

REGULAR AND SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue Burley, Idaho
April 18, 2023

AGENDA

EXECUTIVE SESSION AT 6:0P.M.

1. **ACTION ITEM: EXECUTIVE SESSION Idaho Code 74-206 (1) (a)** To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

REGULAR SESSION AT 7:00P.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 \$358,946.47**
- c. **PAYROLL ENDING ON 04/07/23 FOR \$232,483.18**

- | | | |
|------------------------------|--|----------------|
| 2. <u>ACTION ITEM</u> | Public Hearing on Select Golf Fees | Scott Draper |
| 3. <u>ACTION ITEM</u> | GPS Devices for City Vehicles | Rick Garner |
| 4. <u>ACTION ITEM</u> | Appointment of City Clerk – Tracy Bustos | Mark Mitton |
| 5. <u>ACTION ITEM</u> | Mid-year Budget Review | Mark Mitton |
| 6. <u>ACTION ITEM</u> | Appointments to Planning and Zoning Committee | Mayor Ormand |
| 7. <u>ACITON ITEM</u> | Review of Joint Animal Control Facility | Gary Pawson |
| 8. <u>ACTION ITEM</u> | Resolution and Approval for Revisions to Personnel Policy – new on-call wage | Carol Anderson |

9. Report and Discussion of Recent City Events

Information Items

BUILDING PERMITS:

COMMENCE MEETING

Council met in special session at **6:03 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 Morgan to go into executive session on a personnel matter, pursuant to Idaho Code **Section 74-206 (1)(a)**.

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

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

Executive session adjourned at **6:45p.m.**

Council reconvened at **7:00p.m.**

Council met in regular session at 7:00 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, John Craner, Janet Hansen, Kimberli Seely, Jim Powell, and Bryce Morgan.

City Staff present were as follows:

City Administrator – Mark Mitton <input checked="" type="checkbox"/>	Building Inspector – Gary Pawson <input checked="" type="checkbox"/>
City Clerk – Tracy Bustos <input checked="" type="checkbox"/>	Engineer – Brian Reiter <input checked="" type="checkbox"/>
City Attorney – Dave Shirley <input checked="" type="checkbox"/>	Fire Chief – Shannon Tolman <input checked="" type="checkbox"/>
Sexton – Dave Allred <input checked="" type="checkbox"/>	Electrical Supervisor – Brent Wallin <input checked="" type="checkbox"/>
WW Treatment Director – Dustin Raney <input checked="" type="checkbox"/>	Parks Supervisor – Brent Winn <input checked="" type="checkbox"/>
Economic Dev. Specialist – Doug Manning <input type="checkbox"/>	Librarian – Tayce Robinson <input checked="" type="checkbox"/>
Golf Pro – Scott Draper <input checked="" type="checkbox"/>	Human Resources – Carol Anderson <input checked="" type="checkbox"/>
Engineer – Dave Waldren <input checked="" type="checkbox"/>	Sanitation Supervisor – Eric Pufahl <input type="checkbox"/>
Street Supervisor – Korky Blackner <input type="checkbox"/>	Shop Foreman – Rick Garner <input checked="" type="checkbox"/>
Sheriff's Department – <input checked="" type="checkbox"/>	Fire Department – Dep. Jared Thompson <input type="checkbox"/>

INVOCATION

The Invocation was offered by Council member Morgan 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 ready and before action is taken.
 - a. APPROVAL OF MINUTES FROM SPECIAL AND REGULAR MEETINGS
 - b. BILLS PAYABLE \$358,946.47
 - c. PAYROLL ENDING ON 03/24/2023 FOR \$232,483.18

INFORMATION ITEMS

BUILDING PERMITS:

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

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

Mayor Ormond asked for Item number 2 (PUBLIC HEARING ON SELECT GOLF FEES) on the agenda be added. The item was properly advertised to the public but was not added to the agenda in a timely manner.

A motion was made by Council member Craner to add to the agenda item number 2 regarding the public hearing on golf fees.

City Attorney Dave Shirley added that a good faith effort was made by publishing in the newspaper to give as much notice as possible to the public.

The motion was seconded by Council member Powell.

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

PUBLIC HEARING ON SELECT GOLF FEES

Mayor Ormond stated this is the time and place for the public hearing on the approval for the increase in select golf fees. The floor was turned over to Scott Draper by the Mayor who presented the intended fees for increase as published in the paper.

A Public Hearing will be held pursuant to Idaho Code 63-1311A on, April 18, 2023, at 7:00 p.m. at the Burley City Hall, by the Burley City Council to consider the following fee increases in existing fees. Any person may speak about the fee increases at the public hearing. Anyone desiring accommodations for disabilities, please call the City Clerk at (208) 878-2224, 48 hours prior to the meeting.

<u>River's Edge Golf</u>	<u>Type</u>			<u>Proposed Fee</u>	
<u>Driving Range Fee</u>					
	<u>Small</u>	<u>Medium</u>	<u>Large</u>	<u>Adult Pass</u>	<u>Jr. Pass</u>
Current	\$3.00	\$5.00	\$7.00	\$250	\$150
Proposed	\$3.00	\$6.00	\$9.00	\$300	\$160

High Scholl Golf Team fee will increase to \$475 per school.

<u>Winter Rates</u>		
	<u>9-Holes</u>	<u>18-Holes</u>
Current	\$12.00	\$17.00
Proposed	\$14.00	\$20.00

Scott opened up the floor for questions and there were none. At that time, Mayor Ormond opened the public hearing for the approval of increase in golf fees and testimony in favor of the increase in golf fees. Seeing none, Mayor Ormond then opened the floor for testimony to those with neutral testimony. Seeing none, Mayor Ormond then opened the floor for testimony to those apposed to increase in fees for testimony. Seeing none, the public hearing was closed.

Council members were invited to speak, and Council member Craner asked if the City was able to secure enough range balls. Scott Draper said that a shipment was on order and there would be plenty of balls. Council member asked for reminder on the position with the new machine. Scott said that is a future item for a future budget.

Council member Seely asked if there has been any feedback from the community with mention of fee increase and Scott said that there hasn't been any concern from the people he's mentioned it to.

City Attorney, Dave Shirley clarified that there will be no action taken at this meeting but the approval of the Resolution will be added to the agenda for the next meeting.

GPS DEVICES FOR CITY VEHICLES

City Attorney, Dave Shirley offered his opinion of the Master Agreement which is if the quote is approved and it is signed along with the addendum, it would act as a contract. Attorney Shirley is okay with that because they can be terminated within 30 days of notice. However, the hardware that is purchased would belong to the City.

Rick Garner explained that this is the most cost effective route for the city and we would move forward with Sanitation and Street Departments. This will help with route planning and addressing speed complaints from citizens.

Council member Morgan offered his input and mention that 5-years ago that this equipment would have been around \$150/unit but now that the market is flooded with these types of

requests the cost is much lower. Council member Morgan is of the opinion that this is a great time to purchase the equipment and would recommend outward facing cameras for all city vehicles.

Council member Seely asked for clarification on total cost per unit and the breakdown below was presented by Rick Garner.

T-MOBILE FOR GOVERNMENT		City of Burley-GeoTab		
Geotab Rates				
Rate Plans	Quantity	Data	Monthly Rate	Total
Geotab Pro Plus	10	Unlimited Data/Vehicle Telemetry (Self Install)	\$19.25	\$192.50
Fleet Holster Front Camera	1	2GB Data	\$18.00	\$18.00
Fleet Holster Rear Camera	1	2GB Data	\$22.00	\$22.00
				Monthly Total
Monthly Charges Total	12			\$232.50
Equipment/Accessories (One time Charge)				
Equipment	Quantity		Equipment Price	Total
GeoTab Go 9	10		\$0.00	\$0.00
OBD II	3		\$0.00	\$0.00
DashCam	1		\$350.00	\$350.00
Rear Facing Camera	1		\$99.00	\$99.00
50 ft of ethernet cable (for rear camera)	1		\$15.00	\$15.00
9-pin Y adapter	7		\$31.00	\$217.00
One Time Charges				\$681.00
NOTES:				
Quote expires 4/30/23 and is subject to change.				
No activation, SIM or setup fees.				
WSCA/NASPO Contract Terms and Conditions Apply.				
Smartphone equipment pricing based on 24 month commitment.				
Taxes and Regulatory Fees are not included in the above quote.				
Prepared By:	Jim Satre	jamos.satre1@t-mobile.com	503 784-5404	

The motion was made by Council member Andersen to approve the quote from T-Mobile for GPS and the Geo Tab product addendum 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:

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

Motion carried.

Council member Seely followed up with a comment to say that she isn't against the idea but doesn't have a full picture of cost. She asked if we could get a better price if we order more at once. Rick Gardner said that he had done all the research and this is the best price. There is no negotiating.

APPOINTMENT OF CITY CLERK – TRACY BUSTOS

Administrator Mark Mitton has been working with Tracy Bustos for a couple months now and she is doing a great job; she's very professional and learning quickly. She has a goal of getting her City Clerk's Certificate in the next couple of years. The Mayor agrees that it is time to appoint her and relieve Mark Mitton of those duties.

Mayor Ormand stated he appoints Tracy as the City Clerk and asked for confirmation from the council.

The motion was by Council member Powell to appoint Tracy and seconded by Council member Seely.

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

MID-YEAR BUDGET REVIEW

Administrator Mark Mitton presented the budget. We are just over half-way through the fiscal year. Mark provided a printout to the Council which he went through and summarized.

Starting with the general fund balance sheet Mark pointed out the cash balance being less than previous years at \$4,177,000. This is about \$1,200,000 less because Street Funds have since been separated out of the general fund to make it easier to account for grant money spent.

Expenses for the general fund: Mid-year property taxes have been distributed. They come in one lump sum from the County in one check. The money is deposited into the general account and distributed out to the different departments.

All revenues are looking good at this point in the year. Building revenues are doing well.

Looking at the 951J Street Lease, we collected the arrears from last year. We may release that property to them again since they paid their arrears but that would be a one-time revenue for this year.

Council member Craner asked about the State Revenue Share. The total revenue there is \$668,000, and the budget was for \$1,210,000 is the difference of \$542,000 accurate or will it be greater? Mark Mitton said he is conservative when budgeting. This account is economy driven. Idaho's economy is still fairly strong so the difference may be greater than the \$542,000. Council member Craner asked if this is the account that used to be all property tax and now it is property and sales tax. Mark said no; this has always been property tax.

Expenditures are in line in the general fund. No one department has spent much money but this is the time of year when we start doing that.

The general obligation fund is the last year we will have this payment.

Street Fund has \$556,000 in cash. Most of this is quarterly payments from the state on shared revenues. Gas tax is a separate line item because it has to be tracked separately.

Capital equipment and building fund is where we've allocated property tax to help with the purchase of vehicles, property (we've talked about new property for the fire station) is budgeted here. Other improvements will be budgeted here. We've talked about allocating \$400,000 every year out of the general fund for future purchases.

Water fund has \$3.4 million. Revenue is only at 25% because of the long cold winter. If we have a cool summer, we may not hit budget. We have budget \$2.4 million in capital projects this year so hopefully we can get those projects under way.

Wastewater fund is pretty normal at a cash balance of \$5.3 million which is stable. This fund doesn't typically fluctuate more than \$100,000 in a year. We've seen a small reduction because Fabri-Kal isn't using much water. Council member Craner mentioned that the Ethanol plant is up and running and they use a lot of water; is that revenue in this fund? Mark replied that yes, that's water nobody wants to use so they have to run it through our system.

Electric fund cash is up. We have enough money in reserves now to cover both sub-stations. Revenue is not at 50% right now but still 10% ahead of expenses.

Library fund has \$560,000 in cash. Most of their revenue is property tax based. They did budget some this year to use on the library building improvement.

Sanitation fund is at \$1,800,000 in cash. They still plan to build the building that they have been saving for next year.

Golf fund shows negative cash right now because we are very early in the season. Their salaries are normal at 40% of expenditures.

Grant fund – all federal grant money has been moved to this fund. There is \$2.4 million in there. We received the grant for the Suntado electrical project in the amount of \$460,000 which will be received into and spent out of the grant fund.

After summarizing the budget, Mark opened up for questions. Mayor Ormand stated that we provide fuel for the Police Department and asked if we offered that at our cost. Mark said yes, we offer it at the same cost.

OPPOINTMENTS TO PLANNING AND ZONING COMMITTEE

Mayor Ormand came prepared to appoint Ty Jones and Tyson Neilson to the Planning and Zoning Committee. Mayor Ormand offered a brief background on each of them as follows:

Ty Jones has 20+ years' experience in the construction industry and is one of the owners of Gary Jones Construction and has lived in Burley all of his life.

Tyson Neilson has been a resident of Burley for 8 years and has children that attend White Pine Elementary. Currently Tyson works Professionally as General Counsel for the Gibby Group and has an Environmental degree from BYU (along with others).

Council member Craner asked who they would be replacing, and Mayor said they would be replacing Dick Randklev and George Rodriguez.

Council member Seely asked if this was a four-year appointment. Mayor said the term of the appointment has yet to be determined.

The motion was made by Council Member Anderson to approve the appointments and was seconded by Council Member Morgan.

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

REVIEW OF JOINT ANIMAL CONTROL FACILITY

Gary Pawson explained that a few years back we looked into building a new Animal Facility for the City of Burley and was approached by a citizen wanting to help with some fundraising. At that time the citizen talked about also wanting to build one out by Casel Road. This brought up the thought of building with all the other facilities and try to build a joint facility.

Through many conversations with other cities, the following are on board: Rupert, Hayburn, Paul and Burley. Now we are working on the Counties. Minidoka is now on board.

The City of Rupert received some money through an Estate and one of the stipulations is that the facility has to be built in Minidoka County. After speaking with Burley Administrator, Mark Mitton, we found out that the City of Burley is lucky enough to own some property in Minidoka County.

We've now hired Kevin Meier to help with drawings. Kevin Meier was introduced and explained the drawings and the amenities included for the new Animal Facility. Aside from using International Building Code, the criteria used to define the structure was that of the Human Society shelter design concept.

Council member Craner asked what the total cost of the facility would be. Kevin Meier said he estimates the cost to be \$1,000,000 for just the building itself. Depending on what is put inside, the cost will increase.

Council member Seely asked who would staff the facility. Gary Pawson said that the hope is that it's build and someone would step up to run it. The City doesn't want to run it. The funding will be through donations and grants.

Council member Powell asked if Burley would be the ones to build the facility. Gary said the facility would be build by all the cities. Council member also asked if it was realistic that this could be build for \$146/ft.? Mr. Meier said that he believes it can.

RESOLUTION AND APPROVAL FOR REVISION TO PERSONNEL POLICY FOR NEW ON-CALL WAGE

Carol Anderson asked for Resolution No 3-23 be approved to make changes to the personnel policy pertaining to the new wage for on-call personnel. The change to the policy

is on page 42 of the policy which says the wage is now \$25 per day instead of \$85 per week.

RESOLUTION NO. 3-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLEY AMENDING THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF BURLEY TO INCREASE THE COMPENSATION TO BE PAID TO ON-CALL EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE

Whereas, the Burley City Council has sought to develop policies to serve as guidelines for the efficient operation of the City and its employees; and

Whereas, the City has been operating using the Personnel Rules and Regulations previously approved and compiled; and

Whereas, the Burley City Council desires to update and modify the previously approved version of the Personnel Rules and Regulations to establish a new amount of compensation to be paid to on-call employees;

Now Therefore,

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BURLEY, IDAHO:

Section 1:

That Rule 11(5) of the Personnel Rules and Regulations of the City of Burley shall be amended to read as follows:

Employees who are released from active duty but are required by their departments to leave notice where they can be reached and be available to return to active duty when required by the department, shall be assigned to on-call duty. While on on-call duty, an employee shall be free to use the time for his or her own purposes.

On-call duty requires that employees so assigned shall: (1) leave a telephone number where they can be reached or wear a communicating device; and (2) be able to respond to duty within a reasonable period of time. On-call time shall not count as hours worked.

Assigned personnel shall receive on-call pay in the amount of twenty-five dollars (\$25.00) per day.

Section 2:


That the amended Personnel Rules and Regulations shall be effective as of the 22 day of April, 2023.


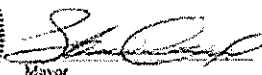
Adopted by the City Council this 18th day of April, 2023.

Approved by the Mayor this 18th day April, 2023.

City of Burley

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ATTEST:

City Clerk

 
Mayor

The motion was made by Council Member Anderson to approve Resolution 3-2023 and allow the Mayer and City Clerk to sign. The motion was seconded by Council Member Seely.

A motion was made by Andersen to allow this resolution to go into effect April 22, 2023 and seconded by Council member Morgan.

Roll Call Vote

The results of the votes were as follows:

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

Motion carried.

INFORMATION ITEMS

Mayor Ormand mentioned that Arbor Day is coming up and four trees will be planted at White Pine. Council members should have received the memo.

ADJOURN

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

All "Aye."
Motion carried.

City of Burley:


Mayor Steve Ormond

ATTEST:


City Clerk Tracy Bustos