

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD NOVEMBER 18TH, 2020.

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
Celeste Billman Tausha Vorwaller, Clerk
Justin Hansen Gregg Haney, Attorney
Chief Scott Shaw II

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

The Mayor noted all the Council was in attendance except Councilmember Lau who would be joining shortly.

The previous meeting minutes were presented for review. Councilmember Goode stated he had reviewed and noted no changes were needed he then moved to accept the minutes of November 4th, 2020 in their current draft form and dispense with the reading. Councilmember Gambles seconded the motion. All in favor, motion carried.

The accounts payable were reviewed. Councilmember Hart moved to approve the accounts payable for the first half of November dated November 1st through November 16th, 2020. Councilmember Gambles seconded the motion. Councilmember Hart asked about the senior project of repairing the Octagon Park boardwalk and wondered if the proper procedures had been followed. The Mayor stated yes they had. The cost for the new power pole installed by Rocky Mountain Power at Formation Springs was also reviewed. A vote on the motion to approve the accounts payable was called. All in favor, motion carried

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAIL)

Recreation Director, Celeste Billman again reviewed with the Mayor and Council options for continuing little league basketball under the Stage 2 guidelines. Councilmember Gambles asked to share his compliment of Director Billman. He explained he showed up to offer help a last weekend's recreation event and found everything to be very organized. He commended Director Billman for being a hard worker and having a very well thought out plan that went really well. Director Billman explained the new challenges of complying with the Stage 2 guidelines. She offered a couple of options for the upcoming games in Grace who have an exemption under the School for this weekend but the Soda Springs

program is not under the Schools exemption and will need to limit the attendance to ten or under. The Soda Springs Middle School has a no spectators rule in place that must be followed. She plans to stream the games if possible and hopes the parents will understand. Concerns about streaming children were discussed at length. Councilmember Hart stressed the goal of the recreation programs is for the kids to have activity and learn. He also pointed out the City Council is the policy making body and doesn't need to administer the recreation program. He suggested as long as the guidelines of the State and Health Department are being followed the Council supports the staff to work out the details. He commended Director Billman for doing a great job putting in place the protocols needed to comply with the guidelines.

A Public Hearing was declared open at 5:15pm by Mayor Robinson for the purpose of giving consideration to the vacation of a portion of W 220 South. The Clerk reported no written comments had been submitted. The Mayor asked for comments from those in attendance. Paige Byram, owner of Point S Tire and the Soda Sip located at 311 West 2nd South, who was present by conference call addressed the Mayor and Council regarding the proposed street vacation. She asked if the water line was dug up by the City to make a repair would the road/property be restored to how it was before. Engineer Skinner answered yes it would be. Mrs. Byram also noted she had spoken with the Idaho Transportation Department (ITD) and asked if it was an appropriate time to discuss the conversation. Attorney Haney suggested discussing it at another time. There were no other comments provided during the public hearing and it was declared closed. The Council briefly discussed and viewed an aerial photo of the street proposed for vacation. Councilmember Hart pointed out both the vacated portion and the new road were being referred to as 220 South Street. Engineer Skinner pointed out the portion not being vacated. Councilmember Hart introduced Ordinance #682 entitled AN ORDINANCE OF THE CITY OF SODA SPRINGS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, VACATING A PORTION OF A ROAD, CITY OF SODA SPRINGS; RESERVING UNTO THE CITY OF SODA SPRINGS AN EASEMENT ON SAID ALLEY WAY; GRANTING TO THE ADJOINING LAND OWNER THE PROPERTY SO VACATED. A motion was then made by Councilmember Lau and seconded by Councilmember Goode 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
	Robert Lau		
	Jon Goode	Absent:	none
	Scott Gambles		

Motion Carried.

Attorney Haney read Ordinance #682 by title. Councilmember Hart then moved to approve the adoption of Ordinance #682, seconded by Councilmember Lau. A roll call showed the following vote:

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

Motion Carried.

(SEE ATTACHED COPY OF ORDINANCE #682 - ORIGINAL ON FILE)

Councilmember Lau moved to approve authorizing the Mayor to sign the deed of the vacated property giving ownership to Byram Unlimited, LLC who is the adjoining land owner. The motion was seconded by Councilmember Goode. All in favor, motion carried. Councilmember Hart noted the City will be working with the Byrams to improve the safety of the traffic in that area and appreciate their cooperation.

During the time for citizen input councilmembers offered comments regarding the Governor's COVID-19 property tax relief program. Councilmember Goode pointed out that the reduction provided by the City's participation in the program shows on the City taxpayers property tax notice. He explained it amounts to about \$200 for every \$100,000 value of property. Councilmember Lau expressed his wish that the County would have taken advantage of it. Councilmember Hart invited the County to explain what led to their decision and why they didn't take advantage of the program. He noted it would have been a huge opportunity to show support for the local industry and provide some property tax relief. Councilmember Goode noted the good citizens of Soda Springs got about a quarter of a million dollars in reduction.

Mayor Robinson, during citizen input, added his wish for the community to have a happy and great Thanksgiving and encouraged all to enjoy their families.

Attorney Haney gave an update on the negotiations with Direct Communications regarding the cable franchise fee agreement. He thought they were making some good progress and hoped to agree on an amount that would basically cover the City's fiber costs but Direct came back with concerns about their costs for utilities paid to the City. Attorney Haney also explained the need for the State statute to be updated which technically doesn't fit the current situation and probably can't be enforced. The purpose of the franchise agreement is to provide exclusive right to provide cable within the City. The pole agreement is separate. Direct Communications also asked to decrease the liability insurance amount from \$5 million to the industry standard of \$2 million. The term of the agreement was discussed and a 3 to 5 year agreement was suggested. Councilmember Hart pointed out the City should be pursuing reimbursement for easements across City property and right-of-ways. The Council also agreed Attorney Haney needed to press Direct Communications to provide the map of their lines and suggested requiring a \$1500 a month fee until the map is provided and then drop it to a \$1000 a month. Attorney Haney will continue to negotiate with Direct Communications.

The Project list was reviewed. Engineer Skinner noted the items added including memorializing the dates that local industry updated the City on environmental items and

the next scheduled review. Also the Ledge Creek cleaning that is done and what is remaining, Enders building analysis and skating rink. Equipment purchases were reviewed and Engineer Skinner reported that Custom Iron was able to fabricate the aerator sprockets that would have taken 10 weeks to get from Westech and they seem to working well. The Formation Spring power is done and the Department of Environmental Quality (DEQ) wants to do another final inspection. Engineer Skinner reported he had talked to Idaho Department of Water Resources (IDWR) about the test well the Pantings would like to use. Water Resources stated it is permitted for a test well and now needs to be abandoned by the City to avoid ongoing liability. Councilmember Hart suggested giving the Pantings 30 days to talk with IDWR to see if they have any options to use the well and what steps they would need to take.

Councilmember Goode gave an update on the most current local statistics regarding COVID-19. He expressed his feeling that it is important to remind the community of the situation and best practices to try and help slow the spread of the virus. He noted his concern about the number of deaths in Caribou County compared to other counties. He also shared a new statement from the Centers for Disease Control (CDC) that studies are now proving masks not only protect others but also protect you. He encouraged everyone to take all the appropriate actions to protect yourself and others. Councilmember Gambles expressed his concern about the vaccine taking a long time to get out to the public and everyone needs to take this seriously. He noted his concern about the hospitals being full and not able to take patients for other things.

Engineer Skinner presented cost information to have Prime Time Auctions handle a surplus equipment auction for the City. A photo of the equipment Director Hansen is recommending for auction was viewed. Engineer Skinner stated Prime Time recommended waiting until spring and he also suggested working with the School and County to plan a joint auction. The Council agreed to wait until spring and pursue a joint event with other agencies. The plan will be revisited the 2nd meeting in February.

Engineer Skinner briefly reviewed a Power system spread sheet prompted by Councilmember Hart. It details the usage and costs and had not been updated for about 15 years. The energy efficiency program and funds available for the upcoming year were also discussed.

The Council and Staff reviewed and discussed the Ender's building. Councilmember Hart explained he was prompted by the Comprehensive Plan action list and requested a review of the current status of the condition, use and expenses for the Ender's building. Based on the lease agreement he came up with a list of items that need to be reviewed and addressed and suggested a meeting with the lessees regarding ongoing plans and if the agreement is meeting everyone's expectations. Engineer Skinner mentioned he checks the boiler regularly but that's all and asked if he is the one that is supposed to be doing regular inspections and talking with the lessees about items of concern. Councilmember Goode reviewed the expenses and discussed a couple he questioned whether they should be the lessees responsibility. Councilmember Hart stressed the need to protect the City's asset

and recommended a one year review of the agreement and a schedule for regular walk-throughs.

Councilmember Goode seconded by Councilmember Lau moved to adjourn the meeting at 6:30pm. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 2ND DAY OF DECEMBER, 2020.

Austin W. Robinson, Mayor

ATTEST:

Tausha Vorwaller, Clerk