

**ALBION CITY COUNCIL MEETING  
MINUTES OCTOBER 2, 2018.**

CALL TO ORDER – The meeting was called to order at 7:00 p.m. in the Albion Civic Center by Mayor Sharon H. Wilmot.

OPENING CEREMONIES – Pledge of Allegiance led by Mayor Wilmot.

ROLL CALL – Present: Mayor Sharon H. Wilmot, Council President Isaac Loveland, Councilpersons Zack Alexander, Kevin Lloyd, and Chad Manderscheid, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Bryan Day.

OTHERS IN ATTENDANCE – Dave Eckblad, Patricia Asher, Susan Kempton, Paul Baumgartner, Adelmo Maestas, Myron Wilson, Kayvon Shirzad, Kylee Douglas, Ben Smalley, John and Anna Marie Davis, Randy and Janet Brackenbury, JC Johnson, Robert Murphy, Mary Lynne Bristol, Troy Mortensen, Jeralee Jones, Lindsay Chatburn, Ivan McCracken, Bobby Batista, and

APPROVAL OF MINUTES – Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Minutes of the September 4, 2018 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, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve payment of the Bills, with the addition of the K&R Rental Billing, and Payment to Zack Alexander for the Sound System for the Civic Center.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was not present at the Meeting, therefore, no report was given.

ANIMAL CONTROL REPORT – Bryan Day, from the Maintenance Department, told the Council there was nothing to report.

**CITIZEN'S ISSUES**

**REPORT ON CASSIA REGIONAL HOSPITAL – BEN SMALLEY**

Ben Smalley, Administrator of Cassia Regional Hospital, thanked the Mayor and Council for allowing him time on tonight's Agenda. Smalley gave a Power Point presentation on the history of the Hospital. Smalley reported the first Hospital was built in 1915 on Miller St., the Cottage Hospital was on the corner of 16<sup>th</sup> St., and the current Hospital was built in 1995. Smalley reported the Hospital is a non-for profit entity, and he introduced Susan Kempton, from Albion, as a new Board Member. Smalley reported they have

hired Heather, who is a Billing Specialist, who is wonderful at helping you understand any Billing Questions and/or Concerns you may have. The Hospital offers Ambulance Services, Helicopter Services, Tele-Help, which is Video Communication with Specialists, and the Hospital is now offering Chemotherapy Services. Smalley reported the Hospital believes in Best Practices, which is receiving the best help the first time. Smalley reported the Hospital has added eight (8) new Physicians to its staff, just recently, offering a wide variety of Services to the Hospital. Smalley told the Council the Hospital and Staff wants to partner and support your community.

#### GENERAL PUBLIC COMMENTS – 10 MINUTES TOTAL

The comments made are as follows: Kylee Douglas, 1069 S. Hwy 77, reported to the Council her renters water billing for August was outrageous, it showed they used one hundred seventy-five thousand (175,000) gallons of water. Douglas reported the usual usage for the rental is seventy thousand (70,000) gallons. Douglas reported they have a sprinkler system, and extra water was not used. Douglas asked the Council to take look at this, as she feels her renters were overcharged for water in August. The Council looked at the information presented to them, and reported they also had high water usage in August, as did the Mayor. Mayor Sharon H. Wilmot reported August was extremely hot and windy, making it necessary to water more frequently.

#### **AGENDA BUSINESS ITEMS**

##### GRANT APPLICATION – KELLER ASSOCIATES

Mayor Sharon H. Wilmot reported to the Council she spoke with Tyler Pratt, from Keller Associates, today by phone, and the Grant Application needed to be signed by the Mayor, and she signed the Application.

##### SPRINKLER SYSTEM FOR PARK/WELL LOT #2

Bryan Day, from the Maintenance Department, reported to the Council he spoke to The Sprinkler Guy, about the Quote he provided for the Sprinkler System at the Park and Well #2 Lot. Day reported the Quote included the parts, labor, and piping to install the System. Day reported since it is getting dark earlier, it could take us several weeks to install the Sprinkler System in house. Day reported the Quote was for just under seventeen thousand (\$17,000) dollars.

Myron Wilson, 149 W. Central St., told the Council he would be willing to get some volunteers together to put in the Sprinkler System for the City, if the City is willing to buy the needed parts. Wilson told the Council this would save them about half.

Bryan Day, from the Maintenance Department, introduced Bobby Batista, the Sprinkler Guy, to the Mayor and Council.

Bobby Batista reported to the Council his Quote is for a Commercial Application, which includes three thousand five hundred feet (3500') of two inch (2") mainlines, two inch (2") lateral lines, five (5) two inch (2") zones, and three (3) one inch (1") zones. This includes Rain Bird valves. Batista reported to the Council he only charges for what is actually done. Batista reported the Lines will be PVC, as this is more cost effective, and the lines will be twelve inches (12") deep. Batista told the Council he could start this week, and it will be one (1) to two (2) weeks to complete the job. Batista told the Council he is okay with volunteers helping with the Project if they want to. Batista reported to the Council he is Bonded and Insured

It was asked if a Public Works License is required for this Project, to which City Attorney Kerry McMurray reported a Public Works License is not needed to install the Sprinkler System.

Bobby Batista told the Council he is willing to apply for a Public Works License if it is required.

Councilperson Kevin Lloyd reported he prefers this Project be done properly, and he likes the idea of volunteers helping.

Councilperson Chad Manderscheid reported it doesn't make a huge difference to him either way.

Council President Isaac Loveland reported he feels this issue needs to be tabled for now, let's keep it in our plans, but let's have it done in the Spring.

Councilperson Zack Alexander reported he agrees to table the issue for now, we will be more prepared in the Spring.

The Sprinkler System for the Park and Well #2 Lot was tabled until Spring.

## QUOTES FOR ROAD REPAIRS

Bryan Day, from the Maintenance Department, reported to the Council Knife River has not gotten back with him on their Quote for Road Repairs. Day told the Council he will keep trying to obtain the Quote.

## MAINTENANCE GENERATOR/TRAILER

Bryan Day, from the Maintenance Department, reported to the Council he has not found a Generator or Trailer yet, but he will keep looking.

Bryan Day, from the Maintenance Department, reported to the Council he received a Quote to repair the Dump Truck. The Quote included one thousand eight hundred fifty dollars (\$1,850) for parts and seven hundred dollars (\$700) for labor, for a total of two thousand, five hundred fifty dollars (\$2,550). Day reported the repairs include putting a locker in the Dump Truck, making it more stable on slick roads. Day also reported to the Council the clutch may need to be replaced.

The Council asked how old the Dump Truck is, to which Day reported, it is a 1989.

The Council suggested to Day, that He check into what is available through the State Surplus Program, maybe the City could get a newer used Dump Truck from them.

Myron Wilson suggested Day also check with INL, as they sometimes have Surplus Equipment.

## WOOD ST. AND UNION ST. LOCATION/ENCROACHMENT ISSUES, AND DETERMINE RESOLUTION OF SUCH ISSUES

City Attorney Kerry McMurray reported to the Council in looking into the issue of Wood St. and Union St., nothing is sure on the boundaries. McMurray reported the good news is, Union St. is where it should be. McMurray reported the original survey was done in 1873, and another survey was done in 1944. McMurray reported the water and sewer lines are there, and Union St. should encompass these utilities, but it does not line up, as it is twenty two point sixty one feet (22.61') off. Based on the old fence line, the utilities are in the right area, as the roadway is forty five (45) feet wide. McMurray reported the problem area is between Murphy's and Johnson's property, and measure out to be twenty four and one half feet (24.5') by one hundred feet (100').

Robert Murphy and JC Johnson came to the Council table to look at the map McMurray was referring to. Both Murphy and Johnson reported they would like to speak to their spouses about this issue, before making any decisions.

The Clerk was asked to include this issue on the November Agenda.

## PARK PROJECT UPDATE – TRESSA TONER

Tressa Toner was not present at the meeting, therefore Council President Isaac Loveland was asked to give an Update on the Park Project.

Council President Isaac Loveland reported to the Council at the last meeting of the Park Committee, they discussed what will be put in the Project, and what will not. Loveland also reported they selected a Contractor for the project, which is Top Notch. The Project will most likely be started in the Spring, when the weather allows.

## STATE INVESTMENT POOL

Councilperson Kevin Lloyd reported to the Council he is checking into what is available for the City regarding the State Investment Pool. Lloyd reported there are three (3) main divisions in the State Investment Pool which are: 1) Liquidity, 2) Security, and 3) Investments. Lloyd reported he does not know the Cap for the Investments, if there is one. Lloyd reported he will hopefully have more information for the November Council Meeting.

The Clerk was asked to include this item on the November Agenda.

## PREPAYMENT OF WATER BOND

City Attorney Kerry McMurray reported to the Council he checked with the Boise Office for USDA Rural Development, and there is no prepayment penalty on the Water Bond. McMurray reported there are actually two (2) Water Bond Loans, with one annual payment, with the last payment being made on September 10, 2018. McMurray reported the final payoff balance will be close to ninety thousand dollars (\$90,000).

Upon motion made by Lloyd, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to pay off the Water Bond as soon as possible.

Upon motion made by Loveland, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to continue making the Water Bond payment each year, adding the payment amount to the Water CD, in order to build up reserves.

#### RESTRUCTURE OF PARK COMMITTEE

Council President Isaac Loveland reported to the Council the last meeting of the Park Committee was well attended. Those in attendance were Nicole Stauffer, Jennifer Mai, Patricia Asher, Gwen Montgomery, Tressa Toner, Donald Danner, Kathy Endres, Emily Loveland, and Myself. Loveland reported a Chairman needs to be selected, as he does not want to be the Chairman, but will remain a member of the Committee. Loveland reported they talked about the importance of organizing and posting the Park Committee Meetings. Loveland reported Jennifer Mai said she would be willing to serve as Chairman of the Park Committee.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the appointment of Jennifer Mai as Chairman of the Park Committee.

#### ADDITIONAL TERRORISM INSURANCE

Mayor Sharon H. Wilmot reported to the Council the City received information on Additional Terrorism Insurance Coverage. The Mayor reported the City is covered for Acts of Terrorism by the City's ICRMP Insurance Policy, but can purchase a separate Policy if desired. The cost of the Additional Policy is five thousand dollars (\$5,000) per year. The Mayor asked the Council for a decision on purchasing the Additional Terrorism Insurance Coverage.

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to refuse the Additional Terrorism Insurance Coverage, and approved the Mayor signing the Refusal Form to be sent back to ICRMP.

#### REQUEST TO LOCATE FOOD TRAILER ON HISTORICAL CENTER PROPERTY

Jeralee Jones reported to the Council she and Lindsay Chatburn would like to locate a Food Trailer on the Historical Center Property, on Friday and Saturday Nights, during the Haunted Mansions of Albion. Jones reported they have Insurance, and the needed Permits to operate the Food Trailer.

Upon motion made by Loveland, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to waive the Itinerant Merchant Fees for residents of the Valley and Members of the Community, and approved locating the Food Trailer at the Historical Center Property during the Haunted Mansions of Albion.

#### DELINQUENT ACCOUNTS REVIEW

Mayor Sharon H. Wilmot and the Council reviewed the Delinquent Accounts Listings, and agreed the Listing is looking a lot better.

Councilperson Kevin Lloyd asked why the Listing has changed so much, to which the Clerk replied, people are paying their Billings on time.

### **INFORMATION FROM CITY OFFICIALS**

City Clerk Mary Yeaman reported to the Council there is a Recycling Company in Burley called Recyclops, who is willing to come to Albion and Malta to pick up Items to be recycled. The Company requires at least fifteen (15) residents in each area to offer their services. The Items do not need to be sorted, they just need to be boxed or bagged for pickup. The Transfer Station is not providing Recycling Bins anymore, so those people who recycle Items a lot, might be interested in this service. The Clerk reported she was asked to give out the information at tonight's Council Meeting.

### **PRESENTATION OF BILLS**

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2716.82
Deric Bell – Deputy Clerk *	877.50
Bryan Day – Maintenance Department *	3492.00
Ravyn Pawson – Maintenance Department *	1556.50
PERSI – Employer Remittance (09/16-09/30/18) *	879.86
DL Evans Bank – EFTPS 941 Employer Remittance (Sept. 18) *	1877.08
PERSI – Employer Remittance (10/01-10/15/18) *	545.91
Raft River Electric – Water Tank-22.63/Service Work-55.00 *	77.63
SelectHealth – Insurance (Nov. 2018) *	1471.00
State Tax Commission – W/H Tax 3 <sup>rd</sup> Qtr. 2018 *	162.00
DL Evans Bank – Change for Cash Bag *	60.00
Ace Hardware – Maintenance Supplies	190.33
ATC Communications – Phone, Fax, Internet, & Lift Station	423.37
Bonneville Power Administration – Transmission/Power (Sept 18)	9400.00
Bryan Day – Reimbursement for City Fuel	68.73
BuyWyz LLC – Office Supplies	780.30
Carquest Auto Parts – Maintenance Supplies	403.89
Creekside Store – Maintenance Fuel (October 2018)	334.98
Ferguson Waterworks – Maintenance Supplies	53.56
Franklin Building Supply – Maintenance Supplies	130.85
Johnny Bennett – Utility Deposit Refund (After Final Billing)	155.55
Kerry McMurray – Legal Services (October 2018)	1071.00
Lamont Young – back-Up Operator Fee (October 2018)	150.00
Magic Valley Labs – Water Test	16.00
Productivity Plus – Pioneer Equipment (Backhoe Parts)	220.02
Raft River Electric – Water Tank-22.63/Service Work-209.35	231.98
Rain For Rent – Well #1 Repairs	4797.50
Schow's Truck Center – Backhoe Parts	29.36

Snake River Hydraulics – Backhoe Repair Parts	68.82
UAMPS – General A&G Expenses	50.27
USABlueBook – Maintenance Supplies	1349.69
VISA - #4409 M. Yeaman Oct. 2018 Statement (Maint. Cell's)	153.75
VISA - #8576 B. Day Oct. 2018 Statement (Maint. Supplies)	<u>264.14</u>
TOTAL	\$35,760.39

Mayor Sharon H. Wilmot thanked everyone for attending tonight’s Council Meeting, and announced the Council will now go into an Executive Session.

Adelmo Maestas approached the Council table and thanked the Mayor and Council for getting the Sound System for the Meetings, he told them he heard every word that was said tonight.

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

At 8:25 p.m. motion was made by Loveland, to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(a), regarding personnel issues. The motion was seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye.

**COUNCIL RETURNS TO A REGULAR SESSION**

The Executive Session was concluded at 8:50 p.m. Upon motion made by Manderscheid, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to hire Deric Bell as the new part time Deputy Clerk, starting with twenty (20) hours per week at ten dollars (\$10) per hour.

**AMEND AGENDA**

Upon motion made by Lloyd, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye, the Council moved to Amend the Agenda to include another Executive Session pursuant to Idaho Code 74-206 (1)(b), regarding personnel issues.

**COUNCIL ENTERS INTO AN EXECUTIVE SESSION**

At 8:55 p.m. motion was made by Manderscheid, to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(b), to hear a complaint against an employee. The motion was seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye. The Clerk was excused.

**COUNCIL RETURNS TO A REGULAR SESSION**

The Executive Session was concluded at 9:15 p.m.

The Mayor is to determine what, if anything, was said. The Mayor will inform the citizen, who registered the concern, of City policy that the City prohibits discriminatory harassment on the basis of race, color, national origin, religion, sex, physical or mental disability, age, veteran status or any other characteristic protected by applicable law.

### **COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Manderscheid, seconded by Lloyd, and unanimously carried, with the following roll call vote: Alexander-aye, Lloyd-aye, Loveland-aye, and Manderscheid-aye. Adjournment was at 9:17 p.m.

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Sharon H. Wilmot, Mayor

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Mary Yeaman, City Clerk-Treasurer