

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
April 3, 2018**

COMMENCE MEETING

Council met in special session at 6:00 p.m. with Mayor Ormond 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 Morgan to go into executive session on pending or eminent litigation matter pursuant to Idaho Code Section 74-206 (1)(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 a litigation matter.

Executive session adjourned at 7:01 p.m.

Council reconvened at 7:02 p.m.

Council met in regular session at 7:02 p.m. with Mayor Ormond 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-excused, Waste Water Treatment Director Dee Hodge, Economic Development Specialist Doug Manning, Engineer Bryan Reiter, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn arrived at 7:25 p.m., Librarian Julie Woodford, and Lt. Jason Rogers was also in attendance.

INVOCATION

The Invocation was offered by Council member Craner 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 \$989,970.51.**
- c. PAYROLL ENDING 3/16/18 FOR \$192,786.52.**

Information Items

NEW HIRE:

Kyler Craner Parks Dept. Parks Foreman \$18.00 Per Hour

BUILDING PERMITS:

Cassia County School District 151 333 west 27th Alteration \$3,100,000.00

PLANNING & ZONING:

Notice of Preliminary Plat

A motion was made by Council member Craner and seconded by Council member Hawkins 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.

BUDGET PRIORTIES FOR 2019

City Administrator Mark Mitton said that it is time to start thinking about next year's budget. He said we have to have it published in August and adopted in late August or early September to meet the state set deadlines. Mr. Mitton said we will be holding a budget workshop in about a month and asked the Council to be thinking about what our priorities are, like the 2nd phase of the RV Park.

ITD LICENSE AGREEMENT

City Attorney Dave Shirley presented the Council with a license agreement with the Idaho Transportation Department. The Idaho Transportation Department asked the City of Burley if they could use some of its property as well as the City's easements for the US Hwy 30 project. Mr. Shirley said Council approved this at the last meeting and this is the agreement for them to approve.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to approve the license agreement and allow the Mayor to sign it.

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.

ITD LETTER CONCERNING 4TH STREET

City Administrator Mark Mitton said that as discussed at the last meeting he has drafted a letter to the Idaho Transportation Department about the safety concerns at the intersection of 4th Street and Overland Avenue (State Highway 27) allowing left turns only and eliminating the through traffic at the 4th Street intersection.

Bill and Darren Kyle, owners of McDonalds, addressed the Council. They spoke in favor of the proposed changes to the traffic pattern.

A discussion followed.

A motion was made by Council member Craner and seconded by Council member Morgan to approve the letter to ITD and allow the Mayor to sign it.

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.

SIDEWALK GRANT ENGINEERING & CONSTRUCTION MANAGEMENT

City Administrator Mark Mitton said that Council approved the grant for sidewalks on 19th street for \$191,000.00. He then asked Council to approve the contract with Forsgren Associates Inc. for the site design for \$19,000.00 and for limited CA, title II services for \$19,100.00. They will do the layout, contacting the people where we need a slope easement, bid it, oversee the construction of the sidewalk and make sure the project is completed as per the scope.

City Attorney Dave Shirley said that he talked with the engineer and that #18 needs to be eliminated, it can be marked out and initialed by the Mayor.

A motion was made by Council member Casey Andersen and seconded by Council member Malloy to approve the contract with Forsgren Engineering with the exception of paragraph 18 and allow the Mayor to sign it.

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.

AGREEMENT WITH IDAHO DEPARTMENT OF COMMERCE-MCCAIN'S

Community Development Director Doug Manning asked for Councils approval of the Idaho Opportunity Fund that they worked with the Idaho Department of Commerce.

City Attorney Dave Shirley said the proponent of the grant is the Burley Development Authority (BDA), who has been working with McCain's on this project. He stated that there is a development agreement in place where the City will work with the BDA on this grant for putting in the infrastructure. He said it is easier for the City over the County to be the grantee, therefore the City is asking for the grant, but the obligations of the City will be fulfilled by the BDA. The City will rely on the BDA to do the things that are in the agreement. Mr. Shirley said it will be the \$500,000.00 match and the agreement with McCain's that requires them to do certain things. It will be the BDA that enters into the agreement that sets the criteria such as number of employees. Mr. Shirley said the Department of Commerce is giving the grant and we administer it and report directly to the Department of Commerce. Mr. Shirley stated that it is important that the BDA comply with the agreement or they would have to give the money back to the Department of Commerce.

Mr. Manning said the BDA has the funds available for this project and upon the approval of this agreement, we will send a copy of the agreement along with the invoice for \$500,000.00 to Idaho Department of Commerce to have the funds dispersed to us, then we will disburse the money to McCain's.

A motion was made by Council member Casey Andersen and seconded by Council member Hawkins to approve the Idaho Opportunity Grant application and allow the Mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

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

(Council member Jon Anderson abstained from the vote because he is on the BDA board)

Motion carried.

LEGACY FEE FOR GOLF SEASON PASSES

Golf Pro Scott Draper presented the Council with the previous idea of the Legacy Pass and said if they agreed he would bring it back in the form of a resolution. This pass would reward loyal customers. It would be for people who have purchased the adult unlimited, couples unlimited or adult portion of the family pass at the regular posted rate for three consecutive years. He said pass holders would have to renew their pass each year to maintain the legacy designation for up to five years then in the 6th year there would be a rate increase.

A discussion followed and it was decided to be brought back to the Council in a Resolution.

A motion was made by council member Casey Andersen and seconded by Council member Mallory to adjourn the meeting at 7:50 P.M.

All "Aye."
Motion carried.

City of Burley

Mayor Ormond

ATTEST:

City Clerk