

National Academy Graduate with over 4000 certified Peace Officer Standards and Training hours along with Professional Peace Officer and Management certifications. Councilmember Goode asked Mr. Wells what he felt the biggest issue was that needs to be addressed. Mr. Wells stated the he wants to create a better relationship with the City Police Department and plans to do that through leadership and training. Councilmember Hart appreciated the information provided by Mr. Wells. Mr. Wells commended the City Council for still opening their meetings with a prayer. The Mayor thanked Mr. Wells for attending and wished him the best of luck. Mr. Wells also introduced his wife of almost 30 years, Valee Beins Wells the daughter of Duane and Diane Beins.

The Mayor and Council reviewed the variance application from Tony and Penny Stills and the Planning & Zoning Commission's (P & Z) recommendation for approval. The request was for a variance to the twenty foot (20') back yard setback requirement and would allow a proposed fourteen foot (14') by sixteen foot (16') storage shed to be placed five feet (5') from the back property line at 431 North 730 East. Councilmember Goode went over the discussions held during the P & Z's public hearing regarding utilities that run through the back yard. Director Skinner explained there is a 20 foot utility easement between the back yards of the homes in that area which is 10 foot into each property. The P & Z recommended approval of an eight foot (8') variance to the twenty foot (20') setback allowing the Stills to place their shed twelve feet (12') from the back property line and an agreement that the City be held harmless for damage to the shed in the event of utility maintenance. Attorney Nelson recommended a recordable agreement be drafted to protect the City. The Council and Mr. Stills were in agreement. Councilmember Hart moved to approve the variance for Tony and Penny Stills as recommend by the P & Z Commission allowing the Stills to build twelve feet (12') from the back property line at 431 North 730 East and execute an agreement to be recorded holding the City harmless for damage to property during utility maintenance. Councilmember Lau seconded the motion. All in favor, motion carried.

Mayor Smith declared a public hearing open at 5:15 p.m. for the purpose of giving consideration to the application of Kent & Gloria Evans of 160 Keystone Court, Soda Springs, Idaho for a Conditional Use Permit in a (C-1) Neighborhood Commercial Zone to allow the applicant to construct and operate an additional 57 storage units at 40 South 3rd East, Soda Springs, Idaho. Councilmember Goode reviewed the Planning & Zoning Commission's recommendations for approval and conditions. Mayor Smith also recognized a letter submitted by Jeff Langedyke that will be attached as part of the official minutes and pointed out the concerns expressed about snow and drainage being contained on the property. The Evans were in attendance and had no additional information to share. Mayor Smith noted that the City tries its best to compromise and protect all property owners involved. Mr. Kent Evans asked if anything could be done about the snow that is pushed onto their property by the State and the City in the winter. Director Skinner explained there is a 100 foot easement for the State Highway that allows the snow to be deposited on the sides of the road on the easement. Councilmember Lau moved to approve the conditional use permit for Kent and Gloria Evans to allow the construction of up to an additional 57 storage units at 40 South 3rd East based on the P & Z's recommendation with

the following conditions; 1) snow and drainage contained on owner's property, 2) no outside storage; open faced units for RV storage only, 3) five foot set-back requirement, 4) five year expiration date for construction. Councilmember Gambles seconded the motion. Attorney Nelson clarified that the conditional use permit would expire for any units not constructed within the 5 years. Councilmember Hart asked if Mr. Langedyke's concerns were addressed. Director Skinner explained that the 30 foot distance between units was due to two different property owners and if there was a fire it would be fought from the outer edge of the units and equipment would not need to be able to drive between the buildings. A vote on the motion to approve the conditional use request was called. All in favor, motion carried.

A public hearing was then declared open at 5:30 p.m. for the purpose of giving consideration to the application of Kenneth R. Finlayson, 1000 Kelly Park Rd., Soda Springs, Idaho for a Conditional Use Permit in a (C-1) Neighborhood Commercial Zone to allow the applicant to construct and operate up to five buildings consisting of multiple self-storage units on a 1.18 acre lot on the southeast corner of Lot 1 of the Finlayson Subdivision, Soda Springs, Idaho. Councilmember Goode reviewed the Planning & Zoning Commission's discussions and recommendations, he also mentioned that Mr. Finlayson had been previously approved for storage units at this location that were never constructed and Mr. Finlayson wanted to change the layout of the buildings and the type of construction materials. The P & Z's recommendations included requiring sidewalks. Attorney Nelson clarified that the sidewalks should be required to be installed before occupancy. Councilmember Gambles moved to approve the conditional use permit for Ken Finlayson based on the P & Z's recommendation to allow the construction of up to five buildings with metal siding and roofing consisting of multiple self-storage units on the southeast corner of Lot 1 of the Finlayson Subdivision with the following conditions; 1) snow and drainage contained on owner's property, 2) no outside storage; open faced units for RV storage only, 3) five foot set-back requirement or roof sloping onto owners property, 4) five year expiration date for construction 5) driveways built and maintained in accordance with City Codes including sidewalks installed prior to occupancy. Councilmember Lau seconded the motion. All in favor, motion carried.

Director Skinner presented a proposed two year street maintenance plan for the Council's review. The current budget of \$75,000 would be used to do approximately \$19,000 in chip and seal and the rest toward crack sealing and then in 2017 the crack sealed streets would be chip and sealed. Director Skinner mentioned that the streets scheduled for maintenance takes into account the priority utility reconstruction projects. Councilmember Hart moved to approve moving forward with the crack seal and chip and seal plan as presented, seconded by Councilmember Gambles. All in favor, motion carried.

The proposed impact area map was reviewed and discussed. The City's Planning and Zoning Commission recommends proceeding with adoption of the ordinance and map to update the impact area. Director Skinner explained that the County will meet on May 4th to discuss and decide whether to move forward with the proposed changes. If the County

agrees then a joint public hearing can be scheduled. The Mayor and Council agreed to move forward with the proposed update.

A request from local business owner, Martin Gonzalez who owns and operates the Gonzalez Mexican and American grill located at 10 North 3rd East was considered by the Mayor and Council. The request is for permission to sell beer and wine at the restaurant which is within 300 feet of a local church building. Idaho Code prohibits the issuance of liquor licenses to establishments near churches or schools unless the City approves it. Mr. Gonzalez explained in his letter that he gets lots of requests from customers for beer and wine and feels it would increase his sales. He also pointed out that his restaurant is closed on Sundays. Councilmember Goode stated he is not opposed but would like to see if the adjacent church has any concerns. Mayor Smith asked Councilmember Gambles to review the request with the church leaders and suggested deferring the decision to the next meeting. The Mayor and Council agreed they had no concerns and it was a reasonable request. Councilmember Gambles will report back on May 4th.

Mayor Smith recognized three special groups that have provided community service and strived to be positive contributing members of the community since the founding of Soda Springs. The Mason's Caribou Lodge #84, the Golden Rod Chapter 64 Order of the Eastern Stars and the Job's Daughters Bethel 60 were honored for being Soda Springs Super Heroes. These groups all strive to be kind and charitable and provide learning opportunities for young adults. The groups provide assistance to community members going through medical hardships, support the local nursing homes and encourage pride in the community through beautification projects. The Mayor and Council thanked all the members for their efforts and community service.

Eastern Star representative, Robbie LeMarr asked permission to plant flowers and put flower boxes around the original Soda Springs entrance signs as part of their beautification project. Councilmember Lau, seconded by Councilmember Gambles moved to approve the placement of flowers by the entrance signs. All in favor, motion carried.

Citizen input was requested. Irene Torgesen of 950 Kelly Park Road asked the Mayor and Council if they had received a letter she submitted regarding the library addition and asked the Council to consider the comments. (letter attached) Mrs. Torgesen also asked what was going on at Kelly Park with the trucks hauling in fill. Mayor Smith explained the planned improvements to the south end of Kelly Park which includes grass, little league ball diamonds and soccer fields. Mrs. Torgesen expressed a concern about weeds at Kelly Park and suggested if they were taken care of now while the weeds are small then they wouldn't get out of control. The Mayor commented that the City was working on this and just purchased a sprayer.

Director Skinner reported that A+ Construction met all the requirements by submitting the performance bond and liability insurance and will be signing the contracts for the Rose Avenue utility reconstruction project. Director Skinner requested approval of the notice to proceed and execution of the contract. The Mayor noted that the three bids were very close

giving the City and engineers confidence that the projects are being estimated appropriately. Councilmember Hart moved to approve the notice to proceed along with authorizing the mutual execution of the contract by the Mayor and A+ Construction. All in favor, motion carried. The Mayor mentioned that a meeting was held with the residents of Rose Avenue and he felt it went well.

The infrastructure project list was reviewed in detail. Councilmember Hart suggested grouping items by fund. Mayor Smith and Director Skinner asked the Council to review the list of priority utility projects and give a recommendation on next year's major project to begin the engineering. Other projects discussed included the Hooper Spring cover which Director Skinner requested direction on how to replace or repair. The Formation Spring test well is being held up by the property owner but will need to be resolved soon in order to meet the deadlines in the Compliance Order. Cleaning of Ledge Creek along the rifle range was reviewed. A five year permit has been applied for and Agrium has some funds to help with the cleaning. The history of issues with Ledge Creek was briefly discussed. Councilmember Hart suggested a meeting of all parties affected be held which would include the City, the Idaho Transportation Department, the Rail Road, Agrium and downstream users to form a plan of working together to maintain the creek. Mayor Smith agreed it was a worthwhile approach. Director Skinner and the Mayor also discussed at length the 4 inch water line that services the Hospital and the extension of an 8 inch line from across the State Highway which they feel is a priority. Councilmembers Hart and Lau suggested approaching the Hospital to cost share for the upgraded water line. The Mayor agreed.

The Mayor and Council reviewed a revised draft of a Memorandum of Understanding (MOU) between the City and Caribou County to allow county workers to assist with the City's chip and sealing of streets and provides for reimbursement to the County by the City. Councilmember Hart moved to approve authorizing the execution of the MOU between the City and Caribou County for cooperative services, seconded by Councilmember Goode. All in favor, motion carried.

Councilmember Hart mentioned that he will be out of town for the next meeting on May 4th but will be able to call in.

Councilmember Hart moved to adjourn the meeting at 6:50pm, seconded by Councilmember Goode. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 4TH DAY OF MAY, 2016.

James R. Smith, Mayor

ATTEST:

Tausha Vorwaller, Clerk