

CITY COUNCIL REGULAR MEETING

APRIL 8, 2024
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	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.

CONSENT AGENDA:

1. Minutes of March 25, 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. Karen added to her clerk report that the cleanup days from the county had been approved for the first weekend in May and the area of impact agreement would go before Twin Falls County planning and zoning commission on April 11th. Amanda questioned the new planning and zoning meeting schedule and if that required a change to code, she also questioned Barbara Gietzen's appointment to the chair position and referred to something special was done the last time she was appointed. Karen noted the special consideration was Barbara's appointment to a new 6-year term on the board and the most recent election was for chairperson. Amanda also questioned if the planning and zoning board was full; Karen confirmed the board was full and noted the names of the five board members. 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.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS:

Review and Consideration of Child Abuse Prevention Month Proclamation: Michael moved to approve the mayor signing the Child Abuse Prevention Month Proclamation. Kelly seconded the motion. There was no 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.

Review and Consideration of Harvest Moon Car Club Show: Coke LaComb presented information from last year's car show that they had raised \$6209, and that the funds raised went to the hot lunch program at Popplewell Elementary. He noted that since the event had begun, they have raised over \$21,000 total. They have met this year and considered with the number of cars coming to the event and last year's event being so full they have decided to move to the street in front of the elementary school. They have already met with the school district superintendent and principal of Popplewell and received their approval. He was proposing that the gates be closed from 5:00 AM to 5:00 PM on the day of the event. He questioned if the restrooms in Eastman Park would be open, but noted they would also have portable restrooms brought in for the event. He requested the use of 10 trash cans and ten barricades from the city. He noted that this was a family event and they are hoping to have a bounce house in the corner of the park for the kids in attendance. Michael noted it was clever to use the gates that were already there for the event. Coke stated he hated to move it from downtown but the event had outgrown the location where it had been held. Marla moved to approve the car show on October 5th. Michael seconded the motion. Coke stated this year's proceeds would again go to the hot lunch program at Popplewell Elementary. 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 Draft Right-of-Way Ordinance to Move Forward to Public Hearing: Michael moved to approve moving to a public hearing for the proposed right-of-way permit ordinance. Kelly seconded the motion. Amanda questioned that it was already in code. There was a discussion about the code number that was referenced in the draft ordinance. Michael stated he appreciated the permit process and felt this was protecting the city's infrastructure. Kelly also confirmed this was a great idea. Jason noted that all other cities have this and most contractors expect to have something in place such as this. It was also noted the recent incident where a contractor bored through the middle of a sewer line on Burley and the city didn't know there was a problem until homeowners had problems; this process would help prevent that from happening in the future. Amanda again noted that 6-6-1 referred to trees and shrubs. Karen attempted to refer to code to clarify the code section Michael noted that this was just the draft and could be corrected prior to the public hearing. There was no further discussion. There was a roll call vote on the

motion. Kelly voted yes, Marla voted yes, Michael voted yes, and Amanda voted no. Amanda stated she wanted the code sections clarified before she would move forward. The motion passed.

Review and Consideration for Special Meeting for Water Treatment Facility Tour for Council Members and Staff: Mayor McClain stated she has asked for a tour since the previous one was so brief. There was a discussion about possible dates for a special meeting to hold this tour. Kelly moved April 29th at 6:30. Marla seconded the motion. Autumn noted the plan was to meet at City Hall and then travel to the water treatment facility. 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 of Fiscal Year 2024-2025 Calendar and Setting of Public Hearin Date: Autumn noted the proposed budget schedule and added that Amanda wasn't at the last meeting where this was discussed and she hadn't received any response on conflict dates from Amanda. There was discussion about moving the May 27th meeting to May 28th and if may 28th didn't work we would have to look at other dates for publication of public notices for public hearings. Marla moved to approve the schedule as presented and said the public hearing date for August 26th. Michael seconded the motion. Amanda noted that all Tuesdays and Thursdays she was not available. 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.

Review and Consideration of Fee Schedule Resolution to Move Forward to Public Hearing: Kelly moved to move forward to public hearing on the proposed fee schedule. Marla seconded the motion. Kelly questioned why rates were now stated as plus tax. Autumn noted that trying to calculate multiple items with the tax figured this way throw the cash registers off and it was hard to reconcile the daily tills. This would calculate sales tax like any other store does. She noted that staff spends a lot of time chasing pennies. Amanda questioned that this resolution was raising pool and library fees. Karen clarified that it raised pool fees but not library fees. Marla stated she agreed in raising the fees and questioned if it should be double the current fee on pool rates. She also recommended a possible pool pass drive like Christmas tree gifts that members of the community could pay for someone else's pool pass. It was also recommended to try and survey the community and ask what they wanted to see at the pool, Mayor McClain noted she is planning on having a town hall meeting to discuss this with the community. Michael noted they have talked about one time money to fix things but these fees are really only addressing the daily operating costs. Amanda questioned if there was a way to partner with the school to extend the season and allow the pool use for PE classes. Michael added every day we are open we lose more money. Teresa Robbins, Public Works Clerk, noted by law we must have guards on duty and most of the guards go back to school also. There was no further discussion. There was a roll call vote. Michael voted yes, Amanda voted yes, Kelly voted yes, and Marla voted yes. The motion passed.

2022-2023 Fiscal Year Audit Review: Autumn presented her review of the 2022-2023 Audit with supporting graphs. She noted the 2023 increase to net position of 12.22% which is down from 2022 which was a 21% increase in net position. She referred to the MD&A which talks about the changes that took place during the city for this budget year, which is a good place to refer back to in previous year audits for a summary of the year's events. She referenced the governmental expenses that had taken place and the governmental fund balance. She quoted Elizabeth Barker's budget quote, "that city government is not in the job of hoarding large amounts of cash," and referenced the fund balance trend decrease of 10%. She referred to the fire fund which now shows the zero balance with the outcome of the new contract. And the donation fund which will be closed out as the CDs at Idaho Central Credit Union Renewal which came today and those will be closed and transferred to the Buhl Rural Fire Protection District. She then reviewed the revenue sources and the comparison of those contributions over a 10 year span she pointed out the \$1.3 million in grants that were received in 2022-2023. Michael noted the difference in the earnings on investments revenue, and Autumn added that change was only accounting for two months with the change in banks.

Autumn reviewed the utility fund balance trend. She noted there is currently \$5,567,259.00 in unrestricted. She referenced that currently there is no restricted amounts in the utility fund because the sanitation truck was the last restricted and it had been purchased. She added this also includes non-spendable totals which includes infrastructure and treatment plants. She then reviewed the expenses and earnings. She concluded by reviewing the details of long-term debt which are the current water and wastewater bonds which have 15 years left before maturity.

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.

Amanda questioned if staff had been working on grants for ADA doors. Karen noted she hasn't had time to look for such grants yet. Amanda stated she had been provided a link from a citizen for such grants. Karen stated nothing had been provided to her but she would be willing to look into them if such information was provided.

Amanda questioned if it would be the city's responsibility to fix the cracks on the new walking path. Jason noted he will need to do a walk through and see if it is warranty issues. She noted there were cracks by the new high school and other areas of the sidewalk.

Amanda questioned an email council members had received and if there had been a follow up to that email. Karen noted she had spoken with Andrew Wright about it and was working through it.

Kelly noted there had been two executive sessions on February 26th and a citizen had spoken about specific information from those executive sessions in citizens comments on March 11th. Kelly added there had only been eight individuals in that session. He stated there is a Judas among us, and this is a real concern. He added this citizen had it verbatim. He commented we need to get off the school ground and be adults and do adult things here. Council makes tough decisions and have to tell what they think but that is hindered by someone going behind his back and betraying trust of council and staff. He stated we need to be a part of the solution. He added he is not getting rich on this position but he is here to serve this city. He concluded by stating this person needs to stand and up and be a part of the solution or move on; he quoted Matt Bridges citizen comment from a previous meeting, "vote with your feet." Michael questioned he brought this same thing up at the last meeting. Michael questioned Andrew if executive session is spoke about where does that go to be reviewed. Andrew noted he was not exactly sure. Kelly added he had researched that prior to this meeting, at the state level it would go to the Idaho Attorney General, but at city level it would go to the district attorney. Kelly added that sadly it is not a violation of the law. Andrew added it was something to keep in mind for the future if considering going into executive session. Michael noted that is sad.

Mayor McClain asked Amanda to update Council about a conversation she had had with a former employee about the water plant. Amanda noted it was a short conversation as he stated it was probably about time for maintenance. Jason noted that we had go the high reading and the filters were needing maintenance, they are a hard thing to inspect with layers of gravel, sand and coal. Amanda stated she didn't think it was a problem and noted Council can talk to whoever they want to get answers. Mayor McClain stated she had never heard her questions in a meeting before. Marla added it was odd to call a former employee. Amanda stated she had called and talked to Karen when the high reading happened and was given information. Amanda noted she can talk to anyone and reached out because he was very knowledgeable. Marla stated Amanda should ask questions in a meeting of the staff, Jason is almost always here; she added this was bad form. Mayor McClain stated she wanted this shared to Council who acts as a body. There was a heated discussion between Michael, Mayor McClain and Amanda who were all talking at the same time about contacting the former employee. Amanda stated all she ever gets is attacked here and added she is not welcome in city hall. Mayor McClain ended the comments at this time.

CITIZEN COMMENTS:

Jon Thomsen, Buhl, ID – He wanted to address the topic of truth. He detailed he made a statement and was asked about comments by staff. He noted Paul Thompson was accused, Grant Lobes dropped three felony charges and in the election year is running unopposed. John stated Michael had approached him after the last meeting on his statement. Kelly had voted not to go into executive

session. He added he got all his information from the public meeting, intentionally create falsehood and is a lie and nobody has said anything about executive sessions.

Jordan Greger, Buhl, ID – He stated he is a youth minister at a local church and unity is his essence. He noted four people in council chambers could hear the yelling through the hallway from the executive sessions. Maybe need to look at farther away. He hoped to see a restored confidence in each other.

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 7:58 PM.

Minutes prepared by Karen Drown, City Clerk