

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Ave – Burley, ID
April 11, 2023**

COMMENCE MEETING

Council met in special session at **5:30 p.m.** with Mayor Ormond presiding. Council members present were Casey Anderson, John Craner, Janet Hansen, Jim Powell, and Kimberli Seely.

EXECUTIVE SESSION

A motion was made by Council member Andersen and seconded by Council member Seeley to go into executive session on a personnel matter, pursuant to Idaho Code **Section 74-206 (1)(a)** and legal matters pursuant to **(1)(f)**.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner		Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

A discussion was held on the matters presented and no decisions were made.

Executive session adjourned at **7:03p.m.**

Council reconvened at **7:05p.m.**

Council met in regular session at 7:05 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, John Craner, Janet Hansen, and Kimberli Seely.

City Staff present were as follows:

- | | |
|---|---|
| City Administrator – Mark Mitton <u> x </u> | Building Inspector – Gary Pawson <u> x </u> |
| City Clerk – Tracy Bustos <u> x </u> | Engineer – Brian Reiter <u> x </u> |
| City Attorney – Dave Shirley <u> x </u> | Deputy Fire Chief – Casey Harman <u> x </u> |
| Sexton – Dave Allred <u> x </u> | Electrical Supervisor – Brent Wallin <u> x </u> |
| WW Treatment Director – Dustin Raney <u> x </u> | Parks Supervisor – Brent Winn <u> x </u> |
| Economic Dev. Specialist – Doug Manning <u> </u> | Librarian – Tayce Robinson <u> x </u> |
| Golf Pro – Scott Draper <u> </u> | Human Resources – Carol Anderson <u> x </u> |
| Engineer – Dave Waldren <u> x </u> | Sanitation Supervisor – Eric Pufahl <u> x </u> |
| Street Supervisor – Korky Blackner <u> x </u> | Shop Foreman – Rick Garner <u> x </u> |
| Sheriff's Department – Lt. Kevin Horack <u> </u> | Fire Department – Dep. Jared Thompson <u> </u> |

INVOCATION

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

CONCENT 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 SPECIAL AND REGULAR MEETINGS**
 - b. **BILLS PAYABLE \$872,894.67**
 - c. **PAYROLL ENDING ON 03/24/2023 FOR \$281,587.58**

INFORMATION ITEMS

BUILDING PERMITS:

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

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

LULU'S ANNUAL STREET PARTY

Kristen Lindauer came before the City Council to ask permission to block off the street for their 7th annual street party. The party will be held on the 13th of May 2023 during the hours of 10:00a.m. through 10:00p.m. Kristen confirmed that the businesses neighboring Lulu's have agreed to the closure.

Council member Seely asked when the event is business and Kristen said it is typically busiest after 4:00p.m. because the band starts at 5:00p.m.

Council member Craner asked for clarification that only half the street would be blocked off and Kristen confirmed that it is only half the street that will be blocked. Council member Craner followed up with asking how people would get out if they wanted to leave the event. Kristen said that a sign is put up so there is no through traffic. People could just back out into the street. There have never been any problems.

Attorney Dave Shirley asked if Kristen had gotten a Caterer's permit and coordinated with the Sheriff and Fire Departments. Kristen responded that she has.

Council member Powell asked if we could get a copy of their insurance policy that would cover any liability and Kristen agreed to send it over.

A motion was made by Council member Craner to approve blocking off the Street from 10:00a.m. to 10:00p.m. for Lulu’s annual street party on May 13th and seconded by Council member Andersen.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Attorney Dave Shirley asked Mayor if we could put together a formal checklist and form like what other cities do. Mayor Ormand agreed.

SENIOR CITIZEN’S CENTER SEWER REPLACEMENT

Dave Waldron brought for consideration a bid to replace the sewer from the Senior Citizen’s Center to 23rd St – the small alleyway between the 208 Grill and Dreamz Salon. There were two bids that came back and the low one was by Extreme Excavation for \$132,421.00.

The reason for the replacement is that the current sewer line is against code, and it doesn’t flow like it should. There is no way to get a camera in or out of it. We will basically split the alleyway and put water down one side and sewer down the other side of the alley.

Council member Craner asked if there would be a grant for this project and Dave Waldron replied that this would be all ours – no grant involved.

Council member Powell asked if the 208 Grill and the Dreamz Salon would connect and if there would be a fee involved. Dave said that everything that is currently connected would be reconnected. If anyone would like to connect in the future then there would be a connection feed. Council member Seely asked if the new line could accommodate and Dave confirmed that there is ample capacity. Council member Hansen asked the age of the current line and Dave said that it’s at least 40-50 years old as it is still a concrete line.

A motion was made by Council member Andersen to approve the contract with Extreme Excavation and allow Mayor Ormond to sign it. The motion was seconded by Council member Craner.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

PRESENTATION OF ANNUAL AUDIT

Jacob Catmull presented a hard copy of the audit to the Mayor and Council members and referred everyone to page 4 – The Opinion where the city’s financial statements as of

September 30th, 2022, and everything presented in the financial statements were in accordance with GAAP (General Accepted Accounting Principles).

The purpose of the audit is to make sure that all the financials as presented and audit all the funds. As there were new members present at the meeting, Jacob explained that the City has several different funds and went on to explain what the different funds - Governmental Funds, Business Funds, and Internal Service Funds. Governmental Funds include general, library, grant and construction funds. These funds primarily service general activities of the city (Fire, Police, Cemetery, Pool, Engineering, and Administration). The Business-type funds cover Electric, Water, Wastewater, Sanitation, and Golf Funds. There are different accounting rules for each fund. Governmental funds are usually on a cash in, cash out basis. Whereas business-type funds run more on an accrual-type basis. Internal Service Funds are set up for the benefit of the City and ease of expenditures. The City has five set up – Health Insurance, Liability Insurance, Workman’s Compensation, Automation and Communication, and the Fuel Service Fund.

Jacob said there was not a “single audit” this year performed this year which is an audit of Federal awards. Although the City actual received more than the \$750,000 in the second half of the Harbor grant it was not spent during the year – the audit is based off of actual expenditures and not receipt of the funds.

Some other audit procedures that were performed were confirmation of loan balances, city revenues from county and state and analytical procedures to confirm utility balances. Water and Electrical departments inventory are observed as of the last day of the year and expenditures are reviewed in detail.

Overall, the City’s performance for the year, cash balances were up, debt payments were made on time, and the fund balances were up. The city has one more bond payment to make on the General Obligation Bond.

A motion was made by Council member Craner to approve the audit as presented by Jacob Catmull in accordance with standard government procedures and requirements and seconded by Council member Seely.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

AFFORDABLE INTERNET PRESENTATION BY ETS

Chloe Zollinger presented to the Council ways for community members to save on their internet bill and asked for suggestions on and assistance with getting the word out there that there is help available. The program lowers the internet bill by \$30 per month. Chloe said that the eligibility requirements are simple, and the application is easy. There is another

program called Empowering Parents but this fund will be depleted in about a week or two. However, there may be several families that already received monies from this program that and don't realize they can use the funds for internet.

Council member Seely explained that, as a parent of a school aged children, she receives a lot of material through the schools. Chloe said that they have used that avenue.

Member Craner mentioned another avenue could potentially be digital and involving Tace from the Library. Tace said that the Idaho Commission for Libraries has been promoting the affordable internet services and there are resources at the Library. As people come into the library, and they cannot afford internet at home, we check out hotspots for their use.

GIS DEVICES FOR CITY VEHICLES

This topic was tabled for another meeting.

APPROVAL OF REVISED CONTRACT WITH REGION IV DEVELOPMENT ASSOCIATION FOR ADMINISTRATION OF THE RURAL COMMUNITY INVESTMENT FUND GRANT

Mark asked for approval of the revised contract. Attorney Dave Shirley explained that there was only one change was to the Indemnification paragraph to read as follows:

14. INDEMNIFICATION

The CONTRACTOR waives any and all claims and recourse against the CITY, including the right of contribution for loss and damage to persons or property arising from, growing out of or in any way connected with or incident to, the CONTRACTOR'S performance of this contract except for liability arising out of concurrent or sole negligence of the CITY or its officers, agents or employees. Further, the CONTRACTOR will indemnify, hold harmless, and defend the CITY against any and all claims, demands, damages, costs, expenses or liability arising out of the Administrator's performance of this contract except for liability arising out of the concurrent or sole negligence of the CITY or its officers, agents or employees.

A motion was made by Council member Andersen to approve the revised contract as presented and allow Mayor Ormond to sign. The motion was seconded by Council member Craner.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

REVIEW AND APPROVAL OF ON CALL PAY FOR CITY EMPLOYEES

Carol Anderson came to the council to review current on-call pay as it has been twenty years since it has been reviewed. Carol did some research and called other Cities.

The proposal is moving from a flat rate of \$85/week to a daily rate of \$25. This will put us in the same ballpark as other cities researched.

Council member Hansen asked what departments are currently on call. Mark Mitton answered that Water, Wastewater, Electric, and Streets in the winter all have on call. This is just the on-call compensation. They also get a minimum of two hours pay. Time and a half pay only comes in to play when they employee **works** more than 40 hours in the week. Hansen asked if we are doubling their on-call pay. Mark Mitton and Carol Anderson said yes, again we haven't revised this pay in twenty years.

Council member Powell asked what the increase would be over a years' time. Mark Mitton answered that it depends on how many people are on call and what is going on within the city. Council member Powell also asked, in terms of documentation, what would need to be changed. Mark Mitton responded that we only need to change the Personnel Policy.

A motion was made by Council member Hansen to prepare a proposed amendment to the Personnel Policy to increase on-call pay to \$25 per day. The motion was seconded by Council member Seely.

Roll Call Vote

The results of the votes were as follows:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

REVIEW AND SIGN CPS SIDEWALK PARKE AVE CONTRACT AWARD

Last year the city was awarded a grant for Children Pedestrian Safety in the amount of \$250,000. Dave Waldron put together an approximate budget of \$330,000. This was brought before the Council previously and it was agreed that the City would come up with the remaining money of approximately \$130,000.

Bids finally came back and the low bid was from Randy Latham Construction was awarded this bid at \$280,221.72. Instead of the City having to come up with the \$130,000 we now only need to come up with approximately \$30,000.

This work is scheduled to start on April 17 and will take approximately 90 days to complete. The work will start on 27th Street and go over to 19th Street on Parke. We will be filling in all missing sidewalks in the area and a small amount of curb and gutter work.

Council member Hansen asked if homeowners have been notified of the work that will begin and Dave said the ones of concern have been. All work is being completed from the roadway and will not infringe upon private property.

Council member Craner asked if this project would include Storybook Park and Dave confirmed that it does not.

A motion was made by Council member Andersen to approve the contract from Randy Latham Construction 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:

Casey Anderson	x	Bryce Morgan	
John Craner	x	Jim Powell	x
Janet Hansen	x	Kimberli Seely	x

Motion carried.

REVIEW AND APPROVAL OF ON CALL PAY FOR CITY EMPLOYEES

Carol Anderson came to the council to review current on-call pay as it has been twenty years since it has been reviewed. Carol did some research and called other Cities.

REPORT AND DISCUSSION OF RECENT CITY EVENTS

Brian Reiter brought new design of website for review and comment. The content of the website is all the same but the look is different. Any comments will be due back to Carol Anderson by April 21st.

Council member Seely asked if there was any beta testing to take part in. Brian said that we are not to that stage yet. Carol Anderson clarified that this is just the overlay to our current content. The content will not change. Carol also pointed out that the new web page will use photos from our photo contest.

ADJOURN

A motion was made by Council member Hansen and seconded by Andersen to adjourn the meeting at 8:36 p.m.


All "Aye."

Motion carried.

City of Burley:


Mayor Steve Ormond

ATTEST:


City Clerk Tracy Bustos