Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held Thursday, February 13, 2014 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

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

Guests: Evelee Hill, George Katsilometes

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

Approval of Minutes
Councilperson Brown made a motion to approve the minutes. Councilperson Lowe seconded the motion. All voted aye, unanimous.

Reviewing of Bills
A) Steadman Construction Final Change Order Quotation
Mayor Burgin explained that the bill was adjusted for the water line by the Community Building after the City questioned some of the charges. Mayor Burgin explained that there are some warranty issues that will need to be addressed and he recommended that the council consider paying the final change order as revised to maintain a good relationship with the contractor.

Councilperson Brown made a motion to pay the final change order as revised. Councilperson Linford seconded the motion. All voted aye, unanimous.

B) Motion to approve bills
Councilperson Davids questioned the bill for M.R. & E. Mayor Burgin explained that it is for a roll off container for the restroom remodeling that was done last spring/summer.

Councilperson Davids questioned the Powers of Nature bill. Mayor Burgin explained that the City hires contractors to mow properties that have not been taken care of. The City Clerk stated that it is a bill for mowing services completed last fall. One of the properties was a City street and one was Rocky Mountain Power’s vacant lot on West Main Street. The City pays the bill and then bills the property owner.

Councilperson Brown made a motion to approve payment of the bills. Councilperson Lowe seconded the motion. All voted aye, unanimous.

Monthly Law Enforcement/Code Enforcement Report
No Law Enforcement/Code Enforcement present.
Appoint Council President

Mayor Burgin recommended that the City Council elect George Linford as President.

Councilperson Brown made a motion to elect George Linford as City Council President. Councilperson Lowe seconded the motion. All voted aye, unanimous.

Council Assignments – Mayor Burgin

Mayor Burgin announced City Council assignments.

Councilperson Linford – Planning & Zoning Liaison
Councilperson Davids – Parks and Holiday Decorations
Councilperson Lowe – Law Enforcement and Fire Department
Councilperson Brown – Code Enforcement and Animal Control
Mayor Burgin – Water, Sewer, Garbage, Streets and Personnel

Mayor Burgin announced that they are going to disband the Travel Council and the Chamber of Commerce liaison assignments for now.

Evelee Hill reported that she is recording the meeting.

Consider Evelee Hill’s proposal to represent the City of Lava Hot Springs to Region 5, Pioneer Country Travel and Idaho Travel Council.

Evelee Hill explained what the Idaho Travel Council and Pioneer Country Travel Council are and what they do. Typically the city or chamber of commerce of a city represents the lodging facilities at the Pioneer Country Travel. She stated that lodgers can provide a lot of valuable information to the Councils and that their software is very sophisticated. Councilperson Brown questioned why lodgers cannot be members. George Katsilometes stated that they can be representatives if they are appointed by a city, chamber of commerce or a non-profit organization. Councilperson Brown asked if the Lava Chamber of Commerce has a representative. Mr. Katsilometes stated that Lava has always had a representative from the City and the Chamber of Commerce. Mayor Burgin explained that it all started when Mike Vice was on the City Council and thought that they City should be a part of it. He was appointed as a non-voting member to attend the meetings. Ms. Hill stated that Lava needs a voice and representation. She stated that if someone on City Council is appointed to the position, the lodgers could meet with them and they could represent them at meetings. Mayor Burgin stated that he would like to talk to the city’s attorney about legalities. He stated that as far as the city is concerned, and that all council decisions have to be made at a public meeting. Ms. Hill stated that she was appointed by the city in the past to represent the city and she had a voice and a vote at that time. She asked what the Mayor suggests. Mayor Burgin suggested that they table the proposal so he can talk to the city’s attorney about it. Councilperson Linford asked if there was a problem with putting this off for 30 days. Ms. Hill stated that the program is starting the grant process right now and they are budgeting how funds are going to be spent over the next year. Councilperson Brown asked if the Chamber of Commerce has appointed someone. Ms. Hill stated that they appointed Bridget Losee and that the Lava Foundation has three representatives with votes. She stated that there is a
new director of Pioneer Country Travel Council and they hope he will help and make some changes.

Councilperson Linford made a motion to table the proposal and to seek legal advice. Councilperson Brown seconded the motion. All voted aye, unanimous.

Councilperson Davids asked why Ms. Hill wants to be a part of the Pioneer Country Travel Council when she can be a part of the other organizations. Ms. Hill stated that PCTC is the district where she does business.

**Business License(s), Alcohol License(s) & Non-Property Tax Permit(s)**

A) Arcade Family Fun (renewal)
B) Booth Street Apartments (renewal)
C) De Lage Landen Operational Services, LLC (Non-Property Tax Permit)
D) E-Z Livin Inn (renewal)
E) Lava Hot Springs Inn (renewal)
F) Lava Spa Motel (renewal)
G) River Bridge Inn (renewal)
H) Safe Haven (renewal)
I) Service Master Cleaning & Restoration
J) Sheridan Rental Properties (renewal)
K) The Pampered Chef, Ltd. (Non-Property Tax Permit)
L) Trugreen (renewal)

List to be considered was read. Councilperson Brown made a motion to approve A-L. Councilperson Davids seconded the motion. All voted aye, unanimous.

**Discuss Proposed Noise Control Ordinance or Amendment**

Councilperson Linford made a motion to amend the 30 day vendor and annual business license to include noise restrictions and to table Ordinance 2014-1 until the City can see if the amendment works. Councilperson Brown seconded the motion. All voted aye, unanimous.

**Memorial Bench – Email from Joan Segna**

The City does not own any property by the river and asked the City Clerk to refer Joan to the Lava Foundation, Cemetery or Lions Club Park.

**Announcements/Meetings & Miscellaneous New Business**

A) FY2014 Building Inspection Renewal Agreement and Meeting with Bannock County Commissioners February 19, 2014.

Mayor Burgin stated that the city has a meeting scheduled with the County Commissioner on the 19th at 3pm. The City Clerk will try to find out what happened with George Katsilomete’s case before the meeting. The Mayor, City Clerk and Councilperson Linford will attend.
B) Discuss hooking up street light at North 5th West and West Spring Street
The City Clerk reported that she is still trying to get in contact with the local power company representative.

C) III-A Status Report
The City Clerk reported that III-A has asked the judge to reconsider the Jerome decision. The City’s attorney is cautious about the City withdrawing at this time due to penalty costs. It is not costing the city any more money at this point, employees have coverage and he encourages the city to continue participation. The city attorney has suggested letting the bigger cities use their resources to dissolve the association if that is what they want to do and for now to wait and see what happens.

D) Miscellaneous
Mayor Burgin mentioned need to appoint a new member to the Lava Planning & Zoning Commission. Councilperson Linford will check with Clinton Pagnotto to see if he is still interested in serving.

Projects
A) East Main Street Pedestrian Bridge Project
   1) Community Choice Grant Application Due February 21, 2014
      The City Clerk reported that she has been working with SICOG on the application. They are working on getting updated letters of support.

B) Water Improvement Project
   1) Southeast Idaho Council of Governments Administrative Contract
      The City Clerk reported that the City’s attorney is still reviewing the contract. She also stated that she is comparing percentages with the sewer project to make sure that they are comparable.

C) Fish Creek Spring Fence Project
   1) Source Water Protection Grant Application Status
      Mayor Burgin reported that the City was not awarded a grant for Phase II and that the plan is to bid and construct as much of the chain link as they can with the funds available.
   2) Discuss bidding Phase 1
      The City Clerk stated that she will get things ready to put bids out next month.

D) Miscellaneous
None.

Discussion
Councilperson Davids asked about what is being done with the graffiti on the business walls. Discussion followed. The code enforcement officer was going to contact the business owners to
see what their anticipated plans are to have the graffiti removed. Everyone was unsure how to address it after that point.

**Adjournment**

Councilperson Lowe made a motion to adjourn. Councilperson Brown seconded the motion. All voted aye, unanimous. Meeting adjourned at 6:34 p.m.

___________________________________________
Allison Hinz, Transcriber

___________________________________________
Marshall N. Burgin, Mayor

____________________________________________
Canda L. Dimick, City Clerk