

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD MARCH 20TH, 2019.

MEETING CALLED TO ORDER AT 5:00PM BY AUSTIN W. ROBINSON, MAYOR.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

AUSTIN W. ROBINSON, MAYOR  
MITCHELL J. HART, PRES.  
JON D. GOODE  
ROBERT M. LAU  
SCOTT K. GAMBLES via telephone

EXCUSED:

ALSO PRESENT:

Mark Steele	Alan Skinner, Director
Austin & Jackie Robinson	Tausha Vorwaller, Clerk
Mazie Porter	Gregg Haney, Attorney
Larry Landrie	
Judy Nelson	Reverend Joy Ridge
Marilyn Kukachka	Robbie Lemarr
Chris Gentry	Lisa Bachman, JUB
Mark Matthews	

The invocation was given by Reverend Joy Ridge, Mayor Robinson then led everyone in the 'Pledge of Allegiance'.

The previous meeting minutes were presented for review. Councilmember Goode stated he had reviewed and noted no changes, he then moved to dispense with the reading and approve the March 6th, 2019 minutes as presented. Councilmember Lau seconded the motion. All in favor, motion carried.

The pre-paid accounts payable for March, 2019 were reviewed. Councilmember Hart moved to approve the accounts payable for March 1<sup>st</sup> through March 18<sup>th</sup>, 2019, seconded by Councilmember Goode. Councilmember Goode asked about a payment to Forsgren Engineers for work on the Kelly Park Subdivision that was over \$5,000. Director Skinner stated he had not seen the bill but assumed it included other projects the engineers have been working on. He and Clerk Vorwaller will double check the bill. A vote on the motion to approve the accounts payable as presented was called. All in favor, motion carried

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAIL)

A brief review of the ongoing and upcoming projects included in the current budget was held. Director Skinner reported the firemen helmets had been purchased and received per Chief Squires.

Mazie Porter, representing the Presbyterian Women presented an idea of a welcome package for new residents to Soda Springs. The group offered to assemble little gift packages including a few household items, the City's relocation publication, and gift

certificates and items from participating businesses along with delivering. Mrs. Porter reported that she spoke with about 20 businesses and they all were interested in supporting the program. The group would like the City to sponsor the cost of \$10 to \$12 for the gift packages and storage along with providing a way to find out about new residents. Clerk Vorwaller explained that new residents signing up for utilities would be asked if the group could deliver the welcome package. The Council discussed the approximate number of new residents and the cost to the City along with the businesses' donations. Councilmember Hart moved to approve in cooperation with the Presbyterian Ladies group to help sponsor the welcome gifts on a trial basis for the current year and support and encourage this activity. Councilmember Goode seconded the motion. All in favor, motion carried.

Mayor Robinson declared a public hearing open for the purpose of receiving public comments regarding a proposed amendment to the Soda Springs Municipal Code Section 17.68. The proposed amendment will add language to allow conditional use permit applications and zoning map amendment applications for the same property to be submitted concurrently and public hearings to be held concurrently by the commission and the council. The Clerk reported that no written comments were received. No comments were offered from the audience and the public hearing was closed.

Councilmember Lau introduced Ordinance #675 entitled AN ORDINANCE OF THE CITY OF SODA SPRINGS, IDAHO, AMENDING TITLE 17 OF THE SODA SPRINGS MUNICIPAL CODE (ZONING ORDINANCE); ADDING A NEW SUBSECTION TO CHAPTER 17.68 TO ALLOW FOR THE SUBMITTAL OF CONCURRENT CONDITIONAL USE PERMIT AND ZONING MAP AMENDMENT APPLICATIONS FOR THE SAME PROPERTY. A motion was then made by Councilmember Hart and seconded by Councilmember Goode that the rules requiring ordinances to be read on three separate occasions be dispensed with and that the ordinance be read once by title only. A roll call showed the following vote:

Those voting aye:	Mitch Hart	Those voting nay:	none
	Robert Lau		
	Jon Goode	Absent:	none
	Scott Gambles		

Motion Carried.

Clerk Vorwaller read Ordinance #675 by title. A brief discussion was held regarding the ordinance clarity and how and who will decide if the hearings are held concurrent or not. The Council agreed the staff would make that decision based on the complexity of the issue but the standard would be to hold them concurrently. Councilmember Goode then moved to approve the adoption of Ordinance #675. Councilmember Lau seconded the motion for adoption. A roll call showed the following vote:

Those voting aye:	Mitch Hart	Those voting nay:	none
	Jon Goode		
	Robert Lau	Absent:	none
	Scott Gambles		

Motion Carried.

(SEE ATTACHED COPY OF ORDINANCE #675 - ORIGINAL ON FILE)

During citizen input resident Austin E. Robinson of 235 West 4<sup>th</sup> South complained about a contractor getting water from the fire hydrant near his home that vibrated the service lines and he was concerned about damage to his lines. Director Skinner stated he will reach out to the contractor and talk to them because they did not have permission to access water and the City does not allow use of the fire hydrants.

An update on the Formation Spring well project was given. The bidding documents and construction prints for the well drilling and, the building piping and transmission line were reviewed. The pre-bid meeting will be April 5<sup>th</sup> at 2:00pm and the bids will be due on April 12<sup>th</sup> and then should have a recommendation for the Council on April 17<sup>th</sup>. Councilmember Goode questioned a change in the size of line noted on the construction prints. Director Skinner will double check with the engineer on the line sizes and mentioned the City already purchased the vaults for the well house and the pipe.

Councilmember Goode reported on the Planning and Zoning Commission's (P & Z) re-review of the residency requirements for members of the Commission. He stated the Commission deliberated at length about how to determine where to draw the line and if business owners needed more representation. After serious thought and consideration all agreed it was appropriate to leave the requirements as is and the Commission voted unanimously to recommend that to the City Council. Councilmember Goode moved to accept the P & Z's recommendation to leave the commission members residency requirements as they currently stand. Councilmember Hart seconded the motion. All in favor except Councilmember Lau, who voted nay. Motion carried. Councilmember Goode expressed his appreciation for the P & Z Commission's dedication pointing out sometimes it is a difficult service.

Councilmember Lau reported on a group of about a dozen community members that have formed with the intention of reviewing and making contributions to the Comprehensive Plan. Councilmember Lau explained that the group would like to be formally recognized as a committee and he moved to approve recognizing the Comprehensive Plan Advisory Committee (CPAC), seconded by Councilmember Hart. Councilmember Hart then observed that the Planning and Zoning (P & Z) could coordinate with this group or pass the Comp Plan onto the City Council who could then work with the group. Attorney Haney pointed out that changes to the Comp Plan can always be made anytime. Councilmember Goode stated it would be his preference to move forward with adopting the new comprehensive plan that the P & Z has already done a lot of work on and then as this new committee brings forward ideas, consider them for an amendment. Everyone expressed their appreciation for the group's willingness to be involved. A vote on the motion to recognize the CPAC was called. All in favor, motion carried.

The Mayor and Council reviewed a Kelly Park subdivision proposal put together by Councilmember Lau and Director Skinner. The proposal includes 39 lots using approximately 2/3 of the property west of the tracks and includes a green belt component

along the creek. The lots proposed are approximately ½ acre lots and there would be 3000 lineal feet of road with an estimated cost of \$35,230 per lot fully developed. The recent high bid costs were not used but an average. The Council discussed the cost of permitting that would be required regarding the creek and Councilmember Hart estimated it would take 30 years to get a return on the investment. Councilmember Lau pointed out that the sale of the lots would recoup most of the costs and it could be done in phases. Councilmember Hart clarified the City is not going to be in the subdivision development business but is trying to address the need for housing and show that space is available within the City for development. Councilmember Lau stated this could potentially be available to developers along with private ground that is available to show developers there are options. He noted this is a big piece of land costing the city money that could be making money. He expressed his feeling that he didn't want to do this exercise for no reason and the City needs to look for developers that would want to bid on the full piece of property. Councilmember Lau suggested moving ahead with auctioning the property. Councilmember Hart and Goode agreed they would like to consider all options and think it over. The Council agreed it was okay to put the information out there to developers to see if there is any interest and revisit the proposal in a month.

Director Skinner showed photos of the internal damage to the veins on the rotating assembly at the #4 Hydro Plant. He explained the original turbine was built in 1954 and repaired in 1983 and it hasn't been out since then. The service company suggested making a mold of what's left in order to cast a new assembly and they are comfortable using epoxy to do some flange repairs to the housing. The estimated cost is \$40,000 to \$50,000 and hopefully the repairs could be done in less than 90 days. The Director explained there is a spare assembly for the #5 Hydro Plant which is bigger. #4 runs about a 100 – 150 kW and #5 runs 225 - 250 kW. Councilmember Hart moved to approve to pursue the replacement of the #4 Hydro Plant rotating assembly, seconded by Councilmember Goode. All in favor, motion carried.

Mayor Robinson presented a recommendation to appoint Chris Gonzalez to the Parks and Recreation Board. Mr. Gonzalez expressed interest in being on the board and has ideas for providing more outdoor activities to the community. Councilmember Goode moved to approve the appointment of Chris Gonzalez, seconded by Councilmember Lau. All in favor, motion carried.

The Council discussed the second meeting in June which will conflict with the Association of Idaho Cities Conference. The meeting was rescheduled to be held on Monday, June 17<sup>th</sup>, 2019.

Councilmember Hart let the Mayor know he would need to call in for the next meeting on April 3<sup>rd</sup>.

Councilmember Hart moved to approve entering into executive session pursuant to I.C. 74-206(1)(f) to communicate with legal counsel regarding probable litigation.

Councilmember Goode seconded the motion. A roll call showed the following vote:

Those voting aye: Mitch Hart  
Jon Goode  
Robert Lau  
Scott Gambles

Those voting nay: none

Absent: none

Motion Carried.

Councilmember Hart moved to exit executive session, seconded by Councilmember Goode. All in favor, motion carried.

Councilmember Goode moved to accept legal counsel's recommendation to define the City's Water Right 11-994 as having an irrigation season of use which is 4/1 to 10/31 with no volume limit on the 5.5 cubic feet per second (cfs) municipal use and in addition to file a statutory claim for diversion of the 5.5 cfs during the non-irrigation season from 11/1 through 3/31 with no volume limit for municipal use. Councilmember Hart seconded the motion. All in favor, motion carried.

Councilmember Hart asked how the Mayor and Council felt about letting a local contractor use the Ender's building for a safety meeting, planned to be held at Kelly Park, in case of bad weather. The Council questioned who would clean the building after its use and also expressed concerns about the sensitive nature of the museum and gift shop items. All agreed it would be better for them to use the Senior Citizens Center or even the City Council Room.

Councilmember Goode moved to adjourn the meeting at 6:30pm, seconded by Councilmember Lau. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 3RD DAY OF APRIL, 2019.

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Austin W. Robinson, Mayor

ATTEST:

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Tausha Vorwaller, Clerk