Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, November 10, 2016 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

**Present:**  T. Paul Davids III, Mayor
Brian Hinz, Councilperson
George Linford, Councilperson
Jon Thomson, Councilperson
Canda Dimick, City Clerk
Dennis Callahan, Code Enforcement Officer

**Excused:**  Tamara Davids, Councilperson

**Guests:**

**Amend Agenda:**
Mayor Davids comments he would just like to amend the agenda at the end. Councilperson Linford made a motion to amend agenda. Councilperson Hinz seconded the motion. All voted aye, unanimous.

City Clerk Dimick comments did you want to add the Holiday decoration thing under the meeting and announcements. Indiscernible, holiday lighting. Mayor Davids comments alright, isn’t it on here. City Clerk Dimick responds no. Mayor Davids I thought it was. Councilperson Hinz comments I think it’s in the packet but, it’s not on here. Mayor Davids comments oh, okay that’s why. I remember reading it. Alright so, also let’s add holiday decoration under meetings and announcements, right there, right before miscellaneous. How’s that. Okay.

And actually before we start this meeting I’ve been thinking, you know, a lot about our election and things that we have. If everybody is okay on the Council I would like to start our meeting with the pledge of allegiance, if that would be okay every meeting and so, I’ve asked Jon if he would start that for us and all you have to do is say “I” and everybody will follow. So, if everybody would stand please. The Pledge of allegiance is led by Councilperson Thomson.
Approval of Minutes: Mayor Davids comments we don’t have any minutes to approve. City Clerk Dimick responds no still working on them. Need a motion for you to amend your agenda though. Mayor Davids comments oh yes, we need, someone to make a motion for that amendment that we have on the agenda. Councilperson Linford made a motion to amend agenda to include these last two items, the holiday decoration and the executive session. Councilperson Hinz seconded the motion. All voted aye, unanimous. Minutes tabled. Mayor Davids comments alright, so we don’t have any minutes so we will just push those to the next meeting that we have.

Review & Approve Bills: Mayor Davids continues has everyone had a chance to look at the bills that we need to pay and have any question or Canda do you have any comments on any of the bills. City Clerk Dimick responds yea, I just have to go over a few with you. So, mailed water bills today so, I’ve got a little bit more under the Petty Cash for postage. We need to add seven dollars and 94 cents there for the mailings today. Mayor Davids comments okay, where’s that one at. City Clerk Dimick responds it’s under may name then it says Petty Cash custodian. Mayor Davids comments okay so, we need to add. City Clerk Dimick comments so, it will be $30.91 cents there. Mayor Davids comments okay. City Clerk Dimick comments Legal bill for Clyde, we’ve got a balance of one thousand the Forty nine, twenty five to pay there. Mayor Davids comment one thousand. Councilperson Thomson asked what was that number. City Clerk Dimick responds one thousand the Forty nine dollars and twenty five cents. Councilperson Thomson comments okay. City Clerk continues Dan’s Ace Hardware is two hundred and four sixty seven. On electrical wholesale I got an email today from the insurance company. They’re going to cut the check directly to electrical wholesale so, you can change that amount. We’ll just pay the five hundred dollars deductible. Mayor Davids comments okay and that’s for the covers that got damaged. City clerk Dimick interrupts by the hail storm. Mayor Davids comments okay so, we just pay five hundred. City Clerk Dimick responds right and they will pay the balance to electrical wholesale. Mayor Davids comments okay. City Clerk Dimick continues Forest Design group I did get that straighten out. We had an invoice that was billed directly from South East Idaho, High Country Tourism, for three thousand thirty seven, fifty. That was part of the marketing plan which we have under contract with Forest Design. So she did send
a bill for that in Forest Design name today so, the four, four seven five is what we will pay directly to her. Mayor Davids comments okay. City Clerk Dimick continues as part of the contract. Idaho State publishing we got the notice for the business license public hearing publication got it today. It’s eighty three dollars and fifty five cents. Jack Parson bill I went over the figures with Tony today there’s still some discrepancy we’re trying to work out. So, I think we need to table this seven thousand nine hundred and fifty five dollar one. The other one we did get reduced to two thousand three hundred and eighty nine. Mayor Davids comments two thousand what. City Clerk Dimick responds three hundred and eighty nine fifty. Mayor Davids asked and that’s out at the Fire Station. City Clerk Dimick comments we could pay that one. Yes. Mayor Davids comments that discrepancy was just on the size of it, right. Yea, okay, alright. City Clerk Dimick continues and then the Melbourne internet domain name renewal. That will be on your bill next month so I just put a zero in there. It’ll be an automatically renewal. Councilperson Hinz continues what was the well repair. City Clerk Dimick responds up fish creek a pump went out and they had to replace some pipe also. You might make a note just for the record I sent you how well the LED lights, the savings on that is remarkable. Mayor Davids comments I noticed that. Mayor Davids continues the first month wasn’t a full month and the bill cost a third of what it did a year ago. Last month was a full month and decorative lighting system wasn’t a forth of what it was a year ago with the new LED systems. Mayor Davids asked so, what is that usually without that a month. City Clerk Dimick responds I think it was a hundred and five. It was, that was a forth of what it was. Mayor Davids comments a forth of it, okay. They’ll pay for them self within. City Clerk Dimick interrupts pretty fast. Mayor Davids comments yea. Unknown comments that will be nice. Mayor Davids comments okay, any question from council? Mayor Davids comments Parson are they. City Clerk Dimick responds they probably won’t be happy about tabling it another month. Mayor Davids comments well. City Clerk Dimick continues we did go up and measure it footage today and there footage is off. Mayor Davids comments okay. Maybe they need to come out. Maybe they need come when they say they are going to and meet with Tony. Because they don’t come when they’ve set up an appointment and then they don’t show. City Clerk Dimick comments what we are running into there is under the contract. The contract was for seventy eight
hundred square feet and on the bill they put at sixty eight hundred square feet and then they put additional pavement for eighteen o four. So, I told them a thousand of that needed to be moved under the contract. His argument is the lump sum that they have for the prep work, to remove the gravel and everything. He says that’s all lump into one and he didn’t want to pull that out for an additional line item for the additional pavement. So, he said it’s a wash but, I’ve played with numbers and I can’t see where it’s a wash. So, until he can prove it’s different and then there’s about two hundred and ninety feet, I think, difference, four feet difference I believe on the measurement. Mayor Davids comments okay. Well we will table it. Councilperson Linford comments so, we are going to pay everything but that Parsons and table it however. Mayor Davids comments yea and then those that she’s put on. Yea, that we received today, so. Councilperson Linford made a motion to approve bills except for that one from Jack Parson. Councilperson Thomson seconded the motion. All voted aye, unanimous.

Mayor Davids comments alright before we go into public hearing I just wanted to read something hear that was in the paper. Business achievements and awards and maybe some of you resonance that face of Canda Dimick. Ah, but it says from for the past thirty years Canda has been Lava City Clerk. Watching her childhood town involve into a popular tourist destination when the town’s ambulance service was in jeopardy ten years ago Canda was the one to step in or step up and take over the coordination when no one else would. I said I would step up and do it I otherwise Lava would be waiting for an ambulance to come from Pocatello, Canda said. Her efforts have been a life time for many. Lava’s ambulance handles about three hundred for service in a year. We have a great team here and I have to give them lots of credit, Canda said. Canda has a down to earth personality, exemplify hard work, dedication and comment. In 2016 she was named Bannock County Ambulance Volunteer of the Year by Pocatello Fire Chief David Gates. Canda was recognized for her selfless, dedication and comment in providing this critical service to her community and the surrounding area though out her decade of service. Chief Gates says Canda has been instrumental in building and maintaining this critical portion of our system. In addition to serving as coordinator Canda also served or covered a total of one hundred ninety nine ambulance shifts or a total of two thousand three hundred and eighthly hours of being on call since October 1st 2015. I would like to thank Canda for her dedication to her community.
and to ambulance service says Chief Gates. It’s because of her and volunteers like her that we can bring quality emergency medical care to the people of Bannock County. Applause

**Public Hearing regarding proposed business license fee increase:** Mayor Davids continues okay, the first thing we go into our council meeting. We have a public hearing scheduled regarding proposed business license fee increase and what I would like to do is just read this change and then I’m going to give Canda just a minute to explain why the change and then we will need a motion to go into hearing and that’s where it will be opened for discussion. We have five okay, that if you would like to. City Clerk Dimick interrupts some more has came in they may want to. Mayor Davids comments who’s that. City Clerk Dimick explains some more have came since then, since we passed it around. Mayor Davids comments okay. City Clerk Dimick comments I never even indiscernible. Mayor Davids reads ordinance 2016-7 proposed.

**Ordinance 2016-7**

**AN ORDINANCE AMENDING SECTION 3-1-8A OF THE CITY CODE OF LAVA HOT SPRINGS, IDAHO, REGULATING GENERAL LICENSING OF VENDORS WITHIN THE CITY LIMITS; ESTABLISHING FEES FOR ANNUAL LICENSE; PROVIDING FOR THE ESTABLISHMENT OF ANNUAL AND THIRTY DAY VENDOR LICENSE FEES BY RESOLUTION OF THE CITY COUNCIL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; WAIVING THE RULE REQUIRING THE READING OF THIS ORDINANCE ON THREE SEPARATE OCCASIONS; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, AS FOLLOWS:**

**Section 1:** Section 3-1-8A is hereby amended to read as follows:

3-1-8A: Annual License:

1. **New:** Each vendor requesting a new annual license under this chapter shall pay a license fee of forty-five dollars ($45.00) fifty-five dollars ($55.00).

2. **Renewal:** If renewed prior to January 1, the fee is thirty-five dollars ($35.00) forty-five dollars ($45.00). Renewals postmarked after January 1 will be treated as a new business.

   a. Vendor must provide a signed lease agreement with the owner for a period of not less than one year.

   b. Vendor shall operate from a permanent building and be hooked up to utilities.

**Section 2:** From this time forward, the fees for annual and thirty day vendor’s licenses shall be reviewed from time to time by the city council, updated and established by resolution of the city council.

**Section 3:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 4:** The rule requiring that this ordinance be read on three separate occasions is hereby waived.

**Section 5:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.
Mayor Davids comments okay that’s what it would read. What we need I’m going
to give it to Canda in just a little bit to of time here to explain the why behind it
and then we’ll need a motion to go into hearing. City Clerk Dimick explains the
reason we are raising it the ten dollars is we have an annual maintenance fee on the
software we bought for business licensing program of five hundred dollars a year
and so we’re raising the ten dollars to cover that expense. Mayor Davids
comments okay, alright. Anybody want to make a motion to go into hearing?
Councilperson Thomson made a motion to go into public hearing on the revision to
the ordinance. Councilperson Hinz seconded the motion. All voted aye,
unanimous.

Mayor Davids continues that’s unanimous so, now it’s is open to discussion. If
anybody would like to ask question or make comment on that it’s open to you and
the audience. Unknown ask what are you doing for less than a year, are you
changing that or are the fees the same. Mayor Davids comments that would be, my
understanding that would be enforced effective after it passage date and approval.
City Clerk Dimick interrupts oh, you mean the temporary vendors, the hundred and
fifty dollar. We left it the same. Unknown comments it the same, it’s just the year
ones, okay. Mayor Davids continues any other comments or, okay. Don’t need to
stay in. We need to make a motion to come out of out of discussion.
Councilperson Linford made a motion to close public hearing. Councilperson
Hinz seconded the motion. All voted aye, unanimous.

Adoption of Ordinance 2016-7 regarding business License Fees: Mayor
Davids comments alright so, we haven’t heard anyone against this, we explained
why we are doing it. We need a motion to adopt if anyone on the council would
like to make that motion. Councilperson Hinz made a motion to adopt ordinance 2016-7. Councilperson Linford seconded the motion. All voted aye, roll call, aye, unanimous. Mayor Davids comments okay and Tanny wasn’t here, so. Alright so, it was unanimous yes. Alright.

**Law Enforcement/Code Enforcement:** Mayor Davids comments okay so we will move on to Law enforcement turn a little time over to, it looks like we have all of Bannock County here. Unknown comments everybody’s working tonight. Anything that you need to report to us as a City Council. Unknown comments no clowns were shot. Mayor Davids comments okay. Unknown were good. Mayor Davids comments okay. Everything kind of slowed down. Unknown shhhh. Mayor Davids comments don’t say that. Unknown, no everything good, so far is good. Do you have anything for us? Mayor Davids comments council anything? City Clerk Dimick comments I did mention to them that we had a call yesterday on apparently there is some thief’s going on. Unknown asked where at? City Clerk Dimick comments mainly in the commercial area, downtown. Unknown comments okay. City Clerk Dimick continues and its metal issues I guess that they’ve noticed disappearing so, if you can just keep your eyes open. One was actually the grate over a storm drain that in the sidewalk and then another issue was. Unknown comments we’re shaking doors, indiscernible, we’ll tell are guys to keep their eyes open. City Clerk Dimick continues so, they’ve noticed things disappearing that’s odd, leaving, so. Unknown comments I’ll tell the guys to keep their eyes open, so. Mayor Davids comments well if its metals maybe their trying to take them in, you know, you might want to see who’s turning them in or what their getting. Unknown comments whose turning grates into gold. Mayor Davids comments yea, yea. Mayor Davids comments alright. Well, we appreciate everything you do and keep doing the good work. Unknown comments we appreciate that. Mayor Davids comments yea. Okay Dennis we’ll turn ever the time over to you. Go through some of this over to you, the no open alcohol container ordinance signs, that we are working on and everybody got one of those in your.

**A) No Open Alcohol Container Ordinance Posters:** Code Enforcement Officer Callahan trying to find out if that’s what you were basically looking at, something like that. Mayor Davids interrupts so, you said they could have as many words and letters on them for the same price. Code Enforcement Officer Callahan continues
right, the price. They didn’t charge by the word, they just basically went by the, it’s 18 X 24, I don’t know if you have vertical and horizontal one or just the. Councilperson Hinz interrupts we just have that one. Code Enforcement Officer Callahan continues okay, yea, that one was the one I sent him and so, he just, you know. Mayor Davids interrupts that’s the one he sent back. Code Enforcement Officer Callahan continues this is the first one he sent back and the second one he sent back I had drafted it so, that one and this one. Mayor Davids comments okay. Code Enforcement Officer Callahan continues so, not, I’m still waiting on another person giving us another bid on it and what I would like to do is see if I can get a sample of the sign. Because, they are each talking, ones talking metal or aluminum and this one person is saying it’s a. I don’t know what’s this, whatever, you know, some of this stuff is, adendabond four millimeters so, I would like to see if I can get at least. Mayor Davids interrupts does anyone know what adendabond is? You guys, engineers do you know what adendabond. Code Enforcement Officer Callahan comments does it sound like anything. Unknown comments it’s the film that goes over the top to protect it. Mayor Davids comments okay. So, it would be metal with a protective, it sounds like UV film and a adendabond laminate UV, indiscernible, cross talking. Code Enforcement Officer Callahan comments yes, indiscernible, cross talking. Code Enforcement Officer Callahan comments yea unknown comments which are actually good because you don’t want it to break. Code Enforcement Officer Callahan comments yea, that’s the one good longevity type thing I would imagine. Ah, but, I would still like to get a little, if I could get a sample of them then I could show the board, I mean the council the signs and see which ones you care for. I know the other one maybe a little bit different but, the again it doesn’t break it down to what I would understand, so. Mayor Davids comments so this is the price for twenty of them. Code Enforcement Officer Callahan comments right. City Clerk Dimick comments where are you going to put twenty of them. Mayor Davids comments yea, we don’t need that many. City Clerk Dimick comments I mean, the thing I saying when initially the Chamber came to us the City to ask for them. They were wanting the same type as what had been put in the, they’re kind of like a thicker board, type to go in the businesses. That’s kind of what they felt like needed to be tried first. So, I don’t know if we should move on them first and then see what kind of outcome you think they’ll have because that’s what the Chamber asked for the same type we posted before
that’s disappeared because obviously the need to be redone. Mayor Davids comments well, I know that the officers had mentioned we ought to have a few just, you know, around. We definitely don’t need twenty but, we ought to have a few around especially where people come into town, you know. City Clerk Dimick comments the biggest thing I see those for would be your parks. Mayor Davids comments right. City Clerk Dimick comments along your tube trail, stuff like that is probably where you’re going to want to post them. Honestly if you walk into town, like they talked about before. If you have a sign like that as you drive into town, we really aren’t a dry town so, is that what were after. Mayor Davids comments no. City Clerk Dimick comments I mean, or do we put them in location where we are trying to control and where the problems are. Councilperson Linford comments your still waiting on another bid? Code Enforcement Officer Callahan comments yea, I’m still waiting on, still waiting on another person to come in. Councilperson Linford comments it says here they’re working you up a proof to send to you. Code Enforcement Officer Callahan comments so, that’s the two of them that did send in the proofs but, the third one I haven’t, you know, they haven’t returned my, the proof yet to me. That’s Sign Blaze and Graphic Designs. Mayor Davids comment you know and so like even where it says parks we do allow that at times in there so, I don’t know if you would want to put parentheses “unless approved” or something like that. City Clerk Dimick interrupts indiscernible permit. Mayor Davids continues yea or permit, by permit because this just says. This is just saying absolutely none. Where as we do, you know when they come out, special events they can fill out that form. Then there are special events in the designated area which Wendy’s working on, you know getting some rope or something, some signs to say this is the designated area. Councilperson Hinz comments I think we can probably eliminate some of the verbiage on here because there’s a lot. Code Enforcement Officer Callahan comments yea, I think the more verbiage you have the more they’re not going to read it. That’s the, I mean, the symbol up on top will catch their attention saying okay, no wine or no beer or whatever but, after I don’t know how many people would actually sit and read this whole thing. Councilperson Hinz comments I think it needs to read no open container in much bigger letters and then what ever other verbiage we have on there in the smaller font. Mayor Davids comments yea. Well, the main thing is we want to have this ready to go,
you know, for our season. Ah, but I, you know, I think we can like you said eliminate some of the verbiage but. Councilperson Thomson interrupts I don’t see the reason to have that bottom half. Councilperson Linford comments do we really need to have it in Spanish? Mayor Davids comments yea. Mayor Davids comments yea, I mean after you look at the parks. That’s who there and their there. 5:30, 6:00 in the morning sometimes getting those parks, right. Councilperson Linford comments I think we just need to have a really simple thing here. The City of Lava Hot Springs has an open container law. Mayor Davids comments and maybe and maybe post, maybe the ordinance for that or whatever you know, a lot of times. I’ve kind of look at other towns as I driven around and. Code Enforcement Officer Callahan interrupts just put the ordinance number? Mayor Davids comments I would say the ordinance number, you know. People can go on line and look at that, you know so. Councilperson Linford comments everybody seems to know what a open container law is. I don’t think you need to define it real much. Everyone agrees. Councilperson Thomson comments like I said I don’t, there’s really no reason to spell out what the fine is going to be, just say it’s a misdemeanor, you know. Councilperson Linford comments and I wonder if it would be wise to maybe put one on, on the way into town, on all four streets, indiscernible, we have an open container law folks. Mayor Davids comments and then a few down along the, you know, the parks and ah, we can give them Canda number to put on there if you have any question. Laughter, inaudible – cross talking. Councilperson Hinz comments the bottom line is where looking at the individual pricing, we’re not looking at the twenty plus. Mayor Davids comments right. Councilperson Hinz comments it’s going to cost more but, we’re not going to need twenty of them. Mayor Davids comments right. Code Enforcement Officer Callahan comments but, they still might give us a break if we go at ten. Inaudible – cross talking. It’s still, what’s the difference between five dollars one to twenty, you know so. Mayor Davids comments I think at the most ten. Councilperson Hinz comments, inaudible – cross talking, Councilperson Linford comments he doesn’t think it needs all that verbiage on it. Councilperson Thomson comments I think we need a couple of spares. Council agreed, yea. Councilperson Hinz comments somebody going to have to hang them all. Mayor Davids comments so, you put them on the four areas coming in and a little bit down through the parks and keep a couple of spares. Code Enforcement Officer
Callahan comments so, you’re looking about ten. Mayor Davids comments so. You put eight, seven or eight out. Code Enforcement Officer Callahan comments keep two. Mayor Davids comments yea. Councilperson Linford comments just put enough out there so they can’t well I didn’t know. Mayor Davids comments yea. Councilperson Thomson comments they would be great souvenirs. Mayor Davids comments yea. So, just keep working on that and thank you on that. Code Enforcement Officer Callahan comments okay. Mayor Davids comments okay your next item is the Micro chip update.

B) Microchip Program Update: Code Enforcement Officer Callahan comments yea, we’re still working on that trying to figure out exactly what the cost factor is going to be. Mayor Davids comments okay. Code Enforcement Officer Callahan continues now we know we have, the City has X amount of to put into. Well, I think what I need to know is if the cost is ten dollars for the injection plus the registration and stuff. Does the City want to chip in half or do you want us to charge the whole Ten dollars. Mayor Davids comments you had some money available, correct. Code Enforcement Officer Callahan comments we have six hundred dollars. Mayor Davids comment so, why not chip in half up to when the five hundred is gone or something like that, you know. First come, first serve you could get half off and then eventually the money will run out. Councilperson Thomson comments we still talking in January. Code Enforcement Officer Callahan comments yea, it’s still in January 21st. What I want to run by is we’re probably going to do it here in the City Hall. We’re going to have it so that it’s by appointment. So, if somebody wants to bring a cat in we don’t have a cat and dog type fight going on. So, we can have them come in like within like five minute from each other. I’d like to send out the forms as soon as we find out somebody or have them come in and pick up a form. So, they have everything all ready to go. We don’t have to have them set and fill out any type of form. It’s probably just your name, address and phone that is on the form or anything but, I don’t think there’s anything besides that. There was also talking about teaching one of us how to do the injections and I volunteered Canda. I said she already knows how to do that stuff, so. Laughter. Especially I want to see it on the cat that ought to be real fun. Mayor Davids comments so here’s the thing then. I guess we can make motion to give you some directions does everybody want to take that five hundred dollars and do that. Councilperson Thomson comments yea take the five hundred
or whatever but, give them the option of. Personally I will pay for it. Let the ten bucks go to somebody who may not have the ten bucks to do it. Give them the option or whatever and if they can’t afford it or they have multiple pets and can’t handle the whole bill or part of it. Councilperson Thomson made a motion to use five hundred for the first 50 to sign up. Councilperson Hinz seconded the motion. All voted aye, unanimous. Mayor Davids comments and that gives them half off, right. Code Enforcement Officer Callahan comments yes. Councilperson Thomson comments thinks it’s a good program, it should be. Councilperson Hinz comments you should put that in the Lava News so more and more people know about it. Code Enforcement Officer Callahan comments yea. Councilperson Hinz comments we will put it in the water bill next month and we will put it in the Lava News, then we will do it again in January. Try to get them both in at the same time so that we can start getting the reservations in and stuff. Councilperson Hinz comments and post it down at the Post Office. Code Enforcement Officer Callahan comments yea.

C) Special Event Application Form: Mayor Davids comments alright so your special event application form you’re trying to get that. There were a couple of mistakes on it. Code Enforcement Officer Callahan comments yea, there’s a couple of a thing. We were talking about is on the first page that says in generally any organization activity involving the use of or having impact on upon the public property facility, public parks, sidewalks or streets requires a permit and a need of. We were talking about how many people would constitute an organization of that size. Is it over fifty, over ten, over hundred, what would you consider that to be. So, I think we probably need to think what type of. Mayor Davids comments well, maybe let’s do our homework on that and why don’t you check with a few other towns and see what they have identified as needing approval. I just know, on the first page, I just know that you’ve got City of, City of on a couple of those. Then I would like to see under procedure where it says the permit application process begins when you submit the completed application and then I would like to see in bold the next second sentence. You know, you guys of council see what you think but, keep in mind that the acceptance of your application is not to be construe as the final approval or confirmation of your request. So, meaning that just handing it here at the office doesn’t mean that it’s accepted. So, you might, do you think that’s something that should be in bold. Because I think sometimes people, just
you know, it’s turned in and it’s done. Code Enforcement Officer Callahan comments yea, it’s done. Mayor Davids continues and maybe you add to that acceptance is after City Council approval. Councilperson Linford comments that the last line. All permits will be considered at the City Council meeting. Mayor Davids comments okay. Code Enforcement Officer Callahan comments we can make sure we highlight that one too. Mayor Davids comments any other thoughts from Council. Mayor Davids comments so, what do we do when somebody shows up and their event. I know it says on here maybe we need to highlight that but, it’s got to be in thirty days at minimum before. Code Enforcement Officer Callahan comments yea, thirty days is like very, very deadline. Inaudible – cross talking. Mayor Davids Interrupts ninety is best. Code Enforcement Officer Callahan comments you know I might change that, you might think about sixty days because thirty days you stop and think about it. Councilperson Thomson comments given the fact that you have to be approved by council. Code Enforcement Officer Callahan comments that’s the part, that’s the tricky part. In case there is an adjustment that needs to be made you won’t have the time to make any adjustments either to approve or deny. Mayor Davids comments so, maybe you say must be received no later than thirty days before the actually event date so City Council can approve or has time to approve or something like that. Just, I think the more you can put that in there the more. Councilperson Thomson comments I would like it to say more like it has to be submitted and approved by council no less than thirty days before the event. Mayor Davids comments that would be good. Code Enforcement Officer Callahan comments yea, because like I said if you get it in thirty days and you know there has to be a change and then City Council couldn’t approve it within the time. It would be done. Councilperson Thomson comments I’m working on the assumption that these are going to be fairly well planned out thing. It’s not like a group of us get together and for a, you know. Inaudible – cross talking. I mean this is an organized Inaudible – cross talking. Code Enforcement Officer Callahan comments yea, this is a more organized event. Councilperson Thomson comments that’s been thought about for several months. Code Enforcement Officer Callahan comments yea, it’s not like a picnic going on down at the park. Councilperson Hinz comments you probably need to do spell check on here because I see alcohol on her spelled wrong to lines in a row. Inaudible – cross talking. Councilperson Hinz comments I see that we
have fireworks this twice. Inaudible – cross talking. Code Enforcement Officer Callahan comments yea, I saw that and I crossed that one out. The other thing I was talking more structurally wise is like. We have down here one chemical toilet for every two hundred and fifty. I’m not sure if one chemical toilet can handle two hundred and fifty people. Mayor Davids comments well we do it. We put out one for ten thousand this summer, I’m just kidding. Laughter. You can’t have enough of them is what I’m saying, right. I’d say smaller than that than two fifty, wont you say a smaller number. Councilperson Linford comments yea. Code Enforcement Officer Callahan comments it’s either that or jack up, yea I would say, you know. Councilperson Hinz comments two hundred and fifty people are a lot waiting in a line for one blue water. Code Enforcement Officer Callahan comments yea, I’m just starting to think its short type deal, you know you figure four or five hours. Mayor Davids interrupts so, where did that number come from. Code Enforcement Officer Callahan comments that I don’t know, where that number came from it’s probably. City Clerk Dimick interrupts it’s on that permit Amantha, one of the ones she had. Inaudible – cross talking. Councilperson Thomson comments we should get input from the people that do it. Mayor Davids comments so, why don’t we call up the Port a Potty place and see what they suggest and their number will be small. Inaudible – cross talking. Mayor Davids comments and we go somewhere in between. Inaudible – cross talking. Okay well let’s just keep working on that. Try to get that in place by the beginning of next year. So we are ready to go for the upcoming yea, so.

D) Status of Rental at 237 West Main Street: Code Enforcement Officer Callahan comments okay what we’ve done is I sent them a certified letter of unfortunately it came to the wrong address so, it came back. So, I’ve resent it out and I enclosed an application for change of use and I told them it needed to be filled out and returned as soon as possible. The change use of use needs to be approved before any business license could be issued. I also told him that if he did rent out his house again there would be a citation issued for operating a business without a license. Mayor Davids comments okay, we are putting dates on everything. Code Enforcement Officer Callahan comments well, yea I sent out the letter and I’ve got the date that I actually talked with to him. When I went down in person it was August 26, 2016. That’s when I sat down with him. I talked with him for about an hour he basically told me he wasn’t going to do anything until he
had it all fixed up. Mayor Davids comments the main thing is if he can come in
and get his permit for change of use and Andi looks at and says yea, this is good or
we need to make some changes. I mean that’s the direction we need to go. So
we’re just waiting to see if he gets that letter which, he will.

E) Public Nuisance Notices Report: Mayor Davids comments alright, public
nuisance notice report. Code Enforcement Officer Callahan comments okay. I
check in with Ken and one of the people in question called us up. Basically what I
did was I sent out letters to two of out the three. Basically saying we haven’t seen
any action, we need to see something and you need to get in contact with us before
the meeting. One called, one did not. One called and yea I’ve got one of the
vehicles sold. It’s the white car. He has got one of those sold and there is a red
one that we’re working. The other person hasn’t done really anything much of
concern one way or the other. The only thing that I can think of is that we told him
we would go in there and we’d cite them so, I guess that basically where we stand
with it. Ken hasn’t seen any action done and I haven’t seen anything. So, what we
are going to do is we are going to cite him and I will have to check and see if it’s
per vehicle or just a group type deal. Councilperson Hinz comments I wonder if it
won’t be a bad idea before we go down that right is to have another conversation.
You and maybe the Mayor going in there, knock on doors and talk to him see if
you get some face to face communication with them and get some dialog going
that way. Code Enforcement Officer Callahan comments I know Ken, I think, has
already talked with him and he hasn’t got any response from him. So maybe that’s
would be the next step. Mayor Davids asked has he told him the fire hazard. Code
Enforcement Officer Callahan comments yea, that maybe a good idea. I mean, I
don’t really want to start issuing citations. Mayor Davids comments yea I mean, I
think what we need to do is. We need to show good faith as a City that we have
tried and tried and we need to document and date everything that we do. Just so,
that if ever comes to that we have to do something. Then we can say you know we
just didn’t try once but, we tried five or six times and you know face to face. Even
when you have a face to face conversation make sure you are documenting.
Councilperson Hinz comments and get a clear description of what we’re expecting
to can’t just leave it kind of board thing, like you have this. This is what needs to
happen. Code Enforcement Officer Callahan comments we sent him a diagram,
we told him exactly what needed to be done. Inaudible – cross talking. Mayor
Davids comments how many times have we made contact on this issue? Code Enforcement Officer Callahan comments personally I’ve talked to him once. I’ve talked to his mom several times and we’ve written to him several times. I can’t remember exactly how many times but, you know it’s been going on for quite some time. Initially he made an attempt to get it started and then just filter away, so. Then I thought he was doing it again a couple of months ago. Because I saw him he was getting rid of car. Mayor Davids comments so, if you give a citation. You got to take a police officer with you so, maybe you take a police officer with you not with the idea that you are going to give a citation but, you take a police officer and face to face, just talk with him. Say, you know, we need to have something done. You know that’s another option. Councilperson Linford comments that might get his attention. City Clerk Dimick comments you actually need to have the parent there because that’s who you are going to be citing. Mayor Davids comments the parent needs to be there. City Clerk Dimick comments the property owner. Code Enforcement Officer Callahan comments yea, the owner. Mayor Davids comments I’m good either way. I mean if you need me to go with you I’ll go. Code Enforcement Officer Callahan comments I think, coming in with a police officer is going, you know, maybe a little bit much. Unless I’m mean if we are trying to go down that road. Mayor Davids interrupts then let’s do this go face to face talk with him one more time. Just say you know it is was brought up in City Council and we like to move on that or do something. You know, we are in good faith give you one more opportunity and then we will go from there. Are you guys okay with another time? Council agrees. Councilperson Linford comments don’t get to heavy handed. Mayor Davids comments no, okay.

F) Century Link Roof Replacement: Code Enforcement Officer Callahan comments I talked with Dave, on several occasion and he’s under the impression that roof on the century link that it was just a replacement. That it was just taking off an old roof and putting on a new outer roof. Mayor Davids comments so, that’s new, that’s a new come back. Code Enforcement Officer Callahan comments continues well if you just re-shingle a house you don’t have to have, really have a permit. They went out and got a permit. He sent me pictures of what they had. He actually sent me the cancelled check to where they paid for the building permit which was six hundred and twelve they paid for the permit. Now, in talking with Canda, Canda apparently, Mike Lebow is the one that handled all of this. He
really kind of like skirt tailed the City out of it. I don’t know if he came in with the money at the time. This was probably when Trish was here she you know deposited the check without having an actually building permit. Normally what we do is I don’t issue any permits until the board says its okay and we get the money. So, that has to be those two things well in this case we got the money and I’m checking back on all the minutes that I could find. I don’t see anywhere were the board said okay. In came up in discussion several times like I told you before. I hate to say it but at the particle time there was, you know Trish passed away, and it dropped off the table. Mayor Davids asked so, what is Century what are they saying. Code Enforcement Officer Callahan responds what Century Link doesn’t understand why the City is getting involved. Their Lawyers are basically saying this is something for the City to get involved with because they don’t have nothing to do with it. This is between us and our neighbor which technically is true. The question of the roof line going over into the property line was brought up but, Mike Lebow for some reason didn’t. Mayor Davids interrupts does he understand you can’t drain your water on somebody else’s private property. Code Enforcement Officer Callahan comments well again he brings it in saying that again is between us and our neighbor. Mayor Davids comments but, they haven’t done anything with them and their neighbor. Code Enforcement Officer Callahan comments what they’re saying is that they tried to work with their neighbor and they haven’t been cooperating. I’m setting in the middle and I don’t know what’s going on. I mean I don’t know what they’ve talked about. Mayor Davids comments so, let me ask the neighbor. Has there been any approach lately? Lisa Toly comments when we had that meeting down there Kyle called and left a message saying Don Lompiair will get a hold of you and its gone back to him. I haven’t received a message. Mayor Davids comment so Don is to suppose to get a hold of us? What they’re saying is the City shouldn’t be involved but, they are telling you that Don is going to get a hold of the City. Lisa Toly comments of me. That’s what Kyle said but they haven’t. Yea, Kyle said that it’s going back to their real estate division and I said we’ll give you an easement, you pay us a fee to take care of your water and we’ll take care of your run off. He said no, we don’t do that. So, you don’t have a maintenance contract. Mayor Davids comments but Don at hasn’t contacted you. Lisa Toly comments no. Mayor Davids comments and that’s been two months. Code Enforcement Officer Callahan comments yea.
Mayor Davids comments since the meeting. Code Enforcement Officer Callahan comments the thing is Davids retiring December 15th so, he’s going to be out of here. Mayor Davids comments so there is no need to work with him. So, do we wait until the new person comes on board? Can you wait for the new person to come on board? Lisa Toly comments I think they are just waiting to get that statute of limitation done. Is what I think. When did they put the roof on, in November of 2011? Mayor Davids comments so, how many years is that? Lisa Toly comments that would have been five. Mayor Davids comments but how would that hold up. I mean it’s not like we haven’t tried for five years to do something about it. You know in a court of law I don’t see how they can say the statute of limitation is up. Lisa Toly comments I think you have to apply to the court to expand the statute of limitation, that you are actively pursuing legal action. Mayor Davids but, see my feeling is comes down to big company lots of money, little business do okay but, you don’t have all the money in the world to throw into a, you know what I’m saying. Code Enforcement Officer Callahan comments again. There whole point when they talk to me is why are you involved? And I keep trying to tell them why we are involved. Lisa Toly comments but, they did not replace the existing roof, they put on a pitched roof. They took it off and put on a new one. Kerby Pagnotto comments it was a flat roof because all the commercial building in Lava was basically a flat roof. Mayor Davids asked Code Enforcement Officer Callahan comments to go back and contact this guy that was suppose to contact her and say she is waiting. We got to keep putting it to the fire or something. I mean, if that’s what he’s saying. What was he going to contact you about? Lisa Toly comments it was a short, maybe a sentence and half, that he will, that’s out of what he does and that it would be Don Lompiair that would be. You gave him a copy of the survey. Code Enforcement Officer Callahan comments well yea, they keep bringing up the survey. So, I said okay well here it is. I sent them the pertinent portion of it because it was a big page. I just took the page with the description of what it was about, where the markers were. Then he asked me well did you actually see the marker. I said I seen the marker before your men took it out. They had done some work back there, I don’t know what they did, but they pulled the marker out. That marker was in about six inches from the building corner. According to map quest you can see where, I think this is back in 1999, you can see we’re it was a flat roof. There’s our pitch roof and
there’s our flat roof. Mayor Davids comments and they say they just replaced. Code Enforcement Officer Callahan comments their just saying a replacement and I’m saying no, that’s not what they did. Councilperson Linford comments your talking they did get some type of a permit. Code Enforcement Officer Callahan comments their permit actually was for we’re going to tear off two existing roof system, single ply and metal roof, siding and framing. See when you start doing that you need a building permit. Install MBCI batten lock roof system. Which, I image is the metal roof system that they have in there. The amount was thirty seven thousand dollars. So, that was, I mean that’s a lot of construction. Councilperson Linford comments this is their application. Code Enforcement Officer Callahan comments yea, this actually. This is a letter to Bannock County and Development attention Michael. They went right to them. They didn’t go through us as far as I can tell. Councilperson Linford comments so they’ve never had a permit to do what they were doing. Code Enforcement Officer Callahan comments not that we ever approved. They have a copy of a Lava City permit application. It’s right here, it’s all typed written and Michael Lebow signed it but, there is nothing that the City Council ever approved this building permit. Councilperson Linford comments well, that’s where we get involved, right there. Code Enforcement Officer Callahan comments where we come into it because we’ve never approved this permit. Councilperson Linford comments the next time. Code Enforcement Officer Callahan interrupts even though they did give us money for the permit. See, that’s what I think, might be a little bit of the problem there saying well you cashed our check. Mayor Davids comments what does Clyde knows about that this. City Clerk Dimick comments we’ve been in contact with him before. Mayor Davids comments well I think we are at the point. Councilperson Thomson comments this is the same game George tried to play over there. Send it to the County, the county tells you to go ahead and all of the sudden it’s approved by the City. It’s nonsense. Either we approve it or we don’t approve it. Mayor Davids comments why don’t we? City Clerk Dimick interrupts it’s unfortunate in the past we had talked about it. I know when Marshall advised Lisa to go after them and the City will be named in the law suit because of the committee passes. Mayor Davids comments have you, you haven’t pursued that though. Councilperson Hinz comments what’s your hold up on that, why haven’t you. Lisa Toly comments I’ve got a lot going on, you know, who wants to, we’re
neighbors. Mayor Davids comments I think to resolve it something like that will have to be done. There just going to keep so, if you want to pursue it, do it, name us in it and let’s see what we can do, if you want to do that. I think our hands are tied unless you want to pursue it. Councilperson Hinz comments is that what Clyde’s is saying? City Clerk Dimick responds he really hasn’t gave us total direction. He’s been involved I know he’s written some letters. Councilperson Hinz comments it might be worth getting one fine decision from Clyde so if this way there is something the City can do. Which I kind of thought that’s we talked about last time, wasn’t it? Getting was getting some info from Clyde. Councilperson Hinz comments I say we get some final answers from Clyde. Mayor Davids comments let’s contact Clyde, we will go that direction.

G) Lava Spa Motel Sidewalk: Mayor Davids comments okay Lava Spa motel sidewalk I’ve visited with them. I asked Canda to kind of find out some things with Chicken Soup up there as far as are because they won’t give us an easement to run any pipe down through. Every time I call them is just like, well I will talk with my brother and brother says I’ll talk with my brother and you know and you never get anywhere. The last conversation I had he just said you know once you give an easement you never get back, which is true. But you know I had mentioned that there is probably enough hot water there to run a bridge and as we develop it you can have hot water running though your sidewalks. He said well I want to know if you’re going to develop it. Well I think we are but that was the last talk I had but, he will replace some of his sidewalks. He’s not going to replace them all he said. He said there are some that good. Which, as you look at them there are a few good spots in there but, I told him we are going curb and gutter all the way and replace that. So, I think it time you just, remember I told you to hold off on that. I think it’s time to go ahead and send a letter and say they need to have something done this spring and before the busy season. Have those all upgraded and then if he wants to contact me or the City about hot water and tubing.

H) Fire Hydrant and Sign Damages from October 7th Accident: Mayor Davids comments I talked to Tony about that today and you know if you look at it, it tells you to replace the thing totally is Twenty seven hundred dollars approximately. He told me today that the damaged parts are between seven eight hundred dollars and so, I said just good faith with the guy that ran over the hydrant
if we can fix it for seven eight hundred dollars that all we charge him because it wasn’t a brand new hydrant so, he ran it over and we only charge him for what was damaged. Are you guys okay with that? Councilperson Thomson comments good luck. I say that because he’s got about sixty days he may not be with us anymore. He’s got other bills he’s paying and so. City Clerk Dimick comments we’ll file this with the courts and it will be restitution on record. Councilperson Thomson comments I think you should. Councilperson Hinz continues what their time frame for making sure we get that to the restitution. City Clerk Dimick comments she will have to look into that, I’m still waiting on the insurance. Councilperson Thomson comments is there an insurance claim if there is some restitution. Mayor Davids comments I don’t know. Councilperson Thomson comments or is the deductible right up there with the cost. City Clerk Dimick comments it’s a five hundred dollar deductible so, it’s going to be close. Mayor Davids asked if you can garnish wages on that. Councilperson Linford comments I don’t think he will make many wages in jail. Mayor Davids comments no but, I’m just saying where ever he goes, when he gets, somewhere, sometime, you’d can get it back, hopefully. When he gets out of jail and goes to work you still got a bill. Councilperson Thomson comments he’s working right now. The reason he’s working right now so, he can pay some of the bills he owes already. Mayor Davids comments yea but, can you garnish? Can you check into that? City Clerk Dimick comments if you do the restitution you can’t, I don’t believe so. It has to go through the courts and the court works on collecting it. Mayor Davids comments okay. Anyway that’s going to be the cost. Seven to eight hundred dollars if the pipe isn’t damaged and if it’s damaged then there would be more.

I) Fall Tree Trimming Notices Update: Code Enforcement Officer Callahan comments I think I’ve contacted most everybody that needs their trees. Mayor Davids comments did he contact you. Councilperson Linford comments it’s coming down as soon as get. Inaudible – cross talking and laughter. Mayor Davids comments if you need my chain saw, it will be warmed up because I’ll be cutting mine down. Councilperson Linford comments you come and hold the ladder for me and I will hold it for you, how that. Mayor Davids comments this guy is brutal. Show’s up to your door and I think he’s coming to just talk about City and he says you need to trim those trees up. Laughter. Code Enforcement Officer Callahan comments I think I’ve got most of them but, like I said I get use
to seeing them one way and Tony will come up and say oh no we need to get a couple more. So I’m hoping we got them all but, there may be a couple still there. Mayor Davids comments okay.

J) Clarify location of Garage Loft - West Elm Main and North 5th West:
Mayor Davids comments the location of this garage loft, this is just a clarification, it was missed printed last time as Elm. So you can see that’s crossed out so you can see this is West Main and North 5th West, which is that new one going up. Is there anything else Dennis? Code Enforcement Officer Callahan comments I don’t know if anyone knows but, there was a camper, camping around all over the place. Anyway we sent him a note basically telling him to stop that. He didn’t know he couldn’t do so, he said he would promise he wouldn’t do it anymore. I wanted to give you an update on George we sent him his one hundred and eighty day extension so, that he would have it. I gave him plenty of notice saying when he would need to do it again if wants to upgrade it again. Mayor Davids comments okay. Alright, thank you.

K) Miscellaneous Monthly Reports

Proposed Land Swap – Kody Tillotson, Edge Water KOA Owner: Mayor Davids comments last month we had said that we would have some engineers come up at look at it and so we had Brian come up from Keller Associates and Aaron from Forrest Grim. So I would like to first have Brian talk about what he found and your recondition and then Aaron with Forrest Grim and then we will go from there, so Brian. Brian comments we went out and reviewed it with Kody and with Tony. Recording cuts out. Recording continues with Kody speaking. In a sense what the advantages to the City your limiting a large expense in the future and a problem that streets been that way for sixty years. We own all sides of that street it just makes sense. Parking an issue on that street and that’s why we’re wanting, we brought that up to Marshall originally. We’ve spoken to you guys about it. We need to control the parking it’s pretty darn tough the way the street is now. This will solve the problem, it’s easy to post it once it’s curved and all the drainage issues are dealt with. It’s too narrow for public parking which would be much easier to enforce on that City property. Councilperson Linford comments
now, we are talking about a piece of property that’s not necessary in a flood plain but, it’s in a flood zone. Kody comments flood way. The difference between a flood way and flood plain, the engineers will tell you that. Aaron interrupts and comments yea there’s the no rise process that you have to go through. If you where to develop the road. There again I’m starting to get into opinion I from the City perspective I don’t know if there is a need to do anything on that road right now, other than deal with the drainage. If you where to widen the road, build the road up, curb and gutter it, that’s when you would have to deal with the FEMA issues. Mayor Davids comments so if we went north, if the City took the road north and made it as wide as it could be and put curb and gutter in there that’s where you’re saying that’s where we would start dealing with FEMA on the issue. Councilperson Thomson comments but, there is no issue with FEMA as far as tearing existing road up and moving the water line. Aaron comments because you not changing the grade, right. Councilperson Thomson comments will I don’t know. Inaudible – cross talking. Councilperson Thomson comments there’s no requirement from FEMA to change the grade by doing that. Inaudible – cross talking. Unknown comment the construction of new structural within a flood plain or a flood way has to have a no rise evaluation. Councilperson Linford comments I leaning pretty heavily here towards doing this swap because I don’t think the City wants to get involved in all this, flood way, flood plain stuff to begin with. I can’t imagine what anybody ever going to build anything on that piece of property. So I’m leaning heavily to go ahead and make this swap, that where I’m at. Mayor Davids comments what would a piece of road like that appraisal for if we where to swap it, any ideals. Aaron comments so, we are right in the middle of similar type of deal working with another City. We’re going to buy some right away property but, to get to the right away we want to buy we’ve got to go through a canal and a road that’s all on private property. Obviously the canal company got the easement and you got prescriptive easement on the roadway and we had that property appraised and the valuable property appraised for what we that it would but, the road way and the canal property appraised for exactly zero because it’s unusable property. The City gave them a token amount for it but, it appraised for zero. Councilperson Thomson comments are major concern is as I would understand it would be easement for our waterlines. Mayor Davids interrupts well if you move it south it’s going to be on our property because it’s going to run right down the
road. So I mean that’s one of the benefits of going south, that you won’t have that but, the sewer line would be still on the north side, right. Aaron comments center of the road. Mayor comments okay. So that would be on our property still. Councilperson Thomson comments are primary concern with park down there is the easement for the water and sewer and the sewer goes on down through the park, does it not. It doesn’t, I mean the water goes down to first west and up first west but, the sewer goes clear on down the ponds. So there is quite an extensive sewer system through there. Inaudible – cross talking. I mean that’s our primary concerns to the easement for those items. Now, location wise obviously we can maximize the location. Mayor Davids interrupts well if you make the swap. I mean the sewer and waterline. The waterline is all going to be on City property because you would go south. The sewer line is going to be on City property until you get down to where you need to continue to go. It’s just an easement that’s already in effect. Councilperson Thomson comments already in effect but, the existing sewer line, if we do the property swap that George is suggestion, we still have adequate easement for the sewer line under the existing street as well. Aaron comments I would requirement you need to define what the swap is going to be. Both the City and Mr. Tillotson as far property swap and what easements are going to be. There is difference between easements and right away. The easement gives you the right to maintain utilities and maintain the current use of that utility. A right away is an ownership. Mayor Davids comments which we already do up to the road. Aaron comments right, so just make sure within that what’s being described that you have adequate space, you’ll need to talk with your maintenance personal, to maintain and the one you will want to pay attention to is the sewer line because it’s deep. If you’ve got to dig that thing up, no matter how many of you went down and watch as that sewer line got replaced out to the lagoons there’s some areas that it got deep. Now that doesn’t mean that you can’t keep it but, it cost money to do that because you are putting in trench boxes and your pumping and you’re not laying back. Councilperson Hinz interrupts if you’re not benching it. Aaron continues not benching it and laying back your excavation so, you need to evaluate that a little bit. Councilperson Thomson comments what’s a typical easement for something for something like that, twenty foot on either side, ten foot on either side. Aaron typically you go temporary for construction fifty, temporary of thirty on, I don’t know what you guys typically see, but, it seems to be pretty
standard for sewer. Councilperson Thomson interrupts because I know you got to put dirt somewhere, you got to get machinery in there. Aaron interrupts you’ve got to be able to spread your pipe out, someone coughs Indiscernible. Aaron comments the other thing to consider is your snow removal. You want to make sure, regardless of where this is, that curb and gutter, sidewalk stay in your right away and possible even an area that you’re not putting city snow onto private property. Mayor Davids comments Kody you had a comment. Kody comments yes, I think you’ve got like 29 feet on the east end and 32 feet wide from the south boarder which, has been surveyed. Thirty two on the west end of that on Portneuf Street there. I don’t know the pro & cons as far as how much width you need. Mayor Davids comments so, thirty two feet on one end and twenty nine feet. Councilperson Hinz interrupts you said how much on each side. Aaron answers we’ll typical do a thirty foot with a sewer line or the utility center at a ten foot twenty foot split, one third, two third so, you can dig and bench on one side and you got room to stack material on the other side plus your bench. Now, there is a difference between easement and right away. Easement Mr. Tilloston would have use of that property, if you needed to get in there to maintain it you would have right to come in and maintain and restore it to the pre maintenance condition and then there would be some restriction on building permanent structure on it. Where a right away you own it and realistically nobody should be building inside that right away except the City. So, there are some nuances there. Councilperson Linford comments how is this going to impact you if we don’t do this. Kody comments how it is going to impact us. If they reject this we want we want the street developed we don’t want a weed patch up in front of our million dollar, you know look were one of the biggest businesses in Lava. We bring a lot of business into this town it’s the only commercial street that I know of that’s undeveloped to this width. We want a plan forward we need to know an answer. I don’t think the City is planning on spending a hundred and fifty grand in the immediate future and we’re building this spring, fall and the spring and so, we want to work there we just want to know what we can do. I’m not so worried about water drainage. I’m a little bit concerned about giving an easement for future development especial on the west end of that there’s a large triangle chunk right there along to the river that we would like to do something with and when we get an easement that completely that makes that property worthless to us. Basically make it parking I guess. So, I
don’t know as a contractor I know it’s very you can replace that sewer line it may cost you a little bit more money. You can replace it with a thirty two foot width down through there no problem. I would be glad to get the contract on that. I’m not the engineer no disrespect but, they can make that work. We are trying to be fair. Whatever the City will do to work with us there we just need to know a plan. More than anything and this is what we proposed. It solves everything without any expense, very little expense to the City. We need to figure out probably the legal end on getting everything swap around on what expense there’s in your attorney and stuff. Mayor Davids comments I think it will clear up a lot of things but, also on the other end we’re swapping land for land that really is no value to us. I mean because we already have already have that right away, you know. I mean I think it would clear up a lot of stuff and I think it would be good to full development but, also on the other hand you know we represent the City and patrons we’re giving up land that’s a has value for land that really we already have rights away to.

Councilperson Thomson comments prescriptive easement to. Let me reverse the question then. If we deny the swap and we retain the property that we already own what are we going to do with it. Mayor Davids comments well, I would say we develop it and we help him because I agree with you. Everything you’ve touched it looks great and it looks good and it’s new. Councilperson Thomson comments are we going to make that comment to do that. Councilperson Hinz comments if we make that commitment we want to make sure we work with you for what we do this ends up to make you happy and it’s the right thing for the City as well at the same time. Councilperson Thomson comments I’m trying to look at the pros at that too. Mayor Davids comments I mean for me I wouldn’t have a problem making that commitment if it’s within in our budget to do because that’s area right now that’s being developed and it’s new and we finish it off and we take care of some drainage. Councilperson Thomson interrupts if I understand what our engineers are saying telling us here and we make that commitment to improve that eleven foot strip then you got to deal with FEMA, is that right, because you are in the flood way? Aaron comments yes, there some effort and some cost. Mayor Davids comment so what kind of cost you looking at, with something like that, roughly? Aaron comments if you create a rise situation you’ve got to mitigate it somewhere else and without knowing exactly how or where we could mitigate that’s really tough thing to answer right now. Another unknown the complexity
side you have a bridge right up the street and that is going to make the challenge and on the other side of that bridge you have property develop right to the river’s edge. Mayor Davids comments so, are you talking hundred thousand, two hundred thousand I mean, are we talking hundreds of thousands of dollars because if it’s the no value becomes a value, you know. Because, if it becomes a value to now to make that swap because we don’t want to have to spend that money just to develop, you know what I’m saying. Unknown comments could you come up with some kind of agreement where you maintain ownership but, you allow them use of it. Kody comments and the reason for that one more time. Aaron comments you know, we deal just constantly with you know, the pedestrian bridge is the perfect example. Where someone someway along the way was short sided and now here we are trying to develop something later and the property owner won’t give us the property and you know, it’s to the point that you may have to condemn it to get it back. Every road in Idaho, every local road in Idaho has a twenty four foot wide pavement, sixty foot right away and I use, I’ve got twenty foot right away on my property and I plant grass on it and I use it and then county just doesn’t have to maintain it. I deal with the weed patch and it’s done. I’m not saying to do it. I’m just posing this as an ideal that we don’t have to work hard. This project that I was talking about we’re buying ten foot of right away and we had to get some money for worthless ground to get that ten foot. It’s, you’re giving up an asset to just give it away. I’m just speaking from experience and opium. Councilperson Linford comments I know from experience, I had a real estate license, nothing dealing with real estate is legal unless it’s in writing so, how do we write this up where we’re going to maintain ownership of it and he’s going to have the right to use it. Aaron comments I’m just throwing that at you and that would be a question for Clyde. Councilperson Linford comments yea, we’re going to at least an attorney involved with that. I still think, I’m still leaning towards just making the land swap because this gets to be quite a can of worms. Mayor Davids comments well and the Aaron for me if you go north and develop that road that could become a lot more expensive to develop than the no value road up here. Kody comments if I could add so there’s about three foot of fall. Engineers I think maybe thirty, forty inches of fall, thirty, thirty six inches of fall on the west end so, there is a lot of fill there. I hit the guys up about what are you going to do. Are you going to cut that road down because my understanding during this, indiscernible someone coughed,
FEMA no rise thing. If the study shows it rise and it does affect the bridge or anything like that and they don’t let it fly you’re going to have to cut something down to replace what you are putting in over here and when that happens you’re going to start pushing the flood way over on to our other property. So, it’s something to consider. Once again we just want a resolve and we want to work with the City if this doesn’t work then we want to know the plan ahead and we need to see it developed somehow in the future. As a contractor it’s a very expensive project and you’re picking up about six parking spots out of the deal and some beautification. Either way we’re going to make it really nice. Keep in mind we are open to either one. This was just something that resolved all issue and is a good deal for both parties with respect to the easement that’s a whole different scenario. Councilperson Thomson comments his take on this is just simply, I would suggest that the majored of the usage on Portneuf Avenue down there is park usage. There’s a little bit of driving through there especially on 1st West. So, to my way of thinking we’re getting the usage we designed that street for or what we want it for now. So, as long as we have right away and easement for our water line and sewer line I’m with George. I think the easy way out is to make the swap, maintain the street that we’ve got paved down there, go ahead and put the curb and gutter in it and just make it, what is a thirty one foot street. Mayor Davids comments thirty two and twenty nine. With easements? Councilperson Linford comments yea, we have to get the attorney in here. Indiscernible someone coughed and cross talking. Councilperson Thomson comments I think the can of worms is trying to develop that extra eleven foot if we ever try to do that. Mayor Davids comments yea, that could become, I mean in your professional opium that could become more expensive than the actual road up here is worth. Aaron comments yea, it’s an unknown and without completing a no rise evaluation and obtaining a no rise certification if it can be obtained. Councilperson Thomson comments and I’m saying if we develop that street to the full fifty five foot width so we have parking on the street the City is not gaining any parking. Mayor Davids comments where will your parking be if the swap happens with those cabins? Kody comments he will probably take it off that street. We cut the site plan out for review tonight those two or three cabins make sense to come off from there unless the City doesn’t approve that. Basically through that’s a side issue to the extent that we are redeveloping all of that and all putting in power. All the
locations and that’s where all this goes as we develop further down there. That’s why we really need an answer or some kind of answer. Mayor Davids comments my biggest fear really, my biggest concern now, is you know, if you develop north it’s going to cost us lots of money and for the value of that road up here verses keeping it and developing it because that’s what we would want to do. It’s going to be a big expensive if we move everything to the south, I’m meaning the water to the south and that’s on our property and the sewer already goes down the middle. So, and the easements. Councilperson Thomson interrupts and again, you know you asked the question early on there. What’s the advantage to the City and I’m asking the same question. What’s the advantage to developing that street? I don’t think it is to our advantage. I think it’s going to be as good of use right now as it will ever be and widen that street out is really no advantage at all to the City. Councilperson Linford comments you’re going to have to make a decision. Councilperson Hinz comments my biggest concern. Honesty is the easement for sewer down the road, fifty years down the road. Councilperson Linford comments well, the sewer is already there it’s going to be there. Right where is already is. Councilperson Thomson interrupts, inaudible – cross talking, if we put the water line to the south that gives you plenty of easement on the water line because that’s going to go right down the center of the existing street and you should already have easements on the sewer line which, is are major sewer line. Mayor Davids comments and snow, that would all have to be worked out. City Clerk Dimick comments the water line is not going down the middle it’s got to be ten feet from your sewer. Mayor Davids comments it’s going to go clear to the south side. Inaudible – cross talking. Mayor Davids comments above the sewer, right? The sewer got to be deeper. Aaron comments yea, you don’t want to bury your water line the depth of your gravity source. Mayor Davids comments right and it’s not good. Inaudible – cross talking. Councilperson Linford comments in any event, we have to replace that water line in any event, right? Aaron comments yes. Mayor Davids comments so what does a smaller road. I just wrote this down. What does it do for the future when, we are all gone? Councilperson Thomson comments well I foreseeable don’t see anything but the RV Park there, in my foreseeable future. I tell you what from your concern in my opinion do you have a enough street there to service your RV’s coming in and out. Kody comments it’s twenty nine feet and county road is twenty four, twenty five, I don’t remember,
there’s plenty of room for two way traffic. There’s not plenty of room, currently and this is part of the issue we are addressing, for two way traffic with people trying to park on your street. Inaudible – cross talking. Kody continues that why we would like to get it resolved where we can post it no parking, take care of the drainage and fix that area up. We’ve done a lot actually down there to eliminate the congestion. Our Business principles have been fewer customers, give them more room and charge more. We’ve been very successful with that. Mayor Davids comments so, your vision is still is where we had talked putting that curb and gutter, you would probably take out the trees cause you don’t want to maintain them, you want them trimmed up from what I understand and you want to get. Would you guys stay married over that? Laughter! Cody comments whatever you guys decide. If it’s our property we probably will leave a couple to the trees for aesthetic value and if it’s not, then its City property we want to see the trees come down and what are we going to do with the dirt, basically. Inaudible – cross talking. Mayor Davids interrupts so, if that swaps goes we would still have enough room to drain? Aaron comments I would say before you did it, come up with a drainage plan and make sure whatever your drainage plan is works with the plans. Councilperson Hinz comments because if we are going to have to pump it somewhere, that’s not going to be cheap fix either. Aaron comments no, Kody comments we don’t want to see the City do that, the drainage is not an issue with us. Mayor Davids comments so how would you resolve that. Councilperson Hinz comments but, draining on to private property it is. Aaron comments unless there is a private agreement put in place at the time of land swap. Mayor Davids comments so would you be willing to that, if it came to that? Kody comments we would be consider a portion of that for drainage. We see no benefit to a twenty foot easement down through there for drainage. Mayor Davids comments right, but I don’t think it would take that. Kody comments if you curb that we can easily contain the drainage and we don’t have a problem with that doesn’t have a bit of problem with what we are doing for our development. Councilperson Linford comments can it stop at First West and still go on down. Kody comments well, if we can get it in the right spot. That’s part of what we addressing here and we’ve not addressed that. That’s not even part of this proposal what coming down First West. Councilperson Linford interrupts it’s going to be it’s going to come up. Kody continues it will be and we have ideas that we need to bring the engineer in
on that, the City engineer and that needs designed rather they put in something on our corner there or partially the City and ours. I believe Aaron was involved our ideal there on, of a French drain or something that would work. Aaron Comments yea, the French drain would work. I would just make sure it’s fits, make sure you have room, and make sure it’s adequate. Mayor Davids comments and that would have to be in legal, meaning that when you sell it which, you will someday probably. Inaudible – cross talking. Mayor Davids continues just so the new owner would know that the City always has this, you know. Aaron comments you’re going to attach more that an easement or any that to this deed if you start getting into drainage and dealing with storm water, you know. Kody comments yea, we would work with City on the drainage issue. Mayor Davids comments could we make a, could you make a motion that you would do this based on there is plenty of room for drainage, I’m just kind of thinking. My biggest thing tonight was to cost of going north and it’s just going to be very expensive, I think, for the City to go north so, this works. Councilperson Hinz comments I don’t know if there’s something we could really make a motion on, I think there is still a lot of fluidity to it all. There’s a lot of question how we’re going to do thing if, that does go though. I mean! Kody comments we would encourage some kind of amendment to the proposed thing. If we need to get an engineer in on the drainage issue at lease consider the width. Mayor Davids interrupts and that would be at your cost? Kody continues excuse me. Mayor Davids comments your cost. Kody continues on the. Mayor interrupts the drainage. Kody comments for your drainage. Mayor Davids comments well your getting a pretty, quite a bit of . Kody comments just make an amendment or make a motion I guess, let’s see where you end up but, we will work with you on the drainage. That’s not, we want the drainage controlled but, if we are going to gain that property we need use to that property so, with that in mind I think we would work with the City that way. I don’t know how you’re going to make a motion but, I would like something to build off of. What we’ve proposed or make an amendment. Mayor Davids interrupts it’s hard to make a motion because there’s a lot of, you know, ground work that has to be done to say yea, this will work or no it won’t. You know. Councilperson Linford comments maybe we can, how soon do you have to have an answer on this? I mean I would like to have this done right now and get it done with but, I’m thinking it’s not going to fly tonight, so. Kody comments can the
City Council at least identify a road way ahead here? What they need. Councilperson Thomson interrupts we didn’t come to make a commitment to go this way based upon finding or drainage of this type of thing. I think what, I’m not trying to put words in Kody’a mouth, but, I think what he’s trying to say, is I need some kind of finalization here so, I can move forward. Councilperson Linford interrupts and you need that tonight. Mayor Davids comments how long would it take for an engineer to come in and say it will work or not work. Aaron comments I don’t think it would take very long at all. I’d say if he hired engineer have him come up with a drainage plan and actually, you know, actually lay out the road how Kody wants to see it. You know, we got this and this gives us an idea it would be kind of nice to have a drawing. Councilperson Linford comments have a little site plan. Aaron continues yea, how the road works, where is the curb and gutter the drainage. Mayor Davids comments see either way you could put your cabins in there. Well I don’t know if you could or not because, if it doesn’t work then you’ve got located were your parking would be. If it does work then you know curb and gutter. Kody comments one other option you guys need to consider is First West. So your drainage issue is off of First West. We haven’t addressed First West. I staked that out, you’re putting in curb and gutter in and I’m putting in sidewalk, you’re going to have to move that in from the property boarder. You’re going to have to make a decision on how wide you’re going to make that Street because it’s going to narrow also. Same situation that becomes super expensive for you guys to put your curb and gutter. Mayor Davids interrupts just because it drops off. Kody continues yea, right. You’re going to have to put in a retaining wall. So, with this you need to make some kind of amendment if you are going to address the drainage issue and table this or something. I would want you have engineers look at First West and up with a comprehensive drainage plan that will solve both problems there. Mayor Davids comments I think that’s what you’re talking about. We’ve came all the way down First West and where we drain it because we have, you know, he’s taken out some trees up there and the plan is to make sidewalk and curb and gutter which, helps with the drainage and beautification and everything of it but, we need to address that all the way down First West and drainage down in the bottom, so. Mayor Davids comments how soon. Aaron comments so do you want to look at it two different. I mean is the City wanting to hire an engineer to First West and then have Kody have an
engineer to do his or how do you want to do that. Councilperson Linford comments are you willing to do that part? Kody comments can you repeat that for me. Mayor Davids comments as far as the drainage goes, there’s going to be some cost with engineer to do that. Kody comments yea. Mayor Davids comments and so my thought on it is, you know, we’re not going to develop that land north, because of the cost, but we are getting some property that really is no value, really because we already have that right away across it. My feeling is and we’re going to put in the curb and gutter, we’re going to do our responsibility but, I think if we’re going to make this swap that you should pay the cost of the engineer. Kody comments for the drainage design. Mayor Davids for the issue yea. Kody asked Aaron if he has a ball park, is this a three, five, Ten thousand dollar deal. What are we talking? Aaron comments I would probably recommend sense, I’m going to be the one to review it, I’d probably to recommend that you hire someone else. No, you’re going to be more than, I don’t know, Brian give me a number ten thousand, fifteen thousand. Kody comments yea, we would need to consider that. I’m not sure the benefit is there. Aaron comments the other thing to consider is do you need to have this land appraised? I mean, the City really is giving an asset away. Kody comments that’s prospective there, right? Aaron comments you know what’s the appraised value of that you know, that could be offset with some of this cost that Kody going to incur. Mayor Davids comments but, that’s only my thought. I don’t know what the council wants to do. Councilperson Thomson comments I think it’s a good thought and I think it’s what we should be thinking about. Is giving up that at eleven foot or twelve foot strip of ground over there but, you know again like you said we are giving it up so, I think in return we need to have some kind of value on it and that value can be. I think you raised out or equalize out by sharing the cost of developing the cost developing the drainage. Obviously he’s going to do a lot of work down there. We’re not going to have a ten foot wide strip of dirt. You know with weeds and stuff on it. Its’ going to end up looking right even thought its part of your park. I think overall end product will be a beautified street and curb and gutter system and a nice looking park for the all of our guest to see. You know, I’ all for giving it up and working out some kind of arrangement with cost for, engineering the plan, getting the sewer and everything easement in like they are and our water lines and moving ahead. Councilperson Linford comments yea me to. I’m 100 percent with you on that one.
Councilperson Thomson comments I don’t know, again, how we can make a motion to make the swap because there is still a few unknown to do that but, I think we can certainly give him a verbal commitment that we would like to go this path and start working out the details. Councilperson Hinz comments who’s the property owner on that little small section on the corner right by the bridge, that little triangle piece? Kody comments unknown, it’s a lost parcel, I don’t know. Councilperson Hinz comments this one right here. Kody comments we probably spent eight, ten thousand dollars trying to figure that out. We are not quite there yet but, there, it goes clear back to nineteen hundred so. Inaudible – cross talking. Kody, that little triangle thing, well somebody owns it but, nobody knows. You know the flood came through there and that changed the river channel through and messed that whole thing up years ago and they just didn’t deal with it. It’s about a ten thousand dollar bill even try to acquire that piece of property. We’re trying to clean all of that up. So, as we develop we can have a good plan for ahead. I would ask one last thing then, if your, it sounds like you’re going to table this thing. To keep this from lasting month after month after month, you have an issue down First West and City needs to address somewhere how wide is that street going to be and where is the sidewalk and curb and gutter going to be. That’s not up to my engineer if I share the cost or whatever to do this drainage study that’s nothing we need to know where’s that going to be and so, I hope you would address that. Inaudible – cross talking. Mayor Davids interrupts and that sidewalk is just going up the alley, right? Kody comments yea, one headed north, north-south there just going past Guthrie’s home, or just below Guthrie’s there. What are you going to do and how you going to tie that into your other sidewalk up on Main if, you ever does go or do we need that can we just pave that and that’s a much cheaper option for the City rather than. I know your trying to create a precedent with the curbing but, maybe you might want to look at just paving that controlling drainage that way and not have to do a lot of stuff. That’s a lot less money there. Inaudible – cross talking. Councilperson Linford comments so we got a couple of things to look at here. Kody comments yea well, I was hoping you would at least consider that tonight in your discussion cause if you’re going to go further drainage that’s the first thing we got to know. Where it’s going to be, we’re you going to settle out. Councilperson Hinz comments absolutely we should have an engineer look at that, that’s our responsibility. Kody comments I think you have looked at that, actually,
I think now Aaron did with me, I’m not sure about that. Mayor Davids comments see we talked about the need to talk with Guthrie’s see if they wanted to continue it on up that sidewalk also, with Kelly Pierce coming down the other side and you know, going down both sides. So, there were some things we talked about possible of trying to come down both sides of that. I think council you we really want to set that precedent of not having just paved. You know how that looks over time but, to really try to beautify the properties and so, I think you guys are in agreement that we would want to go with curb and gutter. You know down there and make it look nice. Kody comments and what location would you want that? Mayor Davids comments you mean foot wise, how wide? Kody comments yes that’s where we need an answer before we can do a study on drainage. To resolve this issue we will need to know that width. I just want to bring that up. Mayor Davids comments okay. Councilperson Thomson comments could I make a motion that we will hire an engineer to study the drainage on First West and determine where the curb and gutter and drainage is going to be down into Portneuf Avenue. Councilperson Hinz comments I’ll back that, I’ll second that. Councilperson Thomson comments or is that would be making a commitment from the City that we will move ahead with that project and get an answer for you on the drainage. Mayor Davids comments on the drainage or the width. Councilperson Thomson comments both. Councilperson Linford comments both. Councilperson Hinz comments it would be all of the above. Councilperson Linford comments actually it’s got to kind of cover that corner and go straight down. That would make sense anyway, from Pierce’s you know there is a sidewalk there and goes around a corner and over there in Guthrie’s so, all you have to do is tie it in. That would give you width, I don’t know what all is involved. Councilperson Thomson interrupts the big problem is when you get down the hill towards Portneuf Avenue it drops off, there’s some. Councilperson Linford interrupts you’ld have to build a wall there like you said. Mayor Davids comments I will visit with them this week. I will talk with Kelly Pearce and I will talk with Guthrie’s and find out if they want to do it or not. If they don’t then that becomes, you know, a little different. So I’ll talk with them tomorrow. Councilperson Thomson comments I assume we already have permission from land owners from the Alley north. Shake your head yes will you? Kody comments yes, sorry. Councilperson Linford comments so, you made a motion, you second it. Councilperson Hinz comments correct. Mayor Davids
comments okay all in favors. All voted aye, unanimous. Mayor Davids comments does that help on that a little bit, I mean we are still trying figure out. Councilperson Hinz comments there’s just so much to it. It’s just not an easy. Councilperson Thomson comments I don’t, you know, if it will be worth wild to make a motion that we will not develop the street north of where it is at now. Kody comments that would be very helpful if we knew the intent of the City, it is what it is. Councilperson Linford comments that doesn’t give him the property. Mayor Davids comments yea, but, I don’t know how you can do that with not. You don’t know the draining issue. You know, if they say well you do need a couple of feet of that. Then that’s, we already committed to that to say we’re not going to develop it. Not that we don’t want to do it. It’s just that we got to find out where we’re at. Councilperson Thomson comments are we just going to table the motion for the swap right now them. Until we come up with a solution. Councilperson Linford comments will we are going to table it until we figure out what we are going to do with this drainage thing. Councilperson Thomson comments yea, that’s what I said we got to do something about the proposed land swap, table until we can determine the drainage issue and move forward with it. Councilperson Thomson made a motion to table until we can move forward with drainage issues and then we will examine it a little closer. Councilperson Hinz seconded the motion. All voted aye, unanimous. Kody asked if the City attorney can be present for the next meeting. Mayor Davids comments get him here next time. Kody comments yea, it would be helpful as we move forward to address the drainage thing you guys can ask what you need. If you would consider that expense, I think that will expedite things, it will be one month’s worth of back and forth. Mayor Davids comments I know it’s not happening as fast but, on the other end we got to make sure we’ve got to make sure we got everything in order.

**Building Permit(s)**

A) Edge Water KOA Cabins – Kody Tillotson, Owern/Applicant: Mayor Davids comments okay, next you have some application for permits. If you look at them they’ve, I wish everybody was like this very well done. Our building inspector official approved the four new cabins, cottages, she also approved the camping cabin the one there and then the camping cabin for four person occupancy. Councilperson Thomson comments pretty much the same thing you put up and the other one. Kody comments pretty similar, two of them are camping.
cabins they have no bathrooms. They will be located there just below Guthrie’s house, there on the north side of the alley way. The other four are down along the river and those are very similar to what we have up at our other place. Mayor Davids asked what the load occupancy is, are those cabins, indiscernible. A Kody comment, indiscernible, everything is four and one cabin is eight. Councilperson Hinz comments there is a total of six cabins, correct. Kody comments correct two with bathrooms, four without. Paper shuffling, indiscernible. Councilperson Thomson comments parking adjacent to those Kody? Kody comments parking they are close. We proposed parking that will work on our property. We may amend that depending on where we end up with everything for those other three but, we’ve accounted for parking, off street parking. There should be two site plans if you look through there. Inaudible – cross talking. Mayor Davids comments the one camping cabin she has red line though the eight and has listed four. Kody comments not sure I haven’t been informed of that. Code Enforcement Officer Callahan comments he hasn’t got a copy of that yet until you approve it. Mayor Davids comments and then the other she has the four crossed though and a two so, we might want to check into that. Can you do that? Councilperson Hinz comments which one. Mayor Davids comments the last page, of the last, keep going, keep going, keep going, there it is right there at the bottom. Mayor Davids comments she crossed it out and said two and I’m just wondering why she did that. She said the loads are determined by the IBC, international. Councilperson Hinz comments so, for the camping cabins it’s got it crossed out from eight people occupancy down to four, camping cabins four down to two. Mayor Davids comments so, Dennis let’s ask her why on that. I don’t understand why. Kody comments I have no idea, I don’t even know the code that would detail. I feel like that something, a mistake or something. You just need to clarify that with her, that’s an easy thing. Mayor Davids comments yea, that’s why I want him to check. Mayor Davids asked the council any question on this you guys. Code Enforcement Officer Callahan comments we can approve the two, we have to get a. Mayor Davids interrupts oh, for the flood plain. Code Enforcement Officer Callahan continues flood plain. We have to get that unfortunately for the four cabins. We’ve already talked about that. We’ve got a letter from the coordinator and she basically saying to build the four cabins we need the hydraulic analysis for the no rise. So we are going to have to have that done and Kody already knows
about that now. I talked to Brian, we were talking before the meeting and I basically showed Brian what the coordinator had sent to me. She was basically saying she doesn’t support any structure in the flood way and she saying that the City council would have and the City would be liable for any damages. Now after talking with Brian he says that’s basic talk they always give out but, he doesn’t see where the City would, you said the City wouldn’t be responsible. Brian comments well, what she puts in there is that she making an opium any damages that occur downstream do to a flood that may occur some point in the future the City is liable for it. I think you probably need to talk with your attorney to find out why you would be liable because that puts your bridges at risk right now, that puts everything in the City at risk right now. So that one seems a little, odd statement to me, I haven’t ever seen that. Aaron I don’t know if you guys have ran into that. You know, you’ve got trees along the river that have the same possibility of falling over. Are you responsibility? You know, that’s the type of thing she’s saying. So it’s private property if a no rise study is done and no rise certificate is issued beyond that I don’t know if the City wants to read into that. Code Enforcement Officer Callahan comments according to our documents all he has to do is come up with a notarized certificate. Mayor Davids okay, so you. Go ahead Kody. Kody comments yea, I mean you guys should. We were informed about that at two O’clock this afternoon or we would have had this already done. It’s about a month and half process. We would like some kind of motion to approve for what’s in front of you so, we don’t have to come back to City council once the cert is applied. Inaudible – cross talking. The two cabins are not in the flood zone and you can approve those as is and we can start the other four. Mayor Davids comments we could just say based on, contingent on. Inaudible – cross talking. Councilperson Thomson comments contingent on no rise. Inaudible – cross talking. Kody comments we’ve contacted over many months and it’s been difficult to get her and she waited until the very last moment on the day of the meeting to final say what the hell we needed and so, we are frustrated but we will get that. We got to do what they want. We would just hope that you would approve it as once we receive the cert without having to come back to City council. Mayor Davids comments yea, I don’t, you won’t start any construction until you got that. Kody comments no we can’t legally. Councilperson Thomson comments I would move that we approve this application based upon the appropriate no rise being
issued on the four and then the other two absolutely. Councilperson Hinz seconded the motion. All voted aye, unanimous. City Clerk Dimick comments let’s address the one thing before, just so you guys know. I know Kody’s been in contact with Brian to do the no rise certificate do you guys feel like there is a contact there for him to represent him on getting it. Brian comments are question to the City before we give Kody an answer at all we do have folks who have done this. We’ve got certified flood plain administrator on staff we can complete it. Mayor Davids interrupts so here’s the thing, I don’t think it’s an issue of it’s not going to be given to him. I think if you go over there it’s going to be a month and half and with you guys it could be really quick. Brian comments and a no rise is something the City isn’t going to way in one way or the other. If it comes out that it shows that the cabins will not create a rise in the flood stage. That’s the answer it’s a yes or no, yes they do, no they don’t. If they do what’s the mitigate recommendation it can’t be mitigation on City property. I don’t know if there is a conflict of interest but, in the interest of complete transparency you’re our client and will remain our client long into the future before Mr. Tillotson. Mayor Davids comments so what if, here’s a thought to the council so, what if they come back and they say no and then that’s where the conflict of interest comes in. Brian comments no I don’t think so. If we come back and say the cabin will create a rise in that certificate. Then in order to develop in that flood way, there’s a difference between a flood plain and flood way. A flood plain fills up with water when flood happens. A flood way is flowing path within that body of waters channel and there’s a difference there. Mayor Davids comments okay. Brian continues if we come back and say no, that there is a no rise then your property owner got to come up with mitigation for that. On his property, indiscernible word, property up stream, he’s got to figure that out. It’s not the City that has to figure that out. Mayor Davids comments okay. Councilperson Hinz comments I don’t see a problem. Thank you for the transparency. I appreciate that and I don’t see an issue with that. Mayor Davids comments so is there a motion on the table. City Clerk Dimick comments I just wanted to make sure there was no conflict.

**B) New Deck Attached to Residence – 270 South Center – Michelle Cotterell, Owner/Applicant:** Mayor Davids comments has everyone had a chance to look at that. City Clerk Dimick comments they had to combine parcel here in, in order to do it and that’s been done. Mayor comments alright, any motion on that one?
Councilperson Linford made a motion to approve. Councilperson Thomson seconded the motion. All voted aye, unanimous

C) Vacation Rental (Change of Use)-242 West Main – Dave & Alison Mickelsen, Owners/Applicants: Mayor Davids comments I have a few questions on this one and maybe Dennis can answer this. My understanding that Andi gave them was a permit issued to look for safety related issue for the change of use that’s the permit that she promoted or gave but, it wasn’t approved for the change of use yet. Code Enforcement Officer Callahan comments yea, there’s a stipulation that he has to bring it up to, at the safety standards. So whatever it is that they are going to have to do, like putting in hard wire alarms. I believe his changing out a couple of windows and hopefully those windows will comply with whatever they may need to do. Mayor Davids comments okay what we’re approving is just a permit to bring it up to code but, we’re not giving are approval for change of use. So then maybe the motion is once it’s brought to code based on that then we approve the change of use. City Clerk Dimick comments they don’t have to get another permit to do the change the use this will document. Paper shuffling indiscernible. Mayor Davids comments okay, that was my question. Councilperson Thomson comments there’s no list of the safety issues being addressed. Paper shuffling indiscernible. Mayor Davids comments it’s pretty vague, I mean. Councilperson Thomson comments how do you approve that? Councilperson Hinz comments based on all safety issues being addressed. What are they all? Councilperson Thomson comments I don’t know. You’re asking for a building permit first of all, what are they doing? Mayor Davids comments it’s a remodel. City Clerk Dimick comments it’s not determined until she goes and does the inspection. He has to get the permit to even call her to go do the inspection on it. Code Enforcement Officer Callahan comments it’s the rabbit chasing the hare. Councilperson Thomson comments yea, this sound like that. Mayor Davids comments but, I don’t know how we can approve anything if we don’t know what they are bringing up to code. It’s pretty vague, I mean it’s just. Code Enforcement Officer Callahan comments she won’t issue the certificate of occupancy unless it’s brought up to use, up to the safety standards. So this basically giving her permission, she has the permit to go in and check it out. She may go in there and say hey everything perfect and I will give you the certificate of occupancy. That’s when it’s finally said and done. That’s the final step getting that certificate.
Nothing happens until that certificate is issued. Councilperson Thomson comments so now she is waiting for a building permit before she approves or disapproves something. Inaudible – cross talking. Code Enforcement Officer Callahan comments because it is a change of use it’s kind of a different animal. Councilperson Thomson comments well I’m kind of shocked that he can even get that house up to rental standard for thirty five hundred I say more power to him. Mayor Davids comments alright so what does council want to do with this one. Councilperson Linford comments we have to do something, she not going to do anything with this until we do something right? Paper shuffling, indiscernible. Code Enforcement Officer Callahan comments basically. Councilperson Thomson made a motion to approve. Councilperson Linford seconded the motion. All voted aye, unanimous.

**Consider Building/Fire Code Service Agreement with Idaho Division of Building Safety:** Mayor Davids comments okay, Canda we will let you explain this one, big thick one to us, a little bit more. City Clerk Dimick comments alright, we come up with the schedule. As far as the schedule for fees is the same, the thing you’re going to see the big noticeable difference is the evaluation status. If you compare, the first page is what the terms are and then your see what the international codes say, paper shuffling, indiscernible, there is a large difference between, like residential dwelling, if you look on it compared to what it is on the international. That’s where you’re going to see, it’s going to establish the value structure more than what we are currently under. Once the value, the fees say the same. Is what we’ve notice except the commercial, paper shuffling, indiscernible. That will be a fee that’s different than currently. Mayor Davids comments who set this? City Clerk Dimick comments basically the city does but, you’re going to, I know but, the States going to have to agree with what you’re charging per your contract. I mean we can get a copy, I know some of the towns that already got contract with to see what there charging if we want but, that’s from the international building code, talking softly indiscernible. Councilperson Thomson comments I don’t even see dwelling in there, I see public and private garages. City Clerk Dimick comments okay so you look at dwelling right here. Inaudible – cross talking. Clerk Dimick continues so, forty nine eighty a square foot is how they figure. So you take square, right now it’s forty nine eighty. If you go to the international line and look at residential, one two thousand dwelling, depending on
the type it goes from one forty three to one twelve. That’s how you figure your building permit. You figure out your square footage and then once you get that fee you times it by that square footage. Mayor Davids interrupts so just on that one you going from basically about fifty bucks to a hundred and, inaudible – cross talking. Councilperson Thomson comments almost triples. Mayor Davids comment so, my question is other City adopts the same thing or is it a little? City Clerk Dimick responds he says they range but, I don’t honestly know if they will accept to do the contract for what the City is at now. It’s a Nineteen ninety-nine, it’s out of date. We use the same thing that bannock county uses. Mayor Davids comments and that’s this? City Clerk comments yea, talking softly indiscernible. Mayor Davids comments why don’t we check into some other community to just kind of make sure. City Clerk Dimick talking softly indiscernible. Mayor Davids comments yea, let’s just make sure. Is everybody okay with that? Councilperson Thomson comments just out of curiosity we just issued a building permit for a new construction going up on main and 5th under the county code it would be interesting to see what the comparison would be under the international code for that same building, just a curiosity question. Mayor Davids comments good question. Councilperson Thomson comments it would give us a good idea. Inaudible – cross talking. Councilperson Hinz comments pretty good indicator right there. Mayor Davids comments alright let’s check. City Clerk Dimick comments okay. Councilperson Hinz comments last month I told you I wanted talk to the Fire Chief about that because of the fire inspection. He’s hundred percent behind it he thinks it’s a great idea. So, I told you that was my one concern about it. Mayor Davids comments okay, alright.

Kofoed Outside City Limit Water Service – Motion Clarification: Mayor Davids comments let’s get this taken care of tonight. So, come on up a little closer bring your better half with you. You’re good! Tommy Kofoed comments she’s shy, she’s good. Laughter. Mayor Davids comments alright so, we just need to make sure if there was a misunderstanding that night and you found something in the minutes then we need to make sure that we come to the same understanding when you leave tonight. Tommy comments oh no, I totally agree. Glad you’re here tonight because you made the motion but, I guess what, when the motion was made against. Mother and I is was our understanding that what we were paying because it never brought up any additional fees, any meter, anything else like that
added to it. It was just paying for the ten year would be the thirty dollars a month that was the city rate and that’s what we understood, that’s what we agreed to. Then when the contract was drawn up it was other than that and so I guess, I mean that was our understanding. So, I mean, I guess, ignorance on our behave because we didn’t understand that whatever the current rate City rate is plus the addition per Gallon but, we had talked and again I couldn’t find it in the minuets as far as on the conversation but, at one time we had talked about because, you had asked clarification on the what’s it cost to put a meter in and to hook it up which is about twenty five hundred bucks. We’ll like, well, I mean really if we’re paying a flat rate of thirty what’s the point of putting twenty five hundred bucks didn’t make any sense, George agreed, I mean, I just, I don’t want to put words, I’m just, that was my understanding and that’s why we arrived at our understanding of the flat thirty for next ten years and then after that it would revert to however we wanted to do from there. I don’t know, I’m okay with, you know whatever you guys come up with but I would start. Councilperson Hinz interrupts my understanding was different from. Councilperson Thomson interrupts there no charge for the meter is there. Mayor Davids comments not to him, it’s City. Councilperson Thomson comments basically all you’re looking at is Thirty dollars a month flat or the amount of water you use. Councilperson Hinz comments yea, when I made the motion it was for instead of charging one and half times the amount of outside of resident, City of residents, it would be, we would charge you the inside City residents and water usage. Tommy comments which, that wasn’t, I saying during the motion that wasn’t what was said. Mayor Davids comments that was the misunderstanding. Tommy comments yes. Inaudible – cross talking. Councilperson Linford comments the water you would use is the misunderstanding right there. Tommy comments yes and that’s where we had the contingent because again like I said we had talked about the meter and its like, well it didn’t make sense to put it in and incur the cost if we are just paying a flat right. So, that’s what we got out of it. Councilperson Thomson comments for the misunderstanding might have occurred in the minutes we were indicating you would be put on just like any other person in town. Councilperson Hinz comments right. Councilperson Thomson comments that didn’t explain to you that every other person in town has a meter in their front yard and gets charged by the amount that goes through the meter. Mayor Davids comments alright let’s just clarify it
and what does council want to do. Councilperson Hinz comments well I made the motion last time. I’ll clarify my thoughts were any agree or disagree so be it but, I made the motion where you would get the in City rate, for the thirty dollars a month and plus water fees, that’s what I. Mayor Davids comments okay. Councilperson Thomson comments and I think that’s fair. Councilperson Linford comments well and the only way you can do that is to put in a meter. Councilperson Hinz comments right. Councilperson Thomson comments well he has to have a meter. Councilperson Hinz comments right, I don’t remember that being a question whether we were putting that in or not. Inaudible – cross talking. Maybe it was but, to me I didn’t think that was a question. Mayor Davids comments well it’s assumed if you’re going to charge water usage. Council agreed. Councilperson Thomson comments you can’t you can’t measure the rate without a one. Councilperson Hinz comments yea, that was my original intent of the motion at least to begin with and that’s why what my motion would be again tonight if we have to amend it. Councilperson Linford comments and you’re okay with that? Tommy comments yes, well I prefer, I guess that’s up to you guys. I mean you guys are going to push it anyway, I guess it doesn’t really matter what I think. So, I mean, you know, again, because I know we had the conversation I don’t remember if it was during the first meeting or if it was second the meeting but we did ask for that clarification that was kind of the agreement but, again. What’s a person usually looking at, just out of curiosity for water usage. Mayor Davids comments I don’t know, my last water bill was ten thousand for that month. Laughter! I’m just kidding. Laughter! That’s why I work four or five jobs. Councilperson Thomson comments, Inaudible – cross talking, correct me here if I’m wrong but, I’ve been told that you’re going to be at minimal water user because you have a well for water your lawn. Inaudible – cross talking. Tommy comments I’m mean all we’re using it take a shower, the commode we are not even hooked to the City sewer. Inaudible – cross talking. Mayor Davids asked so, what is the basic rate on that? City Clerk Dimick comments its sixty cents per thousand gallons. Mayor Davids comments okay. City Clerk Dimick comments so if you have ten thousand gallons that’s six dollars. Mayor Davids comments yea. Tommy comments I’m just asking. Inaudible – cross talking. Mayor Davids comments that’s a great question. Inaudible – cross talking. Everyone talked about their usage. Councilperson Linford comments asked Brian if he got the
motion made. Councilperson Hinz comments yes. Councilperson Linford seconded the motion. All voted aye, unanimous.

**Business License(s), Alcohol License(s), Coin-Op License(s) & Non-Property Tax Permit(s):**
A) B & G Plumbing & Heating, Inc – Matthew N. Gardner, Owner/Applicant:  
B) D & A Rentals, LLC – Dave & Alison Mickelsen, Owners/Applicants  
C) Nextel Systems Corp (Tax Permit)  
D) Signup – Jeremy Mclaughlin, Owner/Applicant

Mayor Davids read the list and asked if you’ve had a chance to look at this and have any question. Councilperson Linford comments so what’s he going to do make signs. Councilperson Hinz comments yea, that’s my question too. City Clerk Dimick comments so, the D & A rentals you wanted to hold off on it. Mayor Davids comments yea, that was my question is we haven’t approved the change of use yet so, how can we so how can we approve a sign to go up? You know, you can’t advertise. Code Enforcement Officer Callahan comments yea, you can only approve it contingent upon the certificate of occupancy. If that’s the way you want to roll on it. Councilperson Hinz comments I would prefer to wait until he gets that. Mayor Davids comments so. Councilperson Hinz comments so, the last one signup, is that the name. Mayor Davids comments it says mobile signs, sign shop. Councilperson Hinz comments what is, do you know anything about it? Code Enforcement Officer Callahan comments okay, he also gave us the price for the signs, for all those little signs. Basically this is the guy that did the sign over here at the church. He’s a mobile sign. He does come out and put’s out this signs like this. He has a regular sign company. Mayor Davids comments so is this, the other guy you are waiting on for a bid. Code Enforcement Officer Callahan comments no actually he did give us one. He was one of the two that did. Mayor Davids comments okay. Code Enforcement Officer Callahan comments the other guy is somebody else entirely. That’s what he does. Councilperson Hinz comments got you. Code Enforcement Officer Callahan comments I mean he would actually come out if you wanted to for a small fee and actually install the signs if you wanted to but, I don’t see any reason for that. Councilperson Linford comments and where is he doing this? Mayor Davids comments he mobile. Councilperson Linford comments mobile? Councilperson Hinz comments so he’s just providing a
service in town. That’s what it is? City Clerk Dimick comments yes. Councilperson Hinz comments I’m good with that one. Inaudible – cross talking. Mayor Davids comments okay any motion? Councilperson Hinz made a motion to approve all business licenses with the exception of D & A Rental until they get a change in use permit. Councilperson Linford seconded the motion. All voted aye, unanimous. Mayor Davids comments okay

FY 2017 Dog License Discount Offer: Mayor Davids comments I think that’s pretty well self explanatory. You know, before the first of the year it’s half off. City Clerk Dimick comments we need a motion, , paper shuffling, indiscernible, so you got something on the record rather than the ordinance. Mayor Davids comments okay. So anybody want to make a motion on this one? Councilperson Thomson made a motion to offer discounted dog license until the first of the year. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Direct Communications Franchise Agreements/Ordinance Progress Report: Mayor Davids comments you can read the email there. I’ve circled a couple of things there. This is just trying to get an order or agreement and finale Canda contacted the City of Soda Springs who has an agreement and so, we’re in the process of going through that and making up our own contract and hope that we can send it to them and they will sign it. City Clerk Dimick comments actually I’ve already sent it. So what I’ve done I took Soda and made all the changes from what Clyde, some of them were already in there. So obliviously Clyde being the attorney from Soda representing them they had made, I think, all but two. So I had put those other two changes in. When you go through there is a few things we needed to address was the internet service. They’re claiming that rule, that we cannot charge a franchise on internet service which, the more I look into it, it’s not possible because you got all your satellite services that are providing that and to make it fair how would you require a franchises. The other situation was clarifying their business name which is registered with the Security of State. Mayor Davids comments other than that everything was good? City Clerk Dimick comments other all the rest was good. Mayor Davids comments so you have sent it to them now. We are just waiting back to hear, hopefully back with a signed.
**Resolution(s)**

A) Resolution 2016-1 Destruction of Public Records: Mayor Davids comments we haven’t done anything with that this month. City Clerk Dimick comments no.

**Meetings/Announcements/Miscellaneous:**

A) 100th Birthday Celebration – Banners, Shirts & Zombie Run

B) At Will Personnel Policy Status Report: Mayor Davids comments maybe after the first of the year we can take a little bit more time and look at this At Will personnel policy. Is everybody good with doing that? Council agreed yes.

C) Activity Connection Plan Grant: Mayor Davids comments remember Canda talking about this. This guy wants to come to our City. He wants to be in Lava on the 17th which is a Thursday. This is a list of people he would like to have here. I won’t be here because I’m working that day. City Clerk Dimick comments, talking softly indiscernible, he can come in and start some preliminary work with some of the people we identify throughout the day and then he can meet with you at five, the council at five if that’s okay. Mayor Davids comments okay. City Clerk Dimick comments if you don’t want to handle it that way then I can just let him precede, paper shuffling, indiscernible, he could do it and meet at five if that’s what you wanted to do. Councilperson Thomson comments is he going to be here during the day? Councilperson Hinz comments it would be during the day I told him we can get him some contacts with the foundation, chamber members, and things like that. Councilperson Thomson comments I can probably spare sometime during the day and then at the meeting as well, if you want. City Clerk Dimick comments I know several of you wanted to be part of it as well and if the day thing doesn’t work I asked him about five o’clock. Mayor Davids comments the only time I have is, I have a hundred and thirty five students, finals are on Tuesday the 15th and then I start new classes on the 16th with another hundred and thirty five and my grades are due Thursday and I don’t know if I’m going to be able to get back here at that time but, if I can. Can you guys meet at five? Councilperson Hinz comments if I’m in town I can skip out early. Mayor Davis comments okay, can you? Both Councilperson Thomson and Councilperson Linford comments yes, they can. Mayor Davids comments so, why don’t we say council and possible Mayor will be able to at five. Councilperson Linford comments and that’s on the 17th. Mayor Davids comments yes. Council discussed who and what would be nice to work on grants for.
D) Highway 30 Speed Limit Update – Mayor Davids

E) Floodplain Administrator 101 Workshop – Boise, ID February 2, 2017: Mayor Davids comments I called him today and he is out of office again today, I left my name and number again to call. I just basically left a message with his security saying where is are speed limit sign, you know because they had promised to move it out further and from what you said in talking to the one guy that was never even passed onto him, right. City Clerk Dimick comments he didn’t have any idea. Mayor Davids comments anyway there is no update on that except that I’m on call waiting.

E) Miscellaneous: Mayor Davids comments there is a flood way 101, workshop in Boise February 2nd, 2017. I feel like we should probably send someone to this. This is of no cost but, where it’s in Boise. I couldn’t go is there one of you who would like to go and represent us and I guess we could put you up for a night over there, give them some food money. Can we do that Canda? Is that in our budget? City Clerk Dimick comments yes. Mayor Davids comments okay, could be a date with your wife. City Clerk Dimick comments you may consider sending like Dennis. I’ve actually went to some of them before. Mayor Davids comments okay, have they been worthwhile? City Clerk Dimick comments they are worthwhile. Mayor Davids comments I’ll take with Dennis. Is everybody okay with sending Dennis if he will go? Council agreed.

Mayor Davids comments we have our holiday decorations and when do they normally put those up Canda. When do they normally just put up our decorations? City Clerk Dimick comments usually just after Thanks giving, talking softly indiscernible. Mayor Davids comments okay, the string lights have been ordered. City Clerk Dimick comments everything here. Mayor Davids comments everything here okay, have they gotten the things that they need to put together. City Clerk Dimick comments I haven’t seen them open a box but, everything was delivered of theirs. Mayor Davids comments okay, so I’ll talk to them about this next week let’s get working on that. My thoughts on this is to have those lights up for the 26th but, not on until the 26th so, I don’t know that’s a Saturday can’t do that. City Clerk Dimick comments talking softly indiscernible, people overtime and I bet you they take the Friday after that off, both of them they usually do. They take a vacation day that day so, they would need to be plugged in a least the

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day before Thanksgiving. Mayor Davids comments okay, well they’ll be on. Would be nice just to have them turned on that night, but Mayor Davids comments I’ll talk to them about the Christmas lights getting those together. It would be terrible to have our little community thing and not have the lights. Alright let’s go ahead to our projects. City Clerk Dimick comments did you want to address the other things for that night. Mayor Davids comments oh yea, I’ve got it. Okay, so this is what Wendy has given us, that first page, the small business Saturday proclamation. I’m going to make to make a proclamation tonight, I’m going to read this one of our patrons in town had wanted us to do American Express because supposedly it’s American Express use, what every day, that day and as I got to thinking about that there’s some business in town that don’t take American Express and so, when you do that you’re excluding some of the small business. So, in talking with Canda we just decided let’s do just a small business Saturday proclamation and that would include and encourage everybody to shop in Lava at all small businesses on this day. So, I just want to read this. I told Wendy you know, I would be glad to do whatever you want me to do on the 26th, the day of but, I’ll make the proclamation tonight and then she can do with it, part of that little activity whatever she wants. Mayor Davids read proclamation.

“SMALL BUSINESS SATURDAY”
PROCLAMATION

WHEREAS, small business is the cornerstone of our free enterprise system and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

WHEREAS, small business owners who work long hours, juggling family and career responsibilities and serving as community volunteers, are integral to our country’s prosperity and to the vibrancy of our community. These entrepreneurs are fundamental to our economy. Through the opportunities offered by the men and women who own and operate small businesses, many of our citizens are able to pursue their dreams of a better life; and

WHEREAS, to recognize “Small Business Saturday” which is Saturday, November 26, 2016 a day to celebrate and support small businesses that create jobs, boost the economy and invigorate neighborhoods around the country and to encourage Shop Local; and

WHEREAS, the City of Lava Hot Springs, Idaho wishes to recognize small businesses for the key role they play in keeping our economy strong.

NOW, THEREFORE, I, T. Paul Davids III, Mayor of the City of Lava Hot Springs, Idaho, by virtue of the authority vested in me, proclaim November 26, 2016 as: SMALL BUSINESS SATURDAY in Lava Hot Springs, Idaho and urge all our citizens to join with us in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses.

_________________________________
T. Paul Davids III, Mayor
Mayor Davids comments also attached are the itinerary the agenda for that night. Wendy’s typed this up come join us November 26th for the Lava Hot Springs holiday lighting party. It’ll start in downtown Veterans Park at 6:30 p.m. They’ve asked me to say a few words which, I will do. They said there will be some old time stories, Gingerbread Tour, some caroling, hot chocolate and a good time shared by all. So, my understanding is Dennis will take some time and he’ll talk a little bit about lighting in Cities, holiday lighting. Then I will take a little time and then they’ve asked me if I would lead the Gingerbread tour through. So, I have thought about that and I think a lot of people will want to go at their own pace but, I’ll start it out. We’ll just make sure everybody has this last page where they are all located and they would like us to go in this order and then end at the Chuck Wagon Restaurant because we are going to use that little open spot right there, across from the Chuck Wagon. They’ll have hot chocolate and things like that there. I think Wendy done a good job. Any thought on that? Councilperson Thomson comments yea, Marks decorating that little place. I think it would be good if maybe, I don’t know what Wendy wants to do but, I don’t know how the proclamation would get out beyond here maybe we can put it at the Post Office. City Clerk Dimick comments we’ll send it with the business license renewal. Maybe some of the business will jump on it and do some advertising there self. Mayor Davids comments okay.

City Clerk Dimick comments can I just mention one thing under miscellaneous too, just for the record and so everyone knows the Thanksgiving dinner at the Community Center, talking softly indiscernible, too know when its scheduled and copies are going in our Cities, Mayor Davids comments okay, is this down at the Post Office. Councilperson Hinz comments yea it’s at the Post Office, it’s all over town. Doors open at noon, free for everybody.

Repairs made to Dawn Hamilton’s lawn. Mayor Davids comments it was put on their list and they marked it complete and everything good.
Projects
A) Wastewater System:

1) Net Metering Agreement Status: Mayor Davids comment Vaughn couldn’t be here tonight. He’s in Boise and he apologizes but, he said he will be next month. We’ll wait to hear what he has to say. I don’t know if you need any more information out of me on the solar at the wastewater. City Clerk Dimick comments we kind of skipped over it because Vaughn’s not here. Mayor Davids comments do you have some. Bryan comments turn the solar on, turn the banks on. The classification of the meter allows you to go up to hundred KW (kilo watts). We intentionally installed the amount that we did because we knew that hundred KW threshold was there. Your schedule already allows you to go to hundred KW and you only got ninety-eight KW installed out there. Just turn the solar banks on. Councilperson Linford comments just go out and do it. Don’t let them know or anything. Inaudible – cross talking. Bryan comments from the schedule you’re on and the definition that schedule, Rocky Mountains definition of the schedule you can go to a hundred KW. Mayor Davids comments but, that’s not what they are telling us. Councilperson Hinz comments they’re telling us it’s a different schedule. Bryan comments look at your bill. Mayor Davids comments well we have. Bryan comments pull that meter bill. Councilperson Linford comments we’re on schedule 135 right? Mayor Davids comments their saying that it says that but that’s not what it means. Inaudible – cross talking. Mayor Davids comments let’s see what Vaughn has to say and then if we are not getting anywhere. Bryan comments then ask him the hard question look our bill right here says this is the schedule we’re on. Councilperson Hinz comments we did last month I think. Bryan comments the other schedule that applies to your, if you pull the other bills it tells you what schedule it is and you’ve got some that aren’t and you’ve got some that are. That one is one that allows you to go to hundred KW with connected load. Mayor Davids interrupts so we just say the bill says this so we just kicked it on. Bryan comments this is the rating on that meter, this is the schedule you’re billing us under and have sense the meter went in when we designed that project out there. Councilperson Hinz comments what year was those ready to go? Bryan comments 2012. Councilperson Hinz comments so we are four years at twenty five percent. Mayor Davids comments well we did get one month in there, didn’t we. Bryan comments well in the summer time when you run your pump you can turn them all on and you’re not going to go over.
Clerk Dimick comments yea we do turn them on in the summer time. Bryan continues I mean that’s solar array will produce enough power to run your irrigation pump and still put some on the grid. Irrigation pump runs for free unless you don’t turn the solar panels on. Mayor Davids comments we turn them on during irrigation season but, you’re saying turn them on all the time. Bryan comments that’s what they where design for. The reason that we went with that solution for you all winter long it powers in the grid and offsets other meters in town, as long as the sun is shining your saving money. City Clerk Dimick comments well you see a credit on the Rocky Mountain Power thing. This last month was seven hundred and something. Mayor Davids asked credit. City Clerk Dimick comments yes, seven hundred and twenty three seventy two this last month, the month before a little of a thousand. Inaudible – cross talking. Bryan comments yea that how they start to pay for themselves because of those solar panels. The reason we went with solar instead of wind is wind has about a ten year life span but the solar are guaranteed to produce the same amount of power at a ten year life span as the first day they were installed and they you just as the glass on the grades you lose a little bit of solar transitivity in them, of the sun. They drop off slowly but the continue produce, should for the next thirty, forty years and there is nothing you have to do other than turn the switch on and so there’s no maintenance, you go out and check them parts may burn out you replace them but that’s it. That’s why the decision was made by Mayor and Council at time to go in that direction. Councilperson Thomson comments I assume they are designed to be turned on and run. Bryan comments they’re designed to be turned on and run. Councilperson Thomson comments that along is enough reason whether they buy it from you or not. Inaudible – cross talking. Bryan comments I can appropriate you waiting for Rocky Mountain Power to make a decision but, the bottom line is, how long have you been waiting. Councilperson Linford comments for as long as I’ve been here. Bryan comments I’ve been working on getting a decision out of those jokers for four years and that was when you had a council member who worked for Rock Mountain Power and could tell me exactly who to call and worked with Big Dog and went through all the hoops and they finally said we’ve got something to submitted to Public Utility commission and they haven’t approved it yet. Idaho Power got approved two years before Rocky Mountains did. Identical language it’s because they delayed putting it in. Now’s it’s been
approved and they are still telling you, you can’t do it. Mayor Davids comments alright so Vaughn doesn’t come back with any news which, probably he won’t and then we turn it on. Inaudible – cross talking. Councilperson Hinz comments I don’t see why we don’t turn them on anyway. Really if they are setting out there how they are now we’re getting nothing out of them. Mayor Davids interrupts your telling us to turn them on. Inaudible – cross talking. Councilperson Hinz continues there not degrading by turn them on, we’re not losing anything, and we’re not going to say, wow, we’re going to get a year less out of these things. Bryan comments the worst case is that causes them to call you and talk to you. Councilperson Hinz comments yep, there you go I’m all for it. Councilperson Thomson comments I’m on to. Councilperson Linford comments let’s make it unanimous. Mayor Davids comments so is that a motion? Councilperson Hinz made a motion to turn them on, every one of them. Councilperson Linford seconded the motion. All voted aye, unanimous. Mayor Davids comments okay lets have Tony or Billy go turn them on in the morning. Councilperson Linford comments if they get all made at us we know who they can call. Bryan comments I would love to have a conversation with Rock Mountain Power. Councilperson Linford comments really. Bryan comments I can’t get them to call me back and haven’t been able to for four years. Mayor Davids comments well they’re calls us probably, now. Bryan comments well quite honestly I’m not sure they will even know that they are turned on. Now I’m not proponent of breaking rules. Mayor Davids comment but you know, here’s the thing how many years have we tried to get them to do anything and they’re not doing anything. So we turn it on and if they still don’t call us I don’t think, you know. Such is life I guess. Councilperson Linford comments the meter will still register it and it will still give us a credit. Inaudible – cross talking. Mayor Davids comments and then on the bill it says that we should be on that schedule. Bryan comments schedule that allows you to go up to hundred KW and they’re built for ninety-eight. There is no way you can produce more than what the schedule allows you to put back on the grid. You don’t physically have enough solar capacity and that was intentionally so, you can never get yourself in trouble by turning too many on. Mayor Davids comments okay and you’re the one who engineered it. Bryan comments and designed it and honestly if they call you all you have to do is let us know. We would be happy to meet with them. Mayor Davids comments okay, perfect. Bryan comments at that
time we didn’t have an electrical engineer on aboard and know we do we’ll bring him and we’ll set down with our engineers and talk about it. Mayor Davids comments okay. Alright that sounds good, that’s helpful. Thank you, have a safe trip.

B) East Main Pedestrian Bridge:
1) Cannon Builders Construction Schedule & Submittals:
   Mayor Comments Aaron thanks for waiting. Aaron comments no problem. Let me just give you an update where we are at on that. We don’t have a submittal yet they are working on that, hopefully shortly. He sent me over a CPM, their schedule. They have it starting and working the entire week of Thanksgiving. So, I sent it back and said is this really what your intent is and he goes oh, probably not. I just got an email while I was setting here, he’s going to change it and they are going to start the week of the 28th so, they will row in that Monday and start. They will start with the, indeclinable, piers and then they will work up to the concert. In the mean time the bridge will be fabricated. There probably will be a delay between getting concrete done and the actually bridge arriving and being set. The bridge arriving, being set that can be done weather isn’t much of a factor on that. I’m trying to get them how they are doing the concrete that’s a little weather sensitive, you can do it in the cold but, it’s a little bit more weather sensitive. On the submittal there is one thing, if I could get an approval from the council today just to keep the submittal moving so there is not hold up. The issue with the paint, I don’t know if it was last month or the month before, we talked about this. There is a metal change to get the paint to work and there is about a five thousand dollar change order to make that work. I was hoping I could that approved today. So there is just no hang up, everything is coming in the way it should be coming and they can get that set. Inaudible – cross talking. Mayor Davids comments okay, so we still don’t have a vision of what it’s going to look like. Inaudible – cross talking. Aaron comments and so when we get the submittal, I don’t know how the best, it’s going to come in between now and next council meeting. I don’t know if I just come back and meet with the mayor. However you want to do that. Councilperson Hinz comments I think if we got it electronically we could look at it and reply back to Canda with our decisions. Council discussed the one in Pocatello they were asked to look at. Aaron comments so, that not the bridge, just the metal that you were looking at there. The iron wood is specked out on this
project. Mayor Davids comments so we will see a picture of what it looks like so, we can actually see what it’s going to look like. Aaron comments so, what they’re going to send for the submittal will be kind of AutoCAD type drawings. I did ask them to send a picture of something as close, it’s not going to be the bridge but, something as close. Mayor Davids comments so, when you order the bridge don’t they have an advertisement of, I mean don’t they say this is what it looks like. Aaron comments the big difference he is the bump out. Councilperson Hinz comments yea, if they can give us a sale sheet which is great. Aaron comments yea there will be because, it’s a standard product. I could probably even track that down. Mayor Davids comments that would be great, we can visualize what the bump out. We just want to see the bridge with our railing on it and the color, you know. Aaron comments that we could we can track down prior. Councilperson Thomson comments that way we can try to determine the difference between black metal and I know what the powder coat looks like. Powder coat will chip off if you ding it. The black metal is that more like hand dye process. Councilperson Hinz comments it just paint. . Councilperson Thomson comments it paint so, paint verses powder coat. Aaron comments are you asking me what the difference is. . Councilperson Thomson comments yes. Aaron comments so the powder coat is you are actually charged. . Councilperson Thomson comments its powder paint that’s electrical statically applied and baked. Aaron comments yep, it’s a good product and maybe harder to maintain if you chip a piece of that out, maybe a little harder to maintain. Inaudible – cross talking. Aaron continues there will be some long term maintenance of that. It’ll need to be painted periodically. I don’t know if I dare throw a date out but periodically it will need to be painted. Which is why some of these have gone to the weathered steel it’s just you put it up and leave it forever. The weathered steel is the one you looked at. Councilperson Thomson comments the problem I have with the weathered steel at least the core tin looking stuff, is it wipes off on you. Councilperson Hinz comments yea, that’s my biggest concern. Council talked about concerns of the stuff wiping off on pedestrians. Mayor comments so, you need a motion from us to approve the change order which we have money to do that because it came in under. Aaron comments let me give you the exact dollar amount, six thousand two hundred and eleven dollars. This is what Canon gave me, this was quote from Big R that was original that’s the increase, I can leave that with you if you want. Councilperson Hinz comments see
that was my issue with not having anything to begin with. We never knew what was bid. Aaron comments and it’s hard when you’re buying a product when you can’t say I want that product. When they won’t let you sole source it. You can just say I want it to look like this and I want this specifications but that’s probably the best way. If I email it to Canda, Canda distributed it out and you guys which, is normally how we do a submittal but, in this particular case that’s how we want to do it. Mayor Davids comments we just want to be looking over and watching people, not dangling from it because we made such a bad purchase. Does that make sense? Laughter! Mayor Davids continuers I just stress about, you know, this has been going on for a lot of years trying to get this in and everybody excited about and then if it comes in just. Inaudible – cross talking. Councilperson Linford made a motion to approve the change order as presented for six thousand two hundred and eleven dollars. Councilperson Hinz seconded the motion. All voted aye, unanimous. Councilperson Linford made a motion to approve the change order as presented for six thousand two hundred and eleven dollars. Councilperson Hinz seconded the motion. All voted aye, unanimous. Councilperson Hinz comments I think that’s in the spec, yea. I’ll double check that but, I’m pretty sure that’s in the spec. Councilperson Hinz comments I think I read that in there, if I remember right. Mayor Davids comments so, why he’s here where talking about this bridge, we’ve talked about railing on that other bridge, the traffic bridge and I think, didn’t we say in our last meeting that we need to move to some engineering on that. So, we need to get started on that is what I’m saying. It’s within our budget. We’ve got it in the budget to get going on this so we need to get some engineering to get railing to match that. Aaron comments you were going to get a fabricator to come and build as a opposed to just buying it, is that correct. Mayor Davids comments right but, we’ve got to have the engineering on it. City Clerk Dimick interrupts plans. Mayor Davids comments plans to do it, yea. Councilperson Hinz comments I thought we talked about talking to Ted about that. Mayor Davids, he’s on the downtown street, he wasn’t the bridge. But, we don’t have to say tonight “who” but we need to say we want to get an engineering going on this. Councilperson Thomson comments what are we looking for, just the plans to build this thing? Mayor Davids comments yea, you got to have the plans so it can be fabricated to match what we’ve already got there.
Councilperson Thomson comments talking softly indiscernible. Mayor Davids comments we’re not buying anything yet. Councilperson Thomson comments I know, how do you match something we haven’t seen. Mayor Davids comments but, at least we have the motion when it comes in and we say alright, yea that looks good then we can say okay, let’s engineer something that matches this. Councilperson Thomson made a motion that we engineer the street bridge to match with whatever comes in for our pedestrian bridge to start the design process. Councilperson Hinz seconded the motion. All voted aye, unanimous.

C) Buddy Campbell Park Improvement Project:

1) Architectural Preliminary Plan: Ted Booth and Mitch Greer in attendance to present concept plans. Ted Booth introduces himself and begins. We’ve got some larger version of this and just to kind of s recap where we were. We obtained part of your wish list. Some of the things that you may want to see incorporated at the end of here but, not necessary where they need to be exactly we just gave you some options. It’s a starting point of what we can do. I know that the number one thing was restrooms, the current restroom floods. We’re trying to put a new restroom in at a higher elevation. The current one is right where the splash pad is shown. Mayor Davids comments you guys in the audience want to look, do you mind Ted. Audience moves. Ted continues the second most important thing was the parking. You said that you would like to get some parking at the west end, not necessary paved parking but, some place to take the impact of RV and so forth. You can roll into town dump them, park them and come down town, spend some money. Number three splash pad, actually number two was regular parking, number three splash pad and then we have a trailer parking with a dump station and then we added a few other things. A walking path, Dog Park, flags, barbecue pits and so forth. Audience, council, Mitch and Ted discussed other option, wishes, Lion Park, parking, lighting, table, walking path, community garden, exercise stations and skating park. Discussed next phase, deciding what they like or want to start with and what they would like to plan for future. Once this is decided they can get quote’s together and present cost to the Council. Mayor Davids asked Ted and Mitch what they need from the Council tonight. They would like direction from the Council on what they like and don’t like. Mayor Davids comments I know we talked about downtown and asked if he has done anything with that idea. Ted comments I wasn’t sure, I know you’ve talked about it. Mayor Davids comments we talked about those two blocks between Museum and the ice cream shop and we have the pavers and we want some benches around some of the tress. Councilperson Hinz comments possible concert.
Ted comments you were looking for a possible ball park price but, I wasn’t sure you wanted us to put something together. Mayor Davids asked do you guys want to pursue that. Mitch comments I think so, at least the concepts. Mayor Davids, council Ted and Mitch discussed options, improvement, fix problems with sidewalk and trees also would like to beautify the area. Ted will follow up on it.

D) Fire Station Sewer Line Extension Project - Completed
1) Pavement:

E) Fire Station Fire Hydrant Project: City Clerk Dimick comments we need to get things moving on this one, that’s all we need to do. Mayor Davids comments okay.

F) Water Improvement Project:  
1) Land Purchase – Mayor Davids: City Clerk Dimick comments the survey has been done up there. We’ve got the spring located, the center of the spring located it will encroach real close to their back yard. Mayor Davids comments now we just need appraisal.

2) BLM Easement (Engineers is working on it): City Clerk Dimick comments Keller’s is going to do.
3) Archeological Investigation for Well Site:
Mayor Davids asked Bryan if there was anything to report to us. Bryan comments we’ve been running Tony & Billy ragged with our survey’s. We’ve got most of the surveying done. We’ve got the archeological survey report back on the therm well site and from archeological stand point there is not an issue. Mayor Davids comments the owner said that is a very historical area. Bryan continues we had an archeologist come out and reviewed it. There’re artifacts there but, not where we are putting the well. So we are away from where the artifacts are but, there are defiantly artifacts there and a lot of them are stone chip from making arrow heads. He did find some and it’s documented now as a historic area but, the well site won’t interfere with any of it. So it really comes down to on the well making a discussion now which spot to go after. For the volume you’re looking for, that’s the preferred site. Mayor Davids asked what are the projected gallons. Bryan responds I think what we are looking for is three or five. Mayor Davids comments three hundred wasn’t it, I don’t know. Bryan continues that’s the only one our
hydrologist feels we can get to close to that. The alternative is site one is still a viable site you won’t get the volume out of it you’ll have to eventually drill another well. It’s just the formation of where Lava is situated. What makes Lava unique is also hurting us finding. Mayor Davids comments site one was up here. Bryan comments yea, which has some advantages it may open down to early development now, that being said well won’t be sized to pump up on the hill because if you do that it over pressurizes the rest of the town is more than you need. What we recommend is bring the water out of the ground you put a booster pump in that takes it up hill. That would solve that site and give you some assets there to solve that problem. Really we’re to a point of. Mayor Davids interrupts say that again. Okay, if we choose site one out there. Bryan responds then you are going to have a well source there. Mayor Davids comments right. So you pump it out of the ground but, you’re saying we pump it. Bryan interrupts then we are going to boost it again to get it up on top of the hill. The reason is. Mayor Davids interrupts because it’s down in that Alfa field. Bryan responds if we put a well in that reaches the top of the hill. That puts your well water up there but that’s all it puts up there. So if you need more water than what comes out of the well, where does it come from? What we recommend is well pumps into the system fills the tank and then you boost up the hill with a separate booster pump. Mayor Davids comments boost, pump it in to our existing tank? Bryan responds so the well, Inaudible – cross talking. Bryan continues that’s the advantage of site one. Site three your advantage is you probably get more water but, there are property concerns you’ve got to way out. Mayor Davids interrupts this guy I’ve called him, talk to him and the only way he’s going to sell the land is if he sells everything. For what he wants it for, I’m mean he knows what we want it for and so his price, and of course that drives up price and so we just want it for the well site. You couldn’t turn around and resell it back to get any money out of it. Bryan continues and the is common with municipalities that’s why we don’t recommend that you ever give up right away because if you ever need it back you’re not going to be able to afford it or you go into to condemning the property and taking it and that does not make you a good neighbor. So, that’s the conundrum, I guess. Mayor Davids comments the other well site. I think the guy out there would just, that Etcheverry isn’t it. I think he would just sell us what we want. Byran comments a lot, access for your power, water line and drive in and out. I think that’s what
Tony kind of indicated he thought would be the case also. Councilperson Linford asked how much property does this guy got that he wants to sell. Mayor Davids comments seventy, Inaudible – cross talking. Councilperson Linford comments and how much does he want? Councilperson Hinz comments it’s like four something, yea. Mayor Davids comments so you need us to decide what side. Bryan comments yea, we probably need to have a chat about the advantages and disadvantages of the two sites and which of the two well sites to go with. Fish creek pipe line is moving forward. We’re writing the PER right now which, is the preliminary engineer report that’s a requirement that DEQ has and augments your water study. We’re starting the CAD line work on water lines in town that we’re replacing. Mayor Davids comments okay. Alright good, we just need to have a time where we can set down and you can give us the pro and cons and a little bit more detail on it. Bryan comments maybe here in the next week or so, I will get a hold of you and find a time that works. The basic things to consider, the land cost is a huge consideration. To be completely honest with you the price of the ground is going to cost you more than what the well is worth. The way we then start to split that out is you put one well up here and the next ten of fifteen years we look at another well and then you spread the assets around a little bit. Councilperson Thomson comments and I’m all for multiple wells, I hate putting everything in one spot, even though it’s adequate. Bryan comments and we don’t recommend doing that anyway, it’s better to spread them out. That way if you have contamination issue, inaudible – cross talking. Bryan continues at this point if you lose fish creek pipe line. Mayor Davids interrupts we’re in bad way. Inaudible – cross talking. Okay just call and let me know, Friday are best. Well guys need to think about this too and give me some feedback so we can get going on that. Council discussed the different property sites and how big the well lots needs to be. Mayor comments call and let me know. Bryan comments will do it.

G) Black Mountain Software Status Report: City Clerk Dimick comments still working on.

H) East Main brick pavers and sidewalk: Already talked about with Booth.

I) East Main Street Decorative Lighting System (Holiday Lights Ordered): Mayor Davids comments got them and I just need to put them on their list to get done.

J) Chicken Soup Springs Repairs & Easement (Distribution line to East Main Street): Inaudible – cross talking & paper shuffling, indiscernible. Mayor
Comments the reason why we are doing this is because they’re not going to give us an easement to take the thirty five gallon per minute that Tony and Billy figure we are getting out of that. They went up and covered the meter with a rock and you can’t get to it. So, we’ve got about 35 gallons per minute coming down linked up to the River and I’ve talked to him and his comment was well you know once you give an easement you can’t get it back and I said true but, I said we can run down with that hot water and put hot water for the easement hot water through your side walk. They are just not interested. So I asked Canda if she could research how we could go the other way. If this goes through then we can go behind the Spa out to Main street come back up to our pedestrian bridge and that’s something Tony and Billy both said they could do it. Councilperson Thomson comments this is the easement for behind. City Clerk Dimick comments that a 1950 easement, Inaudible – cross talking, researching it. Mayor Davids interrupts and our pipe that has the hot water looks like it’s on it. City Clerk Dimick comments yea. Mayor Davids continues so we’ve been using that for a long time. Councilperson Linford comments so, it hasn’t been abandoned. Mayor Davids comments right, it’s still there and we’ve got water running out for years and still is.

K) Lava Trails Project: City Clerk Canda comments we do have to have a letter of support and twenty thousand commitments to them, paper shuffling, indiscernible.

L) Miscellaneous: Tom Kofoed comments first thing still have some unresolved, for the cattle guard no work has been performed so, its non usable still. It probably cost me about five hundred bucks this summer not being able to put cattle out there and horses. I’m not trying to get mitigation or anything like that. I’m just saying hey! Can you get moving on this because, we are going to be doing something with this no matter what next year? Mayor Davids comments so explain to us again what needs to be fixed on that, Tom comments well on the cattle guard itself, it’s concert block and the grate needs to be picked up and cleaned out. It’s probably with the backhoe a thirty minute to an hour process, it’s pretty simply. Mayor Davids comments just picked up and cleaned out. Tom comments yea, you take the grate of the top and dig it out. It’s just fills up from the tires driving over it and water running down it that’s just what happens, that’s why they are designed. The
sides of it have come unattached so, it will allow an animal to walk across, they need to be reattached and straighten out. As far as I can tell that what needs to be done. Mayor Davids comments okay. Councilperson Linford comments fix the cattle guard up so it works. Tom comments right, I talked with Tony and he said you guys took or they did, whatever, took the lower one out which, I guess I don’t get. They spent a look of money to put it in so you have maintenance of how many years, I don’t know. He said they decided to ripe it up just because it would fill in every now and then. I don’t know it doesn’t make sense to me but, that gate will need to be closed down there. I will have to open and close it every time and that’s the reason they put the cattle guard in, in the first place. So it was easier accessing so you don’t have to open gate, after gate. Mayor Davids comments okay. City Clerk Dimick comments so I guess in the sense should it be moved down to where the property really does come across rather than where it’s at? Mayor Davids asked Tom what do you. Tom comments I guess, what do you preferring to? City clerk Dimick comments where the cattle guard is. The City actually owns straight from the fence line. Okay the well, there is a fence line here the City owns straight to the fence that way so, the cattle guard up here can be moved down or you going to leave it in the same spot? Mayor Davids comments you know I haven’t been out, only there one time. Have you been out there George? Councilperson Linford comments I’ve been out there but, I can’t recall. I know there is a gate right there at the highway, Maughn road. Tom comments yea, that’s our gate. Councilperson Linford comments that’s your gate and is that where the cattle guard is. Tom comments no. Councilperson Linford comments the cattle guard is further on out. Tom comments it’s down at the end of our property, its right there at the head of your property starts. History when the whole deal was done it was open up to where you guys fenced half of it and the other part was to be undeveloped so, they we could raise cattle, and water down there and raise crop. That’s what are plan is next year to do some crops of alfalfa. That being said flood inundate, that’s how we’ve always done it and that how I’ve always know it. We’ll run water lines across, the little access road to the pump house. In the past historically they would just have to walk over to the pump house. Of course if they needed real access course we would just break the pipe. That was at least in the past. How you going to handle it know, I guess. Mayor Davids comments would there be a benefit to move. City Clerk Dimick comments I don’t know if you have the fifty feet from
what DEQ requires for animals around wells. Do we have that, talking softly indiscernible? Mayor Davids comments I don’t know. Tom comments its pretty close. I mean we’ve had cattle in there now, I don’t know if the laws changed or anything like that but, around the backside you’ve got the Avery’s that run their cattle right on that which, is no different distance wise. Councilperson Thomson comments it’s a hundred foot from the center of the well, that’s what I’m saying. Mayor Davids comments yea. So would it be a benefit to move it? Inaudible – cross talking. Tom comments that isn’t going to change that at all. Mayor Davids comments no. City Clerk Dimick comments if you got to secure more out front. The City owns the property out clear to the road. Tom comments they did that for access. Is one of the reasons, never have to argue about access. Mayor Davis comments well I say if we don’t have to move it, why. Councilperson Thomson comments I wouldn’t move it just repair it. Mayor Davids comments will ask Tony about the cattle guard that was removed and get the other cattle guard cleaned up.

Tom comments another question I have is our gate up at the top years passed you guys had a contractor do some work out there, in front, I can’t recall what it was for but, the gate got damaged and as well as Grover’s his irrigation line right there and it’s never been repaired. I was talking with the ditch company as well and I guess there’s he said & she said on as far between the City and the contractor, the contractor that the City hired, as far why it wasn’t repaired. Back and forth who’s responsible, somebody is responsible. Mayor Davids comments what was dug up out there? Was that the new sewer line going through there? City Clerk Dimick comments no, the sewer line don’t go by there. Mayor Davids comments new water. City Clerk Dimick comments the only thing that comes out of there is that well, the water line from the well. The sewer line comes up by Mangleson up through that area. Tom comments Tony remembers talk to him, I know a few others out there recall it. I don’t know what the damage was that was done. I just know he can’t use it and he goes over and ties into ours. Not really hurting anything but it would be nice to get my full water to out of the spigot. Mayor Davids comments can we check, I have no idea what was done out there. Councilperson Linford comments it was before my time. Mayor Davids comments yea, we need to try and find out. Gate got damaged and has been kept close and no trespassing. Tony supports closure. Mention to city employees to please keep the
gate close when they exist. Tony does pretty good but, some of the other kind of forget, forgetful. Mayor Davids comments so they just leave it open when the go. Tom comments they did it about 4 times this last week. Is it a huge deal, no, but, still I prefer it to be closed.

Tom comments he’s wondering how he can get information on the purposed annexation because that will affect us and many other people out. A lot of people have been asking and I’m very cursory as well. Mayor Davids comments I call tell you where it’s going right now, it’s not going anywhere. Nobody is interested right now about doing anything. We are still pursuing and trying to work things out but, right now there’s just no interest. Discussion about Mark Lowes purchase and development of it but, right now the city is not going to annexation, working on issues. Discussion followed regarding future green belt. The City has not purchased in land for the green belt. Council and Tom talked about flood zone and flood plain properties and about the future green belt development.

Discussion:
Mayor Davids asked any items from the audience. No one comments.

Adjourn into executive session:

Motion to reconvene:
Councilperson Thomson made a motion to reconvene. Councilperson Linford seconded the motion. All voted aye, unanimous.

Discussion:
Mayor Davids asked in items from the audience. Unknown comments no I just have an opportune time to leave. Mayor Davids comments well, thank you for coming.
Councilperson Thomson made a motion to approve a miscellaneous expenditure in the amount of one thousand and sixty dollars. Councilperson Linford seconded the motion. All voted aye, unanimous.

Adjournment:
Councilperson Linford made a motion to adjourn. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Meeting adjourned at 10:20 p.m.

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Amantha Sierra, Transcriber

__________________________________________
T. Paul Davids III, Mayor

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Canda L. Dimick, City Clerk