

A Special Meeting/Executive Session of the City Council of the City of Lava Hot Springs, Idaho will be held by teleconference on Thursday, June 25, 2020 at 6:00 pm. To participate or listen to the meeting, please call (408)638-0968, meeting ID number is 5731543907, password 745563#. Depending on your telephone service plan, long distance charges may apply. All participants will be muted when they join the meeting. Participants are asked to stay on mute until they want to participate in their agenda item discussion. Participants can unmute themselves by entering star six (*6).

Present: Jon Thomson, Mayor
Randy Benglan, Councilperson
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Brian Hinz, Councilperson
Gary Cooper, City Attorney
Canda Dimick, City Clerk
Amantha Sierra, Office Assistance

Excused:

Guests:

Mayor Thomson welcomes everybody and called the meeting to order.

Kelly Myers Resignation - ACTION ITEM: Councilperson Frandsen made a motion to accept Kelly's resignation. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Councilperson Frandsen made a motion for City Clerk Canda Dimick to re-issue the event coordinators position for a new hire. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Community Day – July 24, 2020 - ACTION ITEM: Mayor Thomson addressed Kelly resignation and the event schedule for July, community day July 24th and parade on July 25th. Council discussed moving event to fall due to COVID19 and to get more time to plan the event. Councilperson Guthrie made a motion to postpone until later this summer early fall and maybe a community movie at the park. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Parade – July 25, 2020 - ACTION ITEM: Mayor Thomson announced Inkom is still planning to have a parade on the 4th of July and suggested contacting them for the guidelines they used with the Health Department in order for us to continue with our parade on July 25th. Councilperson Guthrie reported Inkom changed their route completely for social distancing not sure how Lava could change their route to keep the parade. City Clerk Canda Dimick announced no candy or any other items can be thrown. Councilperson Frandsen asked if the Chamber of Commerce showed an interest in having it. City Clerk Canda Dimick responded the Chamber of Commerce will support it but, they do *not* sponsor. They said it's a city event. Suggestion made to coordinate parade with the Community day and make one big celebration later in the fall. Council is concerned with COVID19 and crowd control and will required someone to coordinate for social distance. City Clerk Canda Dimick reported a plan will need to be submitted to the Health Department for an approval of the event. Councilperson Frandsen made a motion to postpone the parade until we have the Community Day event. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Ordinance 2020-1 - Parking Ordinance Amendment - ACTION ITEM: Gary Cooper, City Attorney reviewed revisions to parking ordinance. Recreational vehicles, trailers and larger type RV's vehicles proposed limited time frames, during the hours of 10:00 p.m. to 6:00 a.m., these types of vehicles could not be parked on the streets between the hours of 6:00 a.m. to 10:00 p.m. a two (2) hour parking limit. Gary reminded council of the deputy's sheriff commented at the last council meeting, State law is thirty (30) feet away from a stop sign. Lava's is restricted on space doesn't have the room to do that. Tony Hobson, City Maintenance has measured twenty (20) feet distance and I'm proposing twenty (20) feet from stop signs and intersection in the ordinance. City Clerk Canda Dimick questioned semi-trucks, horse trailers hooked to trucks and those type of vehicles. Mayor Thomson questioned the congestion on Main Street due to semi-trucks parked in the middle of the street making deliveries and the tube trailers.

Mayor explained Main Street is normally used for delivery occasionally an alley, if they can get through them. Some of the Alley Semi-trucks can't access. Gary will make revision to section 642 and address delivery trucks rather they are in the Alley or Street. Mayor Thomson addressed his concerns with seasonal traffic during the day and people parking their vehicles on the streets and sleeping in them during the night. Gary asked if they need to be prohibited or limit the time they can park in those places. Mayor Thomson agreed with the time frame for parking vehicles but, the two (2) hour limits needs to impose twenty four (24) a day. Councilperson Benglan agreed the trucks need to be able to delivery product to the businesses. Councilperson Hinz questioned the semi-truck that is parked every night on Center Street, residential home. He also is concerned with the dirt being washed off that truck and it ending up on the city streets. Councilperson Benglan question if the ordinance is going to prohibit any semi-trucks parking in town. City Clerk Canda Dimick reviewed the way the ordinance reads semi-trucks prohibited in residential zones and in the past they've been allowed to park in commercial areas for a two (2) hour time frame. Gary announced he will revise draft from council input and have a revise draft emailed to council by Monday for review. Mayor Thomson asked Gary to have a rough draft prepared for the planned meeting with Steve Herzog, Prosecuting Attorney for their input on enforcing the ordinance. City Clerk Canda Dimick asked about a provision on towing vehicles. Gary responded the towing is in a separate section. Clerk Canda Dimick questioned if someone is parked in a no parking posted area can the city automatically tow without fining first. Gary explained that's in a separate section of the code he did *not* incorporate it in this version because he didn't think it needed revised. He will provide it to council on Monday for them to review and recommend revision requirements, if needed. Towing should also be discussed at the meeting with the Prosecuting Attorney. Councilperson Hinz questioned curbs requiring red paint like the area between the bridge and Lava Spa and posting "no diagonal parking" signs. Where in the ordinance does it spell out these items? The city is painting the area because there is not enough street width to allow parking and diagonal parking is not allowed anywhere in the city because of the street width. Also is this the ordinance where the city would put parking is with the flow of the traffic, no parking against traffic. Gary will address Councilperson Hinz points in the ordinance. Councilperson Frandsen made a motion to table, look over new draft and be prepared to make a decision at the next meeting. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Lava River Rat & Gator Tube Sign Permit – Julie Patterson,

Owner/Applicant - ACTION ITEM: Mayor Thomson reviewed sign permit

application, includes two (2) permission slips from land owners for each sign location. Mayor reviewed sketch sign dimension, six (6) foot wide, three (3) foot tall, on an eight (8) foot off the ground four by four (4X4) post. City Clerk Canda Dimick announced signs are not lighted. Councilperson Frandsen made a motion to accept the sign application from Julie Patterson. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Community Broadband Grant Opportunity – ACTION ITEM: Gary Cooper, City Attorney reported that a grant opportunity was discussed when the city met with Direct Communications at City Hall. The most recent version of the project was discussed by Direct Communication at that meeting. The state had not finalized the application, they were still making changes and they didn't have all the details. The grant is being designed to cover a few of this items no matching fund requirement, infrastructure improvement, upgraded internet services availability, the grants maybe awarded up to a million dollars. The project has to be completed by December 15th, 2020. Direct Communications has offered to partner with Lava with the opportunity. Applications due in three (3) weeks. Mayor Thomson read the grant description. City Clerk Canda Dimick explained the reason for the time restraint is money that was given to the State for the federal COVID19 funds and they have a time restraint on spending the funds. Councilperson Frandsen made a motion to proceed with grant opportunity application for the internet infrastructure application. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

July, 2020 Meeting with Bannock County Prosecutor – ACTION ITEM: City Clerk Canda Dimick announced the prosecutor would like to meet either on July 1st or July 8th at 1:00 p.m. Councilperson Hinz can't meet on either date and suggested someone else from city council to participate in the meeting. The suggestion made for Wednesday, July 1st 1:00 p.m. and the following to attend Mayor Thomson, Councilperson Benglan, Lindsey McCulloch, City Code Enforcement Officer and Councilperson Hinz would like to call in. Gary Cooper, City Attorney will arrange the meeting on July 1st, 2020. Councilperson Frandsen made a motion to schedule meeting with prosecutor Attorney at Gary Cooper office on July 1st, 2020, 1:00 p.m. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Motion to adjourn into executive session as permitted by Idaho Code 74-206 (1) (b) and (f) to discuss personnel and probable litigation matters with legal counsel - ACTION ITEM: Councilperson Guthrie made a motion to adjourn into executive session as permitted by Idaho Code 74-206 (1) (b) and (f) to discuss personnel and probable litigation matters with legal counsel. Councilperson Benglan seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Frandsen -Aye, Hinz-Aye, Benglan-Aye, unanimous.

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

Motion regarding Knife River Notice of Claim - ACTION ITEM: Councilperson Hinz made a motion to deny tart claim. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Councilperson Hinz made a motion authorizing Gary Cooper, City Attorney to move forward with defense plan with the Knife River law suit. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Motion regarding personnel matters - ACTION ITEM: Councilperson Frandsen made a motion authorizing Mayor Thomson to talk with Lindsey to discuss COVID19 rules and advise her to work forty (40) hours per week. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Benglan-Aye, Frandsen-Aye, Hinz-Aye, All voted aye, unanimous.

Motion to adjourn - ACTION ITEM: Councilperson Guthrie made a motion to adjourn. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

Meeting adjourned at 08:01 p.m.

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk