

**SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
June 23, 2021**

SPECIAL MEETING

AGENDA

SPECIAL SESSION AT 8:30 A.M.

1. **ACTION ITEM** Street Closure for Voz Latina 91.9 FM Fundraiser Damian Rodriquez
2. **ACTION ITEM** LID Resolution No 6-21 Findings of Facts Mark Mitton
3. **ACTION ITEM** Ordinance 1382 Creating LID 2021-1 Mark Mitton
4. **ACTION ITEM** Lands End Phase 1 Approval Bryan Reiter
5. **ACTION ITEM** Annexation of Real Property within the SE1/4N1/4 of
Section 29 in T10S R23E BM Owned by Black Magic Farms LLC Bryan Reiter

6. **ACTION ITEM** Budget Workshop – Department Presentations Department Heads

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**SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
June 23, 2021**

COMMENCE MEETING

Council met in special session at 8:30 A.M. with Mayor Ormond presiding. Council members present were Jon Anderson, Casey Andersen, John Craner, Janet Hansen, Bryce Morgan and Kimberli Seely.

City Staff present were as follows: City Administrator Mark Mitton, City Clerk Ellen Maier (excused), Attorney Dave Shirley (excused), Waste Water Treatment Director Dee Hodge, Economic Development Specialist Doug Manning, Electrical Supervisor Brent Wallin, and Librarian Tayce Robinson.

STREET CLOSURE FOR VOZ LATINA 91.9 FM FUNDRAISER

Damian Rodriquez the Public Relations Manager for Tu Voz Inc., (a non-profit community radio station-KBWE 91.9) asked Council for permission to close 11th Street between Oakley Avenue and Overland Avenue on Sunday June 27th, 2021 from 12:00 PM to 9:00 PM. They will be holding a fundraiser with the help of Superior Convention Center. He presented Council with a signed letter of approval from all businesses on the street.

A motion was made by Council member Jon Anderson and seconded by Council member Casey Andersen to allow the street closure Sunday from 12:00 P.M. to approximately 8:00 P.M.

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.

LID RESOLUTION NO 6-21 FINDINGS OF FACTS

City Administrator Mark Mitton asked Council to approve Resolution No. 6-21.

A motion was made by Council member Morgan and seconded by Council member Seely to approve Resolution No. 6-21 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	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

**CITY OF BURLEY
RESOLUTION 6-21**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLEY, STATE OF IDAHO, MAKING CERTAIN FINDINGS REGARDING THE PROPOSED CREATION OF LOCAL IMPROVEMENT DISTRICT 2021-01 AND PROVIDING AN EFFECTIVE DATE.

RESOLVED by the City Council of the City of Burley, Idaho:

WHEREAS a public hearing was held on June 15, 2021, pursuant to Idaho Code Section 50-1709 following due notice, regarding the proposed creation of Local Improvement District 2021-01;

NOW, THEREFORE, BE IT RESOLVED that the Burley City Council makes the following findings:

1. The local Improvement District will be for the best interest of the property affected and the municipality;
2. There is reasonable probability that the obligations of such district will be paid; and
3. The value of the property within the proposed district, including the proposed improvements, is sufficient.

The City Clerk is hereby directed to retain this Resolution in the official records of the City.

This Resolution shall be in full force and effect after its passage and approval.

PASSED by the City Council of the City of Burley this 23rd day of June, 2021.

Signed and approved:



Steve Ormond, Mayor

ATTEST:

I certify that the above Resolution was duly adopted by the City Council of the City of Burley on the 23rd day of June, 2021.

By: Ellen Maier

Ellen Maier, City Clerk

ORDINANCE NO. 1382 CREATING LID 2021-1

City Administrator Mark Mitton asked Council to approve Ordinance No. 1382 to create LID 2021.1. He stated once the ordinance is passed letters will go out to everyone signed up stating the interest rate and getting their signatures to move forward.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to dispense with the rule requiring three separate reading and read Ordinance No. 1382 once by title only.

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.

Ordinance No. 1382 was then read once by title only.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to approve Ordinance No. 1382 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	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

ORDINANCE NO. 1382

AN ORDINANCE OF THE CITY OF BURLEY, IDAHO, CREATING LOCAL IMPROVEMENT DISTRICT NO. 2021-1 FOR BURLEY, IDAHO, FOR THE CONSTRUCTION OF CONCRETE CURBS, GUTTERS, DRIVE APPROACHES AND SIDEWALK IMPROVEMENTS; PROVIDING FOR THE LEVYING OF SUCH ASSESSMENTS UPON THE PROPERTY TO BE BENEFITED BY SUCH IMPROVEMENTS AND FOR THE BASIS OF MAKING SAID ASSESSMENTS; SETTING FORTH THE PROPERTIES TO BE INCLUDED IN SAID DISTRICT; PROVIDING THE METHOD OF DETERMINING THE ACTUAL VALUE OF THE REAL PROPERTY INCLUDING THE IMPROVEMENTS THEREON; PROVIDING FOR MAKING THE ASSESSMENT ROLL, AUTHORIZING THE ADVERTISEMENT FOR CONSTRUCTION BIDS; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BURLEY, IDAHO:

Section 1. There is hereby created, a local improvement district in the City of Burley, Idaho, to be called "Local Improvement District No. 2021-1 for the purpose of repairing or replacing concrete curb, gutter, sidewalk, and driveway approach improvements in the City of Burley, Idaho" in accordance with the Resolution of Intention which was duly adopted by the Mayor and Council of the City of Burley on June 15, 2021 is hereby adopted, ratified, and approved; and the boundaries of said district and real property included therein, all within the City of Burley, are described as follows, to wit:

The corporate boundaries of the City of Burley, Cassia County, Idaho.

Section 2: The district is in the best interests of both the property affected and the City of Burley and there is reasonable probability that the obligations of the district will be paid.

Section 3: The value of the property within the district, including the proposed improvements, is sufficient.

Section 4: The benefited property with the district shall be assessed for the total costs and expenses of the improvements as hereafter provided.

Section 5: Each lot and parcel of land determined to have benefited from the improvements shall be separately assessed for said debt or cost and expense by a front foot and/or square foot method of measurement in the amount of the benefits determined to have derived to such property by said improvements. The total of the assessments shall equal the total cost of providing all improvements within the district. The cost and expense to be assessed as herein provided shall include the contract price of the improvements and interest upon warrants, if issued; the City of Burley shall pay for the engineering, legal fees and clerical services, advertising, cost of inspection, and cost of collecting assessments. For the purposes of the Local Improvement District and Idaho

ORDINANCE NO. 1382

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Code Section 50-1711, the method for determining the actual value of the real property including the improvements thereon in the District shall be the assessed value of the real property for the fiscal year 2020-2021, plus the cost and expense to be assessed as herein provided.

Section 6: The City Engineer has or shall solicit applications from property owners, by any reasonable means, identifying areas of deteriorating curbing, gutters, sidewalk, and driveway approaches within the City of Burley. The project areas identified shall be prioritized by the Engineer's determination of the areas of greatest threat to the public safety, health and welfare. The Engineer has or shall designate specific improvements required to rehabilitate the sites having the highest priority and prepare site specific projects which can be constructed within the project cost described above.

Section 7: Property owners submitting applications have applied, or may also apply for optional improvements to be constructed on their property such as driveways, steps or similar items consistent with or due to the project and which are encompassed by a project bid and contracted pursuant to Idaho Law. Option improvements shall be subject to the same review process provided in Section 6 but shall have lower priority and should only be allowed if all higher priority applications are approved. The cost of option improvements shall be assessed solely against the property upon which they are constructed.

Section 8: The City Engineer is hereby appointed and directed to make an assessment roll according to the provisions of Idaho Code, Section 50-1712.

Section 9: In accordance with Idaho Code, Title 67, Chapter 28 and Section 50-1710, notice of advertisement for bids for construction of said improvements has or shall be published in two consecutive weekly issues of the official newspaper of the City of Burley, which notice shall state the time, place and hour where and until when the City Engineer will receive sealed proposals which have been or will be opened and publicly read, shall contain a general description of the kind and amount of work to be done, the materials to be furnished, as nearly accurate as practicable, using such general terms as to admit the wide latitude for competition, and shall state that the plans and specifications for said improvement work are on file in the office of the City Engineer where they may be examined or obtained. The notice has or shall also state that the bidder shall accompany his bid with a certified check or bid bond in compliance with Idaho Code in the amount of five percent (5%) of his bid and in the case the contract for such work is awarded to such bidder, and shall be forfeited to the City and shall be placed in the local improvement fund for such district, said notice has or shall provide that the City reserves the right to reject all bids, to waive informalities, or to accept the proposal of the lowest responsible bidder, and that no bidder may withdraw his bid after the time set for opening of bids. Such advertisement and call for bids is authorized.

Section 10: Should the court having jurisdiction declare any part of this Ordinance invalid, unauthorized or unconstitutional or in conflict with any other part of this Ordinance, then such decision shall affect only the part declared to be unconstitutional, unauthorized or invalid, and shall not affect any other part whatsoever of this Ordinance,

and each part hereof, irrespective of parts declared invalid, unauthorized or unconstitutional.

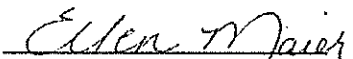
Section 11: This Ordinance shall be effective upon being passed by the vote of the Burley City Council, being signed by the Mayor and attested by the City Clerk, and when published in accordance with Idaho law.

PASSED BY THE COUNCIL of the City of Burley, Idaho this 23rd day of June, 2021.

APPROVED BY THE MAYOR of the City of Burley, Idaho this 23rd day of June, 2021.


Steve Ormond, Mayor

ATTEST:


Ellen Maier, City Clerk

ORDINANCE NO. 1382

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Mayor Ormond read a Proclamation honoring Lieutenant colonel Scott R. Melling. Mayor Ormond has prepared and signed the proclamation to honor him for serving our country as an Army Optomistrisist.

LANDS END PHASE 1 APPROVAL

This item was not ready to be presented to Council.

ANNEXATION OF REAL PROPERTY WITHIN THE SE1/4N1/4 OF SECTION 29 IN T10S R23E BM OWNED BY BLACK MAGIC FARMS LLC

This item was not ready to be presented to Council.

BUDGET WORKSHOP - DEPARTMENT PRESENTATIONS

Department heads presented Council with their performance measures, needs for the next budget year along with long term goals.

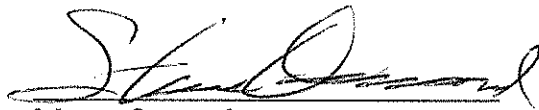
**City of Burley
Budget Workshops Schedule**

Department	Time
General Revenues	8:30
Administration	8:45
Council	9:05
Legal	9:10
Mayor	9:20
Library	9:30
Parks	10:00
Golf	10:15
<u>Public Safety Budgets</u>	
Building Inspection	10:40
Animal Control	10:50
Police Services	11:00
Fire	11:20
<u>Public Works Budgets</u>	
Engineering	11:45
Streets	11:50
<u>Lunch Break</u>	
Equipment Services	12:15
Airport	12:25
Cemeteries	12:35
<u>Utility Budgets</u>	
Water	12:50
Wastewater	1:10
Sanitation	1:30
Electric	1:50
Priorities and Other Issues	2:10

A motion was made by council member Seely and seconded by Council member Morgan to adjourn the meeting at 2:40 P.M.

All "Aye."
Motion carried.

City of Burley


Mayor Ormond

ATTEST:

Ellen M. Javie
City Clerk