

CITY COUNCIL REGULAR MEETING

JUNE 10, 2024
203 Broadway Ave N

PRESENT:

Pam McClain	Mayor	Jason Scott	Public Works Director
Michael Higbee	Council President	Jeremy Engbaum	Police Chief
Kelly Peterson	Council Member	Scott Bybee	City Engineer
Amanda Hawkins	Council Member	Maegan Hanson	Library Director
Marla Sisson	Council Member	Andrew Wright	City Attorney
Karen Drown	Clerk	Jazmine Mills	P & Z Admin
Autumn Jones	Treasurer	Concerned Citizens	

PLEDGE OF ALLEGIANCE

CONFIRMATION OF QUORUM:

Karen Drown confirmed a quorum.

CONSENT AGENDA:

1. Minutes of May 13, 2024 – Regular Session
2. Claims for Payment
3. Monthly Department Head Reports – Fire, Engineer, Police, Public Works, Code Services
4. Commission Minutes – Airport, Library, Planning & Zoning, Buhl Housing Authority
5. Clerk Report
6. Treasurer Report

Marla moved to approve the consent agenda. Kelly seconded the motion. Amanda stated under Council spending priorities she had said she agreed with Michael not Marla and requested minutes be changed. Karen stated she could review the recording. Mayor McClain requested Karen to review the recording and amend the minutes as needed. 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 Magic Valley Brewing Anniversary Beer Garden in parking lot between 200 and 208 Broadway Ave N: Judy White, owner, and Jackee Bateman, manager of Magic Valley

Brewing, presented their plan for the Magic Valley Brewing's anniversary party. There was a discussion about the current licensed premises areas for Magic Valley Brewing and the map that was included in the Council packets for reference. Karen explained the picnic tables located in the front area were included in the licensing scope, but it didn't go any further. She added the area in this event request was the City-owned parking lot and the implemented open container code warranted Council's approval for this event. Marla moved to approve the beer garden for the anniversary party. Kelly seconded the motion. Judy explained details for the event. Amanda inquired about insurance for injured persons at the event. Michael commented they must get supplemental insurance. Amanda asked if that would be obtained for this event; Michael added he didn't think the event should happen without the insurance. There was a discussion about insurance held by the Chamber for their off-site events. There was discussion about tabling or amending the motion. It was noted the next council meeting was scheduled for June 29th, which was really close to the event for planning. Marla amended her motion contingent upon the City receiving insurance documentation. Kelly seconded the amended motion. Michael questioned Chief Engbaum about the event. Chief Engbaum stated this proposal was a good community event that will continue to preserve the relationship between businesses and the police. Judy noted this event would be handled like their other events—I.D.'s will be checked, wristbands provided, signage, and drinks will be served in clear plastic cups. She also noted there would be kid and adult entertainment options. Amanda asked if this was before Council because of the code not allowing alcohol in the streets; Karen confirmed and added that the parking lot is not part of Magic Valley Brewing's licensed premises nor their ownership. There was no further discussion. There was a roll call vote. Michael voted yes, Amanda voted yes, Kelly voted yes, and Michael voted yes. The motion passed.

Review and Consideration of Magic Valley Brewing Beer Garden at Sagebrush Days in Eastman Park: Judy White, with Magic Valley Brewing, and Reme Pullicar, with Buhl Chamber of Commerce, presented the proposal to Council together. Kelly moved to approve Magic Valley Brewing's beer garden during the Sagebrush Days events in Eastman Park. Marla seconded the motion. Karen noted, in previous years, Rich White, with Magic Valley Brewing, was on the Chamber Board and now there are new board members, so she requested a letter from the Chamber stating their approval. Judy noted they work hard to represent the city professionally. She explained the process for checking of I.D.'s and supply wristbands and monitoring for any outside alcohol. She felt they had been successful with keeping their promises to the city for their events. Reme noted the Buhl Chamber of Commerce fully supports Magic Valley Brewing, who is their primary vendor, and the Buhl Chamber of Commerce insurance covers the event. Michael questioned if there would be other vendors. Karen stated at that time, no one else had applied, but this approval would allow the open container waiver in the park for all vendors during the event. There was no further discussion. There was a roll call vote on the motion. Amanda voted no, Kelly voted yes, Marla voted yes, and Michael voted yes. The motion passed.

Review and Consideration of Door-to-Door Sales Permit for Sebastian Johanson, Southwestern Advantage Education Books: Michael moved to approve the door-to-door application. Marla

seconded the motion. Michael asked if Sebastian had any information to share. Sebastian stated he was born in Estonia and showed a picture of his national flag. He added his brother had told him about this program of selling educational books for the summer. He stated he had only seen the USA in movies, and that Buhl is a beautiful town with beautiful people. Mayor McClain noted the application stated it would only be through August 28th. Amanda inquired if he was part of a team or the only one. Sebastian confirmed he is the only one in Buhl. Amanda requested this to be posted on Facebook; Karen confirmed that approved door-to-door permits are posted to notify community members. Sebastian asked to have a picture with all of Council to show his mom. Karen noted the application stated until 9:30 p.m. and added Sebastian had explained the later hours would be for prearranged appointments. 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 yes. The motion passed.

Amanda asked if there are other active permits. Karen noted DaBella and she believed a pest control company. There was a discussion about other companies who are door-to-door sales and what citizens should do if they're contacted by such companies that don't have Council approval.

Review and Consideration of Draft Sanitation Request for Proposal (RFP): Kelly moved to approve the draft Sanitation Request for Proposal. Marla seconded the motion. Kelly questioned if there was more than one company interested. Jason noted this will go out and any company can respond. Amanda asked who drafted this proposal; Karen confirmed Clearwater Financial drafted the document. Mayor McClain stated this action item was to determine if Council was happy with the draft document to publish. Amanda noted her concerns about the current employees and keeping the 2-day per week pick-up. Jason stated that would all be part of the contract. Amanda questioned if it would be a yearly contract. Autumn stated that depends on the term implemented on the contract, which would be part of the negotiations. Amanda also stated her concern about selling all the equipment and the contract terms changing after one year causing the city being without equipment. Michael noted the city would probably shoot for a long term such as 10-years. 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 Buhl Housing Authority Board Members: Michael moved to approve the recommendations of Barbara Jones and Norm Beeson. Kelly seconded the motion. Amanda questioned the terms and the connection to the Buhl Housing Authority. Karen stated she believed the term was 5 years and the bylaws of the Housing Authority stated the board members must be approved by the City Council. Karen added they pay the city one annual check in lieu of taxes, they are their own entity, and they are funded by federal funds through HUD. Amanda asked if Council should be approving their minutes. Mayor McClain stated their board approves their own minutes; Karen added they are just for Council information and they had been backlogged for a number of months. 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 Mayor's Recommendations for Rate Committee Residential and Commercial Members: Marla moved to approved Kathy Schofield and James Edwards to the Rate Committee. 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 IDEQ Amendment No. 1 to Drinking Water Leading Idaho Grant Agreement: Kelly moved to approve the amendment. Marla seconded the motion. Amanda asked about the 2027 effective date. Karen clarified that is the final study period, but June 30, 2024 is the due date for this amendment documentation. Michael stated he is glad they can help out with half of these costs. 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 2024 Fireworks Stand Applications: Kelly moved to approve the fireworks stands as presented. Michael seconded the motion. Kelly questioned if these were the same people from previous years. Karen confirmed they are the same vendors in the same locations. Chief Engbaum and Chief Stevens were asked if there had been any problems with them; it was noted other that a break in two years ago there and been no problems with the stands themselves. 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 Buhl Urban Area #3 Eligibility Report: Brent Toleman, of Outwest Policy Advisors, presented information about the walking tour which provided data for the report provided in the Council packet. He explained the 170 acres in the downtown corridor is the subject of the new URA area. He noted there are a number of deteriorating buildings and properties, along with traffic congestion, parking and street issues. He explained there are parcels ranging significantly in size and the biggest factor in the process is an assessment of each parcel's base value. He also noted that URA areas cannot exceed 10% of the city's taxable value. Brent stated the current Areas # 1 and #2 plus the currently proposed Area #3 would exceed that amount. He stated the recommendation is to approve the study, have the URA Board proceed to next steps, and keep area in the 10%. Kelly inquired about item #7 in the study about diversity of ownership and if that was eminent domain. Brent stated this allows for purchasing, developing, and facilitating discussions. He added that the URA Board cannot impose eminent domain, only City Council could make that decision. Michael questioned if it was possible to exclude an island in the middle of the proposed URA area. Brent stated yes that can be done. Michael questioned if tonight's approval required stating the need to set the 10% limit. Brent stated the Resolution for approval should be in the packet and language to be within the 10% is included. Karen noted a Resolution was not provided. Michael moved to tentatively approve, pending a Resolution, at the June 24th meeting. Marla seconded the motion. There was a roll

call vote. Marla voted yes, Michael voted yes, Amanda voted yes, and Kelly voted no. The motion passed.

Review and Consideration of Surplus Resolution for Admin, Police, and Public Works: Marla moved to approve Resolution No. 2024-6 surplus for Admin, Police, and Public Works. Michael seconded the motion. Michael questioned the Nortel phone, which are no longer made and could be a relic. Karen noted an updated letter for Public Works had been provided on their desks as Jason had a few more items to add after the Council packets were sent. 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.

MAYOR & COUNCIL COMMENTS: Mayor McClain read the below statement.

“We need to make sure that we comply with the law with regard to employee privacy issues. If a member of the 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.”

Mayor McClain reminded Council that she will be gone on June 24th. Kelly noted there is a very good chance he will not be able to attend on June 24th as well. Mayor McClain asked Kelly to relay his “Piece-of-the-Pie” comments Autumn prior to the meeting.

Amanda noted it was sad to see the pool would be closed two days a week. Mayor McClain noted that it was a personnel issue and she dealt with it.

Michael stated at 12:46 a.m. that morning, a rock was thrown through the window at his business. He said he was there within 10 minutes, but 8 minutes after the call, 2 county sheriffs and 1 city officer were on scene and within the next 5 minutes, 1 county sheriff and 1 Filer city officer were also on scene. He stated the video surveillance showed one man had a gun, who both had fled the scene before law enforcement arrival. He stated that he watched the officers do their job in protecting his belongings and expressed his appreciation for the officers.

Mayor McClain noted that Officer Potter’s last day is June 13th, is moving to ISP, and is transferred to Lewiston. Officer Potter stated he was thankful for time with the City of Buhl.

Kelly noted he had seen the agenda for the City of Hagerman and their public comments are limited to 2 minutes.

CITIZEN COMMENTS: Jon Thomsen – Buhl, ID, stated he has become Kelly’s favorite topic. He added nothing had been shared with him from executive session; and asked to show him the proof. He commented about that accusations are being deceptive and misleading and not factual; and that intentional falsehoods are actually lies. He referenced Kelly’s truth and his truth, and Kelly’s God and his God are two different things. He presented to Karen his written statement.

Kelly attempted to ask Jon a question. Jon interjected that this wasn’t a question-and-answer period. Kelly proceeded to state that nowhere in the last time’s statements did he mention Jon’s name. Kelly reiterated that there was a Judas among us, and Jon’s comments speaks to Jon’s conscience.

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 10:24 PM.

Minutes prepared by Karen Drown, City Clerk