

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD MAY 20TH, 2020.

Due to the threat of COVID-19 and limiting public gatherings, the City Council Meeting was held by conference call.

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

ROLL CALL SHOWED THE FOLLOWING PRESENT:           AUSTIN W. ROBINSON, MAYOR  
MITCH HART, PRES. via telephone  
JON D. GOODE via telephone  
SCOTT K. GAMBLES via telephone  
ROBERT M. LAU

EXCUSED:

Also present via conference call:                   Alan Skinner, Director  
Mark Steele   Tausha Vorwaller, Clerk  
Mariah Lancaster                                   Gregg Haney, Attorney  
Jori Johnson   Chief Scott Shaw II

The invocation was given by Gregg Haney, Mayor Robinson then led everyone in the 'Pledge of Allegiance'.

The previous meeting minutes and the pre-paid accounts payable for May were presented for review. Councilmember Lau asked for a correction to the minutes regarding the adoption of the comprehensive plan. He noted it was mentioned his disagreement was based on that it was not a visionary document but he had also stated that he felt the Council was ignoring the public input and no material changes were made to the document following the public meeting the P & Z had held in January 2019. He clarified that both points were critical to his opposition to adopting the current version of the comprehensive plan. Councilmember Hart stated he had reviewed the minutes of May 6<sup>th</sup>, 2020 and the payables dated May 1<sup>st</sup> through May 18<sup>th</sup>, 2020. He then moved to approve the minutes including the correction as requested by Councilmember Lau and dispensed with the reading and also approved the accounts payable as presented. Councilmember Gambles seconded the motion. All in favor, motion carried.

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAIL)

Councilmember Hart commented in regards to the Comprehensive Plan that there was reference in a couple different places that clearly spelled out the intention to create and use the Community Improvement Plan (CIP) in conjunction with the Plan. He also noted and the Clerk verified that some minor, non-material corrections and additions were made to the final Comprehensive Plan reflecting that intention.

Mariah Lancaster via conference call gave an update to the Mayor and Council regarding their reopening plans for the Diamond Heart Cattleman's Steakhouse/Ender's Building. She reported their plan for reopening was approved by the Health Department and mentioned they had been limited to take out services. A few changes they have made is they are trying to

make use of the front and rear outside space due to the COVID social distancing requirements and this is the first summer season and they really wanted to use the outside area. They want to continue to expand services as the stages allow and have more events and work with the City also in promoting the downtown area. Mrs. Lancaster also mentioned they are hoping to move forward on using the hotel and the museum. They plan to keep the Mayor and staff in the circle while working on reopening the hotel. Councilmember Goode stated he was glad to hear things are starting to pick up. Councilmember Hart shared a report from a local fast food business owner that March was slow but April and May have been positive and they have had to add additional staff. It is encouraging and he applauded the way they have operated. Councilmember Hart offered that maybe things aren't as bad as perceived. Mrs. Lancaster expressed her appreciation for the City's help and cooperation and mentioned they are always available for questions.

Director Skinner gave an update on the Formation Spring well project. He detailed the items completed and the items left to complete. He mentioned the contractor ran into about 150 feet of rock and the City agreed to pay time for the track hoe jack hammer of 22 hours. The remaining items include; transmission pipe, top of well house, electrical, fence, gates, clean up, abandon two wells and install the stairs. The project is ahead of schedule and should be able to finish up by early August. Councilmember Goode stated he was glad to hear it will be done ahead of schedule. Councilmember Hart requested to review in the near future a total cost of the project. Director Skinner mentioned he had reviewed with the Clerk the current budget which will need to be reopened in order to complete the project this year and it will also postpone this year's Water Fund projects.

The infrastructure and ongoing project lists as put together by Councilmembers Hart and Lau were reviewed. Director Skinner explained he was trying to find the best way to combine the lists to be used as a guide. He went over the projects completed, those in progress, and the ones budgeted to be done this year. He suggested it would be wise to submit the 2<sup>nd</sup> East project to the Department of Environmental Quality (DEQ) for approval even if we can't start it until next year. He also mentioned going out to bid on the pressure reducing valve (PRV) project based on the completed study and the 220 South new road improvements. He assumed the Council will want to place curb and gutter, asphalt and do some landscaping to finish the project and noted there is enough in the budget to complete the road this year.

The request for funding for the Idaho Pioneer Trails Auto Tour brochure was revisited. Director Skinner reported on the other communities that are funding and reviewed the Soda Springs section of the brochure. The brochure did not get produced last year but was available on the website. Councilmember Lau asked if the County and the Southeast Idaho High Country Travel Council had been approached expressing his opinion that they should be the first ones to support it. Councilmember Goode agreed and suggested if the County, the Southeast Idaho High Country Travel Council and the City all put in \$250 that would meet the \$750 they are asking for. Councilmember Hart asked if we were going to get enough bang for our buck this year with the current COVID-19 situation. Councilmember Lau shared his experience with brochures that they should be producing enough to last 3 to 5 years. The Council all agreed to offer a \$250 shared sponsor if the organizing group got commitments from Caribou County and the Southeast Idaho High Country Travel Council.

Mayor Robinson opened the discussion regarding the City's response to the COVID-19 health situation. He mentioned that a Waxie sales representative who provides janitorial supplies to the City and the School would demonstrate a disinfection device which is a type of spray gun for the City and Schools on May 26<sup>th</sup> at 10am. An example of use of the device would be to disinfect patrol cars or park bathrooms.

The Mayor reported on behalf of the Lions Club that they would like to go forward as normal with the 4<sup>th</sup> of July. If possible they would like to hold the events and show some sort of normalcy. The Mayor also shared a suggestion for a patriotic porch decorating contest. Councilmember Lau again suggested the extended parade route and clarified the recommended route still leaves the detour route clear. The Council agreed it would be best to forgo the vendors and the jump toys in the park. The Council discussed holding the fireworks if the Rotary Club can find a way to spread out people and feel they could fit within the guidelines. Councilmember Gambles expressed his concerns about enforcing the distancing requirements and whether the City would be responsible. Mayor Robinson pointed out if there are no delays in the Governor's plan it will be past Stage 4 and there will be no guidelines. He expressed his opinion that the City needs to trust that those that don't feel comfortable won't come out. Councilmember Lau agreed and feels people have to self-police. Councilmember Goode suggested if the City holds an event there will be a larger crowd than normal because other communities are canceling. He also shared a quote from a Bannock County Commissioner's meeting who were discussing their fireworks and it was stated that it was tough to find the insurance coverage for the event based on the spread that could happen. Councilmember Goode also expressed concern about a large amount of people all coming from out of town where the cases are higher and it only takes one person to point the finger at the City. Attorney Haney noted holding these events are never without risk and the City can't prevent the risk of being sued unless it avoided all public events but it was his opinion that it would not be the City that would be the responsible party but it may be the Rotary Club. Councilmember Goode suggested checking what their policy covers and if their insurer is going to cover COVID related incidents or is there going to be an exclusion. Councilmember Goode also suggested checking with the City liability coverage provider, ICRMP on whether they are comfortable with the City going forward with the event. Director Skinner noted the Rotary's insurance doesn't cover the fireworks; it is covered by the firework vendor and the parade and concert would be covered by the Rotary. Councilmember Lau suggested grids be painted at Kelly Park to encourage spacing and expressed his feeling that there is always a risk with everything you do and there is already a lot of out of town traffic coming through but the community is doing a good job. He agreed the organizers and the City needed to check on the insurance coverage. Attorney Haney added that the constitution is in effect and we have the right of assembly. Councilmember Gambles agrees he feels there will be a big turn out because all events in Utah are also canceled and even after Stage 4 we still have to be cognizant of the physical distancing. Councilmember Hart is not opposed to the Lions Club doing breakfast and lunch if they put together a plan approved by the health department like all the restaurants have been required to do. The Council discussed at length the parade, the concert and the fireworks. The Council agreed to consider options for the events contingent on insurance coverage and specific plans presented outlining how the events can be held and meet the Governor's guidelines. The Mayor and Chief Shaw II noted some potential problems with the extension of the parade and not enough man power to cover the additional

intersections. Councilmember Lau suggested asking the County and State to help and use barricades and City vehicles to block off intersections. The Chief stated they will make it work whatever the Council decides. The Mayor mentioned that Fire Chief Squires can do the foam party if the Council wants him too, but if not the foam can be stored for future use. Councilmember Hart clarified that someone from the Rotary and the Lions Club will need to take point and a plan needs to be submitted prior to the next meeting so the City can objectively make a decision. The plan needs to address social distancing and how they will meet the spirit and intent of the Governor's recommendations and guidelines. He feels if no one steps up and develops a plan than the events will be canceled this year. The City shouldn't have to be the only good guy or bad guy we are a community and others need to take some responsibility and put in a level of effort. Councilmember Goode totally agrees with Councilmember Hart.

Chief Shaw II informed the Council that Officer Turner has taken a job with the Sheriff's Office as of May 26<sup>th</sup> and due to the current situation he can't start testing until after the 30<sup>th</sup> and that will make the Department down two officers for a while.

Mayor Robinson shared some reservations of City Recreation Director, Celeste Billman about the current and upcoming programs due to the Governor's guidelines and keeping the kids safe. Director Skinner stated softball and baseball seasons are already three weeks past the beginning and we usually partner with surrounding communities that have already canceled their season so the window is past for softball & baseball. He mentioned T-ball and coach pitch could possibly be held but it would be a challenge to meet the Governor's guidelines. The next program would be soccer in conjunction with Montpelier in August and there will still be a challenge with social distancing. Director Skinner submitted some research done by Director Billman who attained the guidelines put together by the Idaho Falls recreation department. Idaho Falls has specific guidelines for example for an all-star baseball team on how to keep the six foot distancing, disinfecting the balls and helmets between each inning etc. Director Skinner explained the City doesn't have the staff necessary to enforce these types of guidelines. He suggested considering soccer starting in August but flag football wouldn't be possible because it is a contact sport and there is no way to keep the 6 foot distancing. Volleyball may also be in jeopardy if the schools have strict rules and may not allow use of the gyms. Councilmember Hart compared the challenges of trying to hold recreation programs during these times to trying to fit a square peg in a round hole. He suggested canceling all recreation through the 4<sup>th</sup> of July and then revisit how to try to restart some programs the 1<sup>st</sup> of August. The majority of the Council agreed.

Councilmember Goode reported that the Planning and Zoning (P&Z) Commission held a public hearing to consider the request for variance from Jori Johnson. He explained how her current porch already extends 16 feet into the front setback and she is requesting one additional foot in order to build a new covered porch. The P & Z and Director Skinner had no concerns and no written comments were submitted. The P & Z recommended approval. Councilmember Lau moved to grant the variance of 17 feet to the 25 foot front yard setback requirement for Jori Johnson at 251 South 3<sup>rd</sup> East, seconded by Councilmember Goode. All in favor, motion carried. Councilmember Goode commended Ms. Johnson for doing a great job of submitting the application well done.

Mayor Robinson recommended the appointment of Robert Johnson as a new member of the Planning and Zoning Commission. He noted that he highly respects Mr. Johnson and feels he will be a valuable new member. Councilmember Goode agreed with the Mayor and moved to accept the Mayor's recommendation and approve the appointment. Councilmember Gambles seconded the motion. All in favor, motion carried.

Director Skinner reported that the Friends of the Park would like to do an annual cleaning and maintenance day on the playground before Silver Star is gone because they have received a \$1500 grant to install security cameras. The Friends would like to do it later in June if the Council approves. The Director reviewed Silver Star's recommendation for the security cameras which is to mount them on top of the play equipment but nothing has been resolved with the internet connection yet. Councilmember Lau is opposed to having the cameras on the equipment and suggests it makes more sense to put them on a pole with additional cameras that can monitor the whole park. The Council agreed the Friends could submit their plan for the maintenance day suggesting they schedule smaller groups throughout the day.

Clerk Vorwaller requested a wage increase for Andrea Haderlie who completed her 12 month probationary period. The Clerk commended Mrs. Haderlie for exceeding her expectations and requested a .75 cent increase which is the amount that was budgeted. Councilmember Hart moved to approve the increase as recommended and added that he feels Mrs. Haderlie has done a great job as well. Councilmember Gambles seconded the motion. All in favor, motion carried.

The Council reviewed some preliminary budget items and briefly discussed employee benefits. Clerk Vorwaller explained she was approached by broker from Idaho Falls offering to provide some new options. The Council discussed and agreed they didn't see the benefit when our current broker gets quotes from all the available providers. Councilmember Lau cautioned everyone to really prioritize what is important for the budget this year due to the assumption that revenues will be down. The Council discussed being able to meet in person next meeting by adding additional tables and spacing out the Council seating.

Councilmember Lau moved to adjourn the meeting at 6:35pm, seconded by Councilmember Goode. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 3RD DAY OF JUNE, 2020.

---

Austin W. Robinson, Mayor

ATTEST:

---

Tausha Vorwaller, Clerk