

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, December 12, 2019 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Jon Thomson, Council President
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Brian Hinz, Councilperson
Gary Cooper, City Attorney
Canda Dimick, City Clerk

Excused: Amantha Sierra, Office Assistance

Guests: Cody De Los Reyes, Officer Taysom, Susan Thomas, Jack Fleming, Kelly Myers, Bryan Phinney, Ely Myes

Jon Thomson, Council President opens the meeting and welcomes everyone.

Announce Agenda Deadline for January 9, 2020 meeting will be January 2, 2020: Jon Thomson, Council President announced agenda deadline for January 9, 2020 meeting will be January 2, 2020.

Motion to Approve Minutes (November 5, and November 14, 2019) - ACTION ITEM: Councilperson Guthrie made a motion to approve November 5, and November 14, 2019 minutes. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

The Pledge of Allegiance is led by Council President Thomson.

Review & Approve Bills - ALL ACTION ITEM:

A) Nitro-Green Lawn and Tree Care: Nitro-green annual service agreement discussed. Council wanted notification at least forty eight (48) hours in advanced to be added to agreement. Last year City done weed control and fertilizer only, three (3) application three hundred and sixteen (316.00) dollars each.

B) Motion to Approve Bills: Jon Thomson, Council President announced Fagnant property will be purchased tomorrow. Councilperson Hinz addressed next step will be asbestos abatement. City Clerk Canda Dimick mentioned Fire Chief's concerns about scotching trees if learn and burn is done. Learn and burn discussed. Jon Thomson, Council President announced Randy Benglan and himself will be attending the AIC (Association of Idaho Cities) Fall Academies tomorrow for council members. He recommends it for any council member. Marshall's celebration of life services will be held Saturday 11:00 to 2:00 p.m. at Lava Community Building. Grave yard services to follow. City Clerk Canda Dimick announced still seeing quite a bit of vehicle maintenance. Budget for maintenance discussed. Council President Thomson made a motion to pay bills and approve Nitro-Green three (3) application with prior forty eight (48) hour notification added to contract. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Amendment to Agenda: Councilperson Hinz made a motion to move the Chamber of Commerce agenda item below the Meetings/Announcements/Miscellaneous items and above projects item. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement:

A) Building Permit Report – Canda Dimick, City Clerk: CO (Certificate of Occupancy) discussed. Councilperson Hinz suggested City Attorney prepare and send letter to Rick Hatch and owner of Pancake House addressing CO not received. Gary Cooper, City Attorney has prepared a letter to owners of Pancake Housed and it was reviewed by council. Some correction to letter required.

B) Sidewalk Maintenance Notices – Canda Dimick, City Clerk: City Clerk Canda Dimick reported she is still working on them.

C) Tree Trimming Notices Update – Canda Dimick, City Clerk: City Clerk Canda Dimick reported she is still working on them.

D) Building Foundation Letter – 450 W. Booth - Gary Cooper, City Attorney – ACTION ITEM: Letter prepared by City Attorney addressed to Kathy Archibald regarding building foundation reviewed. Councilperson Guthrie made a motion to authorizing Gary Cooper, City Attorney send certified letter as prepared. Council President Thomson seconded the motion. All voted aye, unanimous.

E) Monthly Law Enforcement/Code Enforcement Reports: Officer Taysom in attendance explained he has nothing to report. Doing a lot of business check. Council President Thomson reported on towing services, charges and difficulties with enforcing codes. Normally once owners are notified most owners move the vehicle.

Public Hearing – Cat Licensing Fees and Replacement Tag Fee - ACTION ITEM: City Clerk Canda Dimick reported that notice was published in the Idaho State Journal, Post office, City Hall and mailed out in the water bills. Have *not* received and written input from anybody some verbal but not formal written notice. Notice of public hearing notice read by Councilperson Thomson.

PUBLIC HEARING

NOTICE ON PROPOSED CAT LICENSING FEE

AND INCREASED REPLACEMENT TAG FEE

A public hearing will be held before the City Council of the City of Lava Hot Springs to hear public comment on imposing and increasing the following fees; which are proposed to be imposed or increase by five percent (5%) or more effective January 1, 2020:

Cat licensing tag fees; commercial cat kennel license fee; noncommercial cat kennel license fee; replacement tag fee for cats and dogs.

The proposed fees are being imposed and increased to cover animal control administration costs.

HEARING DATE AND TIME: Thursday, December 12, 2019 at 5:30 p.m.

HEARING LOCATION: Lava Hot Springs City Hall

115 West Elm Street

Lava Hot Springs, Idaho 83246

Lava City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk, (208)776-5820 during the hours of 9 a.m. to 2 p.m., Monday through Friday; at least forty-eight (48) hours prior to the public hearing.

Publish: December 3, 2019 and December 10, 2019

Councilperson Hinz made a motion to open hearing. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Susan Thomas questioned why untended males are not the same as untended female. She thinks it's discriminatory, female and males should be the same price. Universal adaption protocol is both sexes are neutered or spayed for adopting a pet and she thinks it

would be appropriated for this case as well. Council President Thomson announced he will make a note of Susan concerns and suggestion. Livestock permits for other animals. Councilperson Hinz made a motion to close hearing. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Ordinance 2019-6 Animal Control Ordinance Amendment – ACTION ITEM: Councilperson Frandsen made a motion to waive three (3) readings Ordinance 2019-6. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Council President Thomson read the ordinance in full with the City attorneys summary for publication purposes.

ORDINANCE 2019-6

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO AMENDING TITLE 5 CHAPTER 2 SECTIONS 5-2-6 AND 5-2-7 OF THE LAVA HOT SPRINGS MUNICIPAL CODE PERTAINING TO ANIMAL CONTROL; BY AMENDING DOG LICENSING PROVISIONS TO INCLUDE CAT LICENSING; PROVIDE FOR MICROCHIPS AS A FORM OF LICENSING; PROVIDE FOR AMENDMENTS TO COMMERCIAL KENNELS AND NONCOMMERCIAL KENNELS TO INCLUDE PROVISIONS FOR CATS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; 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 5-2-6 of the Municipal Code of the City of Lava Hot Springs, Idaho, is hereby amended as follows:*

Title 5 – Police Regulations

Chapter 2 – Animal Control

5-2-6: DOG AND CAT LICENSES:

A. License and Certificate of Ownership Required: The owner or custodian shall obtain a license and certificate of ownership for every dog and/or cat owned by him or her or in his or her custody which has reached the age of three (3) months.

B. Exceptions: Exceptions to licensing provisions shall be as follows:

1. Individual dogs and/or cats in a bona fide pet shop or commercial kennel, or individual dogs and/or cats in a veterinary hospital. All such dogs and/or cats must be enclosed or leashed at all times. City inspectors shall have the right to inspect all such facilities at any reasonable daytime hour.

2. Dogs and/or cats who are visiting in the city for a period not to exceed thirty (30) days and

whose owner does not reside in the city.

- E. Tags: License Fee: Upon payment of the license fee, the granting authority shall issue to the owner of each dog and/or cat a receipt and metallic tag for each animal. Fees shall be according to the following schedule. Animals that have been spayed or neutered must have a certificate from a licensed veterinarian confirming the procedure:

Unspayed females	\$20.00
Unneutered males	10.00
Spayed females	10.00
Neutered males	10.00
Each dog in excess of two (2) at any single premises	20.00
Each cat in excess of two (2) at any single premises	20.00
Commercial guard dogs	No fee
Non commercial <u>dog</u> kennel	\$ 5.00
<u>Non commercial cat kennel</u>	<u>\$ 5.00</u>
<u>Commercial dog kennel</u>	<u>Current City Business License Fee</u>
<u>Commercial cat kennel</u>	<u>Current City Business License Fee</u>

A microchip can be used for the purpose of a city tag if the owner/custodian has provided proof of the animal's registered microchip to the city office. License fees from this time forth shall be established by resolution of the council upon the passage of this chapter. These fees shall be reviewed from time to time.

- F. Collar Required: Every dog and cat shall at all times wear a substantial durable collar to which shall be securely attached to required license tag. A microchip can be used in place of a collar if currently registered with the city office.
- G. Duplicate- Replacement Tag: If the tag is lost, the owner or custodian may obtain, for the sum of ~~one dollar (\$1.00)~~ five dollars (\$5.00), a ~~duplicate~~ replacement tag upon satisfactory proof of loss.
- H. Use of Tag on Another Dog and/or Cat Prohibited: It is unlawful for any person to allow any dog and/or cat owned, kept, or harbored by him or her to wear a license tag received on account of a former license or to wear any imitation of the license tag issued by the city for that year. The owner or custodian of the dog and/or cat shall neither allow such dog and/or cat to wear a license tag which has not been lawfully issued under this section, nor allow such

dog to wear a rabies vaccination tag which has not been issued by a licensed veterinarian, nor allow such dog to wear a license or rabies vaccination tag which has expired or is calculated to deceive in any way.

I. Term of License: Renewal: All licenses shall be valid for a period of one year from January 1 to December 31. It shall be the responsibility of the owner of each and every dog and/or cat to obtain a new license annually within thirty (30) days of the expiration date.

J. Record of Licenses and Certificates of Ownership: The animal control center shall keep a record of all licenses and the certificates of ownership issued under the terms of this section, which shall show the name, ~~age~~, address, and phone number of each owner or custodian, the number of the license, the name, sex, breed, age and color of each animal, the date issued, and the amount paid.

K. Penalty:

4. Head of Household Responsible: If the owner of the dog or cat is a minor, the head of the household in which the minor resides shall pay any fees or fines.

SECTION 2. *Section 5-2-7 of the Municipal Code of the City of Lava Hot Springs, Idaho, is hereby amended as follows:*

Title 5 – Police Regulations

Chapter 2 – Animal Control

5-2-7: KENNELS:

A. Commercial Kennels:

5. *Restraint of Animals: All dogs and cats covered by a business license for a commercial kennel shall be maintained and kept within the kennel or under leash at all times.*

B. Noncommercial Kennels:

2. *Application: The application for a noncommercial kennel license shall include the name and address of the owner and the number of dogs and cats to be kept.*
3. *Fees: In addition to the above requirements, a noncommercial kennel licensee shall pay all individual dog and/or cat license fees required ~~in section 5-2-6 of this chapter~~ by resolution of the Council ~~excluding the fee per dog in excess of two (2) at any single premises.~~*
6. *Increase in Number of Animals: Whenever an owner desires to make an addition to the number of dogs and/or cats for which the noncommercial kennel license has been issued, the licensee shall follow the same procedure specified in subsection B1 through B5 of this section. Whenever puppies and/or kittens are born, the issue of a dog and/or cat theretofore counted in computing the license fee, such puppies and/or kittens shall not be counted as additions until three (3) months old.*
7. *Not Exempt From Other Provisions: The owner of a noncommercial kennel shall not be exempt from other provisions of this chapter, including the requirement for individual dog and/or cat licensing, nor shall any of the provisions of this chapter be deemed to vary or alter any of the zoning regulations of the city.*
8. *Revocation: Suspension:*
a. *Grounds: The holder of any noncommercial kennel license who shall: 1) neglect or refuse to comply with the provisions of this chapter or with the conditions under which any license shall be issued; 2) violate any provision of this code; or 3) violate any provision of the animal laws of the state, shall be subject to having his or her license suspended or revoked.*

SECTION 3. *Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed. Any section or subsection of the Lava Hot Springs Municipal Code not specifically amended by this ordinance shall remain in full force and effect.*

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.*

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, THIS 12TH DAY OF DECEMBER, 2019.

Jon Thomson, Council President

ATTEST:

Canda Dimick, City Clerk

*SUMMARY OF ORDINANCE AMENDING TITLE 5, CHAPTER 2 OF THE LAVA HOT SPRINGS MUNICIPAL CODE
PERTAINING TO ANIMAL CONTROL*

This summary sets forth the principal provisions of City Ordinance 2019-6 adopted by the City of Lava Hot Springs. These provisions will amend and supplement Title 5, Chapter 2, of the Lava Hot Springs City Code.

The amendments and supplements addressed in this ordinance amend and supplement current provisions which cover dogs to now include similar provisions for cats, including cat licensing; add provisions to commercial kennels and noncommercial kennels to include provisions for cats; provide for microchips as a form of licensing for both dogs and cats; repealing all ordinances or parts of ordinances in conflict herewith; waiving the rule requiring the reading of this ordinance on three separate occasions; and establishing an effective date of this ordinance.

The full text of this ordinance is available upon request at the Lava Hot Springs City Hall. The ordinance is effective upon publication of this summary.

PASSED AND APPROVED by the City Council of the City of Lava Hot Springs, Idaho, this 12th day of December, 2019.

CITY OF LAVA HOT SPRINGS, IDAHO

Jon Thomson, Council President

ATTEST:

Canda L. Dimick, Clerk

Councilperson Hinz made a motion to adopt Ordinance 2019-6 and publish the attorney's summary. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Thomson-Aye, Guthrie -Aye, Frandsen -Aye, Hinz-Aye, unanimous.

Building Permit(s)/Development Permit(s)/Demolition Permit(s)/Sign Permit(s):

A) Revised Building Permit Application & Permit Forms Report: City Clerk Canda Dimick reported that P&Z (Planning and Zoning commission) is still working on them. Council President Thomson made a motion to table until next scheduled meeting. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Edge Water Resort, LLC – New porch addition on the east entrance of the office building - ACTION ITEM: Deck plans reviewed. Elevation certificate in packet. Coming off West side of building. Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) DLR Enterprises dba Lava Hillside Suites – Adding storage area and public bathroom for rooftop, stairs, railing and deck between existing structures - ACTION ITEM: Cody De Los Reyes explained plans to add a deck between the two (2) structures with an attached stair case. Councilperson Hinz question work commencing without a permit. Cody apologized. Cody explained he put up a couple of boards and the State put a stop to it. State Inspector have seen the project and approved the plans. City council explained that the City has not approved the plans and until that is done no work should be done. Council President Thomson explained to Cody that the building permit is presented to the City for review and then it's forwarded to the State by the City. The State then reviews it for structural requirements, code compliance and et cetera then the State will provide the city with a recommendation to approve or disapprove. The City will then issue a building permit if approved and then work can begin. Cody apologized again. Cody reviewed plans with council. The stairs are designed like all the other stairs in the facility. They will go up the side of the building on the West side instead of through the center. The railing around the top will be metal with a cable around the top to prevent people from leaning on the railing. The railing system are being designed by Partner Steel and will be stronger than the railing below and will be bolted in more frequently than the lower railings. One (1) unisex restroom. Occupancy limit, how many urinals and toilet for the unisex restroom discussed. ADA accessible to deck and restrooms discussed. Bottom level rooms are ADA accessible. DLR enterprises will be doing most of the work (construction). DLR enterprises will need a business license for 2020. Parking questioned. Cody reports currently they have nine (9) spots for parking and eight (8) rooms. Access to parking is through the alley including upper. Access to upper level parking lot has been recently fenced off. Cody reported that

the neighboring property owners are disputing property lines. Upper level parking this last summer was handling four (4) vehicles easily. Manly truck owners aren't wanting to park up there. Public parking discussed and off street parking requirements for a business. Cody provided a map for additional leased property for parking across of East Elm. The trailer parked in the off street parking lot discussed. Trailer is going to be there for another two (2) months. The original area where the trailer was parked was partially on city property. Lounge and parking for lounge discussed. Business license required. Parking would be a commercial parking lot in a residential zone. City attorney will review ordinance. At this time the building permit does *not* change the use or additional parking is not required. The business license if approved will address the change of use and parking requirements. Councilperson Frandsen made a motion to approve building permit. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Beer & Wine License – DLR Enterprises – 258 East 1st Alley South Cody and Brandon De Los Reyes, Owners - ACTION ITEM: Cody De Los Reyes said that he hasn't gotten the license back from the State. Need application and lease for parking. Cody will need provide the square footage with the application and the parking space calculation. Council President Thomson made a motion to table for additional information. Councilperson Hinz seconded the motion. All voted aye, unanimous. Council President Thomson reports a separate license will be required for a lounge.

Chamber of Commerce – Kelly Myers, Event Coordinator:

A) Gingerbread House Tour/Holiday Lighting Report: Kelly Myers reported that she wasn't in attendance. Some lights in the park were stolen. Liz reported to her that the turnout was better than last year. They want to keep it on the Saturday after Thanksgiving. Eighty (80) percent of attendance locals. Only two (2) of the Gingerbread houses were professional made. Discussion followed. Event has room to grow. Ideas need to be wrote down.

B) Fire & Ice Special Event Permit - ACTION ITEM: Kelly Myers reported on a couple of changes from last year's event. The first change may impact the City. The Chamber of Commerce talked about doing a light parade on Friday night to kick off the event. Similar to the one the city does on the July 24th. Council President Thomson reported the draw back on a parade in the winter is the weather. Snow sculpture talked about. Suggestion made to talk to local artistic. Suggested moving the torch light down the "L" hill for the kick off or doing the torch light down Main Street. No comedy night will have Kip Ataway instead. Trying to find Bingo equipment to rent for a Bingo night. The Chamber of

Commerce is interested in bringing back Bingo a least one a month and the funds going towards lion's club & 4th of July fireworks. If the Chamber of Commerce doesn't have Bingo at the event there will be a comedian for Friday night.

Councilperson Hinz addressed concerns of vehicles towing around logs that are actively burning. The Fire Dancer are part of the event and they were towing the logs around but, it's not part of the event. Kelly is unsure how to handle it since it's not part of the event. The Fire Chief approved the fire performers dancing at the event during the event time schedule. If the performers continue to party after the event is not Kelly's responsibility to control. The Chamber of Commerce would like the ambulance on standby during the Polar Float. Kelly explained last year they had a person intoxicated and would not get out of the water. City Clerk Canda Dimick reported the EMT's cannot force a person to get out of the water a police officer would have to do that. EMT's are for medical assistance.

Councilperson Frandsen made a motion to approve special permit application for Fire & Ice pending Fire Chief's signature. Councilperson Hinz seconded the motion. All voted aye, unanimous. Councilperson Hinz asked Kelly to email updated Fire & Ice schedule to City Hall so that it can be forwarded to Council members. Flyers will be posted on light poles. Council President Thomson suggested having an event maps posted throughout the town so, visitors now how to the different events.

C) Forrest Design Group Agreement – 2020 Marketing Plan Status Report – City Clerk: City Clerk Canda Dimick reported that Brigitta and the City has signed however, the Chamber of Commerce is considering to outreach some of the proposed advertising items. Bryce has not gotten back to her and the contract is not signed by them. Kelly is not involved with any of this. The Chamber of Commerce has adopted new by laws. They're going to start having quarterly general membership meetings.

D) Miscellaneous: None

Business License(s) - ALL ACTION ITEMS:

A) Ordinance 2019-5 Business License Ordinance Amendment: Gary Cooper, City Attorney explained changes made for contractor definition is consistent with the Idaho contractor registration act which it defines who the contractors are, it defines who has exemptions to it. Gary thinks it covers everything the city wants to cover. Councilperson Hinz asked about the number fifteen (15) for occupancy on Bed & Breakfast. Gary explains it's consistent with the zoning the ordinance. Councilperson Hinz feels the number fifteen (15) for occupancy is a lot of people for a house. Gary explains that the number is the maximum and can be restricted

or the city can limit the number of people when the applicant applies for a Business license. Council President Thomson explains that one of the issues with nightly rentals is that a rental that has two (2) bedrooms and is required to have one (1) off street parking but when the rental has multiple bedrooms and they all show up in separate vehicles there is not enough off street parking for that rental. The City might want to look at the maximum sleep/occupancy per bedroom. City Clerk Canda Dimick believes the number fifteen (15) for occupancy is there because of the fire suppression system requirement for example a Bed & Breakfast doesn't require fire suppression system unless it is over a certain number of guest that they're bring in. Any higher than that they are considered a hotel. Gary recommended including Bed & Breakfast in 3-1-6 (B) (2) (P), Vacation Rentals, Tourist home or Bed & Breakfast. Councilperson Hinz stated the City needs to require that property owners update the City when onsite managers contact information change. Gary recommends addressing letter (Q) on page five (5). Requiring any changes to the onsite manager listed on the Business license be updated with the City and the sign that is required out front with onsite manager contact information. The sign needs to be updated with the current onsite managers information at all times. Gary will revise 3-1-8 (B) (2) (Q). Gary is working with updating business license renewal and new application. In the case with a new application will comply with the building code in effect at that time but if it's a renewal application then they have to address any complaints or problems that they've had as part of the renewal and how they are going to remediate that in the future as part of the application process. Revoking provisions discussed. The code has a revocation provision, Gary will look at it and update draft for council to review. Discussion followed. Council President Thomson made a motion to table until next meeting. Councilperson Hinz seconded the motion. All voted aye, unanimous.

B) HILCO Mobile Notary – Jason S. Hill, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) Viva La Vida Vacation House Rentals, LLC – Jeff Widdison, owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

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

A) CPO Commerce, LLC: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Viva La Vida Vacation House Rentals, LLC: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Meetings/Announcements/Miscellaneous:

A) Schedule Special Meeting to review Zoning Ordinance Draft - ACTION

ITEM: Councilperson Hinz made a motion to schedule special meeting to review zoning ordinance draft only on January 16th, 2020, 6:00 p.m. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) List of Insured City Property and Vehicles – City Clerk: City Clerk Canda Dimick reported she is working on a letter for the Insurance agent. Nothing new to report.

C) Tree City USA Recertification Report Submitted: City Clerk Canda Dimick reports she has submitted and they are requesting additional information. Re-submitted and haven't heard back from them.

D) Annual Appreciation Pot Luck - December 17, 2019: Council President Thomson announced the annual appreciation pot luck is December 17, 2019, 6:00 p.m. P&Z (Planning and Zoning commission) is bringing Salads and Council is bringing Desserts.

E) Direct Communication Franchise Fee: City Clerk Canda Dimick reports the City is aware Direct Communication is discontinuing Cable Service and only providing internet services. Currently receiving a franchise fee on Cable only and according to them a franchise fee cannot be charged on internet services. Discussion followed. Gary Cooper, City Attorney will research and report back to council.

F) Miscellaneous: Nothing

Projects:

A) Water Improvement Project:

1) Punch List Items Report: Bryan Phinney, City Engineer reported original punch list originated on October 10th, 2019. The punch list contained thirty seven (37) items. Bryan reviewed punch list items, completed and not completed. A little less than half have been verified and completed and most of the other items are under snow and we cannot verify. Three (3) items that aren't complete and one (1) item is half completed. Items not completed, the pedestrian bridge on Main

street need to repair decorative rock on the west where the excavator made contact and knocked a rock off. Lava Spa sign need to fix electrical service to the sign. Need to check all valve operations with Keller's observer. The one that is half done is slope the vertical bank along the transmission line and that cannot be done until spring and in addition they have not hydro seeded the transmission line.

These are the October punch list items. Councilperson Thomson asked about the part that was dropped and damaged at the well house. Bryan explained it was a forty five hundred (\$4,500.00) dollar flow meter that they dropped and it also has the wrong lead head on it. Keller's specification on it was a remote lead head and it has a local lead head. Knife River sent flow meter in for testing. It came back with a report that the flow meter is reading fine. However it can't be installed due to the wrong lead head. Bryan explains the remote flow meter monitors from the well house. The remote flow meter is supposed to be here next week and that has been reported to DEQ (Department of Environmental Quality). City Clerk Canda Dimick explained that the flow meter is a deficiency item on the Sanitary Survey and needs to be installed by December 31st 2019 to comply with DEQ.

Councilperson Frandsen questioned debris and the fence repairs that needs to be addressed across from the hot pools on Foundation property. City Clerk Canda Dimick reported that Tony Hobson, City Maintenance says the Foundation situation is not part of the project and is an agreement between Knife River and the Foundation. Bryan reported he has six (6) new items for the punch list and he will add the Foundation items to the punch list. Punch list items reviewed one by one.

1. Clean up asphalt, debris and concrete everywhere – snow on the ground can't confirm.
2. Smooth around meters – snow on the ground can't confirm.
3. State Property at east end of Main Street, paint ADA curb and paint curb in front of hydrant red– snow on the ground can't confirm.
4. Hot Pool Hydrant paint curb red.
5. Pedestrian on Main Street repair decorative rock– not completed.
6. 3rd East and Main Street, asphalt settling – confirmed and completed.
7. North 3rd East need to redo crown – completed.
8. Lava Spa Sign – not completed.
9. Lava Spa sod needs replaced – snow on the ground can't confirm condition of sod.
10. Main Street settling around valve across from the Chuck Wagon – confirmed and completed.
11. Check all valves operation with Keller's observer and City – not confirmed.
12. Dip around meter in sidewalk by museum – confirmed and completed.

13. Redo South bollard on North 1st East – have not confirmed.
14. North 1st East backfill around hydrant and clean up debris – have not confirmed.
15. Valve collar Main and 2nd West, tire tracks in valve collar concrete needs replaced –not confirmed.
16. South 2nd West and Merle Street, clean asphalt and debris out of manhole – not confirmed.
17. Repair fence by School, clean up debris on school side of fence and level dirt - confirmed and completed.
18. Clean up debris along transmission line – not confirmed, they still have some work to on the slope and hydro seed.
19. 142 West Merle Street, asphalt cut, clean up extra asphalt, install asphalt berm, repair settling around meter pit - not confirmed.
20. North side of Merle Street from STA 5+40 to 6+20, gravel or grass to edge of road - not confirmed.
21. East Fife, reinstall Dead End sign – confirmed and completed.
22. Elm and South 1st east, clean up concrete – not confirmed.
23. Center Street and Elm Street, bury Stop sign to property depth, extend curb to match south side of road – not confirmed.
24. Replace ribbon curb along north side of Elm Street between S 1st East and South 2nd East – confirmed and completed.
25. South 2nd and Elm Street, grind down asphalt around concrete collars – confirmed and completed.
26. South 2nd and Elm Street, clean out debris in manhole – not confirmed.
27. Condos road entrance at Center Street, asphalt around valley gutter – confirmed and completed.
28. Meter pit extended and sloped to match grade for Senior Center – not confirmed.
29. Fire Hydrant by pool needs extended – confirmed and completed.
30. Beside pool hydrant, clean up dirt on State grass if the State doesn't want parking lot – confirmed and completed.
31. Fish Creek Ext, clean up asphalt down into borrow pit reseed - not confirmed.
32. Manhole rungs installed in Air/Vac valve vaults – not confirmed.
33. Air/vac valves installed, need galvanized steel goose neck piping w/stainless screen – not confirmed, could not confirm because of access will need to wait until spring.
34. Flushing valve east of the well house, needs two (2) feet of pipe with cap for contamination purposes – Knife River says they completed but they buried it before it could be confirmed. They will need to provide evidence that is was completed or dig it up.

35. Witness post at creek and canal crossings – complete.
36. Fence repairs and gates installed – complete.
37. Slope vertical banks along transmission line – is half finished.

Items to be added to the punch list:

1. Survey monuments re-establish.
2. Install a tracer wire on the line to fire station. Specs required that all pipe installed had to be installed with a tracer wire.
3. Valley gutter at 5th West and Main Street needs to be repaired along with the concrete pad by the park on West Spring.
4. Corner of concrete pad by the concession building is broken.
5. Cinder ground cover by the Cond's water meter and service lines under the trees. There is work that needs to be done by property owner before Knife River can lay the cinders down.
6. Water meter lid on Fish Creek needs swapped with one that is a touch read compatible.
7. Seeding on the transmission line.

City has a one (1) year warranty once substantial completion is issued.

Councilperson Hinz questioned if AIS (American Iron and Steel) documents need to be updated. Bryan will clarify that all documents are completed. Bryan read email from Knife River regarding baring asphalt material in the staging area. The asphalt was buried as fill. The asphalt was not millings, they were chunks of asphalt. Bryan asked if any City Officials had any discussion with Knife River about burying waste material in the staging area. The City did not authorize the fill. Keller's will asked contractor to remove debris in the spring. There is one (1) outstanding change order for the additional sweeping. The original change order was forty four thousand (44,000.00) dollars. Keller's informed Knife River that they would consider one (1) hour per week, one (1) per day for the extra piping on Spring Street and that amounted to five (5) days, will *not* pay for a crew truck because the driver was driving a sweeper from the staging area and it was already charged out on another part of the project. Keller's calculation is ten thousand one hundred and twenty three dollars and seventy two cents (10,123.73) proposed. They talked with Jeremy and it looks like Knife River is going to accept Keller's proposal. Nothing official received. Councilperson Hinz questioned if Knife River has paid dues for staging. City Clerk Canda Dimick explained that they were holding off to pay until City released forty thousand dollar (40,000.00) payment.

2) Access and Options to Purchase Real Estate Agreement for Well Site

Update: No update.

3) Miscellaneous: Nothing else to report.

B) Photovoltaic System Relocation Project:

1) Feasibility Study: Council hasn't completely reviewed study (final). Bryan Phinney, City Engineer explained final metrics that Keller's established.

1. Alternative one (1) land application building, leave twenty five (25) kilowatts connected which is the maximum allowable on that meter it's a schedule twenty three (23) meter and moving seventy one (71) kilowatts of existing solar to the lower building.

2. Alternative two (2) land application building, leave twenty five (25) kilowatts and moving the rest of the seventy one (71) kilowatts to treatment splitting it to the three (3) meters that are there and changing all of them to a schedule twenty three (23) meter. This gives you the best return back from the Power Company when they buy the power back from them, it's the same rate you buy the power at.

3. Alternative three (3) land application building, leave twenty five (25) kilowatts schedule twenty three (23) meter and leaving the solar land application building and converting the remaining sixty eight (68) kilowatts to a qualify facilities. Which means the city is the qualifying small generation facility and you leave everything in place, we add some equipment but don't modify anything and the power company buys the power from the City.

4. Alternative four (4) land application building, living all three ninety three (93) kilowatts there and changing it to schedule six (6). Schedule six (6) doesn't have the same pay back. Bryan explains there is a table of the four (4) Alternatives.

Construction cost:

1. Alternative one (1) ninety three thousand (93,000.00) dollars. The improved annual energy savings is thirty four hundred (3,400.00) dollars. The offset and run calculation it's takes twenty seven point four (27.4) years, return on investment. Warranty twenty (20) years and at the end of the twenty (20) years twenty five thousand (25,000.00) dollar's upside down.
2. Alternative two (2) one hundred and forty five thousand (125,000.00) dollars because we're moving the arrays like we are in alternative one (1) but we are setting them up and running conduit and wire to three different meters on land app site so you have that extra power run and that number is higher than the tabled we original gave the City. The original cost on that

we had between ninety three and hundred and twenty (93,000.00 – 120,000.00) dollars that's because we got back some information from the power company that we're estimating on and the cost is higher plus it will require newer inverters. Which drove the cost up, one hundred and ninety nine now. Tyler also found that we didn't have enough voltage at the lagoons site and it's going to require some replacement of inverters. Improved annual energy savings is eighty nine hundred (8,900.00) dollars a year, return on investment is sixteen point seven (16.7) years and at the end of twenty (20) years the City will realized earning twenty nine thousand dollars in the form of energy savings.

3. Alternative three (3) is eighteen thousand (18,000.00) dollars, improved annual energy savings twenty eight (28,000.00) dollars, return on investment six point four (6.4) years, and at the end of twenty (20) years realized earnings thirty eight (38,000.00) dollars.
4. Alternative four (4) fifteen (1,500.00) dollars, twelve (1,200.00) dollars on the return on investment one point three (1.3) years, and at the end of twenty (20) years realized earnings twenty two thousand and five hundred (22,500.00) dollars.

Keller's recommendation is to implement number three (3) which doesn't require any new meters and doesn't fall under the December 31st deadline. One, two & four (1, 2 & 4) require new meters and fall under the December 31st deadline. Alternative number four (4) is also viable. Installing systems on the blower building and lagoon pump costs and return on investments discussed. Alternative 5 & 6 was to purchase new equipment and put it at the treatment plant, lagoon site.

5. Alternative number five (5) would be an option if the City could get incentives. Add 25 kilowatts each on schedule twenty (23) net meter at the blower building, the chlorine building, and the transfer pump. Keller's estimated the cost around two hundred eighty one thousand (281,000.00) dollars. The annual solar energy value is ninety four hundred (9,400.00) dollars with a thirty year payback period. Warranty twenty (20) years and at the end of the twenty (20) years ninety three thousand (93,000.00) dollar's upside down.
6. Alternative number Six (6) installing 100 kilowatts at the lagoons and run everything to the blower building and changing to a schedule six (6). Three hundred and forty one thousand (341,000.00) dollar construction cost and has a forty nine hundred (4,900.00) dollar solar energy value, return on investment at seventy (70) years and at the end of the twenty (20) years two hundred and forty three thousand (243,000.00) dollar's upside down. Not a viable option.

Keller's recommendations are to submit net metering application before December 31st. The application are per meter regardless of which scenario we setup. So if you look at alternative five (5) and you want that to stay an option you have three (3) application there and then at the land application site you have one (1) application if you move to schedule six (6). It's a different application if we do a qualifying facility and the application cost is more but a better return and lower cost. Then get actually bids from contractors, right now these are quotes. Then a recalculation on return on investments. Then begin a search for renewable energy grants and incentives. There is a website that the City can look at to see what types of grants are available. The website is DSIRE.COM - Database of State Incentives for Renewables & Efficiency. Council President Thomson asked if the City goes with schedule twenty three (23) can the city add more panels. Bryan will need to check. Panels have a twenty year warranty. The system is six (6) years old. If the panels are generating eighty (80) percent power they are still in the warranty. Discussion followed. The cost estimates in the study includes engineers and study costs.

2) Task Order No. 1 - ACTION ITEM: Task order was figured on several applications submittals. Modifying the task options discussed. Councilperson Frandsen made a motion to revise task order using alternative number three (3) and then review. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Keller's will prepare task order time and materials not to exceed without authorization verses lump sum. Alternative three (3) estimated engineer cost reviewed. Keller's will see to what extent the system can be expanded.

C) Fagnant Property Purchase from State of Idaho: Closing on Property tomorrow at 3:30 p.m.

D) Pickle Ball Court Bid Invitation - ACTION ITEM: Councilperson Guthrie made a motion for City Clerk Canda Dimick to work on bid invitation. Councilperson Hinz seconded the motion. All voted aye, unanimous.

E) Miscellaneous: Councilperson Hinz questioned how the city of Inkom did their Fire Station expansion. City Clerk Canda Dimick will call the City of Inkom.

Councilperson Hinz reported that there needs to be some gravel put down around the back of the fire station. Gravel would be starting the base for the development of the access for the new fire station addition. Tony is aware and will work on getting some gravel.

Discussion:

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

Meeting adjourned at 09:40 p.m.

Amantha Sierra, Transcriber

Jon Thomson, Council President

Canda L. Dimick, City Clerk