

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held on Thursday, September 8, 2016 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: T. Paul Davids III, Mayor
Tamara Davids, Councilperson
George Linford, Councilperson
Brian Hinz, Councilperson
Canda Dimick, City Clerk
Dennis Callahan, Code Enforcement Officer
Jon Thomson, Councilperson

Excused:

Guests: George Katsilometes, Evelee Hill, Clinton & Kerby Pagnotto, Adam Bowcutt, Idaho Division of Building Safety, Wendy Faler, Marty Anderson, Attorney representing George Katsilometes (by speaker phone), JoAnna Palmer and Vaughn Rasmussen, Rocky Mountain Power.

Mayor Davids welcomed everyone and called the meeting to order at 5:30 p.m.

Amend Agenda: Lava Community Church Sign Permit.

Councilperson Davids made a motion to include the Lava Community Church's sign permit to the building permit list. Councilperson Thomson seconded the motion. All voted aye, unanimous.

Approval of Minutes:

Minutes were tabled. Mayor and City Council needs more time to review.

Review & Approve Bills:

City Clerk advised city council to hold Jack Parson's bill because she is still waiting for the payment and performance bonds and Lawn Tech's bill because the charge due is being disputed, different from the contract price. Councilperson Davids made a motion to pay the bills except for Jack Parson's bill for the asphalt

paving project and Lawn Tech's bill for tree trimming. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Law Enforcement/Code Enforcement Monthly Reports:

Nothing covered under monthly reports.

No Open Alcohol Container Ordinance Posters:

Dennis Callahan, City Code Enforcement Officer shared a rough draft for a no open container poster with mayor and city council. The draft is work in progress. He will continue to work on it. Mayor Davids would like to see a price and questioned how many is needed. Mayor Davids reported that the Bannock County Sheriff's Department reported that the open container situation was better this summer and they didn't have as many instances. The Bannock County Sheriff's Department officers felt like the ones they had instances with were not locals and were not aware of the law.

Microchip Program:

Dennis Callahan, City Code Enforcement Officer, presented updates on efforts to organize a microchip program. He is coordinating the event with the Pocatello Animal Shelter. Plan is to schedule the event in October. The city will only have to pay for the chips used. The Pocatello Animal Shelter needs a couple of weeks advance notice to schedule it. Dennis believes the Community Building would be the best place to hold the event. Charges will be assessed for the cost of the chip. Organizing a donation program with the event for items to donate to the Pocatello Animal Shelter is being considered.

Special Event Application Form:

The draft application form was reviewed. Guests asked a few questions. Plan is to utilize the form for all future special events, including events organized by the Lava Chamber of Commerce and held on private property. Suggestion was made to establish a limit for when a special event application is required based on anticipated attendance and impact on city services.

FY2017 Law Enforcement Contract with Bannock County:

The contract is the same as last years and there is no rate increase. Councilperson Linford made a motion to approve the contract. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Lava Hot Springs Inn Sign:

Dennis Callahan, City Code Enforcement Officer, reported that on August 30, 2016 a new sign at the Lava Hot Springs Inn was placed over an existing sign. Dennis sent George Katsilometes, Owners, an application for a sign permit. George called Dennis on Friday and told him that the sign wasn't a new sign, that he had refurbished an existing sign. Mayor Davids verified that the original sign had a north side on it and there was a new sign added to the south. George said he had both sides covered before and that he just added a new face to it. He didn't pull the posts out of the ground. Councilperson Thomson asked if the sign is basically the same sign and George answered with a yes. Councilperson Hinz read sign provisions from the city code. According to the code any sign that is altered a permit is required. George was asked if he submitted a permit. Mayor Davids asked George if he added lights. George answered no. Council reviewed a Google Earth street view picture of the old sign. Councilperson Davids commented that the sign has been altered and a permit is required. Councilperson Hinz asked if there was a permit and George doesn't think so. He commented that the State of Idaho actually put the posts in the ground when they changed the bridge. Councilperson Hinz asked if there was a permit done to get the additional work done. George answered no. Mayor Davids questioned if a permit was done to put up the original sign and George comment no. George reported that the sign has been there for at least 15 years and that it's been more or less the same for all these years. George says the picture is about 10 years old. George agreed the sign has been altered. Councilperson Linford asked George if he would please get a permit. George answered yes. Mayor Davids talked to George about the order of things to get a permit; you come in with a design, you get a permit, you let the council approve it, and then you put it in. Councilperson Hinz commented the sign looks great. Councilperson Thomson made a motion to grant George 7 days to submit an application for a permit. Councilperson Linford seconded the motion. All voted aye, unanimous.

Monthly Reports:

Code Enforcement Officer, Dennis Callahan, reported that letters have been sent out to property owners concerning fire hazards on their properties as identified by Ken Fagnant, Fire Chief, and him. The property owners have until September 15, 2016 to comply or start to comply. Dennis talked with Ken Fagnant this afternoon and no property owner has attempted to address the issues. The Council needs to be thinking about what action the city wants to take if they fail to comply. Dennis

reported that the Home Hotel and Lava Spa Motel owners have responded to the letters he sent notifying them of the need to replace their sidewalks. Scott Pearhill, Home Hotel Owner, has scheduled Rock Hard Concrete to install the sidewalk adjoining the Home Hotel and the work is going to start next week. The city will be replacing the curb and gutter along the sidewalk at the same time. The owner of the Spa Motel has responded to Dennis by email and asked if other property owners have received similar letters. They want everyone to be treated fairly. Dennis informed them that the Home Hotel owner had and suggested that they get with them to see if they could make arrangements to get theirs done in conjunction with the Home Hotel project for a cheaper price. Mayor Davids mentioned that the City budgeted funds to repair the pavers on East Main Street. The plan is level them and put some benches around some of the trees. Code Enforcement Officer, Dennis Callahan, reported that the City received a \$300 Arbor Day Grant and that the debris on the Archibald property on West Booth Street has been removed and hauled off.

Building Permits

A) Pro Barn-Tuff Shed for Storage – 73 West Main - George Katsilometes – Owner/Applicant:

George Katsilometes was in attendance and Marty Anderson, Attorney representing Mr. Katsilometes, was participating by speaker phone. Mayor Davids asked the audience to hold any comments until the end of the meeting for discussion items. Adam Bowcutt, Regional Supervisor with the Idaho Division of Building Safety, was in attendance and was asked by Mayor Davids to speak at any time if he had questions, comments or concerns. George addressed the Council explaining that he has already built the building and it's already been inspected by the Idaho Division of Building Safety four times for sleeping and habitation. Adam clarified that nothing has passed inspections. George explained that he knows it has not passed but all of the rough in has been completed in accordance with the documents he received. Adam explained that it has not passed and that there are corrections on all the plumbing, sewer, water main and electrical. George mentioned that the State inspectors have told him what needs to be done and he has completed all the rough in work, but the work can't be inspected until the red tag on the building is removed. George reported that a State inspector by the name of Todd told him that the electrical could

be covered if he changed the disconnect and everything has been done. George has made the change and feels that everything should be good on the electrical. George reported that a State inspector by the name of Travis told him the toilet is not right and that it needs to be vented, which he is going to do with a licensed plumber as soon as the red tag is removed. Adam explained the stop work was implemented by the City so that is why nothing has been approved. The Idaho Division of Building Safety is not allowed to do the inspections until the stop work is removed. The City needs to figure out what they are permitting, a commercial use or a resident use. The use changes the permitting aspect for the State and what goes on with the State. The building permit process is the beginning. George said that Chris Jensen with the state questioned if the building even needs a permit because of its size. The building is 192 square feet. The International Building Code requires permits for structures over 120 square feet. Mayor Davids mentioned that an email was sent by the County explaining the permit and who has the authority to do what and what the County, State and City responsibilities are. George was copied on the email. The City issues the permit. On August 8th the City found that the shed had been put in and on August 11th George came in for a permit. Mayor Davids explained that if he is not sure if a permit is required he needs to bring his plans in and asked if a permit is required; it may need to be reviewed by P&Z and Council before anything is done. George stated that the County Building Inspector recommends to the city what should be done. George was told by the Mayor that he needs to come in with plans and get a permit and have council decide. George stated that he had built another building the same size within 10 feet of this building and the city didn't say one thing about a permit. Marty Anderson addressed the question; that typically a shed does not require a building permit and he agrees that because George intends to occupy it a permit may be required. Marty Anderson stated that George is here to apply if one is required and if it meets the building code the permit should be granted and George has paid the double penalty fee. It was clarified that the double fee does not apply to the building permit. The double fees only apply to the electrical and plumbing permits. Marty Anderson expressed that it was a sufficient penalty for the way George approach it and that everyone should just deal with the problem ahead instead of rehashing how it happened. Mayor Davids asked George if he had gotten permission from the City to connect the structure to the existing water and sewer services as required by city code. George answered no because he didn't think he needed to be permitted. The City needs to inspect the water and sewer connections.

Mayor Davids explained the reasons why the City needs to know before someone hooks into water or sewer. George said that he does not know how the connections have to be installed but he asked the state and installed them correctly. Adam said that the sewer was not installed correctly. The sewer connection does not meet code, it was dug, ran, not tested and buried without any inspections. The sewer service has to be 4” and it will have to be uncovered and inspected. The penalty for connecting to the sewer is \$500. The services to the new structure may require its own lines and a separate address. George feels that the building is an additional unit to the existing commercial building. The structure can’t be an additional unit to the existing building. It is a separate structure and George calls it a “tiny house”. George mentioned that he has worked everything out with Travis and Adam on how to address the water and sewer issues. Adam explained that the disposal of sewer and the supply of the water are all maintained by the city. The city charges for the connection fees and approves the tie in. The private service line coming into the property from the mainline is controlled under the State of Idaho. The requirement for tie in, size and use are controlled and determined by the entity supplying the service, then the inspection of the water line and making sure it complies too code is the State of Idaho’s responsibility. The City will decide on the hook up fee and whether or not one or two hookups are required. George feels the 4” sewer service line is efficient. George said that the structure is not commercial. It is going to be used by him personally to sleep in as recommended by his doctor. Mayor Davids questioned if the City wants to start allowing everyone to install a shed in their backyard to sleep in. George said the new structure is on a separate lot. Adam said that if the structure is on a separate lot it will require a separate water and sewer service connection according to code. It is against the State plumbing code to cross property lines. George was asked if he wants it approved for a residential use and he said no. He wants the city to think of it as a cabin, like the ones he is building across the street. George has to decide if he is using the structure commercially or residentially. George said that he is not going to change his residency to Lava and he is not going to rent it. Mayor Davids reminded George that when he initially talked with George the first time George told him that it was a tool shed and then when he talked with him the next time George said he was going to live in. George denied it and said that when he talked with the Mayor initially he told him that he was going to use it for storage and that he may use it for an office and then the next day when he talked to the mayor he said that he also is going to sleep in it occasionally. If the

structure is on two parcels they will have to be combined. Councilperson Hinz expressed that he doesn't think he can issue or not issue a permit at this time and that he thinks the council needs to consult with legal and figure out where everything lays. Councilperson Hinz expressed that right now he doesn't think anyone knows what they are dealing with. Mayor Davids reported, that Bannock County Building Inspector, Andi (Andrea Higgins), has approved the permit for an accessory structure to be used for storage only, accessory structure shall have no human occupancy. Councilperson Hinz made a motion to consult with the attorney. Councilperson Thomson seconded the motion. Mayor Davids confirmed that the city is not approving the permit for only a storage shed. Councilperson Hinz & Thomson agreed that they were not approving it at this time. All voted aye, unanimous. George asked what the decision meant. The council explained that they city is going to talk to legal. George asked how long the process would take. Mayor Davids explained that the structure can't be approved for anything but a storage shed. Marty Anderson state that his understanding is the council just denied the permit. There was a lot of confusion regarding if the permit was denied or not. Marty Anderson explained that his understanding is George applied for just a shed. Mayor Davids mentioned that George said he did not apply for only a shed. George commented that he did not apply for a shed at all. Councilperson Davids commented to Marty that George doesn't agree with him. Marty asked what the building permit says. He didn't have a copy in front of him. Councilperson Thomson read the permit for Marty. It says project description pro-barn, tough shed for storage, office and periodic over night stay. George commented he is not going to use it as an office. Mayor Davids stated that George needs to decide what he is applying for. Marty asked what exactly the denial is for. Councilperson Hinz repeated his motion is to consult with legal and that the city is not approving any permit. Concerns regarding weather conditions and damages were addressed. The city is not responsible for any weather conditions or damages. The City did not approve anything to be installed. The City didn't approve for a slab to be poured. The city didn't approve for a shed to be put in. The city didn't approve for water, sewer electrical or anything. George questioned when the City is going to its attorney to get this resolved. Marty Anderson, again asked the council to verify the city is not denying the permit just tabling it until they consult with legal to see what type of permit is required. Mayor Davids commented that the permit he filled out as of today is denied, then we will contact legal and building inspector to make sure everything is on the same page. Councilperson

Thomson commented we really don't know what kind of permit you are applying for. Marty commented if the permit is denied by the board George needs to know the basis of the denial so, if he intends to appeal that decision he can appeal and he has not heard any clear basis for the denial. Mayor Davids reviewed what the building inspectors have said. State plumbing inspector had made notation that nothing has been permitted or approved yet. Andi (Andrea Higgins), Bannock County building inspector's remarks on the permit state that it is approved for an accessory structure to be used for storage only, accessory structure shall have no human occupancy. The council is moving based on what the professional advice is on the matter. Marty commented he understands but, all this comes after the city approves the permit. The process would be George would apply for a permit, then he would start the construction, then the inspections would happen and then before he got a final CO, certificate of occupancy, those items would have to be signed off. Marty feels that the city is using the inspections as the basis for denying the permit. Mayor David's stated that what doesn't make sense is George put a building in and started to build and do things without actually going through the proper steps. Marty asked that if the city is going to deny the permit, that the city state a valid basis for it because not passing electrical or plumbing is not a basis to deny a building permit. Councilperson Thomson restated that the city needs some type of legal interpretation on what type of structure George is trying to put on the property. The council informed Marty that the structure has been approved by the building inspector for storage only and that is not what it is. George asked for it to be on the record that Andi (Andrea Higgins), Bannock County Building inspector has never been on his property and has never inspected anything.

B) 6 Cabana's @ Lava Hot Springs Inn – George Katsilometes, Owner/Applicant:

Mayor Davids asked if George has addressed parking. George commented they have adequate parking. Mayor Davids asked him to explain. Mayor Davids commented he is going to need six more parking spaces and asked George how many he has now. George responded that he has 26 parking spaces now. The parking spaces need to be addressed according to the units he currently has and the units he plans on adding. Mayor Davids commented he does not have enough parking spaces right now. Audience also commented that George sells pool passes which generates additional traffic other than the lodgers and questioned if parking needs for the additional traffic. Mayor Davids commented that is required for when it is

at its max. Dennis mentioned that Bannock County Building Inspector, Andi (Andrea Higgins) has not approved the permit. Mayor Davids asked George to check with Andi to see what else she needs and the City will also check with her. Councilperson Davids made a motion to deny because of parking and it's not been passed by Andi so there is no way we can approve it. Councilperson Thomson wanted to amend the motion to table until the city gets adequate information; parking and Andi approval of the structure. Councilperson Davids amended her motion to table the permit until the city finds out more information from Andi and George shows that there is enough parking for the new structure and the walk-in business. Councilperson Thomson seconded the motion. All voted aye, unanimous.

C) Premade Bully Barn/Craft Shed – 117 West Main – Arthur Peck, Owner/Applicant:

Council reviewed the application. Councilperson Thomson doesn't feel like there is enough information to approve or deny. He doesn't see snow load requirements, sign off for structure, all it says is pre-fabricated bully barns with a little sketch where it is located. Location is 9 feet from the alley which is okay in the commercial zone. Code Enforcement Officer, Dennis Callahan, mentioned that it is not a permanent structure. Council commented that the property owner should be able to get specifications from the company that pre-fabricated the bully barn. Councilperson Thomson made a motion to table until council gets additional information that allows the city to sign off on snow loads, etc. Councilperson Hinz seconded the motion. All voted aye, unanimous. All voted aye, unanimous. Audience mentioned that something should be in the documents that protects the city from the owners using it as a permanent structure. Council agreed.

D) Retaining Wall, North side of Lava Elementary – Marsh Valley School District:

Councilperson Hinz made a motion to approve the permit. Councilperson Davids seconded the motion. All voted aye, unanimous.

E) New Home with detached garage – West Main & South 5th West – Shane & Marci Kramer, Owner/Applicants:

Bannock County has required separate permit for the home and detached garage. Permit is for a new primary residence in compliance with setbacks and height restrictions. Councilperson Hinz made a motion to approve the

application. Councilperson Thomson seconded the motion. All voted aye, unanimous.

F) Century Link Roof Replacement Enforcement – Dennis Callahan:

Code Enforcement Officer, Dennis Callahan, reported that he sent a letter to Century Link asking them to address the roof encroachment situation but has received no response to date. Dennis would like direction from the Council on what to do next. The permit has never been approved by the City and has never received a CO, certificate of occupancy. Kerby Pagnotto, Lisa Toly's daughter, was in attendance and mentioned that Lisa has sent several letters to Century link. Councilperson Hinz suggested consulting with legal. Mayor Davids mentioned the City is involved because a permit was never approved and a CO was never issued for the roof rebuild. There was a permit pulled after the roof was built and approved by the building inspector but not the city because of the encroachment situation. Mayor Davids suggested that the city get copies of Lisa's letters and a copy of the letter Dennis sent and send them to the city attorney and ask him what our next step is. Councilperson Thomson made a motion to consult legal and take action. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Sign Application Permit Community Church:

Code Enforcement Officer, Dennis Callahan reported that the sign meets all permit requirements. Council reviewed. Councilperson Hinz made a motion to approve. Councilperson Davids seconded the motion. All voted aye, unanimous.

Consider Building/Fire Code Service Agreement with Idaho Division of Building Safety:

Mayor Davids asked the council to review the sample contract and see if this would be beneficial for the City to pursue. Mayor and Council are interested in looking at the fee structure before making a decision.

Kofoed Outside City Limit Water Service – Motion Clarification:

City Clerk, Canda Dimick has given Kofoed's a copy of the meeting recording as requested. City Council agreed to give the Kofoed's until the next regular meeting to review the recording. Next month the council will make a decision.

West Spring Street Rain Water Management and Snow Placement Concerns – Joanna Palmer:

Joanna Palmer presented a packet explaining the history of her eroding concerns. Joanna explained the pictures. Her driveway seems to be slipping. Inside garage there is a separation that keeps enlarging. 2007 they started mending the cracks, which are now elevating and widening. Joanna asked if this is a city, county or private problem. She asked for help or a resolution. Snow removal procedures seem to be contributing to the problem. Councilperson Thomson questioned if there are any construction plans to see if there were any stabilization methods done when her house was built. There is a private drainage pipe contributing to the problem. Councilperson Davids made a motion to hire a city engineer to study it. Councilperson Linford seconded the motion. All voted aye, unanimous.

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

Mayor Davids read the list.

- 1) **American Electric – George Cook, Owner/Applicant**
- 2) **Cedar Springs Condos – Shawn Midkiff and Kimber Eastwood, owner/Applicant**
- 3) **Jack B. Parson**
- 4) **LuLaroe Lizzy Marie – Elizabeth Zuccala, Owner/Applicant**
- 5) **Right Now Ink – Jeff Cox, Owner/Applicant**

Council and audience expressed concerns regarding Cedar Springs Condos, specifically the Condo term. They have never been permitted as Condos only apartments and just recently they became private rentals, this past summer. The property is not subdivided for condos.

It was questioned where LuLaroe Lizzy Marie was operating from. The owner has received permission from Mark Patterson to sell on the property he leases from the Bannock Shoshone Tribe which is located across the street from the Chuckwagon.

Councilperson Linford made a motion to strongly suggest that the term condos be made to something different and to approve all licenses. Councilperson Hinz seconded the motion. All voted aye, unanimous.

Direct Communications Franchise Agreements/Ordinance Progress Report:

City Clerk is going to get a copy of the Soda Springs agreement and will draft up a similar agreement and send it to Direct Communications for signing.

Resolution(s) A) Resolution 2016-1 Destruction of Public Records:

Still working on compiling a list for the resolution.

Meetings/Announcements/Miscellaneous:

A) 100th Birthday Celebration – Banners, Shirts & Zombie Run:

There are seven shirts left to sell. All the brooms have sold. Need suggestion on selling banners. If anyone has any ideas let the City Clerk know.

B) At Will Personnel Policy Status Report:

Still working on.

C) Dogapoolooza – September 10th:

The event activities have been scaled back this year. No booths or walk. Mark Lowe, Foundation Director, and his staff are taking care of everything and volunteers.

D) Oktoberfest – October 8th:

Wendy Faler, Event Coordinator, reported on Oktoberfest. She has had lots of inquiries. Wendy is not sure what permits are required. She read the list and asked council to let her know if she needs any other permits. Destiny is working on the alcohol permit. Wendy has contacted the fire chief about burning of the crow and fire dancers. The Fire chief does not want to participate but, they are willing to respond if there is an accident. Lava Senior's do not want any fire in the Community Building parking lot. She is thinking about moving the fire activities to the Foundation parking lot and maybe lighting the crow with lights or glow sticks. Twenty plus vendors will be filling the triangle grass area. Councilperson Thomson made a motion to cancel burning of any open fire and to allow the fire dancers to perform. Councilperson Linford seconded the motion. All voted aye, unanimous. City Clerk Dimick explained to Wendy that she will need an alcohol permit from the City for open containers in the park along with the State alcohol permit, permit fee is \$25.00. Wendy asked if she will need a permit for the hot dogs and brats they will be cooking. City Clerk informed Wendy to contact the health department to see if a permit is required. A permit is required if food is not cooked in a licensed kitchen. Wendy presented the booth application form. She will be reporting to the City and State the amount of sales tax due. The committee is looking at decorating the entrance into town with a fall festival theme. Baker Ranch is providing horse-drawn wagon rides for 4 hours at the Buddy Campbell Park at \$3.00 a person and all proceeds will go to the Oktoberfest. The council approved

the use of the park. Sponsors have been great. She is looking for volunteers and passed around a volunteer list. The town has been so generous with donations. There will be a silent auction. BYU Idaho dance program may send someone down to do a German or clogging entertainment. Costco is donating to Oktoberfest and Fire & Ice \$250.00 for each event.

Mayor and Council informed Wendy that the City is working on a new lighting event for the winter holiday season. Plan is to install rope lights on all of the decorative poles and have a community lighting ceremony the Friday after Thanksgiving. Vaughn Rasmussen, Rocky Mountain Power representative, was in attendance and will get the dates permitted for displaying lights on the poles and will email them to the City Clerk.

E) Blue Moon Bar Car Show – Sept. 24, 2016:

Permit is the same as last years. Councilperson Thomson made a motion to rope off street and permit the event same as last year. Councilperson Hinz seconded the motion. All voted aye, unanimous. Councilperson Hinz suggested posting signs for the event.

F) Digital Speed Sign Report:

Council reviewed data from the sign located on South 4th West. The sign is movable. There were only 300 motorists that obeyed the speed limit out of 7,000. Mayor reported the brightness on the sign has been turned up to 100%.

G) Miscellaneous (City Hall Internet Service):

Increasing the internet speed for the service at City Hall was discussed. Service is currently through Century link. The city could get a faster service through CenturyLink by upgrading and signing a two year contract. The upgrade will require a separate line and the fee would be waived. Council will think about it for a month.

Projects:

A) Wastewater System:

1) Net Metering Agreement Status:

Vaughn Rasmussen was in attendance to discuss the net metering agreement and schedules. Vaughn had a family emergency and was not able to bring the documents he had for the council. Vaughn asked to be rescheduled on the agenda for next month. He explained that the schedule that the city's solar system is on

and agreed to bring the documents next month that explain the schedule. The City is on a schedule 23. Rocky Mountain Power is in favor of changing the schedule but, they are on a rate case change and once it is complete they can start working on schedule 23. The rate change should not affect the City. Rocky Mountain Power is trying to get a rate change that is level. Vaughn should have more information next month. He will be in attendance at the October 13th meeting.

B) East Main Pedestrian Bridge:

Bids are due September 12, 2016. The engineers will open the bids and take them for review then make an award recommendation to City Council. The construction contract needs to be signed by October 1, 2016.

1) Keller Associates Proposed Inspection Agreement:

Councilperson Thomson made a motion to accept Keller Engineers contract for the pedestrian bridge inspection. Councilperson Davids seconded the motion. All voted aye, unanimous.

C) Buddy Campbell Park Improvement Project:

1) Architect Agreement:

Ted Booth has sent a one page contract letter wanting the City to sign it. More details is required before it is signed. The council talked about a dump site, parking, Tesla hookup, swings, Splash Park and a water fountain.

D) Fire Station Sewer Line Extension Project Status:

The sewer line has been installed and is ready to test. The pre work for the asphalt has been completed. Kit Tillotson, Contractor, has asked for a letter from the city granting permission to close the septic system on site. Councilperson Hinz made a motion to sign a letter signing off on the closure of the septic system on site stating that the contract has been fulfilled with the understanding that the septic tank has been filled full of sand. Councilperson Linford seconded the motion. All voted aye, unanimous.

E) Water Improvement Project:

1) Spring Fencing & Land Purchase – Mayor Davids:

City Clerk will draft a contract with The Fence Man. Work will be completed in October. Mayor Davids reported that he is still working with Doug Potter regarding the purchase of land around a city spring located on his property.

2) BLM Easement:

City Clerk reported that she is still working on getting the paper work done.

3) Well Location Study:

Mayor reported that he had met with the engineers and reviewed the study results with them. Proposed Well Site #1, located out Dempsey, would produce approximately 150 gallons per minute. Proposed Well Site #2, located out Maughan Road, would have to be drilled really deep, it has the potential to contain a lot of minerals and it is not recommended. The geologist has recommended another well site further out Maughan Road. Mayor Davids called the property owner and he is ready to sell the entire parcel but does not want to separate it. The property is expensive. Councilperson Thomson suggested getting Proposed Well Site #1 up and going and look at other options later. Copies of the well location study were reviewed by Council and discussed. The Dean Day property was brought up and discussed. The existing well on the Day property is two close to property lines.

G) Black Mountain Software Status Report:

City Clerk is going to try to work at home to get things finished up so balances can be put into the program.

H) East Main brick pavers and sidewalk – Mayor Davids:

Funds have been budgeted to repair the pavers and the architect has been asked to do some planning for the improvements. Pavers need to be leveled and benches installed around the trees where roots are impacting the pavers. Evelee Hill Rush asked if there is any possibility of installing sidewalks from 78 Eatery to the river. The street is going to be dug up for the water improvement project. Installing sidewalks after the water project is completed is a good idea.

J) East Main Street Decorative Lighting System – Completed:

The decorative lighting system conversion to LED has been completed. There is one light on North Center that is out and will be repaired under warranty. The city is still looking for rope lights to decorate the poles. A decision will need to be made in October. Color choices are blue, red and green. One strand needs to be able to change from blue to green. City Clerk was asked to follow up with Travis at Platt Electric to see what options are available and cost.

K) Chicken Soup Springs – Exploration Study:

Lava Foundation has offered to donate \$25,000 to the project. The budget will have to be amended to expend the funds. Plan is to clean out the cistern and see

how much the system produces. There is a 4" line that transports the water to the back of the Lava Spa Motel. An easement would have to be obtained to extend the line to the Main Street Bridge along the river bank. If there are enough gallons per minute, the city will have to decide how to let everyone in town utilize it. The first thing is to see how much can be captured and determine if it is even feasible to develop. The Lava Trails Project phases were discussed. Chicken Soup Springs has never been part of the Lava Trails Project and shouldn't conflict with the river bank restoration project. It was questioned if cleaning the cistern will stop the flow of the water to the river. The flow will be diverted down the pipe to heat the bridge. The cistern was filled in with gravel because people were continuously tearing down the fence and causing damages. Evelee said that there is an existing easement through the RV Park that the city could utilize to get the water to Main Street. Council was supportive of doing the work to see what the system produces. Councilperson Hinz would like to see a contract first so that the city knows what the plan is before work commences. The contract needs to be with the city. Mayor and council were asked to think about it for a month and to write down their thoughts.

Miscellaneous:

There were no miscellaneous items.

Discussion:

Evelee Hill thanked Mayor and City Council for the pleasant card expressing appreciation for taking care of the dirt piled on the lot and compliments for the new construction. She is seeing a lot more drop in traffic. Councilperson Linford questioned if all of the advertising is making a difference. Evelee's personal opinion is that there is no validity as to what the return on investment of where the money is going. There hasn't been a lot of tracking. The tourist economy keeps getting busier and busier every year.

Evelee informed mayor and council that there is a 256 acre farm along Blaser Highway that just sold to Inside Meditation. It is a Buddhist program. They are going to build 70 units for men and 70 units for women and they do a 7 to 10 day dormant meditation. It is called De Possa. It is a silent meditation. The only time

you talk is when you are in the Dorma sessions and you are talking to your teachers and getting your instructions. It is a retreat space. It will have a distinctively effect on the community. It will create a lot of jobs. When people leave they are going to be very hungry to shop and socialize.

Adjournment:

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

Meeting adjourned at 9:07 p.m.

Amantha Sierra, Transcriber

T. Paul Davids III, Mayor

Canda L. Dimick, City Clerk