

CITY COUNCIL REGULAR MEETING

OCTOBER 9, 2023

203 Broadway Ave N

PRESENT:

Pam McClain	Mayor	Autumn Jones	Treasurer
Michael Higbee	Council President	Jason Scott	Public Works Director
Kelly Peterson by Zoom	Council Member	Jeremy Engbaum	Police Chief
Amanda Hawkins	Council Member	Scott Bybee	City Engineer
Marla Sisson	Council Member	Andrew Wright	City Attorney
Karen Drown	Clerk	Concerned Citizens	

PLEDGE OF ALLEGIANCE

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

Michael moved to amend the agenda to separate Review and Consideration of ICRMP Representation Options as a separate agenda item from the ICRMP Joint Powers Agreement, and he requested a roll call vote. Marla seconded the motion. There was no discussion. Marla voted yes, Michael voted yes, Amanda voted yes and Kelly voted yes. The motion passed.

CONSENT AGENDA:

1. Minutes of September 25, 2023 – Working Session
2. Claims for Payment
3. Monthly Department Head Reports
4. Commission Minutes
5. Clerk Report
6. Treasurer Report

Marla moved to approve the consent agenda. Michael seconded the motion. There was a roll call vote. Michael voted yes, Amanda voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

MONTHLY CITY ENGINEER REPORT

Scott noted a couple of building permits have been issued for the cottages at Sage Crest. He stated there had been a walk-through in the downtown area and a report will be put together for a possible future URA district. He stated this was the initial step to look at a new area. There was

positive input and many things to look at to be addressed, but this was a stepping stone to get the issues to the surface and determine if a new URA district is appropriate.

He added that a sewer agreement on Peck had been signed.

October 18<sup>th</sup> is the deadline to receive SOQ proposals for the water study.

Michael questioned the boil order that was notified the prior week. Scott stated it is required if work is going to be done. Karen added the work was scheduled for October 10<sup>th</sup>; the notice was sent out in advance of the maintenance that needed to be done on the water meter for Moon Glo Estates. Teresa noted a two-page information sheet attached to the notice that was provided to the affected residents.

Amanda clarified where Sage Crest is, and Scott noted it is the Mennonite community off of Fair Street. She also asked about the SOQ process. Scott explained that a committee selected by the mayor will review the proposals received and those points will then be provided to Karen who will total them. This will determine the firm that will be presented to the Council for consideration to complete the water study.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS:

Review and Consideration of ICRMP Joint Powers Agreement: Michael moved to approve the Joint Powers Agreement with ICRMP. Marla seconded the motion. Karen explained this agreement had been updated to take out the legalese that had been in the previous agreement. Andrew stated he agreed with everything in the agreement. Mayor McClain noted one of the new board members with ICRMP is Twin Falls County Commissioner Don Hall and Buhl resident Judy Felton is one of the original ICRMP board members. Michael questioned if there was any change in the new policy on the library. Karen noted there was an added section that stated, “Library Materials. Stemming from allegations pertaining to any material accessed through a library, including a book, drawing, painting, film, video, audio, or digital medium, which is claimed to be harmful to a minor, whether derived through the medium of reading, observation or sound, in which the content of such material is alleged to be obscene, pornographic, depict nudity of any kind, sexual conduct of any kind, or sado-masochistic abuse of any kind, harmful to minors, or in violation of any section contained in Idaho Code Title 18, Chapter 15, or any other local, state, or federal law or rule, now in existence or adopted in the future, pertaining to the protection of minors. In addition, we will not cover any claim brought for enforcement or compliance with state law pertaining to duties relating to the protection of minors”. Michael

clarified the ICRMP board had decided to not cover library claims stemming from any law such as House Bill 314. Michael also questioned if this agreement was new as he had not seen anything like this in over a decade. Karen stated it was because of the number of changes to remove the legalese from the previous agreement, but it was clarified this agreement had nothing to do with the cancellation with HUB International and Jim Welch as the agent. There was a roll call vote on the motion. Amanda voted yes, Kelly voted yes, Marla voted yes, and Michael voted yes. The motion passed.

Review and Consideration of ICRMP Representation Options: Karen explained the duties that an authorized agent for ICRMP is tasked to do, which include: gathering the W-3 in January, providing the estimate in May/June, providing the updates to the policy in August and throughout the year working on any additions or removals of items to be insured. However, any claims are dealt directly with the ICRMP Claims Department. The city has a choice to go with a new agent or work directly with ICRMP. If it was decided to go directly with ICRMP, it would save the city \$5,130.00. Amanda questioned how long the city had been with Jim Welch. Karen stated as long as can be remembered. A discussion with Don Hall and Mary Kummer with ICRMP revealed that the ICRMP board had reviewed the agents that had been bought out by larger out-of-state companies and they wanted to bring that money back to Idaho companies or the members themselves in savings. Michael moved to contract with ICRMP directly. Amanda seconded the motion. There was a roll call vote. Kelly voted yes, Marla voted yes, Michael voted yes, and Amanda voted yes. The motion passed.

Review and Consideration of Contract with Workman & Co.: It was noted this was a standard engagement letter for auditing services. Amanda moved to approve the contract with Workman & Company. Michael seconded the motion. Karen explained the costs for a yellow book audit and a single line audit; she added a single line audit is only needed if \$750,000 in federal money is spent in the fiscal year, which had not been done for the Fiscal Year 2022-2023. Karen added the yellow book audit is more than in previous years as federal audit regulations had changed. There was no further discussion. There was a roll call vote on the motion. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

Review and Consideration of Planning & Zoning Board Member Appointment: Michael moved to approve the appointment of Reme Pullicar to the Planning and Zoning Board. Marla seconded the motion. It was questioned if the board was full. Karen noted there is an empty seat in the impact area. Amanda questioned if there was an application available. Karen stated it is listed on the city website under employment. Michael noted if he puts as much effort as he has with the Chamber of Commerce, he will be awesome on planning and zoning. There was no further discussion. There was a roll call vote on the motion. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

Review and Consideration of Library & Public Works Surplus Resolution: Michael moved to approve Resolution No. 443 for the surplus of library and public works items presented by the department heads. Marla seconded the motion. Amanda questioned if the skid steer would be traded in. Karen noted it was a mini excavator, and Jason Scott stated this is the one that was budgeted for and will be replaced by a new mini excavator. There was no further discussion. There was a roll call vote on the motion. Michael voted yes, Amanda voted no, Kelly voted yes, and Marla voted yes. The motion passed.

Review and Consideration of Request from Seneca & Cedar Grove Warehouse for Billing Address Change: Andrew stated that the Administration has discussed this and has a plan to resolve the issue. Amanda stated she had some questions. Andrew stated that if the Administration's plan needed to come back to Council they would do that in an executive session. Amanda asked to have an executive session at the next meeting. Mayor McClain stated to have that on the agenda for the first meeting in November.

Review and Consideration of Records Destruction Resolution: Michael moved to adopt Resolution No. 444. Marla seconded the motion. Amanda questioned if these were documents from between 2012 and 2018; Karen confirmed they were. Karen noted these are considered semi-permanent and only needed to be kept for 5 years. There was no further discussion. There was a roll call vote on the motion. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

Review and Consideration of Use of Idaho Central Credit Union Rewards Points: Karen explained the details presented in her clerk report to use the Idaho Central Credit Union rewards points to purchase Amazon gift cards. Those gift cards would then be used to purchase bicycle helmets through Amazon to allow the police officers to have some in their vehicles and when they see a kid riding without a helmet, they could provide one to them. Karen added the current points will provide for approximately 120 helmets. Marla stated she thought this was a great idea. Mayor McClain questioned if scooter riders would also qualify. Karen stated anyone that who needed one. Michael also noted he loved this out-of-the-box thinking and thought the safety was great police relations with kids. There was no further discussion. There was a roll call vote on the motion. Michael voted yes, Amanda voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

**COUNCIL COMMENTS:** Michael had been questioned by Dennis Osman about the gap between the road and the curb. Jason noted it is where stormwater is washing it out. Michael told him to call public works. Jason added they are working on patching that week.

Michael also commented on the condition of the railroad tracks on Clear Lakes Road. He stated an employee had a problem with a tire and the tracks took out their oil pan. Someone else had

also told him it had sliced their tire. He stated it is someone's responsibility to fix it. Mayor McClain stated she had been questioned about it at FEMA and she stated the City has tried and tried to get something done. Jason will bring it up at the next Greater Area Transportation meeting. It was noted Shoshone just dealt with something similar.

Michael questioned if there was a need for a future item discussing the town hall meeting information and ICRMP not covering claims. Mayor McClain noted she had received an email, which she then forwarded to the library board president. Maegan explained the book challenging process and detailed the situation with Shantell Cantrell. Michael noted the city holds some responsibility in this and he personally questioned why we have any of those books in our library. He questioned about moving the most controversial behind the counter. Mayor McClain stated the presentation that was read were excerpts from different pages, not an entire passage. Marla added the board has been very proactive and two days after the town hall meeting, no citizen attended the library board meeting. There was a discussion about deciding which books to put behind bars. Maegan explained when she started at the library, nothing had been weeded out for 30 years. She added that a book taken out of context can be very offensive and that children and teenagers deserve the right to be safe. She explained an instance where a book made a difficult conversation for one parent and child, but, on the other hand, helped a foster parent and child understand their situation was not normal. Maegan clarified that libraries are not walking porn hubs and that a number of these books were scheduled to be weeded, but now they are being checked out and circulated. Amanda questioned how these books came to be in our library. Maegan stated these were in the library before her time, but her current process for selection is determined by what is popular and trending. She added she works hard to protect all citizens' 1<sup>st</sup> Amendment Rights. She also understands how things can be framed and that someone becomes offended because someone else said to be offended. She concluded by stating that a good library has something to offend everyone. Michael noted he saw through the senator and her presentation, but he is looking for opportunities to protect our city and children and questioned what needs to be done. He questioned banned books and who bans them. Maegan noted it depends on the group and their reason; it is not a central organization that bans a book. Maegan stated her availability for anyone who'd want to have further discussion in her office at the library and that the board meets on the fourth Wednesday of every month. Andrew advised to direct people to the library's system that is in place to challenge a book. Amanda asked if Michael wanted it on the agenda for November. Michael concluded not at this time and he would continue to do his research.

Amanda questioned the meeting that was scheduled for Christmas Day. Karen noted that would be an agenda item to discuss at the next Council meeting.

CITIZEN COMMENTS: Jamie and Wyatt Crosser, 4225 N 1400 E, came before Council with concerns about turkeys running wild around their property for over a year. She stated they had

called the sheriff on separate occasions and were told the turkeys were not free-range and not allowed, then later stated that they were free-range. The turkeys are eating everyone's gardens and pooping and scratching cars. Jamie stated there were approximately 16 adults and 10 babies running around. Karen noted Jaime had come in the prior week and talked to her. She was trying to speak with the Twin Falls County Community Development Director to confirm whose jurisdiction this was. Chief Engbaum asked Jaime and Wyatte to step into the police department to gather additional information to resolve this matter.

Mayor McClain read the recognition award for the city's decades-long membership with the Idaho Rural Water Association.

Mayor McClain also noted the previous week she and Karen had completed the Buhl Cross Foundation Health Academy and will be watching for the \$20,000 grant to come before Thanksgiving. Mayor McClain stated she also continues to walk 10,000 steps per day for the mayor's walking challenge.

MEETING ADJOURNED – Michael Higbee moved that the meeting be adjourned; Amanda Hawkins seconded the motion. There was no discussion. All voted yes. The meeting was adjourned at 7:53 p.m.

Minutes prepared by Karen Drown, City Clerk