

**City of Heyburn Council Meeting & Public Hearing**  
**Wednesday, December 12, 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 Council President Joanne Justesen to lead those present in the Pledge of Allegiance.

**Discuss / Consider Minutes of the November 28, 2018 Council Meeting & Public Hearing & the December 4, 2018 City Council Work Meeting – ACTION ITEM**

Motion by Joanne Justesen to approve the minutes of the November 28, 2018 Council Meeting & Public Hearing & the December 4, 2018 City Council Work Meeting 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**

Motion by Dick Galbraith 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.

**Public Hearing on the Urban Renewal Plan for The Boulevard Urban Renewal Project of the Heyburn Urban Renewal Agency**

Ryan Armbruster from Elam & Burke Attorneys at Law introduced himself as Legal Counsel for the Heyburn Urban Renewal Agency and provided those present with an overview of the Urban Renewal Plan for the The Boulevard Urban Renewal Project. Mr. Armbruster provided those present with the history and current conditions of the area stating the project area consists of approximately 80 acres of land generally located north of 21<sup>st</sup> Street, east of South 600 West Road, south of Interstate 84 and west of the development referred to as “McBride Addition”. Mr. Armbruster stated the developer originally approached the Heyburn Urban Renewal Agency back in 2012 with the name of Alfresco, LLC to prepare an eligibility report, but did not proceed beyond the eligibility report. In early 2018 the city was approached by Terra Firma Development, LLC suggesting a new Urban Renewal Project Area be considered. In June 2018 an updated eligibility report was completed by Brent Tolman, Outwest Policy Advisors. In June of 2018 the Urban Renewal Board accepted the eligibility report and forwarded it to the city council for their consideration. In June 2018 the city council adopted a resolution accepting the report and directed the agency to commence preparation of an urban renewal plan. In November 2018 the Urban Renewal Agency considered the plan and recommended approval. Copies of the

plan were submitted to all affected taxing entities and the notice of public hearing was published. In November 2018 the City Planning & Zoning Commission confirmed the plan conformed to the City of Heyburn Comprehensive Land Use Plan. In December 2018 an error was discovered in the legal description and was corrected. All taxing entities were notified of the change in legal description. Mr. Armbruster stated that all requirements set forth by Idaho Code 50-2905 have been met.

Mr. Armbruster turned the time over to Brent Tolman from Outwest Policy Advisors who provides consulting services for the Heyburn Urban Renewal Agency. Mr. Tolman provided those present with a breakdown of the estimated valuation of new improvements and corresponding tax increment values.

Mr. Tolman provided the below revenue allocation summary.

The Boulevard		Total
<b>Beginning Balance</b>		
<b>Source of Funds</b>		
Revenue Allocation		\$ 38,147,170
Developer Contribution - Infrastructure		\$ 16,427,973
Developer Contribution - Agency Fees		\$ 21,600
City Contribution (bonds for sewer system upgrade)		\$ 2,810,000
URA Inter-District Loan *		\$ 45,370
Other Revenue - Grant		\$ -
<b>Total Funds Available</b>		<b>\$ 57,452,113</b>
<b>USES OF FUNDS</b>		
<b>INVESTMENTS</b>		
Main Street		\$ 2,846,531
Roundabout		\$ 500,000
Lighting & Green Space		\$ 350,000
Sewer - Sanitary		\$ 3,500,000
Sewer - Storm		\$ 257,750
Water		\$ 441,000
Bridge - MID Canal		\$ 350,000
Labor/Installation, contingency		\$ 8,450,155
Market Report		\$ 49,800
Demolition (necessary to connect to wastewater collection system)		\$ 275,000
Fees, Permits, construction interest, Origination & setup fees		\$ 2,207,736
<b>TOTAL INVESTMENTS</b>		<b>\$ 19,227,972</b>
<b>Net available for Operating Expenses &amp; Debt Service</b>		<b>\$ 38,224,141</b>
<b>OPERATING EXPENSES</b>		
Agency Operating Expenses		\$ 813,709
Eligibility Report		
Urban Renewal Plan		
<b>TOTAL OPERATING EXPENSES</b>		<b>\$ 850,309</b>
<b>Net Available After Investments &amp; Operating Expenses</b>		<b>\$ 37,373,832</b>
<b>DEBT SERVICE</b>		
Available for Debt Service		\$ 37,373,832
OPA Debt Service Obligation		\$ 16,449,573
Additional OPA Principal		\$ -
City Bond Payment		\$ 2,810,000
Repay Inter-District Loan		\$ 45,370
<b>TOTAL DEBT SERVICE</b>		<b>\$ 19,304,943</b>
<b>Total Use of Funds</b>		<b>\$ 39,383,224</b>
<b>Available for Other In-District Projects</b>		<b>\$ 18,068,889</b>
<b>Ending Balance</b>		<b>\$ 18,068,889</b>

Mayor Cleo Gallegos opened the public hearing.

Mayor Gallegos asked for those speaking in favor of the Urban Renewal Plan for The Boulevard Urban Renewal Project of the Heyburn Urban Renewal Agency to step forward.

*Those speaking in favor were: None.*

Mayor Gallegos asked for those speaking against the Urban Renewal Plan for The Boulevard Urban Renewal Project of the Heyburn Urban Renewal Agency to step forward.

*Those speaking against were: None.*

Mayor Gallegos asked for those speaking neither against nor in favor of the Urban Renewal Plan for The Boulevard Urban Renewal Project of the Heyburn Urban Renewal Agency to step forward.

*Those speaking in neither against nor in favor were: None.*

Hearing no further comments, Mayor Gallegos closed the public hearing.

**Discuss / Consider Ordinance No. 2018-605 Approving the Urban Renewal Plan for The Boulevard Urban Renewal Project – ACTION ITEM – With Suspension of the Rule Requiring Three Readings and Adopt in One Reading**

**ORDINANCE NO. 2018-605**

**AN ORDINANCE OF THE CITY OF HEYBURN, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE BOULEVARD URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.**

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2018-605 approving the Urban Renewal Plan for The Boulevard Urban Renewal Project, which plan includes revenue allocation financing provisions, by title only waiving the rule requiring three readings and adopt in one reading and by title only. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

City Attorney Paul Ross read Ordinance No. 2018-605 one time, by title only for the first and only reading.

Motion by Joanne Justesen to adopt Ordinance No. 2018-605 with the anticipated correction to the legal description. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Development Agreement with PR Enterprises, LLC and Terra Firma Development, LLC for the The Boulevard – ACTION ITEM**

City Administrator Tony Morley presented the Development Agreement with PR Enterprises, LLC and Terra Firma Development, LLC for the The Boulevard to those present. Mr. Morley stated the agreement has not been signed by the developer and asked the city council to table this item.

This item was tabled.

**Discuss / Consider Development Agreement with MBB Properties, LLC for 208 Business Park – ACTION ITEM**

City Attorney Paul Ross presented the Development Agreement with MBB Properties, LLC for 208 Business Park to those present.

City Administrator Tony Morley stated the agreement has been signed by the developer.

Motion by Chad Anderson to approve the Development Agreement with MBB Properties, LLC for 208 Business Park. Second by Dick Galbraith. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Public Hearing on the Wastewater Collection System Plan prepared by J-U-B Engineers, Inc. and approved by Idaho Department of Environmental Quality for improvements to the City’s Wastewater Collection System**

Gary Haderlie Project Engineer for J-U-B Engineers provided a PowerPoint presentation of the Wastewater Collection System Master Plan to those present. Mr. Haderlie covered master plan goals, existing base flow calibration, existing pipe capacity, existing pipes, and a capital improvement plan with top priorities.

Mayor Cleo Gallegos opened the public hearing.

Mayor Gallegos asked for those speaking in favor of the Wastewater Collection System Plan prepared by J-U-B Engineers, Inc. and approved by Idaho Department of Environmental Quality for improvements to the City’s Wastewater Collection System to step forward.

*Those speaking in favor were: None.*

Mayor Gallegos asked for those speaking against the Wastewater Collection System Plan prepared by J-U-B Engineers, Inc. and approved by Idaho Department of Environmental Quality for improvements to the City’s Wastewater Collection System to step forward.

*Those speaking against were: None.*

Mayor Gallegos asked for those speaking neither against nor in favor of the Wastewater Collection System Plan prepared by J-U-B Engineers, Inc. and approved by Idaho Department of

Environmental Quality for improvements to the City's Wastewater Collection System to step forward.

*Those speaking in neither against nor in favor were: Brent Tolman provided a comment regarding population growth in Heyburn.*

Hearing no further comments, Mayor Gallegos closed the public hearing.

**Discuss / Consider the Wastewater Collection System Plan prepared by J-U-B Engineers, Inc. and approved by Idaho Department of Environmental Quality for improvements to the City's Wastewater Collection System with motion to approve Alternative Number 1 or 2 – ACTION ITEM**

After discussion, this item was continued to the January 9, 2019 City Council Meeting.

**Discuss / Consider Detailed Design Task Order #04 with HDR Engineering, Inc. – Brad Bjerke – ACTION ITEM**

Brad Bjerke, Project Engineer for HDR Engineering, Inc. presented Detailed Design Task Order #04 to those present. Mr. Bjerke stated this Task Order is defining improvements to the Wastewater Treatment System, engaging Heyburn personnel during design development, and meet quality and cost objectives.

Motion by Dick Galbraith to approve the Detailed Design Task Order #04 with HDR Engineering, Inc. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Update from Forsgren Associates on the Wastewater Collection Facility Project – ACTION ITEM**

David Waldron Project Engineer for Forsgren Associates provided an update to the city council. Mr. Waldron announced that he has accepted a position with the City of Burley and will no longer be working for Forsgren Associates. Mr. Waldron stated the city will be working with Dave Noel and Jason Broom to complete the Wastewater Collection Facility Project. Forsgren has indicated they will maintain the Burley location for ease in working with the City.

Those present wished Mr. Waldron the best of luck in his future endeavors.

**Discuss / Consider Commercial Garbage Hauling Licenses for 2019 – ACTION ITEM**

- a) **PSI Environmental**
- b) **Total Waste Management LLC**
- c) **Western Waste Services, Inc.**

Motion by Dick Galbraith to approve the 2019 Commercial Garbage Hauling Licenses for PSI Environmental, Total Waste Management LLC, and Western Waste Services, Inc. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye.

**Discuss / Consider Salvage Yard License for 2019 – United Metals, LLC – ACTION ITEM**

Motion by Joanne Justesen to approve the 2019 Salvage Yard License for United Metals, LLC. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye.

**Discuss / Consider 4<sup>th</sup> Quarter Treasurers Financial Report – ACTION ITEM**

Motion by Dick Galbraith to approve the 4<sup>th</sup> Quarter Treasurers Financial Report as presented. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Cancelling or Rescheduling the December 26, 2018 Council Meeting – ACTION ITEM**

Motion by Dick Galbraith to approve Cancelling the December 26, 2018 Council Meeting. A special meeting could be called if necessary. Second by Chad Anderson. Roll-Call Vote: Chad Anderson – Aye; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Discuss / Consider Blue Cross of Idaho Group Voluntary Vision Enrollment – ACTION ITEM**

City Administrator Tony Morley presented three options to the city council for a Voluntary Vision Policy.

Motion by Dick Galbraith to approve the Blue Cross of Idaho Group Voluntary Vision Enrollment paying 100% for employees and 0% for dependents. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Nay; Dick Galbraith – Aye; Joanne Justesen – Aye; Rose Schmitt – Aye.

**Mayors Time & Committee Reports**

Chad Anderson provided a brief update to those present on the Pickle ball Committee.

**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. The mere presence of legal counsel at an executive session does not satisfy this requirement.**

Motion by Dick Galbraith to go into Executive Session as per Idaho Code 74-206(1)(c) Interest in Real Property. 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 topic was a matter of (c) to acquire an interest in real property which is not owned by a public agency.

The Executive Session began at 9:12 PM.

No decisions were made.

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

Executive Session returned to open session at 9:36 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 9:36 PM.

Cleo Gallegos  
Mayor

Ashlee Langley  
City Clerk/Treasurer