

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
May 4, 2021**

SPECIAL MEETING

ACTION ITEM: EXECUTIVE SESSION AT 6:30 P.M. TO DELIBERATE CONCERNING ACQUISITION OF REAL PROPERTY PURSUANT TO IDAHO CODE 74-206 (1)(c).

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 \$739,331.20 Broadband \$79.47

TOTAL \$739,410.67.

c. PAYROLL ENDING ON 4/23/21 FOR \$351,843.86.

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| 2. <u>ACTION ITEM</u> | Public Hearing on Fees | Mark Mitton |
| 3. <u>ACTION ITEM</u> | Idaho Regatta-Approval of Agreement Use of City Park | Louis Schindler |
| 4. <u>ACTION ITEM</u> | Broadband Lease with ETS | Mark Mitton |
| 5. <u>ACTION ITEM</u> | Approval of Resolution No. 3-21 & Loan Agreements for Bond Refinancing | Mark Mitton |
| 6. <u>ACTION ITEM</u> | Dead End Sign Request-Beginning of Elmwood Circle | Dave Waldron |
| 7. <u>ACTION ITEM</u> | Preliminary Plat for Land's End Subdivision | Dave Waldron |
| 8. <u>ACTION ITEM</u> | Transfer of Entitlements to Gooding | Mark Mitton |
| 9. <u>ACTION ITEM</u> | Approval of IWorQ Agreement-Community Development Software | Mark Mitton |

10. Report and Discussion of Recent City Events

Information Items

BUILDING PERMITS:

Wolverton Homes	1017 Magnolia St	Single Family	\$181,000.00
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NEW HIRES:

Bradley Blacker	Streets	Street Operator	\$17.50 Per Hour
Michael Kunzler	Parks	Laborer	\$ 8.50 Per Hour

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**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
May 4, 2021**

COMMENCE MEETING

Council met in special session at 6:30 p.m. with Mayor Ormond presiding. Council members present were Jon Anderson, Casey Andersen, John Craner (joined during executive session), Janet Hansen, Bryce Morgan (joined during executive session) 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 on the purchase of real property pursuant to Idaho Code Section 74-206 (1)(c).

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Kimberli Seely	Aye

Motion carried.

A discussion was held on real property.

Executive session adjourned at 7:06 p.m.

Council reconvened at 7:07 p.m.

Council met in regular session at 7:07 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, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn, Librarian Tayce Robinson and Human Resource Carol Anderson.

INVOCATION

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

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Bradley Blacker	Streets	Street Operator	\$17.50 Per Hour
Michael Kunzler	Parks	Laborer	\$ 8.50 Per Hour

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

PUBLIC HEARING ON FEES

City Administrator Mark Mitton stated that a mailing went out to every resident in the City of Burley. It is proposing an increase in pool fees, park pavilion fees along with other miscellaneous fees. He stated that some of these fees have not been changed in over 20 years. He mentioned that if the fees raise more than five percent then we need to hold a public hearing. Mr. Mitton said there will also be another public hearing on May 19th for the second mailing that went out in the utility bills.

Mayor Ormond then opened the meeting for a public hearing. There was no comment for approval or anyone neutral on the proposed fees.

Mayor Ormond then asked for any comment on anyone opposed to the fee increases.

David Price from 514 Riverside Drive representing Mountain Height Development Company and Horizon Development Company that are in the subdivision business. He spoke against the fee to raise the sewer connect fee from \$600.00 to \$1200.00. He stated this is a substantial increase where they are in the affordable housing business. He asked for an explanation as to why this fee is proposed to be doubled.

City Administrator Mark Mitton said the sewer connect fee has been the same for at least 23 and a half years, stating that since that time we have built a new sewer plant and that this fee is a capacity buy in fee. The parts required to connect to the sewer have gone up substantially for every homeowner that hooks into city sewer. He also mentioned that if we charged an impact fee on every home it would probably be three times that amount and that Blaine County charges between eight and ten thousand dollars for this fee. Mr. Mitton said we are trying to keep the fee low because we are encouraging new housing. He also said that since the plant was built we have equipped more of the original oxidation ditches to make up for the increased flow with no increase in fees and it is starting to eat at our annual contributions for wastewater. He said the City of Heyburn charges more than \$1200.00 and there is an Eastern Idaho sewer study that he could get a comparison to what other cities in Eastern Idaho charge. It was also mentioned that the installation procedure was changed in the Wastewater Sewer Tapping Policy. In this policy the city will still provide all of the parts but will require the contractor to install them due to safety issues.

Council member Craner said that we do not charge impact fees like most cities do. He stated the proposed fee, he believes, is the better way to go because it only impacts the individual that is hooking up to our wastewater treatment plant.

Adam House from Canyon Creek Construction Lands and Developers stated that they do put in the parks in the subdivision and then turn it over to the city to maintain and that this all comes at the developer's expense. He said he understands the need to raise the fee, but doubling it is substantial for the developer. He suggested stepping this fee up over time.

Council member Jon Anderson stated that on a \$35,000.00 lot that an additional \$600.00 would not be a big factor in his eyes. He said that because this fee has been kept low for many years that we now have to catch up. He said that going from \$600.00 to \$1200.00 is a lot but not as a percentage of the cost of the lot.

Mr. Mitton said that we are not looking for any action to be taken until after the public hearing at the next meeting.

Mayor Ormond then closed the public hearing.

IDAHO REGATTA-APPROVAL OF AGREEMENT USE OF CITY PARK

Louis Schindler representing the Idaho Regatta said that they plan to hold the 43rd Regatta this year. He stated that he received the agreement for use of city parks from Mr. Shirley and will present it to the Regatta committee for their approval. He asked Council if they would approve the use of the Kodiak parking lot again this year to start the boat parade from.

Attorney Dave Shirley said that he left the agreement the same as last year assuming it worked well for them. Mr. Schindler stated that they had a lot of masks available for people but no one asked for them, so he needs to check with his committee and Mr. Shirley about some of the COVID protocols.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to allow the Regatta to use of the parking lot at Kodiak with their permission.

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.

BROADBAND LEASE WITH ETS

City Administrator Mark Mitton stated that this item is not ready and will be brought back to the May 19th meeting.

APPROVAL OF RESOLUTION NO. 3-21 AND LOAN AGREEMENTS FOR BOND REFINANCING

City Administrator Mark Mitton stated that this item is not ready and will be brought back to the May 19th meeting.

DEAD END SIGN REQUEST-BEGINNING OF ELMWOOD CIRCLE

Engineer Dave Waldron stated that he was approached by a citizen on Elmwood Circle that would like a dead end sign put up because they get a lot of vehicles turning into the cul-de-sac and having a hard time getting out when people that live there have company. It appears to her that they are looking for a through street.

A discussion followed with comments and concerns. It was mentioned that Circle indicates it is a circle, the sign will not prevent the people driving around looking at all the new construction and homes for sale from driving through and that we should not clutter the town with signs. It was also mentioned that some people would not turn down that are driving trucks or bigger vehicles. It was also discussed that the person that would have the sign by his property might not want it. It was mentioned that the sign would cost about \$100.00.

A motion was made by Council member Jon Anderson with no second.

Having no Second the Motion Did Not Carry

PRELIMINARY PLAT FOR LAND'S END SUBDIVISION

Engineering Dave Waldron said he wanted to make Council aware that last month Planning and Zoning approved the Lands' End subdivision. This is a 198 lot subdivision with Goose Creek apartments on the North, Almo Avenue on the West, Hiland Avenue on the East and it will go almost to 27th street. He stated that the city has worked with the developers and design engineers and are comfortable with the lot and street lay out. Phase one will start with ten homes by Almo

Avenue. Mr. Waldron said that they will be bringing the first phase and possibly the second phase construction drawings and plat map to Council for approval in the near future.

It was discussed that the irrigation water will come from the canal and be pressurize for the whole subdivision. Also they discussed through streets and that sidewalks will be required.

TRANSFER OF ENTITLEMENTS TO GOODING

City administrator Mark Mitton asked Council to approve the transfer of entitlements to the Gooding Airport in the amount of \$12,654.00. He mentioned that the FAA will not allow us to spend it on our airport because our airport does not meet standards.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to allow the transfer of entitlements for \$12,654.00 to the Gooding Airport.

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.

APPROVAL OF IWORQ AGREEMENT-COMMUNITY DEVELOPMENT SOFTWARE

City administrator Mark Mitton asked Council to approve this agreement. He stated we use an IWorQ program in the shop that tracks fleet maintenance. The community development portion would allow the building permit information to be entered into the system and would then allow workers and developers to access this information. It will calendar when inspections are due and the result of the inspection. He mentioned that the departments that need to know when a building permit is issued would get immediate notification so they can see if there will be any issues with the property such as an overhead line over the building, no easement we can find etc... It will be an annual cost of \$10,747.00 and it will be paid by the excess revenues because of the building growth.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to approve the annual subscription to the IWorQ software.

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.

REPORT AND DISCUSSION OF RECENT CITY EVENYTS

Engineer Bryan Reiter asked Council for a special meeting for Thursday at noon to ask for approval of a subdivision. He stated that we do not want to set a precedence of special meetings for this but feels we need to help this process along. He said that in the future, if any subdivision is at all close to being approved, we should put it on the agenda and then if it is not ready we can table it. He mentioned that it was ready but could not be added because we had missed the agenda time line. It was mentioned that the Mayor can call a special meeting with a 24-hour notice.

City Administrator Mark Mitton stated that House Bill 389 passed today. It includes increases in homeowner's exemption, increases in the personal property tax exemption, other exemptions and sales tax distributions that are normally ran through in a separate bill. He said this will be heard and talked about in the senate tomorrow. He said we will then know how much of the property tax we will not collect in the future. Mr. Mitton said that because there is excess state money in revenues we received \$118,000.00 that must be used on streets. He said they would be holding a public works meeting soon to discuss how to use this money.

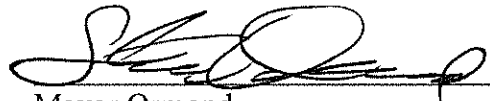
Mayor Ormond thanked everyone for all they do and mentioned that May 15th is the city wide clean-up day.

Librarian Tayce Robinson encourage everyone to vote May 18th for the library override levy.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 8:16 P.M.

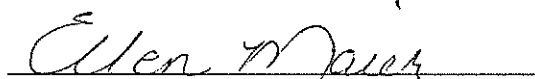
All "Aye."
Motion carried.

City of Burley



Mayor Ormond

ATTEST:



City Clerk