

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING**  
**CITY HALL**  
**1401 Overland Avenue**  
**Burley, Idaho**  
**July 20, 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 \$259,070.45.**
  - c. PAYROLL ENDING ON 7/2/21 FOR \$252,251.85.**
  
- 2. ACTION ITEM** Local Winnery & Beer Sales @ Farmers Market Brittney Tracy/Jessie McAilster
- 3. ACTION ITEM** Update on 2021/2022 Budget Mark Mitton
- 4. ACTION ITEM** Cemetery Fee Increases Dave Allred
- 5. ACTION ITEM** Amendment of Agreement with Surface Water Coalition Dave Shirley
- 6. ACTION ITEM** Agreement for Administration of Broadband Grant Project by Region IV Development Dave Shirley
- 7. ACTION ITEM** Request for Proposal for Broadband Grant Project Dave Shirley
  
- 8.** Report and Discussion of Recent City Events

**Information Items**

**BUILDING PERMITS:**

Canyon Creek Construction	2420 Dorchester Ave	Single Family	\$150,000.00
Canyon Creek Construction	2410 Dorchester Ave	Single Family	\$150,000.00
Canyon Creek Construction	2360 Dorchester Ave	Single Family	\$150,000.00
Canyon Creek Construction	2350 Dorchester Ave	Single Family	\$150,000.00
Canyon Creek Construction	2340 Dorchester Ave	Single Family	\$150,000.00
Canyon Creek Construction	510 Oxford Street	Single Family	\$150,000.00
Canyon Creek Construction	520 Oxford Street	Single Family	\$150,000.00
Canyon Creek Construction	521 Penzance	Single Family	\$150,000.00
Canyon Creek Construction	511 Penzance	Single Family	\$150,000.00
Dedicated Construction	388 North Overland	Alteration	\$100,000.00
Justin Silcock	800 Normal Avenue	4-Plex	\$484,460.00

**3<sup>rd</sup> Quarter Treasurer's Report:** The report can be viewed on the City of Burley's website.

City Hall is accessible to persons with disabilities. Any person with disabilities desiring accommodation for the City Council meetings, please contact City Hall at 878-2224 at least 48 hours prior to the meeting.

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING  
CITY HALL  
July 20, 2021**

**COMMENCE MEETING**

Council met in special session at 6:30 p.m. with Council President John Craner presiding. Council members present were Jon Anderson, Casey Andersen, John Craner, Janet Hansen, Bryce Morgan and Kimberli Seely. Mayor Ormond was excused.

**EXECUTIVE SESSION**

A motion was made by Council member Casey Andersen and seconded by Council member Seely to go into executive session to deliberate concerning acquisition 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	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

A discussion was held on this matter.

Executive session adjourned at 6:55 p.m.

Council reconvened at 7:00 p.m.

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

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, Engineer Dave Waldron, Engineer Bryan Reiter, Fire Chief Shannon Tolman, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn, Librarian Tayce Robinson and Human Resource Carol Anderson. Sheriff George Warrell was also in attendance.

**INVOCATION**

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

## CONSENT CALENDAR

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  - a. **APPROVAL OF MINUTES FROM REGULAR AND SPECIAL MEETINGS**
  - b. **BILLS PAYABLE \$259,070.45.**
  - c. **PAYROLL ENDING 7/9/21 FOR \$252,251.85.**

### Information Items

#### **BUILDING PERMITS:**

Canyon Creek Construction	2420 Dorchester Ave	Single Family	\$150,000.00
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**3<sup>rd</sup> Quarter Treasurer's Report:** The report can be viewed on the City of Burley's

A motion was made by Council member Morgan and seconded by Council member Jon Anderson 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.

### **LOCAL WINNERY & BEER SALES @ FARMERS MARKET**

Brittney Tracy and Jessie McAilster said they would like to close off all or part of Elba Street to allow vendors to sell beer and wine by the bottle to be consumed off premises. The booths cannot be set up on the fairground property because Cassia Fair has a beer and wine license. The vendor booths would have to each get a City of Burley Catering permit that would then allow them to sell their product under their own licenses off of the counties property. They mentioned that both the Sheriff and Fire Chief approved the plan they are presenting.

A motion was made by Council member Morgan and seconded by Council member Jon Anderson to allow the closure as deemed necessary on Elba Street for the farmer's market.

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.

### **UPDATE ON 2021/2022 BUDGET**

City Administrator Mark Mitton stated he will not have the new construction numbers from the County for another week. The only three things added in the budget is a deputy fire chief position, a deputy position for the police department and to remove trees and repair the sidewalks at Story Book Park. The general fund is \$5383.00 in expenses over revenue. It includes an increase of \$137,000.00 for the sheriff's department, with a match in contingency if we get the grant. Mr. Mitton mentioned that they have negotiated an increase with the North Cassia Rural Fire District for a \$43,000.00 increase that will help fund the fire position. He said Council will adopt a tentative budget at the next meeting and then hold a public hearing August 31<sup>st</sup> and adopt the budget by ordinance.

### **CEMETERY FEE INCREASES**

Sexton David Allred told Council that Memorial Monuments digs, prepares and completes the burial of all City graves. Memorial Monuments has raised our fees so Mr. Allred stated he would like to raise the same fees (adult burial, infant/cremains burial and Saturday service fees) starting September 1, 2021. They did not raise over 5% so we do not need to hold a public hearing.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to allow the increased in fees as presented.

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.

**AMENDMENT OF AGREEMENT WITH SURFACE WATER COALITION**

Attorney Dave Shirley stated that because of the dry year, the surface water coalition has asked that rather than inject the water, we deliver it straight out to the surface water coalition. Mr. Shirley said that our requirement is to keep a five year rolling average and this would add a sixth year to it, and it would not harm the cities. The attorney for the coalition, Candace McHugh, has recommended to keep our good working relationship with the water coalition, that we allow the amendment. If favorable by Council, a contract will be brought back for approval. It was mentioned that language should be added about the increases in the sentinel well levels.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to allow Dave Shirley to inform Candace McHugh that the City of Burley has no objection in concept and to be ratified by written agreement.

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.

**AGREEMENT FOR ADMINISTRATION OF BROADBAND GRANT PROJECT BY REGION IV DEVELOPMENT**

City Attorney Dave Shirley asked Council to approve the Project Administration Contract with Region IV. This allows them to administer the grant of \$344,000.00 for a fee \$4,342.41. He stated this is the same document we have used in the past.

A motion was made by Council member Casey Andersen and seconded by Council member Jon Anderson to approve the contract and authorize 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.

**REQUEST FOR PROPOSAL FOR BROADBAND GRANT PROJECT**

Attorney Dave Shirley asked Council to allow an RFP to go out before we know if we will be awarded the above grant. Because the time frame to complete the project, if awarded the grant, is so short, it is necessary to do the RFP now. The proposal is to design, build and lease. If approved, it would be published and we would get the responses back as close to the award of the grant as possible. It states in the RPF – *The City hereby informs all applicants that the City will not act upon the responses to this Request for Statements of Qualification and Proposals in*

*the event that the City is not awarded the grant described above. The City shall not be responsible in any way or under any circumstance for the costs incurred in responding to this request.*

A motion was made by Council member Casey Andersen and seconded by Council member Jon Anderson to allow the RFP to go out right away.

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**

Council member John Craner, filling in for Mayor Ormand, made a public apology for not making it to the opening ceremony of the American Legions to read a Proclamation. He stated he was at City Hall signing additional papers for the grant submission and totally forgot about the reading of the Proclamation. He again apologized to the Veterans of Foreign Wars and Sue Kennedy.

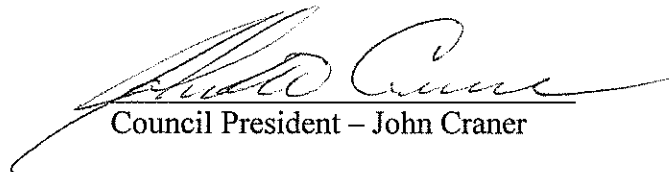
Council member Seely said this was a big event that a lot of people attend. She said the event is not normally here and that Sue Kennedy put that in motion to have it here and she does need to be thanked.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 8:01 P.M.

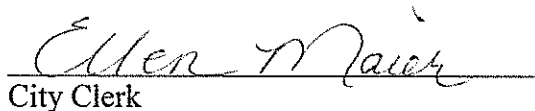
All "Aye."

Motion carried.

City of Burley

  
Council President – John Craner

ATTEST:

  
City Clerk