

**ALBION CITY COUNCIL MEETING
MINUTES MARCH 2, 2021.**

CALL TO ORDER – The meeting was called to order at 7:01 p.m. in the Albion Civic Center by Mayor Isaac Loveland.

OPENING CEREMONIES – The Pledge of Allegiance was led by Councilperson Wayne Winder.

ROLL CALL – Present: Mayor Isaac Loveland, Council President Kevin Lloyd, Councilpersons Dallan Doc Carlson, Wayne Winder, and Brad Woodrow, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Bryan Day.

OTHERS IN ATTENDANCE – John Davis, Melissa Barry, Isaac and Krista Hausheer, Kathy Sainsbury, and Resident Deputy Levi Smith.

APPROVAL OF MINUTES – Upon motion made by Winder, seconded by Carlson, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve the Minutes of the February 2, 2021 Council Meeting as presented.

APPROVAL OF BILLS – After reviewing and discussing the previously paid Val Kotter & Sons, Inc. and Raft River Electric Service Work Billings, upon motion made by Lloyd, seconded by Winder, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve payment of the Bills as presented.

LAW ENFORCEMENT REPORT - Resident Deputy Levi Smith reported to the Council for the month of February 2021 there were five (5) Traffic Stops, three (3) 911 Calls, one (1) Welfare Check, one (1) City Follow Up, one (1) VIN Inspection, and two (2) Burglary Calls. The Report included the Burglary Calls were North of Albion off of Hwy 77 on Water Canyon Road “about 500 South.”

ANIMAL CONTROL REPORT – Bryan Day, from the Maintenance Department, told the Council he had nothing to report.

AGENDA BUSINESS ITEMS

SOUTHERN IDAHO TOURISM – MELISSA BARRY

Mayor Isaac Loveland welcomed Melissa Barry, from Southern Idaho Tourism, to the Council Meeting, and turned the time over to her.

Melissa Barry reported to the Council she is the Executive Director of Southern Idaho Tourism, and reported their Mission is to: Develop and promote tourism and recreation in Southern Idaho – striking the balance between economic development and our

natural resources. Barry reported in Region IV, Tourism is the 5th largest industry in our region, and even with the challenges of COVID19, Lodging collections are only down 1.6% in the region – 60% nationwide, with lodging sales totaling \$48,000,006 FY 2020, with zero hospitality businesses lost. Tourism in Cassia County shows lodging sales for 2020 were up by 57.7% compared to 2019. Barry reported severe overcrowding at the City of Rock, Lake Cleveland, and Independence Lakes. The Haunted Mansions and Burley Straw Maze are big fall drivers, along with Pomerelle Skiing Video, and City of Rocks Climbing Video, and the top 10 things to do in Albion was up 108% with 3K visits. Winter Campaigns include Albion Christmas Village, Ski Family Tour, and pushing weekly ads for snowmobiling, skiing, snowshoeing, and hot springs in Albion/Almo area. Coming up will include City of Rocks, Castle Rocks, and Lake Cleveland as shoulder season destinations, and we are hoping to spread people out more, and focus on education. The Virtual Family Tour with Visit Idaho is being promoted by 5 Idaho journalists, that receives national channel coverage. Barry reported Southern Idaho Tourism is planning for another big recreation year, even though COVID fears are still affecting the market. Barry also reported Southern Idaho Tourism works closely with partners in the region, Chamber of Commerce, SIED, private and public entities to accomplish our mission. We utilize funding from the Idaho Regional Travel and Convention Grant Program to implement our programs and services. The current grant utilized to market the area is \$377,750.00 with a cash match requirement of \$47,219.00. Barry asked if the City would be able to contribute \$100.00 towards the cash match requirement again this year.

Upon motion made by Carlson, seconded by Lloyd, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve payment of \$100.00 to Southern Idaho Tourism towards the cash match requirement for 2021.

Mayor Isaac Loveland thanked Melissa Barry for her presentation and attending tonight's Council Meeting.

REVIEW, WAIVE THREE READINGS, AND ADOPT ORDINANCE NO. 2021-03-01 ADOPTING UPDATED BUILDING CODE

City Attorney Kerry McMurray presented Ordinance No 2021-03-01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 4, CHAPTER 1 REGARDING BUILDING CODE, BY REPEALING ALL OF EXISTING CHAPTER 1 AND REPLACING IT WITH A NEW CHAPTER 1 PROVIDING FOR: ADOPTION OF CODES; EFFECTIVE DATE OF ADOPTION AND UPDATES; AMENDMENTS TO ADOPTED CODES; ADOPTION BY REFERENCE / COPY OF CODES ON FILE WITH CASSIA COUNTY CLERK; UNLAWFUL ACTS; BUILDING INSPECTOR / FEES, PERMIT ISSUED; EXEMPTIONS; PENALTY; SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE for Council review and approval.

City Attorney Kerry McMurray discussed the changes made by Ordinance No. 2021-03-01 with the Council, which are as follows: Section 1. That Title 4, Chapter 1, Albion City Code, be, and hereby is repealed in its entirety, Section 2. That the new Title 4, Chapter 1, Albion City Code, as attached hereto as Exhibit A, and being hereby incorporated by

reference, and containing three (3) pages is hereby adopted as the law regarding Building Code in and for the City of Albion, Idaho, from and after January 1, 2021, Section 3. The provisions of this ordinance are severable, should any section or portion thereof be declared invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect, Section 4. This ordinance specifically repeals any ordinance of the City of Albion that is in conflict herewith, Section 5. This ordinance shall take effect *nunc pro tunc* January 1, 2021, and be in full force from and after its required reading, passage, approval, and publication, Section 6. The members of the City Council, by motion and vote and pursuant to Idaho Code 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval, and publication. Upon motion made by Lloyd, seconded by Woodrow, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to waive the three (3) readings of Ordinance No. 2021-03-01 as presented. Upon motion made by Lloyd, seconded by Winder, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve and adopt Ordinance No 2021-03-01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 4, CHAPTER 1 REGARDING BUILDING CODE, BY REPEALING ALL OF EXISTING CHAPTER 1 AND REPLACING IT WITH A NEW CHAPTER 1 PROVIDING FOR: ADOPTION OF CODES; EFFETIVE DATE OF ADOPTION AND UPDATES; AMENDMENTS TO ADOPTED CODES; ADOPTION BY REFERENCE / COPY OF CODES ON FILE WITH CASSIA COUNTY CLERK; UNLAWFUL ACTS; BUILDING INSPECTOR / FEES; PERMIT ISSUED; EXEMPTIONS; PENALTY; SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE as presented. The Council also approved the effective date of January 1, 2021, and the Mayor signing Ordinance No. 2021-03-001. Mayor Isaac Loveland reported he would put the Summary if Ordinance No 2021-03-01 on the Website.

KELLER ASSOCIATES UPDATE

Mayor Isaac Loveland reported to the Council Matthew Hill and Tyler Pratt, from Keller Associates, were unable to attend tonight's Council Meeting. The Mayor reported he spoke with Matthew Hill, and was told they have started working on the Water Facilities Project Study (WFPS), and it is time for the City's Water Tank to be Inspected, and the Lagoons Seepage Test need to be done. Mayor Loveland reported more information on these issues will be presented, by Keller Associates, at the next Council Meeting.

Mayor Isaac Loveland reported to the Council Ravyn has been working on a Grant Application for installing Ramps at the intersections along W. North St.

WATER ORDINANCE STANDARD REVIEW

Councilperson Wayne Winder reported while reading the Water Ordinance, he is concerned with the use of should, shall, and may. For example, in 7-6-15: Installation Charges, it states Customer lines should be installed by the customer at their expense. Winder reported he feels the should needs to be changed to will, this needs to be pinned down, to make things clear. Winder also reported in 7-6-22 he feels it should include Hook-Ups need to be inspected by the City, before being covered up. This can be coordinated with the contractors. Winder reported in 7-6-28 it talks about properties that have two (2) meters, with combined usage, is that correct, to which Mayor Loveland reported Yes, that is how contiguous properties are currently being billed. City Attorney Kerry McMurray asked Councilperson Winder to go through and highlight all areas that contain the words will, shall, and may, and provide him a copy, and he will make the necessary changes to the Water Ordinance. McMurray reported he will provide a revised copy of the Water Ordinance for review and discussion for the next Council Meeting.

MAINTENANCE TRUCK PURCHASE

Mayor Isaac Loveland reported to the Council He and Bryan have been discussing waiting on purchasing a Truck for now, and plan on purchasing a Generator, to run a Well instead. The Mayor reported the cost would be about the same for either item. The Mayor reported a Generator to run a Well would be more beneficial to the City, during an extended power outage, than a new Truck would be. Mayor Isaac Loveland also reported to the Council we need to look into security measures for the City’s Water Tank, as it is important to protect our Water Supply. These items can be discussed further during the 2021-2022 Budget preparation.

INFORMATION FROM CITY OFFICIALS

City Clerk Mary Yeaman reported Raft River Electric has scheduled a Power Outage on Monday, March 15th from 12:30 p.m. to 5:30 p.m. Yeaman reported a Flyer will be included in the Billing Statements, going out on Thursday, and will be posted around town.

PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2880.00
Deric Bell – Deputy Clerk*	887.26
Bryan Day – Maintenance Department *	4090.50
Ravyn Buck – Maintenance Department *	2184.00
PERSI – Employer Remittance (02/16-02/28/21) *	1133.44
DL Evans Bank – EFTPS 941 Employer Remittance (Feb. 21) *	2414.90
PERSI – Employer Remittance (03/01-03/15/21) *	963.73
Raft River Electric – Water Tank-45.13 /Service Work-211.85 *	256.98
SelectHealth – Insurance (Apr. 21) *	954.00
IDOPL – Ravyn Buck Water License Application Fee *	100.00
The Book Store & Office Supplies – Shop Office Supplies *	123.16

Cassia County Treasurer – 2021 Water Master Tax *	126.85
Southern Idaho Tourism – City Contribution 2021 *	100.00
A.M.I. Supply, Inc. – Maintenance Supplies	50.62
Ace Hardware – Maintenance Supplies	16.17
Advanced Underground Imaging Services – Lagoons Line Locate	975.00
ATC Communications – Phone, Internet, Lift Station, & Wells	508.61
Bolen’s Control House – SCADA Service	575.00
Bonneville Power Administration – Transmission/Power (Feb.21)	15890.00
Creekside Store – Maintenance Fuel (Mar. 21)	240.64
Ferguson Waterworks- Maintenance Supplies	1063.96
Four Leaf Clover Club – AVN/H.P Contribution F/Y 2020-2021	1400.00
Keller Associates – Monthly Fee	270.00
Keller Associates – CCTV Review	3000.00
Kerry McMurray – Legal Services (Mar. 21)	935.00
Lamont Young – Back-Up Operator Fee (Mar. 21)	300.00
Magic Valley Labs – Water Test	20.00
Paragon Consulting, Inc. – Highway Standards & Policy Update	100.00
Raft River Electric – New Service Install (Acct.#191)	1784.05
Stokes Fresh Food Market – Maintenance Supplies	44.48
STOTZ Equipment – Maintenance Supplies	16.76
The Book Store & Office Supplies – Shop Office Supplies	56.99
The Times News – Ordinance No. 2021-03-01	47.80
UAMPS – General A&G Expenses	49.25
VISA - #1475 M. Yeaman Mar. 21 Stmt. (Norton 360)	104.99
VISA - #3522 B. Day Mar. 21 Stmt. (Postage/Supplies)	<u>178.65</u>
TOTAL	\$45,542.79

Mayor Isaac Loveland thanked those in attendance at the meeting, and announced the Council will now go into an Executive Session.

COUNCIL ENTERS INTO AN EXECUTIVE SESSION

At 8:09 p.m., motion was made by Lloyd to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(f) regarding controversies not yet being litigated but imminently likely to be litigated. The motion was seconded by Carlson, and unanimously carried, with the following roll call vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye.

COUNCIL RETURNS TO A REGULAR SESSION

The Executive Session was concluded at 9:02 p.m. Upon motion made by Lloyd, seconded by Carlson, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to take the matter under advisement.

COUNCIL ADJOURNS

There being no further business brought before the Council, motion to adjourn was made by Woodrow, seconded by Carlson, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye. Adjournment was at 9:03 p.m.

Isaac Loveland, Mayor

Mary Yeaman, City Clerk-Treasurer