**MINUTES**

**REGULAR MEETING**

**DOWNEY CITY COUNCIL**

**TUESDAY, APRIL 14, 2020**

**6:30 PM**

**The Executive and Regular Sessions of this meeting were held by teleconference.**

**Attendance:** Mayor Rex Nielsen and Clerk Brenda Kay were present at the City Office

building. Tony Hancock joined them at 7:00 p.m. Council persons Bonnie Hill, Grant

Johnson, Gary Barnes, and Dan Wilson joined the meeting via teleconference.

**ACTION ITEM – Executive Session – Idaho Code § 74-206(1)(a):** **Gary Barnes**

**moved to enter into Executive Session at 6:34 p.m. pursuant to Idaho Code §74206(1)(a), seconded by Bonnie Hill, by roll call vote, Gary Barnes, aye; Bonnie Hill, aye; Grant Johnson, aye; and Dan Wilson, aye; motion carried.**

Executive Session adjourned at 6:57 p.m.

**7:00 PM**

**Patrons:** Barbara Hill and Bonnie Beck also joined the teleconference call.

**Call to Order:** Mayor Nielsen called the meeting to order at 7:02 p.m. and welcomed

everyone.

Bonnie Hill offered the invocation.

**ACTION ITEM - Approve Minutes:** Bonnie Hill stated in her report on page 32 of the

Minutes, “This will need to be put on the Agenda for approval” needs to be removed, as she did not say this.

**Bonnie Hill moved to approve the Minutes of the Downey City Council of**

**March 10, 2020, as amended, seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM** **- Approve Accounts Payable:** Bonnie Hill reported the amount shown for

Fuller & Fuller’s bill is wrong because it includes the amount the City paid in March.

**Dan Wilson moved to approve the Accounts Payable for April 2020 with the**

**correction on Fuller & Fuller’s bill to $105.00, seconded by Bonnie Hill, all voted aye; motion carried.**

**Law Enforcement:** Not present.

**ACTION ITEM – Consider Approval of Hiring an Animal Control Officer to enforce all City Animal and Livestock Codes: Gary Barnes moved to**

**approve hiring Tad Bybee as the Animal Control Officer for the City of Downey for 25 hours per month at $13.00 per hour, seconded by Grant Johnson, all voted aye, motion carried.**

**ACTION ITEM –Consider approval of Business Licenses for Ultimate Handyman – Ryan Nelson and Whispering Pines Assisted Living:** **Bonnie**

**Hill moved to approve the Business Licenses for Ultimate Handyman, Ryan Nelson, and Whispering Pines Assisted Living, seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of Proclamation proclaiming April 11 – 17, 2020 as the Week of the Young Child in Downey, Idaho, and encourage all citizens to work to support and invest in early childhood in Downey:** Mayor Nielsen read the following Proclamation:

**WEEK OF THE YOUNG CHILD**

**WHEREAS,** the Idaho Association for the Education of Young Children (Idaho AEYC) and National Association for the Education of Young Children (NAEYC), are celebrating the Week of the Young Child™, April 11-17, 2020; and

**WHEREAS,** these organizations are working to promote and inspire high-quality early childhood experiences for our state’s youngest citizens, that can provide a foundation of learning and success for children in Downey, Idaho; and

**WHEREAS,** teachers and others who work with or on behalf of young children birth through age eight, who make a difference in the lives of young children in Downey deserve thanks and recognition; and

**WHEREAS,** public policies that support early learning for all young children are crucial to young children’s futures and to the prosperity of our society.

**NOW, THEREFORE,** I, Rex Nielsen, Mayor of Downey, do hereby proclaim April 11-17, 2020 as the Week of the Young Child™ in Downey, Idaho and encourage all citizens to work to support and invest in early childhood in Downey.

Dated this 14th day of April 2020

Mayor\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Bonnie Hill moved to accept the Proclamation proclaiming April 11-17, 2020 as the Week of the Young Child in Downey, Idaho, seconded by Dan Wilson, by roll call vote: Gary Barnes, aye; Bonnie Hill, aye; Dan Wilson, aye; and Grant Johnson, aye; motion carried.**

**ACTION ITEM – Consider Approval of Livestock Permit Applications for Kristina Sorensen for five horses and 2 goats and Kelly Fly for 30 Racing Pigeons:** Dan Wilson recommended making sure livestock owner’s

fences are sufficient for their animals. Kristina’s animals have been out, and the fence needs to be repaired.

Kelly Fly’s application is for 30 racing pigeons; however, the Animal Control Ordinance states only ten fowl are allowed. Bonnie Hill suggested since Kelly uses the pigeons in Scouting, we should consider a Conditional Use Permit. The council agreed to check on the conditional use permit and discuss Kelly’s application at another meeting.

**Grant Johnson moved to approve the Livestock Permit for Kristina Sorensen with the condition the fence is repaired and the animals are kept in, and table Kelly Fly’s Livestock Permit for 30 racing pigeons, seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of a Budget Hearing Date:** **Bonnie**

**Hill moved to approve the Budget Hearing date as August 25, 2020, seconded by Grant Johnson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval OF a City Logo and Winner of the City Logo Design Contest:** Grant Johnson volunteered to buy the junior entries an ice

cream cone at Valley Oil. A letter will be sent to everyone who entered the contest thanking them for their entries.

**Bonnie Hill moved to approve the City Logo submitted by Dan Lewis,**

**seconded by Grant Johnson, all voted aye, motion carried.**

Dan Lewis will also receive a $100 check for the winning entry.

**ACTION ITEM – Consider approval of moving forward with the sale of City Property located on Main Street (Block 40, Lots 24-32):** This

property was originally purchased as a location for a new City Building and Community Center. If the property is sold, another location will be needed if a city building is constructed in the future. Concerns were expressed over what the property will be used for if sold and making sure the City has first option to purchase it back if the property was sold again. The council would like to know what we can legally do to control how the property is used and if we can have a starting bid. Mayor Nielsen will check into some of the questions the council has.

**Grant Johnson moved to consider moving forward with the sale of the City property located on Main Street (Block 40, Lots 24-32), seconded by Gary Barnes, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of a Resolution for a Consent Agenda:** Mayor Nielsen read the Resolution, which is attached hereto.

**Dan Wilson moved to approve the Resolution for the Consent Agenda,**

**seconded by Gary Barnes, by roll call vote: Gary Barnes, aye; Bonnie Hill, aye; Grant Johnson, aye; and Dan Wilson, aye; motion carried.**

The Resolution will be Resolution No. 2020-01

**ACTION ITEM – Consider approval to withdraw the previous motion on March 10, 2020, to approve the Building Permit for Bruce and Mandee Burt, with a $1,000 fine for violation of the City Ordinance and declare it void:** **Bonnie Hill moved to withdraw the previous motion on**

**March 10, 2020 to approve the Building Permit for Bruce and Mandee Burt, with a $1,000 fine for violation of the City Ordinance and declare it void, seconded by Dan Wilson, all voted aye, motion carried.**

**ACTION ITEM: Consider approval of a Building Permit for Bruce and**

**Mandee Burt: Bonnie Hill moved to approve the Building Permit for Bruce and Mandee Burt, seconded by Grant Johnson, all voted aye, motion carried.**

**ACTION ITEM – Consider approval of Utility Deposit Refunds:** **Dan Wilson moved to approve the Utility Deposit refunds to the people who have paid their utility bills on time, seconded by Gary Barnes, all voted aye, motion carried.**

**Comments from the Audience on Agenda Items Only:** Barbara Hill has not seen

that the City of Downey has declared a disaster emergency yet. Barbara feels it is important the City does this. It gives the City increased liability protection if anything does occur, and it gives the City the ability to be reimbursed for any qualified expenditures up to 75% by Federal Funds and 15% by State. We do not know what other funds might become available in future stimulus packages. She wants to make sure the City can apply for those in the future. She encouraged the City to be sure to do this. Mayor Nielsen will investigate this.

**REPORTS**

**Tony Hancock:** Tony reported on the following items.

* Keller and Associates contacted Tony about stimulus money that might be coming down for road projects. They are putting us on a list to do some of this if money comes in.
* We have 490 gpm coming to town.
* Tony and Matt have finished hauling all the gravel and dirt they need.
* They have started spraying some of the areas where sterilant is needed.
* The transmitter in the big tank had to be replaced. It was on accounts payable and was about $600.
* The vehicles and equipment have all been serviced.
* Road sweeping has been started. This is usually done on rainy days to help with dust control.
* The parks have been aerated and fertilized.
* Tony has received a lot of complaints about the bees at the shooting range. He asked if the Council has any comments about asking the owners to move the bees. Tony thinks the hives belong to Scott Bishoff. There are about 20 to 30 hives. Some people have said they are not going to go and deal with them. When Tony was spraying, there were a lot of bees there. It was suggested we ask them to cut the number of hives down, and if that does not help, we will ask them to move them all.

**Brenda Kay:** Brenda reported the elections will be done by Absentee Ballot. We have

request forms available at the office to request Absentee Ballots if residents need them.

With the office being closed, most of the City’s applications and forms have been put

online.

Arbor Day has been canceled. At this time, the City’s Cleanup Day is scheduled for May 23rd. We have not heard anything from the County about canceling this.

Brenda reported she will try to get the amount for the transfer from the Downey Economic Development account ready for next month’s meeting.

The way we have been running the office seems to be working out well. It has been extremely busy keeping up with everything.

**Gary Barnes:** Gary asked if the new computers and security cameras are working. The

clerk reported they are working well, and Bryce Hollingshead has been exceptionally good to work with. Bryce also helped us set up the conference calls for the Council meeting.

Gary thanked the employees and Mayor for everything they are doing. He encouraged everyone to try to watch out for those who might be struggling and to be happy and friendly.

**Bonnie Hill:** Bonnie thanked the staff for everything they are doing during this time.

Bonnie asked Brenda if the Livestock Ordinance has been posted. Brenda reported it was supposed to run on April 10. We should receive the publication information this week and then it will be sent to the codifier. Brenda stated she was late sending it in due to illness and not being able to work.

Bonnie stated in the March meeting Brenda said she had an opportunity to work with a new accounting or budget system. Bonnie asked if Brenda has got in touch with them and if she has a timeline or if she has used it and what had it done for her. Brenda reported it has been busy and she has not. It will probably be next month at the earliest. Bonnie asked if Brenda is thinking she will start using it May 1st, and use it for 60 days? Brenda reported the lady was on vacation and she has not gottten back with her. The lady said she will do a trial run with us, and Brenda is unsure what that consists of. Bonnie would like to see this work for Brenda and give her a break on some paperwork.

Bonnie asked about setting up the Council’s email accounts. Brenda reported she needs the council members to provide the email address they would like, and they can be set up.

Bonnie suggested putting a due date on the billing statement since it might help people pay on time. She asked if a due date can be put on the bill. Brenda reported, we could, but we tell everyone when the bill is due when they sign up for services. Brenda will check on it, but it is pretty much the same ones who are always late.

Bonnie asked if the numbers can be put on Resolutions and Ordinances when they are being approved. Brenda explained the numbers are not supposed to be put on them until after they are approved. The Association of Idaho Cities has told us to number them after they are approved. The numbers are recorded in the Minutes.

**Daniel Wilson:** Dan thanked the staff and crew for everything they have done during the

COVID-19 time. He realizes it has been difficult, but he appreciates what they do. He also thanked the Mayor and Council for everything they do.

**Grant Johnson:** Grant thanked everyone and encouraged everyone to take care of

themselves under the current circumstances.

Grant received an email on the airport. There is supposed to be follow-up information on it. They are planning a project which is 100% funded. Grant is unsure what they plan to do. Tony said the most they have ever done for us is a slurry coat and crack seal. Grant asked if this is something we would want to do, and Tony reported we would. Grant asked if there is anything to do prior to this. Tony stated some holes will need to be patched with cold mix. Tony reported no crack sealing has been done this year.

Grant expressed concern about those who are struggling with utility bills due to financial issues with employment. He asked if we are able to help them with utility bills. Mayor Nielsen reported Brenda and he talked about it and we decided we need to try to work with people. The utility bills will need to be paid, but we will work with them. We have already had someone call about this. Brenda reported, this is something we already do. Sometimes people have unexpected medical bills or expenses that come up, and we try to work with them.

Most people try to pay a little until they can catch up. Grant asked if any of the emergency funding coming down can help with this. Brenda reported at this time there is no funding for this, but there may be some in the future.

Grant asked if we would need to hold another meeting for the Emergency Declaration. The clerk reported we may need to hold a special meeting, depending on when the Emergency is declared. Mayor Nielsen stated we will get it signed and let the Council know when we will hold a special meeting.

**Mayor Nielsen:** Mayor Nielsen thanked everyone for what they are doing. Mayor Nielsen

reported with the office doors shut, it would not be so busy, but with the Covid-19 going on, it has been remarkably busy. He is sitting in on several conference calls every week. If the Council needs to be aware of anything, he will make sure they know about it. He is meeting with the County Commissioners and the Bannock County Mayor’s, along with the Governor and Mayors of Idaho on conference calls. Everyone has been good with the changes in the office, and he has not had any complaints. He feels the citizens are practicing social distancing and he appreciates it.

We have some Ordinances we want to update soon. He thanked Tony, Matt, Selena, and Brenda for all they are doing.

**ACTION ITEM** **– Adjournment:** **Dan Wilson moved to adjourn at 8:28 p.m.,**

**seconded by Bonnie Hill, all voted aye, motion carried.**

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**Rex Nielsen, Mayor**

**Attest\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Brenda Kay, City Clerk**