

understands it to include a water easement. The Mayor also informed the Council that they may be asked to waive the sidewalk requirement on another new development in progress. The Byram's thanked the Council for their time. They explained they would like a variance to the sidewalk, curb & gutter requirements for the Soda Sip property and are currently ready to install new asphalt around their building. The Byram's pointed out other businesses that were not required to put in sidewalk. The Mayor addressed that point explaining most currently the City has been requiring sidewalks to help start updating the City. Councilmember Lau expressed his opinion that sidewalks are needed to allow for safe bike and pedestrian traffic. The Byram's request was to asphalt to the curb rather than install concrete sidewalk which there are no other sidewalks to tie into. Attorney Nelson pointed out the sidewalk would designate where the pedestrians should walk which is especially important with the drive-thru type of business. Attorney Nelson suggested that the waiver ability is located in the subdivision code and does not really apply to this situation. The Council discussed whether a waiver should be given without review and recommendation from the Planning and Zoning Commission. Councilmember Lau interpreted the code to only require concrete curb and gutter and suggested asphalt could be an acceptable form of sidewalk. Councilmember Lau moved to approve pursuant to Soda Springs Municipal Code 12.08.040 that requires sidewalk and concrete curb and gutter to allow the Byram's to install asphalt sidewalk up to the concrete curb and gutter on both the north and east sides of the Soda Sip property with appropriate delineation of white lines of where you walk and where you drive. Councilmember Goode seconded the motion. All in favor, motion carried.

Brenda and Carl Erickson and Dale and Sue Mason approached the Council about the annual mud race at Kelly Park. Mayor Smith noted that this group had been doing the race for years and the City appreciates what the event does for the community. Mrs. Erickson representing the nonprofit group, the Caribou Mud Racers, explained that they have donated a lot to local groups, projects and individuals in need over the years. She explained that they have had a horrible loss in their group and would like to have the Triston Perron Memorial Race this year with the funds raised going to a scholarship in his name. Mrs. Erickson explained that they are only committing to this year for sure. The Mayor pointed out the need for cleanup of last year's straw. Mrs. Erickson stated that they have never had a problem with the cleanup and have in fact had to clean up after the High School dummy burn several times. Mr. Erickson assured the Mayor that the straw would be spread out so it will compost and all the cleanup will be done satisfactory. The request to hold the race on August 19th, 2017 at Kelly Park also included overnight camping in self-contained units for the racers. Councilmember Goode asked about the insurance and waivers. Mrs. Erickson explained that they provide a \$1million liability policy that covers the spectators showing the City as additionally insured and all participants and organizers sign waivers. Councilmember Lau moved to approve the Caribou Mud Race event on August 19th at Kelly Park with camping and contingent on the required insurance and approved waiver. Councilmember Goode seconded the motion. All in favor, motion carried. Mrs. Erickson stated they are still working on who will provide concessions.

There was no citizen input at the designated time.

The Mayor and Council revisited the zoning amendment request from Carl Toupin regarding C-box containers. Councilmember Goode explained the two part request which was to amend the City Code to allow the use of C-box/shipping type containers for temporary storage for construction and moving purposes. The Planning and Zoning Commission (P & Z) did motion to recommend approval of an amendment for temporary buildings to include shipping containers with a required permit, allowing them for up to 6 months with an allowed extension of an additional 6 months with just cause, allowing placement in the driveway, side yard and rear yard subject to setbacks and easements; amend 17.20.020.E permitting the use of temporary buildings to also be for damage mitigation, remodel, restoration and moving; adopting the term and definition "Shipping Container –motor vehicle cargo containers or other containers normally used for the shipment of freight, cargo or other items in ship or motor vehicular transportation". The second part of Mr. Toupin's request was to allow the containers to be used for permanent storage with aesthetic improvements. The Planning and Zoning recommended to deny the permanent use request and keep the code as is which only allows the containers by conditional use in the Industrial Zones. The Council discussed the time frame for temporary uses and pointed out concerns with connecting power to an all metal building. Councilmember Goode also relayed the P & Z's many questions about allowing and modifying the structure. Councilmember Lau expressed his opinion that the P & Z just didn't want to spend the time necessary to come up with a workable proposal for allowing the permanent use and he does not want to shoot down the permanent use and feels it needs to be expanded to be allowed in more than just the Industrial Zones. He feels the City needs to work harder to pursue the use pointing out that Mr. Toupin cannot even store the boxes on his commercial property as part of his business. Councilmember Lau moved to approve to accept the recommendation of the Planning and Zoning Commission to amend the code to allow the use of shipping containers for temporary storage in all zones as detailed by Councilmember Goode. Councilmember Goode seconded the motion. All in favor, motion carried. Councilmember Hart moved to approve the recommendation of the P & Z to deny the request to allow shipping containers to be used for permanent storage. Councilmember Goode seconded the motion. All in favor, motion carried. The Mayor and Council agreed and suggested the P & Z continue to work on allowed uses for the containers and consider allowing them in commercial zones and how to define necessary improvements to be allowed.

The Council reviewed the letter of termination for the 457 deferred compensation plan with ICMA- RC. Clerk Vorwaller recommended the termination because no employees were currently enrolled. Councilmember Goode moved to approve terminating the City's 457 Plan with ICMA-RC. Councilmember Lau seconded the motion. All in favor, motion carried.

Attorney Nelson reviewed with the Mayor and Council the Cooperative Fire Protection Agreement with the Bureau of Land Management (BLM) and the Forest Service. He detailed areas of concern and the amendments made. He also explained that the BLM Representatives have assured us that if they request an airdrop they will pay for it. Attorney Nelson suggested sending a cover letter with the signed agreements clarifying the

City's understanding regarding airdrops. Mayor Smith stated he will provide instructions to the Fire Chief regarding ordering airdrops. Councilmember Lau moved to approve and accept the agreement subject to a cover letter delineating the cost of airdrops. Councilmember Gambles seconded the motion. All in favor, motion carried.

Director Skinner reported that the insurance and performance bond along with most of the material submittals are in place for the utility projects previously awarded to A+ Construction and he is ready to have the notice to proceed authorized by the Mayor. Councilmember Lau moved to approve the Mayor's authorization of the notice to proceed for the current year utility projects. Councilmember Goode seconded the motion. All in favor, motion carried.

Mayor Smith presented the current year's budget forecast and explained that he wants to be sure to stay under budget but utilize the entire available budget to get projects done that need to be. The Clerk reviewed the budget forecast and the projected funds available for additional projects. The Mayor pointed out a few items to consider and asked the Council to think about what may need to be addressed in the current budget.

The current and ongoing projects and improvements were reviewed. The Geyser Park Pavilion is completed and a sign recognizing the donors will be finalized. The Library door and wall is complete and the Mayor mentioned that drawings have been made of a proposed back patio which Zachary has offered to construct with the City providing the concrete. The chip and seal schedule was reviewed and is planned for three Fridays in a row starting July 28th. The chip seal will include covering all the streets that were crack sealed last year along with some others. Director Skinner presented some quotes on a used mini excavator and recommended proceeding with purchase of the one from Western States Equipment for \$46,000. \$40,000 is included in the budget and all departments would utilize the new piece of equipment. Director Skinner also recommended proceeding with the #4 Hydro trash rake. He feels the project will be able stay within the budget of \$176,000 with the specialized equipment estimate being \$138,000 plus the cost to run power to the site and onsite engineering. The trash rake will reduce labor and increase safety. The Council and Attorney Nelson discussed the bidding requirements for sole source specialized equipment. Attorney Nelson stated there would be some publication requirements. Director Skinner also mentioned that the Formation transmission line is postponed and the funds budgeted will be used for the current utility projects including completing the Ledge Creek line and boring under the Railroad tracks. Councilmember Lau, seconded by Councilmember Goode moved to approve the chip and seal schedule as presented. All in favor, motion carried. Councilmember Goode moved to approve proceeding with the acquisition of the mini excavator from Western States Equipment, seconded by Councilmember Lau. All in favor, motion carried. Councilmember Gambles moved to approve moving forward with engineering for the #4 Hydro trash rake. Councilmember Goode seconded the motion. All in favor, motion carried.

The Gagon Park improvements and ownership was revisited. Attorney Nelson feels the City needs to own the property before a sprinkler system is installed at City cost. Attorney

Nelson explained that there are 126 property owners plus the heir which is Idaho State University (ISU) that would need to sign quit claim deeds. He also mentioned that he consulted with American Title who estimated the title costs at \$6,500. Loretta Davis, who has lived next to the Gagon Park and taken care of it for over 50 years, explained the history of the vacant lots in the Lake View Subdivision. She thanked the City for helping to take care of the lots and for mowing but she and other residents still do all the watering pretty much by themselves. Mayor Smith expressed his appreciation to Mrs. Davis for her efforts and stated that he will continue to work on a better solution.

The Mayor reminded everyone that the July 5th meeting is canceled.

The Mayor presented a request to replace another student evening clerk position at the Library. Head Librarian Erickson is requesting to hire Marci Wilson to replace Shandilyn Lakey. The Mayor noted that Miss Wilson comes highly recommended. Councilmember Goode moved to approve the recommendation to hire the new library employee, seconded by Councilmember Gambles. All in favor, motion carried.

The Council considered some employee wage increases. The Mayor noted the cost of living allowance was given across the board to all employees and additional funds were included in the current budget for equity adjustments. Director Skinner presented an organizational chart with recommended increases for the Water/Wastewater Superintendent, Kelly Hill bringing that position equal to the Power/Street Superintendent along with increasing Senior Operator Dan Squires who has his level III Wastewater and level II Water certifications and is the back-up to the Superintendent. He also recommended increases for Bruce Stewart who just completed his one year probationary period, Todd Watts who has worked in the Streets Department for over 15 years with this being his 1st merit increase and Kayd Mumford who he would like to make the official Parks seasonal laborer which is a 10 month position not eligible for benefits. Councilmember Lau moved to accept the City Director's recommendations and approve the wage increases as presented for the five employees listed. Councilmember Goode seconded the motion. All in favor, motion carried.

The Mayor and Council reviewed a salary increase for themselves based on a recommendation by the HR Committee. Councilmember Lau explained the increase was calculated on the employee wage increases over that last four years which was averaged to be 1½% a year. The proposal would increase the Mayor's monthly salary from \$900 to \$950 and the Council's from \$600 to \$640. The ordinance will be scheduled for approval at the July 19th meeting.

Director Skinner informed the Council of a proposed purchased power rate increase from the Bonneville Power Administration (BPA). He shared the administrative draft record of decision indicating an expected 5½% increase on power and no increase for transmission effective October 1st, 2017. The last increase about two years ago was estimated to be 5% but came in at half of that. The Council discussed the need to increase rates to the City's residents. Councilmember Hart pointed out the increase could be absorbed within the 3%

proposed rate increase figured into the budget and then the City can watch and always increase more at any time if needed. Director Skinner stated the new BPA agreement will need to be approved at the July 19th meeting.

The 2018 future year budget was reviewed. The Mayor thanked the Budget Committee for the work done and explained how the beginning proposed budget includes all of the Department requests and then decisions have to be made to cut it back to a reasonable balance. The Mayor explained that even though we are not giving the Departments everything asked for their requests will be moved forward to future year budgets. The Clerk reviewed the proposed budget which includes a 3% property tax increase, 3% rate increases to Water, Power & Sewer and 3% cost of living allowance (COLA) of which the HR Committee recommended the same as last year with a 1% COLA to all employees and 1% for discretionary raises. Councilmember Hart noted that the budget worksheet is consistent with past years budgeted deficits but actuals have always come in at or under budget. He is very comfortable with the proposed budget as presented, Councilmember Goode agreed. Councilmember Hart would like more emphasis put on the employees and moved to approve a 1½% COLA and a 1½% discretionary merit increase. Councilmember Goode seconded the motion. The Council reviewed and discussed the cost including retirement and taxes of the proposed COLA along with expressing concerns about the unknown cost of the health insurance. A vote on the motion was called. All opposed except Councilmember Hart who voted aye, motion failed. Councilmember Lau then moved to leave the 3% wage increase in the proposed budget but wait and decide on how it will be distributed until after we know what the health insurance is going to cost. Councilmember Goode seconded the motion. All in favor, motion carried. The Council discussed the timing of the Formation Spring/Well project and projected cost. The project has to be completed by the end of 2019. The Clerk suggested an additional rate increase with the revenue set aside for the project. Mayor Smith asked Councilmember's Goode and Hart to evaluate the rates and needed increase in order to have the necessary funds for the project. Councilmember Lau suggested continuing and spending more funds on upgrading the City facilities with LED lighting. He also strongly expressed his opinion that more funds needed to be budgeted in conjunction with the Comprehensive Plan update to conduct, create and engineer plans for the parks, the power, water & sewer systems. He suggested budgeting \$10,000 each for water, power & sewer and \$10,000 to \$20,000 for parks to bring in some experts. Mayor Smith agreed that Councilmember Lau's suggestion was not without merit but he felt there was already in place some of the information that could be pulled in and utilized. He suggested that he and Councilmember Lau work together over the next couple of weeks to quantify the needs.

The assignments were recapped with Councilmembers Hart and Goode evaluating a water rate proposal for the Formation project and Mayor Smith and Councilmember Lau discussing planning documents for the City's utilities and parks.

Councilmember Goode moved to approve entering into executive session pursuant I.C. 74-206(1)(c) to acquire an interest in real property that is not owned by a public agency. Councilmember Gambles seconded the motion. A roll call showed the following vote:

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

Those voting nay: none

Absent: none

Motion Carried.

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

No action was taken on the subject reviewed in executive session.

Councilmember Goode moved to adjourn the meeting at 7:40pm, seconded by Councilmember Gambles. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 19TH DAY OF JULY, 2017.

James R. Smith, Mayor

ATTEST:

Tausha Vorwaller, Clerk