

CITY COUNCIL WORKING MEETING

APRIL 24, 2023  
203 Broadway Ave N

PRESENT:

Pam McClain	Mayor	Autumn Jones	Treasurer
Michael Higbee	Council President	Jason Scott	Public Works Director
Kelly Peterson	Council Member	Jeremy Engbaum	Police Chief
Amanda Hawkins	Council Member	Andrew Stevens	Fire Chief
Marla Sisson	Council Member	Concerned Citizens	
Karen Drown	Clerk		

PLEDGE OF ALLEGIANCE

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

CONSENT AGENDA:

1. Minutes of April 10, 2023 – Regular Meeting
2. Monthly Claims for Payment
3. Clerk Report
4. Treasurer Report

Marla Sisson moved to approve the consent agenda. Michael Higbee seconded the motion. Amanda stated she didn't mean to state the employees at Wilbur-Ellis needed training. She just meant they needed to provide training for their employees. She also noted there had been a complaint from Ken McDonald who went to the mayor about the road and his complaint needed to be added. 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.

UNFINISHED BUSINESS

Pool Operations Discussion: Teresa noted that applications are looking better. As of the current count she had received 26 applications, and hired a pool manager and assistant manager. Out of those applicants 14 will go for a pre-test on the coming Thursday to see who has the skills to continue to the full training. There was a discussion about the normal closing date for the pool; which Teresa noted is about a week before school starts. Teresa explained the manager she hired is already an assistant manager with experience in scheduling. There was further discussion on daily pool hours and Teresa noted that Leo has stated last year worked out great but he would

like a full day to clean. Kelly explained the process for cleaning and vacuuming the pool, draining the kiddie pool and back washing the filters and also keeping the bathrooms clean everyday/all the time. Jason noted the full Monday cleanings had come about because of COVID and guidelines to disinfect extensively. Amanda made a motion to open the pool 7 days a week. Kelly seconded the motion. Teresa noted again the interviewed applicants would take the pretest and see where they ended up with a count of those for training. 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.

Karen noted the Facebook post calling for applications or the pool might not open received 37,224 views and 526 shares.

Review and Consideration of Fee Schedule: Karen noted the price for a touch pad for the water meters were \$60.00. Michael moved to include the Touch Pad for \$60.00. Marla seconded the motion. There was no discussion. There was a roll call vote on the motion. Marla voted yes, Kelly voted yes, Michael voted yes, and Amanda voted yes. The motion passed.

Kelly moved to maintain the \$1.50 pool concessions. Marla seconded the motion. Karen explained that change was already approved last year when the current fees were set so nothing needed done to maintain that same fee. Kelly retracted his motion. There was a discussion about offering special after-hours pool party rental times with the occupancy of the pool and lifeguard coverage for such events. Kelly suggested we walk before we run and let the pool run a full season with the 7 days and week and new staff and then look at these ideas. Jason questioned for special events if after closed the lighting around the pool. There was a discussion about the current fees. Amanda moved to leave the fees the same. Marla seconded the motion. Michael stated it is hard to look at \$60,000 in the hole and take money from other departments to cover the cost. There was no further discussion. There was a roll call vote on the motion. Kelly voted yes, Amanda voted yes, Marla voted yes and Michael voted no. The motion passed.

#### NEW BUSINESS:

Review and Consideration of Country Flowers Special Event: Kaelee Easterday explained she had purchased Country Flowers in February. She is requesting to hold a grand opening event to include other vendors and showcase local businesses. She came before Council to ask to shutdown the first block of Main Street for the event for 12 pm to 3 pm on June 17<sup>th</sup>. She detailed some of the local vendors she had invited which are locally owned boutiques. She also noted they will be providing portable restrooms but she was asking if the city could provide garbage cans and barricades. Michael questioned insurance coverage listing the city as also insured and she noted she had already talked to her insurance she was just wait to see if this went through before she actually got the coverage. She also noted she knew Rangen was a large business but noted she had noticed a decrease in truck traffic from Rangen in front of her shop. She also explained she has talked to the owners of Bobbins who will be participating and there

Mennonite community will be attending so the event will have no alcohol; she wants it to be a family friendly event. There was a discussion if she had considered extending the time of the event as three hours for some vendors might be more work than it is worth. She stated she would be willing to extend the time if the city was in agreement. Michael moved to approve the Country Flowers event on June 17<sup>th</sup> for street closure from 11:00 am to 5:30 pm contingent upon providing insurance. Amanda seconded the motion. There was a roll call vote on the motion. Amanda voted yes, Michael voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

Review and Consideration of Lease Renewal with Buhl Chamber of Commerce: Karen noted in 1991 when the lease was signed the RV Park did not exist at all. Michael moved to renew the lease with changes including city start up and shut-down irrigation system and parts would bill to the chamber, the city would maintain the asphalt and blading gravel surfaces, the chamber needs to provide proof of insurance and the RV Park would be a 3-night maximum stay; he included in his motion the city would still cover the utilities for the property. Marla seconded the motion. Andrew questioned the term of the new lease. Michael amended his motion to include a term of 15 years. Marla seconded the amendment. There was a roll call vote on the motion. Amanda voted yes, Michael voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

Review and Consideration of Cas Reserve from Dissolution of Fire Capital Fund within the General Fund: Autumn stated that when the Fire Capital Fund was dissolved Council made a motion to reserve \$20,000 in the General Fund for Fire Overage the other \$33,000 was returned to the General Fund balance. She recommended reclassifying these funds for possible building maintenance needs in the fire department section of the building and any use could be discussed during budget discussions. Michael moved to change the Cash Reserve in the General Fund for Fire Overage to building maintenance. Marla seconded the motion. Michael clarified that his motion wasn't just building maintenance in the fire department it was building maintenance in general. 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 Bid Award for Local, Buhl School Sidewalk, Buhl (TAP 1) & Local, Buhl School Pedestrian Pathway, PH 2 (TAP 2): Jason explained it had been discussed to fund these projects with additional funds at a previous meeting but the bid was not officially awarded. Michael moved to award TAP 1 & TAP 2 to Idaho Materials & Construction. Amanda seconded the motion. There was not discussion. There was a roll call vote on the motion. Kelly voted yes, Amanda voted yes, Michael voted yes, and Marla voted yes. The motion passed.

Review and Consideration of Buhl Child Pedestrian Safety Project additional City contribution expense: Jason explained this project included 3700 feet of sidewalk and corrected anything that was not ADA compliant within the project would be fixed. He was asking to move \$28,582.40 from the water truck line item to cover the overage for this project. Michael moved to move \$28,582.40 from the water truck line item to the Phase 3 sidewalk grant project. Marla seconded the motion. Michael stated the biggest complaint since on Council has been about the safety of

sidewalks and curbs; he added this project is a benefit over the use of a water truck. There was no further discussion. There was a roll call vote on the motion. Michael voted yes, Marla voted yes, Amanda voted yes, and Kelly voted yes.

Review and Consideration of Bid Award for Buhl Child Pedestrian Safety Project: Jason explained there was only one bidder on this project. It was questioned why IMC didn't bid and Jason explained this project is mostly concrete where as the other one is more asphalt. Michael moved to award the Buhl Child Pedestrian Safety Project to LaRiviere. Marla seconded the motion. It was detailed this project bid at a total of \$368,582.40. Jason also explained the city is doing a lot of sweat equity in this project including demolition and moving of infrastructure. There was no further discussion. There was a roll call vote on the motion. Kelly voted yes, Amanda voted yes, Michael voted yes, and Marla voted yes. The motion passed.

Review and Consideration of General Fund, Street Fund and Utility Fund Financial Policies: Autumn explained these policies set the basement for each of these funds which would only be used for emergencies with Council approval. Autumn first reviewed the General Fund policy. She explained our current amount is \$555,820 or 20% of the previous year's annual General Fund Revenues. Her recommendation was to raising it to 24% and keeping the \$555,820. Michael moved to update the policy to maintain \$500,000. Marla seconded the motion. Michael gave a brief history of these policies and how it had been recommended to have these in place. Autumn noted Council would see a decrease on the April financial statements to this new amount. She noted the \$55,820 would return to the General Fund unassigned. There was no further discussion. There was a roll call vote on the motion. Amanda voted yes, Kelly voted yes, Michael voted yes, and Marla voted yes. The motion passed.

Autumn explained the Street Fund policy is currently at \$100,000. She explained how the balance in this fund affected grants that were available and if it is too high we don't qualify. Michael moved to maintain the \$100,000 for the Street Fund policy. Amanda seconded the motion. 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.

Autumn explained the Utility Fund Working Capital policy is based on an average of operating expenses for 3 months. The current amount is \$550,000 which is 2.8 months. To have the 3 months would require increasing it to \$600,000. Michael moved to increase to \$600,000. Kelly seconded the motion. It was noted these departments are more volatile. There was no further discussion. There was a roll call vote on the motion. Kelly voted yes, Amanda voted yes, Michael voted yes, and Marla voted yes. The motion passed.

Autumn explained the Library Board will be reviewing their policy at their upcoming meeting and it will be coming later.

Acknowledgement and cure an Open Meeting Violation from the Executive Session on April 10, 2023: Andrew Wright explained the executive session was called for real property discussion and the conversation drifted to account services. He questioned if it was a significant violation but he stated Amanda opened the violation to Karen which then requires the attorney to review. He explained a violation voids anything as a result of the executive session. He stated a motion would need to be made to acknowledge and cure the open meeting violation. Amanda moved to acknowledge and cure the open meeting violation. Michael seconded the motion. Michael was unclear how that was a violation and questioned Andrew Wright if in his opinion that it was a violation. Andrew stated on technicality it probably was. Michael stated he was surprised because Amanda seconded the motion to send the letter. Amanda stated that should have been under a different code. Mayor McClain stated it was her fault as the administration didn't need to bring this to Council. Michael questioned Amanda if she discussed this with anyone outside of the executive session. Amanda stated she had not talked to anyone about it. She stated she had contacted Andrew Wright on something else. Michael noted Andrew is not her attorney he is the city's attorney. Amanda stated she had been reading through state statute on another topic. Kelly questioned Amanda if during her studies was when she found the violation. Andrew noted he had not been contacted about this topic by Amanda. Mayor McClain stated if it has to do with personnel that should come to her first not Andrew. Kelly clarified Andrew is not at his disposal for anything and should not be contacted. Mayor McClain stated there is a chain of command. And that not once when she was a Council member did she contact the city attorney. Kelly stated he wanted to make sure everyone understands. Michael noted that if Council uses Andrew as their personal attorney, he has to recuse himself. Mayor McClain stated Karen, Autumn, and Andrew should be contacting ICRMP. Amanda stated she had contacted AIC and ICRMP as no one every told her she couldn't contact them. Mayor McClain noted they have been advised on best practices for positions and that advise needs to be taken. Mayor McClain asked for votes. Michael stated cure is real easy to do but he doesn't feel there anything to hide. Marla also stated she does not feel they did anything wrong. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

Discussion of Account Services: Autumn explained the administration had been contacted by a local institution for account services. And that administration would make contact to the other two institutions in town. After proposals were received recommendations would be made to city council for those services. Michael started to make a motion and stop and noted this is administrative functions and a motion was needed for this.

COUNCIL COMMENTS: Marla questioned if there have been any grant opportunities for the pool. Mayor McClain stated that WEMA had been in contact with her about some funding they are considering. It was also noted that Twin Falls County Commissioner Brent Reinke had offered Shannon Carter, the commissioner's clerk, for grant writing.

Mayor McClain detailed some information regarding an Honor Flight recipient and a Proclamation that will be coming before Council regarding this honor for William “Bill” Pryor.

Mayor McClain explained she had notified AIC that she had to step back from their district board position that she had been voted into in Burley. She noted that Harris CPA’, the firm she is a partner in, does AIC’s audit. And she felt that was a conflict.

Amanda questioned the do impound process and if having to stay all weekend she feels bad for the dog. Karen and Autumn explained there had been several conversations about this and the options to bail them out sooner. It was explained there are a number of fees that have to be figured and information that needs to be gathered and to have an officer do that which only has part of the access to information and then also accepting money for payment. It was noted staff will continue to look for options but the current code states it has to be paid to the clerk/treasurer.

Amanda questioned about the property at 618 Poplar and noted the issues with the parking on the street. Jeremy Engbaum stated that city code does not currently match state code and that needs to be updated.

CITIZEN COMMENTS: Reme Pullicar, Buhl, ID, asked if staff could reach out to him about the Planning and Zoning position.

EXECUTIVE SESSION - Michael moved to enter executive session with provisions of Idaho Code 74-206, subsection 1.c to acquire an interest in real property which is not owned by a public agency. He requested a roll call vote. Marla seconded the motion. Marla voted yes, Michael voted yes, Amanda voted yes and Kelly voted yes. Those that remained for executive session were Marla Sisson, Michael Higbee, Pam McClain, Amanda Hawkins, Kelly Peterson, Andrew Wright, Jeremy Engbaum, Karen Drown and Autumn Jones. Executive session was entered at 8:20 PM.

Michael moved to adjourn Executive Session. Marla seconded the motion. There was a roll call vote. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed. Executive Session adjourned at 8:37 PM.

Consideration of Executive Session Discussion: Michael moved to accept what was presented in executive session. Amanda seconded the motion. There was no discussion. There was a roll call vote. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The motion passed.

MEETING ADJOURNED – Michael Higbee moved that the meeting be adjourned; Marla Sisson seconded the motion.

Jason Scott had a comment and asked to have property complaints go through city hall. There was a discussion about complaints and how to have staff take them. Kelly noted he just took his complaint to city hall. Amanda stated it was her complaint not a citizen. Karen explained how

complaints are handled at the front window. Jason noted that Rick Brook is attending Council meetings as a citizen so he is not getting paid and is not taking notes. Jason would just like the process to be clear through city hall. Karen questioned Andrew if it was appropriate to be mentioning properties in the open meeting in that manner. It was noted an email can be sent to Karen and she can forward it to the appropriate department.

There was a roll call vote on the motion to adjourn. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. The meeting was adjourned at 8:48 PM.

Minutes prepared by Karen Drown, City Clerk