

City of Heyburn Council Meeting & Public Hearing
Wednesday, December 22, 2021
7:00 P.M.

Mayor: Dick Galbraith.

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

Employees Present:

Paul Ross, Cole Kuta, Noah Shiner, Ivan McCracken, and Ashlee Langley.

Welcome & Pledge:

Meeting conducted by Mayor Dick Galbraith who welcomed everyone to the meeting and lead those present in the Pledge of Allegiance.

Discuss / Consider the Minutes of the December 08, 2021 Council Meeting
– **ACTION ITEM**

Those present reviewed the minutes of the December 08, 2021 City Council meeting.

Motion by Joanne Justesen to approve the minutes of the December 08, 2021 City Council meeting as presented. Second by Chad Anderson. 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.

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 the Salvage Yard License for 2022 – United Metals, LLC
– **ACTION ITEM**

Those present reviewed the Salvage Yard License for 2022 for United Metals, LLC. Brett Ekart Owner of United Metals, LLC, Tom Neill President, Amy Oldham Regional Director for Southern Idaho were all present to provide those present with information regarding the future for the Salvage Yard as well as answer any questions or concerns the council or residents may have. Those present discussed minimizing the size of the salvage piles or creating a barrier to block the view to neighboring residents.

After discussion, motion by Joanne Justesen to approve the 2022 Salvage Yard License for United Metals, LLC as presented. Second by Rick Tundag. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Public Hearing Annexation and Zoning Pursuant to Idaho Code 50-222 and 67-6511 of Properties belonging to Joshnik, LLLP, and Idaho State Department of Highways, Now Idaho Transportation Department, located at 326 South Highway 24, Heyburn, Idaho.

Those present reviewed the Annexation and Zoning Pursuant to Idaho Code 50-222 and 67-6511 of Properties belonging to Joshnik, LLLP, and Idaho State Department of Highways, Now Idaho Transportation Department, located at 326 South Highway 24, Heyburn, Idaho.

Mayor Galbraith opened the public hearing for the annexation and zoning of properties belonging to Joshnik, LLLP and Idaho Transportation Department located at 326 S Highway 24, Heyburn. No written statements were received.

Those speaking in favor were: None.

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

Those speaking against were: None.

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

Discuss / Consider Adoption of Ordinance No. 2021-650 Ordinance of the City of Heyburn, Annexing Properties Owned by Joshnik, LLLP, and State of Idaho Department of Highways, Unincorporated Minidoka County Property Located at 326 South Highway 24, Heyburn, Idaho, to City of Heyburn; Zoning Property as Commercial General; Amending Zoning Map – ACTION ITEM

Those present reviewed Ordinance No. 2021-650 annexing properties owned by Joshnik, LLLP, and State of Idaho Department of Highways, for the property located at 326 South Highway 24, Heyburn, Idaho.

Those present reviewed the Application for Annexation and Zoning, proposed Ordinance, and the Annexation Plan. The council recognized this as a Category B Annexation and reviewed Idaho Code 50-222. Council discussed the applicable requirements and exceptions to permit such an annexation and found that the annexation meets those requirements and does not fall within any of the exceptions. After review of the Annexation Plan and proposal, impacts on the various parts of the city and other taxing entities, that such annexation is consistent with the public purposes stated. Lastly, that the annexation is reasonably necessary for orderly development of the city and the region. Council also reviewed potential zoning for the parcel and found the County's designation of Commercial General would be suitable to be carried over for this parcel after annexation.

Mr. Ross explained to those present that due to an error on the Planning & Zoning agenda the commission was not able to make a decision on it but will consider a decision at their January 2022 meeting. Discussion continued to 26 January 2022 to permit recommendations from Planning & Zoning and for further discussion, if any, before final action.

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-650 once by title only for the first reading. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

City Attorney Paul Ross read Ordinance No. 2021-650 once by title only for the first reading.

Discuss / Consider Adoption of Ordinance No. 2021-651 Ordinance of the City of Heyburn, Adopting an Updated Zoning Map Under Heyburn Code 8-3-2 – ACTION ITEM

Motion by Joanne Justesen to have City Attorney Paul Ross read Ordinance No. 2021-651 once by title only for the first 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. 2021-651 once by title only for the first reading.

Motion by Joanne Justesen to adopt Ordinance No. 2021-651 with suspension of the rule requiring three readings and adopt in one reading with mentioned changes and Joshnik removal. Second by Rose Schmitt. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Discuss / Consider Adoption of Resolution No. 2021-12 Resolution of the City of Heyburn Adopting a Revised Records Retention Policy and Schedule

Those present reviewed Resolution No. 2021-12 for the adoption of a revised records retention schedule for the city. City Attorney Paul Ross stated there are several things the city does not currently have in the existing retention policy such as text messages and emails etc.

Motion by Chad Anderson to adopt Resolution No. 2021-12 Adopting a Revised Records Retention Policy and Schedule as presented. Second by Joanne Justesen. Roll-Call Vote: Chad Anderson – Aye; Joanne Justesen - Aye; Rose Schmitt – Aye; Rick Tundag - Aye.

Mayors Time and Committee Reports

No Committee Reports.

Mayor Galbraith stated interviews for the Police Chief position have been scheduled for the first week in January 2022.

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

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

Motion to Adjourn - ACTION ITEM

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

The council meeting adjourned at 8:04 PM.

Dick Galbraith
Mayor

Ashlee Langley
City Clerk/Treasurer