

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, August 09, 2018 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

**Present:** T. Paul Davids III, Mayor  
Lisa Guthrie, Councilperson  
Brian Hinz, Councilperson  
Jon Thomson, Councilperson  
Dennis Callahan, Code Enforcement Officer  
Canda Dimick, City Clerk  
Gary Cooper, City Attorney  
Tony Hobson, City Maintenance  
Amantha Sierra, Office Assistance

**Excused:** Rickey Frandsen, Councilperson

**Guests:** Carl Toupin, Sheena Toupin, Mathew Hill, Bryan Phinney, Rick & Katie Hatch, Kody Tillotson, Ron Hunt, Damien Allen

Mayor Davids welcome and thanks everyone for coming. He announces this is the City's regular scheduled council meeting. The Pledge of Allegiance is led by Councilperson Thomson. Mayor announced agenda deadline for Council meeting on September 13<sup>th</sup>, is September 6<sup>th</sup>, 2018.

**Amend Agenda:** Mayor Davids announced one amendment to the Agenda. Move bills to the end of meeting under miscellaneous items. Councilperson Hinz made a motion to move bills to category title miscellaneous. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**Approval of Minutes (July 12, 2018 & July 25, 2018) ACTION ITEM:**  
Councilperson Hinz made a motion to approve. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**Public Hearing – Declaration of Intent to Exchange Approximately .19 acres of property owned by the City for approximately .10 acres of property owned by Edgewater Resort, LLC, both parcels being located along Portneuf Street between 1st Street West and North Center Street. In addition to the exchange**

**of property, Edgewater Resort, LLC will construct and install a drainage facility on its property and grant an easement to the City for maintenance of the drainage facility. The City cost/value Edgewater Resort, LLC is contributing to construct and install the drainage facility is believed to be approximately equal in value to the value of the property it is conveying to Edgewater Resort, LLC. The construction and installation of the drainage facility will improve drainage issues which exist in the area surrounding these properties. ACTION ITEM: Mayor Davids read declaration.**

*DECLARATION OF INTENT BY THE CITY OF LAVA HOT SPRINGS, IDAHO  
TO EXCHANGE PROPERTY WITH EDGEWATER RESORT, LLC  
AND NOTICE OF PUBLIC HEARING ON AUGUST 9, 2018*

*The City Council of the City of Lava Hot Springs, Idaho has determined that it is in the public interest to exchange approximately .19 acres of property owned by the City for approximately .10 acres of property owned by Edgewater Resort, LLC, both parcels being located along Portneuf Street between 1<sup>st</sup> Street West and North Center Street. In addition to the exchange of property Edgewater Resort, LLC will construct and install a drainage facility on its property and grant an easement to the City for maintenance of the drainage facility. The City Council declares that the value of what the City receives from this exchange, including the cost/value Edgewater Resort, LLC is contributing to construct and install the drainage facility, is believed to be approximately equal in value to the value of the property it is conveying to Edgewater Resort, LLC. The construction and installation of this drainage facility will improve drainage issues which exist in the area surrounding these properties.*

Councilperson Thomson made a motion to open public hearing. Councilperson Hinz seconded the motion. All voted aye, unanimous. Kody Tillostson addressed support of the exchange. Councilperson Hinz made a motion to close hearing. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**Resolution 2018-6 approving the Property Exchange with Edgewater Resort, LLC ACTION ITEM:** Councilperson Thomson read public hearing notice.

*DECLARATION OF INTENT BY THE CITY OF LAVA HOT SPRINGS, IDAHO  
TO EXCHANGE PROPERTY WITH EDGEWATER RESORT, LLC  
AND NOTICE OF PUBLIC HEARING ON AUGUST 9, 2018*

*The City Council of the City of Lava Hot Springs, Idaho has determined that it is in the public interest to exchange approximately .19 acres of property owned by the City for approximately .10 acres of property owned by Edgewater Resort, LLC, both parcels being located along Portneuf Street between 1<sup>st</sup> Street West and North Center Street. In addition to the exchange of property Edgewater Resort, LLC will construct and install a drainage facility on its property and grant an easement to the City for maintenance of the drainage facility. The City Council declares that the value of what the City receives from this exchange, including the cost/value Edgewater Resort, LLC is contributing to construct and install the drainage facility, is believed to be approximately equal in value to the value of the property it is conveying to Edgewater Resort, LLC. The construction and installation of this drainage facility will improve drainage issues which exist in the area surrounding these properties.*

A public hearing concerning this proposed exchange will be conducted at the next City Council meeting on August 9, 2018. The City Council meeting will begin at 5:30 PM and the approximate time when the public hearing on this exchange will commence will be contained in the Agenda which will be posted in advance of the August 9, 2018 City Council meeting.

DATED this 18<sup>th</sup> day of July, 2018.

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CANDA DIMICK  
CITY CLERK  
CITY OF LAVA HOT SPRINGS, IDAHO

Council chooses not to read legal description. Councilperson Thomson read Resolution 2018-6.

**RESOLUTION 2018-6**

***WHEREAS***, in accordance with the executed real property exchange agreement with Edge Water Resort, LLC, the City Council of the City of Lava Hot Springs hereby approves the exchange of the following described property:

*The parcel of land located in Government Lot 2, Section 2, Township 9 South, Range 38 East, Boise Meridian, the same being a portion of the lands described in that Warranty Deed instrument No. 21502791 as recorded in the records of Bannock County, Idaho;*

*Commencing at the intersection of Main and First West Streets as depicted upon the Hall City Townsite Plat and recorded instrument 21277 in the records of Bannock County, Idaho, the same being South 89°15'26" West for a distance of 349.47 feet from the intersection of Main and Center Streets; thence North 01°04'42" West for a distance of 267.51 feet; thence South 89°14'53" West for a distance of 25.00 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located on the Northeast corner of Lot 1, Block 4, in said Townsite plat;*

*thence North 01°05'23" West for a distance of 34.52 feet along the projected Easterly boundary line of said block to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169", the True Point of Beginning; thence North 01°05'23" West a distance of 20.48 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located at the intersection of the North right of way boundary line of Portneuf Street and the West right of way boundary line of First West Street, the same as depicted upon that record of survey plat recorded instrument No. 21515692 in the records of said county; thence North 89°14'53" East a distance of 50.00 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located at the intersection of the North right of way boundary line of Portneuf Street and the projected East right of way boundary line of First West Street; thence North 89°15'02" East a distance of 341.57 feet along the North right of way boundary line of Portneuf Street to a point 10.00 feet South 89°15'02" West from the centerline of a concrete pedestrian bridge; thence South 09°38'49" West for a distance of 9.88 feet parallel with the centerline of said bridge to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169", a witness to the corner previous; thence continuing South 09°38'49" West for a distance of 15.31 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS*

*PLS 9169" located back of curb and gutter; thence South 89°53'13" West a distance of 57.35 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169" located on the Northerly boundary line of the lands described in that Warranty Deed instrument No. 21502791 as recorded in the records of said county; thence North 81°14'58" West a distance of 78.31 feet along said boundary line to a 5/8 inch reinforcement bar with cap tagged "GVS PLS 9169" and depicted upon that record of survey plat recorded Instrument No. 21515692 in the records of*

*said county; thence South 17°45'02" West a distance of 12.68 feet along the Northwesterly boundary line of said lands to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169";*

*thence South 89°53'13" West a distance of 248.31 feet to the True Point of Beginning.*

***For the following described property:***

*The parcel of land located in Government Lot 2, Section 2, Township 9 South, Range 38 East, Boise Meridian, the same being a portion of the lands described in that Warranty Deed Instrument No. 21502791 as recorded in the records of Bannock County, Idaho;*

*Commencing at the intersection of Main and First West Streets as depicted upon the Hall City Townsite Plat and recorded instrument 21277 in the records of Bannock County, Idaho, the same being South 89°15'26" West for a distance of 349.47 feet from the intersection of Main and Center Streets; thence North 01°04'42" West for a distance of 267.51 feet; thence North 89°14'53" East for a distance of 25.00 feet to a ½" rebar located on the Northwest corner of Lot 10, Block 3, in said Townsite plat, and depicted upon that record of survey plat recorded Instrument No. 21515692 in the records of said county; thence North 89°15'02" East for a distance of 187.46 feet along the North boundary line of said block to a found ½" rebar*

*located on the Westerly boundary of the lands described in that Warranty Deed instrument No. 21502791 as recorded in the records of said county, the True Point of Beginning; thence North 17°45'02" East a distance of 33.49 feet to a to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169"; thence North 89°53'13" East a distance of 81.26 feet to a 5/8 inch reinforcement bar with cap tagged, "GVS PLS 9169"; thence South 81°14'58" East a distance of 68.68 feet to a point on the Westerly right of way boundary Line of Center Street; thence South 09°28'52" West a distance of 19.85 feet to a point on the South boundary line of the projected right of way boundary line of Portneuf Street; thence South 89°15'16" West a distance of 156.10 feet along said boundary line to the Point of Beginning*

***BE IT RESOLVED*** that the City Council of the City of Lava Hot Springs authorizes Mayor T. Paul Davids III, to sign all documents relating to the exchange of the properties as described in accordance with the terms of the executed real property exchange agreement.

***DATED*** this 9th day of August, 2018

ATTEST:

CITY OF LAVA HOT SPRINGS, IDAHO

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Canda Dimick, City Clerk

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T. Paul Davids III, Mayor

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Jon Thomson, Councilmember

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Brian Hinz, Councilmember

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*Rickey Frandsen, Councilmember*

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*Lisa Guthrie, Councilmember*

Councilperson Hinz made a motion to approve Resolution 2018-6. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**Review & Approve Knife River Bill ACTION ITEM:** Council reviewed Knife River bill. Councilperson Hinz made a motion to approve bill. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Public Hearing - Building Permit Plan Review Fee Increase ACTION ITEM:** Mayor Davids explained the notice.

*PUBLIC HEARING*

*NOTICE ON INCREASED BUILDING PERMIT PLAN REVIEW FEE*

*The City of Lava Hot Springs proposes to restructure how plan review fees are calculated which will increase the building permit plan review fee of the city by an amount exceeding one hundred five percent (105%) of the current respective fee.*

*The fee increase is to cover charges billed to the City of Lava Hot Springs by the Idaho Division of Building Safety. The plan review fee is in addition to the building permit fee. All building permits will be billed and additional forty (40) percent of the permit fee for plan review.*

*All citizens are invited to attend the hearing on the proposed fee increase on Thursday, August 9, 2018 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.*

*Lava City Hall is accessible to persons with disabilities. Special accommodations and alternative formats for non-English speaking persons or persons with disabilities will be available upon request with*

*a minimum of 5 days notice prior to the hearing. Contact Canda Dimick, City Clerk at (208)776-5820 during the hours of 9 a.m. to 2 p.m., Monday through Friday for accommodations and other information.*

*Publish: July 26, 2018 and August 2, 2018*

Councilperson Guthrie made a motion to open public hearing. Councilperson Thomson seconded the motion. All voted aye, unanimous. Kody Tilloston asked for clarification. Mayor Davids explained its administration fees the City is being charge by the State to review. Kody clarified its not City fees it's what the State bills the City. Rick Hatch questions the current fees verses the proposed fees. City Clerk Dimick explains it's a 40% additional fee on the building permit plan review. A copy of the State's fee schedule example was given to Kody Tilloston and Rick Hatch. Councilperson Hinz made a motion to close hearing. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Resolution 2018-7 Establishing Building Permit Plan Review Fees ACTION ITEM:** Councilperson Thomson read notice of hearing and Resolution 2017-7 page one (1), no exhibits.

*Resolution 2018-7*

*WHEREAS, Idaho Code 63-1311 provides that the governing board of taxing districts may collect fees for services provided; and*

*WHEREAS, the City of Lava Hot Springs is hereby documenting the fees for building permits and plan reviews provided by the City of Lava Hot Springs under contract with the Idaho Division of Building Safety, in order to help defray the public costs of such services.*

*NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lava Hot Springs, Idaho that the following fee schedule is currently being used by the Idaho Division of Building Safety and will continue to be used until adjusted or changed by resolution as follows:*

**PROCEDURE**

*Building Permits – Building permit fees shall be charged in accordance with the 1997 Uniform Building Code, Building Permit Fees, (per Table 1-A), revised January 2001*

**FEE SCHEDULE**

*Exhibit A*

*Building Valuation Data – Valuation data shall be calculated in accordance with the 1997 Uniform Building Code, Building Valuation Data, revised April 1999*

*Exhibit B*

*Plan Review – Plan review fee is in addition to the building building permit fee and will be charged on each permit.*

*40% of building permit fee*

*Other Inspections and Fees – Per Table 1-1 1997 Uniform Building Code*

*Exhibit C*

*PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, THIS 9<sup>th</sup> DAY OF August, 2018.*

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*T. Paul Davids III, Mayor*

*ATTEST:*

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*Canda L. Dimick, City Clerk*

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

**M.R.&E., Inc. Garbage Contract Expiration/Renewal & Proposed Rate**

**Increase ACTION ITEM:** Carl Toupin introduced himself and his administrator, Sheena Toupin. City Clerk Dimick explained the proposal she suggested to Carl Toupin. The commercial billing process is hard for the City to track due to all changes throughout the year. They proposed the contract to stay as is, the City continues billing, which the City charges one dollar (\$1.00) per can for the administration fee, or they take of the commercial portion of the billing and charge a \$1.50 for the administration fee per can. The City would continue billing the residential for garbage and one dollar (\$1.00) per can for the administration fee. All commercial communication will be handled by MRE. Kody Tilloston asked Carl if billings will be itemized, showing what they are billed for. Carl Toupin answered yes. Kody would support the administration price increase and commercial billing from MRE. Carl is proposing a five percent (5%) increase in garbage fees due to rise of cost of living. Carl explains there cost is below the national average. Councilperson Hinz asked if MRE will accept a thirty day (30) contract until the City has an opportunity to review other businesses and make a

decision. Kody comments that he did research MRE competitors and found MRE offers the best selection of canister. Carl Toupin comments that other competitors probably won't do the double dump when picking up on the regular schedule day. Councilperson Thomson made a motion to accept seven (7) year contract with a five percent (5%) increase and contractor will take over the commercial monthly billing portion. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Councilperson Thomson made a motion to schedule public hearing for one dollar and fifty cent (\$1.50) fee increase. Councilperson Hinz seconded the motion. All voted aye, unanimous.

### **Lava Chamber of Commerce Reports - Kelly Myers, Event Coordinator**

**A) July 21st Parade and Lava Annual Community Day Event:** Councilperson Hinz announced the cost of foam is expensive and they used about thirty gallons (30) of foam at the community day event, need to budget money for the foam event scheduled for next year. Suggestion was made to limit the time on the foam event to one hour (1) so we can regulate the amount of foam used. The cost of a fifty gallon tank is one thousand, two hundred dollars (\$1,200.00) need to budget. Councilperson Hinz made a motion to budget money for foam and other items. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Kelly Myers was complimented for a job well done. Kelly is working on Oktoberfest.

**B) Miscellaneous Activities Report:** Mayor Davids reported that he got a call from Sam Netuschil about the Bike/pedestrian trail proceeding along 4<sup>th</sup> to the golf course. They have enough money and support to proceed with the project. Some of the money raised is from the Oktoberfest fund raisers. The Chamber is not going to write out a check for the project but is willing to turn money from Oktoberfest proceeds over to City. Councilperson Hinz made a motion to be the piggy bank. Councilperson Guthrie seconded the motion. All voted aye, unanimous. .

### **Law Enforcement/Code Enforcement**

#### **A) Encroachment Issues:**

**1) Fence/Gate - South 2nd West - Instructed on City Right-of-Way:** Dennis Callahan, Code Enforcement Officer reported he talked with the property owner and the property owner said he had taken care of the encroachment issue. When Dennis inspected the area he found that the property owner had not removed the two (2) posts that encroached on City property. Dennis emailed the property owner a picture of the posts that need to be removed in order to clear the encroachment issue. The property owner was confused about the encroachment and didn't realize that he needed to remove the posts. As of today he has not



removed them, the last time Dennis talked to him was a week ago. The letter from the Attorney gave him until July 30<sup>th</sup> to clear the encroachment. Mayor Davids asked Dennis to contact property owner tomorrow and give him until the end of the weekend to remove the post or the City will proceed with ligation. Councilperson Hinz made a motion to declare that the posts are a nuisance and have until midnight, Sunday, August 11, 2018 to remove them. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**2) Residential Steps – 183 West Booth - Installed on City Right-of-Way:**

Mayor Davids reported the steps have been removed.

**B) Ordinance Regulating Discharge of Firearms within City Limits ACTION ITEM:** Work in progress, reschedule for next month.

**C) Public Nuisances:**

**1) Annual Weed/Fire Hazard Abatement Notices ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported that he is sending notices to property owner that he missed initial sending to. Most of the notices have been taken care of.

**2) Unlicensed vehicles on private property ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported still working on unlicensed vehicles.

**3) Tree Trimming Notices ACTION ITEM 4) Intersecting Traffic Vision Impairments ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported still working on tree trimming notices. Many have trimmed their trees. Mayor Davids would like to see limb piles on property cleaned up, they are a Fire hazards. Dennis is still working on intersecting traffic vision impairments.

**D) Dog Kennel Purchase – ACTION ITEM:** Council discussed areas to house the kennel and different types of kennels. Need a place to put the kennel that is accessible to water and shade. The City has a small carrier. Research portable kennels and make decision next month.

**E) Monthly Law Enforcement/Code Enforcement Miscellaneous Reports:** No Bannock County Officers in attendance. Mayor Davids reported he has not received report on open container enforcement. Mayor Davids also reported Bannock County Officers will be patrolling again this weekend in Lava Hot Springs.

**F) Bannock County Law Enforcement Contract Renewal ACTION ITEM:**

Councilperson Hinz would like to add a monthly report requirement to the contract. Councilperson Hinz made a motion to accept contract renewal with a monthly report, provision. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Mayor Davids wants Dennis to make sure Lava citations are available for the Bannock County Officers.

**Business License(s) ALL ACTION ITEMS**

**A) Mountain Mayhem 2 (Tent) – East Main – Sam Netuschil, Owner/Applicant:**

**B) Purple Moon World Market – 44, 48, 50 & 56 East Main – Sam Netuschil, Owner/Applicant:** Mayor Davids reported he tentatively approved business license. The business license needed approval in the month of July due to business ownership change. Councilperson Hinz questioned applying for a sign permit letter. Councilperson Hinz feels the council needs to require sign permit within two (2) weeks of business license approval. Councilperson Hinz made a motion to approve both business license contingents on a two (2) week sign permit. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Council mentioned the need for Law Enforcement to watch and site under age drivers on recreational vehicles.

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

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

**B) Portneuf Veterans Club:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**C) Dempsey Creek Inc., DBA/Purple Moon World Market – Lava:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Building Permit(s) ALL ACTION ITEMS**

**A) Building Permit Report – Dennis Callahan, City Code Enforcement Office:** Dennis Callahan, Code Enforcement Officer reported that he sends finalized permit to Bannock County Assessor Office and person/owner listed on building permit.

**B) New Residential/Commercial Duplex – West Main – Rick & Katie Hatch, Owners/Applicants:** Rick Hatch explained he will live in one and the other will be a nightly rental, the property is in commercial zone. Blue prints for parking and duplex were reviewed and discussed. Four (4) parking spots required for phase one (1) and four (4) spaces for phase two (2), for a total of eight (8). Councilperson Hinz explained a sidewalk is required on Main Street and the property owner is responsible for it. Roof drainage and encroachment concerns discussed. Rick suggested he may want to go back to P&Z and change the lot split. The even split is seventy three feet (73) for the property line after they sell to Kramer's. The duplex is sixty nine feet (69) wide and we were talking about moving it over especially if we sell another foot to Kramer's due to the drainage encroachment. If everything goes as plan they will start building in October 2018. Councilperson Guthrie made a motion to accept the plans and submit to State. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**C) Rebuild exterior wall and footer and remodel interior – 60 East Booth Street – Jade Beus, Owner/Applicant:** Mayor and Council reviewed permit with Dennis. State has approved the plans. Councilperson Hinz made a motion to approve permit based on remodeling basement unit, not adding an additional 4th unit and its contingent on State inspector approval. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

### **Meetings/Announcements/Miscellaneous**

**A) FY2019 Budget Work Session – Schedule ACTION ITEM:** August 20<sup>th</sup>, 7:00 p.m.

**B) 2017 Drinking Water Report:** Mayor Davids reported everything turned out okay on report.

**C) III-A Open Enrollment:** Acknowledge.

**D) III-A Reimbursement of Assessment:** Received reimbursement, twenty one hundred and sixty dollars (\$2,160.00) from the Idaho Independent Authority. Make note for budget to use like last year and the year before.

**E) Rocky Mountain Power Community Funding Request – ACTION ITEM:** 2017 original request for \$500.00 for the purchase of clear holiday lights sent to Von Rasmussen Rocky Mountain Power last fall and it never got approved. City Clerk Dimick resent the request to new Rocky Mountain Power representative but

he cannot fund. City will not be getting funds for clear holiday lights. Council will think about another project to apply for the five hundred dollar (\$500.00) funding opportunity and review at next month council meeting.

## **Projects**

### **A) Water Improvement Project:**

**1) City/Knife River Staging Area Agreement ACTION ITEM:** Mayor Davids reported new road is out of the question due to costs. Knife River is going to give a breakdown of what it would cost to build a new road. What they normally pay for rent on a staging area is around one hundred (\$100.00) to three hundred (\$300.00) dollars per month. When they get the breakdown back they will review it with the City and determine what they can do in exchange for the rent due on the staging area. The hope is they can get the road cut in, graded, staked and some gravel down.

**2) Bannock County Excavation/Grading Permits & Floodplain Development Permits:** Permits excavation have been signed and approved. Flood plain permits submitted and in the process of being approved. Bryan Phinney reported on the background history on excavation permits. The City wasn't required to get excavation permit for the sewer project, the pipeline out and the land app site for the lagoon, different county engineer. This permit is not always required. It seems to be arbitrary when the permit is required. Permit fees were waived. Knife River did request a change order to relocate because of permitting delays. A possible change order for a future relocation was addressed. Two (2) guys, ten (10) hours for the day to load equipment up and relocate, twenty one (21) hours equipment transport loader and a crew truck total is twenty seven hundred and thirty one dollars and two cents (\$2,731.02). They were shut down for over a week because of the being red tagged. No stand by time charged. Councilperson Thomson made a motion to approve change order. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**3) City/Lava Hot Springs Foundation Water Meter Relocation Agreement ACTION ITEM:** Mayor Davids reported on the Foundation work order. Knife River is meeting with Tony Hobson, City Maintenance, on Monday at 11:00 a.m. along with a plumber to look at the job and get an estimate on it. Mayor Davids will provide the foundation with the cost so, they can add it to the contract.

**4) City/Clinton & Kelli Poll Access and Option to Purchase Real Estate Agreement for New Well Site ACTION ITEM:** Poll purchase agreement. Keller's is working on legal. Mayor Davids has asked Polls about how much cost

per acre, they are thinking about it and will get back to him. Tony and Mathew walked property today to look at possible sites. Attorney recommended agreement for each site. Waiver has been sent to DEQ. Keller's will follow up. Contractor and Tony will be taking in with a licensed plumber on Monday.

**5) Fish Creek Spring Land Purchase from Doug Potter – Mayor Davids:**

Mayor Davids reported that the variance are in and have not heard anything back on it.

**C) Tennis/Pickle Ball Courts**

**1) Resurfacing Update & Additional Pickleball:** Ron Hunt reported they are feeling pretty good about what they have done so far. They would like another net, they have created three courts and they only have one temporary net. They would like the same as the last one they got, around \$250.00. The council discussed waiting until spring since the season is almost over. They agreed with waiting until spring. Ron Hunt would like to look at other locations and asked if the city would help with funding. The council informed him that all available funds will go into the cost of remodeling the city park.

**All other projects moved to next month due to time except for (A) Water Improvement Project and (C) Pickle ball.**

**B) Buddy Campbell Park Improvement Project/Maintenance**

**1) Child Safety Grant Opportunity ACTION ITEM**

**D) ADA Curb Ramp Project**

**1) Forsgren Engineering Contract**

**E) City Hall Retaining Wall Caps ACTION ITEM**

**Discussion:** No discussion

**Adjourn into executive session as authorized by Idaho Code 67-2345 (1) (a) to conduct interviews for public works position. ACTION ITEM:** Councilperson Guthrie made a motion to adjourn into executive session. Councilperson Hinz seconded the motion. All voted aye, unanimous. Roll call. Guthrie -Aye, Hinz-Aye, Thomson-Aye, unanimous.

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

**Motion regarding Public Works Position ACTION ITEM:** Councilperson Thomson made a motion to test Justin, Bonner & Ryder. Councilperson Hinz seconded the motion. All voted aye, unanimous. Roll call. Frandsen -Aye, Guthrie -Aye, Hinz-Aye, Thomson-Aye, unanimous.

**F) Miscellaneous:**

**Review & Approve Bills ACTION ITEM:** City Clerk Dimick reviewed list of bills with Mayor and Council. Councilperson Hinz made a motion to pay bills. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Frandsen -Aye, Guthrie -Aye, Hinz-Aye, Thomson-Aye, unanimous.

**Adjourn:** Councilperson Guthrie made a motion to adjourn. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Meeting adjourned at 8:53 p.m.

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Amantha Sierra, Transcriber

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T. Paul Davids III, Mayor

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Canda L. Dimick, City Clerk