



pointed out that it has to be a “certified” farmers market and would suggest some clarification and documentation. Mrs. Weeks is checking on what is required to be considered certified and is working with the United States Department of Agriculture. Councilmember Hart suggested that it may be prudent to monitor the current situation and revisit the request at the next meeting. Councilmember Goode expressed his support for the Farmers Market just wants to be sure it is in compliance. The Council agreed to revisit the request at the next meeting.

Mayor Robinson opened the public hearing for the purpose of giving consideration to the application of Todd Hunzeker/Trail Canyon, LLC of 120 North Hooper Ave., Soda Springs, Idaho for a zoning reclassification to change the back (East) approximately 1/3 of the property owned by him at 118 North Hooper Ave, Soda Springs, Idaho from an (R-1) Single-Family Residential Zone to a (C-1) Neighborhood Commercial Zone. Per the Clerk written comments were received from the following citizens: Carl & Alisa Miller, Reid & Hailey Herron, Brent & Kim John, Paige & Brock Byram, Crystal Galloway, Kent & Sue Adams, Merle Thornton, Richard & Sandra Dixon and Brian Lewis. The City Council acknowledged they had received and reviewed the written comments along with the minutes from the Planning and Zoning Commission meeting held the prior night. Mr. Todd Hunzeker addressed the Mayor and Council and explained how this parcel of land owned by him is split into two different zones and he is requesting to have the entire parcel zoned the same. He asked them to view the map and noted the front approximately 2/3 of the property is zoned C-1 and he would like the back remaining 1/3 of the parcel rezoned from R-1 to C-1. Alisa Miller, of 160 North Hooper Avenue provided comments regarding the rezone request. She presented a lengthy statement explaining the history of her family moving to Soda Springs after living many different places and the safety this community provides her family. She stated they are good neighbors and expect the same in return. She understands small businesses and the requirements and noted her and her husband’s community involvement. She expressed her opinion that the proposed land use change would lessen the safety of her family and neighbors. She questioned whether the community wanted to attract the type of transient population that would utilize Mr. Hunzeker’s proposed development of the property. Mrs. Miller clarified that her and her husband are opposed to the rezone and redevelopment of this property and do not feel it is appropriate for the neighborhood. She expressed frustration with having not been contacted by the developer, the way the application was processed and the lack of correct information. She also stated it is her opinion that this public hearing and the processing of this rezone application is non-essential and should not have been held during the current health situation and Governor’s Stay-Home order. She also questioned whether the excavation work on the property had been authorized. Mr. Hunzeker again clarified that he was just trying to get the zone changed so that this parcel of land was all zoned the same. There were no other comments from the public and the public hearing was closed. The City Council discussed the rezone application. Councilmember Hart noted this area of town is a little messy as far as the zoning goes pointing out that there is a residence in the commercial zone, referring to the Millers, and there was formerly a small business being operated in the residential zone. He clarified the current request is to rezone a portion of Mr. Hunzeker’s parcel and it makes sense to him to square it up so the entire parcel is the same zone. Councilmember

Goode stated he was inclined to align with Councilmember Hart in just looking at the zoning request and noted that Mr. Hunzeker withdrew his application for an RV Park after some discussion at the P & Z Meeting. He noted that he appreciates the Miller's input and concerns and they should be taken into consideration if there is a future conditional use application. Councilmember Goode also encouraged Mr. Hunzeker to meet with and address the Miller's concerns regarding the future development of the property. It was clarified for Councilmember Gambles that the Council was only deciding on whether to rezone the property or not. Councilmember Lau introduced Ordinance #678 entitled AN ORDINANCE OF THE CITY OF SODA SPRINGS, IDAHO, AMENDING THE ZONING MAP OF THE CITY OF SODA SPRINGS TO REFLECT A CHANGE IN ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL; PROVIDING A LEGAL DESCRIPTION FOR THE PROPERTY RECLASSIFIED; PROVIDING THAT THE CLERK SHALL CAUSE AN AMENDED ZONING MAP OF THE CITY TO BE PREPARED TO REFLECT SAID RECLASSIFICATION. 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 in full. A roll call showed the following vote:

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

Motion Carried.

Clerk Vorwaller read Ordinance #678 at length. Councilmember Lau then moved to approve the adoption of Ordinance #678 rezoning the back portion of Mr. Hunzeker's property at 118 N. Hooper Avenue from R-1 to C-1 giving the entire parcel the same zoning designation, seconded by Councilmember Hart. A roll call showed the following vote:

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

Motion Carried.

(SEE ATTACHED COPY OF ORDINANCE #678 - ORIGINAL ON FILE)

Councilmember Hart requested that the staff provide answers to the Miller's questions and also encouraged Mr. Hunzeker to work with the Millers. He also noted there had been more participation than usual from the public due to the conference call and felt it worked well.

Police Chief Scott Shaw II requested approval to replace an officer who recently took a job in Blackfoot. The Chief noted he is keeping in mind the current situation but would like to be ready to find a replacement as soon as restrictions are removed. Councilmember Goode and Lau supported the Chief's request and suggested moving forward with applications and phone interviews. Councilmember Hart questioned if the officer lost was one the City had put through schooling and how long he had worked for the City. The Chief reported it was

the officer the City put through training and he was with the City just over a year. The Chief explained the two year agreement has not been held up in court and he felt it best to let him go if he didn't want to be here. Councilmember Hart agreed. Councilmember Lau moved to authorize Chief Shaw to proceed with the officer replacement, seconded by Councilmember Gambles. All in favor, motion carried.

The Mayor and Council reviewed the conditional use application of Mike and Amanda Attebury for a group day care in an R-1 Zone. Councilmember Goode reported the Planning & Zoning (P & Z) Commission's recommendation, after holding a public hearing, was to approve the conditional use with the conditions that a 6 foot privacy fence be installed around the entire back yard, outside play time be restricted to 8am to 7pm and that all state licensing requirements be met. The Council discussed state requirements and the hours of operation which will be 5:30am to 6:30pm. Councilmember Goode moved to accept the P & Z's recommendation to grant the conditional use to the Attebury's at 570 E 1<sup>st</sup> N for a group day care with the conditions as previously stated. Councilmember Hart seconded the motion. All in favor, motion carried.

Director Skinner gave an update on the Formation Spring well project. He asked for approval of the stair installation by Custom Iron for \$24,680 that was previously reviewed by everyone. Councilmember Lau moved to ratify the approval for the local vendor, Custom Iron to complete the stair installation per the bid presented. The motion was seconded by Councilmember Goode. All in favor, motion carried. The well house siding bids were reviewed. The type of siding presented in the two bids is consistent with what the property owners wanted. Councilmember Lau moved to approve the lower of the two bids which was from Everlogs in the amount of \$15,948 for exterior siding on the Formation Spring well house. Councilmember Goode seconded the motion. All in favor, motion carried. The Director explained a problem with being able to get the balloon/bladder to block off the water in order to cut the pipe and install the T. An alternative would be to put in a hot tap and gate valve instead of the butterfly valve. Two bids were reviewed. Councilmember Goode moved to accept the quote from Tap Master for the hot tap and gate valve installation for \$23,830.95, seconded by Councilmember Lau. All in favor, motion carried. Director Skinner mentioned the well is still maintaining 7PSI at the discharge.

The paint coating bids for the Hooper Spring cover were reviewed. Councilmember Lau questioned the increased cost of the bids and suggested additional bids be sought. The Council agreed there could possibly be up to a 40% savings and instructed Director Skinner to solicit a couple bids from other contractors to be reviewed and decision made next meeting. Councilmember Lau asked about the budget. Director Skinner stated there is \$20,000 in the budget for Hooper Springs but could access the budget for tennis court repairs if needed.

Director Skinner reported on the discussion held with the Association of Idaho Cities Employee, Johanna Bell who helped review the proposed new Idaho Pollutant Discharge Elimination System Permit (IPDES) for the City's WWTP. The Council reviewed a draft letter to the Department of Environmental Quality (DEQ) asking to set up a meeting to

discuss the City's questions regarding the new permit. The Director mentioned there are really only three issues which would be, the requirements regarding zinc, copper and phosphorus and to ask for a 4 day extension to submit comments. Councilmember Hart asked that his comments previously submitted be reviewed and considered. Director Skinner addressed some and stated Ms. Bell was taking some time to address his questions. Councilmember Hart asked how much more this was going to cost the City. The Director stated his gut feeling was not much because we are already doing most of the testing required in the new permit. Ms. Bell had shared with the Director that the Soda Springs permit did not have as big of changes as other cities have seen but some may complicate things in the future if not addressed now. The Director mentioned there is nothing special built into the new plant to deal with copper and zinc and the City may have to consider not accepting septage.

The Enders building security system was again reviewed and the Director reported the lessee agreed to split the remaining cost after the City pays the agreed first \$1000 of the security system if allowed to pay monthly payments over the remainder of the lease term. The Director recommended approving the quote and getting it installed. Councilmember Goode agreed and moved to approve accepting the bid from Easy Access for a total of \$9534.68 with the City paying \$5534 and Diamond Heart paying the remainder by monthly payments over the initial lease term. Councilmember Hart seconded the motion. All in favor, motion carried.

Clerk Vorwaller reported she had done some further research on the Internal Control Policy requested by the auditors. She provided examples from Boise and Pocatello. Councilmember Goode stated he had reviewed and thinks the Pocatello version could be adapted to what we need.

Mayor Robinson reported on all the conference calls regarding the COVID-19 situation he has been listening in on with the school, county and governor. He reported the Library is still being used and the staff is managing the situation well. The Library staff is sewing and making masks for all the City departments. City Hall is doing business through the window and all departments are still working at full capacity. The Mayor explained how a plan is in place if there becomes community spread in Caribou County then the departments would split their crews in order to lessen the chance of spread to all the staff. He suggested if the crews were split that the employees would still receive their normal wages. The Council agreed. Councilmember Goode noted that the City may get federal coverage and aligns with paying those wages. Councilmember Lau suggested being cognizant with the upcoming budget and the possibility of decreased revenues. Councilmember Hart commended the community for doing a good job aligning with the guidelines and mentioned that we are blessed to be somewhat protected. He also stated the restaurants were doing well to try to stay open but all are filling a hit. Councilmember Lau attested that volume is down but it could be worse and we are fortunate to have the core essential businesses; mining, manufacturing and farming. The Mayor commended the City Hall staff on providing the information to citizens and on the website.

The proposed new Comprehensive Plan along with the Comprehensive Plan Advisory Committee's (CPAC) suggestions were again revisited. Councilmember Hart reviewed his analysis and a few minor changes. He recommended getting the plan adopted by the 2<sup>nd</sup> meeting in May. Councilmember Goode supported adopting the Plan as recommended by the Planning & Zoning Committee and keep in mind the CPAC's work. He suggested Councilmember Lau's spread sheet was a great document incorporating the CPAC's priority and implementation with the current projects budgeted and would be easy to use. A couple of minor changes to the Plan suggested by Councilmember Hart were reviewed by Attorney Haney and he felt they were not material enough to require a second public hearing. Clerk Vorwaller will update the document for review.

Two proposals for the skid steer broom replacement were reviewed. One was to repair and one to purchase new. All agreed to buy the new one. Councilmember Goode moved to approve purchasing the new broom for \$8,399 from Western States, seconded by Councilmember Gambles. All in favor, motion carried. Councilmember Lau suggested that the old one could be sold to someone.

Councilmember Hart gave some history on the Ledge Creek stream channel. For decades there have been problems with portions that have lost its banks, overflow and flood public and private property. The City used to try to clean and fix problem areas but the regulations became more complicated and it now takes the approval from three regulatory agencies. Councilmember Hart volunteered to help form a coalition of all the users and property owners to work together to address the stream channel issues. All parties includes the City, County, local industry, UPRR and adjacent land owners. He suggested someone needed to take the lead and as a courtesy he is willing, on behalf of the City, to take the lead but not the sole responsibility, he would just lead the collective group to work together and share the costs. Councilmember Lau and Goode supported the City taking the lead and suggested if the City doesn't do something it's not going to happen.

The Clerk presented the budget calendar with the tentative date of the budget hearing being August 19<sup>th</sup>, 2020. She is required to notify the county by the end of April of the time and place of the budget hearing. The Council approved the budget calendar.

Councilmember Hart moved to adjourn the meeting at 6:50pm, seconded by Councilmember Lau. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 6<sup>TH</sup> DAY OF MAY, 2020.

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Austin W. Robinson, Mayor

ATTEST:

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Tausha Vorwaller, Clerk