MPH. On November 14, 2022, Minidoka County Highway District changed the speed limit on portions of 500 West within their jurisdiction near the intersection of 500 West 300 South to 35 MPH to improve safety at the 500 West 300 South intersection. Mr. McCarty

asked the council to consider lowering the city's portion of 500 West/O Street to reduce confusion.

After consideration a motion was made by Joanne Justesen to approve lowering the speed limit on 500 West/O Street between 21st Street and 31st Street to 35 MPH as presented. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider / Adoption of Ordinance No. 2022-666 Ordinance of the City of Heyburn, Annexing Property owned by Nick and Mary Cozakos, Unincorporated Minidoka County Property located at 505 South River Drive, Heyburn, Idaho, to City of Heyburn; Zoning Property as Residential Low; Amending Zoning Map. Third and Final Reading. – ACTION ITEM

City Attorney Paul Ross presented Ordinance No. 2022-666 to those present.

After review, motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2022-666 once by title only for the third and final reading. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-666 by title only.

Motion by Joanne Justesen to adopt Ordinance No. 2022-666 once by title only authorizing the mayor's signature. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Public Hearing - Application for Annexation and Zoning submitted by the City of Heyburn pursuant to Idaho Code 50-222 and 67-6511 of the properties belonging to Rex Higley and Eric Higley, contiguous to the City of Heyburn. The Rex Higley properties are located at 295 South 600 West and the Eric Higley property is located at 604 West 300 South, Heyburn, Idaho and are currently zoned as Commercial General by Minidoka County. Mayor Galbraith opened the public hearing for the Application for Annexation and Zoning submitted by the City.

City Attorney Paul Ross gave an overview of the annexation and what occurred at Planning & Zoning. He gave an overview of his interactions with the owners. No formal consent or response has been received.

Those speaking in favor were: None.

Those speaking neither in favor nor against were: None.

Those speaking against were: None.

Hearing no further comments, Mayor closed the public hearing.

Discuss / Consider Adopting Ordinance No. 2022-668 Ordinance of the City of Heyburn, Annexing Properties owned by Rex Higley and Eric Higley, Unincorporated Minidoka County Property Located at 295 South 600 West and 604 West 300 South, Heyburn, Idaho, to City of Heyburn, Renaming 600 West Road Within City Limits that is not Highway 27 to

Nevada Street, Renaming 300 South Road within City Limits to 35th Street, Renaming Power Street to 35th Street, Renaming Commercial Street to 33rd Street, Renaming Industrial Street to 32nd Street, Renumbering Parcels on 600 West and 300 South found within City; Confirming name of Teesa Avenue, Zoning Higley Properties as Commercial General; Amending Zoning Map. First of Three Readings – ACTION ITEM

City Attorney Paul Ross reviewed the other items of Ordinance No. 2022-668 not dealing with the annexation and zoning with those present. There are four lots, Higley's Lumber Yard, Rex Higley's mother's house, a bare lot on the corner behind the lumber yard, and Eric Higley's home. Mr. Ross stated the proposed annexation is going to be treated as a Category B annexation even though the homes are Category A. He proposed annexing the whole due to some parcel number issues. Mr. Ross stated the city received letters from Agri-Service and Higley's indicating they would like to retain their existing addresses.

After discussion, motion by Chad Anderson to have City Attorney Paul Ross read Ordinance No. 2022-668 once by title only for the first of three readings. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

City Attorney Paul Ross read Ordinance No. 2022-668 by title only.

Public Hearing – Application for Camp Crossing Preliminary Residential Subdivision Plat submitted by RAD Ventures, LLC for the open field property located east of H Street between 10th and 14th Street, Heyburn, Idaho.

David Molina co-owner of RAD Ventures, LLC presented the application for a residential subdivision plat located east of H Street between 10th and 14th Street. Mr. Molina stated the subdivision would consist of the construction of multi-family buildings including 4-plexes and 2-plexes. Mr. Molina stated the buildings would face inward and would have sidewalks in front of the buildings. Mr. Molina stated a privacy fence would be installed along H Street for the privacy of the residents as well as the aesthetics of the area.

Mayor Galbraith opened the public hearing for the Application for Camp Crossing Combined Preliminary and Final Residential Subdivision Plat submitted by RAD Ventures, LLC.

Those speaking in favor were: None.

Those speaking neither in favor nor against were: None.

Those speaking against were: None.

Hearing no further comments, Mayor closed the public hearing.

Discuss / Consider Application for Camp Crossing Combined Preliminary and Final Residential Subdivision Plat submitted by RAD Ventures, LLC for the open field property located east of H Street between 10th and 14th Street, Heyburn, Idaho – ACTION ITEM

Those present discussed the proposed subdivision plat. Limitations of improvements to H Street were also reviewed.

After discussion, there was a motion by Joanne Justesen to approve the Application for Camp Crossing Combined Preliminary and Final Residential Subdivision Plat submitted by RAD Ventures, LLC for the open field property located east of H Street between 10th and 14th Street,

Heyburn, Idaho. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Reassigning Resolution No. 2022-4 for the adoption of a Revised and Updated Personnel Policy to Resolution No. 2022-6 – ACTION ITEM

City Attorney Paul Ross stated that after a flurry of resolutions, two resolutions ended up with the same number. Mr. Ross asked the council to consider reassigning the adoption of the most recent Personnel Policy to Resolution No. 2022-6 rather than having it as Resolution No. 2022-4.

Motion by Chad Anderson to approve Reassigning Resolution No. 2022-4 for the adoption of a Revised and Updated Personnel Policy to Resolution No. 2022-6. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Idaho Transportation Traffic Enforcement Grant Application – ACTION ITEM

Police Chief Ryan Bertalotto asked the council to consider permitting Mayor Galbraith to sign the Traffic Enforcement Grant Project Agreement for the submission of an application to participate in the grant funding with Idaho Transportation Department for traffic enforcement and associated equipment. Chief stated ITD has several mobilizations which the city can offer overtime and be fully reimbursed for the overtime wages for officers being on duty during certain holidays. Chief also stated ITD has grant funding for equipment such as radars and e-citation equipment. Chief stated there is a 25 percent grant match that can be done with officer's wages for time dedicated to traffic enforcement.

Motion by Joanne Justesen to approve the submittal of a grant application to the Idaho Transportation Traffic Enforcement for the Traffic Enforcement Grant. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Discuss / Consider Cancellation of the December 28, 2022 City Council Meeting – ACTION ITEM

Motion by Chad Anderson to cancel the December 28, 2022 City Council Meeting but to reschedule such meeting if something urgent should arise. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye; Rick Tundag – Aye.

Mayors Time & Committee Reports

Mayor Galbraith shared a thank you letter and pictures from the city's participation in the Rupert Recreation Program.

Mayor Galbraith stated that renovations of the Heyburn Police Department are underway. Mayor stated that everyone seems excited about the changes being made.

No Committee Reports.

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

Mayor Galbraith opened this time for comments from the public. No comments made.

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 Rick Tundag.

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

The council meeting adjourned at 7:57 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer