

**ALBION CITY COUNCIL MEETING  
MINUTES AUGUST 3, 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 Brad Woodrow.

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

OTHERS IN ATTENDANCE – Tony and Giselle Prescott, Deputy Clerk Deric Bell, David Chatterly, Sandra Bosteder, Adelmo Maestas, and Shawn Burton.

APPROVAL OF MINUTES – 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 approve the Minutes of the July 6, 2021 Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Carlson, 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 – No Report was given.

ANIMAL CONTROL REPORT – No Report was given.

**CITIZEN'S ISSUES**

**LOT SETBACKS QUESTIONS – SANDRA BOSTEDER**

Sandra Bosteder told the Council her brother purchased the property between the Bank and Rose Garden, and would like to put a building on the property. Bosteder reported with the size of the Lot, and the required setbacks, they are having a difficult time finding a building that will fit. Bosteder asked if the City has an Ordinance or other regulation that will allow buildings to be put on smaller Lots, or if the setbacks could be changed?

Mayor Isaac Loveland reported the City Code does have a section that addresses Sub-Standard Lots located in a Residential Zone. It states a building cannot cover more than thirty-five percent (35%) of the Lot, and must still meet the setbacks. The Mayor reported he is not sure if this also applies to a Commercial Zoned Lot.

City Attorney Kerry McMurray reported the best solution would be to have them apply for a Variance. Section 12 of the Zoning Ordinance deal with Variances, and the

required steps to follow. Once an Application for a Variance is filed with the City a Public Hearing can be held.

## **AGENDA BUSINESS ITEMS**

### **PUBLIC HEARING – 2021-2022 PROPOSED BUDGET**

Mayor Isaac Loveland opened the Public Hearing for the 2021-2022 Proposed Budget, and asked those making comments to please come to the podium, state their name and address for the record. The Mayor reported comments in favor will now be heard, no comments were made. The Mayor reported neutral comments will be heard, no comments were made. The Mayor reported negative comments will now be heard, again no comments were made. The Mayor closed the public comment portion of the Public Hearing. The Mayor asked the Council if they had any comments, to which Councilperson Brad Woodrow reported he feels the Council discussed the Proposed Budget in great detail. The remaining Council agreed. Mayor Loveland asked for a motion to approve the Proposed 2021-2022 Budget.

Upon motion made by Lloyd, seconded by Woodrow, and unanimously carried, with the following roll call vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve the 2021-2022 Budget as presented.

Mayor Isaac Loveland closed the Public Hearing.

### **LATE FEES INCREASE**

Mayor Isaac Loveland asked the Council for their ideas on increasing Late Fees. Councilperson Dallan Doc Carlson reported he came up with charging ten dollars (\$10) for the first time being late, one hundred dollars (\$100) for the second time, and shutting off utilities after the third time.

City Attorney Kerry McMurray suggested putting together a Utility Committee, to meet with customers that are behind in paying their utilities. The Committee would be responsible for determining solutions to help the customers get caught up, and stay current on their utility account. Also suggested was adding a fifty dollars (\$50) charge, ten (10) calendar days after the Billing due date, and shutting off services after another five (5) days. A disconnect and reconnect fee, one hundred dollars (\$100) each, was also suggested. The entire balance due will need to be paid in full before services are restored.

A Public Hearing on the Late Fees Increase will be held during the September 7, 2021 Council Meeting.

### **ADOPT RESOLUTION NO. 2021-01 ORDER OF TERMINATION OF LOCAL EMERGENCY DECLARATION FOR COVID-19**

Mayor Isaac Loveland reported it has been nine (9) months since the Local Emergency Declaration for COVID-19 was adopted, and he feels it is time to terminate the Emergency Declaration.

City Attorney Kerry McMurray presented RESOLUTION NO. 2021-01 ORDER OF TERMINATION OF LOCAL EMERGENCY DECLARATION FOR COVID-19 for Council approval and adoption.

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 and adopt RESOLUTION NO. 2021-01 ORDER OF TERMINATION OF LOCAL EMERGENCY DECLARATION FOR COVID-19 as presented

#### NET METERING AGREEMENT

Mayor Isaac Loveland reported the Net Metering Agreement will be discussed at the September 7, 2021 Council Meeting.

#### BPA ELECTRIC RATE INCREASE

Mayor Isaac Loveland reported the latest information received from Bonneville Power Administration (BPA) is showing the City will receive a twelve point six percent (12.6%) increase in the cost of purchasing power from BPA. The Mayor reported in the chart he reviewed, most Cities in our area are receiving about the same amount of increase, so we are not the only ones getting the increase. The Mayor reported it has been several years since the City has had an increase, but this is a large one. The Mayor reported the City will need to increase our Electric Rates, and this is going to affect us all. The Mayor reported the last rate increase the City received, only half was passed on to the customers, saying he is not sure the City can afford to do that this time.

Council President Kevin Lloyd reported the City cannot afford to eat this amount, we will have to pass it on. We need to be good stewards for the City and unfortunately we will all have to pay more.

Mayor Isaac Loveland reported the current rate is point zero eight six six (.0866) cents per kilowatt, and asked the Council what rate they feel would be best for an increase. The Council discussed different rates, ranging from ten (10) to fifteen (15) cents per kilowatt, trying to decide what would be best to keep the Electric Fund running in the black.

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 approve the City's Electric Rate be increased to ten (10) cents per kilowatt, effective October 1, 2021.

#### TREE TRIMMING

Mayor Isaac Loveland reported Raft River Electric put a List together of areas where trees need to be trimmed, and there are several locations around town. The Mayor reported the City will need to hire someone to do the Tree Trimming.

City Attorney Kerry McMurray reported when choosing a Tree Trimmer, make sure they are Bonded and Insured.

Mayor Isaac Loveland asked the Council to determine how much they want to spend on Tree Trimming this year.

Upon motion made by Carlson, seconded by Woodrow, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to approve up to ten thousand dollars (\$10,000) for Tree Trimming this year.

#### TEMP SUMMER HIRE

City Clerk Mary Yeaman reported she called Personnel Plus, at the Mayor's request, and was told they have a few people to send for temporary work, but they will not report to work for less than twelve dollars and twenty-five cents (\$12.25) per hour. This is why the City has had no response for Temp Summer Hire.

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

City Clerk Mary Yeaman reported Carey Leach, from the Library Board, is asking about reroofing the City Office/Library Building. The Library Board is worried about leaks ruining the Books. Yeaman also reported the Library Board is hoping to get new windows for the Library through an Energy Assistance Program, and wanted to know if the City wanted new windows for the Office.

Mayor Isaac Loveland reported he would like the Council to consider a new Library location, as there are Grants available for Libraries. The Mayor reported this makes more sense to him, rather than continually putting money into the current Library building, that was an old barracks from the Hunt Camp.

Mayor Isaac Loveland reported the City has received American Rescue Plan Act of 2021 (ARPA) Funds, in the amount of forty-one thousand dollars (\$41,000) from the State Controller's Office. The City is scheduled to receive around sixty thousand dollars (\$60,000) to use for infrastructure projects.

#### PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2880.00
Deric Bell – Deputy Clerk *	792.75
Bryan Day – Maintenance Department *	4378.50
PERSI – Employer Remittance (07/16-07/31/21) *	1346.31
DL Evans Bank – EFTPS 941 Employer Remittance (July 21) *	2722.30
PERSI – Employer Remittance (08/01-08/15/21) *	720.55
Raft River Electric – Water Tank-127.96/Service Work-1752.37 *	1880.33
SelectHealth – Insurance (Sept. 21) *	1019.00
Day Welding LLC – Waste Water Pump/Pump Packing *	393.75
Greenlon, LLC – Tree & Shrub Insect Program *	448.00
The Times News – Notice of Budget Hearing Publication *	480.42
Personnel Plus – Maintenance Helper *	213.95
A.M.I. Supply Inc. – Maintenance Supplies	142.83
AA Trash Removal – Aug. 21)	60.00
Ace Hardware – Maintenance Supplies	33.72

ATC Communications – Phone, Internet, Lift Station, & Wells	566.84
Bonneville Power Administration – Transmission/Power (July 21)	12038.00
Carquest of Burley – Maintenance Supplies	182.17
Creekside Store – Maintenance fuel (Aug. 21)	308.71
Deric Bell – Reimbursement (Phone/Sim Card)	94.22
Ferguson Waterworks – Maintenance Supplies	1121.50
Five Rivers Cattle Co. – Pavilion Cleaning Deposit Refund	200.00
K&R Rentals, Inc. – Trash Pump/Hoses	27.50
KD Company – Lawn Mowing/Trimming/Edging	400.00
Keller Associates – Monthly Fees	240.00
Keller Associates – WFPS	6600.00
Kerry McMurray – Legal Services (Aug. 21)	1105.00
Lamont Young – Back-Up Operator Fee (Aug. 21)	300.00
Magic Valley Labs – Water Test	20.00
Road Work Ahead Const. Supply – Safety Vest T-Shirt	20.00
Schow’s Auto Parts – 2003 Dodge Repairs	476.82
Sweet’s Septic & Backhoe Service – Locate Sewer Line	765.00
The Times News – Candidate Filing Deadline Publication	49.35
TNT Electric – Wire Power Supplies at Wells	1129.00
UAMPS – General A&G Expenses	<u>50.63</u>
TOTAL	\$44,907.15

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

At 8:30 p.m., motion was made by Winder to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(a) and (1)(b) regarding personnel issues. The motion was seconded by Lloyd, 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 9:21 p.m. 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 take the matter under advisement.

**COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Lloyd, seconded by Carlson, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye. Adjournment was at 9:22 p.m.

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Isaac Loveland, Mayor

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Mary Yeaman, City Clerk-Treasurer