

**ALBION CITY COUNCIL MEETING**  
**MINUTES JUNE 6, 2017.**

CALL TO ORDER – The meeting was called to order at 8:05 p.m. in the Albion Civic Center by Mayor Sharon Hardy-Mills.

OPENING CEREMONIES – The Pledge of Allegiance was led by Mayor Hardy-Mills.

ROLL CALL – Present: Mayor Sharon Hardy-Mills, Council President Chad Manderscheid, Councilpersons Zack Alexander, Mike Gailey, and Isaac Loveland, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Shawn Burton.

OTHERS IN ATTENDANCE – Chad Black, Steve Noriyuki, Tina and Anna Rose Mensing, John Davis, Mary Lynne Bristol, Deputy Clerk Sharity Parish, and Ivan McCracken.

**BUSINESS ITEM**

**RAFT RIVER ELECTRIC O&M CONTRACT**

Mayor Sharon Hardy-Mills reported to the Council there will be a change in the order of tonight's Agenda. The Mayor reported the Raft River Electric O&M Contract will be discussed first, and turned the time over to Chad Black, from Raft River Electric. Chad Black, from Raft River Electric, reported to the Council the previous Contract between the City and Raft River Electric expired in 2013. Black reported the Contract presented tonight is the same as the previously approved Contract, with the exception of two (2) Recitals removed. Black reported the original Recitals B & C have been removed, and the original Recitals D & E have been moved up to B and C. Black reported to the Council he is not sure who the Contract is supposed to protect, but the agreement between the City and Raft River Electric seems to be working well, as he has not heard of any complaints. Black reported the City can call any day for service calls, even though the summer hours are different from the winter hours, someone is always on call.

Mayor Sharon Hardy-Mills asked Black about the possibility of being able to disconnect services, within the City Limits, from the City Office, to which Black reported the system for this is expensive and requires special meters, which can also be read from the Office. Black reported the special meters cost about two hundred dollars (\$200) each, but this is something the City may want to consider in the future.

City Attorney Kerry McMurray reported to the Council on page 7 under the Contract "Terms of Agreement" parts A and B need to be changed, as the Council can only obligate the City for one (1) fiscal year at a time, which is October 1<sup>st</sup> to September 30<sup>th</sup>. Upon motion made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Raft River Electric O&M Contract

with the above mentioned changes, and moved to approve the Mayor signing the amended Contract.

APPROVAL OF MINUTES – Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Minutes of the May 2, 2017 Council Meeting as amended, and the Minutes of the May 16, 2017 Special Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve payment of the Bills as amended.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was not in attendance at the Meeting.

Mayor Sharon Hardy-Mills read the report received from Deputy Lynch which included the following: six (6) Verbal Warnings and two (2) Citations, 911 Hang Up/Open Line/Prank Calls, a Suspicious Vehicle, two (2) Civil Papers Served, one (1) VIN Inspection, one (1) Public Relations, two (2) Found Articles, Extra Patrol, and one (1) Boat Inspection.

ANIMAL CONTROL REPORT – Shawn Burton, from the Maintenance Department, reported to the Council he received one (1) dog complaint regarding dogs at large.

### **AGENDA BUSINESS ITEMS**

#### **PUBLIC HEARING – VACATE PROPERTY REQUEST**

Mayor Sharon Hardy-Mills reported to the Council Kerri Burkhart called her and asked what progress has been made regarding the Vacate Property Request. The Mayor reported she told Burkhart a survey needs to be done before any decision by the Council can be made. The Mayor reported to the Council if the survey is not done by the July Council Meeting, she feels the City should stop extending the Public Hearing.

#### **PUBLIC HEARING – PARK RATES**

Mayor Sharon Hardy-Mills called the Public Hearing for Park Rates to order. The Mayor reported comments in favor of the proposed Rates will be heard first, followed by comments against the proposed Rates, and neutral comments will be heard last. The Mayor asked those making comments to please come to the podium, state their name and address, and proceed with their comments. The Mayor asked if there was anyone wishing to make comments on the proposed Park Rates, no comments were received.. The Mayor asked the Council for a decision on the proposed Park Rates. Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with

Manderscheid recusing himself, the Council moved to accept the proposed Park Rate increase in Fees as presented.

#### LOCATING FOOD TRAILER REQUEST

Mayor Sharon Hardy-Mills reported to the Council the City has received a request to locate a Food Trailer within the City Limits. The Mayor turned the time over to Tina Mensing.

Tina Mensing reported to the Council she owns a Food Trailer that she uses for Catering, and her children would like to operate it on Saturdays from 8:00 a.m. to 12:00 p.m. They would be serving breakfast and lunch items. Mensing showed the Council a picture of the Food Trailer, and reported Robert Moore has given them permission to park it on his property just north of the Civic Center.

Mayor Sharon Hardy-Mills reported her only concern is parking to close to the corner of the Moor property, because of the sharp corner, and suggested they park the Food Trailer more toward the Civic Center, for safety reasons, if this is approved by the Council. Mensing reported to the Council they would like to open the Food Trailer, for business on June 24<sup>th</sup>, if the Council approves.

Upon motion made by Loveland, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Mensing's locating their Food Trailer within the City Limits, and opening for business on June 24<sup>th</sup>.

#### MAINTENANCE SHOP UPDATE

Steve Noriyuki reported to the Council the Shop Building will be delivered on Thursday, June 8<sup>th</sup> between 8:00 a.m. and 12:00 p.m., and the insulation will be delivered on Friday, June 9<sup>th</sup>. Noriyuki reported the power should be hooked up tomorrow, and he is going to get new bids for the doors. Noriyuki reported he will put together a full cut list for the electrical, and suggested the City work with Raft River Electric on this. Noriyuki reported to the Council framing the Office in the Shop will cost about fifteen thousand (\$15,000) dollars, and asked City Attorney Kerry McMurray if this would also require a Contractor with a Public works License.

City Attorney Kerry McMurray reported he believes it still requires a Public Works Contractor, but he will check into it to find out for sure.

#### BASKETBALL COURT UPDATE

Steve Noriyuki reported to the Council the concrete pad for the Basketball Court will be poured either Tuesday or Thursday of next week.

Mayor Sharon Hardy-Mills reported to the Council the Scouts will be painting the striping on the Court. The Mayor asked the Council what color they would like the striping to be, to which the Council suggested the Mayor choose the colors.

Steve Noriyuki told the Mayor to use an oil based paint for the striping, and to make sure gloves and masks are used by those painting, as the fumes from oil based paint is really strong.

## QUALITY ASSURANCE PLAN / O&M MANUAL UPDATE

Ivan McCracken, from J-U-B Engineers, reported to the Council Shawn provided a lot of information that is needed in the Quality Assurance Plan and the Operation and Maintenance (O&M) Manual. McCracken reported from the information provided on the Lagoons, there is a lot of work that needs to be done. The banks of the Lagoons are eroding due to the excess of flood water, and the/Department of Environmental Quality (DEQ) may require seepage tests to be done. The City is trying to obtain money from FEMA to help with the repairs at the Lagoons, and the State is looking at what can be done to prevent further problems.

## WEST ST. CULVERT UPDATE

Ivan McCracken, from J-U-B Engineers, reported to the Council the guard rails were removed from the Culvert Project, and the Bid Package has been given out to five (5) Companies. McCracken reported the Bid Opening has been set for June 20<sup>th</sup> at 4:00 p.m. in the Albion City Office. A Special Council Meeting will be held June 20<sup>th</sup> at 8:00 p.m. in the City Office to accept the lowest Bid, award the Contract, and present the Notice to Proceed.

After everyone checked their calendars, it was agreed to meet at 8:00 p.m. on Tuesday, June 20<sup>th</sup>.

## WEED HOG PURCHASE

Shawn Burton, from the Maintenance Department, reported to the Council a new weed hog mower needs to be purchased and the price quotes he received are as follows: a 5ft Rotary Cutter by John Deere is three thousand two hundred (\$3,200) dollars, a Frontier is two thousand four hundred (\$2,400) dollars and a General Five Star is one thousand seven hundred (\$1,700) dollars. Burton also reported he needs to purchase a new Weed Eater, and a Stihl Weed Eater is three hundred (\$300) dollars.

Upon motion made by Gailey, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the purchase of a Stihl Weed Eater, and a General Five Star Weed Hog, in the amount of two thousand (\$2,000) dollars.

## ASPHALT OVERLAY ON S. MAIN BY CHURCH

Shawn Burton, from the Maintenance Department reported to the Council he talked with John Kloepfer about what needs to be done to keep from losing S. Main St. in front of the Church. Burton reported Kloepfer suggested an overlay, possibly using a mesh fabric, to extend the life of the overlay.

City Attorney Kerry McMurray reported the City will need to obtain three (3) Bids before the Project can be awarded.

The Council suggested waiting to see if the City will receive any funding from FEMA, before asking for Bids on the Project.

## HIGHWAY DISTRICT TANK CONTAINMENT EASEMENT

City Attorney Kerry McMurray presented the Council with a copy of an Easement for Tank Containment Facility and Security Fence for their review.

Mayor Sharon Hardy-Mills read the Easement for Tank Containment Facility and Security Fence.

After a brief discussion by the Council, a request was made to amend the Easement for Tank Containment Facility and Security Fence to include the Easement will be a permanent Easement as long as the Highway District owns the property. .

Upon motion made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Easement for Tank Containment Facility and Security Fence, as amended, and approved the Mayor signing the amended document.

City Attorney Kerry McMurray agreed to make the requested change, and will forward the amended document to the City Office for signatures.

## HOOK-UP / INTERRUPTION OF SERVICES FEES

Mayor Sharon Hardy-Mills asked the Council for their thoughts on Hook-Up / Interruption of Services Fees.

Councilperson Isaac Loveland reported to the Council the current Reconnect Fee is fifty (\$50) dollars, and this barely covers the billing charged by Raft River Electric to come and disconnect or reconnect a service. Loveland suggested raising the Interruption of Services Fee to two hundred (\$200) dollars.

Council President Chad Manderscheid agreed the Fees should be increased, and suggested charging one hundred (\$100) dollars for Interruption of Services.

Councilperson Zack Alexander told the Council let's split the difference, and charge one hundred fifty (\$150) dollars for an Interruption of Services Fee.

Upon motion made by Alexander, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to increase the Interruption of Services Fee to one hundred fifty (\$150) dollars, and set a Public Hearing date, to address the proposed Fee Increase, for July 11, 2017 the next scheduled Council Meeting.

## SEMI TRUCK'S COMPRESSION BRAKES COMPLAINTS

Mayor Sharon Hardy-Mills reported to the Council the City has received several complaints about Semi Truck's Compression Brakes being so loud through town. The Mayor reported she spoke to Tony Rigby, from the Idaho Transportation Department (ITD) about Compression Brakes Signage. The Mayor was told all the City has to do is decide whether they want Compression Brakes to be Prohibited or Restricted, set it by Ordinance or Resolution, give the Ordinance or Resolution Number to ITD and they will install the Signs at each end of town. The Mayor suggested going with Restricted instead of Prohibited.

City Attorney Kerry McMurray reported to the Council he has prepared Ordinance No. 2017-09.01 for Compression Brakes Restricted, the Ordinance needs to be read three (3) times before it will be effective. The Clerk was asked to include the Ordinance as an Agenda Item for next month's meeting.

Upon motion made by Manderscheid, seconded by Gailey, and carried with the Mayor voting aye, breaking the tie vote of Alexander-nay, Gailey-aye, Loveland-nay, and Manderscheid-aye, Ordinance 2017-09-01 Compression Brakes Restricted will be read three (3) times before being published.

#### 4<sup>TH</sup> OF JULY PARADE PARTICIPATION

Mayor Sharon Hardy-Mills reported to the Council she has ordered the candy and decorations for the 4<sup>th</sup> of July Parade, and asked Councilperson Gailey if he would be able to provide a vehicle for the Elected Officials to ride in.

Councilperson Mike Gailey reported he will be able to provide transportation for the Elected Officials for the Parade.

Mayor Sharon Hardy-Mills reported the Parade Marshalls for this year are Rich and Connie Redman.

#### COUNCIL GOALS REVIEW

Mayor Sharon Hardy-Mills reviewed the List of Goals with the Council, reporting there are no significant changes from last month.

#### DELINQUENT ACCOUNTS REVIEW

Mayor Sharon Hardy-Mills reviewed the List of Delinquent Accounts with the Council. It was reported five (5) Accounts have been sent to Small Claims. The Mayor reported we now have to wait to see what happens next.

#### 2017-2018 BUDGET REVIEW

City Clerk Mary Yeaman reported to the Council she included the 2017-2018 Budget on tonight's Agenda for the Council to review, and make suggestions for any changes they see are needed.

After a brief discussion by the Council, they agreed the 2017-2018 Budget looks good.

#### **INFORMATION FROM CITY OFFICIALS**

Councilperson Isaac Loveland reported to the Council there will be a Recreation District Flyer in the Albion Valley Newsletter.

Council President Chad Manderscheid reported to the Council there is a light flickering in the Civic Center.

Mayor Sharon Hardy-Mills reported to the Council she found an Arrow in a Hay Bale in her garden. The Mayor asked that if anyone sees someone using a Bow and Arrow within the City Limits, to please report it to the Sherriff's Office.

## PRESENTATION OF BILLS

Mayor and Council Salaries *	190.00
Salaries – Maintenance-3426.22/Clerk-2850.55 *	6276.77
Sharity Parish – Deputy Clerk *	703.08
Jeremiah Wood – Maintenance Helper *	913.50
Kyle Downey – Maintenance Helper *	1134.00
PERSI – Employer Remittance (05/16-05/31/17) *	769.75
DL Evans Bank – EFTPS 941 Employer remittance (May 2017) *	1747.90
PERSI – Employer Remittance (06/01-06/15/17) *	714.29
Raft River Electric – Water Tank-40.08/Service Work-22.50 *	62.58
SelectHealth – Insurance (July 2017) *	1317.00
U.S. Postal Service – Annual Box Rent *	70.00
A.M.I. Supply Inc. – Park Flag Supplies	21.90
Ace Hardware – Maintenance Supplies	190.83
ATC Communications – Phone, Fax, Internet, & Lift Station	427.73
Black Mountain Software – Annual Maintenance Utility Billing	1268.00
Bonneville Power Administration – Transmission/Power (May 17)	8565.00
Creekside Store – Maintenance Fuel (June 2017)	477.90
Day Welding – New Maintenance Shop Lube Pit	475.52
Don's Repair – 97 Dodge Repair	465.29
Franklin Building Supply – Maintenance Supplies	52.15
Greenlon – Spraying Trees	55.00
Higley Lumber – Maintenance Supplies (New Shop)	119.70
IRWA – 2017-2018 Membership Dues	350.00
K & R Rentals, Inc. – Mini Skid Steer/Post Hole Dig-R-Tach	60.00
Kerry McMurray – Legal Services (June 2017)	
Magic Valley Labs – Water Test/Land App Tests	138.00
Maverick Construction – Gravel for Basketball Pad	224.00
Pioneer Equipment – Weed Hog Purchase	1681.00
Pit Stop Cycle Shop – Weed Eater / Line Purchase	353.86
Pump Service – Back Flow Testing	90.00
Stukenholtz Laboratory – Crop Sampling	56.00
Times-News – City Park Rates Publication	120.75
UAMPS – General A&G Expenses	50.60
USABlueBook – Maintenance Supplies (T-Shirts)	147.81
VISA – M. Yeaman June 2017 Statement	<u>384.81</u>
TOTAL	\$29,674.72

Mayor Sharon Hardy-Mills thanked everyone for coming to tonight's Council Meeting and reported the Council will now go into an Executive Session.

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

A 10:25 motion was made by Alexander, to enter into an Executive Session pursuant to Idaho Code 74-206(1)(b) regarding personnel issues. The motion was seconded by Loveland, and unanimously carried, with the following vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye. After roll call vote, the Council excused Clerk Mary Yeaman from the Executive Session.

**COUNCIL RETURNS TO A REGULAR SESSION**

The Executive Sessio was concluded at 11:28 p.m. The general tenor of the Executive Session was to discuss information and issues received about City personnel. After discussing the information and issues presented, the Council asked City Attorney Kerry McMurray to investigate the information and issues brought forth during the Executive Session.

**COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Gailey, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye. Adjournment was at 11:31 p.m.

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Sharon Hardy-Mills, Mayor

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Mary Yeaman, City Clerk-Treasurer