

**REGULAR BURLEY CITY COUNCIL MEETING  
CITY HALL  
September 1, 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, Sexton Dave Allred, Economic Development Specialist Doug Manning, Engineer Dave Waldron, Engineer Bryan Reiter, Fire Chief Shannon Tolman, Electrical Supervisor Brent Wallin, Librarian Tayce Robinson, HR Director Carol Anderson and Lt. Jason Rogers was also in attendance.

**INVOCATION**

The Invocation was offered by Council member Janet Hansen 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 \$850,528.45.**
  - c. **PAYROLL ENDING 8/14/20 FOR \$373,257.13.**

**Information Items**

**BUILDING PERMITS:**

Douglass Construction	323 Wauna Vista	Carport	\$
5,000.00			
Robert Mitchell Allred	719 Schodde	Single Family	\$119,247.50
Robert Mitchell Allred	727 Schodde	Single Family	\$119,274.50
Robert Mitchell Allred	735 Schodde	Single Family	\$119,274.50
Robert Mitchell Allred	743 Schodde	Single Family	\$119,274.50
Robert Mitchell Allred	751 Schodde	Single Family	\$119,274.50

A motion was made by Council member Casey Andersen 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.

## **APPROVAL OF APPROPRIATION ORDINANCE & BUDGET**

City Administrator Mark Mitton said Council adopted the tentative budget as published. He stated that there have been no changes since then and asked Council to approve the budget and the annual appropriation ordinance.

A motion was made by Council member Casey Andersen and seconded by Council member Craner to approve the 2020/2021 budget 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.

A motion was made by Council member Craner and seconded by Council member Jon Anderson to dispense with the rule requiring three separate readings and read Ordinance No. 1373 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.

Mr. Mitton the read Ordinance No. 1373 once by title only.

A motion was made by Council member Craner and seconded by Council member Seely to approve Ordinance No. 1373.

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.



**2020-2021 ANNUAL APPROPRIATION ORDINANCE  
OF THE CITY OF BURLEY, IDAHO**

**ORDINANCE NO. 1373**

**AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS OF THE CITY OF BURLEY, COUNTIES OF CASSIA AND MINIDOKA, STATE OF IDAHO, FOR THE FISCAL YEAR 2020-2021, BEGINNING THE FIRST DAY OF OCTOBER 2020 AND ENDING THE THIRTIETH DAY OF SEPTEMBER 2021; SPECIFYING THE FUNDS TO BE APPROPRIATED, LEVYING AN AD VALOREM TAX, KNOWN AS THE 2020-2021 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF BURLEY, IDAHO AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1.** There is hereby appropriated and set aside the following sums of money for the various and several funds of the City of Burley, Idaho, to be used for the purposes and objects during the fiscal year beginning the first day of October 2020 and ending the thirtieth day of September 2021, to wit:

<b>GENERAL FUND</b>	<b>\$7,788,829</b>
<b>GENERAL OBLIGATION BOND FUND</b>	<b>\$330,750</b>
<b>WATER FUND</b>	<b>\$2,800,000</b>
<b>WASTEWATER FUND</b>	<b>\$5,115,000</b>
<b>ELECTRIC FUND</b>	<b>\$9,337,400</b>
<b>LIBRARY</b>	<b>\$564,824</b>
<b>SANITATION FUND</b>	<b>\$1,322,500</b>
<b>GOLF FUND</b>	<b>\$582,609</b>
<b>GRANTS FUND</b>	<b>\$4,322,000</b>
<b>HEALTH INSURANCE (ISF)</b>	<b>\$1,651,529</b>
<b>LIABILITY INSURANCE (ISF)</b>	<b>\$174,343</b>
<b>WORKERS COMP. (ISF)</b>	<b>\$157,905</b>
<b>AUTOMATION &amp; COMMUNICATIONS (ISF)</b>	<b>\$118,150</b>
<b>LOCAL IMPROVEMENTS DISTRICTS</b>	<b>\$100,000</b>
<b>Trust and Agency</b>	<b>\$55,000</b>
<b>Fuel (ISF)</b>	<b>\$210,000</b>

---

**Section 2.** There is hereby levied, in addition to all other taxes, a general Ad Valorem tax sufficient to raise \$2,345,083 on the taxable properties in Cassia and Minidoka Counties, for the purpose of meeting and defraying certain of the general expenses of conducting the business of the City of Burley.

There is hereby levied, in addition to the General fund operating property taxes, General Obligation Bond taxes approved by the voters of the City of Burley on May 27, 2003, in an amount of \$330,750.

There is hereby levied, a two-year override levy approved by the voters of the City of Burley on May 29, 2019, in the amount of \$277,280 per year.

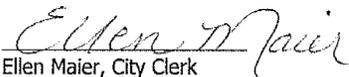
There is hereby levied, a two-year override levy approved by the voters of the City of Burley on May 19, 2020 in the amount of \$165,000 per year.

**Section 3.** This Ordinance shall be in full force and effect upon its passage, approval by the Mayor, and publication in one (1) issue of a paper of general circulation in the city.

Steve Ormond, Mayor



Attest:



Ellen Maier, City Clerk

**DRY CREEK OUTFITTERS BASS TOURNAMENT SEPTEMBER 12TH**

Brad Perkins from Dry Creek Outfitters said that they will be holding their 14<sup>th</sup> Annual Dry Creek Outfitters Open Bass Tournament and Veterans Tribute on Saturday September 12<sup>th</sup>. He invited the public to come watch the blast off at 6 A.M. This will include fireworks, refreshments, the Burley Battalion National Guard and the fire department raising the flag. They will be honoring the fire department, emergency medical and law enforcement workers. He said this event is limited to 66 boats and 132 anglers. Mr. Perkins said the anglers have come to this area for the last 3 to 4 weeks so it has boosted the hotel business tremendously.

**DECLARE LIBRARY COMPUTER, COPIER & PRINTERS AS SURPLUS**

Library Director Tayce Robinson presented Council with a list of computers, copiers and printers that he would like to have declared as surplus. He said that he had good luck listing the items on Burley Buy Sell and Trade when he sold the surplus tables and chairs. It was mentioned that some of the ink cartridges might need to be taken off the list if they are included in the Fisher contract.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to declare the items as surplus and allow them to be sold at Mr. Robinson’s discretion.

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.

**LIBRARY 5-YEAR LEASE AGREEMENT WITH VALLEY OFFICE FOR THREE COPIERS**

Library Director Tayce Robinson said that they are having issues with new technologies and the age of their copiers. He said they will consolidate four printers and two copiers into three copiers. Mr. Robinson presented Council with the low bid with a State Contract with Valley Office Systems. He mentioned this will save us money per print and free up much needed space. City Attorney Dave Shirley said that they are waiting for a state’s addendum for the State of Idaho. Mr. Shirley said the contract presented is fine if they replace Philadelphia with Idaho. He said he would be fine with it if Council wants to approve the contract now provided that we enter into the contract with the terms like the Philadelphia addendum with the change that Idaho will hold jurisdiction and choice of law would govern.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to approve the contract presented by Valley Office Systems subject to approval by the city attorney’s office and the inclusion of a non-appropriation clause and the requirement that both the jurisdiction and the choice of law be in Idaho.

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.

**FULL TIME LIBRARY POSITION**

Library Director Tayce Robinson said that in the last four months they have had three part-time employees leave the library. He stated that the turnover in the library has been high due in part to low pay, low hours and no benefits. He said a full time position should prevent frequent turnover, improve continuity and allow for more grant funding. He said he would like to combine the children’s librarian and adult librarian into one full time position. He said the two part-time positions with wages and Persi total \$50,552.00 and the one full time position with full benefits will total \$62,584.00. He said that they do have many people that volunteer to help out with programs and he is currently looking into a program that is paid by the State. City Attorney Dave Shirley said that our rules specifically provide that we can do an internal recruitment.

A discussion followed with questions being asked by the Council.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to approve the combining of the two-part time positions into one full time library position.

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.

**APPROVAL OF CONTRACT FOR DEPARTMENT OF COMMERCE FOR BROADBAND GRANT**

City Administrator Mark Mitton presented Council with a contract with Idaho Commerce for the broadband grant. He stated that this is the actual grant offer with the department of commerce. He said it has been reviewed by himself and the city attorney. He said #11 of the agreement says that we can own and operate it but if someone wants to come and use it for profit then we would have to let them on after acceptable terms are negotiated. They would be the only ones that can sell for profit internet, the city cannot. City Attorney Dave Shirley said we do have to make it available to for profit companies if it is going to be used for internet for people in a private use. He said that we do have to make it available to for profit companies but we can impose reasonable restrictions on how it its used by for profit companies. Mr. Shirley also pointed out that the contract does not give a term. He said in that case a judge would consider what is a

reasonable term. He said that if we want to go outside of these terms in the future we could petition the Department of Commerce to remove the restrictions as the system becomes obsolete.

A discussion followed.

A motion was made by Council member Jon Anderson and seconded by Council member Morgan to approve the Contract 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.

**MINIDOKA SEWER EXTENSION BID AWARD WITH WALTON INC. FOR \$65,792.32**

Engineer Dave Waldron told Council this is to extend the sewer on Minidoka Avenue over to Legend Seating along the Ponderosa Golf Course. He said we have received a Gem Grant for \$50,000.00 which will only leave the city \$15,792.32 to pay. He stated that Walton Inc. came in very low, because of slack time for them, they bid low just to keep their crew working. He mentioned that this contract has been reviewed and approved by the attorney.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen to approve the bid to Walton, Inc. in the amount of \$65,792.32 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.

**REPORT AND DISCUSSION OF RECENT CITY EVENTS**

Council member Craner said that he was asked to attend a meeting with the county. They asked if the city has a plan if we have a COVID outbreak. Mr. Craner said that we would defer to the Southern Idaho Health District if we had an outbreak and then along with the County we would develop a plan.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 8:10 P.M.

All "Aye."  
Motion carried.

City of Burley

---

Mayor Ormond

ATTEST:

---

City Clerk