

**ALBION CITY COUNCIL MEETING  
MINUTES AUGUST 1, 2017.**

CALL TO ORDDER – The meeting was called to order at 8:02 p.m. in the Albion Civic Center by Mayor Sharon Hardy-Mills.

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

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

OTHERS IN ATTENDANCE – John Davis, Mary Lynne Bristol, Jon Paul Manderscheid, Rosalie Manderscheid, and Troy Mortensen.

APPROVAL OF MINUTES – Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve the Minutes of the July 11, 2017 Council Meeting as presented.

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

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was not present at the Council Meeting, therefore no Law Enforcement Report was given.

ANIMAL CONTROL REPORT – Shawn Burton, from the Maintenance Department, reported to the Council some people with netted hula hoops were trying to catch turkeys, and he asked them to please stop. Burton also reported he received complaints about barking dogs.

**CITIZEN'S ISSUES**

UTILITY QUESTIONS – BRAD WOODROW

City Clerk Mary Yeaman reported Mr. Woodrow called and is unable to attend tonight's Council Meeting, and asked to be put on the September Agenda.

**AGENDA BUSINESS ITEMS**

PUBLIC HEARING – 2017-2018 PROPOSED BUDGET

Mayor Sharon Hardy-Mills opened the Public Hearing for the 2017-2018 Proposed Budget at 8:06 p.m. Mayor Hardy-Mills reported because this is a Public Hearing, it is being recorded, and those wishing to make comments are asked to come to the stand, state their name and address, and proceed with their comments. The Mayor reported comments in favor will be heard first, followed by comments against, with neutral comments being made last. Mayor Hardy-Mills opened the floor to comments in favor of the proposed Budget, no comments were received. The Mayor asked for comments against the proposed Budget, again none were received. There were no Neutral comments made. The Mayor asked the Council for a motion to approve the 2017-2018 Proposed Budget as presented.

Upon motion made by Alexander, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve and accept the 2017-2018 Proposed Budget as presented.

Mayor Sharon Hardy-Mills closed the Public Hearing.

#### WEST ST, CULVERT UPDATE

Shawn Burton, from the Maintenance Department, reported to the Council he spoke with the Contractor today, and they will be here on Friday to possibly start the Project.

#### QUALITY ASSURANCE PLAN / O&M MANUAL

Shawn Burton, from the Maintenance Department, reported to the Council He and the Mayor received a Letter from the Department of Environmental Quality (DEQ) today, and they are requiring the Quality Assurance Plan and O&M Manual be done as soon as possible. Burton reported when the Land Application Permit is renewed, which was done last year, the Quality Assurance Plan and O&M Manual should have been updated at the same time. Burton reported to the Council He and the Clerk put the information together, but DEQ said it was not complete, and they required an Engineer's stamp. Burton reported Ivan McCracken, from J-U-B Engineers, said he could update the Quality Assurance Plan and O&M Manual for about nine thousand dollars (\$9,000). Motion was made by Manderscheid to get the Manuals updated, but died for the lack of a second.

Councilperson Zack Alexander reported to the Council we need to look into this further, maybe look at a different Engineering Company.

City Attorney Kerry McMurray reported to the Council the City should put out a Request for Qualifications (RFQ) outlining the Project.

The Council asked City Attorney McMurray to prepare a RFQ.

#### MAINTENANCE SHOP UPDATE

Shawn Burton, from the Maintenance Department, reported to the Council the Electric and Water have been hooked up and run to the Shop site.

City Clerk Mary Yeaman reported to the Council Art Thornton has not come to the Office to sign the revised Notice to Proceed, and she has called and left messages several times.

Councilperson Isaac Loveland reported to the Council let Steve Noriyuki go as Project Manager, and hire him to put up the Shop Building.

Mayor Sharon Hardy-Mills reported to the Council she texted Steve Noriyuki about resigning as Project Manager, and putting up the Shop Building, and He replied that would work for him. Noriyuki told the Mayor He will provide a written Resignation Letter to the City, and will be able to start on the Building in two (2) to three (3) weeks.

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexandder-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve City Attorney Kerry McMurray putting together a Contract and Notice to Proceed for Steve Noriyuki putting up the Shop Building, and also approved the Mayor signing both documents.

#### REPAIRS FOR OLD SHOP UPDATE

Mayor Sharon Hardy-Mills reported to the Council she received a Bid for the repairs for the old Shop. The total of the Bid is nine thousand seven hundred fifty dollars (\$9,750). The Mayor reported the Bid includes repairing the Roof, Soffit and Facia. The roof will be repaired with 3 tab shingles, all holes in the membrane will be patched, all visible leaks will be patched, and roof edges meeting brick will be tarred. The soffit and facia boards on the East and West sides will be replaced, if needed, and loose boards will be tightened. The boards will be primed and painted. The Mayor reported the Bid was received from a local Contractor.

Troy Mortensen asked about the repairs needed on the brick, to which the Mayor reported, that was not included in the Bid the City received.

The Council asked the Mayor to obtain another Bid, and the issue was tabled until the September Council Meeting.

#### QRU BUILDING UPDATE

Mayor Sharon Hardy-Mills reported to the Council Abby Dayley, from the QRU, is looking into Grants for a Building, and she (the Mayor) has not heard an update. The issue was tabled until the September Council Meeting.

#### RESOLUTION NO. 2017-02 SETTING AND INCREASING CITY PARK AND PAVILION FEES

City Attorney Kerry McMurray presented the Council Resolution No. 2017-02 Setting and Increasing Park and Pavilion Fees for their approval.

After a brief discussion by the Council it was agreed to change the effective date to October 1, 2017.

City Attorney Kerry McMurray reported he will make the requested effective date change, and send the Resolution to the City Office.

Upon motion made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve Resolution No. 2017-02 Setting and Increasing City Park and Pavilion Fees, with the changed effective date of October 1, 2017, and approved the Mayor signing the Resolution.

#### RESOLUTION NO. 2017-03 SETTING NEW FEE FOR DISCONNECT AND RECONNECT OF UTILITIES

City Attorney Kerry McMurray presented Resolution No. 2017-03 Setting New Fee for Disconnect and Reconnect of Utilities for their approval.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve Resolution No. 2017-03 Setting New Fee for Disconnect and Reconnect of Utilities as presented, and approved the Mayor signing the Resolution.

#### ENERGY CONSERVATION BPA CONTRACT

Mayor Sharon Hardy-Mills reported to the Council the City received the Renewal Contract from Bonneville Power Administration (BPA). The Mayor reported the Contract is for Power and Transmission purchased from BPA, as they are the City's Electricity supplier. The Mayor also reported the City will receive a 7.1% increase in cost for purchasing Power and Transmission, beginning October 1, 2017. The Mayor asked for Council approval to sign the BPA Contract, which needs to be returned by September 15, 2017.

After a brief discussion by the Council, the issue was tabled until the September Council Meeting.

#### FEMA UPDATE

Mayor Sharon Hardy-Mills reported to the Council Eliud Roman, from FEMA, looked at the Lagoons and the City may receive about twenty-five thousand dollars (\$25,000) to help with the needed repairs at the Lagoons. The Mayor reported if the Funding is approved by FEMA, the Funds will be sent to the State which sends the Funds to the City.

#### UTILITY RATE CHANGE REQUEST

Mayor Sharon Hardy-Mills reported to the Council the city has received a request for reduced Utility Rates for a Vacant Lot. The requesting party reported on the Form they have paid Utilities on the Vacant Lot for ten (10) years, and are now asking to have further charges waived.

Upon motion made by Manderscheid, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused, the Council moved to approve the request for no further charges on the Vacant Lot.

#### SUGGESTIONS FOR 4<sup>TH</sup> OF JULY COMMITTEE

Mayor Sharon Hardy-Mills reported to the Council she has put together a List of Items that need to be addressed for the 4<sup>th</sup> of July Celebration. The List includes getting a better Sound System for the Park, contacting Parade Entrants, contacting Vendors, contacting someone to be over Games, Tables and Tents, and contacting someone about Portable Toilets. The Mayor would like next year to be a Big Celebration in honor of Albion's 150<sup>th</sup> Anniversary. This will be an Agenda Item each month, the Mayor reported.

#### COUNCIL GOALS REVIEW

Mayor Sharon Hardy-Mills reviewed the List of Goals with the Council. The West St. Culvert Project - should be started later this week. Promote Growth and Business - is still being worked on. Flood/Emergency Preparedness Plan - the Mayor reported she has not visited with Undersheriff Warrell about this. Resurface Roads - Shawn Burton reported he will check on the cost to Scrub Coat the small section on Whitman St. from West St. to the Highway. Build New Maintenance Shop – is in the works. Review Ordinances – One Each Month – the Mayor asked the Council to decide on the next Ordinance to review. Non-Potable water Irrigation – is still being looked into. City Wide Clean-Up Weeds, Trees/Debris in Creek, and Run Down Buildings – tearing down the old trailer will be done soon. Develop City Website – take this off the List. City Office Repairs, Maybe Move Office to Civic Center – the Mayor reported she and Shawn met with a Local Contractor and talked about ideas on making the back part of this building into the City Office. The Contractor is going to tear some of the paneling off the wall in the old kitchen to see what is there. He will provide a Bid for the remodeling by the September Council Meeting. Civic Center Sign – was not discussed as Councilperson Mike Gailey was not in attendance.

#### DELINQUENT ACCOUNTS REVIEW

Mayor Sharon Hardy-Mills reviewed the Delinquent Accounts with the Council. The Council agreed the List is looking better, and reported the City has collected seventy five hundred dollars (\$7,500), which includes people getting their past due accounts paid, and Small Claims. City Clerk Mary Yeaman reported four (4) accounts were sent to Collections last month.

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

Councilperson Isaac Loveland asked about the Contract the City has with Leroy Robinson on the Land Application Property. Loveland asked how many acres there are,

and what benefit does the City get. Loveland asked that the Contract be brought to the September Council Meeting.

Mayor Sharon Hardy-Mills reported to the Council she received information on an Eclipse Meeting being held on Wednesday, August 2, 2017 at 2:00 p.m. at the Herrett Center, on the CSI Campus, if anyone is interested in attending.

Mayor Sharon Hardy-Mills asked the Clerk to include the Compression Brakes Ordinance, as a Business Item, on the September Council Meeting Agenda.

#### OTHER ITEMS BROUGHT FORTH AS A GENERAL MATTER

Troy Mortensen reported to the Council he had a “Bump” with Water Master Don Gunderson about protecting our water rights, and He (Mortensen) is now filing a law suit against Gunderson. Mortensen reported it is important to protect our water rights, or we will lose them. Mortensen reported the ditches are not being maintained above where the City piped the ditch. Mortensen reported he has put a lot of money into his holding pond, which helps recharge the aquifer. Mortensen reported he has a meeting on Thursday with Skaggs son-in-law about what is going on here in Albion, as they are not aware of the situation. Mortensen reported He wants to represent the City when talking about the water rights.

City Attorney Kerry McMurray told Mortensen He cannot represent the City in this matter.

Mayor Sharon Hardy-Mills reported the City Officials are thinking the same way, our water rights need to be protected and the aquifer needs to be recharged, as this will keep the City’s best interest at heart.

Councilperson Isaac Loveland reported the City needs to be able to have a holding area for water, to help recharge the aquifer.

Troy Mortensen reported He will let the City know how the meeting with Skaggs goes.

#### PRESENTATION OF BILLS

Mayor and Council Salaries *	190.00
Salaries – Maintenance-3302.38/Clerk-2786.87 *	6089.25
Sharity Parish – Deputy Clerk *	214.19
Jeremiah Wood – Maintenance Helper *	886.50
Kyle Downey – Maintenance Helper *	1174.50
PERSI – Employer Remittance (07/16-07/31/17) *	726.15
DL Evans Bank – EFTPS 941 Employer Remittance (July 2017) *	1903.10
PERSI – Employer Remittance (08/01-08/15/17) *	644.18
Raft River Electric – Water Tank-40.13/Service Work-434.89 *	475.02
SelectHealth – Insurance (September 2017) *	1405.00
Ace Hardware – Maintenance Supplies	321.54
AIC – 2018 Membership Dues	400.00
ATC Communications – Phone, Fax, Internet, & Lift Station	419.81
Bonneville Power Administration – Transmission/Power (July 17)	10115.00

Creekside Store – Maintenance fuel (August 2017)	349.01
Franklin Building Supply – Maintenance Supplies	71.97
Gem State Dairy Supply – Chlorine	228.00
Greenlon, Inc. – Bug Spraying (Civic Center/Library)	135.00
Haun’s Hardware – Maintenance Supplies	46.17
ICRMP – 1 <sup>st</sup> Half of Premium (10/01/17-09/30/18)	4236.50
DEQ – Annual Fee Assessment (10/01/17-09/30/18)	735.00
K&R Rentals – Saw Rental	29.95
Kerry McMurray – Legal Services (August 2017)	765.00
Magic Valley Labs – Water Test	16.00
Mary Yeaman – August 2017 Travel Claim	66.50
Pit Stop Cycle Shop – Chainsaw/Weedeater Supplies	79.75
Sharon Hardy-Mills – August 2017 Travel Claim	120.50
Standard Plumbing Supply Co. – Maintenance Supplies	48.29
Stukenholtz Laboratory, Inc. – Feed Analysis	56.00
T-W DBA Tires West – Flat Repair/ Service	99.26
The American Legion Post 124 – Flags for Park	274.51
The Times News – Candidate filing Deadline Publication	47.80
UAMPS – General A&G Expenses	50.60
VISA – #7977 S. Burton August 2017 Statement	153.75
VISA - #9113 S. Hardy-Mills August 2017 Statement	<u>7.95</u>

TOTAL 32,581.75

**COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Loveland-aye, and Manderscheid-aye, with Gailey excused. Adjournment was at 9:43 p.m.

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Sharon Hardy-Mills, Mayor

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Mary Yeaman, City Clerk-Treasurer