

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD AUGUST 5TH, 2020.

Due to the threat of COVID-19, the physical distancing requirements and the limited space in City Hall the meeting was limited to a maximum of 4 in-person attendance but open to all public by telephone conference.

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

EXCUSED:

ALSO PRESENT:      Mark Steele via telephone      Alan Skinner, Engineer/Prjct Mgr.  
Tausha Vorwaller, Clerk  
Gregg Haney, Attorney

The invocation was given by Mitch Hart, 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 one minor correction of a capitalization on page 2 he pointed out to the Clerk. He then moved to dispense with the reading and approve the July 15th minutes with the correction and also the special meeting minutes of July 29<sup>th</sup>, 2020 as presented. Councilmember Lau seconded the motion. All in favor, motion carried.

The accounts payable and payroll were reviewed. Councilmember Goode moved to approve the accounts payable for July 14<sup>th</sup> through July 31<sup>st</sup>, 2020, seconded by Councilmember Gambles. Councilmember Goode asked about the tree trimming expense. Engineer Skinner explained the \$5,000 expense included in the current accounts payable was tree trimming done for the Parks Department and not part of the annual power line maintenance. A vote on the motion was called. All in favor, motion carried.

Councilmember Goode then moved to approve the payroll for the month of July, 2020, seconded by Councilmember Gambles. Councilmember Goode noted there were three pay periods that fell in July making the total look higher than normal. Councilmember Hart noted the overtime amount was just over the 10% mark that he watches and assumed it was mostly due to the short staffed Police Department. Engineer Skinner noted some is the continued water testing required. Councilmember Hart suggested the City push the regulatory agency to decrease the testing requirements as soon as possible. A vote on the motion to approve the payroll was called. All in favor, motion carried.

(SEE ATTACHED ACCOUNTS PAYABLE & PAYROLL REGISTERS FOR DETAIL)

Recreation Director Celeste Billman presented her plan to move forward with flag football and volleyball if the school facilities become available. The safety plan regarding COVID is similar to what she is doing with soccer. It will include hand whistles, wearing of masks and limiting spectators. She explained that flag football and volleyball will include travel to Grace, Bancroft and Bear Lake and she can guarantee the cleaning and precautions will happen here but cannot guarantee the other sites will be as diligent. She also requested to help facilitate the 5<sup>th</sup> and 6<sup>th</sup> grade football group to organize a local camp and scrimmages due to the league in Pocatello being canceled this year. The Council discussed the programs and concerns about the other venues. The Council suggested if Mrs. Billman felt the other City's organizers were not following the safety precautions she recommended that the City of Soda Springs then pull out from those venues. The Mayor and Council expressed their appreciation for Mrs. Billman's efforts to try and keep the recreation programs going. All agreed to proceed as presented including supporting the 5<sup>th</sup> & 6<sup>th</sup> grade football.

Attorney Haney reported on a meeting held with Mike Parrish a representative of Direct Communications regarding the franchise, pole and other agreements previously held with Silver Star. Attorney Haney felt it was a good meeting and Direct Communications would like to have a great relationship with the City. Mr. Parrish was not opposed to a new franchise agreement but would prefer a flat rate instead of a percentage of revenue and would not want to have to provide subscriber lists as the old agreement required. He also noted they have staff working on getting the maps of all their transmission lines cleaned up and then can discuss the easement across the City Park. Engineer Skinner noted it was encouraging to see Direct Communications out really doing some work around town. Attorney Haney mentioned they have a local maintenance guy that will be based out of Grace. Clerk Vorwaller asked about moving forward with contracts to get fiber to the City Hall, Library and Police Department. She mentioned the urgency to get on the construction list which is 90 days out. The Council will continue to consider and possibly make it part of the agreement to move us up on the list.

Engineer Skinner reported the approval from the Department of Environmental Quality was received regarding the surface water monitoring station for the Idaho Pollutant Discharge Elimination System (IPDES) permit for the Wastewater Treatment Plant (WWTP). The frequency of sampling was reviewed and alternatives to the schedule if the sampling isn't possible due to the weather.

During Citizen Input Mary Jensen, land owner with her brother of the Formation Spring asked several questions about the ongoing project and made some requests. She stressed her desire to have the gate installed before archery season and noted it should be recessed off the road a little ways. Engineer Skinner reported the gates were built and ready to be installed. Mrs. Jensen expressed concern about the unfinished building with no cover and no fence and the liability of someone falling in the hole. The Council suggested a temporary cover. Mrs. Jensen also mentioned her concern regarding the water back flowing into the spring. Engineer Skinner suggested moving forward with removing the old system and get the temporary connection taken out. Councilmember Hart questioned if there was still a

need for the back-up connection. Engineer Skinner assured the Council that the flow from the new well is steady and more than adequate for the City's needs. He explained the requirement is to completely disconnect and provide an air gap from the old system and the agreement with the landowners requires removing the spring box. Completing this is part of the Vaughan Smith contract. The Council agreed to proceed.

The Mayor noted that the Library's new sign and moose display looks really good and is almost all done.

The project/comprehensive plan list was reviewed. Engineer Skinner explained the upper portion is the 15 most high priority items. He asked for input on what the council wants on the list and he will update it. Councilmember Hart offered to look at the list and give some input and noted at first pass there are some policy issues that may get carved out for the Council to address.

Engineer Skinner presented a bid from Bear River Electric to do the electrical work for the Formation Well pump house. He explained he reached out to two local contractors and only got one response. He recommended moving forward with Bear River Electric and reviewed the remaining items to complete the project. Councilmember Hart moved to approve the bid from Bear River Electric for \$30,503.84 for electrical work at the Formation Well pump house. Councilmember Lau seconded the motion. All in favor, motion carried. Engineer Skinner explained he is still working with Rocky Mountain Power to get the line run to the building and assumes there will be one new pole right next to the building. He also mentioned the connection and the well pump will not be installed yet and will only be needed if the City has substantial growth or needs to prove use of the full water right. There is no reason to rush and get it done right now but need to keep it on the future list.

The Hooper Spring cover is ready to be put on and the old one has been removed. Engineer Skinner asked the Council to look at the color of the wood installed on the new cover and let him know if it should be stained red. It currently is just the natural cedar orange. He explained it will get set in place and signage on top as soon as the crew is done with chip and seal.

Bids for paving the new 220 South Street were reviewed. Engineer Skinner detailed the Engineer's recommendation and discussed the Church sprinkler system. Councilmember Goode moved to accept the recommendation from Forsgren and approve the A+ Contractors bid of \$97,798 to pave, install curb and gutter and complete the irrigation tie-in for the new street. Councilmember Lau seconded the motion. All in favor, motion carried. Engineer Skinner noted that A+ can start in two weeks and the project should take about 10 days.

Engineer Skinner reported the Ledger Creek cleaning will start in about two weeks when they get a track hoe on site and then he will start on the permitting for the Lakey side. He hopes the County will provide a couple dump trucks to haul off the material.

Councilmember Hart stated Nutrien had been great to work with and will help with the costs. The State agreed to clean out the culvert once the downstream build up is removed. The project includes 8,000 feet from Christman's to Nutrien's property.

Engineer Skinner mentioned chip and seal will continue for the next two Fridays and he requested approval to expend the remaining \$10,000 for tree trimming. Councilmember Hart moved to approve the tree trimming seconded by Councilmember Lau. All in favor, motion carried.

The last cameras have been installed at the Ender's building and Engineer Skinner will be trained on the system which will be locked in the tool room at the Ender's building. The Council questioned the ability to access the video remotely.

Attorney Haney reported on the conversation with the Idaho Fish and Game (IDFG) regarding the upper Kelly Park pond and presented a letter confirming their agreement to stock the pond. He noted that they are not bound and will put the fish where the greatest demand is but we will definitely get what we have in the past. He reviewed the code amendment and pointed out that he left a few of the safe guards in the ordinance and transferred the regulation of the pond to the IDFG. Councilmember Goode asked about the Idaho Statute on recreational liability and Councilmember Lau requested an edit to sections 2.52.060 and 2.52.080 to clarify it is the IDFG Southeast Region's general fishing regulations. Councilmember Goode added it would be nice to find a type of fish that would eat the weed/moss that grows in the pond. Councilmember Goode introduced Ordinance #679 entitled AN ORDINANCE of the City of Soda Springs, Idaho, Amending in part Chapter 2.52 – Youth Fish Pond and adopting the Idaho Department of Fish and Game pursuant to Idaho Code §36-103(b), and that regulatory body therefore has the authority to regulate the take of fish and wildlife. A motion was then made by Councilmember Hart and seconded by Councilmember Lau 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
	Jon Goode		
	Robert Lau	Absent:	none
	Scott Gambles		

Motion Carried.

Clerk Vorwaller read Ordinance #679 by title. Councilmember Lau then moved to approve the adoption of Ordinance #679. Councilmember Goode 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 #679 - ORIGINAL ON FILE)

The proposed budget was briefly reviewed and Councilmember Hart stated he was comfortable with it. The Public Safety/Property Tax Relief proposal was reviewed and discussed at length. The Clerk was asked to research some additional information on how the proposal will affect the City's future property tax revenue.

Councilmember Lau moved to approve entering into executive session pursuant to I.C. 74-206(1)(f)&(j) to communicate with legal counsel regarding probable litigation & consider labor contract matters authorized under section 67-2345A [74-206A] (1) (a) and (b), Idaho Code. Councilmember Goode seconded the motion. A roll call showed the following vote:

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

Motion Carried.

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

Councilmember Goode moved to adjourn the meeting at 7:15pm, seconded by Councilmember Lau. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 19<sup>TH</sup> DAY OF AUGUST, 2020.

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Austin W. Robinson, Mayor

ATTEST:

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Tausha Vorwaller, Clerk