

**MINUTES**  
**BUHL CITY COUNCIL SPECIAL MEETING**  
**BUHL CITY HALL**  
**11/25/2024**

Monday, November 25, 2024

5:00 P.M.

**1. CALL TO ORDER** by Mayor Carter at 5:00 p.m.

**2. ROLL CALL:**

Councilors:      X   Hadrava      X   Kealy          X   Loeffler      X   Towner  
Mayor:           X   Carter

Administrator:                  X   Jeffries  
Public Works Foreman:               Pink  
Attorney:                               Kearney  
Engineer:                          X   Jamnick  
Fire Chief:                               Lehman  
Police Chief:                            Manner

**3. PLEDGE OF ALLEGIANCE:**

**4. APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA:**

None, however the Administrator recommended taking up (Business) Items 8.B. and 8.C. prior to Item 8.A.

**Motion by Towner to approve the agenda as presented.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

**5. REPORTS FROM DEPARTMENT HEADS:**

None.

Councilor Kealy arrived at this time.

## 6. CITIZENS FORUM:

### Mike Lopac:

Noted that he forgot to mention while making comments previously that the first thing a potential developer or prospective landowner or stakeholder would do if they were interested in properties or lands is to conduct a water capacity test – to determine and address fire protection requirements – and to establish potential fire capacity flows -

If these results were not favorable, then fire insurance rates would likely be higher, and the prospective stakeholder may not retain any interest in building (or owning lands) there –

- So you need full infrastructure in place to take the best advantage of this -

### Ted Kivi:

Commented on a number of items, including:

Insurance rates – rates for a new tower build would be lower than rates for an existing tower refurbishment, and that these rates would carry throughout the city to every household in town (and save everybody money);

The AMI (Structural Engineering) report contained a number of incorrect information and findings, and that a number of issues need to be addressed soon – including the “X” bracing on the existing tower – which is allowing the tower to move more -

Indicated that (metal) stress is more; (metal) fatigue is more – the steel won’t get any better with time, it will only get worse; and the steel is weakening all the time – with no guarantee that this condition will not increase in the future – and potentially lead to catastrophic failure -

Asked what would happen if one of the existing legs failed –

## 7. CONSENT AGENDA

None.

## 8. BUSINESS:

**NOTE: ITEMS 8.B. AND 8.C. WERE TAKEN UP PRIOR TO ITEM 8.A.**

### A. Consider Water Tower Project Alternatives.

The City of has been studying, considering, and evaluating potential work scopes and alternatives for the City's Water Tower improvement project throughout 2024.

Most recently, a series of Public Input Sessions were held to allow residents to participate in these processes –

There are no additional public input sessions or other meetings on this item scheduled at the present time – therefore moving this item to the City Council discussion (or action) agenda may be appropriate.

The City Council will continue to discuss this matter and potentially move toward action at its discretion.

Councilor Kealy indicated she had received information from water tower industry representatives suggesting that there may be freezing considerations with a 200,000 gallon tank, even if an aerator or bubbler system were installed – that, due to the average usage, it would not be possible to have 200,000 gallons of storage capacity on the wintertime – and that freezing consideration must be kept in mind –

Varies and miscellaneous discussion regarding the above and capacity/flow considerations ensued –

Conversations regarding treating a 200,000 gallon tank like a 150,000 gallon tank until city population growth warrants an expansion of the amount of water stored and available ensued –

Conversation regarding tower/tank refill rates and the ability of pumps (new or existing) to provide desired refill rates ensued – the City Engineer indicated that this is a normal part of an equipment package evaluation -

Historical information was received from the City of Kinney, who also suggested a partnership with the City of Buhl may be desired to provide water services to the City of Kinney in lieu of Kinney constructing a new (needed) water treatment plant –

The current water tower in Kinney would be retained and utilized as an additional holding vessel -

This initially was met favorably and will be investigated in the near future –

The question was raised as to where a new vessel may be constructed – the Administrator laid out a couple of potentially available lands in proximity to the current vessel -

The question was raised whether a new tank/tower could be constructed in a replica style to the existing vessel – the answer is yes, and should be entertained, although it will likely be more expensive –

Discussion regarding ongoing maintenance requirements ensued -

**Motion by Kealy to authorize the City Engineer to undertake design initiatives and prepare specifications and bid solicitations in order to obtain quotes for construction of a new 200,000 gallon four-legged elevated water storage tank and tower, with other designs acceptable as alternatives in addition to the specified design.**

**Supported by Towner.**

Discussion. Approve/Reject/Table.

Evaluating lighting considerations for a new vessel will be considered in the bid solicitations.

**Motion carried 4-1; Councilor Hadrava opposed.**

B. Consider Request of All American Title to Grant Easement to the North Access to 99 Jones Avenue.

Gabriel LaBarge (and Sheila LaBarge) is the owner of certain real properties located at 99 Jones Avenue (PINs #115-0010-00490, 115-0010-00495, & 115-0040-00191).

These 3 properties comprise the yards and structures of a single-family home and detached garage located at 99 Jones Avenue.

Mr. LaBarge is in the process of selling and conveying these properties to another private purchaser.

First American Title company has noted and indicated that all property to the north of the subject properties is owned by the City of Buhl (PIN #115-0040-00190).

The only way to access the rear yard and the detached garage to Mr. LaBarge's properties is by crossing the City of Buhl property. No developed or established road or road right-of-way exists in this area, nor do any other specific permissions.

To rectify this situation, either an easement needs to be granted or a Letter of Understanding drafted allowing traversing over City property to access this address.

Please note there are similar access issues regarding the properties located at 101 Jones Avenue, owned and held by Ms. Julia Joyal, which could also be attended to.

The City Attorney has advised that an easement is preferred over a Letter of Understanding.

**Recommendation is to grant an access easement for ingress/egress (not permanent parking permissions) to the owners of properties located at 99 and 101 Jones Avenue in Buhl.**

**Motion by Towner to grant an access easement for ingress/egress to the owners of properties located at 99 and 101 Jones Avenue in Buhl.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

It was noted that no permanent parking facilities, nor no access, is available on or from the front (south) side of these properties -

The Administrator will continue to work with the City Engineer and the City Attorney to address and resolve this matter.

**Motion carried unanimously.**

C. Consider Request of Gabe LaBarge for Modifying Property Boundaries for 99 Culver Avenue.

Gabriel LaBarge is the owner of certain real property located at the northwest corner of the intersection of Forest Street and Culver Avenue (PIN #115-0040-00186).

Mike Anderson is the owner of certain real property located adjacent to the north property line of the above-referenced property (PIN #115-0040-00188).

Mr. Anderson has previously requested acquiring a certain piece of City-owned property immediately to the west of PIN #115-0040-00188, which the City Council has approved conveying to him subsequent to creating a valid legal description.

It has been noted that, if the conveyance to Mr. Anderson goes forward without any further alterations to any property lines, that the very northwest

corner of Mr. LaBarge's yard, and a portion of his existing sauna structure, would be encroaching Mr. Anderson's desired acquired property.

To alleviate this situation, and potential future concerns regarding Mr. LaBarge's property, the Administrator suggests modifying the property to be conveyed to Mr. Anderson, and to simultaneously create a parcel of land to convey or sell to Mr. LaBarge which would match the boundaries of his existing yard(s).

Please note that there are similar encroachment situations existing now and in the future with regard to the parcel of property located at 209 Culver Avenue (PIN #115-0040-00187) currently owned by Mr. DonLee Pulford. The present recommendation does not impact nor alter this parcel in any way.

**Recommendation is to convey certain City of Buhl lands to Gabriel LaBarge to match the current existing yard(s) of 99 Forest Steet.**

**Motion by Towner to continue to investigate the potential conveyance and/or sale of certain City of Buhl lands to Gabriel LaBarge to match the current existing yard(s) of 99 Forest Steet.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Discussion on considering addressing additional property boundary issues in this area ensued, as well as the current and potential future use (and condition) of these lands -

Discussion on the need to address the existing Mesabi Trail traversing a portion of this property with a continued and/or permanent easement ensued.

The Administrator will continue to work with the City Engineer to create and/or amend legal descriptions of the affected parcels, and will entertain conversations with the interested and effected parties prior to undertaking engineering or surveying work, since it is intended that these costs would be borne by the interested parties and not by the City -

**Motion carried unanimously.**

D. Other Business.

None.

E. Councilor's Comments.

None.

F. Mayor's Comments.

Stressed that the decision regarding the water tower was not easy – and that the City and the City Council has, throughout this process, attempted to gather as much information as possible in order to allow for the best decision to be reached on the matter –

Also – Stay off the ice! It is very thin!

**9. ADJOURN:**

**Motion by Kealy to adjourn.**

**Supported by Towner.**

**Motion carried unanimously and the meeting was adjourned at 6:08 p.m.**



Brandin Carter, Mayor

**ATTEST:**



Tony Jeffries, City Clerk