

**REGULAR BURLEY CITY COUNCIL MEETING  
CITY HALL  
May 5, 2020**

**COMMENCE MEETING**

Council met in regular session at 7:00 p.m. with Mayor Ormond presiding. Council members present were Jon Anderson and Bryce Morgan. Kimberli Seely, Casey Andersen, Jon Craner and Janet Hansen joined by phone.

City Staff present were as follows: City Administrator Mark Mitton, City Clerk Ellen Maier, Electrical Supervisor Brent Wallin and Parks Supervisor Brent Winn. Attorney Dave Shirley, Waste Water Treatment Director Dee Hodge and Engineer Bryan Reiter joined by phone.

**INVOCATION**

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

**CONSENT 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 REGULAR AND SPECIAL MEETINGS**
  - b. **BILLS PAYABLE \$1,476,730.62.**
  - c. **PAYROLL ENDING 4/24/20 FOR \$306,139.42.**

**Information Items**

**BUILDING PERMITS:**

Reed Gibby	134 Hwy 81	Office Complex	\$925,000.00
Ace Real Estate & Invest.	819 Schodde Ave	Single Family	\$130,000.00
Les Schwab Tire	2555 Overland Ave	Alteration	\$ 34,713.00
Canyon Creek Construction	119 W 26 <sup>th</sup> St	Alteration/Club House	\$ 25,000.00
TKO Custom Homes	2429 Great Basin Way	Single Family	\$119,000.00
TKO Custom Homes	2416 Great Basin Ct.	Single Family	\$117,486.00
Miguel Farfan	729 Elba	Single Family	\$103,360.00

**New Hires:**

Shaun Ford	Street Department	Laborer/Driver	\$16.50
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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.

## **BUCKEYE FARMS PROTEST RESOLUTION**

City Attorney Dave Shirley said the Coalition of Cities filed a protest against Buckeye Farms. He said the plan they were imposing, to get their permit granted, was vague. It did not clearly recognize it as being trust water and they only wanted to report annually, not having different measurements for the monthly water that was being mitigated. He presented Council with a resolution stating that to get the permit both Exhibit A & B would have to be met. These exhibits require them to measure monthly and report annually. They will report what crops they are growing and it clearly states this is for trust water. Mr. Shirley stated that most all cities in the coalition have agreed to these terms and the coalition Attorney and himself also recommend this agreement be entered into by the cities.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to approve the stipulation and authorize it to be signed by the Attorney for the coalition of cities.

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.

## **CANYON CREEK TOWNHOUSE SUBDIVISION APPROVAL**

Engineer Bryan Reiter reminded Council that in March they approved an ordinance that approved townhouse sub-divisions. He said there are two 5525 foot-city lots that are split into 3 lots. These have townhouses on them that can now be privately owned. He mentioned that planning and zoning is working through the townhouse sub-division process and it will be brought back to Council for their approval in the near future.

## **APPROVAL OF CHANGE ORDER ON WASTE WATER CHEMICAL BUILDING**

Wastewater Treatment Supervisor Dee Hodge presented Council with a change order for the chemical building deducting \$49,564.00 from the approved bid of \$398,900.00. He said he only budgeted \$350,000.00 for this project. He said they reduced the chemical tank size from 43 hundred gallons down to 31 hundred gallons, which will reduce the building dimensions. They also removed vent fans, dampers, louvers, drain piping, the connection to the plant drain system,

and the hose bib in the building. Mr. Hodge and Jason Broome, the project manager, both agreed they were comfortable with this reduction and the only drawback would that they might have to get chemical loads delivered a little more often.

A discussion followed with questions on if would be feasible to spend the additional money and build from the original plan.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to accept the change order and allow the Mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

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

Motion carried.

## **OPENING SWIMMING POOL**

City Administrator Mark Mitton said that more guidance will be coming on recreation facilities. Currently it limits the number of people allowed and being able to follow the social distancing rule. He said the two options are open as we normally would on May 26<sup>th</sup> or don't open the pool this year. He said that if we wait until the end of phase four you might not be able to find people to run the pool for the six weeks that would be left in the pool season. He stated there are concerns that if we do not make it to phase four we cannot recoup the startup money. He said we need to come up with a plan, like life guards would need to wear masks, not having the dressing rooms available, and that there would be more expenses for sanitizing supplies.

City Attorney Dave Shirley said he spoke with the director over environmental health with the Department of Health and Welfare. He said we would also need to limit the people inside the pool because of the six feet distancing rule because the risk is still there when you are speaking, coughing or sneezing with other people that are not six feet away. The six feet rule is for people not living within the same household making the social distancing very difficult. He mentioned that ICRMP's guidance as far as liability goes is stick as close as you can to the guidelines and what the CDC recommends as they continue to come out with updates. Mr. Shirley said we will need to come up with a plan to train the life guards and staff, to wear masks and the number of people allowed at the pool, etc.

A discussion followed. It was stated that by May 26<sup>th</sup> we should be close to stage three and should open up and implement safety protocol and social distancing because it would be a benefit to the community. It was mentioned that we would have to limit the number of people that come to watch their kids. It was asked that if the recreation committee would send Mr. Mitton their ideas to him so they can get a plan together rather quickly.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to open the pool on May 26<sup>th</sup> with the precautions talked about.

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 8:00 P.M.

All "Aye."

Motion carried.

City of Burley

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Mayor Ormond

ATTEST:

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City Clerk