

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD SEPTEMBER 2ND, 2021.

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 Alan Skinner, Engineer  
JoAnna Ashley Tausha Vorwaller, Clerk  
DeVaughn Smith Gregg Haney, Attorney  
Wade Hopkins  
Brock & Paige Byram Chief Scott Shaw II  
Al Wyler CeJay Golightly

The invocation was given by CeJay Golightly, 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 did not note any changes needed. He then moved to accept the minutes of August 18<sup>th</sup>, 2021 in their current draft form and dispense with the reading. Councilmember Gambles seconded the motion. All in favor, motion carried.

The accounts payable and payroll were reviewed. Councilmember Goode moved to approve the accounts payable dated August 17<sup>th</sup> through August 31<sup>st</sup>, 2021, seconded by Councilmember Hart. Councilmember Hart asked about a payment to Associated Towing. Attorney Haney explained the vehicle was abandoned due to an arrest, the car was auctioned and Associated Towing agreed to take the auction amount for the cost of towing and storage. The Council and Chief Shaw discussed at length the process required by law when handling abandoned and seized vehicles. A vote on the motion was called. All in favor, motion carried.

Councilmember Hart moved to approve the payroll for the month of August 2021, seconded by Councilmember Goode. All in favor, motion carried. Councilmember Hart asked when Kelly Hill would receive his payout due to his recent retirement. The Clerk stated it would be the first payroll in October after he uses most of his paid time off (PTO).

(SEE ATTACHED ACCOUNTS PAYABLE & PAYROLL REGISTERS FOR DETAIL)

Councilmember Hart reported a consulting group was on site and did an assessment of the creek and the proposed Kelly Park subdivision. They will be preparing an aquatic resource delineation report that will be shared with the City. If further steps need to be taken in order to move the stream the City will be the applicant but the Itafos consulting group will

help with the process. Councilmember Hart and Councilmember Lau expressed their appreciation to the Itafos staff for their participation.

Mayor Robinson declared a public hearing open for purpose of hearing comments on changes to the master fee schedule. The Clerk reported no written comments had been received. Comments from those in attendance were taken. JoAnna Ashley, Caribou County Planning and Zoning Administrator, asked if the City had taken into consideration not only the cost of inspections but also the building inspector training and licensing in regards to the proposed decrease in building permit fees. She also questioned the reduction in cost for new water and sewer hook-up fees. She understood the intent was to encourage growth and development but suggested the decrease will shift costs for materials and installation to current residents. She mentioned it's not uncommon to see communities require impact fees for hooking into an established system compared to installing well and septic in the County that can cost \$20,000 to \$25,000. She added a thanks for keeping resident park fees low. Councilmember Lau addressed her questions stating yes, those things were considered. He explained the amount of revenue from building permits and new hook-ups had been negligible and to encourage growth and development will bring in more revenue long term through fee payers and property taxes which is better than a one-time building fee or connection fee. He also explained the hook-up fees are really just an impact fee because new homes and developers are required to pay all costs for connections to the City's mainlines. There were no other comments from those in attendance and the public hearing was closed. The fee changes were briefly discussed. Councilmember Hart moved to adopt Resolution 2021-2 updating the master fee schedule effective October 1, 2021. Councilmember Goode seconded the motion. All in favor, motion carried. Councilmember Lau thanked everyone for putting it together and the team effort in getting the fees updated. He feels the fees are fair and explainable.

Councilmember Lau reported he had asked the Clerk to help him edit the proposed cargo container ordinance and the wording he is proposing is "non-permanent" structures. He hopes to have a revision for review next meeting.

Attorney Haney reported the Enders Building lease renewal is in the process of negotiations in which there may be a potential of litigation so it will be discussed in executive session.

Councilmember Gambles reported on attending an Airport Board meeting. He presented pictures of the deteriorated main runway surface. He mentioned a proposal by one of the board members to consider replacing with concrete instead of asphalt. The estimated cost to replace the surface with asphalt or concrete is \$750,000 and that doesn't include lights that also need repaired and replaced. The annual budget for Airport maintenance is currently \$10,000. Councilmember Gambles also mentioned the need to upgrade the fuel pump which he feels is a priority. Engineer Skinner mentioned he could possibly get a new one installed before the end of the year. Councilmember Lau mentioned the County may be open to using some of the County's American Rescue Plan Act (ARPA) funds to work with the City on Airport maintenance. The Council noted the City's Airport is primarily used by County residents. The Council discussed how and who to approach with the County and

whether the use of ARPA funds qualifies. Councilmember Gambles will let Airport Board Chairman, Rodger Sorensen know of this possibility and Engineer Skinner will put a budget together. The Council didn't feel this large of an investment could ever be justified. Councilmember Lau suggested a joint venture with the County and grant funds would need to be utilized.

Mr. Al Wyler of 511 East Hooper Avenue expressed concerns about the use of the undeveloped street next to his house that would be 5<sup>th</sup> East Street. He asked what could be done about the vehicles and ATV's using the street even though it's blocked off people are going around the barricades and not slowly. He also mentioned vehicles getting stuck in the creek behind his house. Councilmember Hart suggested part of the problem is the right-of-way is being used to park trailers and equipment on, which hides the barricades and makes it look like it's okay to drive through. The Council agreed they did not want to abandon the right-of-way which may be needed if the adjacent property is developed in the future. The Mayor and Council discussed and agreed to take a closer look to see if signage and more barricades could be placed. Mr. Wyler also mentioned that an individual, he thinks is with the cable/fiber company, stopped and told him a tree needed to be trimmed or removed. Mr. Wyler clarified it is not his tree and he didn't plant it there and it may be in the City or State's right-of-way. Mayor Robinson asked Mr. Wyler to have them contact the City Attorney if they come by again.

Police Chief, Scott Shaw II requested approval to go ahead with leasing the remaining vehicles for the Police Department as included in the new budget. He explained they have four more vehicles he would like to get on the lease program and hopefully at the originally quoted price before the costs increase. He pointed out the benefit of the new vehicles including the updated equipment. The Mayor supported the Chief's request and mentioned the need for reliable vehicles due to several high-speed pursuits the Department has assisted the County with this year. Councilmember Goode asked if the warranty work had to be done in Montpelier at a Dodge dealer and how that was working. The Chief noted they hadn't had to have any warranty work done so far. The new vehicles currently have 2800 to 3600 miles on them since May when received. Councilmember Hart noted the Council has been having this discussion and we have held off and are now under the gun to get the vehicles replaced. He supports the idea of trying to get the lower cost locked in. Councilmember Goode asked what the estimated liquidation amount on the trade-ins will be. Chief Shaw stated they will be sold as patrol cars and could get \$20,000 to \$30,000 for them. Attorney Haney asked if the financial terms and agreement will be the same and asked the Chief to get him a copy for review. Councilmember Goode moved to proceed with leasing four more vehicles as recommended by Chief Shaw contingent on the review and approval of the contract by the City Attorney. Councilmember Gambles seconded the motion. All in favor, motion carried.

During citizen input Mr. Al Wyler asked why there is a chain link fence blocking off access to Porter's Pub from the parking lot when the steak house is closed most of the time. He stated it is inconvenient to a good running business. The Mayor and Council explained how the parking lot area was part of the Enders Building lease and so it is for the use of the lessee. Mayor Robinson took the opportunity to commend the Chief of Police, Fire Chief,

the City's Police Department and the County Sheriff and EMT's for the amazing job they did during the recent tragic accident. He thanked all that serve in uniform for their dedication pointing out our community would be nothing without those that take on that responsibility.

Engineer Skinner reported on the continued evaluation of the #4 Hydro plant switch gear repairs. The electrical specialists out of Riverside, California inspected the plant and made several recommendations noting some serious concerns about the 1959 plant and items that would not currently pass inspection. They will be back in a couple weeks to start working on it. Engineer Skinner estimated the cost to rebuild the switch gear at \$40,000 and other repairs an additional \$15,000 to \$20,000 if it doesn't have to be rewound.

Engineer Skinner updated the Council on the South 2<sup>nd</sup> East Street utility upgrade project. The pre-bid meeting was held with only one potential bidder attending but there may be one other contractor interested so hopefully there will be at least two bids submitted. The bids will be open on September 10<sup>th</sup> and a recommendation to award the project can be presented at the next meeting. The project could start within a week to two weeks after award depending on the water piping availability which may cause a delay but the contractor could start with the curb and gutter. The project is estimated to be a 90-day project to final completion. Engineer Skinner explained the City is now responsible for the stormwater pollution prevention plan (SWPPP) on City construction projects and not the contractor. The Council questioned this new process.

The Soda Sip/Point S egress plan was revisited and the engineer's diagram was reviewed. Councilmember Hart suggested a review and feedback from the Byrams and Engineer Skinner will put together the budget. The Council agreed to move forward with ordering the supplies needed and thanked Engineer Skinner for following through.

The Mayor and Council discussed the employee cost of living allowance (COLA) as previously proposed during budget discussions. Councilmember Hart moved to approve a 2% COLA and a 1% merit bonus for the City employees effective October 1, 2021. Councilmember Goode seconded the motion. All in favor, motion carried.

Mayor Robinson informed those that may not know that Kelly Hill retired after 28 years of service to the City in the Water/Wastewater Department. The Mayor noted he worked with Mr. Hill for 10 of those years and commended him on being dedicated, motivated, professional and highly intelligent and the City couldn't have asked for a better person in that position. That being said, the Mayor recommended the promotion of Dan Squires to the Water/Wastewater Supervisor position stating he is just as qualified, professional and intelligent and the City is fortunate to have him. Mr. Squires has shown great leadership abilities as the fire chief which he brings to this supervisor position also. The Mayor noted Mr. Squires has had offers from other Cities due to his certifications and feels it is appropriate to offer Mr. Squires a substantial wage increase to take on the new responsibilities and send a message of how much the City values the commitment to get the required certifications. Councilmember Hart asked and it was clarified; the City's water system requires a class 2 certification and the wastewater system requires a class 3

certification with a backup operator with the same certifications. The Mayor, Council and Staff discussed a backup operator and the options for working with Mr. Hill to provide that backup. Councilmember Goode agreed Mr. Squires is a top-notch employee and supported his promotion. Councilmember Lau, seconded by Councilmember Goode moved to approve the promotion of Dan Squires to Water/Wastewater Supervisor with the recommended wage increase to \$30 an hour. All in favor, motion carried.

Councilmember Hart mentioned an upcoming virtual meeting with the Greenfield Environmental Trust representatives regarding on update on the former Kerr McGee/Tronox site clean-up efforts including the effects of eliminating the pond and review of the monitoring results. The meeting will be on September 15<sup>th</sup> at 3pm. Councilmember Hart noted he will also be reaching out to Bayer to get an update.

The Council considered cost quotes for new loader tires provided by Director of City Services, Justin Hansen. Attorney Haney stated he asked Director Hansen to get the bids and they are recommending purchasing the tires from Point S Tire for \$6,201. Councilmember Lau, seconded by Councilmember Hart moved to approve the recommended purchase from Point S for loader tires. All in favor, motion carried.

Councilmember Lau moved to approve entering into executive session pursuant to I.C. 74-206(1)(f) to communicate with legal counsel regarding probable litigation. Councilmember Goode seconded the motion, 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.

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

Councilmember Gambles moved to adjourn the meeting at 7:10pm, seconded by Council Hart. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 15TH DAY OF SEPTEMBER, 2021.

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Austin W. Robinson, Mayor

ATTEST:

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Tausha Vorwaller, Clerk