

**ALBION CITY COUNCIL MEETING
MINUTES NOVEMBER 14, 2017.**

CALL TO ORDER – The meeting was called to order at 8:00 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, Mike Gailey, and Isaac Loveland, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Shawn Burton.

OTHERS IN ATTENDANCE – James Burrows, Brad and Carla Woodrow, Art Thornton, Deputy Clerk Sharity Parish, Nick Takas, Leroy and Karla Robinson, James and Kathy Endres, Adam Ward, Troy and Heather Mortensen, Dave Eckblad, Pat Asher, George Montgomery, Brandon and Carrie Brackenbury, Danelle Jones, Mary Lynne Bristol, John and Anna Marie Davis, Darlene Wahlgren, and Dave and Brandi Perry.

APPROVAL OF MINUTES – Upon motion made by Alexander, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Minutes of the October 3, 2017 Council Meeting as presented, minus the Tire West Bill of \$37.95.

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve the Minutes of the November 2, 2017 Special Council Meeting as presented.

APPROVAL OF BILLS – Upon motion made by Manderscheid, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve payment of the Bills as presented, minus the Tires West Bill of \$37.95.

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch was unable to attend tonight's Council Meeting, but turned in his Report.

Mayor Sharon Hardy-Mills read the Law Enforcement Report for the month of October. The Report included the following: a Power Line Down/Arching, eight (8) Traffic Stops, which resulted in five (5) Verbal Warnings, and three (3) Citations, one (1) Follow Up, one (1) Business Check, one (1) Disturbance, one (1) Juvenile Incident, one (1) Public Relations, one (1) report of Cows Out, and two (2) Traffic-All Other.

ANIMAL CONTROL REPORT - Shawn Burton, from the Maintenance Department, reported to the Council there was a dog issue, but the dog has been trapped and taken to the Burley Pound.

CITIZEN'S ISSUES

WEST ST. FLOODING ISSUES – TROY MORTENSEN

Troy Mortensen reported to the Council something needs to be done about the West St. Flooding Issues. Mortensen reported he and Shawn drove around looking at the problems with the ditch, which affects seven (7) properties. Mortensen told the Council he does not want to take up too much time tonight, because of the full Agenda, but he does want to discuss this issue further at a different meeting. Mortensen suggested adding this issue to the List of Goals for the City. Mortensen reported Kevin Banner fixed the ditch and road to his house after the last flooding, as the ditch on Pat Butz's property is one of the biggest problem areas. Mortensen told the Council the City needs to put together a Water Committee to oversee these issues.

Mayor Sharon Hardy-Mills reported NRCS and an Engineer looked at the ditch and discussed ways to slow the water down. The Mayor also reported NRCS plans to have a Meeting to discuss Water Issues on Thursday, December 14th at 7:00 p.m. here in the Civic Center.

Mayor Sharon Hardy-Mills asked the Clerk to include the Delivery Ditch on the December Meeting Agenda.

4TH OF JULY COMMITTEE – CARRIE BRACKENBURY

Carrie Brackenbury, representing the Community Relations Committee, reported to the Council, the Committee members were not aware the 4th of July Celebration had been handed over to the City. Brackenbury reported the Community Relations Committee members want to continue putting the 4th of July Celebration together. The decision to hand the Celebration to the City was made by one person, without letting the other Committee members know beforehand.

Mayor Sharon Hardy-Mills and the Councilmembers were happy to hear this information, and presented Brackenbury with the ideas they had put together. The Mayor and Council reported they are happy to help in anyway, to make this Celebration a huge success.

Carrie Brackenbury also reported to the Council the Live Nativity will be held on December 23rd at the Park, but she does not know the time.

Mayor Sharon Hardy-Mills asked the Clerk to include the Live Nativity on the December Meeting Agenda.

TOWNHOUSES VS CONDOMINIUMS CITY CODE – HEATHER MORTENSEN

Heather Mortensen reported to the Council she has been talking to the Building Inspector, for Cassia County, about building Townhouses on their lot at the corner of West St. and Whitman St. Mortensen reported Townhouses are considered single family dwellings, and Condominiums are multi-family dwellings. Mortensen reported according to City Code a sprinkler system is required in a multi-family dwelling, but not in single family dwelling. Mortensen reported the Townhouses, she is planning on

building, would be single family dwellings, they would each have their own front and back door, and their own yard.

City Attorney Kerry McMurray reported the City has adopted the International Building Codes, and these Codes require that sprinkler systems be installed in multi-family dwellings. McMurray reported Idaho Law has restrictions on Condominiums. Albion Code defines Condominiums as multi-family dwellings, which requires a fire wall between the units, and also requires a Conditional Use Permit to be allowed.

Heather Mortensen asked the Council if they would consider adding Townhouses to the City Code as a single family dwelling, as this is what she plans to build.

City Attorney Kerry McMurray reported to change an Ordinance requires a Public Hearing, and so does a Conditional Use Permit. City Attorney McMurray reported he will bring the Ordinance, addressing this issue, to the next Council meeting.

Mayor Sharon Hardy-Mills asked the Clerk to include this issue on next month's Agenda.

AGENDA BUSINESS ITEMS

UTILITY QUESTIONS – BRAD WOODROW

Brad Woodrow reported to the Council he and his wife recently purchased a home within the City Limits. Woodrow reported they are receiving two (2) Billing Statements each month, one (1) for the home utilities, and one (1) for a second lot, which has a Shop on it. Woodrow told the Council the Shop has no utility hook-ups, and asked if the Sewer charge could be removed, and the Water charge could be usage only, for irrigation purposes.

The Council reported they would need to look at the Ordinance further before making a decision.

Mayor Sharon Hardy-Mills reported to the Council there are other properties in the City that are contiguous lots, which are being charged usage only for the second lot.

The Council agreed to wait on the second Sewer charge, and asked Shawn Burton, from the Maintenance Department, to check the line to see if it is capped.

A decision on the second Water charge was not made.

TURKEY PETITION – JIM BURROWS

Jim Burrows reported to the Council about three (3) weeks ago he heard a conversation about the Turkeys. Some people were for the Turkeys, and some were against them being in town. Burrows reported he put a Petition together and went around town getting signatures either for or against the Turkeys. Burrows reported he has fifty-three (53) signatures in favor of the Turkeys, and nine (9) signatures against the Turkeys. Burrows told the Council he knows there are pros and cons on the Turkeys. Some of the cons are; they are a traffic hazard, the population is continually growing, they are roosting in trees, and scratching cars. Burrows reported most people enjoy watching them, just like the deer. It makes Albion a unique place to live and travel through. Burrows asked the Council to please call him first, if a decision is made to get rid of the Turkeys, so he can find a new home for them.

Mayor Sharon Hardy-Mills reported to the Council she was told by Fish and Game the hens can be caught, by trap only, as no firearms of any kind are allowed within the City Limits.

WEST ST. CULVERT RAILINGS

Shawn Burton, from the Maintenance Department, reported to the Council he received a Bid from Day Welding in the amount of one thousand eight hundred thirty-six dollars and twenty-five cents (\$1,836.25) to weld and install the Railings on both side of the West St. Culvert. Burton reported the City will need to paint the Railings.

Mayor Sharon Hardy-Mills reported there is four hundred fifty (\$450) dollars left from the Grant Funds that can be put towards the cost of the Railings.

Motion was made by Manderscheid to get the Railings made and installed, and the City will paint them. Motion died for lack of a second.

The Council asked Burton to get more Bids for the Railings, and present them at the next Council Meeting. The issue was tabled until the December meeting.

OLD MAINTENANCE SHOP REPAIRS

Troy Mortensen reported to the Council we are coming to the end of the Old Maintenance Shop Lease, which is one (1) dollar a year, that has not been paid yet. Mortensen reported no repairs to the Shop have been made, as agreed to in the Contract at the time of the Sale of the Campus Property. Mortensen reported the Facia and Soffit needs to be replaced and painted, and the holes in the roof need to be fixed. Mortensen reported he has already paid to have the brick repair done, and he is asking for fourteen thousand (\$14,000) dollars as payment for the other needed repairs.

Councilperson Zack Alexander reported to the Council the City should have kept on top of the repairs for the Old Shop. Alexander told the Council we need to learn from this.

Troy Mortensen told the Council he would take six thousand three hundred fifty (\$6,350) dollars in payment for the needed repairs, and he will get them done.

Upon motion made by Gailey, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve paying Troy Mortensen six thousand three hundred fifty (\$6,350) dollars for repairs on the Old Shop he decides to have done, and with this payment the Maintenance Contract is fulfilled.

POWER OUTAGES IN THE CITY

Mayor Sharon Hardy-Mills reported to the Council when people within the City Limits call the toll free number to report a Power Outage, they are told they are not a customer, and are being treated rudely. The Mayor wondered if the City could be issued an account number for all City residents to use.

City Clerk Mary Yeaman reported she spoke with Carl Boden, from Raft River Electric, today, and he is going to check this out for us. Boden said Raft River Electric is working with a Dispatch Company for afterhours Emergency Calls and Outage reporting. Boden said if the customer that calls in will write down the date and time of the call, then Raft

River Electric can listen to the recording of the call. This way they can deal with the Dispatch Company, and how they are treating the customers.

Mayor Sharon Hardy-Mills asked the Clerk to include this issue on the December Meeting Agenda.

COUNCIL MEETING DATES FOR 2018

Mayor Sharon Hardy-Mills reported to the Council the January, July, and November Council Meeting dates need to be changed. The Mayor asked the Council to decide on the dates for the three (3) Meetings.

After a brief discussion by the Council, the following dates were proposed: January 9th, July 10th, and November 13th.

Upon motion made by Manderscheid, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve January 9th, July 10th, and November 13th as Council Meeting dates for 2018.

Councilperson Isaac Loveland asked the Council if they would like to move the Meeting time back to 7:00 p.m.

After a brief discussion by the Council, the following motion was made.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to change the Meeting time to 7:00 p.m. starting with the January 9, 2018 Council meeting.

REQUEST TO OAKLEY ON RETURN OF JAIL CELL

Mayor Sharon Hardy-Mills reported to the Council she attended the Oakley Council meeting after she sent a request asking them to return the Jail Cell they borrowed, almost eighty (80) years ago, and have never returned. The Jail Cell is now cemented in the Oakley City Park. Mayor Hardy-Mills asked Oakley to return the Jail Cell so we can have it in our City Park for the one hundred fifty (150) year 4th of July Celebration. The Mayor reported the Oakley Mayor and Council acted like they had never heard of our request, but the Oakley Historical Group were all at the Meeting and said, if Albion were to get the Jail Cell back it would leave a hole in Oakley's History.

Mayor Sharon Hardy-Mills reported to the Council she has a solution that would benefit both Cities. The Mayor reported there are actually two (2) Jail Cells that are bolted together, split them up and we each get a Jail Cell for our City Park.

Councilperson Isaac Loveland suggested putting a Plan together, and presenting the Plan to Oakley.

Councilperson Zack Alexander reported it is a waste of time discussing this further.

NEW MAINTENANCE SHOP UPDATE

Shawn Burton, from the Maintenance Department, reported to the Council the New Shop exterior has been completed. Burton reported he has received two (2) Bids for

framing the interior walls of the New Shop. The first Bid is from Ralph Thornton Construction in the amount of thirty-seven thousand, nine hundred forty (\$37,940) dollars, and the second Bid is from ZCI in the amount of twenty-nine thousand, four hundred fifty (\$29,450) dollars. ZCI said they could have the framing done in one (1) week, and Ralph Thornton Construction said they could have the framing done in three (3) weeks.

Upon motion made by Loveland, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve and accept the Bid from ZCI in the amount of twenty-nine thousand, four hundred fifty (\$29,450) dollars for framing the interior walls of the New Maintenance Shop.

WEST ST. CULVERT UPDATE

Mayor Sharon Hardy-Mills reported to the Council the West St. Culvert Project is done, except for the Guard Rails which will be discussed at the next Council Meeting.

QUALITY ASSURANCE PLAN / O&M MANUAL UPDATE

Shawn Burton, from the Maintenance Department, reported to the Council Ivan McCracken, from J-U-B Engineers, sent a Draft Quality Assurance Plan for him to review.

CHRISTMAS LIGHTING FOR MAIN ST. UPDATE

Mayor Sharon Hardy-Mills reported to the Council the City of Burley made and donated six (6) brackets, for hanging pole decorations, for the City. The Mayor also reported the City of Rupert donated eight (8) shooting star ornaments to the City. The ornaments need some work, as they are faded. Deputy Clerk Sharity Parish provided the Council with a breakdown of the costs for new garland and possibly lights for each star. After a brief discussion by the Council, it was decided to pick the five (5) best shooting star ornaments to put up this year, and then a decision can be made later on how to fix them for next year. The Mayor reported no Christmas Lights will be put across the road this year.

CITY CODE TITLE 1 CHAPTER 12 MISC. CITY POLICY

City Attorney Kerry McMurray reported to the Council this City Code is more of a Repeal Policy, and is out of date. McMurray reported to the Council he will bring this City Code back next month, with some tweaks, for the Council to approve.

UTILITY SERVICE REDUCED RATE REQUEST

Mayor Sharon Hardy-Mills reported to the Council the City received a request for reduced rates on two (2) vacant properties. The first property is the Bruce Miller Lot, which is a vacant lot. The owner has requested the utilities be disconnected, and no

further charges be assessed. The second property is located at 214 Vaughn St., which is now a vacant lot, and the utilities have already been disconnected, as the old trailer⁴ has been torn down. The owner has requested no further charges be assessed.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve no further utility charges on the Bruce Miller Lot, once the utilities are disconnected.

Upon motion made by Loveland, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve no further utility charges on the lot at 214 Vaughn St.

GIS PRESENTATION UPDATE

Deputy Clerk Sharity Parish reported to the Council she attended a GIS Presentation held at the County Commissioners Chambers. Parish reported the County is looking at getting a GIS Mapping System, and they are hoping to get other Cities on board to help defer the cost. The GIS Mapping System is expensive, but is very accurate, you can look at a property and if you thought you were looking at a parking lot, you can change the angle and see it is actually a roof. Parish reported more meetings will be scheduled to discuss the GIS Mapping System in greater detail.

Mayor Sharon Hardy-Mills reported this would be a great Asset Management Tool, and assigning a Councilperson to attend the GIS Meetings might be in the best interest of the City.

2018 4TH OF JULY CELEBRATION

Mayor Sharon Hardy-Mills reported this item has already been discussed, which resulted in the Albion Community Relations Committee taking back the 4th of July Celebration.

COUNCIL GOALS REVIEW

Mayor Sharon Hardy-Mills reported most of the items on the List of Goals have already been discussed. The Mayor asked about the Civic Center Sign, to which Councilperson Mike Gailey reported, he would visit with the Scout wanting to do the Civic Center Sign as an Eagle Scout Project, and see what progress has been made.

DELINQUENT ACCOUNTS REVIEW

Mayor Sharon Hardy-Mills reported to the Council the List of Delinquent Accounts is getting shorter, and looks great.

INFORMATION FROM CITY OFFICIALS

City Clerk Mary Yeaman reported to the Council she received information about the Association of Idaho Cities Fall District Academies. Our District Academy will be held in Twin Falls on Wednesday, November 29th at the Canyon Crest Event Center from 9:00 a.m. to 3:00 p.m. Yeaman asked those wanting to attend to please let her know so she can get them registered. Registration is thirty-five (\$35) dollars each attendant, which includes all materials received and lunch.

City Clerk Mary Yeaman reported to the Council she still needs menu item choices for the Christmas Party Dinner, no later than Friday, November 17th. Yeaman reported she needs to let Dry Dock know by the first of next week.

Councilperson Isaac Loveland reported to the Council he is going to submit a Tree City Application, and he needs information on the expenses for tree maintenance and planting to include in the Application.

Councilperson Zack Alexander reported to the Council as a Storm Ready Community, we need to keep the delivery ditches cleaned out.

Councilperson Zack Alexander reported to the Council he has had several people ask about putting an RV Dump Station in the City. Alexander told the Council he does not know where one could be located, but it might be worth looking into with all the RV's that go through town.

It was suggested checking with the Department of Environmental Quality (DEQ) and /or South Central Public Health to see what is required.

Council President Chad Manderscheid reported to the Council he appreciates the old buildings being taken down, the vacant properties look much nicer.

Troy Mortensen told the Council you need to get the ditch cleaned out by Pat Butz's place. The ditches need to be kept clean to avoid flooding problems like last year.

Mayor Sharon Hardy-Mills asked Councilperson Isaac Loveland to talk to Pat Butz about cleaning out the ditch, to which Councilperson Loveland replied, I am not talking to Pat Butz about cleaning out the ditch that is not my job.

Mayor Sharon Hardy-Mills told the Council she will talk to Pat Butz about cleaning out the ditch.

Councilperson Zack Alexander told the Council we have been talking about putting a Water Committee together for a long time, I think we need to do something about it now. City Attorney Kerry McMurray reported to the Council you can amend the Agenda because you became aware of the situation tonight.

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to amend tonight's Agenda to include Forming a Water Committee, because of being made aware of the ditch situation tonight.

The Council discussed names of people to be part of the Water Committee, which included Troy Mortensen, Zack Alexander, Kay Powell, Isaac Loveland, and Shawn Burton.

Upon motion made by Alexander, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to Form a Water Committee to include the following people: Isaac Loveland acting as Chair, Troy Mortensen, Zack Alexander, Shawn Burton, and Kay Powell as an alternate.

The Council asked Shawn Burton, from the Maintenance Department, to clean the ditch by Pat Butz’s property.

Mayor Sharon Hardy-Mills reported to the Council there is an Eastern Idaho Cities Training Meeting for Mayors Monday, December 4th in Rexburg that she would like to attend.

Upon motion made by Gailey, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye, the Council moved to approve Mayor Sharon Hardy-Mills attending the Eastern Idaho Cities Training Meeting for Mayors in Rexburg on Monday, December 4th.

PRESENTATION OF BILLS

Mayor and Council Salaries *	190.00
Salaries – Maintenance-4540.76/Clerk-2716.82 *	7257.58
Sharity Parish – Deputy Clerk *	977.75
PERSI – Employer Remittance (10/16-10/31/17) *	835.01
DL Evans Bank – EFTPS 941Employer Remittance (Oct. 17) *	1858.56
PERSI – Employer Remittance (11/01-11/15/17) *	762.14
SelectHealth – Insurance (December 2017) *	1405.00
Postmaster – Stamps *	62.60
Campus Grove – Old Shop Maint. Contract (Paid in Full) *	6350.00
A.M.I Supply, Inc. – Maintenance Supplies	313.42
ATC Communications – Phone, Fax, Internet, & Lift Station	426.79
Bonneville Power Administration – Transmission/Power Oct.17) *	12641.00
Carrot-Top Industries, Inc. – Pole Flags (6 Ea.)	268.38
Cassia County Tax Collector – 2017 Taxes (Library/Park)	144.00
Creekside Store – Maintenance Fuel (Nov. 2017)	277.65
Kerry McMurray – Legal Services (Nov. 2017)	1164.50
Magic Valley Labs – Water Test	52.00
Maverick Const. Co., Inc. – Shop Gravel/Drain Rock & Delivery	4128.00
Postmaster – Stamps	294.00
Sharity Parish – Nov. 2017 Travel Claim	79.00
Shawn Burton – Nov. 2017 Travel Claim	60.00
Standard Plumbing Supply – New Shop Supplies	876.76
Sweet’s Portable Waste Service – Porta Potty	129.48
T.W. DBA Tires West – 2003 Dodge Truck Service	37.95

The Book Store & Office Supply – Office Supplies	116.81
UAMPS – General A&G Expenses	50.60
VISA - #4409 M. Yeaman Nov. 2017 Stmt. (Office Supplies)	80.52
VISA – #7977 S. Burton Nov. 2017 Stmt. (Cell Phones)	153.75
VISA - #9113 S. Hardy-Mills Nov. 2017 Stmt. (Office Supplies)	334.96
ZCI LLC – Framing Interior of New Shop (Per Proposal)	<u>29,450.00</u>
TOTAL	\$70,778.21

Mayor Sharon Hardy-Mills thanked everyone for attending tonight’s Council Meeting and announced the Council will now go into an Executive Session.

COUNCIL ENTERS INTO AN EXECUTIVE SESSION

At 10:45 motion was made by Manderscheid to enter into an Executive Session pursuant to Idaho Code 74-206(1)(b), regarding personnel issues. The motion was seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye.

COUNCIL RETURNS TO A REGULAR SESSION

The Executive Session was concluded at 11:30 p.m.
The Council agreed the Employee issues were resolved.

COUNCIL ADJOURNS

There being no further business brought before the Council, motion to adjourn was made by Loveland, seconded by Manderscheid, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, Loveland-aye, and Manderscheid-aye. Adjournment was at 11:32.

Sharon Hardy-Mills, Mayor

Mary Yeaman, City Clerk-Treasurer