

CITY COUNCIL REGULAR MEETING

SEPTEMBER 9, 2024

203 Broadway Ave N

PRESENT:

Pam McClain	Mayor	Jazmine Mills	P&Z Administrator
Michael Higbee	Council President	Jason Scott	Public Works Director
Kelly Peterson	Council Member	Scott Bybee	City Engineer
Amanda Hawkins	Council Member	Andrew Wright	City Attorney
Marla Sisson	Council Member	Concerned Citizens	
Karen Drown	Clerk		

PLEDGE OF ALLEGIANCE

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

Mayor McClain stated Jason Scott had been gone the prior week and had not had time to review the 2024 ARPA Change Order No. 1. Michael moved to amend the agenda and strike Item #2 and requested a roll call vote. Amanda seconded the motion. There was no 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.

CONSENT AGENDA:

1. Minutes of August 21, 2024 – Workshop with Planning & Zoning Commission
2. Minutes of August 26, 2024 – Working Session
3. Claims for Payment
4. Monthly Department Head Reports – Fire, Engineer, Police, Public Works, Code Services
5. Commission Minutes – Airport, Library, Buhl Housing Authority
6. Clerk Report
7. Treasurer Report

Marla moved to approve the consent agenda. 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.

UNFINISHED BUSINESS

There was no unfinished business.

## NEW BUSINESS:

Review and Consideration of Appropriations ordinance for Fiscal Year 2024-2025: All members of the City Council having been furnished a copy of the proposed Ordinance No. 2024-6 and being fully apprised of the content and purpose of said Ordinance, Michael moved that the provisions of Idaho Code Section 50-902 which are require said Ordinance to be read on three (3) different days, tow (2) reading 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. Michael requested a roll call vote on the motion. Kelly 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.

Michael moved to approve Ordinance No. 2024-6 the Annual Appropriations Ordinance for Fiscal Year 2024-2025. Kelly seconded the motion. Mayor McClain read the title of the ordinance for the record. There was no 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 2024 ARPA Water Project Change Order No.1: This item was removed from the agenda.

Review and Consideration of Sanitation RFP Review Committee Recommendations: Kelly moved to adopt the committee's recommendations on the Sanitation RFP. Marla seconded the motion. Marla confirmed that sanitation would remain the same; that was confirmed by staff. There was a discussion about reviewing the rates and staff reviewing the internal systems for the sanitation department. Kelly thanked the companies who provided the proposals. A representative from Western Waste Services noted it is tough to do what the city does on their end, but would like to help the city any way they can. Michael read a paragraph from the committee's recommendation which stated. After reviewing both proposals and considering all relevant factors, primarily due to the increased cost or reduction in service provided in the proposals, it is the recommendations of the Review Committee to reject both proposals for sanitation services and for the City to maintain its provision of sanitation services to residential and commercial customers. 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.

Discussion of City Parking Ordinance: Michael noted a lot of the examples provided in the packet set a distance for parking. Karen also noted a time limit away from the previous parked location was defined. Andrew stated the Boise code provided would solve this situation but affects all who park in front of their own homes. Kelly noted code says no RV. Karen stated a discussion had been held with staff and it was questioned if the vehicle being discussed is classified as an RV; there was further discussion on this and whether it was a vehicle or a recreational vehicle. Andrew recommended looking at classifying code and RVs or if council wanted to look at that section of

Clear Lakes Road. Kelly added this particular vehicle left the factory as a motorhome; Amanda added she had looked it up and it stated it was a camper van. Marla commented she did not like placing more regulations on citizens; but if this is a safety issue it needed to be looked into further. Amanda noted a lot of vehicles park along this section of Clear Lakes that do not move either because they can be identified with the kosha weed around them. Jeremy stated there was some wording in the code that needed to be updated such as the term “continuous”; and the need to look at current code on what we can do to identify vehicles parked to long. Michael questioned what council needed to do to avoid debating if an ordinance has teeth. Kelly stated if we do not test an ordinance we do not know if it has teeth or not. There was further discussion about the chalking of vehicle tires and Andrew noted that does not work anymore. Karen then read the city code definition of recreational vehicle. Kelly stated he felt a ticket should be put on it as an RV as it left the factory as an RV; he added he was here to address this specific situation. Kelly moved to instruct the relevant department to enforce Buhl City Code 5-2-4 A. 3. Marla seconded the motion. Andrew noted he did not see any great risk in proceeding. Kelly read the code section. Chief Engbaum questioned Andrew if he could because it is a state highway. Amanda added if it is a state highway they should not be parking there either. Andrew commented the worst case is the district attorney throws it out. Kelly added then we will know if the ordinance works. Chief Engbaum noted the resident moves it everyday so they are in compliance and will check registration. Kelly noted it does not have to do with registration because of code definition. There was a discussion about VIN and VIN inspections. 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.

Review and Consideration of November and December Holiday Meeting Schedule: Marla moved to approve the November and December Holiday Meeting Schedule. Michael seconded the motion. Karen noted this schedule would have the office open on Monday, November 11<sup>th</sup>, which is Veteran’s Day and hold the regularly scheduled council meeting that evening. It would also have the working session on November 25<sup>th</sup> and December 9<sup>th</sup> and canceling December 23<sup>rd</sup>. There was discussion that city hall would then be closed on Wednesday, December 25<sup>th</sup>, Thursday, December 26<sup>th</sup>, Wednesday, January 1<sup>st</sup> and Thursday, January 2<sup>nd</sup>. Karen explained those two weeks are the quietest of the month and no bills are due for citizens. Amanda questioned not being closed for veterans and questioned how people felt about that and a way to honor them. It was stated that administration staff were okay moving forward with the proposed holiday schedule and being open on November 11<sup>th</sup>. 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.

**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.

Marla asked about having a half sheet of paper at the town hall for questions on the comp plan. It was noted there was not another Council meeting before that to have that as an agenda item.

#### CITIZEN COMMENTS:

Sheri Wills, Buhl, ID, stated she was a service-connected veteran. Her concern was nothing is accessible to her; she noted the corner on Main Street. She had asked the mayor to do a wheelchair for a day with her to see her difficulties. She noted it is a safety issue on Broadway. She noted the ramp that had been placed but it is still wrong as she goes outside the cross walk to access the spot. She stated instead of spending her money in Buhl she has to go to Twin and noted the antique shops. She noted she had received a letter from the city attorney. She is gathering complaints and letters from disabled people and business owners to submit; she is also taking pictures to show all the areas not in compliance. She stated these need to be changed because of safety and legal issues. Mayor McClain thanked Sheri for her service and noted Andrew had supplied her with the ADA guide that Council had been provided. Mayor McClain also noted she sees people who struggle to access CPR. Michael noted he had been here for 14 years and has never received a complaint from business owners or citizens regarding ADA issues.

Teresa Robbins, Buhl, ID, stated parking in our town is really a mess. She noted boats, RV's, enclosed trailers are parked on both sides of the street in some places. She stated there is not enough room for emergency vehicles to get through. She also noted she sees Rick's workload and the police department's workload and we just need someone to deal with parking.

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 7:36 PM.

Minutes prepared by Karen Drown, City Clerk