

**REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
July 7, 2020**

AMENDED 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 \$1,324,079.57.

c. PAYROLL ENDING ON 6/19/20 FOR \$361,027.03.

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| 2. ACTION ITEM | Declare EZGO Golf Cart and Desk Phones as Surplus | Mark Mitton |
| 3. ACTION ITEM | Southwest School Park Agreement | Mark Mitton |
| 4. ACTION ITEM | Canyon Creek Townhouse Subdivision Approval | Bryan Reiter |
| 5. ACTION ITEM | License Agreement Gaylon Hondo | Mark Mitton |
| 6. ACTION ITEM | Broadband Grant Application | Mark Mitton |
| 7. ACTION ITEM | Property Tax Relief for Upcoming Fiscal Year | Mark Mitton |
| 8. ACTION ITEM | Discussion of Air Pollution Ordinance | Mark Mitton |
| 9. ACTION ITEM | Presentation of AIC Awards | Mayor Ormond |
| 10. ACTION ITEM | COVID 19 Precautions | Mayor Ormond |
| 11. ACTION ITEM | Approval of Permit Agreement/Wake in the Snake 2020 | Mark Mitton |

Information Items

BUILDING PERMITS:

TKO Custom Homes	2320 Yellowstone Trail	Single Family	\$132,128.00
Rick Nay	1228 Oakley Avenue	Salon	\$ 50,000.00
Joni Castillo	510 Conant Avenue	Addition	\$ 30,000.00
Molina Construction	1843 Miller Avenue	Single Family	\$ 92,700.00

New Hire:

Monica Bair	Wastewater	Lab Technician	\$18.00 Per Hour
Toby Joe Allen	Sanitation	Truck Driver	\$15.34 Per Hour

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**REGULAR BURLEY CITY COUNCIL MEETING
CITY HALL
July 7, 2020**

COMMENCE MEETING

Council met in regular session at 7:00 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, Waste Water Treatment Director Dee Hodge, Economic Development Specialist Doug Manning, Golf Pro Scott Draper, Engineer Bryan Reiter, Librarian Tayce Robinson, and Deputy Sheriff George Warrell was also in attendance.

INVOCATION

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

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 - a. **APPROVAL OF MINUTES FROM REGULAR AND SPECIAL MEETINGS**
 - b. **BILLS PAYABLE \$1,324,079.57.**
 - c. **PAYROLL ENDING 6/19/20 FOR \$361,027.03.**

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

DECLARE EZGO GOLF CART AND DESK PHONES AS SURPLUS

City Administrator Mark Mitton asked Council to declare the old EZGO golf cart and also 20 to 25 analog phones as surplus. He stated that the phones may not have any value and they might just need to dispose of them and they cannot get parts for the golf cart anymore.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to declare the phone equipment and EZGO golf cart as surplus.

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.

SOUTHWEST SCHOOL PARK AGREEMENT

City Administrator Mark Mitton said that this has been considered for a couple of years because of the issues with Mr. Goley and low pressure water on his lot. This would be a good compromise where we would trade him the cost of the water for the use of the property as a park. Mr. Goley would maintain, mow and water the property and it would be opened up as a public park. Mr. Mitton said it is flat and large enough that it could be used for a sports practice field. This would be for the East side of the property. Mr. Shirley stated that the legal description in the document needs to be clarified and that it is a one-year lease that will automatically be renewed for a second year unless terminated by a 90-day written notice by either party. Council member Bryce Morgan said the slide would have to be removed because there is about a ten foot drop at the bottom. It was mentioned that they could do a ribbon cutting and place signage indicating it is a public park.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to approve the lease agreement with the mentioned changes.

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

City Engineer Bryan Reiter stated that earlier this year Council approved the new option of a townhouse subdivision. He said because it is a subdivision it requires curb, gutter and sidewalks. After the last small strip of pavement is completed by Kloepfer Concrete tomorrow, and it will meet all requirements of a subdivision. The technical review committee has approved this one located on Almo between 8th and 9th Street and recommends Council's approval.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to approve the Canyon Creek Townhouse subdivision, both preliminary plat and final plat and allow the Mayor, City Clerk, City Engineer and Fire Chief to sign.

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.

LICENSE AGREEMENT GAYLON HONDO

Mayor Ormond stated that this request has been withdrawn.

BROADBAND GRANT APPLICATION

City Administrator Mark Mitton said the State released grant money for broadband use in rural areas. He said the grant for public safety and local government is using CARES Act money. The city would have to sign a certification that we are meeting the specified criteria. It has to be turned in July 13th and the work completed by December 15th. Mr. Mitton said this project must be related to broadband with fiber, a designated government facility and a location for WIFI where 100 citizens can simultaneously access minimum broadband speeds while practicing physical distancing. This could be used to provide public access to internet at our parks, golf course etc. and to help get security cameras to city owned property to improve public safety. Mr. Mitton said he will get clarification before submitting the grant on conflicting information about if we own it and would have to make it available for-profit companies to use.

A motion was made by Council member Casey Andersen and seconded by Council member Morgan to apply for the grant and if it comes down to a problem we do not have to accept it. And also 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.

PROPERTY TAX RELIEF FOR UPCOMING FISCAL YEAR

City Administrator Mark Mitton said the Governor came out with property tax relief. You can claim for property tax relief purposes the wages, benefits and payroll taxes for public safety people, which would be the fire department. Cities can opt-in to this program and receive an additional allocation of funds from the Coronavirus Relief Fund, this will pass on to citizens in the form of a one-time property tax relief. The city must submit a letter of intent by July 17th. To be eligible to participate in this program the city must not increase their annual property tax budget by any growth factor, except for the value shown on the new construction rolls and annexations. Mr. Mitton said we received a letter stating we are eligible for \$550,000.00 COID reimbursement money on per capita basis that we could claim. We would do the L2 like normal Mr. Mitton stated that the C.A.R.E.S. Act specifically says you cannot replace revenue with this money, but if you are replacing property taxes you are replacing revenue and this is an issue being discussed by many city attorneys. So far no one from the State will tell us that this is a legal use of money. Mr. Mitton also stated that under the new law we must pass a resolution each year claiming your tax reduction and the 3% as a forgone amount for the future. All cities are working on getting an answer from the IRS to make sure this is legal.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to submit this with the correct numbers and have the Mayor sign it and go through the process and we can opt out if we determine it is not the right thing to do.

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.

DISCUSSION OF AIR POLLUTION ORDINANCE

City Administrator Mark Mitton said we are getting a lot of complaints about odor on a couple of businesses. He said this is will be a long term process that he would like to have Council consider some of the cities options. He mentioned an Ordinance as an option, taking action

against the offenders, taking action against DEQ for not enforcing their rules etc... He said an Ordinance is extensive and expensive, it would require hiring a specifically trained person to deal with issues when they arise. He also mentioned that no other city in Idaho has an Ordinance for odor. Mr. Mitton said he would get with Mr. Shirley and they would put together a list of options that could be pursued.

PRESENTATION OF AIC AWARDS

Mayor Ormond stated that The Association of Idaho Cities recognized the City of Burley with two City Achievement Awards. Mr. Ormond presented Wastewater Treatment Supervisor Dee Hodge with the Public Safety award for the Bio Solids Dryer project. The city purchased a used bio solids dryer from a community in Florida that was hauled to Idaho on four semi loads for its Industrial Treatment Facility to produce safe bio solids that will be used as fertilizer for alfalfa and feed corn. Mr. Hodge said the dryer dries at a temperature of 450 degrees for up to 3 hours and the final product can be used on gardens and lawns. The second award was in the Economic and Community Development Category for Project Trio. Economic Development Specialist Doug Manning said the three closely interrelated projects that were brought to Burley resulting in capital investments of \$300 million and 290 jobs. They include the McCain Food’s potato processing plant expansion, NewCold’s new 25 million cubic foot sub-zero warehouse and Watco’s new perishable express high efficiency shipping.

COVID 19 PRECAUTIONS

Mayor Ormond stated that there have been increases in COVID 19 numbers and went over statistics and precautions. He said to date our county has had one death and 285 known cases. He said he received information from Dr. Joshua Kerns, V.P. of Medical Affairs at St. Lukes Hospital to remind everyone to continue to practice social distancing maintaining a six-foot social distance, wear masks for your protection and others and continue to wash your hands often with soap and hot water on a regular basis. Mr. Ormond said Brianna Bodily from South Central Public Health District said “If you want to have life get back to normal you have to hold on a little longer. Mr. Ormond said the CDC website says stay home if you are sick, except to get medical care, separate yourself from others when possible in your own home, there is no specific treatment for COVID 19 but you can get medical care to help relieve your symptoms.

APPROVAL OF PERMIT AGREEMENT/WAKE IN THE SNAKE 2020

Mr. Mitton presented Council with an agreement for use of park and boat docks for the event to be held July 11th. Idaho Water Sports has agreed and signed the permit so he asked Council to approve it.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to approve the agreement for the Wake in the Snake and allow the Mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen Aye Janet Hansen Recused

Jon Anderson Aye
John Craner Aye

Bryce Morgan Aye
Kimberli Seely Aye

Motion carried.

Council member Seely thanked the fire department for the fireworks display on the 4th and mentioned it is a great community event.

It was mentioned that the Regatta had great participation and a good turn out from the public.

Council member Jon Anderson said that Darla Eames had a We Support Our Police rally that stated at Dworshack School. About forty families marched around City Hall and then the police station. He said it was not publicized very well and many people did not know about it. He said he was inspired by their effort.

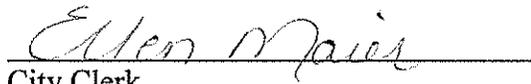
A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 8:24 P.M.

All "Aye."
Motion carried.

City of Burley


Mayor Ormond

ATTEST:


City Clerk