

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, September 13, 2018 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  
Dennis Callahan, Code Enforcement Officer  
Canda Dimick, City Clerk  
Amantha Sierra, Office Assistance

**Excused:**

**Guests:** Carl Toupin, Fawn and Brenda Potter, Monte Steele, Dan Argyle, Kelly Myers, Jack Fleming and Susan Thomas, Bandon, Cody De Los Reyes and family.

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 October 11, 2018 city council meeting will be October 4, 2018.

**Amend Agenda:** Add executive session to discuss personnel. Councilperson Hinz made a motion to add executive session to agenda after the discussion category. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**Approval of Minutes (August 9, 2018, August 20, 2018 & September 5, 2018) - ACTION ITEM:** Councilperson Hinz made a motion to approve August 9, 2018, August 20, 2018 & September 5, 2018. Councilperson Guthrie 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. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

## **Outside City Limit Water Connection Request – Fawn Potter - ACTION**

**ITEM:** Fawn Potter introduced himself and reviewed agreement from 1969 to connect to city water and he would like to request the hookup at this time. Mayor Davids read 1992 agreement, page 3, and section number ten (10).

*The City agrees to provide three quarter inch (  $\frac{3}{4}$  ) hookup for culinary water for the Porter house, should it be required in the future without monthly charges, with the Potter's being responsible to pipe from the hookup to their home.*

Another agreement in 2014 worded exactly the same. Councilperson Thomson question that the agreement is for no charges for the hookup or no changes for the hookup and water. Mayor understands it to be no charges for the hookup and no monthly charges for the water. City Clerk Dimick explained the only issue is the chlorination. Any connection there is before the chlorination. City Clerk Dimick asked Fawn Porter if that was an issue and he said it was not. City Clerk Dimick explained that Tony Hobson, City Maintenance, put a call into DEQ to make sure it's okay to hookup without a connection to the chlorination system and he has not got an answer from them as of today. Mayor Davids asked Fawn if he is okay with where ever the hookup is. Fawn responded yes, he is sure there will be some logistics as far as do you hook into a spring box, do you hook into to a pipe line and what not. Brenda mentioned the have never had Chlorinated water. Councilperson Thomson made a motion to agree to the hookup with possibility of a waiver. Councilperson Hinz seconded the motion. All voted aye, unanimous. Brenda Potter would like to connect next spring. Councilperson Thomson asked if a meter is required. City Clerk Dimick comments the meter has a back flow devise and if a meter is not installed then the Potters will have to put a back flow devise in. Discussion followed if the property ever sold outside of the family a meter would be required. Everyone agreed a meter is required. Mayor Davids informed Fawn and Brenda Potter that they're going to get the culvert they talked about.

**Revised M.R.&E., Inc. Garbage Contract Renewal - ACTION ITEM:** Mayor Davids asked Carl Toupin if he is okay with the contract and Carl responded he is fine with it. Councilperson Thomson made a motion to approve. Councilperson Hinz seconded the motion. All voted aye, unanimous.

**Councilperson Frandsen is in attendance at this point.**

**Mayor Davids skipped to category F.**

**Law Enforcement/Code Enforcement**

**A) Ordinance Regulating Discharge of Firearms within City Limits -**

**ACTION ITEM:** Only question is providing provisions on ceremonial events. Mayor Davids needs to be able to approve permits. Councilperson Thomson made a motion to have attorney draft ordinance. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Public Nuisances**

**1) Annual Weed/Fire Hazard Abatement Notices - ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported that only one location left and Patrick has it scheduled to be take care of it.

**2) Unlicensed vehicles on private property - ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported he is still working with isolated areas. Dennis Callahan, Code Enforcement Officer is communicating Face to Face at this time.

**3) Tree Trimming Notices - ACTION ITEM:** Dennis Callahan, Code Enforcement Officer reported that he is handling them as Tony identifies the trees that need trimmed. Some locations have taken care of their trees. Mayor Davids reported need for wood for home coming bon fire and if anyone needs wood cleared from the property to let him know and he will get someone to remove it for the home coming bon fire.

**4) Intersecting Traffic Vision Impairments - ACTION ITEM:** Areas where vision is impaired were discussed. Everything has to be no higher than three (3) feet and trimmed up to at least ten (10) feet on property line, City Street it's sixteen (16) feet. Dennis was instructed to contact property owners for the following three (3) locations, Post Office coming out of the alley and parking lot, location by Leon Gates house and E.Z Livin Inn taking a left turn.

**C) Dog Kennel Purchase – ACTION ITEM:** Councilperson Thomson asked about dog kennel location. Dennis Callahan, Code Enforcement Officer explained the problem with the location is if the city puts the kennel outside and the dog being housed starts to bark it will cause a nuisances for the neighbors. Dennis suggested inside the garage at City Hall however Tony has concerns with the clean up process. Suggestion was made for a kennel on wheels, would help with the clean up process. Councilperson Thomson announces he has some parts to contribute to the cause. Mayor Davids asked Dennis Callahan, Code Enforcement Officer to work with Tony to clean out a spot in the garage for a dog kennel. Dennis will collect data on purchasing a kennel on wheels and present it at next

month's council meeting. Councilperson Thomson invited Dennis to his house to look over the kennels he has built. Councilperson Frandsen offered to weld if need be. Waste pod is a solution. Councilperson Thomson made a motion to identify a spot in the garage with Tony to place a kennel, clean it out and purchase kennel at a later date. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**D) Wasatch Organics, LLC Citation:** Dennis Callahan, Code Enforcement Officer reported on the back ground history of the weekly produce vendors at the square across from Chuckwagon and his attempts to get them to submit a business license application and the citation that was issued. Dennis explained they got a license to do business on the Bannock Shoshone land but, they never got the required lease from the Bannock Tribe or a City business license. Vendor is supposed to meet with the district attorney on September 19<sup>th</sup> for the citation issued.

**E) Iron Mountain Business Licenses - ACTION ITEM:** City council wanted more information. Company never responded to emails. Councilperson Hinz made a motion to return checks with a note they do not have a license to do business in Lava Hot Springs, ID. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**F) Monthly Law Enforcement/Code Enforcement Miscellaneous Reports:**

**G) Bannock County Law Enforcement Contract Renewal - ACTION ITEM:**

Dan Argyle addressed city council request to have monthly stats report. He explained the difficulty of getting a report off their system. One of the difficulties is due to Hippa laws and Juvenile information. There is no way to go through the report and try to redact information from the reports they have available on their systems. His department has a program the officer's use on a daily basis through their iPads and it creates the totals the numbers and extract those number on to an excel spreadsheet. Right now he is working on getting a few more stats columns added to the spreadsheet on what he thinks the City would like to see. The file will be updated in the next week then I will email the stats report to city clerk on the 1<sup>st</sup> of each month. The report will contain how many citations, how many warnings, written or verbal and how many arrest were made. No breakdown of the citation will be available only the total of citations issued. Councilperson Hinz likes the plan to start with and if next year we need more data we'll ask for it.

Councilperson Thomson made a motion to sign contract with monthly report plan added to the contract. Councilperson Hinz seconded the motion. All voted aye, unanimous. Dan Argyle will have department rewrite agreement to contain report

plan and take the contract to mayor to sign. Mayor Davids read the report from Doug Armstrong on the open container and extra patrols.

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83205-4666



TELEPHONE  
236-7111

LORIN W. NIELSEN  
Sheriff

JIM DALLEY  
Chief Deputy

To: Mayor David's

September 10, 2018

Re: Open Container Emphasis

Fr: Lt. Armstrong

Mayor David's, as per our discussion earlier this summer, the Bannock County Sheriff's Office conducted several operations on Main Street in Lava Hot Springs, where our main emphasis was on both the enforcement of, and education about, the City of Lava Hot Springs, Open Container Ordinance.

These Operations were conducted on Wednesday July 4<sup>th</sup>, and again for multiple hours on July 20<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup>, 2018.

On July 4<sup>th</sup> the following enforcement actions took place while working on Main Street during an 8 hour emphasis patrol:

Written Warning for Unsafe Vehicle Operation

Written Warning for Speed

Written Warning for driving a dirt bike on Main Street

9 Written Warnings for Open Container violations.

1 Citation was written for an Open Container violation to a subject from Bingham County who became belligerent over the issue.

1 citation was written for an Underage Consumption violation when the officers approached a subject over the Open Container.

On the Weekend of July 20-22, 2018 Officers worked 16 hours of emphasis patrol on Main Street in Lava over this issue.

On this weekend, 15 subjects were contacted about the Open Container ordinance on Main Street, and all were spoken too and given either a written or oral warning.

*"Working to make a difference."*

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LORIN W. NIELSEN  
Sheriff

JIM DALLEY  
Chief Deputy

Most of the people we contacted on the emphasis days were respectful and appreciated the education they received on the ordinance.

Some Lava residents were vocal in both their support of, and opposition to this Ordinance. Several Business Owners appreciated the enforcement, and some citizens complained about the City Council and Mayor trying to impose their religious views.

As I advised you earlier this summer, the enforcement of this ordinance can be both positive and negative to the city as we try to educate the citizens and complete enforcement action on those who need to see a local Magistrate.

We face several issues with this ordinance, the first being our inability to enforce city ordinances on Private Property such as State Foundation Land, and the second being our inability to enforce the Ordinance when people are floating the river.

I hope you are satisfied with the actions that were taken, however please feel free to contact me if you have any further questions.

Respectfully

A handwritten signature in dark ink, appearing to read "Doug Armstrong".

Lt. Doug Armstrong

Patrol Division

Bannock County Sheriff's Office

***“Working to make a difference.”***

Mayor Davids asked for permission to send a copy of the report out to Lava residents with water bill next month. Dan Argyle didn't think there was any issue with doing that.

### **Special Event Permit Application(s) - ALL ACTION ITEMS**

**A) Blue Moon Classic Car Show – September 22<sup>nd</sup>:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Oktoberfest – October 5 & 6 – Kelly Myers, Event Coordinator:** Kelly Myers, Event Coordinator reported that the chamber will *not* be cooking the food this year at Oktoberfest. Vendors will be setup to sell at the event. Vendors are covered under the Chamber of Commerce business license and the Chamber is responsible to collect non-property tax from each vendor that does not have a tax permit with the City. Fire Dancer performers have not committed to performing at the event. The permit is marked no under the fire section. Kelly was asked to change the fire section to yes. That way if they decide to dance it's on the approved application. Kelly will need to work with the Fire Chief if the Fire Dancer's decide to perform. Councilperson Thomson made a motion to approve with change on application and approval of the fire chief if the Fire Dancer's perform. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

### **Business License(s)/Alcohol Beverage Permit(s) - ALL ACTION ITEMS**

**A) Delta Fire Systems – Jerry Allen, Owner/Applicant:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Dragonfly Gallery – Susan Thomas, Owner/Applicant:** Susan Thomas reviewed her business plans with council. She plans on operating a fine art gallery featuring an artist every month. Business will be a venue for the enjoyment of those who like to walk through and see art. Sign application is not attached. Susan reported that they're still working on it. Councilperson Hinz made a motion to approve license with good faith to submit sign permit. Councilperson Thomson seconded the motion. All voted aye, unanimous.

### **Alcohol Beverage Permit(s) - ALL ACTION ITEMS**

**A) Blue Moon Bar & Grill catering permit for Classic Car Show – Sept. 22<sup>nd</sup>:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Oktoberfest Temporary Permit – Kelly Myers, Event Coordinator:** Kelly Myers, Event Coordinator reported that she is waiting for permit from the State of Idaho. Councilperson Hinz made a motion to approve contingent on receiving temporary State. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

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

**A) Delta Fire Systems:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Serenity House, LLC/DBA Dragonfly Gallery:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**C) Overstock.com, Inc.:** Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**D) Safety Test & Equipment Company, Inc.:** 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 provided council with report on everything outstanding to date for the past three years. Dennis will be sending out letters to applicants who haven't called for final inspections.

**B) 8 Unit Nightly Rentals (Off Street Parking & Landscaping Plans) – Brandon & Cody De Los Reyes:** Mayor Davids explained to the council that he had a discussion with Brandon & Cody De Los Reyes this summer. They have some dirt on the east side of their building that comes out onto the trail head and out on city road (currently not a road). I explained that the city currently doesn't have any plans to make a road (in the immediate future) and it would be nice to see some improvements and make the trail head nice and these are the plans the presented to us per my request. Cody De Los Reyes reviewed their plans for trail head improvement. They have laid some bark on the trail and planted Idaho wild flowers but, the seeds haven't germinated. They would like to put a plaque up at the beginning of the trail head. Maybe the plaque could have some information when the trail was developed by the lions club or any other information that might pertain to the trail. Mayor Davids suggested to the De Los Reyes to discuss plans



with the Lions Club at their next meeting. Cody explained he has reached out to Les Bocek and they have talked about improving the trail. He will keep Les in the loop. Cody addressed plans for trail head will be lit with lights from De Los Reyes structure. Mayor Davids addressed the new owners of “L” mountain have discouraged trespassers. De Los Reyes was asked to contact Cannon’s (property owners) before posting trail access through their property. If they are not in favor of the trail passing through their property then only show the trail up to the canal and hiking along the canal. Mayor explained that the City will allow the trail on the City property until the City decides to do something with it. The City will need something in writing explaining the trail head is on the City property and if the city decides to develop it for city use the dirt the De Los Reyes placed on city property will no longer be allowed to be stored on City property and they do not own the property and the temporary use doesn’t indicated ownership. De Los Reyes will send something in writing acknowledging that they don’t own the property. Cody explained plans for off street parking. The original plans have changed. The original architectural plans were to have five (5) parking spots below and five (5) parking spots up above. Revised off street parking was presented. They will have nine (9) instead of the original plan of eight (8). Eight (8) spots are required. They still have work to do on the road to the parking lot. The off street parking has to be accessible through the winter. Parking area will be graveled. Hillside will be retained with tiered four (4) foot retaining walls. Before they open the top two (2) levels they will have the (4) foot retaining walls built. The bottom two (2) levels parking will be on the bottom parking lot. Councilperson Hinz asked what the ordinance is on gravel verses asphalt requirements. The ordinance reads hard surface, access to parking spaces is required for commercial and industrial use shall be, not less than twelve (12) feet wide and not more than forty (40) feet wide at the curb line. Cody addressed his concerns about when they finish the fourth (4<sup>th</sup>) level and the water runoff during a storm, currently it drains onto their property. Mayor Davids explained that once the water project is completed on Elm the street will be resurfaced and curb and gutter will be installed. Cody De Los Reyes approached city council about permission to occupy by level. Their bottom two levels are ready. They have asked the State inspector for authorization to occupy the bottom two levels. Jeff has told them if everything passes code and the City signs off on the certificate of occupancy inspection. Jeff has explained that the City has to tell him when to do the final inspection on the bottom two levels. There is parking available for the bottom two levels. They presented the occupancy by level in the beginning. Councilperson Hinz announced he was under the impression from the beginning that the State was not going to allow occupancy by level. Mayor responded that the State inspector (Jeff) has communicated that in an email to the City. Cody responded the State inspector

(Jeff) has led them to believe that it would be allowed if the City authorizes it. In the beginning they wanted to apply for two separate permits because they wanted the occupancy done in stages. The state told them to go with one permit and the build and occupancy will be done in stages. Safety concerns were expressed. The stairs for the upper level will not go in until the upper levels are completed including the rails. No one will be allowed on the upper levels, there is access off Elm but, that is a construction area. Mayor Davids responds if the State inspector is in agreement and the inspection passes then I would have to say the lower parking lot needs to be finished and the construction site is roped off to prevent people coming into the construction site from down below. De Los Reyes announces the fourth (4) level footing have been poured, now they need to pour the caps, then the walls, floors and the expected completion date is the 1<sup>st</sup> week of October. Mayor Davids suggested drafting a temporary occupancy for two (2) levels with the understanding that the last four (4) units have to be completed by April 1<sup>st</sup>, 2019 along with parking, rock work, activate street light or else the occupancy will be pulled on all units. Councilperson Thomson suggested meeting with the building inspector to discuss occupancy possibilities. Rocky Mountain has reached out to the De Los Reyes a few times and they have explained that they need more time. The fourth level will be done soon and then they can get the street light activated. Cody and Brandon De Los Reyes were asked not to allow anyone to stay in structure, Certificate of Occupancy is required. City Clerk Dimick will ask attorney to draft agreement. Councilperson Frandsen made a motion to approve two (2) part occupancy under the conditions of the state building inspector approval and terms are acceptable with both parties with a completion date of April 1<sup>st</sup>, 2019. 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:** Building inspector needs to look at construction to make sure that project is not an expansion or can easily be diverted to a fourth (4) unit in the future. City Clerk Dimick announced council approved last month and Dennis Callahan, Code Enforcement Officer has issued the permit based upon the remodel of the basement and not adding a third unit. City Clerk Dimick comments they are not adding a 4<sup>th</sup> unit and her understanding is they are expanding the 3<sup>rd</sup> units into an area that was storage. Dennis Callahan, Code Enforcement Officer approved the permit for the State Inspector to start his process. The property owner has said 4<sup>th</sup> unit is not being built only expanding the 3<sup>rd</sup> unit. The State Inspector has not looked at the unit. Councilperson Thomson doesn't think there is anything to approve until the State Inspector approve the remodel. Councilperson Thomson made a motion to table until the city hears from

the State Inspector and he approves the construction. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Councilperson Hinz concerns is that they are not adding a 2<sup>nd</sup> kitchen where all they need to do is throw up a wall and they have a fourth (4) unit. A 4<sup>th</sup> unit requires sprinkler system. The council is not sure that the drawings submitted with the permit are current to what they plan on doing, may need to submit new drawing. Mayor Davids feels the State Inspector needs to tell us if new drawings are required. Mayor Davids and Councilperson Frandsen comment that if the State Inspector shows up on Friday they would like to visit the site with him.

**Riverside Hot Springs Inn Sign Permit - ACTION ITEM:** Sign is on private property. Councilperson Hinz made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

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

**A) Rocky Mountain Power Community Funding Request – ACTION ITEM:** Councilperson Hinz made a motion to apply for a five hundred dollar (\$500.00) grant from Rocky Mountain Power for fire station LED interior lighting. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) “L” Mountain – Lisa Guthrie, Councilmember – ACTION ITEM:** Councilperson Guthrie reported that they didn’t get it done last Saturday. They didn’t have enough volunteers for Saturday. They rescheduled for Tuesday but, they didn’t get it done. They’ve scheduled a meeting for Sunday to schedule another day to paint the “L”. Councilperson Guthrie questioned why the rocks for the “L” are *not* painted with paint. City Clerk Dimick explains paint isn’t environmental friendly, lime is. Mayor and Council agreed if the youth group can’t get it painted by October 1<sup>st</sup>, 2018 wait until next June. Councilperson Guthrie made a motion to get with the youth group and find out if they are going to do it by the end of September if not then I’ll tell them to wait until May or June 2019. Councilperson Thomson seconded the motion. All voted aye, unanimous.

### **C) Special Assessments – City Clerk - ACTION ITEM:**

City Clerk Dimick explains they need to be filed by tomorrow; they go on the property tax roll and are collected with property tax. Councilperson Hinz made a motion to authorizing city clerk to file special assessments parcel number RLTHC005700 and 4227012701. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**D) 2018 Tree City USA Application - ACTION ITEM:** City Clerk Dimick reported that Dennis Callahan, Code Enforcement Officer is working on the application. Councilperson Thomson made a motion to submit and he will volunteer to plant the tree. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Davids will also help plant the tree.

**E) City Transportation Plan Update – City Clerk - ACTION ITEM:** City Clerk Dimick explained the transportation plan update and the transportation funding opportunities.

**F) Transportation Funding Opportunities:** Not eligible to apply for construction due to the sealcoat funding we currently have. Discussion on funding opportunities followed. Councilperson Hinz made a motion to apply for City Transportation Funding Opportunities for Idaho local jurisdictions. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**G) LHTAC Workshop – October 25th Pocatello, Idaho ACTION ITEM:** Councilperson Hinz made a motion to send City Clerk Dimick to workshop. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**H) Monsanto Caldwell Canyon Mine Expansion/Environmental Impact Statement:** Letter received still waiting on environmental impact statement.

**I) Land Application Site Lease ACTION ITEM:** Councilperson Frandsen made a motion to start working on cash lease options. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

## **J) Miscellaneous**

### **Projects**

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

**1) City/Knife River Staging Area Agreement ACTION ITEM:** Mayor and Council discussed road improvement option and park remodel. Councilperson Thomson made a motion to accept cash fee for leasing staging ground area and tag money for Park road improvement. Councilperson Hinz seconded the motion. All voted aye, unanimous.

**2) Bannock County Floodplain Development Permits:** Floodplain permits have been approved.

**3) City/Lava Hot Springs Foundation Water Meter Relocation Agreement:**  
Waiting on another bid from plumber.

**4) Report on project status - City Clerk:** City Clerk Dimick reported second (2<sup>nd</sup>) crew will start in town mid September. Contractor feels transmission line will speed up after they get away from the top of the hill. Change order number 1 for mobilization was approved for two thousand, seven hundred and thirty one dollars (\$2,731.00), council has not received document to sign. Council does not want change orders combined. They need to bill all change orders separately.

**5) City/Clinton & Kelli Poll Access and Option to Purchase Real Estate Agreement for New Well Site and Rocky Mountain Power Electrical Contract - ACTION ITEM:** Mayor Davids reported that the Polls are questioning how many hookups is the City willing to give them. Suggestion made One (1) hookup, non-transferable with an end date, purchase land at appraised value and easement rights. Councilperson Hinz would like an amendment that they are responsible for piping to location where chlorinated water is assessable based upon DEQ requirement. Councilperson Frandsen made a motion to go forward with preparing the purchase agreement and test pump, one (1) ¾ inch hookup and they're responsible for piping from meter to home, free water for ten (10) years, after ten years out of city limit fee, easements and appraised value for land. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Davids will communicate with Poll that the agreement is being drawn up by the city attorney. Councilperson Frandsen made a motion to rescind previous motion with Polls. Councilperson Thomson seconded the motion. All voted aye, unanimous. Councilperson Frandsen made a motion to keep previous motion the same and to add that the water connection is for culinary use only, not for irrigation. Councilperson Thomson seconded the motion. All voted aye, unanimous. Councilperson Frandsen made a motion to prove water availability before signing Rocky Mountain Power contract. Councilperson Hinz seconded the motion. All voted aye, unanimous.

**6) Fish Creek Spring Land Purchase from Doug Potter – Mayor Davids:**  
Waiver from DEQ granted. Property owner is okay with plan. City will have to move solar panel to outside spring area. State has culverts and will donate them to the city. Appraisal completed and the city needs to setup a meeting with Doug at next month council meeting for an executive session to negotiate purchase price. Councilperson Thomson made a motion to have the mayor invite Doug to attend meeting to negotiate price. Councilperson Hinz seconded the motion. All voted aye, unanimous.

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

**1) Child Safety Grant Opportunity ACTION ITEM:** Councilperson Hinz made a motion to approve applying for 2019 Child Pedestrian Safety Grant. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**2) Establish a committee - ACTION ITEM:** Councilperson Guthrie made a motion to wait a month to decide about establishing a committee for Buddy Campbell Park Improvement Project. Councilperson Thomson seconded the motion. All voted aye, unanimous.

**C) ADA Curb Ramp Project:**

**1) Forsgren Engineering Contract - ACTION ITEM:** Councilperson Hinz made a motion to table for a month. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**D) East Main South Pedestrian Bridge: Need to come to table:**

**1) Schedule Meeting with Todd & Tyler Victor - ACTION ITEM:** Mayor Davids sent a text message (Victor's preferred method of contact) last week to Todd & Tyler Victor requesting a meeting to discuss the south side pedestrian bridge. As of today no response back. Mayor Davids will contact them again next week. Councilperson Hinz made a motion to authorize the Mayor to schedule a meeting with Todd and Tyler Victor and Bridge Engineers to discuss the East Main South Pedestrian Bridge. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**E) Miscellaneous: None**

**Planning & Zoning:**

**A) 4 Way Stop Center & Main – Rickey Frandsen ACTION ITEM:**

Councilperson Frandsen presented proposal for a 4-way stop at Center & Main. Some people have suggested putting up a 4-way stop sign on main and center during Memorial to Labor Day. City Council felt like it needs to be all or nothing. Concerns addressed about access to grocery store entry and exit driveways due to the congestion a 4-way stop sign may cause. Intersection is very busy for pedestrians. Everyone agreed that something needs to be done to make intersection safer. Councilperson Frandsen made a motion to table and examine it next summer. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**B) Proposed Zoning Ordinance Draft Review – ACTION ITEM:**

Councilperson Frandsen made a motion to set a special meeting, limited to one (1) hour. Councilperson Thomson seconded the motion. All voted aye, unanimous. September 27<sup>th</sup> at 6:30 p.m. Councilperson Frandsen made a motion to schedule meeting September 27<sup>th</sup> at 6:30 p.m. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

**Discussion:** No discussion

**Adjourn into executive session as authorized by Idaho Code 67-2345 (1) (a) to discuss personnel:** 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, Frandsen- Aye, unanimous.

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

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

Meeting adjourned at 9:20 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