

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD MAY 4TH, 2022.

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.
RYAN CARPENTER
RODNEY WORTHINGTON
SCOTT K. GAMBLES

EXCUSED:

ALSO PRESENT:	Mark Steele	Alan Skinner, Engineer
	JoAnn Rhodes	Tausha Vorwaller, Clerk
	Michael Vaughan	Gregg Haney, Attorney
	Austin & Jackie Robinson	
	Craig Corbett	Chief Scott Shaw II
	Dawn Corbett	Justin Hansen
	Melissa & Chris McDowell	Dan Squires
	Debbie Dumont	Doran Lambson
	Brooke Allen	Ryan Robinson
	Daniel Parrish	

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

The previous meeting minutes were presented for review. Councilmember Gambles moved to accept the minutes of April 20th, 2022 and the special meeting of April 25th, 2022 and dispense with the reading. Councilmember Worthington seconded the motion. All in favor, motion carried.

The accounts payable and payroll were reviewed. Councilmember Hart moved to approve the accounts payable dated April 19th through April 30th, 2022 and the payroll for April, 2022, seconded by Councilmember Goode. All in favor, motion carried

(SEE ATTACHED PAYROLL & ACCOUNTS PAYABLE REGISTERS FOR DETAIL)

Attorney Haney reported on attending the last County Commissioners meeting to inquire about the Fire Station ownership. He reported the County does not wish to transfer the building ownership to the City but is willing to help with remediating the settling problem. Councilmember Hart asked if there is an updated cost estimate for the Fire Station repairs. Engineer Skinner stated he was just waiting for the go ahead to have the costs updated and find a contractor. He estimates \$125,000 to \$150,00 including the driveway and the work inside the building with the City's insurance covering half up to \$50,000. Councilmember Hart suggested the City will need to have the most up to date cost estimate in order to approach the County and work out a cost share. Councilmember Carpenter asked Attorney Haney how much the County is willing to cover. Attorney Haney suggested a pro rata share of footage would be the only way to figure it. Councilmember Worthington asked Chief

Squires what his needs were. Chief Squires stated he would just like the driveway fixed and the inside repairs done so it is usable. He reported the settling has stopped and he is pretty certain they have fixed the problem that caused it. Chief Squires added it is his understanding the County is only willing to pay half for the repairs of the part of the building they own which is not where the majority of the repairs are needed.

Mayor Robinson welcomed Jess McMurray and administered the oath of office as a new member of the Planning and Zoning Commission.

Engineer Skinner reported that the bridge crane project is out for bid which includes fabrication and installation and the project will be split into three bids/sections to keep it below the formal bidding requirement of \$250,000.

Mayor Robinson declared a public hearing open and reviewed the guidelines for comments. The Public Hearing was to re-consider the application of Michael Vaughan of 26500 S. Old Malad Highway, Downey, Idaho for a zoning reclassification of a 1.28-acre property owned by him at approximately 61 South Hooper Ave., Soda Springs, Idaho. The reclassification originally requested to change the property, from an (R-1) Single-Family Residential Zone to a (C-1) Neighborhood Commercial Zone has been amended to change the property from (R-1) Single-Family to an (R-3) Multi-Family Residential Zone. The Clerk reported two new comments were received since the last public hearing and the Council had received them to review. Mr. Vaughan explained his desire to build four 4-plex units on his property and in order to do so the property needs to be rezoned from an R-1 to an R-3 zone.

Debbie Dumont, 730 Hopkins Lane commented she has changed her original opinion of being against the rezone and not wanting any apartments at all. She feels it is more reasonable to rezone the property to an R-3 which will limit the uses and she mentioned she had reached out to the developer and asked him to consider changing his plan. She suggested building only two 4-plex units and reconfigure the parking to be contained within the lot with limited access points to the street because Hooper is a really busy road and she is concerned for the safety of those who will live there. She noted with less units there may be room for grassy or playground area.

Craig Corbett of Grace, Idaho and owner of the agriculture zoned property south of the proposed reclassification and development reiterated his statement from the April 6th, 2022 meeting asking the Council to refer to those comments.

Melissa McDowell, 90 S. 2nd East, strongly expressed her opposition to the zoning change in a lengthy statement to the Council. She explained that her family moved into their home because it was quiet and safe and they know all their neighbors. She mentioned she feels it will make the neighborhood less desirable and the higher density housing will create more traffic and she is concerned about 16 new unknown residents moving in right next to her home where she has two young girls. She feels the proposal includes too many units and would be better suited to subdivide and build single family homes. She added she doesn't feel the fence will be adequate and second floor apartments will be able to see into her back yard.

Chris McDowell, 90 South 2nd East noted he submitted written comments, echoed his wife's statements who just spoke prior and added if the Council approves the rezoning, he requests a conditional use not be approved.

JoAnn Rhodes, 85 South 7th East, sent written comments and supports Chris and Melissa McDowell's statements. She believes it needs to stay an R-1.

Mr. Vaughan addressed the opposition. He stated the property is not wide enough to move the parking within the lot and it would put housing units right out next to the road. He expressed his opinion that this is a pretty good spot for the housing units and there really isn't many places in town that can be developed.

There were no other comments and the Mayor declared the public hearing closed. Councilmember Hart pointed out the two separate applications needed to be considered and decisions made on them individually. He then asked Mr. Vaughan if he had considered downsizing. Mr. Vaughan stated he would be okay with reducing the proposal to three buildings and added that he wants to use one of the buildings for nightly rentals. He still also wants an accessory storage building for the renters or his own use. The Council, Staff and City Attorney reviewed and discussed the nightly rentals. It was clarified the City has no code regulating nightly type rentals and nothing prohibits it. Councilmember Hart pointed out, to alleviate some concerns, that Mr. Vaughan plans to live on site in one of the units himself.

Councilmember Gambles introduced Ordinance #690 entitled AN ORDINANCE OF THE CITY OF SODA SPRINGS, IDAHO, AMENDING THE ZONING MAP OF THE CITY OF SODA SPRINGS TO REFLECT A CHANGE IN ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 MULTIPLE-FAMILY RESIDENTIAL. A motion was then made by Councilmember Hart and seconded by Councilmember Worthington that the rules requiring ordinances to be read on three separate occasions be dispensed with and that the ordinance be read once in its entirety. A roll call showed the following vote:

Those voting aye:	Mitch Hart	Those voting nay:	none
	Scott Gambles		
	Ryan Carpenter	Absent:	none
	Rod Worthington		

Motion Carried.

Attorney Haney read Ordinance #690 at length. Councilmember Hart then moved to approve the adoption of Ordinance #690 as presented. Councilmember Carpenter seconded the motion for adoption. A roll call showed the following vote:

Those voting aye:	Mitch Hart	Those voting nay:	none
	Scott Gambles		
	Ryan Carpenter	Absent:	none
	Rod Worthington		

Motion Carried.

(SEE ATTACHED COPY OF ORDINANCE #690 - ORIGINAL ON FILE)

The Council then reviewed Mr. Vaughan's conditional use application, the Planning and Zoning Commission's (P & Z) recommendation for approval and the allowed uses in the R-3 zone. Councilmember Hart feels the property can accommodate the requested housing units and Engineer Skinner added that two parking spaces per unit are required and Mr. Vaughan's plan includes three spots per unit. Councilmember Carpenter pointed out from the P & Z's minutes that Mr. Vaughan's plan meets code requirements and he agreed to the fencing as requested. Councilmember Carpenter thanked those in attendance for their comments and he understands their concerns but mentioned surveys have been done showing housing as a number one priority. He feels with the code requirements being met the Council has an obligation to meet the needs of the community. He also expressed appreciation to Mr. Vaughan for wanting to live onsite and encouraged him to consider a natural landscape as a screen to be a good neighbor. Councilmember Worthington added the City's comprehensive plan stresses the need for additional housing which he respects. He also expressed appreciation to the P & Z members who came forward and shared their opinion regarding adjusting the zoning classification from a C-1 to an R-3. Councilmember Hart moved to approve the requested conditional use to allow the construction of up to 16 housing units/four 4-plexes with the incorporated adjustments to the setbacks, parking depth and driveway widths requested by the P & Z which are shown on the updated plot/layout presented by Mr. Vaughan. The approval conditions also include six-foot privacy fencing on the east and south sides and a three-foot fence on the northeast corner as recommended by the P & Z and acknowledges that the plan includes building an accessory building as allowed by the R-3 code designation. Councilmember Gambles seconded the motion. All in favor, motion carried. Councilmember Hart thanked everyone for their comments.

Representatives of Direct Communications updated the Mayor and Council on of their internet services in the area along with inquiring whether the City is interested in partnering with them to help with the upgrade and expansion of services. Their proposal includes a hybrid system of cable and fiber combined to provide speeds up to 1GB and expansion into the City's area of impact including Wood Canyon and Bailey Creek. They pointed out they have been aggressive in hooking up businesses and doing significant improvements to the cable system since they bought it from Silver Star. They explained how the Soda Springs network was left out of past developments and is behind on upgrades to the system. They mentioned how Direct Communications is designating the first month fees of new customers to the local school district and so far, \$190,000 has gone to public schools. They are based out of Rockland, Idaho and are also interested in sponsoring local groups and activities and they have employees who live and work here. The Direct Communications representatives noted they are aggressively pursuing grants from the State and asked if the City was interested in partnering with them to upgrade the City's system and expand into the impact areas. Councilmember Hart expressed his opinion that the impact areas were not the City's responsibility and it was not feasible to consider annexing those areas which had been reviewed in the past. He noted there are upcoming housing developments within the City he would encourage Direct Communications to work with and also suggested a specific dollar request be submitted to the City between now and the first of August to be considered during the budget setting process, when they have a more firm and detailed project proposal. Councilmember Hart added his understanding

that another local community was using their American Rescue Plan Act funds to support a City-wide high-speed internet development project but the City of Soda Springs is not interested in using those funds for that. He stated the City would be happy to support grant opportunities depending on the amount of match required. Councilmember Carpenter noted a few upcoming community events Direct Communications could support if they choose to.

Doran Lambson and Ryan Robinson of Deaton & Company, CPAs presented the City's 2021 Fiscal Year Audit report. Mr. Lambson explained the requirements and process of conducting the City's annual audit. He explained it is the managements responsibility to prepare the City financial statements and ensure the City's finances are reported properly and as auditors it is their job to give an opinion on those financial statements. They also evaluate the risk of fraud and misappropriation based on internal controls. Mr. Lambson reported they believe the financial statements are presented fairly in all material respects with no indication of non-compliance. They review estimates of the life expectancy of City's assets and provide suggestions on how to strengthen internal controls and City policies. He mentioned they had no difficulties or disagreements working with management. They have recommended the elected officials consider a written policy regarding the expense reimbursements and also mentioned the legislative talks taking place about limiting reserves. He pointed out the City's General Fund balance of \$2 million and suggested designating or obligating reserve funds for upcoming projects. Councilmember Hart asked about the term "net position" vs "fund balance" which was explained as being the same just different term for enterprise funds. The Mayor thanked the Auditors for their presentation.

Robert Johnson of 211 East 1st North went on record to issue a complaint. He explained how he and his wife love living in Soda Springs and they try to make the town attractive so others want to come and live here. He mentioned his system of planting flowers that consistently look beautiful all year. He plants 2000 plus bulbs and his complaint is regarding the increased number of deer in town that are eating all his flowers. He mentioned the many things he has tried to deter the deer with no success. He doesn't feel residents should have to put up with this and feels the deer are being poorly managed. He expressed his feeling that the Idaho Department of Fish and Game (IDFG) doesn't listen to individuals but will listen to a group with concerns. He would appreciate the City's support in trying to do something about this issue. He added he loves the deer and seeing them but doesn't want them in his yard. Councilmember Hart remembered a recent presentation about the changing migration of the deer in the area and the IDFG is aware. He offered a new point of contact with the IDFG for Mr. Johnson to reach out to and suggested the City would be willing to underscore the concern.

City Director Hansen requested approval to purchase a new 4-wheeler to be used for parks and recreation maintenance. He explained the need for an additional 4-wheeler due to the current one being used a lot for weed spraying now that there is a dedicated position. He pointed out \$10,000 is included in the budget. He explained the availability is limited and presented some quotes, including used 4-wheelers, for review. He requested approval to purchase a 2022 Can-am for \$8100. Councilmember Hart moved to authorize the

requested purchase, seconded by Councilmember Worthington. All in favor, motion carried.

Debbie Dumont, Greater Soda Springs Community Development Committee/Carriboo Development Foundation (GSSCDC/CDF) Secretary told the Mayor and Council about the City parks cleanup project they sponsored and is underway right now. She explained working with City Director Hansen to put together a list of projects that would help out the City and promote community pride especially with the kids. The CDF is providing \$250 scholarships to groups that complete a project. They hope to make this an annual event. There will be a BBQ on Saturday at 1pm and everyone is invited. The Council thanked everyone involved for the awesome idea. Councilmember Carpenter thanked Mrs. Dumont and Chris Gonzalez for their efforts and putting a lot of work into it. She added the Committees are also working on bringing the Winter Carnival back.

During citizen input the Mayor mentioned the "Support Local Gems" State campaign and expressed his strong support for local based businesses. He also thanked all the volunteers on the City's committees. Councilmember Gambles mentioned the upcoming Vietnam Memorial traveling wall that is coming to town and the need for volunteers to help setup and take it down. He offered contact info for anyone that was interested in helping. Councilmember Carpenter thanked the rotary club for bringing the wall here which is a really unique, once in a lifetime opportunity.

Engineer Skinner reported on the 3rd East Street sewer line replacement project. BSC Excavation out of Preston, Idaho will be doing the job. They are cutting and loading pipe today, will start digging on Friday and putting pipe in on Monday. Mayor Robinson asked if the residents have been notified. Engineer Skinner stated he had talked to a few but will be going out to talk to the rest in the next couple of days. He stated everything has been marked.

Other projects on the list were briefly reviewed. Engineer Skinner noted the Hydro Plant work is about 70% complete because they are still waiting on parts but they hope to have it complete by the end of May. The 46kV transmission line poles have been purchased, the wire is 60 days out but the insulators aren't available until August or September. The contractor is trying to speed that up. It will take 30 to 45 days to complete the transmission line project. Councilmember Worthington asked what the P & Z plan improvement project was listed on the spreadsheet. Engineer Skinner stated it was a recommendation to review the code and update it which the P & Z is continually doing but the funds were in case the City wanted to hire a consultant to help review. Engineer Skinner mentioned the new manhole for the Industrial Park is on order. Supervisor Squires commented he didn't know it had been approved. Engineer Skinner stated the kickoff meeting for the South 2nd East project is on Monday and he would like some direction on what project they want him to spend engineering on and how to budget for next year. Councilmember Carpenter asked about meeting with the property owners on Main Street to discuss how a potential upgrade will affect their businesses. Engineer Skinner suggested a public meeting would be held but the main question is where will the funds come from. Councilmember Hart suggested the first step is to meet with the County

to see how much of their ARPA funds they would contribute to the project. He also expressed his desire for the Departments to make recommendations on what the priority projects should be. Mayor Robinson suggested if the City can't do all of Main Street at once then he thinks the City should wait until it can. Engineer Skinner noted the project would take approximately 3 ½ years of budgeted funds at the current annual budget for infrastructure upgrades without grant funds.

Water/Wastewater Supervisor, Dan Squires requested approval to proceed with a water mainline upgrade project that can be done by his crew. He explained the need to extend the mainline from Cobblestone to Jeff's Body Repair where the City's mainline ends before it crosses the creek. The businesses across the creek are serviced by a private line. The City's mainline replacement would be called the 220 South waterline project and will replace 520 feet of a 2-inch line that is continually a problem with a 6-inch line. Supervisor Squires explained it may take a couple of months but he will talk to all the businesses effected and no one would be without water and the road will be open. Councilmember Hart moved to authorize the City crew to upgrade the 220 South waterline at the proposed budget of \$12,000 for parts and materials. Councilmember Gambles seconded the motion. All in favor, motion carried.

Councilmember Worthington shared his agreement with Councilmember Hart's previous comment that it is best for the Departments to make these recommendations because they are the ones out on the ground and know what needs to be done. Councilmember Hart added the need to amend the financial resolution that requires approval of expenditures over \$5000. He feels if items and projects are budgeted, they should allow the Departments to move forward and not slow down progress.

Mayor Robinson honored Craig Boswell as a Soda Springs Super Hero. The Mayor explained that Mr. Boswell did not want to be publicly recognized so was not in attendance. Mr. Boswell was nominated due to his selfless commitment to volunteering at the Senior Citizens Center's thrift store. Mr. Boswell sorts through and cleans hundreds of items that are sold to support the functions of the Senior Citizens center. He does so cheerfully and is a great asset to the community.

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

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 18TH DAY OF MAY, 2022.

Austin W. Robinson, Mayor

ATTEST:

Tausha Vorwaller, Clerk