

**ALBION CITY COUNCIL MEETING  
MINUTES OCTOBER 6, 2020.**

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 – Pledge of Allegiance led by Councilperson Kevin Lloyd.

ROLL CALL – Present: Mayor Isaac Loveland, Councilpersons Dallan Doc Carlson (By Phone), Kevin Lloyd, and Brad Woodrow (By Phone, City Clerk-Treasurer Mary Yeaman, and City Attorney Kerry McMurray.

Bryan Day, from the Maintenance Department was excused.

OTHERS IN ATTENDANCE – Deputy City Clerk Deric Bell, Tony and Giselle Prescott, Jan Johnson, Linda Prefontaine, Virginia Hall, Theresa Johnson, JC Johnson, Wayne and Susie Winder, Kathy Endres, John Davis, Mary Lynne Bristol, Adelmo Maestas, and Paul Baumgartner.

APPROVAL OF MINUTES – Upon motion made by Lloyd, seconded by Woodrow (By Phone), and unanimously carried, with the following vote: Carlson (By Phone)-aye, Lloyd-aye, and Woodrow (By Phone)-aye, with Alexander excused, the Council moved to approve the Minutes of the September 1, 2020 Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Lloyd, seconded by Carlson (By Phone), and unanimously carried, with the following vote: Carlson (By Phone)-aye, Lloyd-aye, and Woodrow (By Phone)-aye, with Alexander excused, the Council moved to approve payment of the Bills as presented.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was not at the meeting, therefore no Report was given.

ANIMAL CONTROL REPORT – Bryan Day, from the Maintenance Department, was not at the meeting, therefore no report was given.

GENERAL PUBLIC COMMENTS – The comments made are as follows: Virginia Hall asked about Speed Limit Signs being put up on South Main St., going to the Church. Hall reported they were told the City was going to put up the Speed Limit Signs. Hall reported most people drive really fast down South Main St., making it a hazard for the people who walk or ride bikes on the road.

Mayor Isaac Loveland reported he will visit with Bryan about putting the Speed Limit Signs up, as the signs have been purchased.

Adelmo Maestas reported there have been a lot of people walking around the pump house at the Park, and suggested a pump house sign be put on the building. Maestas reported it is not good to have people around the pump house.

Mayor Isaac Loveland reported Ravyn has been painting the pump house, and when she is finished, a sign will be put on the pump house.

Linda Prefontaine told the Council she came to tonight's meeting because of the Cell Tower discussion.

Mayor Isaac Loveland reported the City has no jurisdiction on the Cell Tower issue, as the Tower will be installed outside the City Limits, but we can talk about the issue if needed.

Jan Johnson asked why no one was notified about he request to install a Cell Tower in Albion, to which City Attorney Kerry McMurray reported a Public Hearing was held before the County Planning and Zoning, and notification requirement were met. McMurray reported it is the right of Cassia County Planning and Zoning to make decision concerning what is allowed in the County.

Jan Johnson, asked why the Cell Tower could not be put on the mountain instead of in the valley, to which Mayor Isaac Loveland reported the request to locate the Cell Tower on Albion property within the County was made, and again the City has no jurisdiction on this issue.

City Attorney Kerry McMurray reported the Cell Tower is a First Net Tower, that will enhance transmission for Emergency issues.

Paul Baumgartner reported to the Council he and his Engineer received information from Keller Associates, requesting additional information on the Road development. Baumgartner reported his Engineer Dar Moon has responded to Keeler's request for additional information. Baumgartner presented the Mayor and Council with an 11 X 17 copy of the revised Road Plan., as requested by Keller Associates. Baumgartner presented a Letter to the Mayor, Council, and City Attorney from his Engineer Dar Moon, for their review.

Mayor Isaac Loveland reported a copy of a soil report is still needed, as requested by Keller Associates.

Paul Baumgartner reported the Road will be at the edge of his property, and asked about options to clear up the street.

City Attorney Kerry McMurray reported to the Council a survey on Wood St. was done in 1992, and the Murphy's purchased their property 1996. Attorney McMurray reported the Murphy's fence may need to be moved to the east.

Paul Baumgartner reported his Engineer Dar Moon would like to meet with the Mayor and Council either in person or by phone, for further discussion.

## **BUSINESS ITEMS**

Mayor Isaac Loveland read a Letter of Resignation from Council President Zack Alexander. Alexander stated it is with a heavy heart I must resign from the City Council, as my family has moved out of Albion. Alexander went on to say, it has been an honor and a privalege to serve the citizens of Albion. My family will miss living in Albion, and hope one day to return.

Mayor Isaac Loveland reported there is a little over a year left on alexander's term.

## **COUNCILPERSON APPOINTMENT**

Mayor Isaac Loveland reported to the Council he would like to appoint Wayne Winder to fill the vacant Council seat, and asked the Council for their thoughts.

Councilperson Brad Woodrow asked if the Mayor is the only one to appoint someone to fill a vacancy, or if the Council can do so, to which City Attorney Kerry McMurry reported, according to State Statutes, the Mayor presents the name of the person, he would like to appoint to fill the vacancy, and the Council approves his appointment or not.

Mayor Isaac Loveland reported to the Council, he feels Wayne will be an asset to the Council/

Councilperson Dallan Doc Carlson (By Phone) reported to the Council he has known Wayne for a while, and feels he will do a great job on the Council.

Upon motion made by Carlson (By Phone), seconded by Lloyd, and unanimously carried, with the following vote: Carlsson (By Phone)-aye, Lloyd-aye, and Woodrow (By Phone)-aye, the Council moved to approve the appointment of Wayne Winder to the office of Councilperson.

#### SWEARING IN NEW COUNCILPERSON

City Clerk Mary Yeaman administered the Oath of Office to new Councilperson Wayne Winder. Clerk Yeaman congratulated Councilperson Winder on his appointment. Councilperson Winder took a seat at the Council table.

#### COUNCIL PRESIDENT SELECTION

Mayor Isaac Loveland reported to the Council a new Council President needs to be selected. The Mayor asked the Council for nominations.

Councilperson Wayne Winder reported he feels it should be the Council member who has served the longest.

Councilperson Brad Woodrow (By Phone) asked about the duties of the Council President to which City Attorney Kerry McMurray reported, the Council President oversees Council meetings in the absence of the Mayor, and is usually appointed to fill the Mayor position, should the current Mayor leave during his term of Office.

Councilperson Dallan Doc Carlson (By Phone) nominated Councilperson Kevin Lloyd for Council President.

Upon motion made by Carlson (By Phone), seconded by Winder, and unanimously carried, with the following vote: Carlson (By Phone)-aye, Lloyd-aye, Winder-aye, and Woodrow (By Phone)-aye, the Council moved to assign/approve Councilperson Kevin Lloyd as the new Council President.

#### HONEY BEES IN CITY LIMITS – TONY PRESDDOTT

Tony Prescott reported to the Council he is a hobbyist Beekeeper, and he was disappointed to find out the City of Albion Ordinance considers Bees a nuisance. Prescott reported Burley and Albion are the only Cities that prohibit Bees. Prescott reported Bees are an asset, and he would like to work with the Council on allowing Honey Bees within the City Limits.

Mayor Isaac Loveland reported he has some good news. The Mayor reported in researching this issue, he read in Title V Zoning Regulations, 5-1-14- 2 B 2. Bees are

allowed for the purpose of beekeeping and pollinating crops. No more than two (2) hives per half (1/2) acre are permitted. Mayor Loveland suggested to Prescott that he inform his neighbors of his intent to keep bee hives on his property as a courtesy. The Mayor asked how much property the Prescott's have, to which Tony Prescott reported they have one and one half (1 ½) acres.

Councilperson Wayne Winder reported it is important information for the Albion QRU, so they can be prepared in case of an emergency.

#### WATER ORDINANCE STANDARD REVIEW

Mayor Isaac Loveland reported to the Council this issue will be tabled until the next Council Meeting, as Bryan Day, from the Maintenance Department, has this information to present to the Council.

#### RAFT RIVER ELECTRIC CONTRACT

Mayor Isaac Loveland reported to the Council he has not heard anything from Raft River Electric concerning the Contract.

City Attorney Kerry McMurray reported to the Council he spoke with Mike Christensen, from Raft River Electric, who reported the Contract has been given to the Raft River Electric Board Members to review.

#### PURCHASE CHEMICALS FOR LAGOONS

Mayor Isaac Loveland reported to the Council Bryan Day, from the Maintenance Department, met with the Department of Environmental Quality (DEQ), and Idaho Rural Water Association (IRWA), and was told the Lagoons need to be treated with Chemicals to kill the plant growth in them. The Mayor reported the Chemicals needed will cost one thousand, four hundred dollars (\$1,400).

Upon motion made by Carlson (By Phone), seconded by Lloyd, and unanimously carried, with the following vote: Carlson (By Phone)-aye, Lloyd-aye, Winder-aye, and Woodrow (By Phone)-aye, the Council moved to approve purchasing Chemicals for the Lagoons, in the amount of one thousand, four hundred dollars (\$1,400).

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

City Clerk Mary Yeaman reported to the Council the next Council Meeting will be held on Tuesday, November 10, 2020 because Tuesday, November 3, 2020 is Election Day.

Council President Kevin Lloyd asked about the areas the Council Members oversee, if they are remaining the same or being changed.

Mayor Isaac Loveland asked the Council if they wanted to change or leave them the same.

After a brief discussion by the Council, it was agreed to leave them the same, with Council President Lloyd overseeing Water/Trees/Parks, Councilperson Carlson

overseeing Roads, Councilperson Winder overseeing Sewer/Sanitation/Buildings, and Councilperson Woodrow overseeing Electric.

## PRESENTATION OF BILLS

Mayor and Council Salaries *	1700.00
Salaries – Clerk *	2880.00
Deric Bell – Deputy Clerk *	609.00
Bryan Day – Maintenance Department *	4306.50
Ravyn Buck – Maintenance Department *	2359.50
PERSI – Employer Remittance (09/16-09/30/20) *	1284.61
DL Evans Bank – EFTPS 941 Employer Remittance (Sept. 20) *	2613.58
PERSI – Employer Remittance (10/01-10/15/20) *	992.10
Raft River Electric – Water Tank *	45.18
SelectHealth – Insurance (Nov. 20) *	954.00
Personnel Plus – Maintenance Help *	92.48
Postmaster – Stamps for Billings *	110.00
Southern Idaho Solid Waste – Garbage Fee *	12.00
State Tax Commission – 3 <sup>rd</sup> Qtr. W/H *	629.00
A.M.I Supply – Shop Tools	96.88
AA Trash Removal – October 2020 Fee	60.00
Ace Hardware – Maintenance Supplies	54.00
Accurate Imprints – Council Shirt (Wayne Winder)	23.95
Ag-West Distributing Co. – Measuring Pitcher	13.59
ATC Communications – Phone, Internet, Lift Station, & Wells	502.27
Bonneville Power Administration – Transmission/Power (Sept.20)	9983.00
Burley Reminder – Name Plate (Wayne Winder)	15.00
Carquest of Burley – Maintenance Supplies	7.49
Creekside Store – Maintenance Fuel (Oct. 20)	161.96
Dome-Right Contracting – Gravel for Alley Repair	350.00
Ferguson Waterworks – Maintenance Supplies	157.12
Gem State Dairy Supply – Chlorine	93.96
Greenlon, LLC – Lawn Program	250.00
IDHW – Energy Assistance Refund	73.59
James Burrows – Utility Deposit Refund	200.00
Keller Associates – Monthly Fee	250.20
Keller Associates – Mtn. View Estates Dev Review	521.25
Kerry McMurray – Legal Services (Oct. 20)	824.50
Lamont Young – Back-Up Operator Fee (Oct. 20)	300.00
Magic Valley Labs – Water Test	18.00
Mini-Cassia Transportation Committee – 2021 Member Dues	50.00
Personnel Plus – Maintenance Help	110.97
Postmaster – Stamps for Office Use	344.00
Road Work Ahead – Maintenance Supplies	274.90
Schow’s Auto Parts – Wiper Blades	39.16
Standard Plumbing – Maintenance Supplies	121.76

Stokes – Tools/Supplies/Hardware	415.79
The Book Store & Office Supply – Ink Cartridges (Shop)	73.98
Tires Les Schwab – Maintenance Supplies	89.96
UAMPS – General A&G Expenses	49.25
VISA – #1475 M. Yeaman October 2020 Stmt.	<u>150.38</u>
TOTAL	\$34,264.86

**COUNCIL ADJOURNS**

There being no further business brought before the Council, motion to adjourn was made by Winder, seconded by Carlson (By Phone), and unanimously carried, with the following vote: Carlson (By Phone)-aye, Lloyd-aye, Winder-aye, and Woodrow (By Phone)-aye. Adjournment was at 7:50 p.m.

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Isaac Loveland, Mayor

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Mary Yeaman, City Clerk-Treasurer