

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD SEPTEMBER 16TH, 2020.

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

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

EXCUSED:

ALSO PRESENT: Mark Steele via telephone Alan Skinner, Engineer
 Donna Smith Tausha Vorwaller, Clerk
 JoAnna Ashley Gregg Haney, Attorney
 Chief Scott Shaw II

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

The Mayor noted he would be starting with Councilmember Goode's agenda items because he needed to exit the meeting early.

Councilmember Goode reviewed the discussion by the Planning and Zoning (P & Z) Commission regarding the variance application of Bryant Smith of 9 North 7th East. A public hearing was held and the P & Z recommended approval of the variance of 13 feet to the front setback to allow the Smith's to build a front porch. Councilmember Lau moved to accept the request as presented and the recommendation by the P & Z to approve the variance. Councilmember Gambles seconded the motion. All in favor, motion carried.

Councilmember Goode pointed out correspondence from the Idaho Counties Risk Management Program (ICRMP), the City's liability insurance provider. He reviewed the increased deductibles regarding employment practices and cyber liability. He suggested following their recommendations in order to have the deductible waived which includes consulting with them and following their advice. Councilmember Goode recommended establishing this as a policy in regards to any employment issues handled by the City staff. Engineer Skinner stated for sexual harassment issues this has been followed. Councilmember Lau agreed this could be made part of the personnel manual. Mayor Robinson asked Attorney Haney's opinion. Attorney Haney stated it was no problem if the Council wanted to let ICRMP have the final say. Attorney Haney recommended writing everything down and being consistent. Councilmember Goode stated he feels it makes sense to memorialize the policy in documentation. Councilmember Lau moved to approve memorializing as City policy to follow the recommendations of ICRMP in the employee hand book. Councilmember Goode seconded the motion. All in favor, motion carried.

Councilmember Goode also noted the City can reduce the cyber liability deductible by being

proactive and participating in the cyber risk management program. The Clerk will facilitate and make sure the employees complete the program in the upcoming cycle.

The previous meeting minutes were presented for review. Councilmember Goode stated he had reviewed and saw no items that needed modified, he then moved to accept in their current form and dispense with the reading of the September 2nd, 2020 minutes. Councilmember Lau seconded the motion. All in favor, motion carried.

The accounts payable were reviewed. Councilmember Gambles moved to accept the accounts payable for September 1st through September 14th, 2020, seconded by Councilmember Goode. Councilmember Hart questioned who was responsible for the lighting on the overpass. Engineer Skinner explained that the Idaho Transportation Department installs lighting but it is then the City's to maintain. Councilmember Hart also asked what the City was still paying Forsgren Engineers for in regards to Formation Spring. Engineer Skinner stated it is for inspection services and there should only be one more small payment. Engineer Skinner noted a payment for a certified driver license (CDL) test pointing out one of the new employees already completed the requirement to get the CDL certification. The Council commended the new employee. Councilmember Hart also asked about the cost of the K-9 dog food. Chief Shaw explained they bought a year's worth of food in conjunction with a local group to get a bulk rate. A vote on the motion to approve the accounts payable was called. All in favor, motion carried.

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAIL)

Mayor Robinson declared a Public Hearing open for the purpose of hearing public comments on the proposed master fee schedule incorporating City fees into one schedule to be approved by resolution. The proposed fee schedule includes currently charged fees along with the establishment of new fees for the use of park pavilions and increases in excess of 5% on fees for animals, airport use, land lease, miscellaneous, planning and zoning, utility deposits and hook-ups. The Clerk reported there were no written comments received. The Mayor asked for comments from those in attendance. Joanna Ashley of 120 East 3rd South offered suggestions regarding the proposed fees. She recommended a flat fee for zoning applications instead of it being based on the actual cost of publishing and mailing. She also suggested the new park pavilion fees should be much lower for residents than non-residents and recommended clarifying what a resident is. The Public Hearing was closed. The Mayor and City Council discussed at length including the basis for the pavilion fees. The Clerk explained she had modeled the proposed fees on those charged by Pocatello. The Council also discussed resident versus commercial property tax payer. The justification for taxpayers to have pay for use of the pavilions was discussed. Councilmember Goode felt it prudent to have a fee to cover the maintenance of the focused benefit and the taxpayers would get a break on the fee. Councilmember Lau suggested the non-resident recreation fee was way too low and also questioned how building permit fees are calculated. He suggested more review and discussion before adopting the schedule. The Mayor, Councilmember Goode and staff expressed their desire to get the master fee schedule in place and then continue to review and adjust the fees if necessary.

Councilmember Hart expressed frustration with the last minute issues when the proposed fee schedule had been presented a month ago for review. Councilmember Goode moved to adopt Resolution 2020-5 establishing a master fee schedule as currently drafted with the understanding that the fees discussed tonight will continue to be reviewed and will be adjusted if agreed on. Councilmember Hart seconded the motion. All in favor, motion carried.

Councilmember Goode excused himself from the meeting.

There was no citizen input at the designated time.

An update on the Teen Center building now being used by the Scouts was given by Engineer Skinner. The current Scout Leaders and Scouts have a lot of projects and activities planned including cleaning up the grounds and installing a flag pole. He presented their monthly schedule and noted there are currently 24 girls and 20 boys in the program. A lot is being done with donations, fundraisers and volunteers. Councilmember Hart expressed his support, commending the group on the fabulous job they are doing. The Mayor and Council agreed.

Engineer Skinner gave an update on the 220 South road construction and reviewed the project lists. Councilmember Lau asked if the sidewalk/bike route proposal got added to the list. Engineer Skinner stated it got added to next year's list of projects. The Mayor suggested some of the smaller items requested by Mr. Johnson regarding the bike route from the north side of town could get done this year. The Formation Spring well house siding bids were reviewed. Engineer Skinner recommended moving forward with Vaughn Smith who can start next week even though the cost is more than what we wanted to spend but they can get it done and everyone else couldn't get to it until later. Engineer Skinner mentioned it's not an issue with the consent order deadline but they should be able to get it done in two weeks. Councilmember Hart recommended proceeding and strongly encouraging them to complete it by the end of September. Councilmember Lau agreed we needed to clean up the Panting's property and not let it drag on and he moved to approve the Vaughn Smith bid of \$12,700 to complete the siding and \$3500 to remove the spring box. Councilmember Hart seconded the motion. All in favor, motion carried.

The Ledger Creek cleaning project was reviewed. Babe's Dirt Works has finished the cleaning and the City just needs to clean up the bigger pieces of rock lying on the bank. The State has done some cleaning of the culvert but not both pipes are cleaned out yet and they have been contacted. Engineer Skinner mentioned they were able to knock down a high spot that was restricting the flow but there is still 1500 feet of ditch that wasn't cleaned as part of the project. He doesn't feel it will affect the drainage but it is mounding up before running onto Nutrien property. He suggested the City crew could work on it in the future now that we know we don't have to reapply as long as we stay within the high watermark and remove the material. Councilmember Hart asked how much more it would take to finish. Engineer Skinner estimated 2 to 3 days at \$1200 a day. The Council suggested adding it to the project list for next year. Councilmember Hart will work with staff to send

out an invoice and contact the land owners for their share of the costs. He also mentioned he sent an email to the County asking them to look at the culvert under the Wood Canyon Road and help with removal of the large pieces of formation.

Engineer Skinner reviewed with the council the previous approval to purchase a service truck and a dump truck. They have located a couple trucks and would like to proceed with the purchases as long as they check out okay. The 2005 Sterling truck with dump bed installed is \$49,984 and the State surplus service truck is \$38,670. One of the dump trucks and a passenger truck will be replaced based on the crew's evaluation and service history. The budget and cost share by the departments was reviewed. Councilmember Lau moved to authorize the purchase of the two vehicles as presented out of the current year's budget and contingent on passing an inspection. Councilmember Gambles seconded the motion. All in favor, motion carried.

Engineer Skinner reported the last small mixer at the Wastewater Treatment Plant (WWTP) went out and has to be replaced. They would also like to buy the larger mixer as a spare. Councilmember Lau moved to approve purchasing the two mixers and AC relay for a total of \$16,160.80. Councilmember Gambles seconded the motion. All in favor, motion carried.

The Water, Power and Sewer rate resolutions were reviewed. The Clerk noted they were prepared as proposed during the budget discussions to increase Water and Sewer 3% and Power 1 ½ %. There is no increase to the Sewer Bond or Formation Well rates. The Council briefly discussed. Councilmember Lau moved to approve Resolutions 2020-6, 7 & 8 increasing the utility rates as presented. Councilmember Hart seconded the motion. All in favor, motion carried.

Councilmember Hart mentioned an email forwarded from Kathy Ray the 4CASI Economic Development Specialist regarding possible grant opportunities to improve the downtown sidewalks. He suggested having someone pursue the options and work with the Southeast Idaho Council of Governments (SICOG). Councilmember Lau stated it was his understanding that Engineer Skinner with the help of staff would head up pursuing grants. Councilmember Hart suggested memorializing this in the new job descriptions. Councilmember Lau stated he would reach out to SICOG representatives to find out what it is all about. Councilmember Hart thanked the Clerk for updating her staff's job descriptions and suggested if need be they could be adjusted to add grant writing.

Councilmember Hart offered support to the Clerk and wanted to make sure everyone had sufficient backing from the Mayor and Council and was empowered to make decisions regarding COVID related protocols for City Hall and staff. The Clerk expressed her appreciation and reported on the work from home test performed and the need for some laptops for staff. The Council supported purchasing some laptops.

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

CITY COUNCIL
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PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 7TH DAY OF OCTOBER,
2020.

Austin W. Robinson, Mayor

ATTEST:

Tausha Vorwaller, Clerk