

CITY COUNCIL REGULAR SESSION

FEBRUARY 8, 2016
203 Broadway Ave N

PRESENT:

Tom McCauley	Mayor	Elizabeth Barker	Clerk/Treasurer
Kyle Hauser	Council President	Karen Drown	Asst. Clerk/Treasurer
Pam McClain	Council Member	Regie Finney	Public Works Director
Michael Higbee	Council Member	Mark Korsen	Fire Chief
Sue Gabardi	Council Member		

REGULAR SESSION called to order at 7:00 PM.

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

OLD BUSINESS:

- ... Minutes of January 25, 2016: 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; Michael Higbee seconded the motion. There was no discussion and the motion passed.
- ... Monthly Reports: Michael Higbee 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; Sue Gabardi seconded the motion. There was no discussion and the motion passed.
- ... Monthly Report: Scott informed Council members the Department of Commerce had made their first cut on the grant applications and Buhl's had made the cut and he will hear more in the next couple of weeks. He added that the questions that had been asked showed a great deal of depth had been taken to review the applications.

Scott added the building department was busy with several new businesses.

NEW BUSINESS:

Consideration of Appointment of Library Board Member: Michael moved to approve Dennis Osman to the Buhl Library Board. Sue seconded the motion. There was no discussion and the motion passed.

Consideration of Joint Fire Suppression Fund fiscal year end distributions: Michael moved to approve the year end distribution of \$40,003.51 to be paid to the Buhl Rural Fire Protection District and \$33,855.49 would be transferred back to the city general fund. Kyle seconded the motion. There was discussion on how the Joint Management Agreement outlines this split and how the money is used by each entity. There was no further discussion and the motion passed.

Presentation of Updated Personnel Manual: Karen presented to council the proposed updates to the personnel manual and the changes were reviewed by Council.

- ... Page 13 # 19 – The addition of the sentence “City equipment shall not be used for personal use, unless incidental use authorized by the Mayor.” Council consensus was that the update was ok.
- ... Page 16 # 3. C. – The update to the random drug selection to read, “A list of all safety sensitive employees which include police officer, career and paid on-call fire/EMT’s, water operators, wastewater operators, CDL drivers, general public works operators and lifeguards will be submitted to St. Luke’s Magic Valley for a computerized random selection process performed on a monthly basis.” It was discussed that clerical and library staff would not be included in the random selection based on guidance from Jerry Mason, Association of Idaho Cities legal counsel, and case law in regards to 4th Amendment Rights.
- ... Page 20 E. – This section on candidacy for elective office was added to the ICRMP sample policy which was not included in the current Buhl policy.
- ... Page 21 # 2. – The employee classification section was updated to clarify employees that fall into categories other than full-time and references later sections in the manual.
- ... Page 23 # 4 – The section “Additional Compensation Policies” was added to the updated policy. There was discussion about when state law allows the salary to be changed for council members. Michael moved to change the first sentence to read, “Elected Officials shall be paid a set salary as established by the Council and in accordance with state code.” Pam seconded the motion. There was no further discussion and the motion passed.
- ... Page 24 c. – The last sentence, “If repeated requests to use compensatory time are denied by a supervisor, or reasonable opportunities to use such time are unavailing, an employee must be paid for such accrued time,” was added because it is required by Fair Labor Standard Act (FLSA).
- ... Page 25 # 12 – The travel policy was outlined in more detail than the current policy. The administration staff had reviewed the per diem amount which was currently at \$30 and felt an increase to \$40 would be in line for the areas where most employees are traveling for training. It also detailed the vehicle use so equalization between all departments was covered.

- ... Page 27 #1 a. – The accrual schedule for full-time employees was updated to include the prorated figures for those employees working between 30 and 40 hours per week. The question had been posed to the Mayor as to why the accrual rate was different for fire employees from other employees. There was discussion with Mark Korsen about fire staff being exposed to more blood, fluids and flu situations. Pam stated police and public works employees are exposed those items also. It was questioned if it could be a federal law or something in FLSA. Karen stated she would research the topic further to try and find any answers.
- ... Page 28 # 2 c. – This section on sick leave was added to inform those that still have sick time hours that upon termination those hours would be paid at one-half the balance.
- ... Page 28 # 3 – The second paragraph was added to clarify what would be paid for those employees that worked on a holiday and the rate of compensation if called for unscheduled emergency work.
- ... Page 29 # 4 – The bereavement leave was clarified to show three 8 hour days. ICRMP had added in-laws for family members and that was presented for council consideration.
- ... Page 29 # 6 – The Family Medical Leave Act (FMLA) section has been added because the city and employees do qualify for coverage under FMLA. There are two sections that Council needs to consider under FMLA which include the measurement period and when a fitness for duty report is required if an employee is out for their own serious illness.
- ... Page 41 – The section “Conflict Resolution” has been added to allow a section for the administration to direct employees to that have a conflict. Karen stated that Carl Ericson, with ICRMP, had reviewed not only this section but the entire manual and these were his recommendations.

Kyle moved to table the approval for the personnel manual until the working session. Pam seconded the motion. There was no further discussion and the motion passed.

Vacation of Alley North of the Paysee Street Cul-De-Sac: Scott explained the aerial photo was presented at the last council meeting. He added there are no utilities in the alley and it is currently maintained by the property owners. Each property owner would get half. The vacation request had been reviewed by the Planning and Zoning Commission and was being presented to Council. Scott also added a resolution would be drawn up by Bill Nungester.

Kyle moved to vacate the alley north of the Paysee Street Cul-De-Sac. Pam seconded the motion. There was no discussion and the motion passed.

COUNCIL CONCERNS – Kyle had a concern about the potholes throughout town. Regie explained if the weather would warm up they could start patching them but it currently was the worst possible weather conditions for patching. He added the state and county were having even more trouble than the city was with potholes.

CITIZENS CONCERNS – Chuck Lehrman, Buhl, Idaho, came before Council with a concern about the railroad crossing on 12th Avenue South. He explained that when coming downtown from Moon Glo and the south side of town that is the quickest way. He was asking if there wasn't something that Council could do to have it repaired. Regie Finney explained to Chuck and Council members that the railroad crossing belonged to Eastern Idaho Railroad and he was not allowed to work on the crossing. Regie had spoken with the maintenance manager at EIRR and they are planning on getting gravel in the holes and when the hot plants are running to do something more. At this time it is in the engineering stage to move the switches that are in the intersection to the east and west and improve the crossing. Chuck did compliment the city on the Burke Street improvements which has made all the difference and the good job the city is doing. Mayor McCauley stated that the city shares Chuck's concerns and he will get with Regie and Scott Bybee to see if there was anything else that could be done.

EXECUTIVE SESSION – Kyle move to enter executive session with provisions of Idaho Code 74-206, subsection 1.a to consider hiring a public officer. He requested a roll call vote. Pam seconded the motion. Michael voted yes, Kyle voted yes, Pam voted yes and Sue voted yes. Executive session was entered at 8:10 PM.

Michael moved to adjourn executive session. Pam seconded the motion. There was no discussion and the motion passed. Executive session adjourned at 8:20 PM.

MEETING ADJOURNED – Michael Higbee moved that the meeting be adjourned; Pam McClain seconded the motion and all were in favor. The meeting was adjourned at 8:21 PM.

Minutes prepared by Karen Drown, City Clerk