

CITY COUNCIL REGULAR MEETING

NOVEMBER 11, 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.

PUBLIC HEARING #1:

Ryan Bowden, Buhl, ID presented his request for the property at 703 Locust St. He stated it is currently R-6 and Buhl City Code says it can only be a duplex. He noted his plan is to make 5 units with the house being 1 unit and the church building convert into 4 units. He stated it can only be four units to follow code.

There was no testimony in support of the applications.

Janis Hurd, Buhl, ID had some questions. First being is there enough parking and second if it was changing to R-16 could it be made into migrant housing and referred to a prior application. And the letter and number from the notice put fear in her hearts as she wants good neighbors.

There was no testimony neutral to the applications.

Ryan was provided time to rebut the questions. Regarding parking he noted city code states how many are needed for a five plex. He also stated it was mentioned at the planning and zoning hearing the public parking available behind the bleachers next to the football field. Ryan stated regarding migrant housing they would have to go through planning and zoning for a conditional use permit.

The hearing was closed at 6:39 PM.

PUBLIC HEARING #2:

This hearing was cancelled due to a noticing error.

### PUBLIC HEARING #3:

This hearing was opened at 6:40 PM

Karen stated this is the draft ordinance that was considered on October 14<sup>th</sup> regarding RV parking on city streets and was approved by Council to go to public hearing. She noted there had not been anyone request a copy of the draft ordinance. She added this change would remove the 72-hour time limit on RVs on street parking. It also updated the fee schedule and if a parking ticket was not paid in 7 days, then it would be issued a citation and it would go through the county court system.

Janis Hurd, Buhl, ID, signed up in support of the draft ordinance. She noted there had been an RV parked in front of her house for three months. She noted it was not registered and doesn't have license plates and she hopes this helps with that. Janis stated she had come into city hall and talked with the front desk and the police clerks. Amanda questioned if it wasn't licensed how come it wasn't taken care of when she came in. Michael questioned if it was a safety issue. Janis noted it was not but it blocks her view and when friends come over, she wants them to be able to park in front of her house. Kelly questioned if it impeded her view while pulling out. She stated no.

There was no testimony against or neutral.

The hearing was closed at 6:45 PM.

### CONSENT AGENDA:

1. Minutes of October 28, 2024 – Working Session
2. Claims for Payment
3. Monthly Department Head Reports – Fire, Engineer, Police, Public Works, Code Services
4. Commission Minutes – Airport, Library, Buhl Housing Authority
5. Clerk Report
6. 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. 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 Public Testimony on the request by Ryan Bowden for a change of zone from R-6 Medium Density to R-16 High Density: Kelly moved to approve the request for a change of zone from R-6 to R-16. Michael seconded the motion. Marla questioned if it went to and R-16 could the next person build up to 16 without coming back to P&Z and Council. Jazmine noted it depends on the lot size. Marla also noted the other units in the packet as examples had parking within their property; she added that was more of a concern that a question. Amanda stated the area behind the bleachers had never been parking her entire life. Michael noted people park there all the time. Jason Scott added they are parking there and using the new ADA corner as an exit spot; he would put an appropriate curb cut and block the ADA from vehicles using it. Amanda stated it had never been designated as parking. Michael questioned if that was a problem. Amanda stated it was funny we have money to do that but not other issues in the area. Andrew Wright noted that the change from R-6 to R-16 would allow a boarding house and recommended not approving. Jazmine noted the P&Z board has considered changing the R-16 boarding house from permitted to a conditional use which would require any application to go before the P&Z board. Kelly questioned the difference between apartments and a boarding house. Karen read the code definition for boarding house which have a shared community bathroom and kitchen. There was discussion about the timing of this application and the changing going through the P&Z board. Marla noted she would feel more comfortable waiting for that ordinance. Jazmine noted Council's approval or denial can not be based on proposed uses but if it matches code and the comp plan. Michael questioned if it could be a conditional use. Jazmine stated it has to be explicitly listed in code; and again, noted that is what P&Z is working through right now. There was no further discussion. There was a roll call vote. Michael voted yes, Amanda voted no, Kelly voted yes, and Marla voted no. There was a tie vote. Mayor McClain voted yes breaking the tie. The motion passed.

Review and Consideration of Public Testimony and Ordinance for Amending Sections of Title 5 to update parking regulations and the penalty process: All members of the City Council having been furnished a copy of the proposed Ordinance No. 2024-8 and being fully apprised of the content and purpose of said Ordinance, Kelly moved that the provisions of Idaho Code Section 50-902 which are require 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. Kelly requested a roll call vote on the motion. Michael 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.

Kelly moved to approve Ordinance No. 2024-8 the Amending Section of Title 5 to update parking regulations. Michael seconded the motion. Michael noted he had some hesitation on this code at the last meeting but doesn't think our officers will give anyone grief when loading or unloading and he had also received lots of citizen feedback on RV issues with parking on the street, similar to Janice's testimony. Amanda agreed with Michael and questioned if a restoration company was

working on a property. Jazmine pulled up the city code that addressed conditions for an active construction site. Kelly noted he was pushing from the start on this change. He added everyone has had an issue at one time or another. He noted the police don't have the manpower to deal with every unit but will do it regarding complaints. Mayor McClain mentioned a recent meeting with a citizen about a situation with RVs on his property which has brought other code sections to light that will be reviewed. There was no further discussion. Mayor McClain read the title. 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 LHTAC FY26 LRHIP Grant Application for the Transportation Plan: Michael moved to approve the signing for the LHTAC FY26 LRHIP application. Marla seconded the motion. Michael questioned if ADA options could be added because of recent concerns by a citizen. Nester Madrigal with HMM Engineers addressed Council and stated he is working on submitting the application. He noted bike and pedestrian is included and can look at ADA. He noted the application is due December 5<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.

Review and Consideration of Update on Requests for Firework show donations: Karen updated Council that letters had been sent to approximately 25 large businesses with a request for sponsorship of the Sagebrush Days Fireworks Show. She noted as of this meeting none of the businesses had responded. She was wondering if Council would like to put it out to the community as a whole or how they would like her to proceed. She noted the show in 2024 was a \$10,500 show, and there had been two companies donate; those being Les Schwab and Agropur. There was a discussion how other cities pay for their show. Autumn noted the city portion is budgeted at \$8,500 with an additional \$5000 budgeted in donations. Mayor McClain questioned approaching the Buhl Rural Fire Protection District to consider budgeting some for the show. Michael questioned if there were other businesses. There was a discussion of additional businesses to send letters to and a suggestion to send a follow-up letter to the listed businesses. Marla moved to table this discussion to the next meeting. Kelly 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.

**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.

Kelly noted Doug Fritz who had contacted him on the parking issue on Clear Lakes Rd wanted to thank every person and agency that had taken time to look into his concerns.

Michael had been approached about the new stop signs on Fair Street. Scott noted it was a beautiful street but they have created a speedway. He added there had been people caught doing 60 mph on the street even during construction. He noted it takes an addition 30 to 35 seconds to stop and comply with the stop signs. He also added parking will be added to the west side of the road. Chief Engbaum noted the first week when it is open they will be giving warnings on the stop signs but the speed limit is the same as it was so any speeders will be cited. Michael also questioned the power poles and when they will be moved. Scott noted those are planned to be moved next spring, but added the contractor is still working in the area on items and clean-up.

Amanda questioned about the skate park and had citizens asking her when it will be opened. Mayor McClain stated it was still an open investigation on the vandalism and there wasn't a date set yet to open.

#### CITIZEN COMMENTS:

Mayor McClain read the below statement.

##### Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Buhl shall:
  - a. Wait to be recognized by the Mayor or Chairman.
  - b. Approach the podium.
  - c. State their name, and whether they are a resident or property owner of the City of Buhl and proceed with their input.
2. All public input will be limited to two (2) minutes at the discretion of the mayor. Individuals are not permitted to give their time to other speakers.
3. All presenters shall remain respectful.
4. This is not a question an answer period with Council.

Public input will not be about any of the items that were on this agenda (as these were not public hearing related topics), personnel, or a personnel-related issue. All issues involving City personnel should be directly communicated with the mayor.

Anyone failing to follow these rules will be provided with one (1) warning. Should the speaker continue to disregard these rules after the warning, they will be asked to return to their seats.

Janice Hurd, Buhl, ID, stated the community needs the skate park for the kids as they have nothing to do. She thanked the individual that has transported local youth to the Twin Falls skate park. She added she has a list of names so she will speak to the officers.

EXECUTIVE SESSION: Michael moved to enter executive session with provisions of Idaho Code 74-206, subsection 1.f. to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal option for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated. He requested a roll call vote. Kelly seconded the motion. Marla

voted yes, Michael voted yes, Amanda voted yes, and Kelly voted yes. Executive session was entered at 7:47 PM. Attendees in the executive session were Mayor McClain, Michael Higbee, Kelly Peterson, Amanda Hawkins, Marla Sisson, Andrew Wright, Karen Drown, and Jeremy Engbaum. Amanda moved to adjourn the Executive Session. Kelly seconded the motion. There was a vote; all voted yes. The Executive Session was adjourned at 8:45 PM.

MEETING ADJOURNED – Marla moved that the meeting be adjourned; Michael seconded the motion. There was no discussion. All voted yes. The meeting was adjourned at 8:46 PM.

Minutes prepared by Karen Drown, City Clerk