Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, October 8, 2015 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

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

Excused:


Amend Agenda:
Councilperson Linford made a motion to amend agenda to include building permit included in council package but, not listed on agenda. Councilperson Davids seconded the motion. All voted aye, unanimous.

Approval of Minutes:
Councilperson Davids made a motion to table the minutes. Councilperson Brown seconded the motion. All voted aye, unanimous.

Review and Approve Bills:
Councilperson Brown made a motion to Motion to confirm bills approved for payment on September 29, 2015 and approve corrections made on original list. Councilperson Linford seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement Monthly Reports:
Armstrong no concerns or no major problems and he would like to commend the city everything has went smooth.

Canda reported that the letter has been sent out regarding the public nuisance.

Prosecuting Attorney Steve Herzog is here to make sure everything is going well and asked the Council if they have any question or comments to him. He discussed the November election bond for an additional Jail.

Proclamation Requests:
A) Mayor Marshall announced that Lava Gay Pride Month is not going to happen. Council agrees with the Mayor.

B) Hispanic Pride Month, Veteran’s Pride Month and Old White Guy Month will not happen. There will not be any proclamation for any months. Mayor apologized.
Consider offering 50% Dog License Discount for 2016 Renewals:
Councilperson Brown made a motion to approve the 50% discount offer. Councilperson Davids seconded the motion. All voted aye, unanimous.

Record Retention Schedule Draft:
Canda is still working on a couple provisions. Schedule needs to be in place by law and then council can pass a resolution on what records can be destroyed. When the resolution is approved the City will notify the Historical society they have the right to review and take what they would like for Historical records. When the review is completed by the Historical society the records can be destroy. Canda is working on the process and policy for handling the City record retention. Not ready to adopt resolution, council to review and consider. Resolution, take under advisement.

Business License(s), Alcohol License(s), Coin-op License(s), Building Permit(s) & Non-Property Tax Permit(s):

A) Chuckwagon Restaurant, LLC (Beer & Wine License)  
B) First American Commercial Bancorp, Inc  
C) Food Services of American, Inc.  
D) Wagon Wheel Lounge (Liquor license transfer, beer license, coin-op license & business license) – LJP, LLC, Owner/Applicant  
E) Confirm decision regarding Alcohol Permits for Oktoberfest activities.  

6:15 pm Proposed Tree Ordinance intended to establish a Lava Hot Springs Tree Committee

Councilperson Brown made a motion to pass Chuckwagon. Councilperson Davids seconded the motion. All voted aye, unanimous.

Councilperson Linford made to confirm decision made at Sept. 29th meeting regarding Oktoberfest alcohol permit. Councilperson Davids seconded the motion. All voted aye, unanimous.

Councilperson Brown made a motion to pass First American Commercial Bancorp, Inc. Councilperson Linford seconded the motion. Nay – Tanny feels we should find out more about the business.

Councilperson Linford made a motion to approve Food Services of American, Inc. Councilperson Davids seconded the motion. All voted aye, unanimous.

Councilperson Brown made a motion to accept Wagon Wheel Lounge. Councilperson Linford seconded the motion. All voted aye, unanimous.

Councilperson Linford made a motion to confirm decision made at Sept. 29th meeting regarding Oktoberfest alcohol permit. Councilperson Davids seconded the motion. All voted aye, unanimous.
Proposed Tree Ordinance intended to establish a Lava Hot Springs Tree Committee and provide direction in planting and caring for trees:

Canda reported that the Tree Ordinance is close to be done. At this time no action is required still working on the draft once completed it will be put in ordinance form to adopt.

Sidewalk Maintenance/Replacement Ordinance Amendment Status:
Change time limitations to 60 days new construction, repairs 30 days.

Confirm September 29, 2015 decision regarding West Portneuf Street Survey:
Councilperson Brown made a motion to confirm Sept. 29th West Portneuf decision. Councilperson Davids seconded the motion. All voted aye, unanimous.

Building Permit(s):
A) Clinton Pagnotto trailer demolition
B) Evelee Hill demolition 196 E Main Office building, build new office.
C) Jed Musgrave re-sheet North West corner of metal roof 426 W. Elm he is the contractor. 
d) Londa & Jody Palmer contractor Kody Tillotson addition to Alpaca Inn

Councilperson Brown made to approve demolition. Councilperson Davids seconded the motion. All voted aye, unanimous.

Pervious approved permit subject to parking requirements. Canda clarified parking requirement with Evelee Hill. She will have two offices on the top floor which the City requires one parking space per office. Her parking places on her plan comply with City requirements. The City has asked her to combine the 2 parcels of property and she has agreed to do it before she will be approved to occupy.

Councilperson Brown made a motion to approve Evelee Hills permit. Councilperson Linford seconded the motion. All voted aye, unanimous.

Councilperson Linford made a motion to approve Jed Musgraves permit. Councilperson Brown seconded the motion. All voted aye, unanimous.

Councilperson Brown made a motion to approve Londa & Jody Palmers permit. Councilperson Davids seconded the motion. All voted aye, unanimous.

Meetings & Announcements:
100th Birthday celebration wrap-up plans:
Canda reported that in the springs we would like to host a Zombie run. The plan is to use the left over color run shirts. We will stomp out the color run logo on the shirt with a Zombie print. Poker run
cancelled. Canda suggested using the balance of the 100th Birthday celebration to purchase a commemorative item for the community.

For Cause Personnel Policy – Resolution to Adopt Policy:
Canda reported, we are putting the information into the policy form that they got from the insurance company. It will need to be adopted formally by a resolution as soon as it is done.

Decorative Street Lights - Repairs Completed
Solar System net Metering Agreement – Nothing received, Canda will follow up on.

“L” Lights – Tony is having problems with the company he placed an order with. He will purchase the lights from a different company. Would like to get the LED lights was suggested to check at Electrical Wholesaler on Maple.

Old City Fire Engine Dispersal – Sealed Bids
Two bids submitted. Willie Parris bid $500.00 and Whalan Rife bid $1,500.00. Councilperson Brown made a motion to accept Whalan Rifes bid. Councilperson Davids seconded the motion. All voted aye, unanimous.

November 3, 2015 Election
Canda reported, the County handles the process. She received the sample ballot and will hang it around town. Three running Mayor on the ballot T. Paul Davids Stewart Hall & Vicky Lyon, one Councilperson Randy Benglan and three write-ins for Council Brian P. Hinz, Kathleen Robinson, Jon Thomson. The write-ins are not included on the ballot by law. Voters need to be aware that write-in names must be spelled correctly on the ballot in order for the vote to count. Write-ins must be declared in order for the vote to be valid. Candidate form is October 29th 2015 at the Community Building 7:00 pm. Option Tax is on the ballot two question.

Confirm September 29, 2015 decision scheduling a public hearing for Water Rate Increase – November 12, 2015
Councilperson Davids made a motion to approve public hearing. Councilperson Brown seconded the motion. All voted aye, unanimous.

Miscellaneous - None

Projects:
Wastewater System:
Generator Electronic System – Mayor Burgin talked with Tony today. The person he contacted to do the repairs has not showed up. Tony called his boss and he was told that he would send out his employee this week. As of today he has not showed up.

Buddy Campbell Memorial Park Expansion Project:
Status of Fagnant property purchase – Letter from State of Idaho
Received a letter from the State of Idaho they have a lien on the property and suggested that we contact the Fagnant family or Attorney James Spinner, who at one time assisted the family with the estate. There is a discrepancy on the survey with the deeds. There are two deeds one is a correction deed unsure which deed is correct. It was suggested to ask the Title Company to do a title search on the property to determine which deed is valid. Councilperson Brown made a motion to request a title search. Councilperson Linford seconded the motion. All voted aye, unanimous.

**Motion to confirm September 29, 2015 decision regarding Wilmore Offer:**
Councilperson Davids made a motion to confirm September 29, 2015 decision. Councilperson Lowe seconded the motion. All voted aye, unanimous.

**Pedestrian Bridge Project:**
Canda reported, there are few things not included in the construction bid that need to be done for it. Like removing a tree, a fence, relocate water meter, light pole and possible a sign. It can be added in but, it probably is cheaper for the city to do it themselves. It’s two big of a job for the City to handle, do not have the right equipment. Councilperson Brown made a motion to add it to the contract, everything except the fence. Councilperson Linford seconded the motion. All voted aye, unanimous.

**Buddy Campbell Park:**
Tree trimming – Jerry Bates is recommending we get a professional in to trim the trees. Councilperson Brown made a motion to bid out the tree trimming project. Councilperson Davids seconded the motion. All voted aye, unanimous.

Baseball Diamond Weed Control & Chain link Fence – Councilmember Davids
The City will spray for weeds and dispose of the Chain link fence that is rolled up and lying there.

**Fire Station Sewer Line Extension:**
Discuss bidding installation.
Mayor Bergin reported we paid for and received all the pipes, manholes and bedding gravel. Council discussed bidding out labor on the fire station sewer line. Councilperson Brown made a motion to bid out the labor. Councilperson Davids seconded the motion. All voted aye, unanimous.

**Water Improvement Project Funding Options/Status Report:**
Judicial Confirmation Petition Hearing – November 2, 2015. Canda is still working on a federal appropriation.

**North 1st West Proposed Storm Drain System – Mayor Burgin:**
City thought they owned half of N. 1st West Street to River vacated in 1983. County made an error on the west half when it was vacated. Canda will talk with them and see if she can get it straighten out. Whoever owns the ground the storm drain system is on their responsible it.
Spring Fencing Project:
Council reviewed the Fence Man Bid & Contract. Councilperson Brown made a motion to accept the fencing project. Councilperson Davids seconded the motion. All voted aye, unanimous.

Formal Approval of the dispersal of posts and poles:
Mayor told Fawn Potter awhile back (2-3 years ago) he could have old post and poles the City does not use. Council had no problems with it.

Miscellaneous:

Discussion:

Adjournment
Councilperson Lowe made a motion to adjourn. Councilperson Davids seconded the motion. All voted aye, unanimous.

Meeting adjourned at 6:43 pm.

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Amantha Sierra, Transcriber                     Marshall N. Burgin, Mayor

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Canda L. Dimick, City Clerk