Minutes of the Special Meeting of the City Council of the City of Lava Hot Springs, held on Thursday, June 27, 2019 at 6:00 pm, Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

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

Excused: Rickey Frandsen, Councilperson

Guests: None

Councilperson Thomson, president of council, welcomes everybody, announced the special meeting and called the meeting to order at 6:00 p.m.

Agenda Amendments: Councilperson Hinz made a motion to add Western Industrial bill. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

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

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

Motion regarding litigation matter - ACTION ITEM: Council President Thomson made a motion with the pending litigation with Katsilometes directing Gary Cooper, City Attorney to proceed with the Judge Nash agreement. Councilperson Guthrie seconded the motion. All voted aye, unanimous.
Council President Thomson made a motion directing Gary Cooper, City Attorney to continue with negotiations with Gail Palen and her Attorney on the Riverside resolution on the strip of land. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Council President Thomson made a motion directing Gary Cooper, City Attorney to continue investigating regulations for the short term rentals already on the books. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Gary Cooper, City Attorney excused.

Review & Approve Bill - ACTION ITEMS: Councilperson Hinz made a motion to approve Western Industrial fill for sewer pump. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Water Improvement Project Change Order #4 - ACTION ITEM: Councilperson Hinz would like to see daily detailed logs passed on to Keller’s on a weekly basis. The daily log is to be used to reconcile against the bill. Council President Thomson comments he will address at construction meeting. Council President Thomson made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Knife River Corporation North 2nd East and North 3rd East Street Improvements - ACTION ITEM: Council President Thomson made a motion to send contract back for signature, contractor shall commence work on the project by June 1st 2019 and complete project by July 26th 2019. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Council President Thomson comments need to include language for Davis Bacon Wages.

Firework Display Liability - ACTION ITEM: Council President Thomson reports the Lions Club is handing the money over to the City for the Firework display and saying the City is in charge of the display this year. City Clerk Canda Dimick reported she talked with the Justin at ICRMP (Idaho Counties Risk Management Program) and he asks me if they were volunteers, I said yes they are not being paid. He said the City policy does cover volunteers. He said volunteers for firework display are a risky endeavor and there is no exclusion in regarding the volunteers in the policy so they’re covered. He did recommend hiring professional in the future. Council recommends asking the Chamber of Commerce or a third party to take over putting on the display and city will help with funding. Councilperson Hinz suggested looking at the funding for next year. City Clerk
Canda reports the Lioness club has turned over funds and a few other organization have gave donation which the Lioness club endorsed over to the City. According to Joan all the money she turned over to the City and if the City continues with the same contribution as this year there is enough money to fund the firework display for the next two years. Council President Thomson made a motion to continue to support the firework display but the City doesn’t want the liability or obligations of hiring or directing the show. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Rocky Mountain Designs, LLC Business License - ACTION ITEM:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Rocky Mountain Power Work Agreement for East Elm street light reactivation:** City Clerk Canda Dimick reported Council President Thomson signed the work Rocky Mountain Power agreement and De Los Reyes will pay for it. Council President Thomson reported they changed locations to go up the East side of property instead of West side. Not sure where the pole will be located. Council discussed installing a lamp on the pole.

**Zoning Ordinance Draft - ACTION ITEM:** The Council begins the review process at the last section reviewed at April 25th meeting. Page 13

- **Garage, Private:** Reviewed
- **Garage, Public:** Reviewed
- **Geologic Hazard:** New, Reviewed
- **Glare:** New, Reviewed
- **Grade or Official Grade: A,B,C& D:** Talked about referencing building height to official grade. The way it’s stated now is from average grade. Question is what is average grade? A & B is specifically related to commercial uses. B doesn’t wash with the City setbacks. Residential grade is C. P&Z (Planning and Zoning commission) is still working on grade & official grade.
- **Guest:** Home occupied questing. Reads “guest houses are not a lodging where typical lodging services are provided. Payment is not allowed.” Reviewed/Good
- **Guest House:** Reviewed
- **Hard Surface:** Reviewed
- **Health Authority:** Reviewed
- **Health & Fitness Facility:** Reviewed
- **Height of Building:** Reviewed
Home, Boarding: Reviewed

Home, Manufactured: A, B & C: Council didn’t; feel like manufacture home needed to be measured by body feet. Reviewed

Home, Mobile: Reviewed

Home, Model, Temporary: City Council questioned the dimensions referenced in the Home, Mobile, temporary definitions. A lot of trailer and RV’s are longer than 32 feels. Council agreed to strike the dimensions.

Home Model: Reviewed

Home Modular: Reviewed

Home, Nursing: Council agreed that definition for Home, Nursing should read Home, Licensed Nursing.

Home Occupation: Questioned the wording customarily incidental. Decided the wording is okay and to leave it.

Council stopped at Hospital definition page 15 and will begin there at next review session.

ADJOURNMENT – ACTION ITEM: Councilperson Thomson made a motion to adjourn. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Meeting adjourned at 8:10 p.m.

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Amantha Sierra, Transcriber

Jon Thomson, Council President

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Canda L. Dimick, City Clerk