

A Special Meeting/FY2021 Budget Hearing of the City Council of the City of Lava Hot Springs, Idaho will be held Thursday September 3, 2020 at 6:00 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho. Guests may participate by teleconference if they so desire. To participate or listen to the meeting by teleconference, please call (408)638-0968, meeting ID number is 5731543907#, password 745563#. Depending on your telephone service plan, long distance charges may apply. All participants will be muted when they join the meeting. Guests can unmute themselves by entering star six (*6).

Present: Jon Thomson, Mayor
Randy Benglan, Councilperson
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Canda Dimick, City Clerk

Excused: Amantha Sierra, Office Assistance
Gary Cooper, City Attorney
Brian Hinz, Councilperson

Guests: Jeff Jones

Mayor Thomson welcomes everybody and called the meeting to order.

Public Hearing for consideration of accruing forgone property tax levy for FY 2021 and reserving the right to potentially recover that foregone tax in the future pursuant to Idaho Code 63-802 (1) (f) - ACTION ITEM: Mayor Thomson announced public hearing for consideration of accruing forgone property tax levy for fiscal year 2021 reserving the right to potential recover that forgone tax in the future pursuant to Idaho Code 63-802 item (1) paragraph (f) and explained where the city has the option to collect or raise property tax by three (3) percent per year maximum and if the city choose not to do that, which we did this year, this reserve the right to do it later. City Clerk Canda Dimick comments the city has to do it by public hearing or a resolution to maintain the right to use it at a later date.

Councilperson Frandsen made a motion to open public hearing for consideration of accruing forgone property tax levy for fiscal year 2021 reserving the right to potential recover that forgone tax in the future pursuant to Idaho Code 63-802

(1)(f). Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Frandsen -Aye, Benglan-Aye, unanimous.

Mayor Thomson asked audience in person or on the phone if they had any questions. No response, no discussion.

Councilperson Frandsen made a motion to close public hearing for consideration of accruing forgone property tax levy. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Frandsen -Aye, Benglan-Aye, unanimous.

Resolution 2020-2 reserving the forgone amount for fiscal year 2021 for potential use in subsequent years as described in Idaho Code 63-802, et. al. - ACTION ITEM: City Clerk Canda Dimick pointed out one (1) clarification and announced she has talked with Gary Cooper, City Attorney and he said it was fine. There was an error on the resolution numbering and this resolution will be 2020-3. The 2020-2 was assigned to a different resolutions.

Mayor Thomson read Resolution 2020-3

Resolution 2020-3 reserving the forgone amount for fiscal year 2021 for potential use in subsequent years as described in Idaho Code 63-802 and others.

Councilperson Benglan made a motion to adopt resolution 2020-3 reserving the forgone amount for fiscal year 2021 for potential use in subsequent years as described in Idaho Code 63-802. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Frandsen -Aye, Benglan-Aye, unanimous.

FY2021 Budget Hearing – ACTION ITEM: Councilperson Guthrie made a motion to open the fiscal year 2021 budget hearing. Councilperson Frandsen seconded the motion. Roll call. Guthrie -Aye, Frandsen -Aye, Benglan-Aye, unanimous.

Mayor Thomson announced meeting opened for comments. Councilperson Frandsen asked about the twenty five thousand (25,000.00) dollar budget for the pickle ball court resurfacing. City Clerk Canda Dimick explained there is not a line dedicated to the resurfacing it's included under the Buddy Campbell improvement line item under option tax. City Clerk Canda Dimick reviewed budget, no property tax increase, increase on water & sewer connections, garbage administration fee and new fees for fines and penalties, scheduled to be approved at the September 10th, 2020 meeting.

No discussion or question from audience in person or on the phone.

Councilperson Guthrie made a motion to close the budget hearing fiscal year 2021. Councilperson Frandsen seconded the motion. Roll call. Guthrie -Aye, Frandsen - Aye, Benglan-Aye, unanimous.

Ordinance 2020-4 - FY2021 Annual Appropriation Ordinance – ACTION ITEM: City Clerk Canda Dimick clarified ordinance number is 2020-5. Read by Mayor Thomson.

ORDINANCE NO. 2020-5

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING THE SUM OF \$4,875,430.00 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF LAVA HOT SPRINGS FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

BE IT ORDAINED by the Mayor and City Council of the City of Lava Hot Springs, Bannock County, Idaho.

SECTION 1: That the sum of \$4,875,430.00, and the same is appropriated to defray the necessary expenses and liabilities of the City of Lava Hot Springs, Bannock County, Idaho for the fiscal year beginning October 1, 2020.

SECTION 2: The object and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES

GENERAL FUND

General Administration	\$167,039.00
Law Enforcement/Animal Control	91,048.00
Fire Department	23,206.00
General Maintenance	22,017.00
Planning& Zoning	10,000.00
City Hall Maintenance	<u>3,650.00</u>
Total General Fund	\$316,960.00
 GARBAGE FUND	 68,264.00
STREET FUND	215,537.00
WATER FUND	327,175.00
SEWER FUND	1,002,800.00
PARK IMPROVEMENT FUND	7,108.00
LOCAL OPTION TAX FUND	1,348,000.00
FIRE DEPARTMENT CAPITAL IMPROVEMENT	6,262.00
L HILL LIGHTS	371.00
BLM GRANT	43,988.00
BANNOCK COUNTY AMBULANCE FUND	3,149.00
WATER IMPROVEMENT PROJECT	1,340,487.00
PEDESTRIAN BRIDGE PROJ.	186,121.00
PEDESTRIAN BIKE PATH	5,212.00
CENTENNIAL FUND	3,996.00
TOTAL PROPOSED EXPENDITURES	\$4,875,430.00

SECTION 3: That a general tax levy on all taxable property within the City of Lava Hot Springs, Idaho be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2020.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the Idaho State Journal, a newspaper of general circulation in the City of Lava Hot Springs, and the official newspaper of said City.

PASSED under the suspension of the rules upon which a roll call vote was taken and duly enacted an Ordinance of the City of Lava Hot Springs, Bannock County, Idaho at a convened meeting of the City of Lava Hot Springs City Council held on the 3rd day of September, 2020.

Councilperson Frandsen made a motion to waive three (3) readings of ordinance 2020-5. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Councilperson Benglan made a motion to approve Ordinance 2020-5 FY2021 annual appropriation ordinance. Councilperson Guthrie seconded the motion. Roll call. Guthrie -Aye, Frandsen -Aye, Benglan-Aye, unanimous.

Fee, Fine and Penalty Schedule for Ordinance Violations – ACTION ITEM: Mayor Thomson reported the list went before P&Z (Planning and Zoning commission) and they have recommended some changes. They have made some suggestion on the proposed fine schedule. They fell like the excessive noise fine should be five hundred (500.00) dollars and the second offense in twenty four (24) hours should be seven hundred and fifty (750.00) dollars. Mayor Thomson personal opinion on the excessive noise violation which was a one hundred (100.00) dollars and P&Z suggested five hundred (500.00), should be in somewhere in between there. Mayor think at five hundred (500.00) it will go straight to the appeal process. Particle with the 2nd noise violation within twenty four (24) hours jumps to seven hundred and fifty (750.00) dollars. Mayor feels both are a little excessive. Discussion followed. Councilperson Benglan opinion is too keep them the way the attorney has set them. Long term/overnight parking

is fifty (50.00) dollars for first (1st) violation and if they don't move within twelve (12) hours they get another ticket for one hundred and fifty (150.00) dollars. Then it's the same with the noise the 1st one is one hundred dollars (100.00) and if they persist you give them another one for two hundred and fifty (250.00) and they still persist they get a 3rd one for one thousand (1,000.00) dollars within twenty four (24.00) dollars. Discussion followed. The City code enforcer or the Mayor has the authority to issue a citation and then it's payable at the city clerk's office. If you refuse to pay it then it escalates to the courts as a higher charge. There is an appeal process, a person will have the right to appeal in writing within a certain amount of days. The appeal process will be an unbiased 3rd party who reviews and makes final decision. That decision will hold. The city has recently passed a noise and light ordinance, business license ordinance and a parking ordinance. Discussion followed. Camping on public street fine of fifty (50.00) dollars with an escalation of one hundred and fifty (150.00) dollars. City Clerk Canda Dimick reported P&Z recommended increasing fees because fees were lower than staying in a campground. Research costs to stay in campground ninety (90.00) dollars to one hundred fifty (150.00) dollars per night. Consensus of city council leave camping fines as established by city attorney. Discussion on code enforcement hour and how to handle off-hours. Councilperson Frandsen asked if Bannock County will issue city citation. Mayor Thomson is not sure. State Foundation parking overnight discussed. Councilperson Benglan made a motion to adopt fee, fine and penalty schedule for ordinance violations scratch line number seven from section "C" as repetitive. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Roll call. Guthrie –Aye, Frandsen -Aye, Benglan -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 6:43

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk