

**SPECIAL BURLEY CITY COUNCIL MEETING  
CITY HALL  
January 2, 2018**

**COMMENCE MEETING**

Council met in special session at 6:30 p.m. with Mayor Smedley presiding. Council members present were Randy Hawkins, John Craner, Casey Andersen, Jon Anderson, Russell Mallory and Bryce Morgan.

**EXECUTIVE SESSION**

A motion was made by Council member Casey Andersen and seconded by Council member Mallory to go into executive session on a personnel matter, the purchase of real property, and option on pending or eminent litigation matter pursuant to Idaho Code Section 74-206 (1)(b),(c) and (f).

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

A discussion was held on all matters.

Executive session adjourned at 6:59 p.m.

Council reconvened at 7:00 p.m.

Council met in regular session at 7:00 p.m. with Mayor Smedley presiding. Council members present were Randy Hawkins, John Craner, Casey Andersen, Russell Mallory, Bryce Morgan and Jon Anderson.

City Staff present were as follows: City Administrator Mark Mitton, City Clerk Ellen Maier, Attorney Dave Shirley, Sexton Dave Allred, Waste Water Treatment Director Dee Hodge, Engineer Bryan Reiter, Fire Chief Shannon Tolman, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn, Librarian Julie Woodford, Shop Foreman Rick Garner, Golf Pro Scott Draper and Lt. Jason Rogers were also in attendance.

**INVOCATION**

The Invocation was offered by Council member Morgan followed by the Pledge to the Flag.

## CONSENT CALENDAR

1. Items on the Consent Calendar are considered to be routine and enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a member of the Council. Any request shall be made after the Consent Calendar is read and before action is taken.
  - a. **APPROVAL OF MINUTES FROM REGULAR AND SPECIAL MEETINGS**
  - b. **BILLS PAYABLE \$617,246.51.**
  - c. **PAYROLL ENDING 12/22/17 FOR \$198,010.67.**

### Information Items

#### **BUILDING PERMITS:**

Jeri Holland	2008 E 16 <sup>th</sup> St	Mini Storage	\$ 35,000.00
Noel Santana	1232 Overland	Roof Repair	\$ 10,000.00

A motion was made by Council member Hawkins and seconded by Council member Casey Andersen to accept the Consent Calendar as written.

Roll Call Vote.

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

#### **AMERICAN LEGION POST 17 – PRESENT CERTIFICATE OF SUPPORT**

Sue Kennedy from Burley American Legion Post 17 presented Mayor Smedley with a certificate of appreciation for all of the support he has given them. She said he had attended their pot lucks, Veteran’s Day Celebrations, District Conventions at the Masons, attended the flag presentation and drawings.

Mayor Smedley then thanked the American Legion for all the things they do around the Community.

#### **HONOR OUTGOING MAYOR**

Council President Randy Hawkins presented the Mayor with a clock and said he was a native son of the City of Burley.

Mayor Smedley said he appreciates the time he has spent as Mayor. He said it has been a wonderful trip for him and that he has learned a lot. He stated that if you are on the inside looking out you see a lot further and a lot more than if you are on the outside looking in. He said

that every department is important to the City and the department heads are very devoted to their department. He stated that he is very thankful for the time he had with the City.

**SWEAR IN MAYOR**

City Clerk Ellen Maier then administered the Oath of Office to the new elected Mayor, Steve Ormond.

**SWEAR IN COUNCIL**

Mayor Ormond then administered the Oath of Office to the elected Council members, Casey Andersen, Jon Anderson and Bryce Morgan.

**ELECT COUNCIL PRESIDENT**

A motion was made by Council member Randy Hawkins and seconded by Council member Casey Andersen to nominate Council member John Craner as Council President.

There were no other nominations so Council member Randy Hawkins moved that the nominations cease.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

Council then voted on the new Council President.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

**BPA CUSTOMER PORTAL – REVISED CONTRACT**

Electrical Supervisor Brent Wallin asked the Council for their approval to enter into a contract with BPA. It is for computer access to the BPA portal and is at no extra charge. Mr. Wallin stated that we do have access to the portal now and that this contract will streamline the process.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to allow the contract to be signed by the Mayor with the BPA to use their portal.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

### **ADVANCED BIOFUELS**

City Administrator Mark Mitton presented the Council with a lease with Advanced Biofuels, a company interested in buying the digesters in Heyburn and use the City's waste to produce biofuels. This was originally built by Renova. The contract the City did with Natural Chem could not get financing and did not get off the ground. There are still structures and utilities on the property that are needed to service the digesters. He presented the Council with a power point and went over some points of the lease. He asked the Council to review the lease and that there would be a special meeting to ask for approval of the lease later this week.

A discussion followed with questions being asked by the Council.

### **AMENDMENT TO CONTRACT WITH ETS**

City Administrator Mark Mitton said that Council approved the agreement with ETS to build the high speed communication system between all of the city departments, but two changes need to be made to the contract. The first one is they are not making any money off of the equipment so we will pay for the equipment as they invoice us. Also the agreement said we would be the owners of the license but they are not ETS's licenses so they could not sign the contract.

A motion was made by Council member Morgan and seconded by Council member Mallory to approve the changes to the ETS contract.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

### **NO SMOKING AT DESIGNATED PARKS ORDINANCE**

City Attorney Dave Shirley drafted an ordinance as instructed by the Council at the last meeting prohibiting smoking at Salmon Park, East Park and along with the existing Story Book Park.

Council member Mallory said he would vote no because he feels it would be taking away civil liberties of people that use tobacco.

Council member Morgan said that banning no smoking in the whole park is carrying it a little far, but we also need to remember who the park is for.

Council member Hawkins said that he thinks they are trying to make it more of a deterrent than a legal action and said he feels we could do that through signs that say something like “Thank you for not Smoking”.

A motion was made by Council member Hawkins and seconded by Council member Craner to table this item for further discussion.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Randy Hawkins	Aye
Jon Anderson	Aye	Russell Mallory	Aye
John Craner	Aye	Bryce Morgan	Aye

Motion carried.

Mayor Ormond praised the departments involved for the beautiful Christmas lighting and parade. He stated that Mayor Smedley gave him the opportunity to serve on the Council for a few months and is grateful for that opportunity.

Council member Mallory commended Mayor Smedley for his dedication to the City of Burley.

Council member Casey Andersen said he is pleased to serve on the Council for another four years.

Council member Jon Anderson thanked the gentlemen that brought the no smoking ordinance to them, even though they did not get the results they wanted. He feels that maybe signs without an ordinance would be the best. He also expressed his appreciation to serve on the Council again.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 8:02 P.M.

All “Aye.”

Motion carried.

City of Burley

\_\_\_\_\_  
Mayor Ormond

ATTEST:

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City Clerk