

CITY COUNCIL REGULAR SESSION

NOVEMBER 14, 2016

203 Broadway Ave N

PRESENT:

Tom McCauley	Mayor	Karen Drown	Clerk
Michael Higbee	Council President	Regie Finney	Public Works Director
Kyle Hauser	Council Member	Scott Bybee	City Engineer
Sue Gabardi	Council Member	Concerned Citizens	
Bill Nungester	City Attorney		

REGULAR SESSION called to order at 7:00 PM.

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

OLD BUSINESS:

- ... Minutes of November 14, 2016: Kyle Hauser moved to approve the minutes; Sue Gabardi seconded the motion. There was no discussion and the motion passed.
- ... Monthly Claims for Payment: Michael Higbee moved to approve the monthly claims for payment; Kyle Hauser seconded the motion. There was no discussion and the motion passed.
- ... Monthly Reports: Kyle Hauser moved to approve the monthly department head reports; Sue Gabardi seconded the motion. There was no discussion and the motion passed.
- ... Clerk/Treasurer Report: Michael Higbee moved to approve the clerk/treasurer report; Kyle Hauser seconded the motion. There was no discussion and the motion passed.
- ... Monthly Report: Scott updated Council that Planning and Zoning and Urban Renewal Agency would both be meeting on Wednesday. There will be a meeting the next day with an investor interested in the Seneca property. Scott and Teresa had a meeting with the Southern Idaho Care Center and the home owners about concerns for the development. And finally Scott informed Council that he was wrapping up the modified plans to get services to the dorm property. Which could also include road improvements on Elm, but that will be determined by the budget.

There was a discussion about the meeting for discharge that was scheduled. Scott stated the meeting had been cancelled but they are looking at have a regional meeting for towns that the regulations could affect.

Review and Consideration of Firearms Ordinance: Karen summarized for Council the purpose of the ordinance before them for consideration.

All members of the City Council having been furnished a copy of the proposed Ordinance No. 984 and being fully apprised of the content and purpose of said Ordinance, Michael moved that the provisions of Idaho Code Section 50-902 which require that said Ordinance be read on three (3) different days, two (2) readings by Title only and one (1) reading which shall be in full, be dispensed with and that said Ordinance be passed upon one (1) reading by Title only. Michael requested a roll call vote on the motion. Kyle seconded the motion. There was no discussion. Michael voted yes, Kyle voted yes, and Sue voted yes. Motion passed.

Michael moved to adopt Ordinance No. 984, to amend section 4-3B-1 of the city code on exempt any actions allowed by Idaho State Law as it now exists or as hereafter amended. He requested a roll call vote. Kyle seconded the motion. There was no discussion. Michael voted yes, Kyle voted yes, and Sue voted yes. Motion passed and Ordinance No. 984 was adopted.

NEW BUSINESS:

Consideration of Catering permits for Christmas Kick-off Event: Rich White with Magic Valley Brewing presented to Council his request to have a beer garden at the Chamber of Commerce Christmas Kick-off Event on November 26th. He stated they would like to serve beer and Holesinsky Winery would like to serve wine. The proposed plan was the beer and wine would remain within the building referred to as the old Pioneer Floors building at 917 Main St. Michelle Olsen, Director for the Buhl Chamber of Commerce was in attendance to confirm that this request had been approved by the Chamber Board because this event falls under their insurance. There was discussion about the process to ID and wrist band those individuals purchasing alcohol and they would like to permit to allow for inside the building. The fire department had done an inspection of the building and informed them of areas that needed to be roped off and where fire extinguishers needed to be.

Michael moved to approve the catering permits for Magic Valley Brewing and Holesinsky Winery for the Christmas Kick-off Event. Kyle seconded the motion. There was no further discussion and the motion passed.

Consideration of Field's 66 Beer License: Kyle moved to approve the beer license for Field's 66 Auto. Sue seconded the motion. There was no discussion and the motion passed.

Review and Consideration of Rate Increase Resolution: Karen noted a couple small errors in the proposed resolution. Page #4 the 1" meter or smaller under Capital Improvement Fee-Sewer had

not been increased to the new rate of \$2.21. Page #6 the Deposit amount was still listed at \$135.00 and the new rate for User only fees for two months was \$139.20. And page #9 it was noted that on vacant lots they had never been charged the Infrastructure Replacement fee so adding that would increase their bill by more than the 5%; which would require a public hearing process. Karen recommended changing the 1” meter to the \$2.21, increase the deposit to \$140.00 and strike the Infrastructure Replacement for the vacant lots because that would only affect a handful of accounts.

Michael moved to adopt Resolution No. 389 with noted changes and strike the Infrastructure Replacement fee on vacant lots. Kyle seconded the motion. There was no further discussion and the motion passed.

Review and Consideration of Development Agreement with David Gerdes: Scott gave Council a summary of the history of the subdivision and the struggles over the years to develop the property. The detail basically was the final plat was approved but had never been recorded so the home that was built on the first lot could not be sold from the rest of the acreage. At this time he has been working with David Gerdes to draft a new agreement to get a final plat for Phase 1A. That way the current home could be sold. In the agreement it would have a clause that once the home is sold \$25,000.00 would be put in an escrow account and held to pay for asphalt for Phase 1A. There was a discussion about concerns the city had including the asphalt, development of a sewer line through Phase 1A, 1B, 1C and wants Phase 1A complete before proceeding on to other phases. Scott informed Council the draft will be revised to include the clause about the asphalt and cleaned up. It would then be brought back for Councils review and approval.

David Gerdes addressed Council and stated he was surprised about the problems after building the home. He also summarized that the proposed agreement is a take-off of the original agreement. He stated concerns about storm water collection and irrigation ditches in the area.

Consideration of Administration Surplus Items: Michael moved to approve the items listed for administration surplus. Kyle seconded the motion. There was no discussion and the motion passed.

COUNCIL CONCERNS – There was none

CITIZENS CONCERNS – Officer Bill Deetz introduced Britney Sherman who is doing her senior project on law enforcement and was there to observe a Council meeting.

MEETING ADJOURNED – Kyle Hauser moved that the meeting be adjourned; Sue Gabardi seconded the motion and all were in favor. The meeting was adjourned at 7:53 PM.

Minutes prepared by Karen Drown, City Clerk