



Minutes of the Albion City Council Meeting Held September 3, 2024

CALL TO ORDER – The meeting was called to order at 6:59 pm in the Albion Civic Center by Mayor Isaac Loveland.

OPENING CEREMONIES – Councilperson Dallan Doc Carlson led the Pledge of Allegiance.

ROLL CALL – Roll call by Linda Hutchison Clerk- Treasurer. Present: Mayor Isaac Loveland, Council President Kevin Lloyd, Councilpersons: Dallan Doc Carlson, Wayne Winder, and Tyson Tolman; Maintenance Director Brad Woodrow, City Clerk-Treasurer Linda Hutchison, Deputy Clerk Deric, and City Attorney Kerry McMurray.

OTHERS IN ATTENDANCE – Troy Mortensen, John Davis, Lance Holman, Tony Prescott, Giselle Prescott, James Endres, Kathy Endres, Rob South, Sharon Conley, Mark Catmull, Brennan Jones, Dave Perry, Brandy Perry, and LeRoy Robinson. Also present via Facetime Audio was Richie Carlson.

APPROVAL OF MINUTES- There being no questions or corrections, a motion was made to approve the Minutes of the August, 6 2024 meeting by Lloyd, seconded by Tolman, and carried with a vote of: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye.

APPROVAL OF BILLS – The bills were reviewed by the Council Members. Lloyd had a question as to what services the vendor UAMPS provides. Bell explained that they are a type of clearing house for energy assistance payments, energy rebates and other utility assistance services. The Mayor took a moment to quickly review the Budget vs Actuals, noting that we have one (1) month left in the fiscal year. He shared that things look pretty good for the year end and currently we are at a net positive for income. He also stated that expenses looked good and have been kept low. There being no further questions or comments, a motion was made to approve them as presented by Lloyd, seconded by Winder, and approved with the following vote: Lloyd-aye, Carlson-aye, Winder -aye, and Tolman-aye.

LAW ENFORCEMENT REPORT

Law Enforcement Representative Tanner Allred was pulled away on a call and was not able to be present at the meeting.

MAINTENANCE DIRECTOR REPORT

Maintenance Director Woodrow reported that the department has recently acquired a new hot tap kit and other tools for the water system. He noted that the new hot tap kit has been used once and works well. Woodrow asked if the Council or those present in the audience had any questions, concerns or comments. There were none.

CLERKS REPORT

Reserved for end of meeting.

GENERAL PUBLIC COMMENTS/ CITIZEN'S ISSUES

Mark Catmull stated that he had been asked by the Mayor and Council to spearhead the organization of a founder's day to create an event for just the community. The hope is to make this an annual event. There will be no costs to the City as they have obtained community and local business donations for the event. PiggySue is donating meat, Albion Mercantile is donating ice cream, ATC will have their large canopy tent put up and then there will be dutch oven potato and cobbler cook offs with the entries being used to feed the everyone. There will be musical entertainment, a shootout and possibly a Diamondfield Jack reenactment. Catmull said that there may be a need for law enforcement help if blocking off a street was needed. He then asked for any feedback from the Council or the public. He ended by asking for Council participation in the event that will take place on September 28th at 1pm. **Rob South** presented a proposal to have a two (2) day Cowboy Christmas celebration on the 29th and 30th of November. The even would begin with the parade which is limited to animals and animal drawn vehicles only. His desire is to pattern the event after a similar even held in Bruno, Idaho. South shared that he has had interest in sponsorship from a distillery and that there is also interest in having alcohol sales sites at the park during the event. He shared that last year's event was such a good experience and they had such great feedback, that they are excited do the event again. South asked about logistical items such as road closures, bathroom access and permitting for alcohol sales. Woodrow stated that if the temperature allowed, he would open the bathrooms, however, there is no electric heat in the bathrooms so weather may not allow their use. South conceded that porta-potties would probably be the best move. The Mayor stated that alcohol sales were

allowed if the vendor obtained a catering permit through the City and that permits should be submitted by the end of October so they can be reviewed by Council for approval. South was directed to work with Cassia County Sherriff for road closure procedures and help. South inquired about event insurance and if things were covered through the City. McMurray stated that the City's insurance does not cover event and that he would be responsible for getting any insurance he deems necessary. Troy Mortensen stated that current insurance costs are quite large and for a recent event one of his companies put on, the expenses was between \$4,000-\$6,000 per day. Brandy Perry asked how come the event wasn't covered like the City's 4th of July event, but was answered the 4th of July is a community event not a City sponsored event, so they don't have insurance coverage through the City either. Attorney McMurray told South that he may have a good lead on a insurance contact and to get with him to exchange contact information. Mortensen asked McMurray if he knew about the insurance situation for the Cassia County Fair Parade and was answered that the City of Burley didn't provide anything that he was aware of. Winder suggested talking to the City of Burley directly to see if they had any suggestions. Mortensen mentioned that there are certain exemptions available for agri-tourism which could put risk on the participant. The Mayor asked about parking and South said he was open to suggestions on on-site parking versus remote parking. The Mayor said that a lot of parking availability could depend on the weather. South closed by asking that anyone with input please contact him directly. **Kathy Endres** of 345 E North Street asked about the City's requirements for sewer blowouts and line flushing. The Mayor answered that there is not a specific requirement, but if the clog was on the City's side, the City would pay to fix the issue. Woodrow explained that in his investigation it appears that the duplex to the east of Endres' home has their sewer connected directly into their customer sewer line. Endres said that they are having problems with sewer backing up in their basement plumbing. The Mayor recommended that Endres' look at calling a repair service and if the problem is on the City's end, submit the bill to the City for payment.

AGENDA ITEMS

1 – Public Hearing Regarding “Reservation of Foregone Funds for Future Fiscal Budgets in Amount of \$222” with Discussion and/or Adoption

Prior to opening the hearing, Mayor Loveland asked Attorney McMurray if he could provide an explanation of Foregone funds. McMurray explained that each year we are allowed a 3% & new construction increase in our tax levy in which we have \$222 remaining. In the past we were able to reserve the remaining amount of allowable levy with a Council resolution. New legislative changes now require us to hold a public hearing to complete the process. Mayor Loveland then opened the public hearing at 7:42 pm. Loveland read the summary of Res. 2024-04 [copy of full resolution available upon request] explaining that the City intends to reserve \$222 of foregone funds for use in subsequent years. He then stated that anyone wishing to make comments for, against, or general, to please come to the podium and state your name and address prior to commenting. There being no public comments, Loveland turned to the Council for questions or further discussion. There being none, a motion was made by Lloyd to adopt Res. 2024-04. A second was made by Winder and the motion carried with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye. The public hearing closed at 7:43 pm.

2 – Discuss/Approve Ordinance 2024-09-01 “Annual Appropriations Ordinance for FY24-25” & Three (3) Reads or Waiver and Vote

Mayor Loveland began by explaining that this is the ordinance form of the budget that was passed last month. He then read through the summary of the ordinance and then opened it to the Council for comments or questions. Loveland also noted that it would be in the City's best interest to waive the three (3) reads on this ordinance as it would prevent any financial transactions until after the third (3rd) read. There being no further questions or discussion, Loveland said he would entertain a motion to waive the three (3) reads for the ordinance. A motion was then made by Lloyd to waive the three (3) readings and was seconded by Tolman. The motion passed with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye. A motion was then made by Lloyd to approve Ordinance 2024-09-01 which was seconded by Carlson. The motion passed with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye.

3 – Review Sewer System Information Regarding New Construction on E. North and Make any Appropriate Decisions

Brennan Jones introduced himself as a part of Revolution Homes, which is building a home on E North Street. He stated that when applying for permits, he was of the understanding that water and sewer were available. In his current search, he has located that the nearest sewer connection point is approximately 230' away. He proposed that a new 8" be installed to the sewer access point, which he/his client would pay for, and which would be gifted to the City after construction. He also asked about contingency planning if the City said no to his proposal, wondering if the City would allow a septic system to be installed at this property. Mayor Loveland stated that the line can be extended, however careful attention would have to be paid to fall on

the new line to ensure proper drainage. Jones shared that he had a rough price on the project of about \$10.50/linear foot for the new line installation. One major concern that was brought up was that if this were to become a City owned supply line, it would have to be engineered prior to installation, which is both costly and time consuming. A comparable engineering project commissioned by Jones on another project had a cost of nearly \$20,000. The Mayor deferred to Attorney McMurray for his legal perspective on Jones's proposal. McMurray stated that he had no concrete answer at this point, however, he would research the issue and reach out as soon as he found answers. He did confirm that the project would indeed require engineering if it was to become a City owned line. James and Kathy Endres expressed their thanks to Jones for his work on the project and asked about moving the cleanout if the new construction process took place. They were answered that yes, this could take place, just at their expense. Jones expressed his need to have a solution be forthcoming and noted that he would begin the septic system applications while waiting for answers from the City.

4 – Perform Second (2nd) Reading of Ord. 2024-08-01 Regarding Changes to “Title 3 Chapter 5” (City Parks, Property and Recreational Facilities)

Mayor Loveland jokingly stated that he, being a man of his word, would like to have Winder perform the second (2nd) reading. Winder obliged and performed the summary reading of Ord. 2024-08-01, constituting the official second (2nd) reading. Loveland then inquired of Attorney McMurray about the ability to waive the final read at this point. McMurray said that he felt this was within the bounds of the law. Loveland then polled the audience to gauge their feeling about waiving the final read. There being no objections from the audience, Loveland asked the Council about their feelings about waiving the final read. The majority consensus was to waive the final read of the ordinance. A motion was made by Carlson to waive the final read and was seconded by Tolman. The motion passed with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-nay, and Tolman-aye. A motion was then made by Lloyd to approve Ord. 2024-08-01 and was seconded by Carlson. The ordinance was approved with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye.

5 – Perform Second (2nd) Reading of Ord. 2024-08-02 Regarding Changes to “Title 7 Chapter 2” (Itinerate Merchant/Food Truck Regulations)

Winder performed the summary read of Ord. 2024-08-02, constituting the official second (2nd) reading. Loveland then asked the Council if they felt the same way about waiving the final reading on this ordinance as they did on the previous one. After brief discussion within the Council body, the consensus was that waiving the final reading would be acceptable. A motion was then made by Lloyd to waive the final reading of Ord. 2024-08-02 and seconded by Carlson. The motion passed with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye. Winder then made a motion to approve the ordinance and received a second from Tolman. The ordinance was approved with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye.

6 – Discuss/Adopt Resolution 2024-04 Ord. 2024-09-02 Regarding “Lot Line Adjustments” & Three (3) Reads or Waiver and Vote

It was noted by Attorney McMurray that the resolution number listed on the agenda was incorrect and is instead Ord. 2024-09-02 regarding lot line adjustments. Mayor Loveland then went over the proposed changes and procedures in the ordinance and exhibit. Lloyd asked for clarification about how the line movements would be set up. McMurray explained that only interior lines could be adjusted, and lines could not be adjusted to create two (2) lots from one (1) existing lot. Winder questioned whether it was just a single line that could be adjusted. McMurray explained that there were a few situations where multiple lines could be adjusted, however, any adjustments must conform to the guidelines set forth in “Exhibit A”. Lloyd asked for confirmation that this ordinance could not be used to subvert the subdivision ordinance. Both Loveland and McMurray assured him that this would not allow that, and that the ordinance is intended to prevent unbuildable lots. After some discussion, Loveland stated that there were people in the community that are waiting on this ordinance and so he would recommend and entertain a motion to waive the three (3) readings on this ordinance. Carlson then made a motion to waive the three (3) readings of Ord. 2024-09-02 and received a second by Lloyd. The motion passed with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye. Loveland then read the summary of the ordinance after which Lloyd proposed a motion to approve Ord. 2024-09-02. He received a second from Carlson and the ordinance was approved with the following roll call vote: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye.

7 – Executive Session / 8 - Executive Session Approvals

No Executive Session was held.

PRESENTATION OF BILLS

PAYEE	DESCRIPTION - NOTES	AMOUNT
Mayor and Council Salaries*	Salary/Payroll*	1,700.00
Linda Hutchison - City Clerk/Treasurer *	Salary/Payroll*	3,729.00
Deric Bell – Deputy Clerk*	Salary/Payroll *	1,732.50
Brad Woodrow - Maintenance Director*	Salary/Payroll*	5,712.00
IRS Direct Debit*	EFTPS 941 Tax.	2,802.26
ATC Communications	Internet Service	690.60
Beam Insurance *	Dental/Vision Policy*	344.34
Bonneville Power Administration*	Electric Power Purchase *	11,391.00
CAL Store	Maintenance. Supplies-	13.98
Column Software PBC – (Times News) *	Legals on 4 Items- Properties, Itinerate, Approp. & Foregone Sum.	396.07
Costco *	Battery Backup ,1- SCADIA Security & 1- Shop Electronics	317.98
Deric Bell	Walmart, Costco, VistaPrint- Office Supplies, Promotional Materials	156.63
ETS*	Email License –	62.00
HP	Instant Ink	7.41
KD Co.	Lawn Mowing service	700.00
Keller Associates	General Engineering Service & Water System Improvement	6,495.00
Kerry McMurray*	Legal Services *	1,147.50
Lamont Young	Back-Up Operator Fee Water (Chemical) Wastewater Ene	200.00
Magic Valley Labs	Drinking Water & Wastewater Testing-	350.00
Magic Valley Utility Locates	Line locates -3	240.00
Mountain Land Supply Co.	Water meters/ Coil Pit Extension, parts	264.46
NORCO Inc.	Rental & Safety Materials –	14.00
Ooma Office*	Phone Service – Office/SCADA Backup *	90.26
PERSI*	Employer Remittance	2,709.80
Poulsen VanLeuven & Catmull CPA	2023 Audit (Approved @ Special Meeting)	10,450.00
Select Health*	Insurance Benefits*	2,296.00
Southern Idaho Tourism	Annual Dues	100.00
Staples	Office supplies, Toner, Ink, Paper,	1,132.68
Steve Regan	50 lb. Fertilizer	223.93
UAMPS	General A&G Expenses	51.01
Visa – #2580 Linda Hutchison	Quick Books Online Pmt.,	197.00
Visa - # 3554 Bradley Woodrow	Home Depot – Pressure Washer	403.94
Fuel Visa - # 5228 Deric Bell	Maintenance Department Fuel Purchases (Dedicated Card)	199.09
Wildcat Waste Service*	Trash Removal (2 Dumpsters w/ Weekly Service) [ACH Pmt.] *	100.00
TOTAL		54,720.44

*Denotes Payments Already Made Pending Council Ratification

COUNCIL COMMENTS/INFORMATION FROM OFFICIALS & STAFF, FINAL THOUGHTS AND OUTSTANDING REPORTS

Deputy Clerk Bell shared that he is trying to get confirmation of a project start time on the Whitman Street Reconstruction Project from Kloepfer and will send an email to the Council with that info as soon as he receives it. He also shared that Access Idaho (now Tyler Technologies), which processes our credit card/eCheck payments, has made some decreases in the fee amounts they charge. The credit card fee has changed from 3% plus \$1 to now be a flat 2.50% fee and eCheck fees have dropped from a flat \$2.50 to a flat \$1 charge. **Mayor Loveland** shared an update on Water Project, stating that he and Woodrow had met with Matthew from Keller Associates last week. He stated that Keller is approximately 30% finished with the engineering phase and hopes to be 90% by December, allowing us to start the bid process in January or February of 2025. Loveland stated that prices are still rising, however, he was pleased at Keller’s foresight in padding the scope to include increase in expenses. Loveland explained that he and Woodrow also reviewed the new well houses being planned, and they will be simple, windowless concrete block structures with metal roofs. He also asked the Council about their feelings on converting Well 1’s 4” pipe system to 6” as to have a unified size throughout the system. The Council agreed that this would be worth the extra expense. Loveland also asked the Council about their thoughts on meter pit replacement. Currently the plan is to just swap the meters out for the radio read compatible ones, but it might be good to spend the money to replace a percentage or

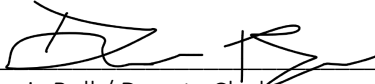
problematic meters. Lloyd asked if this would violate the current approved scope of the project and Loveland replied that the project is designed to replace meters and pits. Loveland closed by explaining that in projects like this, we have to spend our loan money first and then the grant money, so if we leave money on the table, it would be grant funding that we would miss out on.

COUNCIL ADJOURNS

There being no further business at this time, the motion was made by Winder to adjourn the meeting. It was seconded by Lloyd, and with a vote of: Lloyd-aye, Carlson-aye, Winder-aye, and Tolman-aye, the meeting was officially adjourned at 8:26 pm.



Isaac Loveland / Mayor



Deric Bell / Deputy Clerk