

CITY COUNCIL REGULAR SESSION

DECEMBER 14, 2015

203 Broadway Ave N

PRESENT:

Tom McCauley	Mayor	Bill Nungester	City Attorney
Kyle Hauser	Council President	Karen Drown	Asst. Clerk/Treasurer
Pam McClain	Council Member	Regie Finney	Public Works Director
Michael Higbee	Council Member	Jim Capps	Intermountain Gas
Sue Gabardi	Council Member	Concerned Citizens	

REGULAR SESSION called to order at 7:00 PM.

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

OLD BUSINESS:

- ... Minutes of November 9, 2015: Kyle Hauser moved to approve the minutes; Pam McClain seconded the motion. There was no discussion and the motion passed.
- ... Monthly Claims for Payment: Pam McClain moved to approve the monthly claims for payment; Sue Gabardi seconded the motion. There was no discussion and the motion passed.
- ... Monthly Reports: Pam McClain moved to approve the monthly department head reports; Kyle Hauser seconded the motion. There was no discussion and the motion passed.
- ... Clerk/Treasurer Report: Pam McClain moved to approve the clerk/treasurer report; Michael Higbee seconded the motion. There was no discussion and the motion passed.
- ... Monthly Report: Scott informed council the sewer project was 100% complete and Walton's did an excellent job. He added that all of the grant funds had been expended.

He updated council that the new application has been submitted to the Department of Commerce and the first news will come in January. That application was for \$390,000 and will work on the 5<sup>th</sup> and 6<sup>th</sup> phases of the priority list for replacement which some pipe is still 70 to 90 years old. He explained that the City of Buhl is years ahead of other communities because of grants received and the council's willingness to pursue them.

He added that in the building department there have been eight new residents this year.

## NEW BUSINESS:

Review of Formal Abstract of Election Results: Kyle move to accept the formal abstract of the 2015 elections; Pam seconded the motion. Michael noted that 17% of the voters had turned out for elections.

The formal abstract of election results for the City of Buhl are:

City Council (2 year term)

Sue Gabardi – 257

City Council (4 year term)

Kyle Hauser – 198

Pam McClain - 196

Introduction and discussion of Intermountain Gas Franchise Ordinance: Jim Capps with Intermountain Gas explained they were before council to introduce a new franchise ordinance for Intermountain Gas. The proposed ordinance was included in the council packets. There were a few updates that were good for the city. The franchise payments would be paid quarterly instead of annually, any paving or patching done by Intermountain Gas would now have a 3 year warranty instead of a 1 year warranty, if any city receives a larger percentage the City of Buhl would automatically get the same percentage and their liability insurance is larger.

Karen explained that with the introduction of the ordinance it would need to be published once in the official newspaper and no action could be taken by council for 30 days. With the timing of the meetings in January it would be the working session before any action could be taken. Kyle moved to extend the current Intermountain Gas franchise ordinance until the end of January to allow time for time requirements to be met. Michael seconded the motion. There was no discussion and the motion passed.

Discussion of Contract with Buhl Rural Fire Protection District: Kyle wanted to see how council felt about a contract with the rural fire district. Kyle stated he likes the way it is now and it works. Michael commented the discussion about annexation and the information not showing it to be beneficial and there would be less oversight. He would like the district to present a contract for consideration. Sue stated she didn't see a need for it. Mayor McCauley asked council if they want to draft a new contract and consensus of council was no.

Discussion of Meeting times with Buhl Rural Fire Protection District: Discussion was opened about possibly meeting with the rural fire district more often. Michael stated that the more we meet the more issues are found and he feels he gets the information in the fire chiefs monthly report. Pam stated that a special meeting could always be called if a matter could not wait for the

next quarterly meeting. Consensus was to keep the quarterly meetings as set in the joint management agreement.

Discussion of Water Retention pond in Old Farm Subdivision: Mayor McCauley stated there had been a request from Twin Falls County for the City of Buhl to either allow them to build a house on the property at the corner of Old Farm Road and Barsness Ave or would have the city take over ownership of the property. He explained the property is designated as a water retention pond for the area. The intent when the area was developed was a homeowner association would be formed to maintain it but the developer of the property ran into financial problems and the homeowner association was never formed. There was a discussion about the property and its liability to the city. Regie explained it is fenced and if the council does decide to accept the property he has a plan to make it low maintenance to keep weeds and trees from growing but it will require additional upkeep over the years. There was also a discussion about the possibility of this situation happening again in other subdivisions and options the city has to avoid that. Scott stated he would research requirements that could be put in place for future development. Mayor McCauley explained that it is a give and take with Twin Falls County and recommended reluctantly to take the property. Pam moved to take possession of the water retention pond. Kyle seconded the motion. There was no further discussion and the motion passed.

Discussion of Urban Renewal Agency letter of support: Mayor McCauley explained the letter and resolution that the City of Pocatello had sent to the Urban Renewal Interim Committee in regards to possible changes that the state legislators are reviewing this session. Mayor McCauley explained there is concern with the abuse of the process some urban renewal agencies have done and some would prefer that URA's would go away. He explained that Buhl is the poster child of how a URA is used appropriately and that is why the City of Pocatello contacted Buhl to help show support for URAs. Kyle moved to instruct administration to send a letter of support for Urban Renewal. Sue seconded the motion. There was further discussion about the urban renewal district that entails Seneca and the effect of them closing would do to the amount of taxes to URA. Scott explained the Urban Renewal Agencies attorney had protected the Buhl URA very well in the contract with Seneca. There was a vote on the motion and the motion passed.

COUNCIL CONCERNS – Kyle questioned if there were possibilities to add lights that could be turned on at the fire station similar to those at the school crossing in Filer. There was a discussion about doing better to inform people there is a fire station and emergency vehicles entering Broadway. Regie stated he could check with Idaho Transportation Department. He added that he had already researched signs with lights similar to those in Filer and for the solar power model they cost about \$9000 each.

Michael questioned if administration had actively recruited new business for the Seneca property. Mayor McCauley explained there had been a meeting with Seneca and there will

certainly be areas that will be for lease or sale. They are working on information about what will be available for future businesses. Seneca is working on removing and moving or scraping equipment. The City and others are working on putting parties together about the property. There was further discussion about Seneca still having a legal lease on the dorm property but the city might want to look at a possible appraisal of the building. Council recommended proceeding with getting an appraisal.

Michael moved to cancel the December 28<sup>th</sup> meeting unless something comes up. Kyle seconded the motion. There was no discussion and the motion passed.

Pam wanted to add a reminder to the utility billing that property owners are responsible for removing snow and ice from the sidewalks. There was also discussion about not putting it in the gutters.

CITIZENS CONCERNS – None

MEETING ADJOURNED – Kyle Hauser moved that the meeting be adjourned; Pam McClain seconded the motion and all were in favor. The meeting was adjourned at 7:55 PM.

Minutes prepared by Karen Drown, Assistant City Clerk-Treasurer