

**SPECIAL AND REGULAR BURLEY CITY COUNCIL MEETING  
CITY HALL  
1401 Overland Avenue  
Burley, Idaho  
September 6, 2022**

**SPECIAL MEETING**

**ACTION ITEM: EXECUTIVE SESSION AT 2:45 P.M. ON A PERSONNEL MATTER, PURSUANT TO IDAHO CODE 74-206 (1)(a).**

**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 \$967,754.47.**
  - c. PAYROLL ENDING ON 8/12/22 FOR \$390,991.91  
**8/26/22 FOR \$272,197.55****

- |                               |   |                                  |
|-------------------------------|---|----------------------------------|
| <b>2. <u>ACTION ITEM</u></b>  | Dry Creek Outfitters Open Bass Tournament             | Brad Perkins                     |
| <b>3. <u>ACTION ITEM</u></b>  | Road Closure for Community Trunk or Treat             | Yosune Fitzhugh<br>Susannah West |
| <b>4. <u>ACTION ITEM</u></b>  | 2022/2023 Law Enforcement Contract                    | Mark Mitton                      |
| <b>5. <u>ACTION ITEM</u></b>  | Pay Increase for City Administrator                   | Mark Mitton                      |
| <b>6. <u>ACTION ITEM</u></b>  | Mountain Heights Subdivision No. 4                    | Bryan Reiter                     |
| <b>7. <u>ACTION ITEM</u></b>  | Hiland Hills Townhouse Subdivision                    | Bryan Reiter                     |
| <b>8. <u>ACTION ITEM</u></b>  | Stop Sign on 20 <sup>th</sup> Street at Hiland Avenue | Bryan Reiter                     |
| <b>9. <u>ACTION ITEM</u></b>  | BPA Contracts   | Brent Wallin                     |
| <b>10. <u>ACTION ITEM</u></b> | Amended Fire Fighters Bargaining Agreement            | Mark Mitton                      |
| <b>11.</b>                    |   |                                  |
| <b>12.</b>                    | Report and Discussion of Recent City Events           |                                  |

**Information Items**

**BUILDING PERMITS:**

Martin Segoviano	551 Oakley Avenue	Addition	\$ 60,000.00
BMC	226 South Hills	Single Family	\$244,350.00
BMC	216 South Hills	Single Family	\$236,050.00
Liberty Basin Holdings, LLC.	1650 W 27 <sup>th</sup> St	Feed Storage	\$4,000,000.00

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  
September 6, 2022**

**COMMENCE MEETING**

Council met in special session at 3:00 p.m. with Mayor Ormond presiding. Council members present were Casey Andersen, John Craner, Janet Hansen, Bryce Morgan, and Kimberli Seely.

**EXECUTIVE SESSION**

A motion was made by Council member Morgan and seconded by Council member Craner to go into executive session on a personnel matter pursuant to Idaho Code Section 74-206 (1)(a).

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye		
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

Executive session adjourned at 6:15 p.m.

Council reconvened at 7:00 p.m.

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, Engineer Dave Waldron, Engineer Bryan Reiter, Fire Chief Shannon Tolman, Electrical Supervisor Brent Wallin, Parks Supervisor Brent Winn, Sanitation Supervisor Eric Pufahl, Shop Supervisor Rick Garner, Deputy Jared Thompson, and Human Resource Carol Anderson.

**INVOCATION**

The Invocation was offered by Council member Craner 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 \$967,754.47.**
- c. **PAYROLL ENDING 8/12/22 FOR \$390,991.91.**  
**8/26/22 FOR \$272,197.55**

**Information Items**

**BUILDING PERMITS:**

Martin Segoviano	551 Oakley Avenue	Addition	\$ 60,000.00
BMC	226 South Hills	Single Family	\$244,350.00
BMC	216 South Hills	Single Family	\$236,050.00
Liberty Basin Holdings, LLC.	1650 W 27 <sup>th</sup> St	Feed Storage	\$4,000,000.00

A motion was made by Council member Hansen 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	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

**DRY CREEK OUTFITTERS OPEN BASS TOURNAMENT**

Brad Perkins from Dry Creek Outfitters asked council to approve their 16<sup>th</sup> annual Open Bass Tournament that will be held September 9, 2022. He said they will start launching boats and playing music at 4:00 AM in the morning. The Veterans Tribute will be at 6:20 AM. It was stated that there are sixty-six teams and that they will have a candle lighting ceremony to pay tribute to those we have lost. He invited all to come and participate and thanked the city for their support.

A motion was made by Council member Andersen and seconded by Council member Morgan to allow this event to occur.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

**ROAD CLOSURE FOR COMMUNITY TRUNK OR TREAT**

Yosune Fitzhugh and Susannah West from Bright Beginnings Counseling asked to close the block of 13<sup>th</sup> and 14<sup>th</sup> Albion Avenue on October 27<sup>th</sup> from 6:00 to 8:00 PM for a community trunk or treat. She stated the fire department and sheriff's office has approved the event and they

have obtained signatures of approval from the businesses on those blocks. They invited fifty businesses to participate in the event.

A motion was made by Council member Morgan and seconded by Council member Seely to approve the closure of Albion between 13<sup>th</sup> and 14<sup>th</sup> Street for the Trunk or Treat.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

### **2022/2023 LAW ENFORCEMENT CONTRACT**

City Administrator Mark Mitton asked council to approve the 2022/2023 Law Enforcement Services Agreement for the sum of \$2,022,136.00. This amount is subject to an offset to the benefit of the city in the amount equal to the carry-over dollars of FY 2022, which is \$29,000.00. This will be \$166,094.67 per month.

A motion was made by Council member Morgan and seconded by Council member Phillips to approve the Law Enforcement Agreement and allow the mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

### **PAY INCREASE FOR CITY ADMINISTRATOR**

City Administrator Mark Mitton asked council for a 6% increase as a last increase before he retires next year. This would increase his annual compensation from \$132,558.40 to \$140,511.48. He stated that a salary survey was done to see where the city would need to be to recruit his replacement.

A motion was made by Council member Morgan and seconded by Council member Craner to approve Marks salary increase.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

## **MOUNTAIN HEIGHTS SUBDIVISION NO. 4**

Engineer Bryan Reiter stated this is a 25-lot subdivision at the end of Magnolia Street. He stated there is a punch list of things to finish. We have a cashier's check and a financial Guarantee of Performance for \$17,515.65. Mr. Reiter recommended final approval contingent upon receiving all signatures on the mylar. He said we received the mylar today minus a few signatures because the health district is out of town and the highway district will not meet until early next week.

Council member Craner suggested that this be tabled until the next meeting so those signatures could be gotten.

A discussion followed with developers from Mountain Heights subdivision and Hiland Hills Townhouse subdivision voicing concerns that this will delay closing on any of these lots.

It was discussed that if they add to the motion - contingent upon receiving these signatures before the engineer, clerk, and mayor sign that it would be work the same as bringing it back to council after all the signatures are obtained.

A motion was made by Council member Andersen and seconded by Council member Morgan to Accept the financial guarantee and authorize the mayor to sign it, to approve the final plat with the condition that all other required signatures are on the mylar and authorize the engineer, clerk, and mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

## **HILAND HILLS TOWNHOUSE SUBDIVISION**

Engineer Bryan Reiter stated that this is for twenty lots. We have a certified check in the amount of \$37,258.85 to cover the items on the punch list and a signed financial guarantee of performance. He asked council to accept the financial guarantee and authorize the mayor to sign it and approve the final plat conditioned on receipt of the mylar with signatures all but the county treasurer and allow the engineer, clerk, and mayor to sign it.

A motion was made by Council member Morgan and seconded by Council member Phillips to accept the financial guarantee and authorize the mayor to sign it and approve the final plat conditioned on receipt of the mylar with signatures all but the county treasurer and allow the engineer, clerk, and mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

### **STOP SIGN ON 20<sup>TH</sup> STREET AT HILAND AVENUE**

Engineer Bryan Reiter asked if councils intent would be to install a stop sign on 20<sup>th</sup> street where it intersects with Hiland Avenue. He said that if approved Mr. Shirley would prepare a resolution to bring back for approval.

A motion was made by Council member Craner and seconded by Council member Morgan to approve the stop sign on 20<sup>th</sup> and Hiland.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

### **BPA CONTRACTS**

Electrical Supervisor Brent Wallin presented council with a revision to the service contract that was signed in 2008. This revision addresses a metering loss adjustment of around \$2,000.00.

A motion was made by Council member Morgan and seconded by Council member Craner to approve Revision No. 3 Exhibit E to the metering agreement with BPA and authorize the mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

Mr. Wallin presented council with a reimbursement agreement that says the City of Burley will reimburse BPA for all fees and costs they occur associated with the study of new loads coming to Burley. The study will determine if there is sufficient transmission capacity available and whether interconnection facilities may be required. It was stated that these charges can be passed on to the new customers that are coming to Burley causing this study.

A motion was made by Council member Morgan and seconded by Council member Craner to approve the reimbursement agreement with BPA and authorize the mayor to sign it.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

### **AMENDED FIRE FIGHTERS BARGAINING AGREEMENT**

City Administrator Mark Mitton stated that in August council approved the firefighter collective bargaining agreement and stated that because the payroll is either before or after the start date it would be hard to split the new shift/hour calculations. He asked council to approve an amendment to start at the beginning of the pay period on September 24, 2022.

A motion was made by Council member Andersen and seconded by Council member Morgan to authorize the mayor to sign an amendment to the collective bargaining agreement to change the effective date to September 24, 2022.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Bryce Morgan	Aye
John Craner	Aye	Stegen Phillips	Aye
Janet Hansen	Aye	Kimberli Seely	Aye

Motion carried.

The fire chief reported that they sent an engine and four crew members to the Ross Fire by Stanley, Idaho.

A motion was made by council member Andersen and seconded by Council member Morgan to adjourn the meeting at 8:15 P.M.

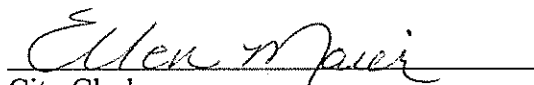
All "Aye."

Motion carried.

City of Burley

  
Mayor Ormond

ATTEST:

  
City Clerk