

CITY COUNCIL MEETING MINUTES
September 3rd, 2024 @ 7:00PM
at Notus City Hall, 375 Notus Rd, Notus, ID, 83656

1. Meeting Called to Order

Meeting was called to order at 7:12 PM by Mayor, David Porterfield.

2. Roll Call

Roll call was taken with the following results: Council President, Steve Ahlborn, Councilmen Rob Hartsock and Devin Krasowski and Councilwoman, Lupita Connor, present. City Engineer and Planner, Antonio Conti, City Attorney, Mitch Coats, and Mayor, David Porterfield all present.

3. Pledge of Allegiance

4. Public Concerns/Comments, limited to 3 minutes each

The Mayor recognized Ann Horn-Platz. She stated that it seems that a new building will be income for the City but was told that the income doesn't come until after the units are sold.

5. Consent Agenda, Action Items

5.1 Disbursement List

Ahlborn motioned to pay the disbursements for 9-3-24 in the amount of \$5,539.10. Hartsock seconded. Roll call was taken with the following results: Ahlborn; yes, Hartsock; yes, Krasowski yes, Connor; yes. Motion carried.

5.2 Council Meeting Minutes

NONE

5.3 Committee Meeting Minutes: Library, Community Events Committee

NONE

6. Business

6.1 FY'25 Chip Seal Grant, Update

The Mayor stated we applied for this grant last year and have received it. We will need to get estimates to see how far we will be able to go. Mayor will work on getting street patching repair estimates for other parts of town. Lhtac (Local Highway Technical Assistance Council) may offer to administer this grant.

6.2 Raise Grant, Update

The Mayor stated that we applied for this last fall and have been selected. This is a planning and Design grant for the collector street project. These are Notus Rd, 1st Street, 3rd Street, and Jasper Ave. This is for planning and design only, not for construction.

6.3 Employee Raises, ACTION ITEM

The Mayor stated that employee raises were in the budget that was approved last month. The City Clerk and Treasurer increase of 5% to \$16.38 per hour. Public Works increase of 5% to \$19.95 per hour. Parttime employees and Librarian increase to \$13.69 per hour. Krasowski motioned to approve the employee wage increase. Hartsock seconded. Roll call was taken with the following results: Krasowski; yes, Hartsock; yes, Ahlborn; yes, Connor; yes. Motion carried.

6.4 Proposed Sanitation Fee Increase: Public Hearing Date, ACTION ITEM

The Mayor stated that the Sanitation companies were notified this month of a landfill fee increase of 25%. Hardin Sanitation and Republic have requested a service fee increase but

leaving the roll cart fee at \$3.00. The City administration fee needs to be increased by 47 cents as well, as supplies and stamps have all gone up. This will require a public hearing. The public hearing will be held on September 16th.

6.5 Conway Ridge Development Plan Discussion Team, ACTION ITEM

City Attorney recommends tabling this topic.

6.6 Cyber Security Assessment, Update

Mayor stated a web meeting took place today with Boise State. Information was shared. They will discuss this with the rest of their team, come out to review the sites and report back with suggestions and changes needed. They indicated that older, smaller systems seem to not have as much risk. This takes a couple of months to complete.

7. Mayor & Council Comment

The Mayor stated that he would like to clear up some misinformation from the last meeting. A Public record request came into the office because of an email that was showing up in Council inboxes seemingly from the Mayor asking for a favor. It was quickly identified as a scam/fishing thing. But a public record request was made for a copy of all council emails concerning this (scam request). So this was then a necessity for the Clerk to access all the council emails to fulfill the legal request. So why would that be necessary for the Clerk to access that information? That lies in the realm of our positions as staff and elected officials of the City. All that information (Emails, etc..) is all public information. It doesn't belong to just us, it belongs to the public as information to share. It may be difficult to understand the nature of that, but it is information that can be legally requested.

Also there seems to be a misunderstanding of something that was said at our last meeting. To make sure we have some clarity on this one. The action of some Council members leaving the meeting that night left us with sufficient quorum, the request was made to stay so we could complete the business. In some way, shape or form, I don't know who said or where it came from, but the attorney present that evening used language that evening talking about the city trying to have a council member arrested and I want you to know that there was no language like that by city personnel or other city council members. What the attorney was saying at that point was mistaken information. It was a misconception of those 2 members that started to leave. We were certainly trying to get members to stay to help finish the business for the evening, but there was not a suggestion of having anyone arrested. How that situation got out of control like that, I don't know but for some reason it got put in that type of language so, sorry about that. That was not even thought about by the Clerk, the Mayor or other Council members. If anyone has concerns or questions, we can certainly talk about it. Connor stated that she was one of the members that stepped out. She received a traumatic brain injury in March and is not healed yet. It has affected her physically and her vision. She did step out because she was becoming ill and had to leave. Perhaps she didn't convey that she was not completely healed from her accident. Additionally, she had no knowledge of that ordinance #472 (requiring Council meeting attendance). The Mayor thanked her for letting us know of her injury. Connor stated that when she returned to the meeting, she did not appreciate that she had no knowledge of the hostility that was being directed towards her because of her stepping out. She will not be treated with hostility. She is not going to be discriminated against. The way Michelle was treated at public meetings was unprofessional and unacceptable. It was unacceptable behavior by professionals. The acting City Attorney, Mitch Coats, thanked her for speaking up and also for letting Council know of her injuries, stating that now, the Council knows. Stating you can't be discriminated against for something, if we don't know. Now that we know, I'm sure that if any accommodation like more breaks or something else is needed, I'm sure they will accommodate you. Connor stated she would like to have that (ordinance #472) on an agenda for reconsideration as first amendment rights considered, no one can be forced to stay at a meeting. Attorney disagreed, giving reasons why and stating no constitutional right is absolute, period. Krasowski and Ahlborn are in favor of reviewing the ordinance to make sure it is what is needed and review the steps listed.

On another topic Councilman Rob Hartsock stated that while attending a COMPASS meeting, he has heard of Canyon County cities looking at raising money through taxing vehicle registrations. More information will be coming on that topic.

Krasowski stated, going back to the email and Public Record Request, when he worked at the County there was such a request, and he was asked to collect and submit his emails that pertained to the requested information. The City Attorney stated that if you must collect the documents and then hand them over to the point of contact, there will be issues, especially if it goes into litigation. How do we know that you did a thorough word search or chose one email over another? Attorney stated he works for the City of Eagle and their City Clerk has back access to all the emails and does all the public record requests. Because that is public property and there is no "asking permission".

Hartsock asked if Boise River Pack has complied with the building permit requirements for water/fire suppression. The Mayor stated that they have.

8. Adjournment

Hartsock motioned to adjourn at 8:55 pm. Krasowski seconded. All in favor. Motion carried.

Respectfully submitted by Loretta Vollmer, idCMC, Notus City Clerk _____

Approved by Mayor, David Porterfield _____