

**ALBION CITY COUNCIL MEETING
MINUTES AUGUST 2, 2022.**

CALL TO ORDER – The meeting was called to order at 7:00 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 Director David Hageman.

OTHERS IN ATTENDANCE – Kris Wenslawski, Carl Judd, Dan and Linda Korsen, Resident Deputy Tanner Allred, Donald Danner, Bruce Bristol, John Davis, Mark Grigg, Teri Williams, Tony Prescott, Lance Holman, and Troy Mortensen.

APPROVAL OF MINUTES – 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 the Minutes of the July 5, 2022 Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Woodrow, seconded by Carlson, 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 Tanner Allred reported for the month of June there were ten (10) Traffic Stops, which resulted in five (5) Citations, one (1) Convulsions/Seizures, one (1) Fraud/Con Games, one (1) Warrant Service, two (2) Animal Complaints, two (2) 911 Hang Up/Open Line/Prank Calls, one (1) Follow Up, one (1) Suspicious Incident, one (1) Vicious Dog, which resulted in a Citation, one (1) Dog Complaint, one (1) Civil Paper Service, one (1) SRO Call, and four (4) VIN Inspections.

Resident Deputy Tanner Allred reported for the month of July there were four (4) Traffic Stops, one (1) Vehicle Fire, one (1) Traffic - All Other, four (4) 911 Hang Up/Open Line/Prank Calls, one (1) Civil Paper Service, and one (1) SRO Call.

Resident Deputy Allred asked the Council if they had any questions, to which the Council replied No. The Mayor and Council thanked Resident Deputy Allred for his service.

ANIMAL CONTROL REPORT – Mayor Isaac Loveland reported there have been a lot of issues with dogs lately.

CITIZEN'S ISSUES

WATER METER QUESTIONS – KRIS WENSLAWSKI

Kris Wenslawski gave the Mayor and Council a handout she prepared, hung a poster on the podium, and reported there are two (2) water leaks by her property. The first leak is sixty (60) yards from her property, by the Johnson's house, and the second leak is eighteen (18) feet from the meters by the road. Wenslawski reported she pointed out to David the two (2) meters are fifteen (15) feet from a sewer line riser. Wenslawski reported she used her weed eater to trim the grass around the meters, exposing a running stream of water. Wenslawski invited the Council to come check out the leaks, saying she is worried about contamination. Wenslawski asked if she could move her meter closer to her house, and was told she could move her meter at her expense. Council President Kevin Lloyd reported we need to determine who is responsible to fix the leak, by figuring out what side of the meter the leak is on.

Kris Wenslawski reported she does not feel she should have to pay to fix the leak, to which Council President Kevin Lloyd said, if the leak is on your side of the meter, you are responsible to fix it, if the leak is on the City's side of the meter, the City is responsible to fix it.

Councilperson Wayne Winder told Wenslawski David and a Council member will check out the location of the leak to determine who is responsible for the repair.

Kris Wenslawski asked that she be contacted when this is done so she can be present, saying her phone number is on the handout she gave everyone.

Mayor Isaac Loveland thanked Wenslawski for bringing this issue to the Council's attention.

GENERAL PUBLIC COMMENTS

Troy Mortensen reported to the Council he has been helping mow weeds around town. Mortensen also reported he has heard several complaints about weeds along the ditches, and vacant lots that need to be mowed. Mortensen told the Council he is willing to continue helping with these issues.

Mayor Isaac Loveland reported to the Council he has asked Kelly Darrington to help with mowing the vacant lots. The City will then bill the property owners for this service.

Maintenance Director David Hageman reported the tractor with the mower is now running.

AGENDA BUSINESS ITEMS

2022-2023 BUDGET HEARING

Mayor Isaac Loveland opened the Public Hearing on the 2022-2023 Proposed Budget. The Mayor asked those making comments to please come to the podium, and state your name and address for the record.

Troy Mortensen, 214 Water Tower Circle, asked where the Miscellaneous Revenue comes from, to which Mayor Loveland reported we have discussed the Budget for three (3) months during Council Meetings.

City Clerk Mary Yeaman reported this Revenue comes from Late Fees, Court Fines, and Dog Tags.

The Mayor asked the Council if they had any questions, to which the Council replied they did not. There being no further questions, the Mayor closed the Public Hearing. 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 accept the 2022-2023 Budget as presented.

City Attorney Kerry McMurray reported he will have the Appropriation Ordinance ready for Council approval at the September Council Meeting.

HISTORICAL SOCIETY UTILITY WAIVER REQUEST – DONALD DANNER

Donald Danner reported to the Council the Historical Society and the Church of Christ have agreed to the Grange becoming the new home for the Historical Society. Danner reported the Church of Christ has transferred the title of the building and lot to the east, to the Historical Society. Danner reported expanding the building and adding parking is part of the Historical Society's plan. Danner asked that the utility account be put into the Historical Society's name, and asked the Council if they would consider waiving the water and sewer charges for the building.

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 waive the water and sewer charges for the Historical Society building.

PARK SPRINKLER SYSTEM

Carl Judd, from Four Seasons, reported to the Council his Bid for the Park Sprinkler System is thirty-five thousand four hundred dollars (\$35,400), which includes parts and labor. The parts are nineteen thousand seven hundred dollars (\$19,700), and the labor is fifteen thousand, seven hundred dollars (\$15,700).

Council President Kevin Lloyd asked how long the Bid prices are good for, to which Judd reported he could honor the labor price until the end of the year, but the price for parts is constantly changing, so they could be a little more or less, depending on when the project is done.

Mayor Isaac Loveland asked about the timeline for the project, to which Judd reported he is looking at the second week in September as a start date, and it will take five (5) to seven (7) days to install.

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 the labor portion of the Bid from Carl Judd, from Four Seasons, for the Park Sprinkler System.

The Council agreed they would like to check to see if they could get a better price for the parts.

GENERATOR PURCHASE

Mayor Isaac Loveland reported he received two (2) price quotes for generators. The first quote is sixty thousand six hundred dollars (\$60,600) for a 75KW generator, and the second quote is forty-three thousand five hundred dollars (\$43,500) for a 55KW generator. The Mayor reported both generators would be capable to keep the City's water system working during a power outage. Mayor Loveland reported there is a chance of including the generator purchase in the water project.

SIDEWALK GRANT

Mayor Isaac Loveland reported LHTAC has awarded forty-five (45) Cities Children Pedestrian Safety (CPS) Grants, and we are number forty-five (45). The City was approved to receive up to two hundred fifty thousand dollars (\$250,000), and will receive one hundred ninety thousand two hundred fifty-five dollars (\$190,255) initially. The Mayor reported the CPS Grant funds will be used for new sidewalks that will lead to the Elementary School. The sidewalks have to be done in the right-of-way.

City Attorney Kerry McMurray reported the City will be required to obtain three (3) Sealed Bids, and the project must be completed by December 9, 2023. The Grant funds can only be used to purchase materials, and hire contractors to do the work.

Mayor Isaac Loveland reported we need to approve and sign the CPS Grant Agreement to be returned to LHTAC. The Grant funds should be received within a week or so, after LHTAC receives the signed Agreement.

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 CPS Grant Agreement as presented, and authorized the Mayor to sign the CPS Grant Agreement.

WATER PROJECT

Mayor Isaac Loveland reported during a ZOOM Meeting with Keller Associates, Bond Attorney Stephanie Bonney, City Attorney Kerry McMurray, Council President Kevin Lloyd, and himself, it was determined to do what is absolutely necessary to upgrade and improve the City's Water System. This will include purchasing land, drilling a new well, adding another water tank, a tank mixer, a generator, and upgrading well #1. These improvements are findings from the Water Facilities Study conducted by Keller Associates. The improvements will cost three million, two hundred fifty thousand dollars (\$3,250,000), and the City is looking at a judicial confirmation to incur the debt. After discussion by the Council, a Public Hearing was scheduled for August 23, 2022 at 7:00 p.m. in the Albion Civic Center to hear comments from the residents of Albion.

ENGINEERING / BOND COUNSEL AGREEMENT

Mayor Isaac Loveland reported we need to accept the Bond Counsel Agreement and the Engineering Agreement to move forward with the Water Project.

City Attorney Kerry McMurray reported it would be best to address each Agreement individually. McMurray reported the Bond Counsel Agreement is for retaining Stephanie Bonney as Bond Counsel for judicial confirmation at two hundred ninety-five dollars

(\$295) per hour. The process for judicial confirmation is setting a Public Hearing date, which you have done, publishing a Notice of Hearing, hearing Public Comments, adopting a Resolution, filing a Petition with 5th District Court, having a Court date set, usually thirty (30) days after filing Petition, Court hearing held, and decision made. City Attorney McMurray reported Stephanie Bonney feels the City is in a solid position to get a judicial confirmation to bring the City's Water System up to current standards and keep the City compliant.

Upon motion made by Woodrow, seconded by Lloyd, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye, the Council moved to authorize retaining Stephanie Bonney as Bond Counsel for the City at two hundred ninety-five dollars (\$295) per hour.

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 Engineering Agreement with Keller Associates for Task Order #6 in the amount of six thousand five hundred dollars (\$6,500).

INFORMATION FROM CITY OFFICIALS

Maintenance Director David Hageman reported he is meeting with John Kloepfer next week to discuss Road Projects. Hageman also reported three (3) large Flags for the Park have been ordered through the American Legion, the Playground Bark has been spread out, he is working on mowing, and will check into spraying or burning weeds in the ditches.

Councilperson Dallan Doc Carlson asked about tree trimming, to which Mayor Isaac Loveland reported the tree trimmer came on a Friday, and was upset because Raft River Electric is "on call" on Fridays, so he left, and we have not been able to get him to come back yet. We are still working on this.

Mayor Isaac Loveland reported he is meeting with a guy, who is purchasing one of the new houses on West St., who wants to install a culvert in the ditch along Whitman St., and cover it up. The Mayor reported he is worried this will cause a problem further down the ditch. The Mayor reported that corner has always been a problem because the culvert that goes under the road is too small for the amount of water that usually comes down the ditch.

After a brief discussion by the Council, it was suggested the Mayor have the property owner have any changes to the ditch engineered.

PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	3024.00
Deric Bell – Deputy Clerk *	810.69
David Hageman – Maintenance Director *	3036.00
PERSI – Employer Remittance (07/16-07/31/22) *	989.27
DL Evans Bank – EFTPS 941 Employer Remittance (July 22) *	1790.94

PERSI – Employer Remittance (08/01-08/15/22) *	601.03
Raft River Electric – Water Tank *	45.13
SelectHealth – Insurance (Sept. 22) *	2278.00
KD Company – Park & Office Mowing (July 22) *	510.00
MSBT Law – Bond Attorney Fees *	354.00
Norco, Inc. – Cylinder Rental *	13.02
O’Reilly – Supplies *	3.75
VISA - #0210 D. Hageman July 22 Stmt. (Maintenance Supplies) *	307.31
David Hageman – Reimbursement for Tires (Wickel Tire Pros) *	767.69
Ace Hardware – Maintenance Supplies	197.43
ATC Communications – Phone, Internet, Lift Station, & Wells	626.71
Bonneville Power Administration – Transmission/Power (July 22)	11370.00
Creekside Store – Maintenance Fuel (Aug. 22)	390.14
ETS – Email Licenses	28.50
Ferguson Waterworks – Meters	2722.92
Hoop’s Automotive “Plus” Inc. – 2003 Dodge Repair	281.48
ICRMP – Insurance (1 st Half 2022-2023 Premium)	4649.50
ID Dept. Environmental Quality – 2022-2023 Fee	735.00
John Starkey Construction – Pump House Roof	1025.00
Keller Associates – Monthly Fee	240.00
Keller Associates – Seepage Tests	800.00
Kerry McMurray – Legal Services (Aug. 22)	1283.50
Lamont Young – Back-Up Operator Fee (Aug. 22)	300.00
Magic Valley Labs – Water Test	22.00
MSBT Law – Attorney Time Summary/Expenses	1224.27
Road Work Ahead Const. Supply – Signs/Post/Anchors/Rivets	1170.38
The American Legion Post 124 – 2 Park Flags/Freight	307.53
UAMPS – General A&G Expenses	24.41
USABlueBook – PULSAtron Pump/Freight	677.16
VISA - #6721 D. Hageman (Tires)	500.00
VISA - #4703 M. Yeaman Aug. 22 Stmt. (Cell Phone Plan)	307.50
Western Waste Services – Dumpster	<u>53.97</u>
TOTAL	\$45,168.23

COUNCIL ENTERS INTO AN EXECUTIVE SESSION

At 9:13 p.m., motion was made by Carlson to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(a), regarding hiring. The motion was seconded by Woodrow, 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 concluded at 9:28 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 Lloyd, seconded by Woodrow, and unanimously carried, with the following vote: Carlson-aye, Lloyd-aye, Winder-aye, and Woodrow-aye. Adjournment was at 9:29 p.m.

Isaac Loveland, Mayor

Mary Yeaman, City Clerk-Treasurer