

**ALBION CITY COUNCIL MEETING
MINUTES APRIL 7, 2020.**

CALL TO ORDER – The meeting was called to order at 7:03 p.m. VIA ZOOM by Mayor Isaac Loveland.

OPENING CEREMONIES – The Pledge of Allegiance was skipped, due to everyone being at different locations.

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

OTHERS IN ATTENDANCE – Deputy Clerk Deric Bell.

APPROVAL OF MINUTES – Upon motion made by Woodrow, seconded by Lloyd, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye, the Council moved to approve the Minutes of the March 3, 2020 Council Meeting as presented, with the row of m's removed at the bottom of page 4. Upon motion made by Alexander, seconded by Carlson, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye, the Council moved to approve the Minutes of the March 23, 2020 Special Council Meeting as presented.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was not present at the meeting. Deputy Lynch dropped off copies of the February 2020 and March 2020 Reports at the City Office, and the Clerk provided copies of the Reports to the Mayor, Council, and City Attorney.

The February 2020 Report included sixteen (16) Traffic Stops, which resulted in sixteen (16) Verbal Warnings, one (1) Suspicious Vehicle, one (1) Found Articles, one (1) Welfare Check, and one (1) Lift Assist. The March 2020 Report included fifteen (15) Traffic Stops, which resulted in six (6) Verbal Warnings, and nine (9) Citations, one (1) Structure Fire, one (1) Warrant Service, one (1) Animal Complaint, one (1) Vehicle Check, one (1) 911 Hang Up/Open Line/Prank Call, one (1) Business Check, and one (1) Disturbance.

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

Councilperson Brad Woodrow asked if the Dog Complaint on the Law Enforcement Report was about the big white dog, to which it was reported it could be. Woodrow asked Day if the owner of the big white dog has been notified of the City's Dog Regulations, to which Bryan Day reported Yes, he gave her a copy of the Regulations. Woodrow reported she is still not following the Regulations, and he may file a complaint, in the future, if things do not change.

BUSINESS ITEMS

CATERING PERMIT ORDINANCE NO. 2020-04-01

Mayor Isaac Loveland turned the time over to City Attorney Kerry McMurray to discuss the Ordinance. City Attorney Kerry McMurray read the heading of Ordinance No. 2020-04-01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, ADOPTING NEW ALBION CITY CODE TITLE 3, CHAPTER 6, ALCOHOL BEVERAGE CATERING PERMIT REGULATIONS, PROVIDING DEFINITIONS PERTAINING TO CATERING PERMITS IN SECTION 1; PROVIDING FOR EXCEPTIONS TO REGULATIONS FOR THE STATE LIQUOR DISPENSARY IN SECTION 2; PROVIDING THAT A LICENSE IS REQUIRED TO SELL ALCOHOLIC BEVERAGES IN THE CITY AND THAT A CATERING PERMIT IS ALSO REQUIRED TO SELL ALCOHOLIC BEVERAGES OFF OF THE LICENSED PREMISES IN SECTION 3; PROVIDING THAT A FILING FEE OF TWENTY DOLLARS PER DAY FOR EACH DAY A CATERING PERMIT IS IN EFFECT IN SECTION 4; PROVIDING FOR THE CONTENTS OF AN APPLICATION FOR A CATERING PERMIT AND WHERE SUCH PERMIT MUST BE FILED IN SECTION 5; PROVIDING FOR THOSE CIRCUMSTANCES THAT WILL DISQUALIFY AN APPLICANT FOR A CATERING PERMIT IN SECTION 6; PROVIDING FOR THE CASSIA COUNTY SHERIFF'S REVIEW OF A CATERING PERMIT LICENSE IN SECTION 7; PROVIDING THAT THE CITY CLERK IS DESIGNATED TO ACT FOR THE CITY IN EITHER APPROVING OR DENYING A CATERING PERMIT APPLICATION IN SECTION 8; PROVIDING THAT ALL RULES AND REGULATIONS GOVERNING THE CONDITIONS AND USE OF A VALIDLY ISSUED ALCOHOL BEVERAGE LICENSE SHALL APPLY TO AN ISSUED CATERING PERMIT IN SECTION 9; PROVIDING FOR PENALTIES FOR VIOLATION OF THE TERMS OF THE CHAPTER, SAID PENALTIES BEING A MISDEMEANOR AND FINE OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN THREE HUNDRED DOLLARS OR IMPRISONMENT IN THE COUNTY JAIL FOR NOT LESS THAN THIRTY DAYS NOR MORE THAN SIX MONTHS OR BY BOTH SUCH FINE AND IMPRISONMENT AS WELL AS PROVIDING FOR CERTIFIED COPY OF CONVICTION TO THE DIRECTOR OF THE IDAHO STATE POLICE UPON CONVICTION FOR NOTICE OF REVOCATION OF ANY LICENSE IN SECTION 10; A SEVERABILITY CLAUSE; REPEALING OR RESCINDING ALL ALBION CITY CODE PROVISIONS IN CONFLICT WITH THIS ORDINANCE; AND SETTING AN EFFECTIVE DATE.

Upon motion made by Lloyd, seconded by Woodrow, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye, the Council moved to waive the three readings of Ordinance No. 2020-04-01.

Upon motion made by Lloyd, seconded by Carlson, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye, the Council moved to approve and adopt Ordinance No. 2020-04-01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO ADOPTING NEW ALBION CITY CODE TITLE 3, CHAPTER 6, ALCOHOL BEVERAGE CATERING PERMIT REGULATIONS, PROVIDING DEFINITIONS PERTAINING TO CATERING PERMITS IN SECTION 1; PROVIDING FOR EXCEPTIONS TO REGULATIONS FOR THE STATE LIQUOR

DISPENSARY IN SECTION 2; PROVIDING THAT A LICENSE IS REQUIRED TO SELL ALCOHOLIC BEVERAGES IN THE CITY AND THAT A CATERING PERMIT IS ALSO REQUIRED TO SELL ALCOHOLIC BEVERAGES OFF OF THE LICENSED PREMISES IN SECTION 3; PROVIDING THAT A FILING FEE OF TWENTY DOLLARS PER DAY FOR EACH DAY A CATERING PERMIT IS IN EFFECT IN SECTION 4; PROVIDING FOR THE CONTENTS OF AN APPLICATION FOR A CATERING PERMIT AND WHERE SUCH PERMIT MUST BE FILED IN SECTION 5; PROVIDING FOR THOSE CIRCUMSTANCES THAT WILL DISQUALIFY AN APPLICANT FOR A CATERING PERMIT IN SECTION 6; PROVIDING FOR THE CASSIA COUNTY SHERIFF'S REVIEW OF A CATERING PERMIT LICENSE IN SECTION 7; PROVIDING THAT THE CITY CLERK IS DESIGNATED TO ACT FOR THE CITY IN EITHER APPROVING OR DENYING A CATERING PERMIT APPLICATION IN SECTION 8; PROVIDING THAT ALL RULES AND REGULATIONS GOVERNING THE CONDITIONS AND USE OF A VALIDLY ISSUED ALCOHOL BEVERAGE LICENSE SHALL APPLY TO AN ISSUED CATERING PERMIT IN SECTION 9; PROVIDING FOR PENALTIES FOR VIOLATION OF THE TERMS OF THE CHAPTER, SAID PENALTIES BEING A MISDEMEANOR AND FINE OF NOT LESS THAN ONE HUNDRED DOLLARS NOR MORE THAN THREE HUNDRED DOLLARS OR IMPRISONMENT IN THE COUNTY JAIL FOR NOT LESS THAN THIRTY DAYS NOR MORE THAN SIX MONTHS OR BY BOTH SUCH FINE AND IMPRISONMENT AS WELL AS PROVIDING FOR CERTIFIED COPY OF CONVICTION TO THE DIRECTOR OF THE IDAHO STATE POLICE UPON CONVICTION FOR NOTICE OF REVOCATION OF ANY LICENSE IN SECTION 10; SEVERABILITY CLAUSE; REPEALING OR RESCINDING ALL ALBION CITY CODE PROVISIONS IN CONFLICT WITH THIS ORDINANCE; AND SETTING AN EFFECTIVE DATE as presented.

Councilperson Brad Woodrow asked if the City has an actual Catering Permit Application, to which City Attorney Kerry McMurray reported he put an Application together and sent it to the Mayor earlier today. McMurray also reported included in the Application, those holding events on City owned property, requiring a Catering Permit, are required to have a five hundred thousand dollars (\$500,000) Insurance Policy. This requirement is put in place to protect the City. McMurray reported the Application becomes the Catering Permit, once it is approved.

Councilpersons Brad Woodrow and Kevin Lloyd expressed their concerns about the Insurance Policy adversely affecting those wishing to hold events, requiring a Catering Permit, at the City Park, to which City Attorney McMurray reported the City does not want to be liable for these events.

Mayor Isaac Loveland reported he will send a copy of the Application to the Council for review, and a discussion/decision can be made at a later date. The Mayor reported he does not feel a Catering Permit will be needed any time soon.

GETTING WELL #3 ONLINE UPDATE – KELLER ASSOCIATES

Mayor Isaac Loveland reported he spoke with Keller's and they are working towards getting Well #3 online. The Mayor reported Keller Associates are also looking at Grants, and Stimulus Money to help the City with Projects.

ROAD UPGRADE PURCHASES

Mayor Isaac Loveland reported he approved Bryan purchasing, up to five hundred dollars (\$500) worth of Cold Patch, to which Bryan reported it is almost gone. The Mayor reported it was recommended to him, not to go with ASI for our roads, as there are other companies that are less expensive. The Mayor reported he and Bryan will check with other companies on costs, and he will keep everyone updated on this. Council President Zack Alexander reported he does not know if ASI is more expensive than other companies, but he was impressed that they took the time to come out and check things for us. Alexander reported we could save some money by doing the prep work ourselves, maybe hiring some temps to help Bryan and Ravyn. Alexander reported he does not want to wait any longer, the roads are really getting bad, and he is not sure how much longer they will hold up.

Mayor Isaac Loveland reported Steve Frieghburger, the Engineer for the County Transportation Plan, is concerned about doing just the oil treatment, he is not sure this will hold up very long.

Councilperson Brad Woodrow reported there is no guarantee on doing just the oil treatment.

Mayor Isaac Loveland reported there is asphalt work being done in our area, and we need to find the right people to do ours. The Mayor reported he will have Bryan check with Kloepfers on the cost to Chip Seal Market and West Streets, and the two (2) dirt roads by Lloyd's and Johnson's.

Council President Zack Alexander reported these roads need an Overlay, not a Chip Seal. Alexander reported he is going to check with Rob Carson, from Burley Highway District, about our roads.

Mayor Isaac Loveland asked Bryan to get a cost for an Overlay on Market and West Streets from Kloepfers. The Mayor reported we need to start the prep work now, as Kloepfers is coming to do the Highway soon. The Mayor asked the Council how much do you want to spend on the roads this year, suggesting we need to be careful, and keep watching for road money.

Councilperson Brad Woodrow suggested fifty thousand dollars (\$50,000) or more if needed.

Councilperson Dallan Doc Carlson suggested not going over one hundred thousand dollars (\$100,000).

Councilperson Kevin Lloyd reported he would like to know the cost, before deciding on an amount.

Bryan Day, from the Maintenance Department, reported he needs to purchase some more Cold Patch, and requested permission to purchase three (3) Pallets of Cold Patch for around two thousand eight-hundred dollars (\$2,800).

Upon motion made by Carlson, seconded by Lloyd, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye, the Council moved to approve up to three thousand dollars (\$3,000) for the purchase of three (3) Pallets of Cold Patch.

Mayor Isaac Loveland asked the Council if they agree to hiring temps to help Bryan and Ravyn with prep work on the roads, to which the Council agreed.

Council President Zack Alexander and Councilperson Dallan Doc Carlson agreed we should be able to save some money by doing some of the work ourselves.

The Council suggested Bryan check on getting an asphalt saw from K&R Rental.

PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2880.00
Deric Bell – Deputy Clerk *	819.00
Bryan Day – Maintenance Department *	4027.50
Ravyn Buck – Maintenance Department *	2249.00
PERSI – Employer Remittance (03/16-03/31/20) *	1367.27
DL Evans Bank – EFTPS 941 Employer Remittance (Mar.20) *	2583.24
PERSI – Employer Remittance (04/01-04/15/20) *	967.45
Raft River Electric – Water Tank *	45.19
SelectHealth – Insurance (May 20) *	850.00
Southern Idaho Solid Waste – Garbage Fee *	14.00
Idaho State Tax Commission – W/H Tax 1 st Qtr. 2020 *	607.00
Raft River Highway District – 129K Route Study Fee *	500.00
A.M.I. Supply Inc. – Maintenance Tools	252.36
Ace Hardware – Maintenance Supplies	9.99
ATC Communications – Phone, Internet, Lift Station, & Wells	465.60
Bonneville Power Administration – Transmission/Power (Mar.20)	13737.00
Butte Irrigation Inc. – Well #2 Parts	17.40
Carquest of Burley – Maintenance Supplies	201.09
Creekside Store – Maintenance Fuel (Apr.20)	281.10
Day Welding LLC – Install Test Ports (Well #2)	150.00
Ferguson Waterworks – Maintenance Supplies	1008.28
Intermountain New Holland – Ford Tractor Parts	603.85
Isaac Loveland – ZOOM Payment Reimbursement	14.99
KAM Gas, Inc. – Propane (Weed Control)	135.00
Keller Associates – Monthly Fee/Well #3 Project	818.75
Kerry McMurray – Legal Services (Apr. 20)	994.50
Lamont Young – Back-Up Operator Fee (Apr. 20)	300.00
Magic Valley Labs – Water Test	18.00
O’Reilly – Maintenance Supplies	183.16
Pollardwater – Gas/Diesel Cans	178.50
Raft River Electric – Service Work (New Service Install)	1870.36
The Times News – Ordinance No. 2020-04-01 Summary	83.50
UAMPS – General A&G Expenses (Apr. 20)	50.51
USABlueBook – 5 Function Valve-Well #3/Tank Stand-Well #2	363.35
VISA - #1475 M. Yeaman April 2020 Statement	715.00
VISA - #3522 B. Day April 2020 Statement	<u>15.05</u>
TOTAL	\$41,076.99

COUNCIL ADJOURNS

There being no further business brought before the Council, motion to adjourn was made by Alexander, seconded by Woodrow, and unanimously carried, with the following vote: Alexander-aye, Carlson-aye, Lloyd-aye, and Woodrow-aye. Adjournment was at 7:51 p.m.

Isaac Loveland, Mayor

Mary Yeaman, City Clerk-Treasurer