

**REGULAR AND SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue Burley, Idaho
March 21, 2023**

SPECIAL MEETING AT 6:40 P.M.

AGENDA:

1. EXECUTIVE SESSION AT 6:40 P.M. pursuant to Idaho Code Section 74-206 (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

REGULAR SESSION AT 7:00P.M.

AGENDA:

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 \$520,709.95

c. PAYROLL ENDING ON 03/10/2023 FOR \$230,818.37

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|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 2. <u>ACTION ITEM</u> | Idaho Regatta presentation on past and future events. | Louis Schindler |
| 3. <u>ACTION ITEM</u> | Approval of Industrial Wastewater Treatment Plant Task Orders 3 & 4 for Forsgren Associates to do design. | Mark Mitton |
| 4. <u>ACITON ITEM</u> | Resolution Supporting Industrial Wastewater Treatment Plant Expansion and Upgrade | Mark Mitton |
| 5. <u>ACTION ITEM</u> | Extension of Conditional Approval Time For Phase 6 Glacier Park Subdivision | Bryan Reiter |
| 6. <u>ACTION ITEM</u> | Extension of Conditional Approval Time For Phase 2 Land's End Subdivision. | Bryan Reiter |
| 7. <u>ACTION ITEM</u> | Resolution of the City of Burley Ordering Special Election to be held to determine whether the levy upon taxable property shall be increased by the sum of \$350,000.00 for each of the tax year 2023 and 2024 to be used for the Burley Public Library. | Tayce Robinson |
| 8. <u>ACTION ITEM</u> | Approval of Additional Leased Vehicle For Sanitation Department through Sourcewell Contract with Enterprise | Rick Garner |
| 9. <u>ACTION ITEM.</u> | Approval of contract with Western United | Brent Wallin |

Electric Wholesale and Supply for Wire and Materials for
Electric Department

10. Report and Discussion of Recent City Events

Information Items

BUILDING PERMITS:

City Hall is accessible to persons with disabilities. Any person with disabilities desiring accommodation for the City Council meetings, please contact City Hall at 878-2224 at least 48 hours prior to the meeting.

COMMENCE MEETING

Council met in special session at 6:40 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, John Craner, Janet Hansen, Bryce Morgan, Jim Powell and Kimberli Seeley was present via telephone.

City Staff present were as follows: City Administrator Mark Mitton City Attorney Dave Shirley, and City Clerk Tracy Bustos

REGULAR SESSION

A motion was made by Council member Andersen and seconded by Council member Morgan to go into executive session **pursuant to Idaho Code Section 74-206 (1)(f)**.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner		Kimberli Seely	
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

A discussion was held on this matter and no decisions were made.

Executive session adjourned at 7:05 p.m.

Council reconvened at 7:06 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, John Craner, Janet Hansen, Bryce Morgan, Jim Powell and Kimberli Seeley by telephone.

City Staff present were as follows:

City Administrator - Mark Mitton	X	Building Inspector - Gary Pawson	
City Clerk - Tracy Bustos	X	Engineer - Bryan Reiter	X
City Attorney - Dave Shirley	X	Fire Chief - Shannon Tolman	X
Sexton - Dave Allred	X	Electrical Supervisor - Brent Wallin	X
WW Treatment Director - Dustin Raney	X	Parks Supervisor - Brent Winn	
Economic Dev Specialist - Doug Manning		Librarian - Tayce Robinson	X
Golf Pro - Scott Draper		Human Resources - Carol Anderson	X
Engineer - Dave Waldron		Sanitation Supervisor - Eric Pufahl	X
Streets Supervisor - Korky Blackner	X	Shop Foreman - Rick Garner	X
Sheriff - George Warrell		Deputy – Jared Thompson	X

INVOCATION

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

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- a. **APPROVAL OF MINUTES FROM REGULAR AND SPECIAL MEETING**
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- c. **PAYROLL ENDING ON 03/10/2023 FOR \$230,818.37**

IDAHO REGATTA PRESENTATION

Louis Schindler, Chairman of the Idaho Regatta will be holding the Idaho Regatta again this year. The dates for the event will be June 22 through June 25 this year. City Attorney, Dave Shirley asked if the permit from last year would still work for this year. If so, we can get on issuing it early. Mr. Schindler said that the permit for last year would be the same for this year.

Council member Powell asked if Mr. Schindler knew of any issues with erosion around the islands from the event. Mr. Schindler said he didn't know of any issues. However, Mr. Schindler did mention that the only issue they do have is community members complaining about the towers not being taken down right away. Since most/all of the Regatta Committee members have full time jobs they have to do it when they have time and do the best that they can to get them taken down as soon as possible.

APPROVAL OF INDUSTRIAL WASTEWATER TREATMENT PLANT TASK ORDERS 3 AND 4 FOR FORESGREN ASSOCIATES

Mark Mitton mentioned that we need to move forward with preliminary design. The Federal Appropriation request was submitted on March 10th as it was due on Monday, March 20th. We received a confirmation email that it was received.

Jason from Foresgren was present to answer any questions regarding Task orders 3 and 4. These things need to be completed so that we can go into formal design.

City Attorney, Dave Shirley asked for Jason to clarified what we would be approving today. Jason said we are only looking at Task 3 today which will get the City to a 10% design level and Task 4 would come at a later date.

Mark Mitton clarified that the City needs \$40M for this project. The Appropriation agreement for this year was for \$20M because we are not ready to build. We will ask for another \$20M

next year and by that time we will need to be ready to build. The City also needs to show that it is putting money in and that money will come from the Wastewater Fund balance.

A motion was made by Council member Andersen to approve Task order 3 from Foresgren and allow the Mayor to sign. The motion was seconded by Council member Morgan.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

RESOLUTION SUPPORTING INDUSTRIAL WASTEWATER TREATMENT PLANT EXPANSION

Mark presented the document that Merchant McIntyre asked the City Council to approve. The Resolution states that the City Council supports applying for Federal, State, and any other monies that will be used for the Wastewater Treatment Plant expansion project. This will be submitted along with the packet.

A motion was made by Council member Morgan for the Resolution to be approved and allow the Mayor to sign. The motion was seconded by Council member Powell.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

EXTENTION OF CONDITIONAL APPROVAL TIME – GLASIER PARK PHASE 6

Bryan Reiter brought to review a written email requested asking for an approval to extend the conditional approval time for a period of one year. Bryan explained that the time is needed due to weather conditions and it not being conducive to lay pavement as would have been expected. The extension of time would be subject to the same five conditions as were on the original request. Bryan pointed out that there are and will not be any rule/standard/law changes at this time that would affect the extension.

Council member Powell asked if there would be any cost associated with the extension and Bryan replied that there would not be.

A motion was made by Council member Craner to approve the extension for one year based on the same five conditions as previously imposed. The motion was seconded by Council member Morgan.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

EXTENTION OF CONDITIONAL APPROVAL TIME – LAND’S END PHASE 2

Bryan says Land’s End is asking for an extension based on market conditions. They want to see how many homes go from the first phase.

The extension of time is for one year and would be subject to the same five conditions as were on the original request. They are taking all the risk by building improvements ahead asking for plat to be filed. Bryan pointed out that there are and will not be any rules/standards/law changes at this time that would affect the extension.

A motion was made by Council member for extension of Phase 2 final plant subject to the same conditions as previously imposed. The motion was seconded by Council member Morgan.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

A comment was made by Council Member Craner that this is happening all over and it is in the City’s best interest to work with them.

RESOLUTION OF LEVY TAX INCREASE FOR PUBLIC LIBRARY USE

Tayce Robinson distributed hand outs to the City Council members and proceeded to explain that the tax increase should be for years 2024-2025 and not 2023-2024 but asked to continue with his presentation, which was okayed by the Council.

Tayce continued to explain how the money is currently used. 75% of the money goes toward paying library staff to make sure the library is able to stay open and provide services to the community. A large portion then goes toward the acquisition of materials, and a portion goes toward paid interns. We have students from Declo, Burley, and Minidoka that

intern with us.

This year we are asking for an increase from \$277,000 to \$350,000. This only increases the monthly cost per \$100,000 by \$0.10. (from \$1.72 to \$1.82/month)

Current Library Programs:

One of the most successful programs the library puts on right now is Confidence through Art. One of the volunteers comes in and works with around 50 kids each Friday morning from 9:30-11:30.

We also do a program called Ready for Kindergarten which is a national program. Studies show that children that participate in the program stay ahead of their peers through their lives.

Storytime at Storybook Park

Full STEAM Ahead

For 2021-2022 we had over 7,600 people engage in our programs.

Upcoming events:

Digital Literacy – we have partnered with Idaho Women’s Business Center out of Twin Falls to promote businesses started and run by Hispanic women to teach digital literacy (both in English and Spanish).

MiniCon – this event was started last year and is our largest event by far. We draw around 400 people in a four-hour period. The event will be held this year on May 6th.

Happiness Camp – we partnered with Teen Hope to have Happiness Camp this year.

Harry Potter Day

Christmas Day

Item Usage:

2020 – 59,777 items checked

2021 - 63,529

2022 - 62,154 (2% decrease)

2023 – on track for an 18% increase due to digital collection which has increased by 41%

Library usage:

2019-2020 – 50,000 people through the doors. Smithsonian exhibit contributed to this usage.

Total Cardholders: 7,353

2022 – 447 new cardholders

Tayce opened the floor for questions where Council member Craner asked where we are with the proposed Library expansion. Tayce says that they ran into problems with the blueprints and had to go back to the drawing board which is okay since we are still awaiting grant money from the Idaho Commission for Libraries. Currently, we have the preliminary plans drawn up and we have increased the expansion to 1,800s.f. and squaring off the building. This is just for phase I. Sometime in the future we will work on a second phase which will bring our square footage up to 21,000s.f.

Council member Hansen asked how the additional funds will be used with this increased levy. Tayce indicated that the bulk of the funds will go toward staff increases as they are currently underpaid.

Council member Craner suggested that Tayce piggyback off of Governor Little’s idea of increasing pay for teachers because these staff members are “teachers” so you need to take advantage of that.

City Council members Craner made a motion to table this for a special meeting to set by the Mayor. The motion was seconded by Council member Andersen.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

APPROVAL OF ADDITIONAL LEASED VEHICLE

Rick Garner asked that we approve an additional lease be drawn up by Enterprise for a 2500 gasoline engine vehicle to be used by the Sanitation department. We currently have three vehicles so this will be the fourth vehicle.

A motion was made by Council Member Morgan to move forward and have an additional lease prepared for review. The motion was seconded by Council member Hansen.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner		Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

APPROVAL OF CONTRACT WITH WESTERN UNITED ELECTRICAL WHOLESALE FOR WIRE AND MATERIALS

Brent asked City Attorney Dave Shirley if this should be moved to another day to clarify the document. Dave Shirley said that the version that was sent is correct. This document was not included in the Agenda to City Council so Brent explained the 1-page document to the Council members.

The contract says that we do not have to pay for anything until it arrives and is in good condition. Once it's been verified that it's been delivered in good condition we will pay for the material purchased.

A motion was made by Council Member Craner to approve the contract as related to Suntado Project and seconded by Council member Hansen.

Roll Call Vote

The results of the votes were as follows:

Jim Powell	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye
Casey Andersen	Aye	Janet Hansen	Aye

Motion carried.

REPORTS AND DISCUSSION OF RECENT CITY EVENTS

Mark Mitton reported that the City is working on the Safe Streets grant. Once this grant is done he will go back and continue working on the list of priorities with Merchant McIntyre.

ADJOURN

A motion was made by Council member Andersen and seconded by Council member Morgan to adjourn the meeting at 7:56 P.M.

All "Aye"

Motion carried.

City of Burley



ATTEST:

