

**ALBION CITY COUNCIL MEETING
MINUTES DECEMBER 5, 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, Councilpersons Zack Alexander, Mike Gailey, and Isaac Loveland, City Clerk-Treasurer Mary Yeaman, City Attorney Kerry McMurray, and Maintenance Department Shawn Burton. Council President Chad Manderscheid was excused.

OTHERS IN ATTENDANCE – Deputy Clerk Sharity Parish, John Davis, Kevin Lloyd, Jacob Catmull, Ivan McCracken, Resident Deputy Jason Lynch, Brandi Perry, Adam Ward, Jon Fillmore, Mary Lynne Bristol, Joe Davidson, and Don Gunderson.

APPROVAL OF MINUTES – Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to approve the November 14, 2017 Minutes as presented.

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

LAW ENFORCEMENT REPORT – Resident Deputy Jason Lynch reported to the Council for the month of November he had three (3) Traffic Stops, which resulted in two (2) Verbal Warnings and one (1) Citation. Lynch also reported doing one (1) Warrant Service, two (2) Follow Ups, one (1) Civil Paper Service, and one (1) Dog Barking Complaint.

ANIMAL CONTROL REPORT – Shawn Burton, from the Maintenance Department, had nothing to report.

AGENDA BUSINESS ITEMS

ACCEPTANCE OF CANVASSED VOTES

Mayor Sharon Hardy-Mills reported to the Council the Official Election Results have been received from the Cassia County Commissioners, acting as a Board of Canvassers of Election. The Mayor reported the Albion Precinct had one hundred fifty (150) Registered Voters at Cutoff, with four (4) Election Day Registrations, for a total of one hundred fifty-four (154) Registered Voters. Fifty (50) Ballots were Cast, which

resulted in a thirty-two point five percent (32.5%) Voter Turn Out. The Mayor reported the two (21) Council Members Elected was Zack Alexander and Kevin Lloyd. Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to accept the Election Results as presented.

LIVE NATIVITY APPROVAL

Mayor Sharon Hardy-Mills reported the Live Nativity will be held on Saturday, December 23rd but she is not sure what time.

Councilperson Isaac Loveland reported to the Council he was asked to report the times will be six thirty (6:30) and seven thirty (7:30).

2017 ANNUAL AUDIT REPORT

Jacob Catmull, from Evans Poulsen & Catmull PA's, presented copies of the 2017 Annual Audit to the Mayor, Council, City Attorney, City Clerk, and Maintenance Department for their review. Catmull reported GASB Standards in Financial Statements were applied in conducting the Audit. Catmull reported the City provided the information needed for the Audit. Catmull asked the Council to look at the graphs at the back of the Audit, which shows the comparison of Funds over the years. Catmull reported the General Fund Cash is up by ninety thousand dollars (\$90,000), but the Fund Balance is down some because of building the New Shop. The General Fund is set, with not a lot of growth. The Electric Fund Cash is up by thirteen thousand dollars (\$13,000), but the Fund Balance is down because of depreciation. The Water Fund Cash is up by three thousand dollars (\$3,000), and the Sewer Fund Cash is up by four thousand dollars (\$4,000). Catmull reported all Funds are bearing their load. The City has a good Cash Reserves, and is doing well. Catmull reported the 2017 Annual Audit is a Clean Audit, and shows the City is in good shape. Catmull suggested the City break their Budget out in Funds, which gives a better picture of the overall finances. Catmull reported the GASB Standard in Financial Statements requires PERSI Pension information be included in the Audit Report. Catmull asked if there were any questions on the Annual Audit report, there were none.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to approve and accept the 2017 Annual Audit Report as presented.

WEST ST. CULVERT RAILINGS

Shawn Burton, from the Maintenance Department, reported to the Council he has two (2) Bids for the West St. Culvert Railings. Burton presented the Bids to the Mayor and Council for their review. The Bids received were from Day Welding, in the amount of one thousand eight hundred thirty-six dollars and twenty-five cents (\$1,836.25), and Jason Valdez, in the amount of two thousand four hundred dollars (\$2,400).

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to accept the Bid from Day Welding, in the amount of one thousand eight hundred thirty-six dollars and twenty-five cents (\$1,836.25) for the West St. Railings.

WATER USAGE ONLY RATES

Mayor Sharon Hardy-Mills reported to the Council the Water Usage Only Rates needs to be looked at. The Current Rate is twenty cents (\$.20) per thousand gallons, which is really not fair to the other water users.

The Council agreed we need to follow the Ordinance, which reads: Where a user has been granted permission by the City to have more than one service line installed to his/her contiguous property, he/she shall only be assessed one monthly base rate fee. The sum total of water used on all lines servicing the property shall be added to calculate the water usage fees set hereafter.

POWER OUTAGES IN CITY

Mayor Sharon Hardy-Mills reported to the Council a Letter and Magnet was sent in the Billing Statements letting the residents know how to report a power outage within the City. Raft River Electric spoke to their Dispatch Center, and told them to take care of Albion, as they service our lines. If there is a problem with the Dispatch Center, the resident needs to write down the day and time the call was made, and Raft River Electric can listen to the recording of the call.

FLOODING ISSUES MEETING UPDATE

Councilperson Isaac Loveland reported to the Council the Special Water Meeting went well. The water Users do not want the ditches cleaned out with big equipment.

Adam Ward reported he is planning on cleaning the ditches manually, and then burning the stubble. Ward reported he is checking on chemicals that can be used in the ditch to prevent future growth. A date has not been set to clean the ditches, as this should be done when the water is the lowest. Ward reported he will check with the Fire Department to see if they will be able to be present when the stubble is burned.

Joe Davidson, from Six S. Ranch, reported he can bring up a water truck, and pumper, and man power, if the Fire Department is unable to be there when the stubble is burned.

Mayor Sharon Hardy-Mills reported to the Council she thought the Special Water Meeting was very productive. The Mayor reported it was good to see everyone wanting to work together to solve the ditch issues.

Councilperson Isaac Loveland asked the Clerk to email the Meeting Attendance List to everyone on the List and to the Council.

NEW MAINTENANCE SHOP UPDATE

Shawn Burton, from the Maintenance Department, reported to the Council the interior framing is done, the plumbing is done, and the electrical will be worked on this week. Burton gave the Council two (2) Bids for hanging the sheetrock, mudding, and texture for the office and bathroom.

Councilperson Mike Gailey reported to the Council the Bids seem reasonable, but he feels Shawn should be able to hang the sheetrock and do the drywall work with some help. Gailey suggested hiring a temp worker to help Shawn. Gailey said this would be less expensive than hiring the work done.

Upon motion made by Gailey, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to do the drywall work in house, and hire a temp worker to help. It was suggested that Shawn have the sheetrock and supplies needed, delivered to the New Shop.

CITY CODE TITLE 1 CHAPTER 12 MISC. CITY POLICY

City Attorney Kerry McMurray presented Ordinance No. 2017-12.01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, REPEALING ALBION CITY CODE TITLE 1, CHAPTER 12 REGARDING MISCELLANEOUS CITY POLICIES IN ITS ENTIRETY AND PROVIDING AN EFFECTIVE DATE for their review.

Mayor Sharon Hardy-Mills read Ordinance No. 2017-12-01 AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, REPEALING ALBION CITY CODE TITLE 1, CHAPTER 12 REGARDING MISCELLANEOUS CITY POLICIES IN ITS ENTIRETY AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Mayor and City Council conduct regular review of city ordinances and policies: and

Whereas, in the process of that review the Mayor and City Council have determined that the policies set forth in Title1, Chapter 12 “Miscellaneous City Policies” are in fact policies and not ordinances; and

Whereas, city policies are dealt with in the City of Albion Personnel Policy and not in the Albion city Code; and

Whereas, the Mayor and City Council have determined to repeal the ordinance; and,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

Section 1. Albion City Code Title 1, Chapter 12 regarding Miscellaneous City Policies shall be repealed in its entirety.

Section 2. This ordinance shall take effect and be in full force from and after its required reading, passage, approval and publication.

Section 3. The members of the City Council, by motion and vote pursuant to Idaho Code 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

PASSED this 5th day of December, 2017, by the City Council of the City of Albion, Idaho.

APPROVED this 5th day of December, 2017, by the Mayor of the City of Albion, Idaho.
City of Albion, Idaho

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to waive the three (3) readings of Ordinance No. 2017-12-01.

Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to repeal Albion City Code Title 1, Chapter 12 regarding Miscellaneous City Policies in its entirety. .

Upon motion made by Alexander, seconded by Loveland, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to approve the Mayor and City Clerk signing Ordinance No. 2017-12-01.

Mayor Sharon Hardy-Mills asked Clerk Yeaman to include the Personnel Policy on the January 2018 Agenda.

CITY CODE TITLE 5 ZONING ORDINANCE

City Attorney Kerry McMurray reported to the Council City Code Title 5 is the Zoning Ordinance. Townhouse is not a term in the State Code or City Code. Condominium is a legal term, which allows ownership of the interior and exterior of the unit in which you reside, and is a multi-family dwelling. McMurray reported the City adopted the International Building Code, which requires a sprinkler system in a multi-family dwelling. McMurray reported to the Council a multi-family dwelling requires a Conditional Use Permit according to the City's Zoning Ordinance, unless you as a Council want to change the Zoning Ordinance. A multi-family dwelling is allowed in Residential R1, Commercial C, and Light Industrial LI Zones.

After a brief discussion by the Council, they agreed not to change City Code Title 5 Zoning Ordinance.

QUALITY ASSURANCE PLAN / O&M MANUAL UPDATE

Ivan McCracken, from J-U-B Engineers, reported to the Council he gave Shawn a copy of the Quality Assurance Plan / O&M Manual to review, and they will meet next week to discuss the documents. McCracken reported to the Council the Quality Assurance Plan and O&M Manual should be ready to present to the Department of Environmental Quality (DEQ) in a couple of weeks or for sure by the first part of the new year. McCracken told the Council Shawn has been very helpful in providing information for the documents.

2018 ELECTION – ALBION RECREATION DISTRICT

Mayor Sharon Hardy-Mills reported to the Council the Clerk needs to report to the County Election Department if the City will have any items for the 2018 Elections, as the County is preparing their 2018 Election Calendar. The Clerk needs to inform the County of any items for the 2018 Elections by Friday, December 8, 2017.

Councilperson Isaac Loveland reported he will have the Albion Recreation District Notice ready to be included on the May 2018 Primary Election.

COUNCIL GOALS REVIEW

Mayor Sharon Hardy-Mills reported to the Council most of the Goals have already been discussed during the Meeting. The Mayor asked Councilperson Mike Gailey about the Civic Center Sign, to which Gailey reported he is checking with the Scout as we speak.

DELINQUENT ACCOUNTS REVIEW

Councilperson Mike Gailey reported the Delinquent Accounts List is looking good. The City has collected on a couple of accounts, and most everyone is paying each month. Gailey reported it is good to see the List getting smaller, and told the Council we need to continue to keep on top of this issue.

INFORMATION FROM CITY OFFICIALS

City Attorney Kerry McMurray reported to the Council he talked with the Department of Environmental Quality (DEQ) about an RV Dump Station, and was told there are no specific regulations. DEQ told McMurray to caution the City about Septic System Cleaning Companies dumping their trucks at the RV Dump Station. McMurray reported a Preliminary Engineering Study should be done, and an RV Dump Station Site should be decided on.

Ivan McCracken, from J-U-B Engineering, reported to the Council the Department of Parks and Recreation have Grants available for RV Dump Stations. McCracken reported he has helped other Cities obtain these Grants, and he would be willing to help the City with the Grant Application.

Councilperson Isaac Loveland reported to the Council the Tablets are ready, but this building needs Wi-Fi. The Clerk was asked to contact ATC Communications about getting an internet hook-up for the Civic Center.

Councilperson Isaac Loveland reported to the Council he viewed the Association of Idaho Cities (AIC) Fall District Meeting Power Point. Loveland said the Power Point was very informative on the Roles and Duties of the Mayor and City Council, and other issues specific to Cities. Loveland reported he learned a lot, and encouraged the Mayor and the other City Council members to review the Power Point

Councilperson Mike Gailey reported he is grateful for the opportunity to have served on the City Council. Gailey reported it has been a great experience, and thanked the Mayor and other Council Members for allowing him to serve with them.

Mayor Sharon Hardy-Mills reported to the Council she attended the Eastern Idaho Cities Training Meeting for Mayors in Rexburg. The Mayor reported the meeting was basically for larger Cities, but she did learn a lot, especially about Joint Power Projects. The Mayor reported there is another Mayors Training Meeting in August, which is for smaller Cities, and she hopes to attend. The Mayor reported most of the larger Cities meet with their County Commissioners to discuss their ideas that will benefit both the City and County.

Don Gunderson reported to the Council that Jon Fillmore is the new Fire Commissioner.

Don Gunderson introduced Joe Davidson from 6 S Ranch.

PRESENTATION OF BILLS

Mayor and Council Salaries *	190.00
Salaries – Maintenance-4964.62/Clerk-2850.55*	7815.17
Sharity Parish – Deputy Clerk *	778.67
PERSI – Employer Remittance (11/16-11/30/17) *	763.72
DL Evans Bank – EFTPS 941 Employer Remittance (Nov. 17) *	1908.04
PERSI – Employer Remittance (12/01-12/15/17) *	752.52
Raft River Electric – Water Tank-40.08/Service Work-6069.37 *	6109.45
SelectHealth – Insurance (January 2018) *	1405.00
Accurate Imprints – Lloyd Council Shirt	21.95
Ace Hardware – Maintenance Supplies	29.99
ATC Communications – Phone, Fax, Internet, & Lift Station	422.29
Bonneville Power Administration – Transmission/Power (Nov.17)	12471.00
Bureau of Occupational Licenses – 2018 Licenses Renewal	120.00
Burley Reminder – Name Plate	20.65
Creekside Store – Maintenance Fuel (Dec. 2017)	492.69
Evans Poulson & Catmull PA – 2017 Annual Audit	5400.00
Franklin Building Supply – Maintenance Supplies	116.98
Kerry McMurray – Legal Services (Dec. 2017)	969.00
Magic Valley Labs – Water Test	16.00
PLATT – Shop Electrical Supplies	8053.10
Productivity Plus Account – Pioneer Equip. (Backhoe Parts)	37.38
Raft River Electric – Water Tank-40.13/Service Work-420.00	460.13
Sharon Hardy-Mills – Travel Claim (Dec. 2017)	160.00
Standard Plumbing – Maintenance Supplies	20.84
Stars Ferry Building Supplies – (Shop Drywall/Shelving Supp.)	1265.07
Sweet’s Portable Waste Service – Porta Potty	129.48
The Times News – Ordinance No. 2017-12-01 Publication	43.14
UAMPS – General A&G Expenses	50.60
VISA - #4409 M. Yeaman Dec 2017 Stmt. (AIC Reg./Dry Dock)	410.16
VISA - #7977 S. Burton Dec. 2017 Stmt. (Shop Plumbing/Cells)	542.00
VISA - #9113 S. Hardy-Mills Dec. 2017 Stmt. (Rexburg Lodging)	<u>91.00</u>

TOTAL \$51,066.02

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 9:30 p.m. motion was made by Loveland, to enter into an Executive Session pursuant to Idaho Code 74-206 (1)(a) (b), regarding personnel issues. The motion was seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused.

COUNCIL RETURNS TO A REGULAR SESSION

The executive session was concluded at 9:45 p.m. Upon motion made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused, the Council moved to hire Bryan Day as a Maintenance Worker, with rotating week-ends.

COUNCIL ADJOURNS

There being no further business brought before the Council, motion to adjourn was made by Loveland, seconded by Alexander, and unanimously carried, with the following roll call vote: Alexander-aye, Gailey-aye, and Loveland-aye, with Manderscheid excused. Adjournment was at 9:50 p.m.

Sharon Hardy-Mills, Mayor

Mary Yeaman, City Clerk-Treasurer