

**SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
July 6, 2021**

SPECIAL MEETING

ACTION ITEM: EXECUTIVE SESSION AT 6:30 P.M. ON A PERSONNEL MATTER AND TO COMMUNICATE WITH LEGAL COUNCIL CONCERNING PENDING OR EMINENT LITIGATION PURSUANT TO IDAHO CODE 74-206 (1)(a)and(f).

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 \$1,115,751.56.

c. PAYROLL ENDING ON 6/18/21 FOR \$382,520.76.

- | | | |
|-------------------------------|--|--------------|
| 2. <u>ACTION ITEM</u> | Public Hearing Vacation of Easement Lot 5 & 6
Blk 2 Sec.17, T10S,R23E Ordinance 1383 | Bryan Reiter |
| 3. <u>ACTION ITEM</u> | Appoint Melanie Lindstrom to Library Board | Mayor Ormond |
| 4. <u>ACTION ITEM</u> | Lands end Phase 1 Approval | Bryan Reiter |
| 5. <u>ACTION ITEM</u> | Ord. 1384 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. <u>ACTION ITEM</u> | Replace Flooring at Senior Center | Mark Mitton |
| 7. <u>ACTION ITEM</u> | Resolution No 7-21 Creating Urban Revenue Renewal Allocation | Mark Mitton |
| 8. <u>ACTION ITEM</u> | Traffic Study at Pomerelle/Main –ITD as Support for
A New Traffic Signal | Dave Waldron |
| 9. <u>ACTION ITEM</u> | Purchase of Backhoe | Bryan Reiter |
| 10. <u>ACTION ITEM</u> | Increased Compensation of City Attorney’s Office | Mark Mitton |
| 11. <u>ACTION ITEM</u> | Replacement of 300 Gallon Containers | Eric Pufhal |
| 12. | Report and Discussion of Recent City Events | |

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**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
July 6, 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, Janet Hansen, Bryce Morgan and Kimberli Seely.

EXECUTIVE SESSION

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to go into executive session on a personnel matter and to communicate with legal counsel concerning pending or eminent litigation matter pursuant to Idaho Code Section 74-206 (1)(a) and (f).

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 discussion was held on both matters.

Executive session adjourned at 7:00 p.m.

Council reconvened at 7:01 p.m.

Council met in regular session at 7:01 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, Economic Development Specialist Doug Manning, Engineer Dave Waldron, Building Inspector Gary Pawson, Engineer Bryan Reiter, Electrical Supervisor Brent Wallin, Librarian Tayce Robinson, Sanitation Supervisor Eric Pufhal and Human Resource Carol Anderson. Jared Thompson from the sheriff's office was also in attendance.

INVOCATION

The Invocation was offered by Council member Casey Andersen 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 \$1,115,751.56.**
- c. **PAYROLL ENDING 6/18/21 FOR \$382,520.76.**

Information Items

BUILDING PERMITS:

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 VACATION OF EASEMENT LOT 5 & 6 BLK 2 SEC. 17, T10S, R23E ORDINANCE 1383

City Engineer Bryan Reiter stated as part of the Tommy’s Car Wash project the City was asked to consider vacation of a portion of an existing easement. The owner has previously offered, and Council accepted a new easement to reroute the water main that was located within the easement. Contractors have finished installation of the rerouted new water main in the new easement. The rerouted water main has been installed as specified and tested and in now in service. Mr. Reiter asked Council to approve the vacation of the unused portion of the existing easement. He also stated that it is Planning and Zoning recommendation to approve the vacation.

Mayor Ormond then opened the meeting up for a public hearing. There was no public comment. It was stated that Brad McNew, Program Manager, for Lumen provided a letter stating that they have no facilities in the said easement. Mayor Ormond then closed the public hearing.

A motion was made by Council member Casey Andersen and seconded by Council member Jon Andersen to dispense with the rule requiring three separate readings and read Ordinance No. 1383 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.

Engineer Bryan Reiter then read Ordinance No. 1383 once by title only.

A motion was made by Council member Casey Andersen and seconded by Council member Jon Andersen to approve Ordinance No. 1383 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.

Instrument # 2021003513

BURLEY, CASSIA, IDAHO
7-7-2021 11:38:41 AM No. of Pages: 4
Recorded for : CITY OF BURLEY
JOSEPH LARSEN Fee: 0.00
Ex-Officio Recorder Deputy CV
Index to: ORDINANCE

ORDINANCE NO. 1383

AN ORDINANCE OF THE CITY OF BURLEY, IDAHO, VACATING A
PORTION OF A UTILITY EASEMENT; DETERMINATING PUBLIC
GOOD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Wash it down, LLC, petitioned the City of Burley to abandon and vacate the portion of a utility (waterline) easement described on Exhibit "A" (hereinafter "Easement"); and

WHEREAS, a public hearing was held on July 6, 2021, and proper notice was given; and

WHEREAS the Burley City Council and Mayor considered all relevant information made available to it to determine whether the abandonment would be in the public interest;

After due consideration the Burley City Council makes the following findings of fact:

1. Abandonment and vacation will not leave any real property adjoining the Easement without access to alternative easements.
2. Abandonment of the Easement will allow for the development of real property within the City.
3. All utility facilities of the City of Burley, have been removed from the Easement and have been relocated.
5. The City of Burley currently has alternative easements to reroute all waterline facilities previously located in the Easement.
6. The Easement exists only within real property owned or controlled by the petitioner.

NOW THEREFORE,

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BURLEY:

1. That the Easement is hereby abandoned and vacated with any easement rights previously held by the City of Burley in the vacated portion reverting to the current fee owners as provided by Idaho law, provided that any right of way, easements and franchise rights of any lot owner or public utility other than the City of Burley shall not be impaired hereby.

2. It is hereby determined that this vacation is for the public good.

3. This ordinance shall become effective on the date it is published in accordance with Idaho law.

PASSED July 6, 2021

APPROVED July 6, 2021

CITY OF BURLEY

A handwritten signature in cursive script, appearing to read "Steve Benson", written over a horizontal line.

Mayor

ATTEST

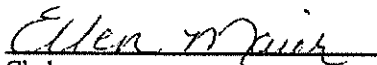
A handwritten signature in cursive script, appearing to read "Ellen Quinn", written over a horizontal line.
Clerk

EXHIBIT "A"

Legal Description
Easement Vacation
Cassia County, Idaho

Being a portion of that certain Easement record as Instrument No. 56917 in the office of the County Recorder of Cassia, said Easement lies in the SE ¼ SW ¼ of Section 17, Township 10 South, Range 23 East, Boise Meridian, Cassia County, Idaho, more particularly described as follows: Commencing at the Southeast corner of said SE ¼ SW ¼ of Section 17 as shown on that certain Record of Survey, recorded September 11, 2014 as Instrument No. 2014-003709 in the office of the County Recorder of Cassia County; Thence, along the South Boundary of the SW ¼ of said Section 17, North 89°29'52" West 170.80 feet to a point on the East line of said Easement; Thence, along said East line, North 00°01'19" West 97.13 feet and being the REAL POINT OF BEGINNING; Thence, leaving said East line, South 42°52'32" West 29.38 feet to a point on the West line of said Easement; Thence, along said West line, North 00°01'19" West 141.16 feet; Thence, leaving said West line, North 89°58'41" East 20.00 feet to a point on said East line; Thence, along said East line, South 00°01'19" East 119.63 feet to said REAL POINT OF BEGINNING.

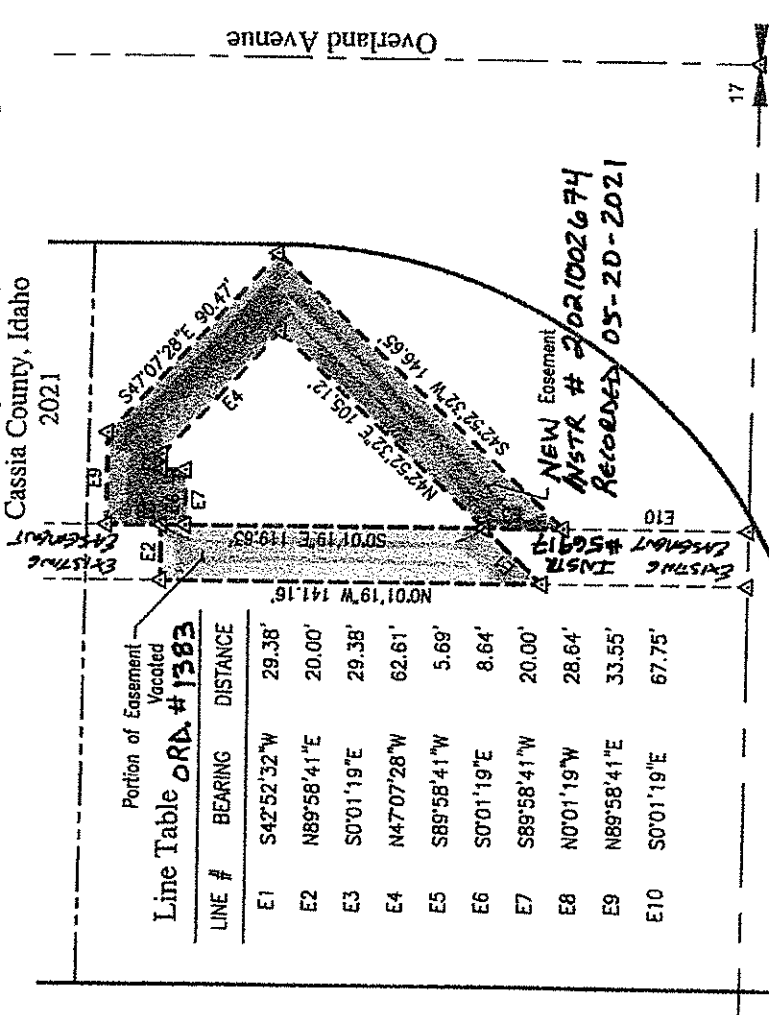
EHM Engineers, Inc.
 Registered Surveyors / Planners
 421 Park Center Road, Suite 100, Twin Falls, Idaho 83403
 P: (208) 734-4325 Fax: (208) 734-6009 Web: ehmengr.com

EXHIBIT
WATERLINE EASEMENT
 CASSIA COUNTY, IDAHO

JOB NO.	2021-017
APPROVED	
DATE	
SCALE	AS SHOWN
DATE	APRIL 2021
SCALE	AS SHOWN
DATE	APRIL 2021
SCALE	AS SHOWN
DATE	APRIL 2021



Located In
 A Portion of
 Lots 5 & 6, Block 2, Johnson's Subdivision
 In
 Section 17
 Township 10 South, Range 23 East, Boise Meridian
 Cassia County, Idaho
 2021

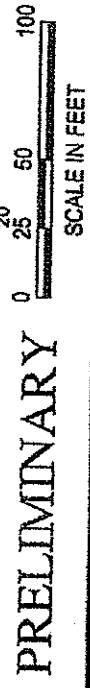


Portion of Easement Vacated

Line Table ORA # 1383

LINE #	BEARING	DISTANCE
E1	S42°52'32"W	29.38'
E2	N89°58'41"E	20.00'
E3	S0°01'19"E	29.38'
E4	N47°07'28"W	62.61'
E5	S89°58'41"W	5.69'
E6	S0°01'19"E	8.64'
E7	S89°58'41"W	20.00'
E8	N0°01'19"W	28.64'
E9	N89°58'41"E	33.55'
E10	S0°01'19"E	67.75'

NEW Easement
 INSTR # 2021002674
 RECORDED 05-20-2021



PRELIMINARY

APPOINT MELANIE LINSTROM TO LIBRARY BOARD

Mayor Ormond asked Council to approve the appointment of Melanie Lindstrom to the Library Board. He stated Librarian Tayce Robinson also recommended her.

A motion was made by Council member Hansen and seconded by Council member Morgan to appoint Melanie Lindstrom to the Library Board.

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.

LANDS END PHASE 1 APPROVAL

Engineer Dave Waldron stated the preliminary plat was approved by Planning & Zoning and presented to Council on May 4, 2021. He said the City review committee found them to be in compliance with Title 6 of the City Code. Mr. Waldron said that the sub divider wishes to proceed with the construction of the required public improvements prior to receiving final plat approval by the City Council. Mr. Waldron recommended that Council grant a Conditional Approval of the construction plans and specifications and the final plat subject to the following conditions: 1) Public improvements contained in the Title 6 of City Code and depicted on the construction plans and specifications shall be completed by the sub divider. 2) The water main on Oxford Street be placed on the north side of the road. 3) An original mylar of the final plat shall be provided to the City. All signatures, with the exception of the City's and the County Treasurer, shall be contained on the mylar. 4) The City Council must verify completion of the construction of public improvements and approve City signatures on the final plat. 5) Conditions 1-4 must be completed, and the final plat shall be filed with the County Recorder within one year after written approval by the Council, otherwise, such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the sub divider and granted by the Council.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to approve Phase 1 of Land's End Subdivision subject to the above listed five conditions.

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 1384 ANNEXATION OF REAL PROPERTY WITHIN THE SE1/4N1/4 OF SECTION 29 IN T10S R23E BM OWNED BY BLACK MAGIC FARMS LLC

Engineer Bryan Reiter stated this is a requested annexation by Black Magic Farms LLC – Brian Bean. It is for 23.87 acres that wraps around White Pine School and is currently farmed. He stated the consent to annexation has been filed and the original is held in the City Clerk’s office.

A motion was made by Council member Craner and seconded by Council member Seely to dispense with the rule requiring three separate readings and read 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.

Engineer Bryan Reiter then read Ordinance No. 1384 once by title only.

A motion was made by Council member Craner and seconded by Council member Seely to approve Ordinance No. 1384 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.

Instrument # 2021003514
BURLEY, CASSIA, IDAHO
7-7-2021 11:41:41 AM No. of Pages: 5
Recorded for : CITY OF BURLEY
JOSEPH LARSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE

ORDINANCE NO. 1384

AN ORDINANCE OF THE CITY OF BURLEY, IDAHO; ANNEXING ADJACENT AND CONTIGUOUS LANDS LOCATED IN CASSIA COUNTY; DIRECTING THE CITY ENGINEER TO LODGE AND FILE A LEGAL DESCRIPTION AND MAP FOR SAID ANNEXED LANDS; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH OFFICIALS OF CASSIA COUNTY AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF SAID MAP AND LEGAL DESCRIPTION BE RECORDED WITH THE CASSIA COUNTY RECORDER AND FILED WITH THE CASSIA COUNTY ASSESSOR AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

PREAMBLE

WHEREAS the following parcel of land described on Exhibit "A" is adjacent and contiguous to the City of Burley in Cassia County, Idaho; and

WHEREAS the owner of the parcel has requested annexation and provided consent by written documents submitted to the City Council of the City of Burley, incorporated into the minutes of the regular meeting of the Burley City Council held July 6, 2021;

NOW, THEREFORE:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BURLEY:

Section 1. The following described real estate in Cassia County, Idaho, shall be and the same is hereby annexed to the City of Burley:

See Exhibit "A" Attached hereto and by this reference made a part hercof.

Section 2. The annexed real property shall be subject to all the statutes pertaining to the City of Burley and all ordinances, resolutions, police regulations, taxation and all other powers of the City of Burley.

Section 3. The land use classification of the real property shall remain R2 as it was classified

immediately before annexation.

Section 4. The City Engineer is hereby directed to lodge and file with the City Clerk within ten (10) days after the passage and approval hereof, a legal description and map prepared in a draftsmanlike manner which shall plainly and clearly designate the property annexed.

Section 5. The City Clerk is hereby directed to file, within ten (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Cassia County Auditor, Treasurer, Assessor, and the Idaho State Tax Commission, and to file a copy of said legal description and map, as prepared and lodged with the City Clerk by the City Engineer, with the Cassia County Assessor, the Cassia County Recorder and the Idaho State Tax Commission, all as provided by Idaho Code Sections 50-223 and 63-215.

Section 6. This Ordinance shall be effective upon its passage, approval and publication.

PASSED July 6, 2021

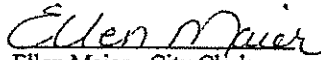
APPROVED July 6, 2021

CITY OF BURLEY



Steve Ormond - Mayor

ATTEST:



Ellen Maier - City Clerk

LEGAL DESCRIPTION

Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29 of Township 10 South, Range 23 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the east $\frac{1}{4}$ section corner of Section 29 of T.10 S., R.23 E., B.M. said corner marked by a 5/8" rebar with a 3" cap on top; Thence North 89 degrees 09 minutes 17 seconds West along the south line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 30.00 feet; Thence North 00 degrees 01 minutes 28 seconds East for a distance of 30.00 feet to a 5/8" rebar which shall be the Point of Beginning, said point being at the intersection of the west right of way of Hiland Avenue and the north right of way of East 22nd Street;

THENCE North 89 degrees 09 minutes 17 seconds West along the north right of way of East 22nd Street for a distance of 1262.28 feet to a 5/8" rebar on the east right of way of Almo Avenue;

THENCE North 00 degrees 00 minutes 45 seconds West (N 0°01'02" W, rec.) along the east right of way of Almo Avenue for a distance of 1244.26 feet to a 5/8" rebar;

THENCE North 45 degrees 24 minutes 26 seconds East (N 45°26'18" E, rec.) along the east right of way of Almo Avenue for a distance of 35.10 feet (35.12', rec.) to a 5/8" rebar on the south right of way of East 19th Street;

THENCE South 89 degrees 10 minutes 23 seconds East (S 89°10'50" E, rec.) along the south right of way of 19th Street for a distance of 476.24 feet to a 5/8" rebar;

THENCE South 00 degrees 01 minutes 28 seconds West (S 0°01' W, rec.) for a distance of 635.11 feet (635.00', rec.) to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 11 minutes 12 seconds East (S 89°10'50" E, rec.) for a distance of 506.72 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 00 minutes 26 seconds West (S 0°00'00" W, rec.) for a distance of 309.97 feet (310.00', rec.) to a $\frac{1}{2}$ " rebar;

(CON'T)

EXHIBIT "A" - Page 1

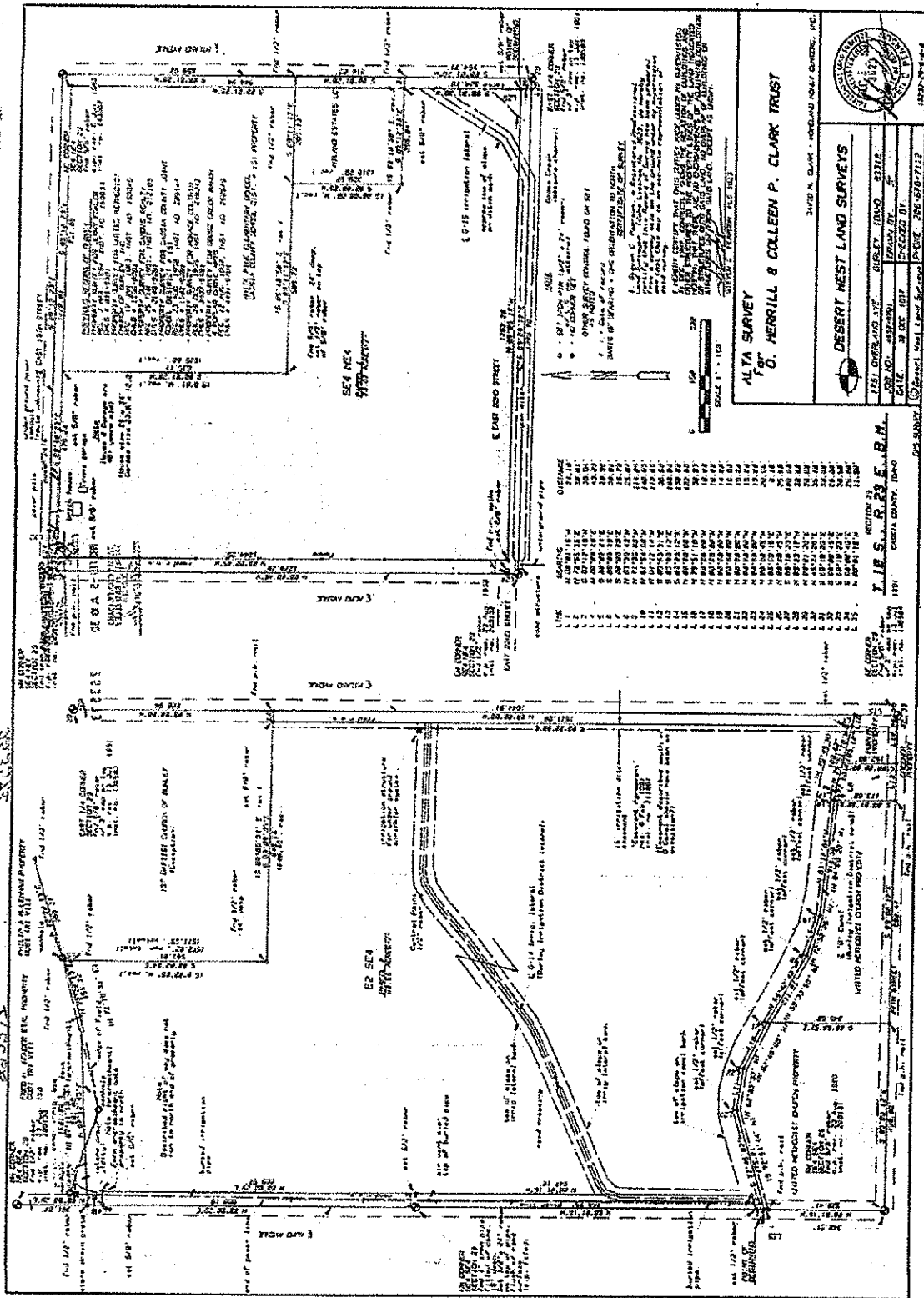
(PAGE 2)

THENCE South 89 degrees 10 minutes 29 seconds East (S 89°10'50" E, rec.) for a distance of 255.04 feet to a 5/8" rebar on the west right of way of Hiland Avenue;

THENCE South 00 degrees 01 minutes 28 seconds West along the west right of way of Hiland Avenue for a distance of 324.70 feet to the Point of Beginning.

Said property contains 23.87 acres more or less.

EXHIBIT "A" - Page 2



REPLACE FLOORING AT SENIOR CENTER

City Administrator Mark Mitton stated the flooring has been in the Senior Center since it was built. He said the Senior Center held a fundraiser and can pay for the flooring, but is asking if the City will pay \$2,740.00 for the labor to install it. It was mentioned that the City owns the building and pays for the utilities.

A motion was made by Council member Morgan and seconded by Council member Craner to approve the payment of the labor for the flooring.

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.

RESOLUTION NO 7-21 CREATING URBAN REVENUE RENEWAL ALLOCATION

City Administrator Mark Mitton asked Council to approve Resolution No 7-21. He said creating this revenue allocation area will help install utilities (water line) out to the end of Minidoka Avenue, but will not service everything in the area. He stated that the lack of utilities keeps it from developing. Mr. Mitton said that if Council passes the Resolution then the Burley Development Authority will do a plan and findings. It will then come back for a public and the process of notifying all of the taxing entities. He mentioned that hopefully it will be done by the end of the year.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to approve Resolution No. 7-21.

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.

RESOLUTION NO. 7-21

A RESOLUTION OF THE CITY OF BURLEY,
IDAHO MAKING FINDINGS OF FACT;
FINDING THE NEED TO ESTABLISH THE
SEVENTH BURLEY URBAN RENEWAL
PROJECT BY THE BURLEY DEVELOPMENT
AUTHORITY "BDA" FOR THE CITY OF
BURLEY; AND DEFINING THE PROJECT
BOUNDARY AREA AND THE REVENUE
ALLOCATION AREA OF THE PROJECT

BE IT RESOLVED by the Mayor and Council of the City of Burley, in accordance with Idaho Code 50-2008:

1. The real property shown on Exhibit A and described on Exhibit B is hereby determined to be a deteriorated or deteriorating area as defined by Idaho Code Sections 50-2018(9) of the "Idaho Urban Renewal Law of 1965" (the "Law") and 50-2903(8) of the "Local Economic Development Act" (the "Act").
2. The property described on Exhibit A is within the corporate limits of the City of Burley.
3. The rehabilitation, conservation and redevelopment of the area shown on Exhibit A and described on Exhibit B is necessary and in the interest of the public, safety, and welfare of the residents of the City of Burley.
4. There is a need to include the property shown on Exhibit A and described on Exhibit B within the project boundary area and the Revenue Allocation Area of the Seventh Burley Urban Renewal Project by the Burley Development Authority "BDA" for the City of Burley.

The City Council hereby request that the Burley Development Authority prepare, or cause to be prepared and Urban Renewal Plan for the Seventh Burley Urban Renewal Project in accordance with the provisions of Idaho Code sections 50-2008 and 50-2905, providing for a Project Area and a Revenue Allocation Area to include the property shown on Exhibit A and described on Exhibit B, and otherwise provide in the plan such provisions as necessary and appropriate.

Resolved this 6th day of July 2021.

CITY OF BURLEY


Mayor

ATTEST


City Clerk

Burley City Council Resolution 7-21

Page | 1

Attachment B

Legal Description

PARCEL 1

L E G A L D E S C R I P T I O N

Part of the SE¼ of Section 8 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Southeast Corner of Section 8 in T.10 S., R.23 E., B.M. said corner marked by a ¾" rebar; Thence North 00 degrees 04 minutes 07 seconds East along the east line of Section 8 for a distance of 723.56 feet to a ½" rebar which shall be the Point of Beginning;

THENCE North 86 degrees 41 minutes 20 seconds West for a distance of 357.23 feet to a ½" rebar;

THENCE South 25 degrees 05 minutes 51 seconds West for a distance of 81.39 feet to a ½" rebar;

THENCE South 67 degrees 45 minutes 24 seconds East for a distance of 20.59 feet to a ½" rebar;

THENCE South 02 degrees 06 minutes 59 seconds East for a distance of 117.74 feet to a ½" rebar;

THENCE South 45 degrees 10 minutes 40 seconds East for a distance of 146.42 feet to a ½" rebar;

THENCE South 36 degrees 01 minutes 43 seconds West for a distance of 94.26 feet to a ½" rebar on the northerly right of way of Alfresco Drive;

THENCE along a non-tangent curve to the left along said right of way for a distance of 15.58 feet to a ¾" rebar, said curve having a radius of 160.00 feet, a delta angle of 05 degrees 34 minutes 40 seconds, and a long chord bearing of North 47 degrees 22 minutes 57 seconds West for a distance of 15.57 feet;

THENCE North 50 degrees 10 minutes 17 seconds West along said right of way for a distance of 200.95 feet to a ¾" rebar;

THENCE along a tangent curve to the left along said right of way for a distance of 111.72 feet to a ¾" rebar, said curve having a radius of 160.00 feet, a delta angle of 40 degrees 00 minutes 29 seconds, and a long chord bearing of North 70 degrees 10 minutes 32 seconds West for a distance of 109.47 feet;

THENCE South 89 degrees 49 minutes 14 seconds West along said right of way for a distance of 120.71 feet to a ½" rebar at the Southeast Corner of Lot 8 in Block 1 of the Cinema Subdivision;

(Con't on Page 2)

PARCEL 1 (Con't)

Page 2

THENCE North 00 degrees 07 minutes 53 seconds West along the east line of Lots 7 & 8 for a distance of 482.71 feet to a 5/8" rebar at the Northeast Corner of Lot 7 in Block 1 of said subdivision;

THENCE South 89 degrees 49 minutes 14 seconds West along the north line of Lots 3, 6 & 7 in Block 1 of said subdivision for a distance of 550.00 feet to a 1/2" rebar at the Northwest Corner of Lot 3 in Block 1;

THENCE South 00 degrees 07 minutes 53 seconds East along the west line of Lots 3, 4 & 5 in Block 1 of said subdivision and along the east line of Minidoka Avenue for a distance of 482.71 feet to a 1/2" rebar at the Southwest Corner of Lot 5 in Block 1 of said subdivision;

THENCE South 76 degrees 25 minutes 44 seconds West for a distance of 59.20 feet to a 5/8" rebar on the west line of the SE 1/4 SE 1/4 of Section 8;

THENCE North 00 degrees 07 minutes 49 seconds East along said 1/16 section line for a distance of 725.67 feet to a 5/8" rebar at the Northeast Corner of The Crossings Subdivision;

THENCE South 89 degrees 53 minutes 59 seconds West along the north boundary of The Crossings Subdivision for a distance of 425.46 feet to a 5/8" rebar on the easterly right of way of State Highway 27;

THENCE North 29 degrees 51 minutes 38 seconds East along said highway right of way for a distance of 346.99 feet to a concrete right of way marker;

THENCE North 36 degrees 00 minutes 16 seconds East along the southeasterly right of way of the I-84 On-Ramp for a distance of 298.54 feet to a concrete right of way marker;

THENCE North 49 degrees 16 minutes 01 seconds East along said right of way for a distance of 257.92 feet to a concrete right of way marker;

THENCE North 64 degrees 51 minutes 45 seconds East along said right of way for a distance of 697.88 feet to a concrete right of way marker;

THENCE North 76 degrees 10 minutes 55 seconds East along said right of way for a distance of 374.24 feet to a concrete right of way marker;

(Con't on Page 3)

PARCEL 1 (Con't)
Page 3

THENCE North 85 degrees 19 minutes 18 seconds East along said right of way for a distance of 204.16 feet to the east line of Section 8;

THENCE South 00 degrees 04 minutes 53 seconds West along said section line for a distance of 177.84 feet to a ½" rebar on the southerly right of way of Minidoka Avenue;

THENCE along a non-tangent curve to the right for a distance of 71.25 feet, said curve having a radius of 756.30 feet, a delta angle of 05 degrees 23 minutes 52 seconds, and a long chord bearing of South 20 degrees 41 minutes 39 seconds West for a distance of 71.22 feet;

THENCE South 00 degrees 04 minutes 53 seconds West for a distance of 455.98 feet to a ½" rebar;

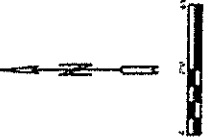
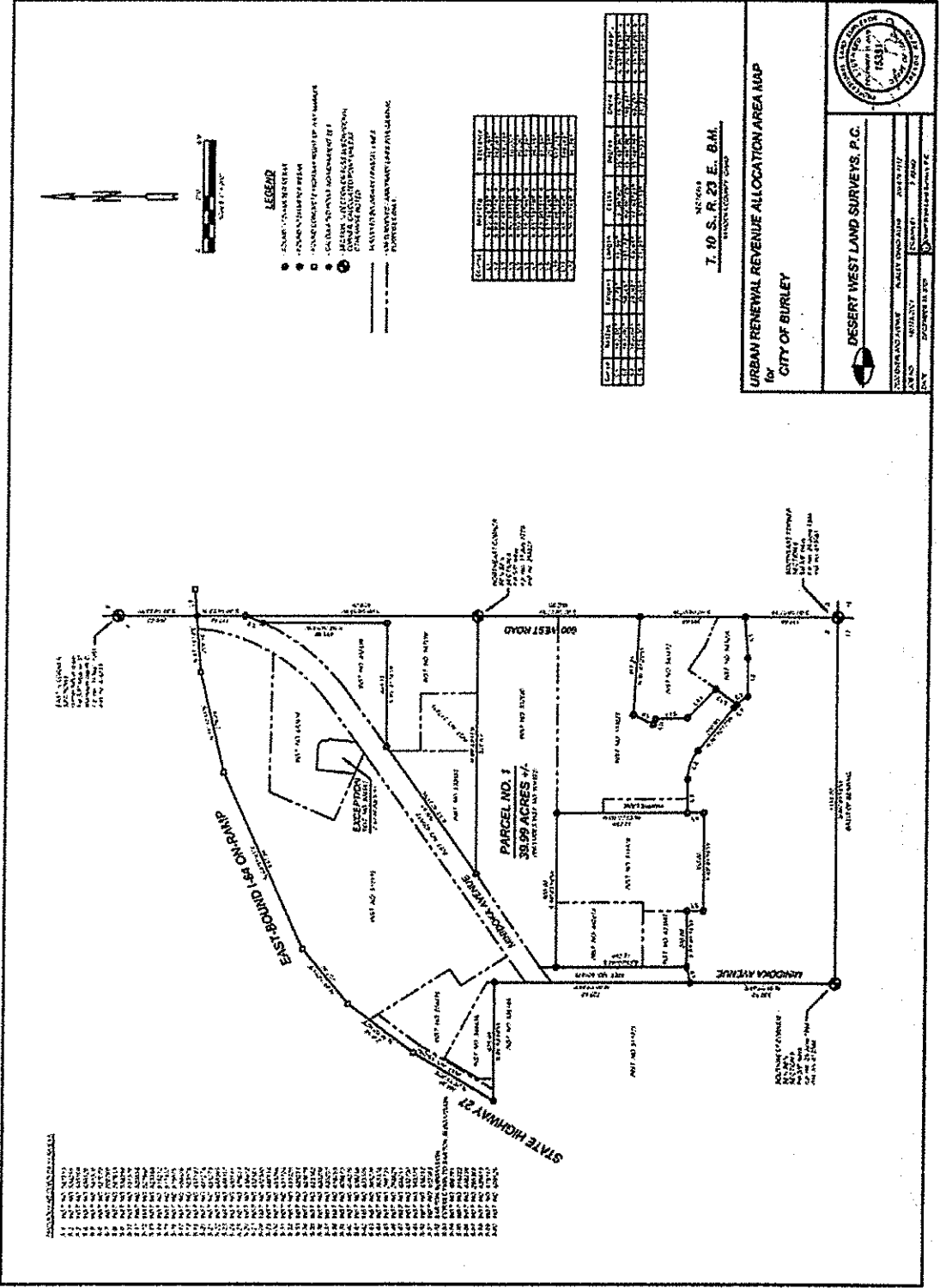
THENCE South 89 degrees 37 minutes 14 seconds West for a distance of 448.13 feet to a ½" rebar on the southerly right of way of Minidoka Avenue;

THENCE South 53 degrees 30 minutes 31 seconds West along said right of way for a distance of 566.81 feet to a ¾" rebar;

THENCE North 89 degrees 49 minutes 15 seconds East for a distance of 928.40 feet to a ¾" rebar at the Northeast Corner of the SE¼SE¼;

THENCE South 00 degrees 04 minutes 07 seconds West along the east line of Section 8 for a distance of 602.95 feet to the Point Of Beginning.

Said property contains 39.99 acres more or less.



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7. 10 S. R. 23 E., B.M.
RITLAND COUNTY ROAD

DESERT WEST LAND SURVEYS, P.C.

REGISTERED PROFESSIONAL LAND SURVEYOR

NO. 1331

EXPIRES 01/01/2021

REGISTRATION STATE: IDAHO

REGISTRATION NO.: 1331

EXPIRES: 01/01/2021

REGISTRATION STATE: IDAHO

REGISTRATION NO.: 1331

EXPIRES: 01/01/2021

TRAFFIC STUDY AT POMERELLE/MAIN – ITD AS SUPPORT FOR A NEW TRAFFIC SIGNAL

Engineer Dave Waldron presented a traffic study looking at the possible need for a traffic signal at the intersection of Main Street and Pomerelle Avenue. It was mentioned that with the new LDS Temple going in traffic will really increase in this area. He stated the study looked at the volume of traffic coming into and out of the intersection along Pomerelle Avenue. The radar device was set up on May 19th until June 11, 2021. There were over 89,000 vehicles counted during this period. The average daily traffic for complete weekdays was 4,300 and about 3,900 when weekends were included with 851 vehicles larger than 40-feet. Mr. Waldron said that we meet Condition B of Chapter 4C Traffic Control Signal Needs and Studies of the 2009 edition of the MUTCD manual. A discussion followed. Mr. Waldron asked Council for their approval to send this study off to ITD and work with them on installing this traffic light.

A motion was made by Council member Craner and seconded by Council member Casey Andersen to present the traffic study at Pomerelle and Main to ITD, our support for a new traffic signal, get on the list for consideration as we know they are going to consider all of the lights on Overland in the near future.

Roll Call Vote:

The results of the votes were as follows:

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

Motion carried.

PURCHASE OF BACKHOE

Engineer Bryan Reiter said he would like to trade in the 2009 backhoe and purchase a new 2021 Caterpillar 420 Backhoe Loader for \$126,361.29. He mentioned that we would get \$30,000.00 for a trade in or we could sell it for hopefully fifty to sixty thousand dollars. He asked Council to approve the purchase of a new backhoe through Sourcewell and sell ours out right. We have about \$90,000.00 budgeted for the backhoe.

A motion was made by Council member Jon Andersen and seconded by Council member Morgan to allow the purchase of the backhoe for \$126,361.29.

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.

INCREASED COMPENSATION OF CITY ATTORNEY'S OFFICE

City Administrator Mark Mitton said that we have budgeted a 3% increase in employee wages and asked Council to approve the increase for the prosecution and contracted services for the City Attorney.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to approve the compensation increase for the city attorney's office.

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.

REPLACEMENT OF 300 GALLON CONTAINERS

Sanitation Supervisor Eric Pufhal told Council they would like to change out the Southwest corner of the City from Park to Oakley and from Main Street to 21st Street. They would remove the 300 gallon containers from the alleys and replace them with frontal 96 gallon containers. We pay \$272.00 each for the 300 gallon containers and \$47.00 for the 96 gallon containers. He mentioned that it worked well when we switched the North side of town. Each person has their own can so there is less conflict when someone fills the whole container and the other people have not even thrown their garbage out yet. There is also less garbage put beside the can that is blown all over town. It was mentioned that in the older part of town, that have no driveways, they will need to work with individuals if there is no room for the can except on the road, maybe they could pick up the individual can in the alley. Mr. Pufhal said that \$72,000.00 is in the budget to do this project. They will send out letters notifying the people effected so they know what to expect.

A motion was made by Council member Morgan and seconded by Council member Hansen to approve the replacement of the 300-gallon containers at the addresses specified.

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 EVENTS

Mayor Ormond thanked the Fire and Police departments for their service over the 4th of July weekend.

Council member Hansen thanked the Lions Club for putting on a Patriotic program at the fairgrounds on Sunday.

Council member Craner reminded everyone of the Farmers Market, he thinks it is a great addition for the City.

Council Member Casey Andersen said he has had a few people mention that they heard he is not running for office again, he clarified that he is. Council Member Jon Anderson said that would confuse the ballot again to have two Anderson's on the ballot – en and on.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting 8:12 P.M.

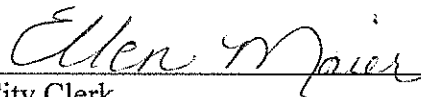
All "Aye."
Motion carried.

City of Burley



Mayor Ormond

ATTEST:



City Clerk