

PUBLIC NOTICE

A Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held on Thursday February 08, 2024 at 6:00 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho.

In-person attendance is allowed. Guests may participate by teleconference if they so desire. To participate or listen to the meeting by teleconference, please call (408) 638-0968, meeting ID number is 5731543907#, password 745563#. Depending on your telephone service plan, long distance charges may apply. All participants will be muted when they join the meeting. Guests can unmute themselves by entering star six (*6).

City of Lava Hot Springs
115 West Elm – PO Box 187 – 83246
Office Phone (208) 776-5280
Fax (208) 776-5130
Mayor Vicky Lyon
Council Members
Rickey Frandsen - Leah Navarro
John Head - Jeanie Avery
City Clerk Amantha Sierra – Treasurer Jill Makuaole

5:00 to 6:00 p.m. come in and ask the mayor any questions you may have and enjoy a bowl of Soup

4:00 to 5:00 p.m. Executive Session

- 1. Motion to adjourn into executive session to communicate with legal counsel to discuss the legal ramification of and legal options for pending litigation; or controversies not yet being litigated but imminently likely to be litigated by Idaho Code 74-206 (1) (B) (f) – Action item
- 2. Motion to return to open meeting.
- 3. Motion regarding Executive Session

Regular City council meeting 6:00 p.m.

- 4. REGULAR AGENDA
 - a. Call meeting to order
 - b. Roll Call
 - c. Pledge of Allegiance
 - d. Public Comment: The City Council invites citizens to address the Council on any topic not already scheduled on this agenda. Speakers are limited to 3 minutes. In accordance with the Idaho Open Meetings Act, the City Council cannot act on items not listed on the agenda. However, your concerns may be addressed by submitting an Agenda Request form a week before any schedule council meeting. The Agenda Request form is located online <https://www.lavahotspringscity.com/meeting-agendas>
 - e. Sheriff report
- 5. REPORTING
 - i. Ambulance Coordinator
 - ii. Mayor
 - iii. Councilperson
 - iv. Treasurer
 - v. City Clerk – Payroll & ACH Direct Deposit Black Mountain demo included in council packet
 - vi. City Engineer – Engineering Progress Report included in council packet
 - vii. City Planner – Junta Development meeting schedule & Agenda items included in council packet
- 6. NEW BUSINESS
 - a. Building Inspector introduction Rowdy Larkins recommended by Bryan Phinney – Action Item
 - b. Agenda Request Form – Mrs. Quinonez – license 16393, check 1051, dated 1/5/24 attached to renewal letter, hand delivered on 1/15/24 – Waive first time late fee – Action Item
 - c. Idaho Central Credit Union – CD maturity date 02/06/2024 - up for renewal – rates included in council packet – Cash out - roll CD into another promo rate, CD balance and rates included in council packet – Resolution - Action Item
 - d. Idaho Central Credit Union Saving account – City Clerk requesting to close or deposit money – Resolution - Action Item

- e. Idaho Central Credit Union Money Market checking account – City Clerk requesting to deposit money or switch to regular account and use account to transfer and fund credit card payment – Resolution - Action Item
 - f. Citizens Community Bank - CD maturity date 02/26/2024 - Cash out - up for renewal – roll CD into another promo rate, CD balance and rates included in council packet – Resolution - Action Item
 - g. New Employment Application – reviewed and approved by Lyle Fuller – Give permission to Clerk to Post on city website - Action Item
 - h. Boundary and Annexation Survey Annual response form – Rodney - Assign and authorize responsible person to complete and submit – Action Item
 - i. ICRMP Liability data request – Assign and authorize responsible person to complete and submit – Action Item
 - j. Financial report – Jill Makuaole – Action Item
 - k. BudgetPrep- Black Mountain Software – Amantha Sierra – Action item
 - l. Post Job opening for Office assistance -Jill Makuaole put in her notice, she will work part time until someone is hired – Action Item
 - m. Outsource transcription of minutes – Action item
 - n. Change Deadline for Agenda request form – Action item
7. CHAMBER OF COMMERCE
- a. Chamber of Commerce - Sherril Tillotson - BrandCraft Agreement
 - i. Consider and act upon agreements – Action Item
 - ii. Consider and act upon authorizing the Mayor to enter into an agreement – Action Item
 - b. Event Coordinator - Colin Petrun - Fire & Ice report
8. OLD BUSINESS
- a. Kofed road/access – Lyle Fuller - Action item
 - b. Agenda Request Form – Greg Croft with Suites of Lava Hot Springs – Action item
 - i. Question: Would like permission to use a qualified 3rd party reviewer in lieu of State building official due to complexity of review needed and timelines.
 - ii. Suggested solution: Allow building owner to use 3rd party - owner will need to pay for any additional fees associated with the 3rd party.
 - iii. Are you requesting a decision by vote? (i.e. Action Item) – Yes – and based on current circumstances the council should consider whether to allow this on future projects.
 - c. George Katsilometes - 4 Businesses at different location only one license -Action Item
 - i. License 16071 issued to Lava Hot Springs INN – 94 E Portneuf
 - ii. No License – Aladin 68 W. Main
 - iii. No License – Cowlshaw – 73 W. Main
 - iv. No License - Blue House & Spa Rooms – 53 N 1st

3-1-3: CONDUCT OF BUSINESS:

- A. No person shall, wholly or in part, engage in or operate a business within the City, unless exempted by the provisions of this Lava Hot Springs Business and Special Event Regulation Code, without first obtaining and maintaining, in full force and effect, a current valid annual or thirty day business license issued in accordance with this Code.
- B. Every business conducted at different physical locations by the same person or operator shall be required to have a current valid annual or thirty (30) day business license, unless the business activity is specifically exempted by the provisions of this Lava Hot Springs Business and Special Event Regulation Code.
- C. Different businesses conducted in the same building or on the same parcel of property even when conducted by the same person or operator shall each be required to have a current valid annual or thirty (30) day business license.
- D. Door-to-door businesses are required to have a current valid annual or thirty (30) day business license.
- E. Unless exempted by Section 3-1-4, the conduct of business without a license shall be a violation of the Lava Hot Springs Business and Special Event Regulation Code. (Ord. 2020-3, 8-13-2020)

- d. Agenda Request Form – CKG Ventures, c/o Kim & Kyle Jessee – Action item
 - i. Question: See attached letter & Water/Sewer Agreement from our Attorney, TJ Budge, explaining our request for water & sewer services from the City of Lava
 - ii. Suggested solution: Lava City providing water & sewer from City of Lava.
 - iii. Are you requesting for a decision by vote? (i.e. Action Item) – Action Item to be voted on 2/8/24
- e. Code enforcement officer application approved to post January 11, 2024 - not posted on website post – City Clerk questioned City Attorney concerning ordinance 2023–02 changes Code enforcement officer to Code Compliance Officer; adds definitions of “means to egress”, “occupancy classifications”, “occupant load”, and “public” etc. – Is the Code enforcement officer an approved position? - rates included in council packet - Action Item
- f. Business License renewal 16496 – Hillside Retreat Neil Hirschi 553 W Booth – Non-Property tax not received for the 2023 – Action Item
- g. Project Permit Application LAV2023 -15 Joseph Sutera, Whitewater Cottage 89 W Main – Bryan Phinney need update on building plans - Action Item
- h. Business License renewal 16512, Whitewater Cottage 89 W Main, Joseph Sutera – Bryan Phinney, need update on building plans - Action Item

- i. Business License renewal 16507 – The Get Together Inn 16507 580 W Elm – found check 149 dated 6/13/22 for \$65.00 along with the 2023 license not signed in a file marked Chandra, the check was never cash, the note on the file said not signing until council approves, the note is from prior Mayor Jon Thomson, need approval from council for final approval - Action Item
 - j. Bonneville Collections – Authorization to send list of Water bill to Bonneville Collection – list included in council packet – Action Item
 - k. AUX Well / Water Plan – Update
 - i. Mark Lowe - Consider and act upon agreements – AUX Well Contract sign agreement – Action Item
9. CONSENT AGENDA - All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.
- a. Business License Renewal Application – 16363 - Dempsey Creek Inc.- DBA Adventures Vacation Rentals Villa – 162 E Main Street - Sam Netuschil – Action Item
 - b. Business License Renewal Application – 16403 - Dempsey Creek Inc. - DBA Adventures Vacation Rentals Condos – 151 E 1st Alley North - Sam Netuschil – Action Item
 - c. Business License Renewal Application – 16429 - Dempsey Creek Inc. – DBA Nectar Gelato & Espresso – 162 E Main Street - Sam Netuschil – Action Item
 - d. Business License Renewal Application – 16376 - Dempsey Creek Inc. – DBA Nectar Gelato & Espresso Express – 15 N 3rd - Sam Netuschil – Action Item
 - e. Business License Renewal Application – 16309 - Dempsey Creek Inc. – DBA Dempsey Creek Trading – 89 E Main - Sam Netuschil – Action Item
 - f. Business License Renewal Application – 16380 - Dempsey Creek Inc. – DBA Mountain Mayhem 3 - 15 N 3rd E - Sam Netuschil – Action Item
 - g. Business License Renewal Application – 16284 - Dempsey Creek Inc. – DBA Mountain Mayhem 2 – 70 E Main - Sam Netuschil – Action Item
 - h. Business License Renewal Application – 16095 - Dempsey Creek Inc. – DBA Mountain Mayhem – 155 E Main - Sam Netuschil – Action Item
 - i. Business License Renewal Application – 16283 - Dempsey Creek Inc. – DBA Purple Moon World Market – 50 E Main - Sam Netuschil – Action Item
 - j. Business License Renewal Application – 16402 - Dempsey Creek Inc. - DBA Adventures Vacation Rentals Penny Lane- 344 W. Main St - Sam Netuschil – Action Item
 - k. Business License Renewal Application – 16438 -C&D Management – 90 S. 5th W – Cody & Daniella VanBuren - Action Item
 - l. Business License Renewal Application – 16321 – Paul Webster Properties LTD – 518 W Fife ST – Debbra Hurst – Action Item
 - m. Business License Renewal Application – 16445 - Northwest Cascade Inc. – DBA Honeybucket – Action Item
 - n. Business License Renewal Application – 16285 – Serenity House B&B LLC – DBA Dragonfly Gallery - 178 W. Main – Susan Thomas – Action Item
 - o. Council approval of Bills – List of bills provided to councilmembers prior to council meeting for review.

ITEMS TO BE REMOVED FROM CONSENT AGENDA

10. COMMUNITY CONCERNS

- a. Pictures showing safety concerns – Vicky Lyon
11. ANNOUNCEMENTS: Next meeting 03/14/2024 Deadline 03/07/2024
12. DISCUSSION - Items from the audience – Note: This time has been set aside to hear discussion from citizens. No decisions on any matter may be approved or denied on issues brought before the council under this agenda item. Issues needing consideration will have to be posted on the next agenda. Speakers are limited to 3 minutes.
13. Adjourn regular meeting - Action item