

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
February 4, 2020**

SPECIAL MEETING

ACTION ITEM: EXECUTIVE SESSION AT 6:40 P.M. PURSUANT TO IDAHO CODE SECTION 74-206 (1)(f): TO COMMUNICATE WITH LEGAL COUNSEL TO DISCUSS THE LEGAL RAMIFICATIONS OF AND LEGAL OPTIONS FOR PENDING LITIGATION OR CONTROVERSIES NOT YET BEING LITIGATED BUT IMMINENTLY LIKELY TO BE LITIGATED.

AGENDA

REGULAR SESSION AT 7:00 P.M.

CONSENT CALENDAR

- 1. ACTION ITEM 1.a through c.** 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 \$926,555.71.**
 - c. PAYROLL ENDING ON 1/17/20 FOR \$212,136.84.**

- 2. ACTION ITEM** Annual Industrial Park Report Cameron Cook
- 3. ACTION ITEM** Fiscal Year 2019 Audit Jacob Catmull
- 4. ACTION ITEM** Advertisement-Bid for WW Chemical Building Jason Broome
- 5. ACTION ITEM** Farmers Market Jessie Mcallister/Britney Tracy
- 6. ACTION ITEM** Honeywell Report Jason Randall
- 7. ACTION ITEM** BAAT Team-Flower Pots Bev Stone
- 8. ACTION ITEM** National Pioneer Trails Request for \$750.00 Doug Manning
- 9. ACTION ITEM** Approve Phone RFP and Contract for Phone Provider Mark Mitton
- 10. ACTION ITEM** Approve Letter of Support for Airport Legislation Dave Shirley
- 11. ACTION ITEM** Approve Engineering Request for Qualifications Evaluation Mark Mitton
- 12. ACTION ITEM** Acceptance of Waterline Easement from McDonald's Bryan Reiter
(Located in the NE ¼ of the NE ¼ of Section 17, T10S, R23E)

Information Items

BUILDING PERMITS:

Ryan Berlin	2815 Mt. Harrison DR	Addition	\$ 12,000.00
Packaging Corporation	1544 W 27 th St	Addition	\$9,660,370.00

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CITY HALL
February 4, 2020**

COMMENCE MEETING

Council met in special session at 6:40 p.m. with Mayor Ormond presiding. Council members present were Jon Anderson, Casey Andersen, John Craner, Janet Hansen, Bryce Morgan and Kimberli Seely.

EXECUTIVE SESSION

A motion was made by Council member Casey Andersen and seconded by Council member Jon Anderson to go into executive session pursuant to Idaho Code Section 74-206 (1)(f) to communicate with legal counsel to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

A discussion was held on a litigation matter.

Council met in regular session at 7:02 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, Jon Anderson, John Craner, Janet Hansen, Bryce Morgan and Kimberli Seely.

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, Economic Development Specialist Doug Manning, Golf Pro Scott Draper, Engineer Dave Waldron, Building Inspector Gary Pawson, Engineer Bryan Reiter, Fire Chief Shannon Tolman, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn, Librarian Julie Woodford, Human Resource Carol Anderson, and Lt. Jason Rogers.

INVOCATION

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

CONSENT CALENDAR

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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 \$926,555.71.**
- c. **PAYROLL ENDING 1/17/20 FOR \$212,136.84.**

Information Items

BUILDING PERMITS:

Ryan Berlin	2815 Mt. Harrison DR	Addition	\$ 12,000.00
Packaging Corporation	1544 W 27 th St	Addition	\$9,660,370.00

A motion was made by Council member Craner and seconded by Council member Seely to accept the Consent Calendar as written.

Roll Call Vote.

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

ANNUAL INDUSTRIAL PARK REPORT

Cameron Cook, representing Boyer Company, presented the annual report on the Burley Industrial Park. Mr. Cook said the industrial park consists of 10 businesses, they have over 20 acres of available land and are marketing spaces in 4 buildings. They are marketing the vacant land for land lease or build to suit. Payments to the city for 2019 was \$118,165.31. Mr. Cook stated the main focus this year is to find a tenant to occupy the 160,000 square foot freezer that was vacated, also the 2,500 square foot management office, the 10,000 square foot cafeteria building and the 2,500 square foot trucking office. They have hired brokers out of Twin Falls, and Utah to help with marketinhg the freezer unit. They are working on cleaning up the outside storage area.

FISCAL YEAR 2019 AUDIT

Jacob Catmull from Poulsen VanLeuven & Catmull PS presented the Council with the 2018/2019 audit. This audit is done to meet State of Idaho Code. The city is bound to follow the generally accepted accounting principles and to follow governmental accounting principles that are established for governmental entities. He stated they perform three procedures in the audit process. During the testing procedure they look at the paper trail of the city’s financial activity. They check for original invoices, vendors, signatures and individually look at any large items. They look at records for the State and County and confirm those amounts. Confirmation procedures verify bank accounts, investment accounts, loan balances and revenues from the

State. Mr. Catmull said the cities financial statements are in accordance with both of the standards. They then do a review of internal controls of how the city controls the financial process. They review all of the Council meeting minutes, city approved utility rates making sure they match what is approved, employee pay raises and sample pay checks and the approval process making sure the rates match. He stated that this was a clean audit and he has nothing to report outside of those standards. Mr. Catmull briefly discussed the different funds and asked Council to call himself or Mr. Mitton with any questions. This will be on the agenda in two weeks so Council can accept the audit.

ADVERTISEMENT-BID FOR WW CHEMICAL BUILDING

Jason Broome, Project Engineer from Forsgren asked Council for their approval to release this project out for bid. This project is for a new building, pumps and a storage tank at the waste water treatment plant. It is approximately a 15' x 15' building tall enough to fit the tank in. This will allow the city to add chemical to eliminate phosphorus, which is limited by the City's discharge permit. This chemical building allows a second choice to control the phosphorus through a continuous phosphorus monitoring system. This is about a \$350,000.00 project that is accounted for in the current budget.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to allow the bid to be put out for the chemical building at the waste water treatment plant.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

FARMERS MARKET

Jessie Mcallister and Britney Tracy addressed Council about their plan to have a Burley Farmers Market and Food Truck Round Up in East Park on Main Street starting Thursday June 25th and continuing every other Thursday through September from 3 to 8 PM. They will not have one during the week of the fair but will have the market during the Boat Regatta and the Spudman. This is a non-profit organization; they will charge each booth \$15.00 that will help defray the costs of portable restrooms etc. It was mentioned that they have worked with South Central Public Health, Region V about the codes for Idaho Farmers Market Associations, Brent Wallin in the electrical department, Fire Chief Tolman and the Sheriff' department along with the surrounding neighbors of the park getting approval from all. City Attorney Dave Shirley suggested that they call him to work out all of the details to make sure it is legal for the City and then bring it back to the next Council meeting for final approval.

A motion was made by Council member Craner and seconded by Council member Casey Andersen to table this until the next meeting giving Mr. Shirley time to meet with them and is able to recommend it to council.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

HONEYWELL REPORT

Jason Randall and Kevin Cross representing Honeywell presented a preliminary engineering analysis review. He stated that on July 8, 2019 Council approved their company to conduct a preliminary audit. They surveyed ten buildings, the wastewater treatment plants, all of the street lights and security to buildings and sites from September to October. They looked at three years of what the city pays in gas and electricity, totaling \$469,409.00 and stated that they came up with a potential energy saving of \$103,000.00 per year. This savings can be achieved through lighting upgrades, security, mechanical upgrades and plant upgrades including collecting the biogas from the wastewater treatment plant and returning the scrubbed, renewable natural gas into the nearest natural gas distribution system. They stated that the next phase would be to do a more detailed audit. Honeywell is now working with the City on prioritizing what work they think should be done. Mr. Mitton said they will then take this to the Administrative Committee showing them the payback on the projects. The Administrative Committee will then bring their recommendation back to Council.

BAAT TEAM – FLOWER POTS

Bev Stone and Arlene Arnell thanked everyone for the great job they do with the flower pots. She said that Mike Sandman has retired so Sam Condie and the FAA program will be growing the flowers this year with help from Natures Nursery. She stated that they have a chance to buy extra pots at a discounted price and asked Council for permission to store them at the service center as they have done in the past. Mrs. Stone said that they will fund raise to buy the extra pots.

A motion was made by Council member Morgan and seconded by Council member Hansen to approve the storage of the acquired pots at the service center.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

NATIONAL PIONEER TRAILS REQUEST FOR \$750.00

Economic Development Specialist Doug Manning said that he was approached by Jeff and Greg Smith from Pioneer Trails. They would like the City of Burley to commit \$750.00 towards a pamphlet that would include the Oregon trails that run through Burley. They will circulate 30,000 brochures in rest areas, museums and chamber of commerces. The proposed pamphlet will focus on the Oregon and California trails. Mr. Manning said that the County has approved their payment of \$750.00. He also said that he believes this would increase tourism in our area.

A motion was made by Council member Morgan and seconded by Council member Seely to approve the \$750.00 for this promotional item.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

APPROVE PHONE RFP AND CONTRACT FOR PHONE PROVIDER

City Administrator Mark Mitton stated we sent out an RFP to replace the remaining old phones from City Hall, service center and the water department. He stated that these phones run off a switch in the basement that they cannot get parts for anymore. The phones at the fire department, waste water and golf course run off of the internet (VOIP – voice over internet protocol). He stated we received five responses to the RFP that were reviewed and scored on responsiveness, specific needs, quality, cost and references/experience. He stated that we will save a small amount of money and have new equipment. Set up will be \$8,883.00 and an annual cost of about \$12,000.00. Mr. Mitton said it is the recommendation of the reviewing group to negotiate a contract with ETS that was ranked number one.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to allow negotiations with ETS for a new phone system.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

APPROVE LETTER OF SUPPORT FOR AIRPORT LEGISLATION

Attorney Dave Shirley presented a draft letter that they would like to introduce into legislation. He said that currently there are five regional airports in Idaho. Cassia County is currently linked

with Blaine County, Camas County, Gooding County, Jerome County, Lincoln County, Minidoka County and Twin Falls County. In order for Cassia and Minidoka County to form a sixth regional airport, it would have to be approved by election. This legislation would create a sixth regional airport and allow an election in Minidoka and Cassia County to approve it.

A discussion followed.

A motion was made by Council member Jon Anderson and seconded by Council member Casey Andersen to mail the letter of support.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

APPROVE ENGINEERING REQUEST FOR QUALIFICATIONS EVALUATION

City Administrator Mark Mitton stated that under State law you procure engineering services through qualifications. In September they sent out an RFQ (Request for Qualifications) and have received and scored them. This process should be done every 5 to 7 years. They ranked the engineers by groups of work they can perform and asked Council to approve the selection of the pre-approved engineers as listed below.

A motion was made by Council member Craner and seconded by Council member Morgan to approve the recommendation, create engineering pools for the wastewater, water, streets and Riverfront as presented.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

Group Ranking		
Firm	Total Pts	Score
Wastewater		
Keller	376.7	94.17
Forsgren	365.6	91.40
HDR	353.5	88.37
SPF	322.7	80.67
TD&H	267.2	66.80

Water		
Keller	379.7	94.92
Forsgren	362	90.50
HDR	336.7	84.17
SPF	331.7	82.92
TD&H	271.4	67.85

Streets		
Keller	364.7	91.17
Forsgren	351.5	87.87
HDR	338.7	84.67
TD&H	274.4	68.60
SPF	0	0.00

Riverfront		
Keller	356.9	89.23
Forsgren	335.3	83.82
TD&H	286.4	71.60
HDR	0	0.00
SPF	0	0.00

ACCEPTANCE OF WATERLINE EASEMENT FROM MCDONALD'S (Located in the NE ¼ of the NE ¼ of Section 17, T10S, R23E)

Engineer Bryan Reiter presented Council with a proposed re-route of an easement from 1971. Due to McDonalds plans to rebuild, Mr. Reiter presented Council with diagrams of a 10' easement to vacate, a 10' portion that will remain in place and also rerouting of the water line so it does not run under the drive through lanes. It was mentioned that McDonald's contractors will reroute the water line. It was stated that he will come back at a later date and ask for vacation of the existing easement of that property.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to accept the proposed easement.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 9:08 P.M.

All "Aye."

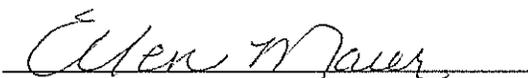
Motion carried.

City of Burley



Mayor Ormond

ATTEST:



City Clerk