Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held Thursday, December 13, 2012 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Marshall Burgin, Mayor  
Rita Anderson, Councilperson  
Canda Dimick, City Clerk  
Cathy Sher, Councilperson  
Dennis Callahan, Code Enforcement Officer  
Carl Brown, Councilperson

Guests: None

Mayor Burgin called the meeting to order at 5:30 p.m.

Approval of Minutes
Council reviewed the minutes of the October 19, 2012 Special Council meeting and November 8, 2012 Regular Council meeting. They agreed that the October 19, 2012 minutes were correct as transcribed.

Councilperson Sher suggested amending the November 8, 2012 Regular Council meeting minutes to include a sentence under “Building Permits – 165 West Main Street – Change of use from vacation rental to a residential ambulatory treatment center” to reflect Council’s concerns about the clients and about the facility being in a residential area and state that Idaho Code requires background checks on residents of the facility.

Councilperson Sher made a motion to approve the October 19, 2012 minutes as written, and approve November 8, 2012 minutes with amendment as noted above. Councilperson Brown seconded the motion. All voted aye, unanimous.

Reviewing of Bills
The following bills were added to the agenda: Digline - $22.95 for additional tickets in October and November, 2012; Dennis Callahan - $38.85 for mileage to transport animal to pound on 11/27/12; City of Pocatello - $35.00 for 10/05/12 pound fee, and Idaho City Clerk & Finance Officer Association - $45.00 for City Clerk’s annual membership fee for FY2012-2013. Mayor Burgin questioned the additional Digline ticket fee and if the City needed to even be a member. City Clerk was asked to obtain a 2012 ticket report from Digline for the Mayor and Council to review.

Councilperson Anderson made a motion to approve the bills with the additions. Councilperson Sher seconded the motion. All voted aye, unanimous.

Law Enforcement
A) Monthly Report
   No Law Enforcement present.

B) Code Enforcement Issues – Dennis Callahan, Code Enforcement Officer
Dennis Callahan came forward with a list of unregistered and damaged vehicles on private property. He expressed interests in obtaining the City Council’s support to visit each residence personally to see what their plans are with the vehicles. He also expressed the importance of having residents post address numbers and asked council for their support to contact residents about posting their addresses. Dennis expressed that he would like to approach owners personally about the matters so he could get to know more of the residents.

Councilperson Anderson agreed that it is very important to have residents post their addresses.

Council agreed to send a notice out in the next water bills about the ordinance provision of posting addresses on properties.

Dennis Callahan expressed concerns about a possible contradiction in the code regarding the fine for livestock running-at-large. One section of the Code says that it is a violation and another says that it is a misdemeanor.

Problems and concerns with livestock in the commercial area were discussed.

Councilperson Sher made a motion to start the process to amend the City Code to prohibit livestock within city limits except for special events approved by City Council. Councilperson Brown seconded the motion. All voted aye, unanimous. City Clerk will work with the city attorney regarding the ordinance amendment and also fine contradiction.

Councilperson Sher recommended writing a letter to owners of the old vehicles. She reported that she has two old cars to drag off and will be registering the other vehicles. She stated that this is a heated issue and that everyone has diverse interests, including old cars.

It was brought to Council’s attention that the old bottling works building has some entrances that are not secured. The Building Inspector is going to take a look at it to make sure that it is safe. It appears that someone is accessing it.

Councilperson Sher informed Dennis about the correct spelling of her name and description of her vehicles.

Cat problems were discussed. The cost of transporting them to the shelter and housing them there is getting very expensive. Dennis reported that the cats that were trapped recently are diseased. Cats reproduce rapidly. Other cost effective methods for controlling the cat population may need to be considered in the future, such as spay/neuter and release program.

Purchasing a newer used vehicle for the Code Enforcement Officer was briefly discussed. Dennis said that he could get along with a 2-wheel drive pickup.
Idaho Independent Intergovernmental Authority Trust Health Insurance Special Assessment and Premium Increase

The Council discussed continuing participation in the program. The City had to pay a $2,160.00 special assessment for each employee last week. The cost of withdrawing from the program would be more expensive than paying the special assessment.

Councilperson Brown made a motion to pay the premium increase for Tony and Billy’s health insurance for 3 months and then reconsider. Councilperson Sher seconded the motion. All voted aye, unanimous.

Council felt that they need to schedule a meeting with employees to discuss personnel matters.

Discuss purchasing a newer used pick-up for Code Enforcement Officer

Mayor Burgin reported that the Idaho Transportation Department has a dispersal program going on for several 2-wheel drive pick-ups. Councilman Brown reported that he talked with Shane’s Service about the condition of the current truck and that it only needs some service done. Shane said that he would have no problem driving it to Pocatello. Council decided to have the truck serviced and require the Code Enforcement Officer to start driving it. The mayor will inform the Code Enforcement Officer about Council’s decision.

Rocky Mountain Power relocation estimate to move power poles in the alley South of West Merle.

The City received an estimate from the power company. The estimated cost to relocate the poles is $26,000 and it did not include any third party relocations. The City does not have any funding budgeted for the project now or expect to budget any in the near future. Mr. Atkins is supposed to be contacting the city tomorrow to obtain council’s position on the project. The City Clerk was asked by council to inform Mr. Atkins when he calls of the cost and the city’s position.

Business License(s) & Non-Property Tax Permit(s)

A) Top of the Town – Antone Galovich, Owner/Applicant

Councilperson Anderson made a motion to approve a license for Top of the Town – Antone Galovich, Owner/Applicant. Councilperson Sher seconded the motion. All voted aye, unanimous.

Building Permit(s)

A) 10255 East Old Oregon Trail (Lava Mobile Estates) – Park Restroom Remodel – Mike & Richard Guthrie, Owners/Applicants

Councilperson Sher made a motion to approve the building permit for Lava Mobile Estates. Councilperson Anderson seconded the motion. All voted aye, unanimous.

Computer email licenses, Outlook and Carbonite purchases – City Clerk

City Clerk explained the problems of maintaining the email boxes and the constant problem with the boxes being full. Purchasing a program to store the emails onto the computer and also an off-site backup program were discussed. Councilperson Brown made a motion to purchase Outlook
and Carbonite for email storage. Councilman Brown will try to get a free disc for Outlook. Councilperson Sher seconded the motion. All voted aye, unanimous.

**Consider disposing of magazine/brochure case and various wastewater equipment items.**
Council discussed and unanimously agreed to disposing of a magazine/brochure case and several unused wastewater equipment items that have been replaced with the recent project. The City Clerk will see if the school or library would like the magazine/brochure case for free. Rockland is interested in the wastewater equipment.

**Proposed sewer rate increase status.**
Council discussed enacting the rate increase as proposed at the public hearing. The City Clerk has talked with USDA representatives and they do not feel that the city should spend the money to have an engineer endorse the rate study work that the city has completed. Mayor Burgin is going to talk to the City’s attorney about USDA’s position. The council would like to put the increase into effect February 1, 2013.

**Meetings/Announcements/Miscellaneous New Business**

**A) Federal Access to Public Lands Grant Opportunity**
Mayor Burgin reported that he met with a Bannock Development representative to discuss Lava’s future project interests. Mayor Burgin would like to see the city apply for a grant to do something with Henderson Canyon Road and would like to purchase the L Mountain for public land use. The towers on the mountain would generate money for the development of trails and other activities on the property. Council supported the mayor’s interests. Mayor Burgin will see if Bannock Development will put the application together for the city and he will set up a meeting with them.

**B) Schedule Special Meeting to consider 1% Tourism Development/Promotion Proposal(s)**
The City is expecting one application from the South Bannock County Historical Center. The proposal will be considered at the next Regular Meeting scheduled for January 10, 2013. Councilperson Sher gave the mayor and council members packets on the proposal. Project cost is $2,380.00.

**C) Planning & Zoning Commission/Tree Committee, City Staff Potluck Dinner – December 20, 2012.**
The potluck is scheduled for December 20, 2012. The City Council is invited. The City will be furnishing meat and potatoes. Everyone is asked to RSVP.

**D) Lava Hot Springs Chamber of Commerce Ballot for 2013**
Council discussed the ballot. The City will not be participating or endorsing anyone.

**E) Keller Associates Christmas Social – December 18, 2012**
Council is invited to the social.

**F) Miscellaneous**
The City Clerk presented the schedule of City Council and Planning and Zoning Commission meetings for 2013.
Projects

A) Wastewater Improvement Project
   1) Change Orders #3 & #4
      City Clerk reported that Change Order #3 had to be split because of funding requirements. The electrical changes had to be moved to Change Order #4.
   2) Winter Shutdown/Substantial Completion
      The project will be going into a winter shutdown as soon as the security fence is done. Substantial completion is scheduled for next spring/early summer.

B) Main Street Pedestrian Bridge Project – CDBG Application Submitted
   The CDBG application has been submitted. An environmental review has to be done before easement negotiations can commence.

C) East Main Street Public Restroom Remodel
   1) Cost Estimates/Architectural Plans
      Mayor Burgin reported on ADA measurements. Mayor Burgin and Councilperson Brown will take another look at the plans. The cost estimates are inexpensive. Some plans have been given out to obtain cost estimate. Once the cost estimates are obtained council will decide if a Gem Community Grant is needed or not.
   2) South Bannock County Historical Center Off-site Storage Area
      Councilperson Sher reported that she has been working on sorting through the museum’s stuff stored in the old ambulance garage. She has put a call into Joan Bocek to see if the Lion’s Club would consider funding an inexpensive storage shed if needed.

D) Fish Creek Spring Fence
   1) Letter from Idaho Department of Environmental Quality
      Cattle keep getting into the springs and pushing down the pole fence. DEQ has funded a grant to install a chain link fence for Phase I. There are strict fines related to this issue. The City needs to get in touch with Mr. Potter. Maintaining the pole fence is costly. The City has to maintain a 100 foot barrier around each spring. All the springs are collected underground. Mayor Burgin will talk to Mr. Potter about the chain link fencing plans.

E) Main Street Bridge Surface Repair – LHTAC Grant Application
   LHTAC grant application has been submitted for resurfacing the East Main Street Bridge.

F) Miscellaneous
   Councilperson Brown reported that he understood that the City negotiated a trade of land with the LDS Church for the sewer land application site but it was not successful. Councilperson Brown expressed interests in looking into the legality of the lease between the City and the LDS Church. The lease says that the City gave them the lease and use of the ground for drilling the well. According to Mayor Burgin, the City drilled the well. Councilperson Brown suggested meeting with the City’s attorney to see if the lease is binding. He volunteered to meet with the attorney. Council gave Councilperson Brown authorization to meet with the City’s attorney.

Discussion
   None.
Adjournment

Councilperson Lowe made a motion to adjourn. Councilperson Sher seconded the motion. All voted aye, unanimous. Meeting adjourned at 7:20 p.m.

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Allison Hinz – Transcriber

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Marshall N. Burgin, Mayor

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Canda L. Dimick, City Clerk