



Councilmember Lau seconded the motion. Director Skinner suggested clarifying the specific strip of land from the County Road going west to Soda Creek to be rezoned to incorporate the existing cooling pond in the M-1 Light Industrial Zone. Councilmember Hart agreed it should be done logically when they pursue that next step of rezoning the existing cooling pond. A vote on the motion was called. All in favor, motion carried. Trent Clark, Public & Govt. Affairs Director for Bayer thanked the City for their support and partnership and also expressed Jason Maughan's appreciation for the City's Planning and Zoning Commission.

Councilmember Lau stated he did not know why he was on the agenda and that he had nothing to report regarding the Comprehensive Plan Advisory Committee (CPAC). He offered to answer questions if anyone had them. He explained the Committee had a chair and a vice chair and they will make a presentation to the Mayor and City Council in the future to report on their progress. Councilmember Lau stated he knows the group is growing. Mr. Clark expressed support for the CPAC and mentioned that Bayer is reviewing their requests to be sure they are in line with the City's Comp Plan.

The Mayor and Council discussed the Industrial Park lease rates. Councilmembers' Goode and Lau presented a proposal to base the rates on the average capitalization rate of the estimated fair market value of the lots. Councilmember Goode understands the City is trying to incentivize business development so the lease amounts should be below market but the City is still entitled to a reasonable return on our asset. Nationally the capitalization rate is around 7% and the proposal is to set the lease rates at 3.5% which is ½ the national average which is a pretty fair compromise. The current rates are approximately 1.5%. The Council discussed the history of the rates which have not been reviewed since the plan created by Tony Varilone was put in place in 2002. The Council agreed the current rates are now unrealistically low and prompted by a new lease request their intent is to incorporate the new rates into new leases and renewals. The Council agreed the new rates would apply to everyone and would be phased in over a three year period starting with a 2.5% rate and going to 3% and then 3.5%. Councilmember Goode requested the rates be reviewed more often on a regular basis and Councilmember Lau suggested scheduling review of leases one year in advance of expiration. Councilmember Lau offered that he would be in favor of selling the Industrial Park lots. Director Skinner will check the assessed market value of the lots and prepare a comparison spread sheet of the leases for further review at the next meeting.

Director Skinner gave an update on the Formation Spring water right 11-994. An update from the Idaho Department of Water Resources (IDWR) provides the City with exactly what was proposed in transfer 82856 and that is 5.5 cfs from 1/1 – 12/31 each year and no volume limit, prohibiting hydro use. In exchange the IDWR is asking the City to withdraw the 30 year old application for water right 11-7356. The Council briefly discussed the reasoning behind the prohibition on hydro use. The Council agreed this was a positive outcome. Councilmember Goode moved to approve to accept the IDWR's proposal and their willingness to approve water right transfer 82856 and in turn the City will withdraw application 11-7356. Councilmember Hart seconded the motion. All in favor, motion carried. The Mayor and Council commended Director Skinner for digging in and doing the work and agreed this will protect the City's future.

During citizen input, Thirkill Elementary School Principal, Rod Worthington invited the Mayor, Council and Staff to celebrate the Schools accomplishment of being recognized as a Light House School in the "Leader in Me" program they have been working on for the last six years. The program is based on the Franklin Covey model of 7 Habits of Highly Effective People and there are only 3500 schools worldwide with this designation and Thirkill Elementary is #2 in the State of Idaho. Principal Worthington commended the Students, Teachers and Volunteers for all the time they invested to accomplish something really great. He stated they are very proud of the review results and invited everyone to attend the celebration on May 9<sup>th</sup>. Principal Worthington expressed appreciation to the local industry that supported the curriculum for the program. The Mayor and Council thanked Principal Worthington for a job well done.

Clerk Vorwaller reported she received 34 applications for the Assistant Clerk position, followed up references and prior employers on 10 of those and interviewed 6 individuals in which the Mayor sat in and assisted. She was pleased to report that Andrea Haderlie was chosen to fill the position and will start on April 29<sup>th</sup>. Councilmember Hart noted that will give the existing staff about one month for training.

Councilmember Hart reported on the progress of the Ender's Building Committee. He reviewed the City's self-imposed time frame of 6 months to have a plan in place on how to utilize or dispose of the donated building. The locally formed advisory committee has recruited some influential members with ties to the community and prior residents with business experience. They have established 3 goals consistent with what the City has expressed as their desires; 1) preserve the historical nature and legacy established by the Maughan's, 2) whatever is done near or long term with the building that it benefit the City and impose minimal demands on staff, 3) promote the building and make accessible to as many people as possible to enjoy and appreciate it. They have reiterated the pros of the building and the potential for it to create revenue including options to run as it has been, to separate the restaurant and hotel, convert it to a bed and breakfast, convert into long term housing or turn it into an office building and move City Hall there. They are continuing to reach out to people with experience and asking for additional time to work through their ideas. Councilmember Hart stated he has asked them to come up with a way to assist with the cost of utilities and maintenance if they want two to three years to evaluate and develop options. He expressed appreciation for the group's time and expertise. He has asked them to try to come up with a solution sooner than later. The liquor license is still viable but it could be revoked by the State if it is not utilized. Director Skinner reported he has been working on clearing out and donating the perishable food items. It was noted the cost to continue to maintain the building is approximately \$25,000 a year to keep it idle. The Mayor thanked Councilmember Hart for the update.

A proposal for Soda Springs High School Senior Class Vice President, Katie Sims was considered. The senior class would like to purchase 6 flags in two different styles along with the brackets as a gift from their class to hang on the street lights on the 3<sup>rd</sup> East Street overpass. Director Skinner detailed the bracket set up and the clearance required and stated it would probably take 3 to 4 hours to put in place and they would like them up before graduation. The new tradition may be continued annually by other senior classes. The Mayor supports the proposal. Attorney Haney suggested talking to the Idaho

Transportation Department. Councilmember Hart moved to approve placement, on the east side of the 3<sup>rd</sup> East Street overpass, of the SSHS Senior Class of 2019 banners contingent on approval from ITD, seconded by Councilmember Gambles. All in favor, motion carried.

Director Skinner reported that clean-up week will be May 6<sup>th</sup> through the 18<sup>th</sup> in conjunction with the County's free dumping at the landfill. The City's schedule for curb-side pick-up and drop-off times at the City Shop was reviewed. Councilmember's Goode and Hart volunteered to man the drop-off site on Saturday, May 11<sup>th</sup>. Councilmember Gambles asked about renting a second street sweeper to get things cleaned up quicker. Director Skinner will check on the price. Mayor Robinson asked to add to the clean-up week advertisement that junk car removal was available with the title.

The Clerk presented the budget calendar and noted the budget hearing was scheduled for August 21<sup>st</sup> at 5:15pm. She will provide the required notice to the County.

Councilmember Hart moved to add to the agenda a brief discussion on the new construction on 1<sup>st</sup> East Street dealing with a request from the Idaho Transportation Department (ITD) regarding storm water collection. Councilmember Goode seconded the motion. All in favor, motion carried. Director Skinner reported that he had already provided an email to the general contractor and the sub-contractor that the City has given permission for them to install the storm water drain line in the City right-of-way but outside the pavement which will be between the curb and the right-of-way. He assumes this permit refers to the tie-in into the storm drain in the Highway which the City is already responsible to maintain so there shouldn't be a problem and the City will assume ownership of the line when installed to our satisfaction. Attorney Haney stated that ITD is just making sure they are held harmless and show no liability. The location of the connection was reviewed. Councilmember Hart moved to approve to authorize the Mayor to sign the ITD permit and Director Skinner to work with everyone as required. Councilmember Goode seconded the motion. All in favor, motion carried. Councilmember Goode reviewed the liability concerns. Attorney Haney clarified that Mr. Kunz is the applicant and would be the liable party and he didn't have concerns about it.

Councilmember Lau moved to adjourn the meeting at 6:25pm, seconded by Councilmember Hart. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 1<sup>ST</sup> DAY OF MAY, 2019.

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Austin W. Robinson, Mayor

ATTEST:

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Tausha Vorwaller, Clerk