

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, February 14, 2019 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: T. Paul Davids III, Mayor
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Brian Hinz, Councilperson
Jon Thomson, Councilperson
Gary Cooper, City Attorney
Dennis Callahan, Code Enforcement Officer
Canda Dimick, City Clerk
Amantha Sierra, Office Assistant

Excused:

Guests: Ernie Moser – County Commissioner, Corey & Liz Tuttle, Bryce Church, Officer Zweigart, Kelly Myers, Geoffrey B Williams, Ken Fagnant, Zach Fillmore.

Announce Agenda Deadline for March 14, 2019 meeting will be March 7, 2019: Mayor Davids welcome and thanks everyone for coming. He announces this is the City's regular scheduled council meeting. Mayor Davids announced agenda deadline for March 14, 2019 meeting will be March 7, 2019. The Pledge of Allegiance is led by Councilperson Thomson.

Ernie Moser introduced himself to the council and audience, he is the new Bannock County Commission for District one (1). He announced to the council if they have any concerns that he can help with please contact him.

Approval of Minutes (January 10, 2019 & January 24, 2019) - ACTION ITEM: Councilperson Thomson made a motion to approve minutes as written. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Review & Approve Bills - ACTION ITEM: City Clerk Dimick reviewed list of bills with Mayor and Council. Councilperson Hinz made a motion to approve minutes. Councilperson Thomson seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement:

A) Public Nuisances:

1) Tree Trimming & Intersecting Traffic Vision Impairments - ACTION

ITEM: Dennis Callahan, Code Enforcement Officer reported no reports of any obstructions by Tony. Tony is going to keep Dennis abreast of any obstructions so, that Dennis can inform the home owners right away. Mayor Davids feels like some of the identified issues will be taken care of with the planning & zoning ordinance revision.

2) Nightly Rental Violations Report: Dennis Callahan, Code Enforcement Officer reported the upstairs of the Pancake House is being rented by Collin Petrun during the winter. Dennis reported that the State building inspector commented that they're leaving it up to the City if they want to pursue violations or not. Dennis reports the north side of the structure is also being utilized as a nightly vacation rental. Councilperson Hinz comments the listing is the AirBNB site and AnnaLeigh Petrun is listed as the Superhost along with her picture on the site. Dennis feels like the building needs a CO (certificate of occupancy). They never got a final inspection so, they never received the CO. The living space has always been residential and if they are renting it out for nightly rentals they need a change of use. Councilperson Guthrie made a motion for Dennis to pursue getting change of use and business license from property owner. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Mayor Davids questioned Dennis if the State building inspector has approved occupancy to rent the lower floor units. Dennis reported he talked with the building inspector yesterday and the only thing they have done this month is an inspection on the Riverside. Mayor Davids understanding is they needed to get the pylons installed, top floors insulated and suppression system activated. Councilperson Thomson reported the business license application was denied at council meeting last month due to the CO (certificate of occupancy) not issued. Dennis was asked to follow up.

3) Pocatello Animal Shelter Agreement - ACTION ITEM: Gary Cooper, City Attorney reported his concern with the agreement that there will be no control if an animal came from Lava City limits. Gary thinks the City needs to negotiate terms that give the city protection. Dennis has talked with an employee at the Shelter (Mary, not the director) expressing City doesn't want to be liable for all animals. Dennis suggests meeting with the director and negotiate terms. Mayor and Council believe the City's Animal Control Officer should be sole individual to take animals to pound. Cost for impoundment, travel and employee wages to transport needs to

be passed onto owner. Suggestion is to create an authorization form, authorizing an individual to transport animal(s) to Pocatello Animal Shelter and the form will authorize the shelter to bill the city of Lava Hot Springs. The individual will only owe the city of Lava Hot Springs for impounding the animal. Mayor Davids asked Dennis to take the agreement and make changes to the Pocatello Animal Shelter agreement. Council will review the agreement and possibly approve at special meeting on January 28th, 2019. Dennis also needs to be establishing fees, travel cost and wages. Councilperson Frandsen made a motion for Dennis to create additions to contract and establish fees, to be reviewed on January 28th, 2019 special meeting. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

4) Multi-Jurisdictional All Hazard Mitigation Plan Support Letter – ACTION ITEM: Councilperson Hinz made a motion to approve Mayor Davids to write letter of support. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

5) East Booth Street Parking Concerns – Letter from Julie Crossley – ACTION ITEM: Councilperson Thomson reported he visited the site and owners/rental needs to be notified that there is no diagonal parking permitted on City streets. Diagonal parking makes the street impassable. Officer Zweigart explained towing a vehicle requires an immediate road hazard. The City has problems getting snow plows and emergency vehicles through the street with people parking diagonally. Mayor and Council in agreement with sending out courtesy notice explaining the ordinance and that the City has received complaints along with a copy of the ordinance to owners, tag vehicles and send notice out in water bill. Dennis was asked to keep track of efforts and if no action pass onto sheriff's Department. Dennis explained his process. He tags the car with a red notice and takes a picture of the vehicle license plate. Councilperson Thomson made a motion to put notice in next month's water bill, Dennis to monitor and tag cars, if no actions taken then turn over to Sheriff's department. Councilperson Frandsen seconded the motion. All voted aye, unanimous. Dennis was asked to talk with all owners that have diagonal parking on city streets. Diagonal parking is not permitted per City ordinance. City Clerk Dimick asked about plowing South 2nd East. Discussion followed. Dennis will talk with the owner to see if she would park in the off street parking spot if the City cleared the snow off South 2nd East Street. The street is currently not plowed because no one uses it. Dennis was asked to report to council on her response before February 28, 2019.

B) Monthly Law Enforcement/Code Enforcement Miscellaneous Reports:

Lava Chamber of Commerce: Officer Zweigart reported no complaints on Fire & Ice. Mayor Davids mentioned to Officer Zweigart that the City never received the Cities report this month. Officer Zweigart will remind Captain Argyle that the City would like the report around the 1st of each month and to email it to the City office instead of the Mayor personal email.

A) Fire & Ice Report – Kelly Myers: Kelly Myers reported no issues at any of the events. Councilperson Guthrie questioned a need to have an ambulance on scene during the Polar Bear Float. Intoxicated individual refused to get out of river. Mayor Davids mentioned that next year the City will clear a path to the sledding Hot Chocolate booth. Kelly Myers reported some complaints because of no bingo. Mayor Davids suggested working on the application for a co-assistance earlier than they did this year. The explosion episode during the fire dancing was discussed. Question on how safe the explosion was to the audience. Suggestion was made to discuss fuel types with the Fire Chief for future events and explain what they are using the fuels for.

B) Annual Easter Egg Hunt – ACTION ITEM: Kelly Myers reported the Easter Egg Hunt event was not talked about at the Chamber of Commerce board meeting. City Clerk Dimick reported that Lisa Toly stopped by today and mentioned that Sunnyside Sinclair is willing to sponsor the Easter Egg Hunt this year if no one else is going to. Councilperson Guthrie made a motion to approve Sunnyside Sinclair hosting the Easter Egg Hunt contingent on council approving their special event permit. Councilperson Hinz seconded the motion. All voted aye, unanimous.

C) Approve Forrest Design Group 2019 Marketing Plan Agreement - ACTION ITEM: Councilperson Hinz made a motion to approve contract. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Special Events Permit(s):

A) Lava's Folk Festival – Liz Tuttle, Greater Prosperity Foundation Representative - ACTION ITEM: Liz Tuttle presented plans for the Folk Festival scheduled for April 12 & 13. Usually it's the third weekend of April but, Easter is that weekend and they don't want to compete with Easter. A committee has been formed. Liz is very excited about the committee. This year a musical instrument drive will be added. Collecting all instruments no matter what shape they're in, the plan is to repair and donate instruments to the school. The festival has raised over six thousand (6,000.00) dollars raised in the last three (3) years. Liz asked if the City would send a Folk Festival flyer out in water bills like last

year. She is still working on the flyer for the festival but will get it to the City by the 1st of March. Liz asked if the City needs a copy of the certificate of insurance. City Clerk Dimick comments a certificate of insurance is only required if the event is on City property and it requires the City to be named as an additional insurer on the certificate of insurance. Lava's Folk Festival event is held on private property and a certificate of insurance is not required. Liz asked if she could hang one of the banners at Veterans Park and if she can hang posters on the city street light poles. Council authorized the banner in Veterans Park and poster on light poles. They also have permission from the Foundation to put one on the slide coming into town. Mayor Davids suggested in the future a digital advertisement source would be nice. Tara will be doing a local youth performance at Lost in Lava. We are developing a needs assessment to present to the elementary school. Councilperson Hinz made a motion to approve special event permit. Councilperson Thomson seconded the motion. All voted aye, unanimous.

Planning & Zoning Commission Recommendation:

A) Parcel Split – Lots 1-2-3-4, Vacate Portion of 5th Street, Block 12, A.W. Hall's 3rd Addition – Geoffrey B Williams, Owner; Julie Hill, Real Estate Agent - ACTION ITEM:

Geoffrey B. Williams property owner in attendance, addressing plans and options to sell lots. City Clerk Dimick explained the vacated area is used for setbacks only and it cannot be used to build on and without the street it is no longer a corner lot. A corner lot requires three lots to build on. There are easements for utilities in that area.

Mayor Davids reviews the P&Z (Planning and Zoning) recommendations: They require the property owner to supply the City with a written document addressing the desire to split: City received document. The commission members agreed that the City needs a document for that and the motion was made by Lisa Toly and seconded by Curtis Waisath recommending approval for the parcel split as presented with the contingency that written document is submitted to the City Hall.

Councilperson Thomson made a motion to approve. Councilperson Hinz seconded the motion as long as it's not considered as a corner lot and it's legally documented. Councilperson Thomson comments yes, there has to be an understanding that once that's vacated it's no longer considered a corner lot. Gary Cooper, City Attorney comments there is a statutory procedure for vacating. City Clerk Dimick comments that was done. Councilperson Hinz seconded the motion All voted aye, unanimous.

Property Exchange Proposal – Barry Hobson - ACTION ITEM: Mayor Davids reviewed map and property lines with council. Mayor Davids explained he

talked with Barry Hobson to see if he would like to exchange property if City council approves an exchange. Barry Hobson agreed with Mayor Davids recommendation to exchange property and will hold off on putting up any fencing until a decision is made. Mayor Davids mentioned to Barry that the City will help with the fencing. Gary Cooper, City Attorney reminds the council what process is required for exchange of property. The process will be to get a survey, an exchange agreement, publish and public hearing. City Clerk Dimick obtained an estimate from the surveyor and it will be around two thousand, two hundred dollars (2,200.00). Councilperson Frandsen made a motion to proceed with survey and work out exchange agreement. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Business License(s)/Alcohol Beverage Licenses(s)/Coin-Op License(s) - ALL ACTION ITEMS:

A) Proposed Amendments to Title 3 Business License Regulations – Gary Cooper City Attorney: City Clerk Dimick still needs to get information on the insurance requirement per ordinance from last council meeting discussion. City Clerk Dimick volunteered to highlight the changes on the current ordinance to help the council identify the changes and how they compare to the current ordinance. Council agreed to the City Clerk Dimick suggestion. Discussion follows on single and multifamily dwelling. Councilperson Hinz made a motion to continue pursuing with 2nd two pages, rentals of tourist homes and the ATV, golf carts and other recreation vehicles rentals. Councilperson Thomson seconded the motion. All voted aye, unanimous. Continue working on other.

B) Alan Parry – Straightline T & T; Alan Parry, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) Cedar Springs Condos = Shawn Midkiff, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) Forrest Design Group – Birgitta Bright, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

E) Kendall's Cozy Cottage – Harold R. Kendall, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

F) Knife River Corporation – Mountain West: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

G) Lava Spa Motel – Tyler Victor, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

H) Lish Farms Refrigeration – Mitch Lish, Owner/Applicant: Councilperson Hinz made a motion to approve contingent on second page completed and signed. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

I) Marsh Valley Electric, LLC – Sheldon Barfuss, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

J) Quality Overhead Door – Tanner Christensen, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

K) Remax Country Real Estate – Darsi Johnson, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

L) The Atrium – Shawn Midkiff, Owner/Applicant: Councilperson Frandsen made a motion to approve contingent on off street parking spaces updated on application. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

M) Thirty One Gifts, LLC – Cynthia Monroe, Owner/Applicant: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

N) Trugreen: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

O) Vivint, Inc.: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Councilperson Hinz reviewed his conversation he had with Dennis Callahan, Code Enforcement Officer about businesses operating at the Atrium. The individual selling meat has moved out. Any person opening a business in the Atrium is required to have a business license. City Clerk Dimick asked about the owner of the Red Light Therapy (sun light therapy) business. That is the ran by the property owner.

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

A) Bare Necessities: Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Building Permit(s):

A) Building Permit Report – Dennis Callahan, City Code Enforcement Officer: Dennis Callahan, Code Enforcement Officer reported that there haven't been a lot of changes since last month. Only activity was Riverside. The Building Inspector inspected the footing, insulation, frame and the dry wall. Mayor Davids asked Dennis to ask the Building Inspector to check status on the eight-plex (8). Dennis will email or talked to him. Mayor Davids reminded everyone that April 1st is the completion deadline date.

Meetings/Announcements/Miscellaneous:

A) Special Meeting to review Zoning Ordinance Draft Scheduled for 2/28/19 at 6 pm: Mayor and Council confirmed date and time.

B) 2019 Arbor Day Proclamation: Mayor Davids Read 2019 Arbor Day Proclamation. City Clerk Dimick reminded council of the presentation she gave them at last month council meeting. Arbor Day Tree Foundation has trees that come in a little plastic tube with instruction on how to plant the tree and instruction on how to turn the tube into a little birdhouse for sale. City Clerk Dimick felt like they were too expressive and was going to check with Gerry Bates if they would be covered under the grant as planting a tree. Gerry has said he doesn't recommend the City buying them due to not much success in getting the trees to grow. He has suggested that the City try to come up with something from local greenhouses. City Clerk Dimick is still working on the plans and will report more at next meeting.

Arbor Day Proclamation



- Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- Whereas,* the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas,* Arbor Day is now observed throughout the nation and the world, and
- Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- Whereas,* trees are a renewable resource giving up paper, wood for our homes, fuel for our fires and countless other wood products, and
- Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I T. Paul Davids III

Mayor of the City of Lava Hot Springs, Idaho do hereby proclaim

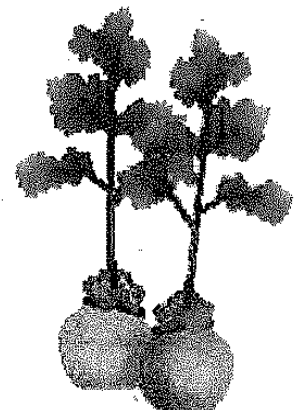
May 9th, 2019 as Arbor Day in the City of Lava Hot Springs, Idaho

and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 14th day of February in the year 2019

Mayor T. Paul Davids III



Plant A Tree

C) Resolution Adopting Fire Department Policy – ACTION ITEM:

Councilperson Hinz made a motion to approve resolution. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) City Hall Custodian – Mayor Davids - ACTION ITEM: Mayor Davids announced that Jeddah is moving to McCammon and no longer will work for the City. He proposes to offer Ellie Shail City Hall cleaning position. Mayor Davids will go over job description with her. Councilperson Guthrie made a motion to hire Ellie Shail. Councilperson Thomson seconded the motion. All voted aye, unanimous.

E) Part Time Seasonal Custodian(s) Job Description - ACTION ITEM:

Councilperson Hinz made a motion to advertise position. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Davids asked Amantha if her Grand Daughter is planning on working this summer with the City. Amantha will find out.

F) Public Restroom Custodian – Position Open - ACTION ITEM: Two applications received. Councilperson Hinz made a motion to interview on Feb 28, 2019, special meeting. Councilperson Thomson seconded the motion. All voted aye, unanimous. Councilperson Thomson suggested hiring for three (3) positions.

G) Animal Control/Code Enforcement Officer – Position Open 4/25/19 -

ACTION ITEM: City Clerk Dimick is working on the job description and has pulled job description from other cities which none of them have a combined position. Councilperson Thomson expresses his concerns with the expanded job duties and wonders if the wages need to expand. The council will review the Animal Control/Code Enforcement job descriptions and be prepared to discuss at Feb 28, 2019, special meeting.

H) Jordan & Company, PA – Payroll Administrator Engagement Terms

Letter - ACTION ITEM: City Clerk Dimick explained the City payroll services are handled by Jordan & Company. Councilperson Hinz made a motion to sign letter. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

K) Funder's Fair – May 16, 2019 Idaho Falls - ACTION ITEM:

Councilperson Hinz made a motion for Canda and/or Amantha to attend. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

L) 2019 U.S. Census Bureau Boundary and Annexation Survey: City Clerk Dimick explains this report is showing the process of working on certifying boundaries for 2020.

M) Prime Time Auction Agreement – ACTION ITEM: Mayor and Council felt what the City has works. Councilperson Hinz made a motion to not explore Prime Time Auction agreement. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

N) Miscellaneous: Nothing.

Projects:

A) Water Improvement Project:

1) Knife River Agreement - ACTION ITEM: Mayor and Council discussed. Councilperson Thomson made a motion to have Gary Cooper, City Attorney will modify agreement, to include property needs to be returned to conditions prior to staging. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

2) Authorization to Use Management Reserve for Engineering Work During Winter Time Extension – ACTION ITEM: Councilperson Frandsen made a motion to accept when contract with Knife River is done. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

3) Well Site Options – Mayor Davids - ACTION ITEM: Mayor Davids reported that he has approached Pauline Neeser and she has expressed interests in working with the City. Discussion on sites followed. Gary Cooper, City Attorney will work on an agreement draft.

4) Fire Hydrants - ACTION ITEM: Councilperson Hinz presented map of preferred locations. Three (3) additional locations added. Councilperson Hinz and Ken Fagnant, Fire Chief reviewed location with Mayor and Council. Councilperson Hinz suggested engineers need update map to include hydrant located at Elm & 3rd street. He has verified that there is a fire hydrant. The current map *does not* show a fire hydrant at Elm & 3rd street. Ken Fagnant questioned the trailer court. Councilperson Hinz suggested engineers looking at adding a fire hydrant on City property line for the trailer court. Councilperson Hinz made a motion to add three (3) fire hydrants and have engineers evaluate a fire hydrant at trailer park. Councilperson Thomson seconded the motion. All voted aye, unanimous.

5) Canal Crossing Agreement Update – Mayor Davids - ACTION ITEM:

Mayor Davids reported he attended a meeting with the canal representatives. The Canal representatives proposed to do nothing, they don't want a contract. They're confident the City will take care of any issue arising from boring the canal. Councilperson Frandsen made a motion to bore and go forward without a contract. Councilperson Hinz seconded the motion. All voted aye, unanimous.

6) City/Lava Foundation Easement Agreement – East Main Street - ACTION

ITEM: Councilperson Thomson reported that he met with State Board and they approved easement agreement and will get it signed. Mayor Davids reported that agreement is supposed to be signed soon. Councilperson Guthrie made a motion to record and file when submitted. Councilperson Thomson seconded the motion. All voted aye, unanimous.

7) City/Potter Land Purchase Agreement Report: Mayor Davids reported paperwork completed and turned in to Mortgage Company and an appraisal has been scheduled. Doug Potter needs to sign revised agreement. Council made a motion at January 2019 Council meeting .

B) ADA Curb Ramp Project Cost Estimate - ACTION ITEM:

City Clerk Dimick reported she put a cost estimate in everyone council package and expressed her concerns that it wasn't a cost estimate by location as asked for. Grant money is right around fifty thousand (50). Purposed location discussed and reviewed what was talked about at last council meeting. The two (2) proposed ramps in the middle of the block not addressed in cost estimate. Councilperson Frandsen made a motion to have Keller break down budget by location and possibility of middle of block and funding. Councilperson Hinz questioned if the grant money would cover middle of the block. He thought the grant money was only for the four (4) corners. City Clerk Dimick wasn't sure if the placement has to be on the four (4) corners. She thinks any location on Main Street is included on the grant. Mayor Davids asked Canda to check on grant agreement. City Clerk Dimick also wonders if there are safety issues for an intersection in the middle of the street. Discussion followed. Councilperson Frandsen withdrew his original motion. Councilperson Hinz made a motion to address only what is practical at this point, if any, and break down by cost estimation by location. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

C) City Maintenance Shop Improvements - ACTION ITEM: Mayor Davids reported he talked with Tony and Tony reported they have a door and insulation that needs to be finished. City Clerk Dimick reviewed the contract payment terms

and addressed Quality Overhead request for partial payment. The payment terms on contract is hundred percent (100%) upon completion. Mayor Davids estimate the job is eighty percent (80%) complete. Councilperson Hinz made a motion authorizing partial payment, thirty percent (30%). Councilperson Thomson seconded the motion. All voted aye, unanimous.

D) Fire Station Addition/Remodel:

1) Perspective Design Studio Conceptual Proposal – ACTION ITEM:

Councilperson Hinz announced for the record he has known Zach Fillmore for a long time and have worked with him in the past. Has had a good relationship with him. Zach Fillmore introduced himself. His degree is in construction management. Zach does conception designs for companies and cities. He takes the need and budget comes up with the designs. He is not an architect or engineer. If an engineer stamp is required he knows an engineer that can stamp the design. He will set down with the committee and do a drawing, 3D drawing on site. Then he will utilize the site layout to see if it will work. Think through all the different elements and find out what all the needs are for the building. Identify all the needs and come with the best design for the money. The contract is lined item out and not to exceed three thousand, two hundred and seventy five dollars (3,275.00). A change order will be submitted and approved by council if it takes longer than proposed. Ken Fagnant, Fire Chief feels like we need someone to help decide what type of building will work, what are the unknowns to design and build and what legally is required. The committee has put together their needs and wish list. Zach can do the design per their list and work with the budget and address the unknowns. City Clerk Dimick asked if Zach takes it from conception to the end of design and an engineer stamp is required on the plan in his experience what kind of money does he get out of it. Zach response is he will get three thousand, two hundred and seventy five dollars (3,275.00) if you need to get an architect to stamp it depends on their fee. City Clerk Dimick explains what she is getting to if it's over a certain amount of money by law the City has to go to competitive proposal. The City cannot try to circumvent the law. Zach explains it will be construction management which means instead of being a general contractor he will give the City a design, resume to budget and three bids from every single subcontractor and you as the owner now get to decide but, if it needs to go to competitive bid that is no problem either way. Ken Fagnant explains when we get to the point that the committee has decided on a design they will come back to council to find out what is required to go forward, next project stage, like competitive bid or what exactly is required to move on design. Councilperson Frandsen made a motion to hire Zach Fillmore not to exceed quote of three thousand, two hundred & seventy five dollars

(3,275.00). Councilperson Thomson seconded the motion. All voted aye, unanimous.

2) Land Survey - ACTION ITEM: May need to survey. Zach Fillmore asked if they have a general idea on where the property line is. Ken Fagnant explains it has been surveyed before but stakes are longer there. We have an idea on the property line but, not positive. Trees may have to be removed. Zach explains how the computerized 3D program works. Zach can start on the site plan and see what design will work on the property line as known and then when a design or designs are picked out the land will need to be surveyed. When survey is completed the design can be finalized. Councilperson Frandsen made a motion to table until needed. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

E. Miscellaneous: Nothing

Discussion: Nothing

Motion to adjourn into executive session to negotiate purchase of real property at 10240 East Maughan Road as provided by Idaho Code 67-2345 (1) (c) - ACTION ITEM: Councilperson Thomson made a Motion to adjourn into executive session as provided by Idaho Code 67-2345 (1) (c) (f). Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Thomson-Aye, Guthrie -Aye, Frandsen -Aye, Hinz-Aye unanimous.

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

Motion regarding offer to purchase real property at 10240 East Maughan Road - ACTION ITEM: Councilperson Frandsen made a motion to proceed with more information as to regards to purchase of real property at 10240 E. Maughan Road. Councilperson Hinz seconded the motion. All voted aye, unanimous.

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

Meeting adjourned at 9:48 p.m.

Amantha Sierra, Transcriber

T. Paul Davids III, Mayor

Canda L. Dimick, City Clerk