Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, August 14, 2014 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Marshall Burgin, Mayor
George Linford, Councilperson
Newt Lowe, Councilperson
Tamara Davids, Councilperson
Canda Dimick, City Clerk

Excused: Carl Brown, Councilperson

Guests: Mike Vice, Amy Pike, Earl Swanson, Christopher Banks, Todd Asay, Brian and Allison Hinz.

Mayor Burgin called the meeting to order at 5:32 p.m.

Councilperson Linford made a motion to amend the agenda to include Montelle and Amy Pike’s proposal to vacate Fife Street, and to include hiring a real estate agent for the City. Councilperson Davids seconded the motion. All voted aye, unanimous.

Approval of Minutes
Councilperson Linford made a motion to approve the minutes of July 10, 2014 as transcribed. Councilperson Lowe seconded the motion. All voted aye, unanimous.

Proposal to Vacate East Fife Street – Montelle & Amy Pike
Amy Pike came forward to request that the City vacate a portion (East end) of East Fife Street. She showed City Council the survey that was done of their property. She explained how they traded some property with their neighbor, Mike Vice, to resolve encroachment issues and how they would like the City to vacate East Fife from the corner of their property line. Mayor Burgin stated if the street was vacated that the Pike’s would own half of it, and the neighboring property would own the other half. Ms. Pike stated that this would make it so their garage is on their property. They were unaware of the issue until they had the survey done. She reviewed some pictures of the area with City Council. Discussion followed. Amy Pike agreed to contact the neighboring property owner to get their consent and then she will follow-up with the City. The vacate area is undevelopable because of the steep grade and canal.

Review and Approve Bills
Councilperson Davids made a motion to approve USDA and Idaho Water Resources bills for water and sewer loan/bond payments. Councilperson Linford seconded the motion. All voted aye, unanimous. The rest of the bills will be presented at next week’s special meeting.

Law Enforcement/Code Enforcement Monthly Reports
No Law Enforcement present.
Update on Access Improvement to Portneuf River for Tubers Grant – Christopher Banks, Portneuf Soil Conservation

Christopher Banks reported that they did submit a grant application, which was due on August 1, 2014. He brought a copy for the City. He questioned the ownership of the adjoining property where the Lava Spa RV Park is located. Mayor Burgin stated that Steve Jones owns the property in question. Mr. Banks stated that they may want to partner with the property owner to fence the river bank in that area. Fencing, observation decks and signage were all included in the application. He reported that they walked the river with Mark Lowe to determine the best access points. The Foundation committed to match funds and stated that they are willing to improve the tubers exit point. He asked the City for a letter of support. The grant amount is $190,000.00 and the total cost is $331,004.00. They included some trails that the Lion’s Club proposed. They have the City down for $10,000.00 match, which can be cash or in-kind. He reviewed the rest of the grant application. He stated that the Bannock County Civitan’s have expressed interest in maintaining the paths. They also have interest from some of the tube stands and will be asking them for letters of support also. Liability concerns were discussed. Mr. Banks stated that liability is not assumed anywhere in the grant. They will not know if the grant has been awarded to them until next June. Councilperson Linford made a motion to send a letter of support to the Portneuf Soil Conservation District and commit $10,000.00 cash or in-kind to the project. Councilperson Davids seconded the motion. All voted aye, unanimous.

South 4th Street West Safety Concerns – Brian & Allison Hinz

Brian and Allison Hinz came forward and expressed concerns about speeding and safety on South 4th Street West. They asked the City Council to consider speed bumps to slow traffic at Booth and Fife Streets and extra signs. Mayor Burgin stated that he will call the Sheriff’s Department tomorrow and ask them to monitor traffic on 4th.

Buddy Campbell Memorial Park Use – Eastern Idaho Scottish Athletics

Todd Asay came forward to represent the Eastern Idaho Scottish Athletics. He explained what they would be using the park for and that they would fill in any spots that might be damaged by their activities. They have used the park in Chubbuck for several years and have not had any problems. Discussion followed. Councilperson Davids made a motion to allow the Eastern Idaho Scottish Athletics to use the park for their activities. Councilperson Linford seconded the motion. All voted aye, unanimous.

Veterans Service Organization Recreation Center Grant Proposal – Charles Snelgrove Davey, MBA

The City Clerk reported that Mr. Davey was not able to attend. He already submitted his application, and that there is only a 5% chance that it will be awarded. He put the City on the application as a supporter of his proposal.

Planning & Zoning

A) Status report on subdivision ordinance amendment and zoning un-zoned areas.

Councilperson Linford reviewed what they have been working on. The City Clerk stated that they have been reviewing ordinances from other cities. The City’s attorney recommends having a planner and an engineer review the ordinance draft when finished as well.
B) Bannock County Zoning Ordinance Amendment to require any applicant or affected person seeking judicial review to first seek reconsideration of the final decision.

The City Clerk stated that she was just passing on the notice. She does not see any issues that need to be addressed.

Business License(s) & Non-Property Tax Permit(s)
A) Bristol Park Historical Cabins
City Council questioned the conditions of the cabins. The City Clerk reported that the cabins have been inspected and approved for use by the State electrical and Bannock County building inspectors.

B) Harmony Hill Property Management – Cori Rife, Owner/Applicant
C) Outside Ourselves Photography – Cheyenne Polk
D) Verizon Wireless by Teton Cellular – Idaho 6-Clark, LP, Owner/Applicant
City Council discussed each one.

Councilperson Linford made a motion to approve A-D. Councilperson Davids seconded the motion. All voted aye, unanimous.

Meetings & Announcements
1) Reschedule FY2015 Budget Hearing
Due to computer issues the FY2015 Budget Hearing needs to be rescheduled. Councilperson Davids made a motion to reschedule the FY2015 Budget Hearing to September 3, 2014 at 5:30 p.m. Councilperson Lowe seconded the motion. All voted aye, unanimous.

2) Schedule executive session to conduct event coordinator interviews
Executive Session scheduled for August 20, 2014 at 5:30 p.m. The City Clerk will see if Mark Lowe can attend as Chamber representative or if he can designate someone to attend.

3) Watering Hours
City Council discussed. Notices will be posted that the watering hours have been lifted.

4) Public Restroom Cleaning
The City Clerk questioned when to start closing the restrooms on weekdays. Mayor Burgin suggested keeping the restrooms open through September and they can talk about it again at the next meeting. The City Clerk reported that Tony suggested having the restrooms cleaned in the morning and just locking them up at night to resolve some of the personnel issues that have been experienced. Mayor Burgin stated that he feels the issue is already resolved.

5) Miscellaneous
The City Clerk stated that it has been mentioned to consider hiring a realtor to look into purchasing the “L” mountain and also some property by the park. Discussion followed. The City Attorney has advised that Idaho Codes does not require the city to solicit proposals for hiring a realtor. City Council agrees that it would be a good idea to hire a realtor.
Projects

A) Wastewater Improvement Project
   1) Generator Replacement Project
      Mayor Burgin reported that he called DEQ but the individual he needed to talk with was not in the office.

   2) Lagoon #2 Seepage Test Results
      Mayor Burgin reported that the tests passed.

B) Water Facility Plan Study
   The City Clerk stated that she did not get a report this month. Last she heard, it was on Bryan’s desk for review. They were supposed to present it to the City by the end of July. Mayor Burgin will contact Keller Associates about it.

C) Fish Creek Fencing Project
   1) The Fence Man Contract
      The City Clerk stated that the city is waiting on DEQ to authorize the reduction of footage. The City will have to come up with another $10,000.00 to complete the project if DEQ does not authorize the reduction.

D) Fire Station Remodel/Addition Project
   1) Alderson, Karst & Mitro contract status
      The City Clerk reported that she is still working on negotiating the liability insurance provision changes that the city attorney has advised with the contractor. As soon as he changes are incorporated into the contract it will be executed.

   2) Assistant Firefighter Grant Application
      The City Clerk reported that the Lava Rural Fire District and City are both not eligible for a block grant. Plan is to submit an application for an Assistant Firefighter Grant. Applications are expected to be solicited in September, but it might not be until October or later.

E) Miscellaneous
   Mayor Burgin would like the City Clerk to ask the City’s attorney about liability issues with the river improvements.

Discussion
   None.

Motion to convene into executive session to discuss delinquent option tax issues.

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

**Motion regarding delinquent option tax issues.**
Councilperson Davids made a motion to consider the delinquent option tax issues paid in full. Councilperson Linford seconded the motion. All voted aye, unanimous.

**Adjournment**
Councilperson Lowe made a motion to adjourn. Councilperson Davids seconded the motion. All voted aye, unanimous. Meeting adjourned at 7:17 p.m.

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Allison Hinz, Transcriber                        Marshall N. Burgin, Mayor

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Canda L. Dimick, City Clerk