



# CASCADE CITY COUNCIL

**First Regular Meeting**  
**Monday, March 14, 2022**  
**6:00 PM**  
**Cascade City Hall**  
**MINUTES**

**CALL TO ORDER AND ROLL CALL** Meeting called to order at 6:08 pm

Present Council members Ron Brown, Jason Speer, Denise Tangen  
Council member, Rachel Huckaby has an excused absence.

A **quorum** was present.

Present in person Judith Nissula, Mayor Heather Soelberg, Treasurer  
Janice Van Winkle, Clerk

## PLEDGE OF ALLEGIANCE

## PUBLIC COMMENT

Leonard Isbell 510 North School Street  
Concerns over having to move his vehicle from the front of his house. Clarification of city street parameters.

Jeff Gordan 204 Overlook  
Concerns re: 1% LOT tax clarification over exemptions. Questions on the special event permit (SEP); he does not understand the need for an insurance policy with high liability limits and a gate fee for non-profit. The city needs to address the high snow pile at the corner of Howdy's that makes it difficult to see oncoming traffic.

John Christofferson 135 Par Ave. Cascade  
Owner of Tackle Tom's. Concerned over the 1% tax. Discussed with Mayor at Chamber meeting and it is still not clear to him if the tax is for 1% on items over a \$1,000.00 or under \$1,000.00. Bad timing in the implementation of this tax because of the current inflation rate and increased gas prices.

Kristen (KC's Bookkeeping and Tax Service) located in Boise.  
Confusion over who is supposed to pay tax and who isn't after making multiple calls. Why is a non-profit required to pay tax? Why do her clients within the city limits have to pay tax?

Chet Ward 820 Main St. (Intermountain Power Sport rentals)  
Shares the same concerns regarding the LOT tax.

## DEPARTMENT REPORTS

### Building Inspector/Code Enforcement

Report read by the Mayor. Buildings and grounds and code enforcement were summarized.

### Clerk

Summary of YTD activity on airport, park reservations, licenses and permits, and cemetery conveyances.



Motion by: Denise Tangen to approve the Sports Park MOU between the City of Cascade, and the Cascade School District.  
Seconded by: Jason Speer

Roll Call Yes, Ron Brown Yes, Denise Tangen Yes, Jason Speer  
Motion passed.

**AB 22-63 MOU, Noxious Weed Abatement (Action Item)**  
The Mayor discussed the effectiveness of spraying around the ponds and roads with Public Works and the City would like to see more in the future.

Motion by: Jason Speer to approve the MOU for the noxious weed abatement with Valley County.  
Seconded by: Denise Tangen

Roll Call Yes, Denise Tangen Yes, Jason Speer Yes, Ron Brown  
Motion passed.

**AB 22-74 Chamber of Commerce ITC grant and letter of support (Action Item)**  
This is phase one for the design work for the system. The second phase will be for the construction work.

Motion by: Jason Speer to approve the Chamber of Commerce ITC grant letter of support.  
Seconded by: Denise Tangen

Roll Call Yes, Jason Speer Yes, Ron Brown Yes, Denise Tangen  
Motion passed.

**AB 22-75 Open meeting/Public Hearing training w/City Attorney (Action Item)**  
With upcoming land use activity during the summer months the City Attorney gave the Council a brush up course on open meeting law.

Acting as a legislative capacity (ordinance or policy).

Acting in a quasi-judicial capacity refers to an individual application, annexation, SUP or subdivision. In this realm, there are procedural safeguards. Instruction given to Council that they can't get into a conversation regarding the situation – refer back to Council and Public Hearing and the need to have everyone hear their concerns.

Remember, any conflict of interest or ex-parte communication must be revealed; i.e. the person who approaches you to discuss a pending application of land use (quasi-judicial). If you've engaged in ex-parte communication, disclosing more over disclosing less is better. Always error on the side of disclosure.

Clarification of what ex-parte conversation is. Having or getting any communication outside of the process (that means not at a meeting). Questions can be directed to staff, it will be put into the record and available to all council. Everything should be on the record; all deliberation should be on the record. Research, emails, typing, site visit, google maps – all needs to be disclosed. Always error on the side of disclosure.

Rather than having individual conversations with a staff member, the Council member should ask the staff member to address their questions in the staff report at a meeting. Conversations with staff members should be disclosed. Disclose early...get it on the record.

Do not copy Council on staff conversations. Personal research as a Council member should not happen as it can be misperceived as undue influence. i.e. attending a P&Z meeting or making a site visit. Do not be an active member of the P&Z process. Remember, ultimately all information will be presented to the Council for their perusal and decision process.

Discussion between Council members and “friends” on the outside should be avoided up front. Land Use, Business License, etc. this is quasi-judicial and should not be discussed.

## **CONSENT AGENDA**

**(Action Item)**

Payment Approval Report through March 10, 2022.

Payroll register reports for March 2, 2022

February 2022 Financials

Approval of February 28, 2022 meeting minutes.

### **Q & A:**

Council Member Tangen asked for a check register that identifies checks issued for the month reported with detail on what they are for and how they compare to the financials. Moving forward, the Treasurer will include an email of the check register for checks processed in the month.

RE: LGIP account – the Treasure will close that account because it is such a low dollar amount.

RE: Page three of the financial report under “non-legal” was clarified.

RE: Grant monies under “parks” – grant for rewriting the comprehensive plan was clarified.

RE: Minutes typo – IIIA instead of IIA.

Agenda by motion – add pricing research.

Motion by: Jason Speer to approve the consent agenda with noted changes.

Seconded by: Ron Brown

Roll Call Yes, Ron Brown

Yes, Denise Tangen

Yes, Jason Speer

Motion passed.

## **MAYOR’S REPORT**

### **Water Conference**

Attended by mayor and public works staffers. The mayor recommend to the IRWA to have classes for elected officials on budgeting.

### **GIS status**

Locations are being added to the Caselle module. The mayor the \$700 program vs. the \$500 program.

Downtown revitalization was briefly addressed.

### **Chamber of Commerce**

Staff will work on finetuning the Special Events Permit.

### **Airport**

The mayor is working on finalizing the Airport Manager job description.

RFB-City Shop

Building a new city shop will require an RFB (request for bid).

**EXECUTIVE SESSION**

Pursuant to Idaho Code § 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Motion by: Denise Tangen at 8:43 pm to go into Executive Session.

Seconded by: Jason Speer

Roll Call: Yes, Denise Tangen, Yes, Jason Speer Yes, Rob Brown

**Council came out of Executive Session at 9:08 pm.**

**ADJOURNMENT** Mayor adjourned the meeting at 9:08 pm.