

Mayor Smith declared a public hearing open at 5:20pm for the purpose of giving consideration to the application of Carl Toupin, 281 South 1st East, Soda Springs, Idaho for the following proposed amendments to the Zoning Ordinance of the City as contained in Chapter 17, Soda Springs Municipal Code: repeal of section 17.44.030 (F) allowing permanent placement of aesthetically altered shipping containers in all zones and amend section 17.20.020 (E) to permit standard, non-altered C-Box shipping containers to be used as a temporary storage buildings for construction, remodel, repair or moving. The Mayor explained that the public hearing was being held as published in order to take public comment on the application but that no decision by the City Council would be entertained until a recommendation from the Planning and Zoning Commission was received. The Clerk reported that no written comments had been submitted. The applicant, Mr. Carl Toupin detailed his request to amend the City Code to allow C-Box shipping containers. He explained that he has received many requests to place the shipping containers for storage and to use for moving and temporary storage. He stated that he was made aware that they were in violation of the City Code after he placed one in his own back yard. Mr. Toupin shared pictures of several versions of using the C-Box containers. Mr. Toupin expressed his desire to agree on modifications and regulations that will make them look good and be reasonable. He suggested requiring a bond to insure the improvements are completed. Mr. Toupin explained he is asking for two types of use, one for permanent uses with required aesthetic improvements and also a temporary use for construction or moving. Attorney Nelson clarified that the request was for an accessory building use only and not to be used as a residence pointing out the complications of complying with the International Building Code. Councilmember Lau commented that complying with the code has been figured out somewhere because these types of containers are being used across the country. Councilmember Goode gave an update on the Planning and Zoning Commission's discussions and the public hearing that was held. He reported that no written or oral comments were made at the public hearing. He explained that they considered the conditional use or building permit process and how to define what is aesthetically pleasing. Councilmember Goode expressed his concerns about the staff having to regulate what is aesthetically pleasing and the better option may be the conditional use. Director Skinner and Attorney Nelson agreed there should be set standards in the code to be upheld for example; encased with siding to match house and pitched roof. Mr. Toupin pointed out that the containers are nationally rated for load bearing, fire, wind and explosives. Director Skinner pointed out that commercial placement would require prints stamped by an Idaho Professional Engineer. Councilmember Lau suggested splitting up the requirements for residential and commercial. Mayor Smith would like to hear the Planning and Zoning Commission's recommendation, because that is their job, before the City Council moves forward on the issue. Attorney Nelson cautioned the City Council about discussing zoning applications with members of the Planning and Zoning Commission who should be acting as a separate entity from the Council. The City Council can't be part of the zoning process and then part of the judging process at the same time. Councilmember Goode mentioned that this is a complex issue. Attorney Nelson suggested that the City Council, he, and Director Skinner could submit comments to the Planning and Zoning as to issues they foresee and what they should be considering and addressing in making the containers acceptable in back yards. The Mayor instructed the Council and staff to submit comments

to Clerk Vorwaller by Tuesday morning to be shared with the Planning and Zoning prior to their meeting. The Mayor commented that he wants to insure that it is done right to look good and promote continued clean-up but also doesn't want to prevent a business opportunity. Councilmember Hart suggested that there were related discussions 10 to 15 years ago that may be helpful for the Planning and Zoning to review. Attorney Nelson asked additional questions regarding the size which Mr. Toupin explained an 8 x 20 was the standard size. Attorney Nelson also pointed out that if a roof was built over the container the roof would be a separate structure. The public hearing was closed at 5:50pm.

Citizen input was provided by Mark Steele outside of the public hearing. He stated that he knows of individuals that live in agricultural zones that are interested in these container units to store agricultural supplies such as oil and chemicals and suggested they may be an asset to help clean-up the community.

The Council considered the request of Head Librarian Cindy Erickson to replace the part-time high school position currently vacated by Shandilyn Lakey with Allyson Lowry. Councilmember Lau moved to approve and authorize the hiring of Allyson Lowry for the student evening clerk position at the Library, seconded by Councilmember Goode. All in favor, motion carried.

Director Skinner requested approval to install a sprinkler system at the Gagon Park. \$5,000 was budgeted for the sprinkler system and the estimate from Frannie's Greenhouse to install the system is \$4,500. The Council discussed whether power was available and how long a battery would last. Director Skinner explained that power was not available and it was not feasible to put power in because the battery to operate the system should last at least a year. Attorney Nelson gave a brief history of the park explaining that ownership was left to the residents of the Lakeview Subdivision by the developer. Attorney Nelson does not recommend putting improvements on the lot until the City officially acquires ownership which will require all residents of the subdivision to sign quit claim deeds. Mayor Smith proposed the City attempt to get the ownership before we put in the sprinkler system. Attorney Nelson will work on the documents and suggested having the title company provide a list of all the legal owners.

The annual tree trimming budget of \$20,000 was discussed. These funds come from the Power Fund and are strictly used to trim around the power lines. The cost of tree removals and trimming in the parks comes out of the Parks budget. Director Skinner requested to proceed with the annual trimming using Huntin Timber Tree Service. Councilmember Lau moved to approve moving forward with the annual trimming using Huntin Timber Tree Service. Councilmember Goode seconded the motion. All in favor, motion carried.

The voting delegates for the Association of Idaho Cities (AIC) Conference were discussed. Councilman Lau nominated and moved to approve Councilmember Hart as the City's voting delegate, seconded by Councilmember Goode. All in favor, motion carried. Councilmember Hart then nominated and moved to approve Councilmember Lau as the alternate delegate, seconded by Councilmember Goode. All in favor, motion carried.

Mayor Smith informed the City Council that a public meeting is scheduled for June 29th, 2017 from 4pm to 7pm at City Hall as a follow up to the meeting held by the Department of Environmental Quality and the Environmental Protection Agency regarding water contaminates from the local industries. The public meeting will be an open house type meeting.

Director Skinner presented the Forsgren Engineer's recommendation on the bids submitted for the current year's utility projects. The projects include the two budgeted; 1st South Street and Barnett alleyway plus the water mainline crossing the highway going to 3rd west to service the new hotel along with the hospital and the bore project under the Rail Road for the Ledge Creek transmission line. The Mayor reminded the Council that a \$50,000 grant was received to help with the 3rd West water line. The Council and staff discussed the grant time frame and details of the 3rd West installation. Two local bids were submitted for the projects and Forsgren's recommended accepting the low bid from A+ Construction in the amount of \$531,580. Councilmember Lau moved to approve the projects as presented and accept the bid from A+ Construction authorizing the Mayor to sign the notice of award. Councilmember Goode seconded the motion. All in favor, motion carried.

A brief update on the current ongoing projects was given by Director Skinner. The Library ADA door is scheduled to be completed by the 15th to meet the grant deadline, Gagon Park sprinkler is on hold, the Geysers Park pavilion foundation is ready to be installed; the City Hall parking lot is being prepared along with several street repairs for paving in the next couple of weeks. The preliminary engineering has been approved for the Formation Spring well, contingent on easements or property purchase.

Clerk Vorwaller reported that she had one group from Grace interested in setting up and operating the 4th of July carnival. She requested to move forward with the event and asked if the Council had any issues with the proposed expenses. The Council did not and all agreed to proceed with the carnival.

The Mayor proposed entering into a mutual aid agreement with the Bureau of Land Management (BLM) which he feels would have been beneficial in past instances. BLM representative, Chris Burger detailed the operation aspect of the agreement and mentioned that Soda Springs is one of the few Cities who do not have an agreement with the BLM. Attorney Nelson posed several questions and concerns including the cost share provisions, the lack of adjoining Federal lands and incomplete and unrelated sections in the proposed agreement. The Mayor and Council supported pursuing an agreement with the BLM and asked Attorney Nelson to contact the appropriate BLM representatives to work out his questions and concerns.

Councilmember Lau representing the Human Resources (HR) Committee reviewed the recommendations of the Committee regarding employee benefits. He reported on the estimated increases to the insurances. The health insurance will increase at least 15% but

the other insurances should not see any increases. The Committee recommends leaving the Health Savings Account amounts the same as the current year which is a total up front and matching amount of \$1,000 for singles and \$2,000 for families. The recommended cost of living allowance is 1% to 1½% with another 1% to be used for merit and equity adjustments. The Committee would like to work with Dept. Heads to implement the needed adjustments along with revising the pay scale. The Committee recommends an approximate 6% increase to the Mayor and Council's pay based on the last four years increases the employees received. The Committee also reviewed a request from Clerk Vorwaller to terminate the City's 457 deferred compensation plan with ICMA. The plan is not utilized currently by any employees. The decision on this will be scheduled for the next meeting. The Committee also reviewed the City's policy of paying for gym memberships. Councilmember Goode had pointed out that this benefit should be paid through payroll as a taxable benefit. The Committee agreed and recommended increasing the benefit to \$20 a month. The final recommendation involved establishing an employee certification and training incentive pay schedule. A draft example was reviewed and the Committee will continue to work on and finalize the proposal for future approval.

Mayor Smith reported that the Budget Committee had met with all the Department Heads and Supervisors reviewing their budget requests for the upcoming year. The draft budget has all of the requests plugged into the budget but the Committee will meet again to further review and come up with the recommended budget for the Council's review at the next meeting. The Clerk noted that the tentative budget will need to be set by the second meeting in July.

The Mayor reviewed the upcoming meeting dates and suggested moving the second meeting in June to the 28th due to the AIC Conference and cancel the July 5th meeting. The Council agreed.

Councilmember Goode, seconded by Councilmember Lau moved to adjourn the meeting at 7:00pm. All in favor, motion carried.

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS 28TH DAY OF JUNE, 2017.

James R. Smith, Mayor

ATTEST:

Tausha Vorwaller, Clerk