

CITY COUNCIL REGULAR SESSION

APRIL 13, 2020  
203 Broadway Ave N

PRESENT:

Tom McCauley	Mayor	Elizabeth Barker	Treasurer
Michael Higbee	Council President	Regie Finney	Public Works Director
Pam McClain	Council Member	Scott Bybee	City Engineer
Sue Gabardi	Council Member	Jeremy Engbaum	Police Chief
Kelly Peterson	Council Member	Linda Henderson	Interim Library Director
Andrew Wright	City Attorney	Autumn Jones	Billing Clerk
Karen Drown	Clerk	Concerned Citizens	

REGULAR SESSION called to order at 7:02 PM.

Because of the recent COVID-19 pandemic Buhl City Council held this meeting telephonically. Mayor McCauley outlined the process he was going to use to allow Council members a chance to have a turn at making motions and discussion. He added that all votes on the motions would be done by roll call vote.

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

CONSENT AGENDA:

1. Minutes of March 23, 2020 – Working Session
2. Monthly Claims for Payment
3. Monthly Department Head Report
4. Commission Minutes
5. Clerk Report
6. Treasurer Report

Pam McClain moved to approve the consent agenda. Michael seconded the motion. There was no discussion and the motion passed.

MONTHLY CITY ENGINEER REPORT:

Scott stated the ICDBG application is still in the process. The city should hopefully be hearing by the end of April on the results.

The Planning and Zoning meeting and Urban Renewal meetings for April 15<sup>th</sup> have been cancelled.

## UNFINISHED BUSINESS

There was none.

## NEW BUSINESS

Appeal of 129,000 lb. truck request, Aaron Burton - Darigold: Aaron Burton began the discussion with a review of a presentation that had been emailed to council members prior to the meeting. After his review Council had the chance to ask questions of him regarding the appeal. Concerns ranged from the affects these trucks would have on the roads to the safety of the larger loads to the information provided in the additional documentation Aaron provided prior to the meeting through the public works department. Aaron referred back to the data provided and describing the difference in configuration between the 105,000 lb. trucks and the 129,000 lb. truck. It was explained the application with the Buhl Highway District had not yet gone through the appeal process. One major concern was the damage to already bad road conditions. Aaron explained the 129,000 lb. trucks allow for a 12%-20% reduction in trips from the local dairies. He noted that dairies are going to grow which is the economics of dairies but the larger trucks will allow that growth to still see a reduction in trips from using the 105,000 trucks.

There was further discussion concerning the qualifications of the drivers of these larger trucks and the affect on local businesses. Gene Brice, co-owner of Idaho Milk Transport and David Silva and Adrian Boer, both local dairy producer, detailed answers to those concerns. The drivers hold CDL drivers' licenses with double and triple and tanker endorsements. Gene stated the trip savings is closer to 20% over the 105,000 lb. truck trips. David Silva noted these trucks mean less trips to his dairy which is less truck traffic on 3700 North and 1400 East. He stated that this would allow one trip a day to his dairy instead of two. Adrian Boer also noted the reduced trips to his dairy.

Mayor McCauley asked Regie Finney, Public Works Director, to make a statement. Regie noted the application was for Burley Ave which he recently did 40 core samples on and the results showed poor to fair or poor to failing on all 40. He also noted he has a ground water issue at the McCollum end of Burley Ave. All of these areas will be engineered and corrected with the grant project for Burley Ave but currently the road in not in good shape. Regie also noted that Scott Bybee, city engineer, had been reviewing the information. Regie added that allowing this application opens it up for more applications for Main Street and 9<sup>th</sup> Ave to feed producers. He stated the Burley Ave project was coming in at a \$3 Million project to replace that one mile of road.

Aaron Burton and Gene Brice replied to Regie's statement by again noting the 129,000 lb. truck do less damage to roadway and less trips on those roads. They also noted the larger trucks add less stress on the roadways and extends the life of the road. Gene commented his company is

seeing less wear on the 129,000 lb. tires than on the 105,000 lb. tires. He explained an example they are seeing is in their dirt lot in Burley the 129,000 lb. do not tear up the dirt lot like the 105,000 lb. trucks when making turns. Aaron added that if any truck wanted to use a different route, they would have to make that application separately and go through this process.

Mayor McCauley noted that during the Burley Ave project there will be a need to shut down Burley Ave to traffic. He asked if there were options for that. Aaron stated they would be flexible in re-routing to the best route to take and even possibly reduce to the 105,000-standard truck for those routes

Pam asked what was the guarantee that the weight will be maintained at what it is suppose to be and not more. Aaron stated they are following the rules with this application and their business. He has heard of others running over weight but they want to move forward and follow the rules for the application.

Michael move to approve the appeal request for Darigold. Pam seconded the motion. There was a role call vote. Michael voted yes clarifying the request was for Burley Ave and Clear Lakes, Pam voted yes, Sue voted yes and Kelly voted yes. The motion passed.

2020 Fair Housing Proclamation & Resolution: Mayor McCauley read the proposed resolution and proclamation for the record. Pam moved to adopt Resolution No. 408 proclaiming April 2020 as Fair Housing Month in the City of Buhl. Michael seconded the motion. There was no discussion. There was a vote on the motion with all voting yes. The motion passed.

Review and Consideration of Late Fees: Mayor McCauley explained there had been a concern raised about late fees could not be charged because of a federal order. He noted the city had not received any information in regards to any federal order in that stated late fees could not be charged. He continued by explaining to Council they have reviewed procedures and have policies in place to reduce late fees if the account warrants it. He added they may find a need in the future. Mayor McCauley asked if any citizen was on the line to comment on this information. There were no comments from citizens.

Mayor McCauley asked for discussion from Council. Michael noted the recent layoffs from Clear Springs Foods and how that will be considered with a customer's account. Karen explained the process that is done if a customer calls and states they will have a problem paying. The account is reviewed in detail for payment history. If the history is good, arrangements are worked out and if the account has had no late fees then a waiver of a late fee is considered for that month. All efforts are made to try and have the customer pay the balance owing by the 20<sup>th</sup> of the month to avoid other late fees. Karen also noted, that shut-off day was not done in March but phone calls were made to those that were at that level. It was also asked if anything was in

place to recoup the losses to revenue if late fees are waived. Elizabeth explained there was no funding in place to recoup lost revenue for municipalities. It was stated that all efforts are made to invite customers to make payment arrangements. Sue noted she thought the process was working well. Kelly wanted to thank the staff on working so hard on the collection and recommended looking at them on a case by case basis with more sympathy. Consensus of Council was to re-address it in two weeks but to leave the policy as it stands for now.

Bid Results and Recommendation for Airport Runway Project: Mayor McCauley explained he had received a letter from Kent Atkin with JUB Engineers with the bid results and recommendations. He noted the bids included a total of two projects for \$900,000 which is divided with the first \$500,000 and a 5% match by the city and \$400,000 with a zero match. He explained the total project was currently showing \$32,000 over the budgeted amount with federal, state and local funds. He explained to Kent in a conversation the city is not going to spend more than the \$25,000-\$35,000 budgeted amount and the items in the project would have to be reviewed to determine where changes could be made to come in within budget. Kent stated to the Mayor McCauley that due to the recently passed Cares Act what he was seeing the city portion would be a zero percent match on both portions. Mayor McCauley also stated the if the Cares Act does not do that there are other ways to address the overage by transferring funds from other airports just as the city has transferred theirs to others in the past. He brought this recommendation to Council contingent upon not going over projected budgeted amount. There was a discussion about concerns of keeping the project under budget.

Michael moved to accept the bid for the airport project with the city share being no more than 6.5% on the \$500,000 and 0% on the \$400,000. Pam seconded the motion. There was no further discussion. There was a vote on the motion with all voting yes. The motion passed.

Setting Public Hearing Date for 2020-2021 Fiscal Year Budget: Elizabeth confirmed that council members had received the proposed budget schedule. She noted that this agenda item and the next really connect to each other. She summarized the proposed schedule is similar to the previous years. She did state that the Association of Idaho Cities had informed everyone their budget manual will be delayed a little this year. That change had her move the piece of the pie discussion back a little on the schedule. Her proposed date for the public hearing is August 24<sup>th</sup> at 6:00 PM.

Pam moved to set August 24<sup>th</sup> at 6 PM for the 2020-2021 Fiscal Budget hearing. Michael seconded the motion. There was no discussion. There was a vote on the motion with all voting yes. The motion passed.

Review of Budget Schedule: Refer to previous agenda item for discussion.

### Council Concerns

Pam had no concerns but stated considering everything that these meetings are going very well. Elizabeth stated we are “making lemonades”.

Michael requested an executive session at the next meeting to consider the evaluation, or dismissal of staff, he was not sure the exact code number. Mayor McCauley stated he would get with Michael the next day.

Sue had no concerns.

Kelly stated he knew it had been a long meeting but he was very concerned about an incidence that happened a few days ago with an emergency response down Broadway past his home. He said the fire department, EMS and paramedics were at a reasonable speed but there were three county sheriffs that flew by at a very dangerous speed. If there had been another vehicle pull out or someone crossing the street it would have been a bad situation with their speed. Michael noted he was at the pharmacy that day and he stated it was the fastest he had ever seen anyone go by and they were in the center lane as they passed. Pam noted that this concern had been raised before since she had been on Council and the county needed a reminder. Chief Engbaum stated there had been a motorcycle wreck at the top of the grade for that call. Mayor McCauley stated he would make a phone call to Sheriff Carter the next morning.

### Citizen Concerns

It was overlooked to ask for citizen’s concerns.

MEETING ADJOURNED – Pam McClain moved that the meeting be adjourned; Michael Higbee seconded the motion and all were in favor. The meeting was adjourned at 8:40 pm.

Minutes prepared by Karen Drown, City Clerk