

The Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held by teleconference on Thursday, April 9, 2020 at 5:30 pm. To participate or listen to the meeting, please call (408)638-0968, meeting ID number is 391183090#, password 745563#. Depending on your telephone service plan, long distance charges may apply.

Present Phone:

Jon Thomson, Mayor
Randy Benglan, Councilperson
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Brian Hinz, Councilperson
Gary Cooper, City Attorney
Canda Dimick, City Clerk
Lindsey McCulloch, City Code Enforcement Officer
Amantha Sierra, Office Assistance

Excused:

Guests Phone: Collin Petrun, Cody & Brandon De Los Reyes, Bryce Church, Riley Sorenson, Sherril Tillotson, Rick Hatch, Bill & Wendy Perkins, Bryan Phinney

Mayor Thomson opens the meeting and welcomes everyone attending the zoom meeting. Mayor Thomson announced all motion will require a roll call vote.

Announce Agenda Deadline for May 14, 2020 meeting will be May 7, 2020: Mayor Thomson announced agenda deadline for May 14, 2020 meeting will be May 7, 2020.

Approval of Minutes (Motion to table minutes) - ACTION ITEM:

Councilperson Hinz made a motion to table until next schedule meeting. Councilperson Guthrie seconded the motion. Councilperson Benglan seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

A) Authorization to set up accounts (Austin Hardware Supply, Forestry Suppliers, Inc., Kaman Industrial Technologies, Valley Implement and Zoom)

- ACTION ITEM: Councilperson Benglan made a motion to setup accounts with Austin Hardware Supply, Forestry Suppliers, Inc., Kaman Industrial Technologies, Valley Implement and Zoom. Councilperson Hinz seconded the motion. Councilperson Benglan seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

B) Motion to Approve Bills - ACTION ITEM: City Clerk Canda Dimick reviewed list of bills with council. Austin Hardware Supply bill doesn't have a shipping amount for the Fire Department. Covid-19 expense reviewed. Pavilion July 4th rental refund request cancellation due to the corona virus. Annual public transit yearly \$700.00 renewal supports the bus transportation once a week from Pocatello to Lava and back. Legal service, Water Meter plus supplies, vehicle sweeper parts, Waster water monitor pump (pump goes out about every three (3) years), Forest design group for 2019 marketing plan, Idaho division of Building Safety for building inspections, Jordan & Company Chartered payroll services estimate – they have not billed the City for three (3) months, P&Z (Planning and Zoning commission) per-diem, Nicklinson Construction, Rocky Mountain Power – Soar System credit follow up, Seaton Parking signs and post, tourist development expense, Topaz Irrigation, Zoom teleconference service plan for April explained. Councilperson Hinz questioned the Rocky Mountain Power Soar System credits to be explained. City Clerk Canda Dimick explained she talked with Tony Hobson, City Maintenance and he believes they weren't reading the meters and they have since and the credit was issued on the current bill. Councilperson Hinz asked what each month credit was. City Clerk Canda Dimick explained the bill doesn't show the credit by month she will have to ask Rocky Mountain Power for a monthly breakdown. Councilperson Frandsen verified the Zoom teleconference monthly charge of fifteen (15.00) dollars per month. City Clerk Canda Dimick verified cost. Councilperson Hinz made a motion to approve all bill with the exception of Jordan & Company. Councilperson Guthrie seconded the motion. Councilperson Benglan seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

Law Enforcement/Code Enforcement:

A) Building Permit Report – Lindsey McCulloch, Code Enforcement Officer: Lindsey step away from the computer/zoom meeting. Mayor Thomson reported on DLR Enterprises framing and sheathing on the bathroom and storage unit located on the roof, no final. Brandon De Los Reyes reported that its showing completed on the State web site.

B) Tree Trimming Notices Report – Lindsey McCulloch, Code Enforcement Officer: Lindsey step away from the computer/zoom meeting. Mayor Thomson reported Lindsey has sent out tree trimming notices and some of them have been accomplished and will have Lindsey update as soon as she returns.

C) DLR Enterprises dba Lava Hillside Suites – 289 E. 1st S – Certificate of Occupancy for rooftop deck for guests only: Mayor Thomson reported the State has performed the inspection and final inspection completed. The certificate of occupancy for rooftop deck is for guests only. It also includes per the building permit the bathroom that sets on the street level, the stairs and the railings. Councilperson Benglan made a motion to approve the certificate of occupancy pending receipt from State Inspector. Councilperson Frandsen seconded the motion. Roll call. Guthrie-Nay, Benglan-Aye, Frandsen-Aye, Hinz-abstained, unanimous. Two (2) to One (1) in favor. Mayor Thomson Aye, passed.

D) Monthly Law Enforcement/Code Enforcement Reports: No one online and monthly report not received. City Clerk Canda Dimick reported on retirements in the department and the person who was preparing the reports has had a change of assignments. City Clerk Canda Dimick will follow up with an email on the status of the report.

E) Meeting with Bannock County Prosecutor Status (Scheduled for April 15th): Gary Cooper, City Attorney reported the meeting is still on schedule and might be cancelled due to the stay at home requirement. Gary will work with Steve Herzog to reschedule to a later date, can't accomplish with phone conference.

Lava Chamber of Commerce:

A) Wellness Festival (May 16, 2020 - Cancelled) – Kelly Myers, Event Coordinator: Kelly Myers not on line. Mayor Thomson announced Wellness Festival has been cancelled.

B) 2021 Marketing Consultant Recommendation - Sherril Tillotson, Chamber Representative - ACTION ITEM: Sherril Tillotson asked if council has any question from here presentation she gave at last month's meeting if not she is asking the council to approve the Carew Co as the marketing agent for the record for 2021 based on all the information the Chamber of Commerce has given council. No questions asked. Councilperson Benglan made a motion to approve marketing consultant recommendation from the Chamber of Commerce.

Councilperson Hinz seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

C) Beautification – Collin Petrun, Chamber Beautification Committee

Representative: Collin Petrun reported on the chamber of commerce beautification project. Collin addressed trash problem ultimately ends up in the river. City and State needs to work together. Camron Salt is now an Idaho State represented and we have a meeting with him to assist in moving are purposed solution forward. Our solution begins with increasing the number and size of trash bins in our City and insuring that they are proper receptacle for recycling as well. One for plastic and one for aluminum. Keep in mind we discourage the use of glass. Increasing the number and size of trash bins in Lava is extra critical in the summer months and we need to hire a third party beyond MRE especially on Friday, Saturday and Sunday and the contract could be an open bid contract to remove the access of trash that builds up other than the regular pickups on Monday and Thursday. Most of our buildup of trash comes from weekends and for that Thursday pickup, as far as the influx of tourist in Lava, is almost absolute. We would need some roll away dumpsters, perhaps at the fire station or the back of City hall, for the 3rd party contractor could dump and MRE would remove. Keep in mind that these are ideals and solutions to address the trash removal issue in Lava. We are open to suggestion and alternate solutions. We will obvious need time to acquire bids from third party contractors and we are asking to be on the schedule for next month City council meeting. At which time we could provide example of other tourist towns which have faced similar issues and detail the solution these towns have developed. He explains he has a map were he has marked all the existing receptacle bins and proposed sites for new receptacle recycling bins he will email to city hall. Councilperson Guthrie reported the State has removed all their garbage cans by the River. Councilperson Benglan reported they are city garbage cans and the City removed them. City Clerk Canda Dimick explained the City funded the Eagle Scout project that built the trash bins that were located by the tubing trail and they have been pickup and will be relocated on the city side. There has been an issue with them being dumped on a regularly schedule and maintained. In the past the City hired personal to dump during the summer season. Lindsey offered to take on the responsibility of dumping them. Discussion followed concerning City and State trash receptacle and maintaining them. Councilperson Hinz explained the City didn't budget for extra help this summer. Councilperson Guthrie suggested to Colin for him to check with the State Foundation to see what they are willing to fund and clean up garbage. Councilperson Frandsen reported on the States garbage services. Mayor Thomson addressed reason for moving cans to south side of river. The cans will be located

in strategic location on City property and dumped by City employees at the same time the trash cans on Main Street are dumped. Colin addressed his concerns not having trash cans on the trail the tubers take along the river, exit point to the pancake house. Mayor Thomson suggested Colin should check with the State Foundation on what they would like to do, the City would be more than happy to work with them. Mayor Thomson addressed contract with MRE on trash services in the City. Colin will research option and report back next month.

D) July 4th Fireworks Update – Bryce Church, Chamber of Commerce President thanked Colin for his presentation. Bryce reported he received a reply from Rick at Big Sky Fireworks and they will get an invoice as soon as they can. Bryce is working with an individual in McCammon to put on the display. Storage is an issue and he will continue to work on it.

E) Miscellaneous: None.

Lava Planning & Zoning Commission:

A) Building Permit Forms Recommendation - ACTION ITEM: Councilperson Benglan would like reference on site plan to include off-street parking requirement per ordinance on site plan including ingress and egress. Councilperson Benglan suggested the certificate of occupancy includes site work completion. Suggestion don't activate city services until certificate of occupancy is issued. Councilperson Guthrie made a motion to continue working on. Councilperson Benglan seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

B) Residential Home Design Plan Changes – East Fife Street – John & Michelle Taylor, Owners/Contractor – Recommendation to Approve - ACTION ITEM: Mayor Thomson reported council received a letter from Planning and zoning commissioner recommending approval. Planning and zoning recommendation reviewed. Councilperson Hinz read the requirements from planning and zoning minutes the property owner will be required to bring in filer on the side so all four (4) corners averaged is under the twenty five (25) foot. John Taylor on phone agreed with planning zoning requirements in the minutes. Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

Building Permit(s) ALL ACTION ITEMS:

A) DLR Enterprises dba Lava Hillside Suites – Change of Use – 289 E. 1st Alley S. – Add storage area, public bathroom, stairs (will require permissive license agreement), railing with sunshade frame and deck between two existing structures per code for open rooftop lounge for beer and wine sales and change communal patios for public use: DLR change of use. Rooftop lounge for beer and wine sales and change communal patios for public use.

Councilperson Frandsen feels the City needs more information before making a decision. Concerned with neighbor complaints. Need to know how this complaints will be addressed. Maybe a public meeting to address all concerns with an open bar and an open rooftop. Councilperson Benglan feels packet needs to include site plan, including parking and address neighbor concerns. Need to have a preliminary plan packet for preliminary packet all at one time. Then council can review and preliminary approve. That way the applicant can understand what all is expected of them in order to open their business. Councilperson Hinz question the set of drawing included in this package but not on the original plans.

Councilperson Benglan would like to know what the solution is for the upper level parking. Building permit, site plan, parking on upper level understanding what the complete plan is and an action plan on who the applicants are working with and what has taken place with the building inspector and fire chief. Mayor Thomson reported parking was included with previous permit for Hotel guest, change of use will require additional parking spaces. Brandon De Los Reyes understanding is the parking plans have already been provided to the city, nothing additional they can provide. Lindsey McCulloch, City Code Enforcement Officer explains all parking plans have been submitted with previous permit. Mayor Thomson reports there is no parking plan with this permit. Brandon responds it was defiantly provide.

Lindsey McCulloch explains all parking plans have been submitted with previous permit this permit is a change of use for the stair case and beer & wine sales.

Councilperson Benglan addresses his concerns that we need everything together in one package so we can review, then give preliminary approval with conditions on everything all at once. The City's ordinance requires off-street parking adjacent to the property need to see everything together. Brandon responds I guess I assumed it wasn't an issue because the State Foundation does that in both of their locations. The only hot pool parking is across the street. So our location and their location both required customers to cross Main Street. If it's an issue it should be an issue across the board. I understand they own it but, a lease has its legal opportunities, the right to use it. Councilperson Benglan announced it was brought up at are last meeting and no motion was made on it. That is why I'm asking for a preliminary plan packet so the council can see everything. Brandon explains he understands and appreciates Councilperson Benglan pushing for a preliminary packet. The frustration we have is we have been in several times and provided everything that I

understood we were asked to provide. So short of something like this where we are not sure how an ordinance reads, like adjustment or across an alley. I'm not seeing any ordinance that we are failing to meet. That is my concerns. I want to make sure we are meeting those ordinance and move forward. We are interested in addressing our concerned of our neighbors. We're putting up shades that will block view from the west and south neighbors. His understanding was that the City was going to put up no parking on one side of the Street to allow and that would allow emergency vehicles access. We have leased other parking location. Keep in mind that we will not be open all night long and the neighborhood already has an establish bar. The environment will not be any different as it is now. City Clerk Canda Dimick questioned the stairs on the East side. Is the City willing to give them a permissive license for an extension out over that right away or not, they need to know that before they proceed with anything. Brandon confirmed the City is asking for an easement on the stair's Councilperson Hinz questioned earlier during this subject. Brandon explained how the occupancy limit could change per the State Inspector if the City approved the easement they requested from the City. Mayor Thomson explained that they have submitted plans and change of use throughout the project however the council needs all that paper work submitted as one package before they can approve anything. They need it to make an educated decision. Councilperson Benglan made a motion to table. Councilperson Guthrie seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous. Brandon asked if he needs to provide the package that is being asked for. Mayor Thomson responded yes and the City can assist if need be. Councilperson Hinz requested the plans show exactly what areas are being occupied by public space. Brandon is concerned that a guest may invite a patron from the bar to their deck and room guest should have the right to invite anyone they wish to their deck. Councilperson Hinz explained it's hard to know because the City doesn't know exactly what the plans are.

B) Sliding Conex Storage Unit Hazard: Brandon De Los Reyes explained they will pour a couple of blocks, the blocks will be solid. This will be retaining blocks to hold back the Conex. Still a mobile container. Mayor Thomson comments it appears it's been pushed down because of the backfill. Brandon agreed, and they are going to try and pull it back before they do that but, we want to get those blocks in just to make sure as a safety measure. Mayor Thomson reviewed solution, slide Conex back onto the cement and then put in retainer blocks. Councilperson Hinz makes a note that the City needs to address Conex storage units in the ordinance. City Clerk Canda Dimick explained Conex have been considered as an accessory use and they are only allowed if there is permanent structure on the property. The City has allowed them under the accessory uses.

Councilperson Frandsen made a motion to approve container to be put back on the foundation with the stipulation that there is some kind of secure method of keeping it from going down the hill in the future and that State Inspector agrees with the method they use to secure it. Councilperson Guthrie seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

C) Change of Use to Bed & Breakfast – 458 West Main – Rick Hatch, Owner/Applicant: Rick Hatch reported it will be a Bed & Breakfast and when they spoke to Inspector Lynch he explained if they are living on site a Bed & Breakfast takes away the requirement for a fire suppression system. Councilperson Benglan asked City Clerk if there are any specific requirements in the ordinance that Rick needs to be aware of to operate a Bed & Breakfast. City Clerk Canda Dimick explained he's submitted his business license, sign permit, his off-street parking one (1) space for every two (2) bedrooms. I received the assigned State number for the permit from the State today and I have asked them if they have approved the change of use. I have not received a response back from the State. Rick Hatch confirmed the limited number of guest is fifteen (15) and the international fire code is five rooms or less. Councilperson Frandsen made a motion to approve the change of use to a Bed & Breakfast. Councilperson Guthrie seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous. Councilperson Hinz amended motion pending State approval and Lindsey reviews to assure all requirements are meet per ordinance. Mayor Thomson asked Rick Hatch to remove his mail box from the City Street to his sidewalk. He explained the Post Office told him to put it there. Mayor Thomson asked him to place it on the curb.

Business License(s) - ALL ACTION ITEMS:

A) DLR Enterprises dba Lava Hillside Suites – 289 E. 1st Alley S. (Updated Information to provide beer and wine sales to nightly rental guests.):

Councilperson Hinz reviewed the business license application and it indicates wine and beer sales to nightly rentals guest and asked Cody or Brandon De Los Reyes to confirm. Brandon confirmed it is specifically for the guest. Being able to sell to public is tied to the other one. Councilperson Hinz is concerned with selling to the public similar to Mikes Market that was discussed at a prior council meeting but not approved. Brandon agreed with the discussion but announced after talking with Mayor and Canda about it we submitted the application for guest only sells. Selling to other than guest will be part of the next business application.

Councilperson Hinz announced he is fine with guest only and explains this is the reason for not approving the other until a complete preliminary application is

submitted. Councilperson Benglan made a motion to approve De Los Reyes adding to the application a defined definition with specifically for Hotel guests only. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

B) DLR Enterprises dba Lava Hillside Suites – 289 E. 1st Alley S. (New License – Hotel Lounge): Councilperson Benglan suggested the business license application to be part of the preliminary package the council requested with the building permit application. I don't want Cody & Brandon De Los Reyes to do a lot of work and then get to the end of the process and the business license doesn't get approved. Randy feeling is to include the business license as part of the preliminary, if they meet the conditions there is an understanding that the business license would be issued. Councilperson Guthrie made a motion to table and include business license application in preliminary package for next month. Councilperson Benglan seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous. Brandon commented council is tabling this so that information that has already been provided can be provided to everyone. Brandon understands the city council doesn't have that and I can't control that packet. Brandon expresses a high amount frustration with the fact after multiple visit and multiple request all the information that has been discussed tonight has been provide but, because it wasn't disturbed to the city council it won't be considered to be passed contingent on the fact that all that information has been provide. It's frustrating, do with it what you want, it's extremely difficult for me to take.

C) John & Michelle Taylor – Construction of New Home – 95 East Fife Street: City Clerk Canda Dimick explained this is for the construction of their new home they are applying to be the general contractor. Councilperson Hinz expresses his concern and advised the home owner that due to past experience with homes being built in town lately and people being their own general contractor the ownership falls on them. I realize you are saving a lot of money by buying one (1) business license and not requiring the contractor working on site to have a business license in town but, there is risk associated with this as well. John Taylor explained they did this at the request of Canda. We didn't even know this was an option. Canda made the recommendation that the City would prefer that we do it this way. That is why we going down this route with it. City Clerk Canda Dimick explained they've had contractor on site that are not licensed. Mayor Thomson explained to John that they're on a slippery slope when you take on the job of general contractor. John asked the Mayor to explain the slippery slope he is referring to. Mayor Thomson explains he is responsible for all his subcontractors,

all the problems they might have as well. Most of the time a general contractor is bonded just for that reason. Just like what Councilperson Hinz was pointing out. We've had some cases in town here, where folks took the general contractor job on and didn't have the knowledge base for the job. As long as you are aware of what you are taking on, then the City has no issue. John Taylor explained he has twenty (20) years, built million dollars project, he is okay with this. Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie-Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye. All voted aye, unanimous.

D) JY Electric, Inc. - Josh Younger, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

E) King Creek B & B – Rick & Katie Hatch, Owners/Applicants: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

F) Lava Waffle – Riley Sorensen, Owner/Applicant: Mayor Thomson reported they will be selling waffles and soft drink from the old office. Councilperson Benglan questioned if they will need additional parking. Mayor Thomson explained they have parking adjacent of the window. Riley Sorensen explained they will be selling from the window to street traffic. Councilperson Guthrie made a motion to approve. Councilperson Hinz seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

G) Naughty Pine – Lane Avery, Owner/Applicant: Councilperson Guthrie made a motion to approve. Councilperson Benglan seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

Non-Property Tax Permit(s) - ALL ACTION ITEMS:

A) King Creek B & B: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

B) Wells Fargo Vendor Financial Services: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

Sign Permit(s) - ALL ACTION ITEMS:

A) Lava Ace Hardware – 105 East Main Street (3 signs): Mayor Thomson reported on the signs and explained all within ordinance. Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

B) King Creek B & B – 458 West Main – Rick Hatch, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

C) The Lava Hotel – 196 East Main Street: Lindsey explained the sign is temporary and will be up until the end of summer 2020. They will be putting up permanent sign at a later date. Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

D) Tranquil Existence – 517 West Main Street: Councilperson Benglan questioned if they provide updated map. City Clerk Canda Dimick responded yes, updated map received. Councilperson Frandsen made a motion to approve. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

Streets/Sidewalks:

A) East Elm Street Parking – Jordan Cheirrett: Mayor Thomson reported that Jordan Cheirrett has issue with cars parking on the north side of street, problem accessing driveway. Mayor asked Tony Hobson, City Maintenance to put up additional no parking signs and lowered height to six and half feet (6.5) to allow them to be more visible. East Elm Street is very narrow and no shoulder, drops off. The south side, ten (10) foot of the street is covered with hillside. Parallel parking in that area makes it hard for emergency vehicle to get through. The Mayor would like the council to consider eliminating or restricting parking on the south side as well. Width of street discussed. Mayor asked council to visit site and discuss again next month. Councilperson Benglan suggested equipping Lindsey to issue parking citations. Gary Cooper, City Attorney advised council that there is a process before code enforcement can issue tickets. Bryce Church expressed parking pressure concerns all over town.

B) 2018 Sidewalk Maintenance Bill Dispute – Lane Avery - ACTION ITEM:

Mayor Thomson reported on an outstanding bill from 2018 that Lindsey sent requesting payment. Lane Avery is disputing the snow and ice removal bill. Councilperson Frandsen made a motion to waive the twenty (20.00) dollars bill because of the age of this bill and lost for over a year due to no personal in the code enforcement position. Councilperson Benglan seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye, unanimous.

C) Street Grade (South 1st East Alley Approach & Driveway) – Ken & Jill Davis:

Mayor Thomson reported on Ken & Jill Davis letter concerning steep driveway approach and alley access. The improvements were made to address drainage issues. Mayor explains Alley is posted one-way and do not enter signs posted on the east end of the Alley. The home owners in that area have garbage pickup on 2nd Street. Mayor said he doesn't have any problem driving down the Alley in his truck. Open for any suggestion from council. Councilperson Frandsen reported he bottomed out in his truck as soon as he starts to go up the Alley. Councilperson Guthrie has not drove on it, she will try it tomorrow. Councilperson Frandsen suggested having engineers look at it and make recommendations. Mayor Thomson responds he can have engineers look at but, he thinks the only solution is to flatten the driveway or lift the street up. Take a look at it and see if engineers can come up with a solution.

D) West Portneuf Street Curb & Gutter: Mayor Thomson reported the City has committed to install curb & gutter. Kody Tillotson is getting ready to install approaches and is willing to install the city curb & gutter per city specification. It's approximately two hundred (200) feet for a fee of two thousand (2,000) dollars for curb and gutter and one thousand and sixty eight (1,068.00) for a drain system. Discussion followed. Plans reviewed. Councilperson Hinz would like to hire Kody contractor to do some more work in town. Funds will come out of City's road maintenance/Street. Need to get a contract rolling. Councilperson Hinz asked about the sign that needs moved. Mayor Thomson responded sign will be moved in the next two (2) weeks. Councilperson Frandsen made a motion to approve with a contract. Councilperson Hinz seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

Meetings/Announcements/Miscellaneous:

A) Direct Communication Franchise Fee Meeting Status: Gary Cooper, City Attorney is working with Nathan Brian who is the project manager at Direct Communications. Scheduled will change if Governor Stay at Home is not lifted.

B) Lava Annual Cleanup Day (Staffing) – May 16th 8 am to 4 pm - ACTION ITEM: Mayor Thomson, Councilperson Guthrie and City Clerk Canda Dimick volunteered to help. Mayor Thomson asked City Clerk Canda Dimick to put together a schedule. Mayor asked if anyone else would like to volunteer to contact City Clerk and she will add them to the schedule. Councilperson Guthrie made a motion for City Clerk to put schedule together for Lava's annual clean up on May 16th, 2020. Councilperson Benglan seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

C) High Country Travel (HCT) Liaison – ACTION ITEM: City Clerk Canda Dimick reported in the past Councilperson Frandsen was assigned as the liaison. No one was assigned to the position when you made the council assignments. Need motion assigning a council person as the liaison. Councilperson Frandsen has been attending meeting and would like to stay as the liaison. Councilperson Hinz made a motion for Councilperson Frandsen to stay as the liaison for High Country. Councilperson Benglan seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous

D) Schedule FY2021 Budget Hearing - ACTION ITEM: Councilperson Hinz made a motion to schedule Budget Hearing on September 3, 2020 at 6:00 p.m. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

E) May, 2020 Arbor Day Activities (Cancelled) – ACTION ITEM: Councilperson Benglan made a motion to schedule Arbor Day activities for 2020. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

F) Annual Easter Egg Hunt (April 11, 2020 Cancelled): Mayor announced Annual Easter Egg Hunt cancelled

G) Annual Folk Festival (April 24, 25 & 26, 2020 - Cancelled): Mayor announced Annual Folk Festival cancelled.

H) Miscellaneous: None

Projects:

A) Water Improvement Project:

1) Possible Stimulus Funding – ACTION ITEM: City Clerk Canda Dimick reported on stimulus money that may be available for infrastructure that Bryan Phinney has suggested applying for. List of suggestion reviewed. Councilperson Hinz made a motion to apply for stimulus funding. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

B) Buddy Campbell Park Expansion Project:

1) Asbestos Abatement – ACTION ITEM: Councilperson Hinz reported he has called several agency and received one quote. Some of the places I talked with don't do it, haven't called me back or too busy with the cleaning for the corona virus. Healthy Home Environmental Services gave me a quote. Councilperson Hinz reviewed the quote, call out fee is one hundred and seventy five (175.00) dollars and thirty five (35.00) dollar per sample. I took Great Basin quote of forty seven (47) samples and there total would be one thousand eight hundred and twenty (1,820.00) dollars. Great Basin quote was two thousand one hundred and thirteen (2,113.00) dollars. Councilperson Hinz explained they would do the absolute minimum number of samples that are required and they can come out as early as next week. Councilperson Hinz suggested to put a proposal together not to exceed fifty (50) samples. Councilperson Hinz made a motion to start contract with Healthy Home Environmental Services on the City property on Maughan Road. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

2) Tennis/Pickleball Court Resurfacing and Repair – Request for Proposals – ACTION ITEM: Mayor Thomson reported the City received one bid for the court resurfacing and repair. The bid is beginning at thirty six thousand five hundred and fifty (36,550.00) dollars. Option discussed. Councilperson Frandsen made a motion not to accept proposal at this time. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -Aye, Hinz-Aye. All voted aye, unanimous.

C) Fire Station Addition:

1) Possible Stimulus Funding - ACTION ITEM: Mayor Thomson reported that it's possible to do the Fire Station addition under the stimulus money but, then it would be a government project and have to pay Bacon Davis wages. The question is do we want to include it in the Fire Station addition in the stimulus package. Councilperson Hinz reported that he talked with Zach who is putting the number together for us and he is going to put something together to see how that will affect are numbers. It depends if we are going to have to go the public works route and if

we do this is a good option. Will require additional funding for administration. Councilperson Hinz made a motion to add to stimulus package. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen - Aye, Hinz-Aye. All voted aye, unanimous.

2) Survey Scheduled to be completed: City Clerk Canda Dimick explained the survey was approved by council at a prior meeting. The surveyor has said that he can start on April 27th and be done that week. City Clerk Canda Dimick explained the land swap that will need to be done. Neighbors septic is on City property. Council agreed to get it done.

Discussion: City Clerk Canda Dimick explained she received an email from Keller's they will be doing a walk through for the punch list with Knife River on April 17th. Councilperson Hinz reported on the asphalt settling and cracks. Mayor Thomson mentioned other areas through the town and will make sure they're aware of it.

Councilperson Benglan asked Mayor Thomson to update on feasibility the engineers did on Thunder Mountain Estates possible well site. Mayor Thomson explained he made a suggestion to Keller's to look at the feasibility of extending a well that far south. The existing is sixty one (61) GPM which services twenty five (25) lots. Councilperson Benglan explained he talked with the HOA president and they don't seem that interested in pursuing. Mayor Thomson explained Keller's concerns.

Bryan Phinney reported on the stimulus money congress is working on it but no detail on it at this time. He reviewed the list they will be submitting to CCOG. Bryan explained CCOG currently is in a holding patterns and there may be a chance to add additional project to the list. Project that could be added discussed. Knife River walk through discussed. Bryan announced Keller's transitioned to working remotely. They can provide and support anything the City needs on an engineering standpoint, please contact them.

Motion to adjourn - ACTION ITEM: Councilperson Guthrie made a motion to adjourn. Councilperson Frandsen seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen -abstained, Hinz-Aye, unanimous.

Meeting adjourned at 09:00 p.m.

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk