

CITY COUNCIL REGULAR MEETING

MARCH 11, 2024  
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

Michael moved to amend the agenda and add item #5 of Review and Consideration of Resolution of Support for Buhl Rural Fire Protection District. He requested a roll call vote. He stated this was being added because it was erroneously forgotten and it is time sensitive for the grant application they are submitting. Marla seconded the motion. Kelly voted yes, Marla voted yes, Michael voted yes, and Amanda voted yes. The motion passed.

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

PUBLIC HEARING:

Mayor McClain asked the applicant to make her statement. Autumn stated the proposed budget amendment included \$30,000 in the Administration Budget for the Blue Cross Foundation Grant to be used for the comp plan, \$350,000 in the Police Budget for the police building renovation project, \$125,000 in the Fire Donation Budget to close out the ICCU CDs and transfer those fund to the Buhl Rural Fire Protection District, \$83,000 in the Water Budget for DEQs portion of the water study, and \$306,553.18 in the Water Budget from the remaining SRF reserve to be used for capital equipment upgrades to the water treatment facility. Mayor McClain stated no one signed up for testimony either in favor, against or neutral.

The hearing was closed at 6:34 PM.

CONSENT AGENDA:

1. Minutes of February 26, 2024 – Working Session

2. Claims for Payment
3. Monthly Department Head Reports – Fire, Engineer, Police, Public Works, Code Services
4. Commission Minutes – Airport, Library, Planning & Zoning
5. Clerk Report
6. Treasurer Report

Marla moved to approve the consent agenda. Michael seconded the motion. Amanda noted she read through the Planning and Zoning minutes and asked Mayor McClain if there was anything they should know about anything upcoming as far as the comp plan. Mayor McClain stated we haven't even started yet, we've been a little busy. There was a roll call vote. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS:

Review and Consideration of Amended Appropriations Ordinance for Fiscal Year 2023-2024: All members of the City Council having been furnished a copy of the proposed Ordinance No. 2024-4 and being fully apprised of the content and purpose of said Ordinance, Marla moved that the provisions of Idaho Code Section 50-902 which require that said Ordinance to 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. Marla requested a roll call vote on the motion. Michael seconded the motion. There was no discussion. There was a roll call vote. Michael voted yes, Amanda voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

Marla moved to approve Ordinance No. 2024-4 amending the fiscal budget for 2023-2024. Michael seconded the motion. Amanda wanted to reiterate what Michael said before and look at this very closely. Autumn noted the Request for Qualifications is started and the deadline is April 5<sup>th</sup>. Those will then be reviewed by the committee and brought to Council for a final contract approval. Michael also clarified the SRF reserve was from when the bond was paid off. Autumn confirmed and added this remaining must be used for water capital projects. Amanda questioned when that bond matured; Autumn stated September 2022. Mayor McClain read the title of the ordinance. There was no further discussion. There was a roll call vote. Amanda voted yes, Kelly voted yes, Marla voted yes, and Michael voted yes. The motion passed.

Review and Consideration of Buhl Rodeo Grounds Association Request: Debbie Bishop came before Council regarding the non-profit of the Buhl Rodeo Grounds Association. She explained the association had organized the Buhl Youth Rodeo and after 75 years there is not enough people to run the rodeo. She explained that historically the bonds were billed when the water was turned on

for the rodeo season. She noted she had come in years ago and talked to someone and it was a hand shake deal. She added they had always allowed the city to store equipment on the property during construction projects. She also stated this year they had only had a couple small charity events that were community driven. Debbie explained the amount of the monthly bond year around is a hardship for the association, they need help during the winter months. Michael moved to approve an exemption for the Buhl Rodeo Grounds while they are closed. Marla seconded the motion.

Michael noted if the bonds had been on the property taxes it would have been a different story. He questioned if other non-profits like the food pantry and churches pay bonds all year. Karen confirmed all other non-profits pay all year, but noted they have their services on all year. Justin Payne with the association noted the water is for watering the arena, the bathrooms, and the cook shack. Michael also noted that other businesses had asked for a reduction on their account and it was reviewed with the costs to cover the bond payments. Council questioned Andrew Wright on the liability this could cause. Andrew noted they could make an agreement but it could open the door for others to make the request. There was a discussion about the new baseball hitting facility. Karen noted that facility is on city property and the city utility services were addressed in the lease with TRIBE Baseball, Inc.; she added the Chamber lease also addresses the utilities. Karen also noted that the bond convents stated no free services unless otherwise agreed upon in an existing written agreement. Michael noted if this motion passes have limited liability in the agreement and carefully word. Marla noted this is a unique situation. It was also discussed that if the rodeo grounds sold it would have to be sold to another non-profit or the proceeds would have to go to a non-profit. Amanda asked if bonds have been waived before. Karen stated no but billing errors had previously been approved by Council to not be back billed. Mayor McClain asked for a vote. Kelly stated he is voting no and added it is a tough issue but non-profits throughout the city will see this agreement and allowing this opens the door to the city for future problems down the road. Marla voted yes, Michael voted yes, and Amanda voted yes. The motion passed.

Review and Consideration of 2024 Arbor Day Proclamation: Marla moved to approve the 2024 Arbor Day Proclamation. Michael seconded the motion. Teresa noted it will be celebrated April 23<sup>rd</sup> which will include community involvement and a class at the elementary. There was no further discussion. There was a roll call vote. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

Review and Consideration for Acceptance of ITD Division of Aeronautics Grant for Power Pole Relocation: Michael moved to accept the grant from ITD Division of Aeronautics. Marla seconded the motion. There was no discussion. There was a roll call vote. Michael voted yes, Amanda voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

Michael moved to adopt Resolution 2024-3 accepting the grant from ITD Division of Aeronautics. Marla seconded the motion. There was no discussion. There was a roll call vote. Amanda voted yes, Kelly voted yes, Marla voted yes, and Michael voted yes. The motion passed.

Review and Consideration of Resolution of Support for Buhl Rural Fire Protection District: Michael moved to approve Resolution 2024-4 Support for the Buhl Rural Fire Protection District in their grant application. Marla seconded the motion. Marla stated this is a fantastic opportunity. Mayor McClain noted this grant is through Congressman Mike Simpson's office. There was no further discussion. 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 Clearwater Financial Addendum #2 to Master Service Agreement for Sanitation Services Scope of Work: Autumn presented the proposed Request for Proposals for sanitation services addendum to master service agreement. Michael noted the questions in the list Autumn provided were some raised at a previous Council meeting. Marla also stated she had a lot of the same questions. There was a discussion about the process to look at a contract for services have never been brought up in Council. Karen also questioned what Council's priorities are because there is a list of projects that have already been committed to before this was even presented to the city. Marla stated the comp plan is a priority. Autumn noted that even if we don't go through the process city code will still need to be updated. Amanda questioned how it was going with the new truck. Jason said it is much easier on the personnel. Michael moved to have staff draft a list of questions and answers and reach out to companies. Amanda seconded the motion. There was no further discussion. Kelly voted yes, Marla voted yes, Michael voted yes, and Amanda voted yes. The motion passed. Karen noted if Council has questions send them to Karen and she will compile the list.

Discussion of Utility Rate Process: Marla referred to the August 7, 2023 minutes. She stated there was a YouTube video going around Buhl stating "Amanda is the only one to challenge the Mayor." Marla detailed the proposed utility fees that were presented by Autumn at that meeting and the discussion that followed regarding the rate committee. She continued with explaining that process and that Amanda wanted to dissolve the rate committee and Amanda stated the rate committee wasn't aware of the excess money and it was not a normal process. Marla stated the minutes referred to the AIC conference and a session Autumn had attended about rates. Marla said this session was with Angie Sanchez who commended Buhl on having a rate committee. Marla continued that enterprise funds have to be self-sustaining and governmental funds are from property taxes and these two funds cannot cross. This is the part of the August 7<sup>th</sup> meeting where illegal was used as Autumn stated mixing those is illegal. Amanda had mentioned the L-2 and questioned what money was moved between utility funds which was a false claim by Amanda. Marla commented she spoke to Justin Ruen about a conversation he had with Amanda and he stated he was too fast to say his comments about the rate committee. Marla had also contacted Angie Sanchez and she stated Moscow also has a committee. Marla added the \$100,000 came from the utility fund balance, not from governmental funds, to pay for an excavator, not a skid steer. Marla remarked that Council is working hard with utility rates when looking at 165% increase in wastewater chemicals. She hoped

Amanda does better to educate herself and hopes this clears up what was said in the YouTube video as the city isn't doing anything illegal and what Amanda suggested was happening is illegal. Marla concluded with noting increases are never easy.

MAYOR & COUNCIL COMMENTS: Mayor McClain read the below statement.

We need to make sure that we comply with the law with regards to employee privacy issues. If a member of City Council would like to discuss any issues pertaining to complaints, discipline, etc. of a city employee, those will first need to be discussed with the mayor, who is the chief city administrator per Idaho Code 50-602. After review of the complaint, discipline, etc. if it needs to go before City Council it will be listed under an executive session on the upcoming meeting agenda.

There were no Council comments.

CITIZEN COMMENTS:

Jon Thomsen, Buhl, ID – Jon noted the executive session that took place a couple of weeks ago and doesn't know what happened. He noted Eli Johnson had some questions, if charges against him where dropped was something done that was not right, and why didn't Council want to look at the video? Jon questioned if doors are kicked in by accident, is that acceptable?

Mathew Bridges, Buhl, ID – Mathew stated to the people that disagree with the Eli Johnson situation vote either on the ballot or with your feet and move. He stated there is not a lot of volunteerisms, he noted people need to get off their couches as nothing good or new happens on the couch. He added he was there tonight to make sure the Eli Johnson thing “dies on the vine”. He stated it is an election year and the prosecuting attorney did not want to touch this with a 10-foot pole.

Amanda asked if Marla would be willing to share her statement. Marla replied sure.

MEETING ADJOURNED – Michael Higbee moved that the meeting be adjourned; Marla Sisson seconded the motion. There was no discussion. All voted yes. The meeting was adjourned at 7:35 PM.

Minutes prepared by Karen Drown, City Clerk