

MINUTES OF THE MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SODA SPRINGS, CARIBOU COUNTY, IDAHO HELD MARCH 16TH, 2016.

MEETING CALLED TO ORDER AT 5:00PM BY JAMES R. SMITH, MAYOR.

ROLL CALL SHOWED THE FOLLOWING PRESENT:

JAMES R. SMITH, MAYOR
MITCHELL J. HART, PRES.
JON D. GOODE
ROBERT M. LAU
SCOTT K. GAMBLES

EXCUSED:

ALSO PRESENT:

Mark Steele	Alan Skinner, Director
Randy Johnson	Tausha Vorwaller, Clerk
Gary Etchison	Clyde Nelson, Attorney via telephone
Leslie Etchison	
Austin & Jackie Robinson	
Daneil Bybee	
Jacob Bybee	

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

Councilmember Lau was absent at the start of the meeting.

The Council reviewed the minutes from the last meeting. Councilmember Goode moved to dispense with the reading of the March 2nd, 2016 minutes and approve them as written. Councilmember Hart seconded the motion. All in favor, motion carried.

The pre-paid accounts payable for March, 2016 were reviewed. Councilmember Goode moved to approve the pre-paid accounts payable for March, 2016, seconded by Councilmember Gambles. Councilmember Hart asked if the auditor's engagement letter showed an increase in cost for the next audit. Clerk Vorwaller wasn't sure and will report back. Councilmember Goode asked about a payment to the Chamber of Commerce for Monsanto's membership. Director Skinner and Clerk Vorwaller explained that Monsanto mistakenly made an electronic deposit into the City's account for their Chamber membership fees so the City cut a check to the Chamber on their behalf. A vote on the motion was called. All in favor, motion carried

(SEE ATTACHED ACCOUNTS PAYABLE REGISTER FOR DETAIL)

Councilmember Lau joined the meeting.

Gary Etchison, a resident of Grace, Idaho for approximately 37 years, introduced himself to the Mayor and Council and announced his candidacy for Caribou County Sheriff. Mr. Etchison detailed his law enforcement experience and training. He served the Caribou

County Sheriff's office for 34 years before retiring. He has a degree in law enforcement from the College of Southern Idaho along with an advanced certificate and management certificate from the Idaho Peace Officer Standards & Training (POST) Academy. He mentioned his experience working in the old jail and the new before his retirement along with being responsible for most of the criminal investigations for the County. Councilmember Goode asked what he felt the number one problem is that needs to be fixed. Mr. Etchison explained the cost of law suits arising from issues at the jail and detailed his plan to come up with solutions. The Mayor asked what Mr. Etchison thought the relationship between the City and County law enforcement agencies should be. Mr. Etchison commented that he never had a problem working with the City and would continue to make it better. Mr. Etchison stated he will be spending time to get to know the citizens of Soda Springs. Mayor Smith thanked Mr. Etchison for stopping in and wished him luck.

Director Skinner gave a brief infrastructure project report. The Rose Avenue pre-bid meeting is scheduled for March 17th at 3pm and bids are due by March 31st. A citizen meeting will be held after the contractor is selected. Director Skinner presented the design and bid package for the Library expansion project which is currently being reviewed by the Library staff and the Friends of the Library before it is advertised requesting bids. Councilmember Hart asked if the engineers cost estimate was still accurate. Director Skinner stated that it was and they were working hard to keep the project within the estimate. He pointed out a couple of changes from the draft design including an updated roof line and increasing the restroom to accommodate a baby changing table. Mayor Smith commented on the slope at the back of the addition and noted that there is a group considering to volunteer and make a usable outdoor area. Councilmember Lau asked that an open house be held before the project is put out for bid to allow the community to be engaged in the process. Councilmember Hart suggested that the project is past the point of taking public input and altering the design. Councilmember Lau expressed his opinion that in order to do the project correctly the City should have allowed community input from the beginning on the project because it is using tax payer money. Mayor Smith strongly expressed his sensitivity to the criticism that the process has not be done correctly. The Mayor pointed out that the project has been talked about for the last year and a half, engaging the library staff and the Friends of the Library and it has been in the quarterly mayor's letters and in the newspaper. Councilmember Lau mentioned that he has presented alternative plans that offer more square footage and complete ADA compliance for the same cost but the administration and the City Council have refused to consider those options and so he feels there should at least be a public open house to show the drawings and let the citizens ask questions. Mayor Smith and Councilmember Lau strongly disagreed on whether the public had been adequately involved in the Library expansion project development. Councilmember Lau also asked that work on the drainage issues to the north and to the east of the Library be added to the infrastructure projects list for the City crew. The Mayor agreed it could be added to the list.

The Mayor and Council reviewed a Notice of Violation letter received from the U.S. Environmental Protection Agency (EPA) that stemmed from the November 2015

inspection of the wastewater treatment plant done by the Department of Environmental Quality (DEQ) on behalf of EPA. The letter noted several violations that preceded the completion of the new plant and it also detailed two incomplete monthly Discharge Monitoring Reports (DMR) that were submitted between February 2011 and February 2016. Director Skinner reported that the two reports were reviewed by him and staff and will be corrected; he also noted that there were some date errors on the DMR list provided by EPA that he will make EPA aware of. Director Skinner pointed out that no fines were mentioned in the letter. Councilmember Hart agreed a letter should be sent to EPA pointing out the corrections to have on record for the next inspections but he also recommended following up with a phone call to keep the dialogue open with EPA. Director Skinner also mentioned that the DMR's will be required to be filed electronically by December 2016.

Austin E. Robinson of 235 West 4th South addressed the Mayor and Council during the designated public input time. Mr. Robinson first commented that he felt the adjustment to the roof design on the proposed library addition was a good fix and he felt the initial proposal was a bad design. Mr. Robinson also wanted on record that in conjunction with last year's Court Street project a portion of his concrete driveway was replaced and now the top of the concrete is sluffing away. He pointed out the low temperatures when it was poured. Mayor Smith assured Mr. Robinson that the problem will be taken care of as soon as the weather permits.

Mayor Smith acknowledged Boy Scout, Jacob Bybee who informed the Council that he was working on his communications merit badge.

Director Skinner showed photos and informed the Mayor and Council that the old lean-to/carport connected to the south side of the Teen Center was severely damaged, falling down and was a safety concern. The building which was originally the City Hall and then the Police Department was on the historic building registry. The Mayor and Council all agreed that the carport should be removed as long as it will not affect the historic building designation. Mayor Smith suggested getting experts to assess and do the repairs if it will interfere with the historic designation. Councilmember Goode asked if the lean-to was originally placed to divert water from running toward the building. Director Skinner did not think that was the case but will assess the drainage. Attorney Nelson recommended checking with the authorities who are over the historic building requirements. Councilmember Lau moved to approve the removal of the lean-to contingent on direction and approval from the historic building authorities. Councilmember Goode seconded the motion. All in favor, motion carried.

Councilmember Goode introduced Ordinance #655 entitled 'AN ORDINANCE OF THE CITY OF SODA SPRINGS, IDAHO, AMENDING SECTION 2.08.020 OF THE SODA SPRINGS MUNICIPAL CODE PRESCRIBING THE ANNUAL MEETING TIMES AND PLACE FOR THE SODA SPRINGS CITY COUNCIL. 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. A roll

call showed the following vote:

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

Motion Carried.

Clerk Vorwaller read Ordinance #655 by title. Councilmember Hart then moved to approve the adoption of Ordinance #655 setting the City Council regular meetings to be held the first and third Wednesday of each month at 5:00 P.M. except for meetings starting with the second meeting to be held in August through the end of October each year in which the meeting time shall be 6:30 P.M. Councilmember Goode seconded the motion for adoption. A roll call showed the following vote:

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

Motion Carried.

(SEE ATTACHED COPY OF ORDINANCE #655 - ORIGINAL ON FILE)

Clerk Vorwaller asked if the Mayor and Council wanted to proceed with reserving the inflatables for the 4th of July Kids Carnival. The Council discussed the event and the need for volunteers to operate and oversee the carnival. Councilmember Hart moved to approve reserving the inflatables contingent on canceling if there are no volunteers. Councilmember Goode seconded the motion. All in favor, motion carried.

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

Councilmember Gambles seconded the motion. A roll call showed the following vote:

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

Motion Carried.

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

Councilmember Hart moved to authorize the City Clerk to refund the requested application fees to Mr. and Mrs. Louis Berg contingent on signing a release of liability or by certified mail accompanied by a letter stating the conditions of the refund. Councilmember Goode seconded the motion. All in favor, motion carried.

Councilmember Hart also made a motion that the City decline a request to join a matter of

litigation regarding a Bonneville Power Project. Councilmember Gambles seconded the motion. All in favor, motion carried.

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

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 6TH DAY OF APRIL, 2016.

James R. Smith, Mayor

ATTEST:

Tausha Vorwaller, Clerk