

A Special Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held on Wednesday, September 30, 2020 at 6:30 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho.

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 at 6:30 p.m.

Review & Approve FY2020 Year End Bills - ACTION ITEM: City Clerk Canda Dimick reviewed bill with council. Bannock County Sheriffs explained the difference on billing verses contract. There was one hundred and eight seven (187.00) dollars difference, the difference was due to leap year. The Idaho Division of Building Safely, there are three (3) permits that weren't marked on the list and I'm still trying to figure out. The bill to be paid is for permit L07-L22. The hundred (100.00) dollars under the IAS should be deleted. Idaho State Journal publication for the ordinance, the resolution was for the fine fees. Gary Cooper, City Attorney wanted that published normally we don't publish resolution. Planning and Zoning this will catch them up to the end of the fiscal year, September's meeting is paid in October. This bill is for April through August payment, no meeting in April due to the Covid. Councilperson Benglan asked how often they are paid. City Clerk responded I should pay them quarterly, I'm trying to get on a schedule. Pocatello Ready Mix the city purchased twenty (20) concrete retaining wall blocks. Mayor Thomson explained the blocks will be put up at the end of Elm Street where the city is putting up a retaining wall around the fire hydrant. The remaining two (2) blocks left over will go in the alley behind the Gail's. Pocatello Sweeping invoice is different from the contract. The city contract with them was ten thousand two hundred and seventy six (10,276.00) dollars.

There was some additional footage which put it five (500.00) over. Quality Home Improvement finished the roof on the bathroom. Mayor Thomson announced he had Tony and Justin take a look at it, I haven't heard back from them. Their preliminary observation was it's a good job. It's the same folks that did the pavilions and all the materials match. RCR trucking is the company that hauled the concrete blocks. Summit Air put in a bathroom vent for city hall. Odor and flushing issues discussed. City Clerk reported that Summit Air felt like the fan was plugged into an old vent and he said it didn't look like it was working properly. He went out the side to fix it but, the odor is still there just not as bad. City Clerk thinks the city will need to hire a plumber to pull the toilet and fix it.

Councilperson Frandsen made a motion to pay all the bills. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Resolution 2020-4 Establishing Water Service Connection Fees and Solid Waste Administration Fee - ACTION ITEM: Mayor Thomson reported on the resolution establishes water service connection fees. Mayor reminded council that the fees would be ten (10) percent higher than the cost of material and solid waste administration fees was increased five hundred (500.00) dollars in order to cover the cost of the asphalt repair to the street that the City will now do whether than having the homeowner hire someone to do. The work wasn't getting done to the city standards. City Clerk Canda Dimick explained the resolution includes the sewer fee. The city has an ordinance where the sewer fees were adopted that allow the city to do them by resolution. The resolution also includes the sewer fees. City Clerk has ran everything through the attorney. Councilperson Benglan asked if City Attorney if fine with everything. City Clerk responds yes.

Councilperson Benglan made a motion to approve resolution 2020-4 establishing water service connection fees, solid waste administration fee and the sewer service connection fees. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Mayor Thomson asked city clerk if they need to be published. City clerk responded she will ask the city attorney if they need to be published. Normally the city doesn't.

Ordinance 2020-6 Amending Title 10, Chapter 2 Section 5 Establishing Sewer Connection Fees and Providing for Adoption of Updated Sewer Connection Fees by Resolution - ACTION ITEM: City Clerk Canda Dimick reported the

ordinance that establish a resolution for sewer connect fees is 2008-5. City Clerk read ordinance 2008-5.

“the connection fees referred to in section one (1) shall be effective as of October 1, 2008. The City Council is hereby authorized to set an equivalent user schedule for user of the sanitary sewer system of the City, and to establish fees as well as other fees for users of said sanitary sewer by resolution of the City Council.”

Councilperson Frandsen made a motion to scratch ordinance 2020-6, not needed. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Pocatello Sweeping Contract to Install Asphalt in Various Location Work to Begin October 6, 2020 - ACTION ITEM: Mayor Thomson reported on Pocatello Sweeping contract. List of asphalt areas reviewed. Easement question. City Clerk reported there is not an easement in that area, unsure why the contractor worded it that way. City Clerk explained Greg Steven has contracted with Pocatello Sweeping to do his driveway while they are doing the city street, should read access. City Clerk reported the City will be providing a dumping site for debris.

Chip & Seal project reviewed. City clerk reported the chip & seal is ready to go to bid, just a matter of putting the notice out. It's over hundred thousand (100,000.00), three bids are required. Inaudible – cross talking.

City Clerk explains Pocatello Sweeping contract will need to be approved. Their plan is to start next week. They are working on their performance and payment bonds now and the city has a copy of the certificate of insurance from the last contract.

Councilperson Frandsen made a motion to approve subject to payment and performance bond is submitted. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Lava Hot Springs Chamber of Commerce Alcohol Permit for Oktoberfest October 2, 2020 - ACTION ITEM: Mayor Thomson reported the beer truck for the event will be partially on public property and will require a permit. The truck will be parked behind Riverside, part of the truck will be on their property and part of it will extend out in the Alley.

Councilperson Frandsen made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Right-of Way Permit(s) & Agreement(s):

A) Direct Communication Right-of-Way Use Agreement – ACTION ITEM:

City Clerk Canda Dimick reviewed map for right-of-way agreement with council. She noted that Direct Communication will need an easement from ITD, Center Street, clerk will address it with them. Discussion followed on fees, fiber optic route and negotiating an agreement. City Clerk explains the city attorney is asking for a meeting.

Councilperson Benglan made a motion to continue negotiation with Direct Communication right-of-way use agreement, legal council will setup a meeting. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Direct Communication Permit to Build Fiber Optix from South 4th West to service Mike's Market, Ireland Bank and Lava Hotel – ACTION ITEM:

Mayor Thomson reported on the project, areas where cable will be ran and businesses interested in their service.

Councilperson Guthrie made a motion to allow Direct Communication to proceed along proposed route with fees retroactive. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Lawn Tech Tree Trimming Contract - ACTION ITEM: City Clerk Canda Dimick reported she talked with Lawn Tech and explained to the council motion for two (2) tasks this year and the rest next year. Their response was since they're located in Idaho Falls it would *not* be feasible for them. Canda has worked it out so, they can do the complete project. The contract has been setup for October 15 through the end of November. The council will need to revise the task so they can complete the project in November. Councilperson Benglan clarified last time we split the task into two (2) fiscal years and now you want to carry some of it over and do it all in one (1) year. City Clerk responds yes.

Councilperson Benglan made a motion to approve Lawn Tech tree trimming contract. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Mayor Thomson reported on road easement agreement. The Kofoed's want to put in a RV storage unit behind the Kofoed well and in order to access that they're

going to use the City road, from Maughan road into their property. They won't be using the city road from there on down to the sewer ponds. Their property lies between the sewer ponds and the Kofoed well. The road will go back behind the Kofoed well and then they will turn off into their property. The bulk of the project is an agreement on who's going to maintain the road, how to entrance and exit. Tony doesn't like the idea of having a gate at Maughan road, he likes it how it is right now. He would like the gate to their storage unit as you turn off the City road into their storage unit. The agreement basically is going to be easement for them to use city property. City Clerk Canda Dimick asked Mayor and Council to send her their comments tomorrow. Councilperson Benglan suggested an annual fee based off what the city figures would cost to maintain the road. Mayor Thomson announced there are plans to redo the fencing around the well, the city property of the well. Tony would like to fence the road. City Clerk suggested surveying the road. Mayor Thomson commented Kofoed's are also talking about putting in a dump station in the future. A dump possess some problems because you don't have dump access to the sewers. They would have to hookup over towards the Lowe's addition to the west or they will have to build a new line down to the ponds. Councilperson Frandsen comments or put in a big tank and have it pumped from time to time. Mayor Thomson comments the sewer line the city has going through there is pressure line going from those ponds out to the land app. It's not a drain line going into those ponds. There nearest access is; either they team up with the sewer line going through Lowes addition or they build their own. Councilperson Benglan comments he doesn't know the quality of that road. Councilperson Guthrie agreed. Councilperson Benglan suggested a civil engineer look at the road base to support RV travel during the spring when the ground is wet and if any upgrading that is required to the road will have to be paid for by him. The annual maintenance needs to be determined and a fund set up for it. Mayor Thomson asked council to look it over and get the comments in. Mayor Thosmon explains the City Attorney wants to get the final comments put together and sent back to them so, we can make some kind of a tentative approval on it in the upcoming meeting which is a week from tomorrow.

Mayor Thomson reported on the latest proposal from Gail's new attorney. New proposal is not much different than the last one. The property split is a little bit different. Just received it this afternoon. Mayor instructed council to review for next week's council meeting.

Mayor Thomson reported FYI, the city is having a little bit of difficulty with employee clocking in, clocking out, coming to work on time, working certain days, wanting to work this and wanting to work that. I've found probably the only way

to do this and do it fairly is to put everybody under a work schedule. So, it's going to be 9-5 or 7-3:30 and everybody clocks in when they come in and out. I'm going to do the modification to the employee handbook, I will pass it out to council for approval. It's causing dissension among the other troops. Councilperson Benglan asked if the policy already gives him freedom to set hours, right. Mayor Thomson responds I'm guessing it does but, I want council to be informed on what I'm doing.

Mayor Thomson announced the city is official closing the city park in the next week or so for the winter. He has received nothing but positive comments on Main Street and the bathrooms cleaning this summer.

Motion to adjourn - ACTION ITEM: Councilperson Frandsen made a motion to adjourn. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Meeting adjourned at 8:44

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk