Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held Thursday, July 12, 2012 at 5:30p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Marshall Burgin, Mayor
         Rita Anderson, Councilperson
         Carl Brown, Councilperson
         Newt Lowe, Councilperson
         Cathy Sher, Councilperson
         Canda Dimick, City Clerk

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

Approve Minutes – February 9, 2012
Councilperson Sher made a motion to approve the February 9, 2012 minutes. Councilperson Brown seconded the motion. All voted aye, unanimous.

Reviewing of Bills
Council took time to review the bills.

Councilperson Anderson made a motion to approve payment of the bills listed for July. Councilperson Sher seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement
A) Monthly Report

No law enforcement present. Mayor Burgin invited Charlotte Grunig to come forward with her concerns for the Council.

Charlotte Grunig stated that her family has put tents and RV’s in the alley by her house for years. They got neighbors approval before setting up anything. She received a call stating that her code had been taken care of. She was not sure what they were talking about. Her friends, Gary and Dixie Jensen had an RV parked on a dead-end street. They approached her asking if she called the City about it because their son was asked to move the RV. She had not called about it. She asked for clarification on the letter in the water bill about using the alley for camping.

Mayor Burgin clarified that is public property and no public property can be used for camping.

Charlotte Grunig asked if that information had ever been sent in the mail before.

Mayor Burgin stated that he was not sure, but that is common knowledge, it is the law.

Mrs. Grunig stated that she has been using the alley for years and never had any problems. Her feelings are hurt that her name was used and it has caused hard feelings with her friends. She feels that there needs to be some lenience for those who live here.
Mayor Burgin stated that roadways and alleys need to be kept clear in case there is a fire and the City cannot set a precedence.

Mrs. Grunig stated that the difference is that their alley is not used, but she will follow the law, and not allow camping in her alley any more.

Councilperson Brown stated that he is sorry that she got blamed for calling on the Jensen’s. The Council is not sure how that happened.

Councilperson Anderson stated that she appreciates what Mrs. Grunig is saying, but what is happening in Lava, because it is a resort town, they are seeing a lot more people than what there used to be. When there are thousands of people in town, we need to make sure that emergency vehicles can get through.

Councilperson Brown stated that Code Enforcement has to apply the codes to everyone.

Mrs. Grunig agrees, but feels there needs to be some give and take, and Lava is becoming too strict.

Council thanked her for coming in.

**B) Pound Fee Budget**

The City Clerk reported that the pound charges the City a one-time fee of $35 to take in an animal. There was only $200 budgeted in that account, she has not received any bills yet, but they will be over the budgeted amount. They will need to review this when they do the budget.

**Burn Ban (Contained Pits)**

The City Clerk reported that they have been getting calls from the campgrounds wanting to allow campfires. Council agreed to stick with the current ban because it is so dry. Charcoal and propane are ok, no wood fires.

**Business License(s)/Non-Property Tax Permit(s)/Coin-Op License(s)**

**A) Busy Bee Lawn Care – Richard Flick, Owner/Applicant**

Councilperson Sher made a motion to approve the Business License for Busy Bee Lawn Care. Councilperson Anderson seconded the motion. All voted aye, unanimous.

**B) Kendall’s Kasa – Douglas B. Peterson, Owner/Applicant**

Councilperson Sher asked for clarification on the location of the business and occupancy.

The City Clerk stated that they are only renting out one side; it is three bedrooms and maximum occupancy of ten people.
Councilperson Sher stated that she thought that the Council had addressed occupancy in the past and is wondering if they can have ten people based on what they came up with. Councilperson Anderson stated that there is not anything in place about occupancy. They have conditions about parking.

Councilperson Sher stated that is a problem. She thought they had decided that there could only be two people per room and two additional people in a living room.

Councilperson Anderson stated that they could not limit a room to two people because some bedrooms are large enough to accommodate two queen beds which would be plenty of room for four people.

Councilperson Sher stated that they need to make sure that they are in compliance with fire codes.

The City Clerk stated that she received approval from the building inspector for occupancy of ten people.

Councilperson Anderson stated that if the building inspector was ok with it, they should not go against it.

Councilperson Sher requested that the City Clerk look for information on occupancy that they can go off of in the future. She thinks that the Council had addressed this in the past.

Councilperson Anderson made a motion to approve the Business License Application for Kendall’s Kasa. Councilperson Brown seconded the motion. All voted aye, unanimous.

**Building Permit(s)**

A) **78 Main Street Eatery – Awnings & Gazebos – Steven & Lisa Toly, Owners**

The City Clerk reported that the awnings are only 7’3” high and they are required to be 8’ high. All the other awnings on businesses are over 8’. She had talked with the Lisa and she stated that they had eye-balled it and thought that they were even with the others on Main Street.

Council discussed whether this would set precedence and whether or not it is an issue.

Councilperson Brown made a motion to table the issue and talk with the owner about it. Councilperson Sher seconded the motion. All voted aye, unanimous.

B) **78 N. 3rd W. – Change of Use to Vacation Rental – Douglas B. Peterson, Owner**

Councilperson Anderson made a motion to approve the Change of Use to Vacation Rental, contingent upon meeting the requirements for off-street parking and hard wiring smoke alarms. Councilperson Brown seconded the motion. All voted aye, unanimous.
**Downey Lion’s Club Rodeo Donation – Mayor Burgin**

Mayor Burgin reported that the Downey Lion’s Club asked the City to donate $100 for their rodeo.

Councilperson Anderson asked if the City has donated to this in the past.

Mayor Burgin stated that they have not donated to this in the past.

Councilperson Sher asked if they contribute to us for anything.

Mayor Burgin stated that he does not think that they have.

Councilperson Brown made a motion to donate $100 to the Downey Lion’s Club Rodeo. Councilperson Sher seconded the motion. Held for vote. Councilperson Lowe voted no. Councilperson Anderson requested more discussion.

The City Clerk stated that the City does not donate to the Bulls Only Rodeo in town. Councilperson Anderson feels that it would set a precedence.

Mayor Burgin stated that the Downey Lion’s Club told him that they were $2,000 short last year and that the cities of Arimo and McCammon are both donating. He told them he would present it to Council.

Councilperson Brown withdrew his motion. Councilperson Sher withdrew her second. Council agreed that the City’s budget it limited and they cannot donate at this time.

**Meetings/Announcements/Miscellaneous New Business**

A) **James Samson’s tubing complaint/suggestion.**

Council discussed the email from James Samson.

Councilperson Anderson feels that the complaint needs to be passed on to the tube vendors.

Mayor Burgin suggested that the vendors should post a uniform sign stating the condition of the river, that life jackets are available and that any child under the age of ten should wear one.

Councilperson Anderson stated that the employees of the vendors should be made aware as well.

Councilperson Sher agrees and stated that the Council should meet with the vendors to go over the email and draft up a sign that they can use.

Councilperson Anderson stated that they should contact the vendors and remind them that it is their responsibility to make people aware of the potential danger.
Mayor Burgin stated that Tony should take copies of the email to all of the vendors so that they are aware.

Councilperson Sher suggested a meeting with the vendors as well.

Councilperson Sher made a motion to price out and draft signs, send out a notice to each vendor to post the sign after they run it past the city attorney.

Council requests a Special Meeting July 18\textsuperscript{th} at 5:30p.m. to make vendors aware. Tony will deliver notices. Councilperson Lowe seconded the motion. All voted aye, unanimous.

B) **Community Service Day Projects – Email from Michael Waite, Board of Directors, Greater Lava Hot Springs Prosperity Foundation.**
The Prosperity Foundation is looking for projects for the Community Service day on September 8, 2012.

Councilperson Sher suggested that the garbage can receptacles could be painted.

Councilperson Anderson stated that they don’t need projects now, and that as they get closer to the Community Service day, they could check with the city employees to see what could be done.

Councilperson Brown made a motion to table the topic until next month and come up with more ideas. Councilperson Sher seconded the motion. All voted aye, unanimous.

C) **Lava Continuity of Operations/Continuity of Government Plan Draft**
Councilperson Brown made a motion to table the issue. Councilperson Sher seconded the motion. All voted aye, unanimous.

D) **Idaho Department of Commerce Main Street Program News Release**
Councilperson Sher talked to Gloria and she is willing to visit Lava as long as there is participation from other cities. No date was set, but Councilperson Sher feels that this is a beneficial program and a good opportunity. She feels that if visitors were aware of the town’s history, that they might be more respectful of the town. She is working on it.

E) **National Association of State Agencies for Surplus Property Program – Membership Invite**
Council discussed and agreed that they are a member of the state program and there is no need to participate in the national program.

F) **Discuss hiring a temporary maintenance laborer.**
Mayor Burgin reported that Billy Thompson is going to be off until August 27\textsuperscript{th}. Then he may have light duty and therapy 3 days a week. He spoke with Tony and he would like to hire Austin Hobson to help him part-time.
Councilperson Anderson made a motion to hire a temporary laborer to help Tony until Billy comes back to work. Councilperson Brown seconded the motion. All voted aye, unanimous.

Mayor Burgin stated that they were looking at paying $12.50 per hour for this position. Council agreed.

G) Miscellaneous
Mayor Burgin stated that Blue Moon will be having their annual car and bike show. They will want to block off the road the same as they have in the past.

Councilperson Brown made a motion to approve Blue Moon’s car show. Councilperson Sher seconded the motion. All voted aye, unanimous.

Councilperson Sher stated that July 14th will be the Ball Family Reunion at the museum. Everyone is welcome. They will be unveiling a new exhibit funded by the Ball Family.

Councilperson Sher thanked Mayor Burgin for finding a balanced approach on the 4th of July by having the fireworks on the hill and banning personal fireworks. It worked out well and set a precedence for the future.

Councilperson Anderson suggested passing on the positive feedback to the Lion’s Club about not having personal fireworks.

Councilperson Sher stated that thank-you’s need to be sent out to everyone who helped enforce the bans. The reader boards coming in to town helped too.

The City Clerk requested a motion be made about purchasing candy for the Founder’s Day parade.

Councilperson Anderson made a motion to purchase candy for the parade like it was done in the past. Councilperson Brown seconded the motion. All voted aye, unanimous.

Councilperson Sher asked about doing a float for the parade.

Mayor Burgin stated that the City Clerk and Allison are going to put a float together.

Projects
A) Wastewater Improvement Project
1) Land Application Site Seeding Project – Notice of Award/Contract Approval/2012/2013 Lease Agreement
   The City Clerk reported that it was recommended to her that they seed in the spring because it is not guaranteed that there will be adequate water.
Councilperson Brown made a motion to award the contract and extend the completion date to next spring. Councilperson Sher seconded the motion. All voted aye, unanimous.

Council discussed the lease of property to Dan Dimick.

Councilperson Anderson made a motion authorizing Mayor Burgin and the City Clerk to fill out the paperwork to negotiate the lease agreement. Councilperson Sher seconded the motion. All voted aye, unanimous.

B) Center Street Reconstruction Project Bid/Update
Mayor Burgin reported that the bid is opening July 16th.

C) DEQ Source Water Protection Subgrant Agreement
Councilperson Anderson made a motion to give the Mayor the authority to sign the DEQ Subgrant Agreement. Councilperson Brown seconded the motion. All voted aye, unanimous.

Proposed Capital Improvements for FY2013 – Councilman Brown
A) Mercury vapor lights over garage doors.
Councilperson Brown stated that lights over the garage doors may help with vandalism.

Mayor Burgin commented that there is a security system that runs video for 30 days and could be installed for $400. Motion lights are an option too.

B) Power to decorative street lights.
Council discussed the voltage of the existing system and how it will not allow for light decorations. It would be costly to change. Banners are purchased in lieu of lights. Holiday banners with Fire & Ice will be purchased soon.

C) Restroom Remodel
Council discussed and everyone is in favor of remodeling the restrooms.

D) New Fire Engine
Council discussed pumper truck upgrade. The City Clerk stated that they are looking at adding extra to the coffers and Council discussed putting money aside each year.

E) Finish street monument survey project
Councilperson Brown stated that he heard about it from Phil and that it was never finished.

Council discussed and decided to talk with Forsgren and Olerenshaw. It is mostly done but needs to be finished.

F) Mosquito Abatement
Councilperson Brown reported that the mosquito population increased in Idaho and asked if the City does anything about them.
Mayor Burgin stated that the County handles that.

Council discussed and wants to talk with the County about fogging for mosquitoes in town.

G) Pave 1st West Street
Councilperson Brown stated that someone brought it up to him.

Mayor Burgin stated that they are going to try to do one block of 1st West with the Center Street Project.

Discussion – Items from the audience
Councilperson Sher stated that she would like to make Faye Jones’ dog the mascot of the town. Everyone thinks it is a good idea.

Adjournment
Councilperson Lowe made a motion to adjourn. Councilperson Anderson seconded the motion. All voted aye, unanimous. Meeting adjourned at 7:04 p.m.

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Allison Hinz, Transcriber  Marshall N. Burgin, Mayor

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Canda L. Dimick, City Clerk