

**MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS,
CARIBOU COUNTY, IDAHO HELD MARCH 20, 2024.**

THE MEETING WAS CALLED TO ORDER AT 5:00 PM BY MITCHELL J. HART, PRES.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

Mitchell J. Hart, Pres.
Rod Worthington Via Goto Meeting
Paul Gritton
Ryan Carpenter

EXCUSED: Austin W. Robinson, Mayor

ALSO PRESENT:

Alan Skinner, City Engineer	JoAnna Ashley
Andrea Haderlie, Clerk	Joshua Hayes
Scott Shaw, Police Chief	Casey Batterton
CeJay Golightly	Clara Whitney
Justin Hansen, Director	Tamra Henesh
Jennifer Squires	Leo Henesh
Dan Squires, Director	Debbie Dumont
Kent Loosle	Jessica Elgan
Dillon Leichty	Linda Barthlome
Brandon Hall	

Councilman Hart welcomed everyone to the council meeting. Mayor Robinson is excused. Councilmember Worthington is attending via GoTo Meeting. Councilman Carpenter did the invocation. Councilman Hart led the Pledge of Allegiance.

Councilman Hart stated that on behalf of the city, we extend our condolences and sadness to the family of Attorney Haney, who has passed. Councilman Hart explained that they have a quorum, even though he presides.

Councilman Gritton motioned to approve the minutes from March 6, 2024. Councilman Carpenter seconded the motion. All in favor, Motion carried.

Account payables for the period of March 1 through March 18, 2024. Councilman Hart asked if there were any questions or clarifications. Councilman Hart questioned account 11185 Bat Electric for \$2,700.00. Director Hansen stated that for Hydro number four, we were having some issues on our utility side on the high side of our power turning, which keeps kicking off the hydro plant. Bat came out to put some instrumentation on and test it and concluded that it's not on the hydro plant site inside, so nothing they've upgraded is causing the problem. Now we're looking for somebody to help us find the problem on our utility side. Councilman Carpenter questioned account 11163 Mountain West Waterworks 750.00. Is it our new monthly fee for the backup? Director Squires explained that Mountain West Water Works comes once a month for an on-site visit, and he is a level 4 operator for the Sewer plant. Councilman Gritton questioned account 8515 Rocky Mountain Boiler for the Enders building, worked on the boiler, and repaired traps. He asked if that was a new ongoing expense. Director Squires stated it was due to the heat exchanges that went down, and the traps were bad.

City Engineer Skinner mentioned that traps picked up moisture rather than steam and had to be replaced. He stated that it's not an ongoing issue. Director Squires mentioned it is a yearly thing. Councilman Carpenter motioned that we accept the accounts payable dated March 1 to March 18, 2024. Councilman Gritton motioned to second. All in favor. Motion carried.

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAILS)

Citizen Input:

Councilman Hart opened the floor for citizen input. JoAnna Ashley questioned clarification on something she had read in the newspaper a few weeks ago. She mentioned that since Blake Poulson retired and had been the city's building inspector, has the city stopped issuing building permits until then, or have they continued to issue them during that timeframe? City Engineer Skinner replied yes, and we continued. Mrs. Ashley explained in the newspaper that you, the City Engineer, just recently received your IRC for residential certification, but you still need to get your commercial certification. City Engineer Skinner stated that the city has never had a commercial certification and that the city required engineer-stamped plans. Councilmember Hart clarified that he received a certification in September. Mrs. Ashley questioned who the overseeing inspector for the commercial construction within the city is right now. City Engineer Skinner explained that the city has required engineer prints with an Idaho PE stamp. Mrs. Ashley stated that Idaho statute 39 4108 dictates how this has to be handled and that a building inspector with a valid ICC residential building inspector certification, working under the supervision of an ICC-certified building inspector or building plans examiner, may inspect all occupancy classifications for a period not to exceed three years, an inspector may be hired without a valid ICC residential building inspector certification but must obtain such certification within a period of up to six months after hire, and must be under the supervision of an ICC certified building inspector or building plans examiner until such certification is obtained. Until such certification is obtained. No official adverse action will be undertaken without reviewing the approval of the ICC-certified building inspector billing claims examiner; without those certifications and that oversight, you also cannot conduct inspections on commercial facilities. She questioned again who the city was looking at. Or is the city looking at getting the overseeing building inspector with the commercial certification? Councilman Hart stated they would consider her input and make a plan in the future.

Dillon Leichty of Caribou Medical Center explained that for the last eight years, Caribou Medical Center has donated \$2,000, and they budgeted for that to go to the City Recreation Program. Their goal is that they want our community to be healthy. Eight years ago, we created a strategy to get young people into being a part of a team, getting up and running, exercising, being a coach, doing twirls, and playing with their kids' baseball team. That was our whole hope with the goal. We are here to present \$2,000 to the youth athletic program. He knows that you guys put our name on every shirt CMC logo on the back of shirts, but the more significant part is that we appreciate you allowing us to be part of that and the continuation of creating new sports because it's dying in many places. You're seeing traveling teams take over those things, leaving a subgroup of kids out if you must try out for those teams and be a certain caliber. We certainly don't want anyone who wants to be a part of those activities to be held without, and this donation is just simply for you guys to use at your discretion for people who can't pay the fees for their kids to play or if there's equipment or something that's needed for the programs. We've always gone through Celeste for that, and now we're working with your new recreation director, Katy, and she's been great. We want to ensure that continues, and the sports continue here. Caribou Medical Center's goal is to provide kids get out and have fun so every kid can play. We thank you again for letting us be part of that. Councilman Hart and Councilman Worthington thanked them on behalf of the city. We genuinely appreciate it. We appreciate the partnership we have with Caribou Medical Center.

Debbie Dumont, President of the Chamber of Commerce, explained they wanted to let the council know

where we're at with getting it up and running. At our last meeting, we elected board members, and a few of us are here tonight. Tamra Henesh, Kent Loosle, and others who aren't here tonight. However, we intend to move forward, and our next steps are to establish memberships and get a website up and going; we have decided to create a business directory. Also, landmarks in the city should be added, like places people can visit and things people can do. She questioned the city council about the city's website. There is a business directory, but it still needs to be updated. Several businesses there are no longer, and some businesses aren't on there. Do you guys want to pass the torch to the chamber and let the chamber build that business directory on our website? Councilman Hart explained that the city would put a link to the Chamber's website for the business directory and that they could keep it updated. Councilman Gritton mentioned that the chamber website would get more traffic for that stuff than the city website. She mentioned we also intend to put a lot of different links to other advantageous things in the community, such as ATV trails in our area and fishing spots, fishing game, and just stuff so that when people come here, they know what businesses are available and what things are available. They can go to Mr. Gritton and pick up some sunglasses, or maybe they want to go out to the shooting League, so they need to visit your business for that reason. Councilman Hart questioned Clerk Haderlie, who's our contact on the website. Clerk Haderlie stated that it is all of the Clerks. Mrs. Dumont mentioned she has been working on a spreadsheet of businesses in the community and contact information for those businesses and would be happy to share that with the city. Clerk Haderlie clarified that the business listings on the city website are those businesses that have paid for their business license in town. If they have not, they're not on that list. Councilman Gritton questioned who is on the Chamber Board. Debbie Dumont is the president, and Kent Loosle is the vice president. Secretary duties are going to be shared between Tamra Henesh and Afton Marowelli. The treasurer is Ronda Lutz.

Unfinished business:

Councilman Hart explained the service missionary's update; Attorney Haney had gotten a call from one of the church's attorneys, and they were going to work through some stuff, so the ball is in their court now.

City engineer Skinner updated the project list; he explained the jpg attachments and transformer parts left today. All that's left up is the transformer itself; everything else was done. The additional pictures show the parts that were loaded. We'll get the rest of it as soon as we can get the big truck.

City Engineer Skinner explained Twin Homes, units seven and eight, of Berry Oats Parkridge subdivision. Contractor Cody Thompson is doing the next two, which will be done soon. All those have been offered and committed for purchase, and then he will start on the following four units and complete phase one.

City Engineer Skinner gave the update on Highland Way with contact information. The other picture is of the fourplex they are building. He explained that he received a draft proposal today on how they will handle the selling of individual units. It will go to Planning & Zoning; the developer has indicated 40 units, which means ten more or nine more fourplexes in that subdivision. He mentioned they need a schedule on how fast that will happen, but that's their plan.

City Engineer Skinner explained the Power Grant. The city received a letter of apology from the governor's office regarding our grant for energy resilience. The City is eligible for \$150,000.00 if the city puts up a 33% match. \$150,000.00 plus \$50,000.00. The city wanted to use this money for full testing and underground utility locations to produce maps for Marco, so we'll keep working on that.

Councilman Gritton questioned if there was an update on the new Maverick. City Engineer Skinner stated they poured the footers last Friday. There will be a foreman for structural walls right now. They want to be done in August.

City Engineer Skinner mentioned that Liberty Dodge poured the floor for this showroom. Councilman Gritton asked on behalf of Councilmember Worthington for an update on the Tosobia Falls

subdivision, which would be to the east of the new Maverick plan. City Engineer Skinner stated he has nothing in writing, but they plan to install utilities and roads as soon as spring arrives. A road that goes north and south ties into Highway 30. and an extension on Fourth South. They will install power, water, and sewer to the site. Councilmember Carpenter mentioned there is a piece of the property listed for sale. City Engineer Skinner explained that they're trying to work with two potential buyers for the commercial lot. Councilman Worthington just wanted to thank Alan for all those photos he included; it helps him to look at that and watch the progress. Thank you very much.

Councilman Gritton had arranged for Bayer to donate office equipment to the city. Bayer provided eight chairs for the council chamber, four chairs in the back of the room, and then, in the meeting room, a 10-foot table and a ten or twelve-foot whiteboard. He mentioned that we appreciate Bayer and their willingness to help us out.

New Business:

Councilman Hart explained the variance petition for Joshua Hayes at 90 N 4th E that went before the Planning and Zoning Commission. There is a copy of the meeting minutes and the recommendation from Planning and Zoning concerning the height variance in constructing a new home. City Engineer Skinner explained that the application has a total overall height of 32 feet. The city code says that in R-1 and R-2, up to two stories, or 25 feet, is the limit. He mentioned that the variance is for the extra height. The Commission had a good discussion. One of the neighbors closely affected showed up to the meeting, and he was okay with the height. The new home will be set back more than what is required. The Planning and Zoning voted three in favor and one opposed. Councilman Carpenter questioned Fire Chief Squires if he approved the 32-foot. The Fire Chief Squires stated he okayed it. Joshua Hayes, the property owner of 90 N 4th E and the applicant, clarified that the new home would be set back 40 feet from the property line. City Engineer Skinner mentioned there is 100 feet right away; it's way past the edge of the asphalt, curb, and gutter. Councilman Hart mentioned that with your oversized lot, you've got plenty of elbow room to do all that. Councilman Carpenter motioned that we approve the height variance from Josh Hayes by the planning and zoning and their recommendation to the City Council. Councilman Gritton seconded the motion. All in favor, the motion carried. Councilman Carpenter wanted to thank the planning and zoning. We appreciate their willingness to serve and make our job a little easier.

Councilman Hart mentioned a point of clarification. Another manner came before the Planning and Zoning Commission in the area of city impact. There was a particular development that landowners were proposing, and there was some confusion between the petitioner, the county, and the city, but now everyone's on the same page. The petitioner said they're stepping back and have withdrawn their application from the city. They applied to the county, and we have 30 days to review it with city planning and zoning and the city council. Then, the county will have a public hearing. City Engineer Skinner stated that he has the application and that we'll proceed. The city will make recommendations, but ordinances require them to follow the city's zoning code. Councilman Hart gave a history of the parcel.

Councilman Hart questioned Clerk Haderlie about an update on where we are on the audit. She stated everything is downloaded on USB, and the Auditor will email me next week for the checks he needs to review. Auditors will be here on April 5, 2024.

Councilman Hart mentioned budget status. Tausha Vorwaller, the previous city clerk, at the end of March, there's a report that can be produced sometime in April of how we're doing as far as comparing receipts and then expenditures against that. It's always good to look at us to review 50% throughout the fiscal year where we're at. Clerk Haderlie will send the report to the Council and Department heads. Councilman Hart explained that as far as the budget goes, things start ramping up between now and June. The City Clerk will

engage us with the budget at the appropriate time in the next few weeks, schedule when we need to do what specific things we have to get to the county and declare a public hearing.

Councilman Hart mentioned the Fourth of July, and he brought it up because the city can anticipate what it needs to do and coordinate with the Soda Springs Rotary parade and the different activities at City Park and if we need volunteer help. City Engineer Skinner explained that Rotary will bring in the circus on Wednesday, the third of July, and still plan for foam in the park the same day. The plan is to do the regular parade, and we'll have to juggle around with the Main Street project. They are planning a concert and fireworks at Kelly Park, and they are just starting to look at proposals for the entertainment and fireworks because they are part of the same bid.

City Engineer Skinner mentioned the picture that says KP playground; Rotary would like to put a 25 to 30-foot flagpole next to the playground equipment that The Hanson Family supported and helped fund. They would like to honor the late Mayor Hanson by installing a flagpole. He stated the picture has two purposes: it shows the playground equipment, but the bottom shows the transformer where we can run power to the Flag pole within about 50 to 60 feet. Rotary wanted to ask for City Council approval to keep moving forward. The flag pole is about \$1,500, and the Rotary's estimated budget is \$2,500. Dillon Leichty has been working on getting a flag pole from Freedom Flag Company. Mr. Leichty stated it's a driven company that hires ex-military to build flag poles and sell flags, and that's who we've been getting the bid through. The City Engineer, Skinner, said they would return with a formal application and get the prints ready with the exact location. Delivery would be a couple of months out anyway.

Director Hansen updated the council about a clean-up week; the county-free landfill date is the first week in June. He mentioned, as you recall that last year, we did not do curbside cleanup; the reason behind that last year was that, at the time, our front-end loader was in the shop for repairs, and we wouldn't be able to pick up anything off the curb. His reasoning for getting on the agenda is to see what the council desires to do this year. His crew will do whatever you tell us to do. He mentioned that last year, when doing it at the city yard, the city crew was able to help people unload and put in the piles they needed to go in, and it did work out well. He explained that he is okay with doing curbside pickup but wondered if that has run its course. The initial reason for doing curbside was to eliminate all the junk and clean up your yards. He stated that 95% of what we pick up now is all just tree limbs, and we have a second loader, but for the second loader, we wouldn't be able to use the attachments we have because they are fitted for the old loader. He wanted to inform everyone of the clean-up week dates and the council's preferences for the curbside pickup. Councilman Gritton commented that he envisioned some cleanup not being done if folks have to load up in their vehicle and haul it down, which might occur. If they were allowed to put it in a curb, and you picked up the curb, trying to think that process through. If so, we also need to consider your input. Councilman Carpenter mentioned last year that the discussion was whether doing the curbside pickup would allow some other civic and religious institutions to help and enable them to serve. We had a few take advantage of that and ask for help. He mentioned that the non-curbside would allow us to maintain a little bit more control and to limit taking advantage of the city's pick up of large trees, with big trees lying in the road. It took person-hours and days to clean that up, and that's not what city cleanup is for; that's a professional's job. Director Hansen questioned whether city cleanup was part of the contract with the city's contractor, saying that the contractor was responsible for doing the city cleanup in the spring and the fall at no extra expense to the city. The contract with the collection contractor disposal contract is still in place. We have the cost of taking my entire crew to do curbside, leaving our yard unoccupied. That's when we have the problems of people throwing stuff where that's not supposed to go and pulling my guy off the sweeper for an entire week, and the streets are not getting swept. He mentioned there are pros and cons to all. Councilman Hart said we should defer the decision to a meeting or two. Councilman Worthington commented that curbside has always been a positive motivator for the citizens to clean up our city. Director

Hansen commented that he looks at it from a business standpoint. Are we in direct competition with people relying on that kind of business tree removal and hauling off? Are we directly competing with those businesses that depend on that to pay their taxes? City Clerk Haderlie will add this to the agenda for further discussion at the next meeting.

Councilman Hart explained that the city had bought a newer vehicle, and the purpose was to help support those who fly into the airport and need a courtesy car to get around town. It is also available for city employees. They can take it at their discretion rather than driving their vehicle to attend training or meetings outside the city. It was parked at City Hall for some time, and all they needed to do was if someone flew in, they called City Hall; we ran it down and made it available. Director Hansen commented that if somebody flies in, they call City Hall to bring a courtesy car, and then the person who needs the vehicle has to get that person back to City Hall. Then they take that courtesy car, go up to one of the mines, and return after hours. The said person would still have to get a ride back to the airport. He explained it'd be easiest to park at the airport, but if a city employee needs to use it, they can go to the airport and get it. It has City decals on it. Councilman Carpenter commented that he stopped at the public library today, and they used the courtesy car to go to training in Idaho Falls.

Councilman Carpenter Ender's survey, we have heard some of our citizenry with strong opinions. He mentioned that we have the responsibility as community members to educate ourselves. On the flip side, we, as a city council, also have the responsibility to inform people in a nonbiased way. Especially when it's hot or sensitive, we need to do our due diligence to present information in a way that allows people to make an educated decision. He would like to have a little discussion about this survey. He thinks the best way to put it forth to our community members is through their city bill, which will cost us a little bit of money. We have labor that may be directed elsewhere instead of doing their regular day-to-day office duties, but he thinks this is the most cost-effective way to do it. The city council is responsible for creating that survey and putting the facts out. He said he wanted to let everybody know we're working on that. The council needs the citizens' input to hear some suggestions on what they think should happen, what should be there, and how it should be laid out. He stated there's a trust and a grant from Brownfield Trust. We're exploring the possibility of using this grant for the Enders building. We were notified last week about it. We're exploring this option to see what's available and what kind of funding it can be used for. It would be applied to the Enders. The city council can move the city hall there; this could give us the catalyst to jumpstart or liquidate it. He mentioned there are lots of opportunities and avenues that we're exploring.

Citizen Input:

Debbie Dumont commented that she had a lengthy conversation with Rod Worthington about the Enders survey; they kicked back and forth on some ideas, and the Caribou Development Foundation stepped up and helped with the survey. From a citizen standpoint, she feels that if you do a survey, you will get a split when you get the survey back. Ultimately, the decision will eventually fall back on the council members to make those decisions as an elected official to make decisions on behalf of the citizens. She would encourage you to hold your head high and confidently make decisions.

Jessica Elgan explained the community's issues with a school being in bad shape when she lived in American Falls. The school district and the community could never come together to fix the school. What they did as a community was they put together a community committee that talked about the issues facing the building. As a group, they opened it up to anyone who could participate and wanted as many stakeholders as possible to be involved with the discussion. They're like educators, maybe your businesses, throughout the community. And they came up with a recommendation and communicated it to the community; then they put it out to vote on because it was a bond passed that year. It was successful because the community was

involved. If she had a recommendation for the council, we all see the world through a different lens; we all have different skills and things that we could bring to the table, like somebody with property management experience, small businesses, or community members that could maybe sit down and talk about it. And then make sure when you're doing the survey that everything is included that is important for everyone to know. It could be beneficial if you did that, and you've got more people in the community involved. There isn't that division as they have in American Falls over the school with the taxpayers, and they couldn't agree.

Clara Whitney questioned whether there is a timeframe you're looking at for taking suggestions on Enders. Councilman Gritton said he thinks that will come relatively quickly, so he wants to see the process start and move forward. And how we're going to arrive at that process. It would be nice to have some input from the citizenry. He stated it's incumbent upon him to listen to the citizens. He understands that he was elected to make decisions, but those decisions must reflect what the public wants. Councilman Hart questioned who's going to drive this forward. Councilman Carpenter stated it is preliminary to get feelers out, and in a perfect world, we would have surveys returned, written, and signed with comments. There are no anonymous comments. He mentioned the end of July to August, which gives us July, August, or September, to tally everything, make sure everybody's voice has been heard that wants to say something, and then in October, make a decision, but we have to move forward. An in-house survey would be easily half of what a professional survey would cost, between \$10,000 and \$30,000. We'll still have to spend some money; he will talk with the staff at City Hall and get an idea.

JoAnna Ashely stated that, with her previous work history, she has led dozens of surveys in the community and also has lots of growing pains when people get to view your survey and feedback about bias and things like that. The first thing in a survey is that you have a clarifier for where they reside; any survey should have "Are you a resident within city limits?" "Are you a resident of Caribou County? Are represented when you're in this vicinity." that helps you qualify the data and input. She would advise that paper surveys are tremendous but include a QR code to an online version because your younger generation will primarily engage more on whether they will likely fire back in. The other thing I would tell you, having had lots of growing pain and harsh criticism on questions on surveys, is to generate your questions to the best form that you have, then take the proposal to a pool of 20 or 30 people who have expressed opinions on it, and ask for their input on perceived bias within the questions that answers are missing in the questions, also encourage the space to provide additional comments on every question. Because of what I've learned and even multiple choice, and even yes or no, there's often a gray area that gives better understanding. The last thing I would say is. The problem we get is that people want to be sure, especially with horrible, hard, tough decisions that somebody will always be angry about. You are elected, and your positions, as well as your leaders in the community, make the decision. And you're seeking input, and that's fabulous. But at the end of the day, I'm not for another committee. I've seen committees raise and get beaten to death and ready to get beaten to death. I saw a city's comprehensive plan and got beat to the bushes for three years because everybody wanted to ensure it was right. And when the 1000s of dollars were not to the professionals at the end of the day, the professionals returned with the same thing we found two years before. So that's our hat. Don't make another committee. Get your survey done. If you want help with structure, I'm happy to answer.

Councilman Carpenter commented that having a survey is so that when we make a decision, somebody comes up and is unhappy. We tried to educate you, do our due diligence, and make the right decisions. Councilman Gritton commented that he is new and had an opportunity to visit with many people during campaign season. He asked many people for their opinions on the Enders and found it highly informative. He doesn't want anybody, including those who might not be here tonight, to think that a survey is the only way to communicate their opinion; he encourages anybody who is either here or is not here or might be listening to speak with him individually.

Debbie Dumont commented about the cleanup last year. The Caribou Development Foundation worked with Justin to get citizens, groups, and community organizations to participate in the Caribou Development Foundation, which offers scholarships. She wanted to inform everyone that they would do that again this year.

Executive Session:

Pursuant to Idaho code I.C. 74- 206 (1) (f) and I.C. 74-206 (1) (a), Councilmember Carpenter made a motion to move into executive session to discuss possible litigation and an employee situation, seconded by Councilmember Gritton.

Those voting aye:	Mitch Hart	Those voting nay:	none
	Rod Worthington		
	Ryan Carpenter	Absent:	Mayor Robinson
	Paul Gritton		

Motion Carried.

Councilmember Gritton motioned to exit the executive session, seconded by Councilmember Carpenter. All in favor, motion carried.

Councilman Gritton motioned the city to take advantage of the availability of former city clerk-treasurer Tausha Vorwaller to contract with her for up to 20 hours a week at \$40.00 an hour for up to a total expenditure for her services not to exceed \$10,000 and would be about three months of work. Councilman Carpenter seconded the motion. All in favor, motion carried.

Councilman Carpenter motioned that we appoint Andrea Haderlie as interim city clerk-treasurer. Councilman Gritton seconded the motion. All in favor, motion carried.

6:21 PM Councilman Gritton motioned to adjourn. Councilman Carpenter seconded the motion. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 3RD DAY OF APRIL 2024.

Austin W. Robinson, Mayor

ATTEST

Andrea Haderlie, Clerk