

The posted times are estimates. More time may be granted by a motion from the city council. **PUBLIC NOTICE** The Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held on Thursday, February 11, 2021 at 5:30 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho. 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). **AGENDA**

Present: Jon Thomson, Mayor
Randy Benglan, Councilperson
Rickey Frandsen, Councilperson
Lisa Guthrie, Councilperson
Gary Cooper, City Attorney
Canda Dimick, City Clerk
Lindsey McCulloch, City Code Enforcement Officer
Amantha Sierra, Office Assistance
Ken Fagnant, Fire Chief

Excused:

Guests Phone: Brittney Clark & Jagur Lee, Yvette Cadeaux, Scott Shreman, Sherril Tillotson, Cody DeLosReyes, Sam Netuschil, Sandra Drummond, 1208-248, 1208-486

Guest at City Hall: Ken Fagnant, Leah & Patrick Navorro, Nephi & Megan Reno, Officer Jeff Fullmen, Officer Trent Smith, Clinton Pagnotto, Cameron & Annie Salt, Brandon DeLosReyes, Teresa Salvi, Toni Salvi

Mayor Thomson opens the meeting at 5:30 p.m. and welcomes everyone attending the zoom meeting and in person

The Pledge of Allegiance is led by Mayor Thomson.

Announce Agenda Deadline for March 11, 2021 meeting will be March 4, 2021: Mayor Thomson announce the deadline to have something presented to us on the March 11th meeting needs to be submitted to City Hall no later than March the 4th, one week ahead of the meeting date.

Approval of Minutes – (September 30, 2020) - ACTION ITEM: Councilperson Guthrie made a motion to approve September 30, 2020 meeting minutes. Councilperson Benglan seconded the motion. All voted aye, unanimous.

The Pledge of Allegiance is led by Councilperson Frandsen. The Pledge of Allegiance is led by Mayor Thomson.

Oath of Office – Craig Knutson, City Council Member (2 year term): Mayor Thomson welcome Craig Knutson to the council and announced he is taking Brian Hinz position on the council until the next Lava election which is in November. Welcome Craig, please stand and let me get you sworn in, make you a legal eagle of the council here. Raise your right hand please. Mayor read and Craig repeated, I do solemnly swear that I will support the Constitution of the United States and the constitution and laws of the state of Idaho and that I will faithfully discharge all the duties of the office of the Lava City Council of the City of Lava Hot Springs, Idaho, according to the best of my ability. Mayor responds okay, thank you, sir. I'll let you sign here and take a seat at the council table. Audience applauds. Councilperson Knutson comments I'd like to publicly thank Canda for doing above and beyond the job necessary for getting prepared and equipped to take my place here. Thank you Canda.

Review & Approve Bills - ACTION ITEM:

A) L.E.A. Data Technologies Software & Microsoft Office Pro Access– Lindsey McCulloch, Code Enforcement Officer – ACTION ITEM: City Clerk Canda Dimick report Lindsey took her computer into Computer Warehouse she was going to get the software installed for the LEA program and in order for that software to be installed her Microsoft office will need to be updated to Microsoft office pro and the cost of that is four hundred thirty nine & ninety nine (439.99). That is a cost in addition. Councilperson Benglan ask is that for one (1) machine or are we able to put that on the other machine. City Clerk responds we may be able to put in on more, I'll look, but we definitely have to have it for her. The reason is, there's an access program and that what the other software program requires. We need a motions for that additional cost. I think you were thinking that it was all going to be covered under a thousand and twenty (1,020.00) for the

software. We do have the money in the budget because we have money in the budgets incase her computer went down then we could replace the whole computer. The money will come from that budget line listed under Lindsey replacement computer to buy that Microsoft office. Mayor Thomson comments that in addition to the cost of the program that we bought. City Clerk continues if you are okay with that I put each item as an action item. Councilperson Benglan made a motion to approve the LEA data technology software and Microsoft Office for access software. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) No Parking/Limited Parking on Main Street Signs – ACTION ITEM: City clerk report the amount that was for the signs wasn't in the budget. I went back and reviewed and that line item was supposed to be upgraded brought to my attention from an August meeting. Apparently, we didn't catch it because we had multiple meetings after the August meeting on the budget and still didn't catch that the line was supposed was to be increased. So I need, I guess permission from the council to deduct the additional amount from road maintenance. Councilperson Benglan ask so, we have we have five hundred (500) in the budget for signs. City Clerk replies under code enforcement we have five hundred (500), under street and under signs we have three hundred (300) if you want to use both of those line items up it would be eight hundred (800.00) dollars. Unless you don't want to use up Lindsey sign budget. Mayor Thomson ask what is the total amount on the signs. City Clerk responds three hundred (300) is what we had. Mayor Thomson comment no that's not what I meant. I thought it was fifteen/sixteen hundred dollars (15/1600.00) dollars. I'm the one that ordered those signs and I order them thinking we had three thousand (3,000.00) dollars in budget because that's what we had talked about increasing budget to back in August when we did the budget. Apparently under the misconception that we had additional funds in the budget that we don't have. It is kind of my fault as well there. Councilperson Frandsen ask so we need to take money out of the road budget. City Clerk responds do you want to use up the five hundred (500.00) dollars also or do you want to take three hundred (30) plus the rest out of road maintenance. Councilperson Frandsen replies probably keep some or part in the account in case something else we got to do so, just pay the whole thing out of road maintenance budget. City Clerk responds the whole sixteen hundred (1600). Councilperson Benglan ask what would the five hundred (500.00) be for otherwise for signs. City Clerk comments we talked about redoing the sign for skateboard park sign that was in the park somebody wrote over it, code enforcement signs like that would come out of there. Mayor Thomson comments and I've asked for additional signs to be purchased to be put an approximately in front of the Home hotel in that block that says

crosswalk ahead because you're into this bridge the minute you come off the bridge you're in the crosswalk to the hot pools and I think we need some kind of a warning sign addressing that issue for some someone gets run over normally by me because I don't watch that close, I do, but I think we need more lighting up there as well into the evening and the night time hours but that's something I'll address with Devanee. There's other issues for signage. Councilperson Knutson comment the three hundred (300) and something dollar shortfall for sign. City Clerk responds no, we only have three hundred (300) dollars in there and this bill is sixteen hundred (1600) and something but, he's recommending we budget the full amount from road maintenance. Councilperson Benglan comments I'm looking under the street fund, under the road maintenance that has one hundred and four thousand (104,000) is that what we're talking about? City Clerk responds but, we have to keep hundred thousand (100,000) in there because that the Grant. A hundred thousand (100,000) that is the grant for the chip & seal. You'll see up under revenue we're getting a grant from LTAC. So a hundred thousand (100,000) of that is the grant which we can't spend. Mayor Thomson comments last year's budget was three hundred (300) dollars for signage. The price of signs has gotten to the point where three hundred (300) dollars doesn't buy you one or two (1 or 2) signs. When we did the budget this year, I remember distinctly Brian saying added digit to that so, we jacked it up from three hundred (300) dollars to three thousand (3000). Which is more realistic for a year worth of signs. If we do any kind of major program, like last year, the year before we did the open container signs. You know you do eight or ten (8 or 10) of those signs around town, you're in to them quite a little bit besides the post. I thought we approved three thousand (3000). I thought the council approved three thousand (3000), but, somehow it didn't get into the budget as three thousand (3000), it got in to the budget as three hundred (300) that had been in there the year before. So that's where the mistake got made. I went ahead and spent like I had three thousand (3000). Councilperson Benglan comment that forty nine hundred (4900) that's left over, that's not earmarked for anything under the road Maintenance. City Clerk replies no. Councilperson Benglan comment Okay. Mayor Thomson comments like I said I told them to go ahead and order then I find out we don't have three grand (3000) in the budget.

Councilperson Frandsen made a motion to approve. Councilperson Benglan seconded the motion. All voted aye, unanimous.

C) FlowMSP Preplanning and Response Package – Ken Fagnant, Fire Chief -

ACTION ITEM: Ken reported on a proposal from a company called FloMSP.

What this is about are fire departments embarking on emergency response to

various business and high activity facilities in and around the city. That would be all the commercial buildings and businesses on Main Street, Center Street and eventually probably things like nightly rentals, hotel or type facilities away from Main Street. One of the problems we face is whenever we get emergency calls, be it EMS, fire calls or whatever. Many of those are facilities that we have, we as individuals haven't been in or seen in detail in those facilities for years. They've undergone changes, remodel and various different things. The other thing is during an actual fire response is time wasted on locating things like electrical, gas shut off, and emergency egress. A lot of that information is known in bits and pieces throughout our departments. We have no places in one spot. Hence, the concept of preplanning emergency response system in those facilities and that involves everything from, knowing where your closest hydrants are, what the flow rates are at those hydrants. Actually having them GEO locators so, that you open up a preplan for that facility and you know where all this stuff is. You have contact information for phone numbers and contact information for key holders, what are the peak hours of operations, what is the expected occupancy load of that facility during peak hours, is occupied in the evening. Basically all of that information that's helpful to first responders that get a call there. Really that's applicable to any type of emergency response not just a fire. The reason I asked for FloMSP to provide this proposal we didn't budget for us because we knew we had to do preplanning at some point we thought we could do a stubby pencil method and found out it's a super daunting task. It's a big task, one, collect all that information on a new business and then go back and turn it into some type of useful document or useful information that you can rapidly access when you're right in the middle of a response. We reached out to a couple of different companies. There were other solutions out there that are cheaper, but, FloMSP was the one that we chose simply because it's tailored to fire and emergency response. It's simple to use both in the preplanning stage, the data collection stage and the emergency response stage. The long and the short of it is we spend, say thirty (30) minutes at a facility and collect data today, tomorrow we have fire there and all that data is readily available in the form of photographs, flow data from your closest hydrants that are assigned to that business. You know what your square footage is, you have photos of the ABC and D sides of the building. You know if there are particular hazards associated with that building, you have been pre-located and have documentation in place, plus you don't have to pack around a three (3) ring binder it's easily accessible from any web enabled device, smart phone, tablet, or a computer back at the station, all of the above. Like I said we didn't budget for this because we didn't anticipate this preplanning effort being such a big deal. Taking so much time and being so cumbersome without a way to manage the data. What FloMSP is proposing and they kind of base it on the size of departments anticipated load year after year, you

know how much you actually use it. Based on that sliding scale, they're proposing a five hundred (500.00) dollars setup fee. It runs on their servers, it's not something we have to worry about maintaining servers here, they maintain it for us. It's five hundred (500.00) dollars to set that up, thousand (1,000.00) dollars a year to maintain it. What they're offering is a six hundred (600.00) dollar savings if we were to agree to use the product and enter into a three (3) year. Basically buy it for three (3) years, twenty nine hundred (2,900.00) dollars is the cost. They're saying we'll get the implementation cost and three (3) years of service. I know this is a bad year to be asking for extra money because of everything that's happened but, this is something that I think is very important. It's an opportunity for us, fire community to do better at our job, offer a better service to the community and basically do emergency response in a safer manner because, you're going into with the data in hand. You know what you have, when you get a call to a facility. There are some other benefits to this without having to buy extra modules and whatnot. We can work with dispatch. Dispatch already sends us text messages and emails in addition to our pages, we don't rely on those solely for notification because text message is not extremely reliable. You may not get it for ten, fifteen or twenty (10, 15 or 20) minutes down the road. With the tools that dispatch is currently using sending that information out and working with them a little bit and having them format that text message in a certain way FloMSP will automatically notify each of our members on their smartphone and load the preplan for the destination of that call. It's all based on the address and what we put into the system. What that means is, we get the call, by the time we get to the station we actually have the preplan for the building or business we're going to on our phones. We don't have to go buy any new hardware to put in the engines or anything like that. It's all can be done over our smartphones. I think it's a great tool. I think it's something that will allow us to, instead of maybe doing a few of these preplan per month it will allow us to do probably all of the businesses on Main Street we hope by the end of this summer and have them in place. The other benefit to us doing this preplanning effort is that one, it's not necessarily a requirement that it's an NFPA (National Fire Protection Association) recommendation that fire communities do preplanning. Our community ISO rating gets a huge boost in rating points by doing that. It's one of the few things the volunteer Fire Department can do. To actually approve your ISO fire rating exponential. If you're not aware of what ISO is, that rating is the Idaho ratings bureau does is what establishes insurance rates. So everything that we do here that improves our ISO rating, the townspeople derive a direct benefit in bringing their insurance rates a little lower. So that's a good thing, it's a win, win for everybody. The real win from our perspective is it allows us to do a better job and do it safer. So there it is, I don't want to be labor because I told Canda I'd take no more than ten (10) minutes of your time but, it's

something we'd really like to do. I know it's a tight year for dollars but, if we can find a way clear to do that, I think buying this package for the three (3) year period is a smart thing to do. Councilperson Benglan ask is there any benefit to residential homes or is it strictly commercial. The Fire Chief respond anytime you do preplanning, when you do effective preplanning that meets FDA standards, your ISO rating improves. That ISO rating once it's improved doesn't just effect business it's for everybody in the community. Anybody who buys fire insurance in the community benefits from an improved ISO rating. Councilperson Benglan ask so as far as preplanning, you're talking mostly with the businesses downtown. Fire Chief replies initially and here's my thought on that, because we haven't done it in the past and Lava Hot Springs does not have a statutory instrument by which we can require businesses to participate in that. What we're hoping is that we can just do a public information campaign and get businesses to voluntarily partner with us to do it. Now there are certain things we can do under in the fire code, whether they want us to or not, but, I don't want to go down that road. I want the business owners to look at us as a partner in helping to better protect their business. I think if we pitch it right we can do that. Councilperson Benglan ask how do residential homes come into this, as far as preplanning goes. Fire Chief responds that would be after we get all the businesses done and we're comfortable with that, then I would suggest is we turn around and we recommend or offer that service to individuals homes. I'm not prepared to say that we explore any kind of ordinance that requires them to let us into homes to preplan. Mayor Thomson comments I'm not so concerned about my home but, I would be concerned about Vacation Rentals and things like that, that have guest in them and above the normally numbers that we would see in a residential area. Fire Chief respond right, and I think we're well within our grounds and municipal rights to treat those as commercial facilities and preplan them the same way, group them into the whole thing. In fact, we started putting together a chronological list by addresses of all of the businesses, including in that known nightly rentals and Bed and Breakfast. Mayor Thomson comments and I would include in maybe some of the apartment complexes that are not even in commercial district, but, have multiple families in them. Fire Chief replies and currently we have not included those in the list, it doesn't mean that we won't. If the city is interested in doing that, we certainly like to do it and then offer that service to individual homes. We're thinking also out in the district around town, especially where we have a lot of recreational property and absentee owners offer that service there as well. But in residential situations, I would feel more comfortable if you weren't invited to do that. With business and commercial, I would not hesitate to step forward and say, business owner this is a service we're providing. Something we're trying to do so we can do a better job. We'd like you to partner with us and help us do it. One of the things that this

software will allow us to do is also upload like PDFs of floor plans, right now I can't tell you how many businesses downtown I maybe have been in part of it but, I couldn't tell you what's beyond the curtain in that building and we need to be able to know that. We need their participation, voluntary participation to do that. We would be able to upload floorplans into these so, when you're fighting a fire, you know what the floorplan is, where the accesses to the basement are, what construction type is, how many times it been remodeled. Okay, so you got seven (7) layers of roofing up there, you look at it from the outside it's a nice roof. Well, unless we talked with property owners, and we do a little bit, I don't want to use the term invasive, but that's what it is. Invasive questioning, looking critically at the facility, you don't know really what that construction type is and what is going to be involved to fight a fire in that facility. That's all the kind of information we want to be able to collect under this. Like I say, focusing initially on the business along Main and Center and then once we're comfortable with that product, moving out to other things like the nightly rental, the B&B, the other commercial type facilities, even outside of town, the gas station, that's sort of stuff. One of the added benefits to this being able to preplan something as simple as where are you going to park your fire truck when you get a fire call at that building because that's a big step, just wheeling up out front is not the smartest or the safest place to be. Taking a few minutes with this tool and going out preplanning that facility and that footprint of land is a smart thing to do because you can walk through all of those, take it back to the station, tabletop it with your fire crew and then everybody knows if you get a fire in that business, this is how you're going to deal with it. Mayor Thomson comments I can't help but think that would be just a win situation for ever business in town. Perhaps donate through the chamber to get that done. To me that's just evaluation of your property. The other question I would have is this database accessible by Bannock County. I can see floor plans and certain egress things and certain things being a valuable tool to them if they had a hostage situation or something like that. Fire Chief responds that was the big question that we asked when I first started talking with these folks. How tough is it because, we also so a lot of other mutual aid, we've have other fire department come into town, that we're concerned about how can we share that data with our mutual aid and they said absolutely. The only thing is if you want somebody else to be able to edit it, then they have to be a participant in the program, but, if we want to share it to them, say dispatch or deputy directly on their smartphones in a read only environment doesn't require any change to the agreement. Mayor Thomson comments I certainly can see the need if they happen to have to enter a building and that's got multiple floors, multiple rooms. Fire Chief responds in fact, I've actually got a request into Bannock County now, the sheriff office, to help us in this effort, Detective Canon has requested him that when things mellow out he is

going to come out and help us collect some closer, better aerial imagery of all the businesses via drone. I felt better having them do that for us than one of us going out with just a private drone. Mayor Thomson comments I have a couple of people in mind that have already approached the city about doing some aerial mapping off of drones and that's the business they're in, so. Fire Chief Responds well there's an opportunity there too. That information is just so easily incorporated right into this FloMSP and it's just an app on your phone, you just need the app, credential and you can share it out to other users as you need to in a read only format.

Anyway, there it is, I'll leave it to you to decide. Do you have any question?

Councilperson Benglan ask as far as residential go, I mean, is that something that maybe we could put as public outreach, put in the water bill when you're ready and we could start building a list of people that are interested? Fire Chief responds sure. Councilperson Benglan comments commercial you're just going to approach him directly but with the residents. Fire Chief responds right, and possibly even through utility billing to the business initially, just to let them know what we're doing and ask their voluntary participation. Kind of in a blanket effort.

Councilperson Benglan ask does you fire district take in the whole zip code. Fire Chief responds yes. Councilperson Benglan ask like Lava Ranch, Thunder Mountain, Lava hills. Fire Chief replies yes, two hundred (200), I think it measures out to like two hundred fifty (250) square miles. I'm sure you are all aware the City of Lava Hot Springs owns the fire department, but, we have a contract with rural districts that goes north to the county line by Pebble Creek, that way to roughly The Log in Gallery that way to Fish Creek Summit and that way to the head of Cotton Wood. So everybody in that foot print, Lava Ranch, Thunder Mountain, the developments up the river, all of those would be would be eligible, like I say we would, once we get the business done, that's my biggest focus, is of the greatest unknown right now, and then we would like to do just that, offer it to private citizens, other properties. I don't mean to keep jumping around but, that just made me think of one other benefit to this is a lot of the recreational properties like Thunder Mountain, Lava Ranch don't have addresses, unless they've run a county building permit, they don't have an address, they have a lot number.

FloMSP has the ability for us to manually manipulate those, use that lot number, tie it to an office address at say Lava Ranch and then put in a lot number and it will identify that as an individual parcel by lot number as opposed to county address.

Councilperson Benglan comments got you, that'll probably take some work where probably is most effective would be to work for the HOA boards. Fire Chief replies exactly. Councilperson Benglan comments to get it in their newsletter, and say this is a service that the rural districts putting together the fire district and like I said, you want to do first things first. So businesses first and then maybe we would discuss again on the residential side of it, or is that something we want to initiate

now? Fire Chief comment well, I think if we are able get this package or some method by which we can actually start doing it, collecting and manipulating the data, then I just need to stay in close contact with you folks, let you know where we are with it and once we get beyond that focus of the businesses first, then go on to whatever the logical next step is and if you folks support us reaching out to private residences to offer that. We would be happy to do that. I don't know that is anything that needs action items at this moment. Mayor Thomson comments action item is do we do it and how we come up with twenty nine hundred (2,900.00) dollars to instigate this. City Clerk Canda Dimick ask Ken if the Rural District is willing to share in any of it. The Fire Chief responds I have not approached that yet, simply because of our main focus initially, was the city getting the businesses in the city done but, I'm certainly willing to do that. Reach out to the district and see if they will partner. Councilperson Benglan ask is there a way to kind of prorate the cost based on the need in the district versus the need in Lava, as far as giving them a similar proposal and saying this is what Lava is willing to do are you willing to cover this portion of it. Fire Chief respond I probably could, I don't know how we derive those numbers just yet, especially where probably the first year or maybe two (2) is going to be focusing on stuff in the city. Councilperson Knutson ask who is actually doing the data collection. Fire Chief respond us, volunteers. Councilperson Knutson continues so, they're providing the technology and it probably doesn't matter to them how big that data base is. Fire Chief responds correct. Councilperson Knutson right, it's just an issue an issue of manpower for you. Fire Chief responds really why we're looking at a tool like this is because it makes better use of that volunteer manpower. We started picking a couple of businesses and working through just the basics of stubby pencil method doing preplans and found out this is a big deal. This is a lot of work. Whereas with this tool, you can get probably seven percent (7) you need in anywhere from ten to thirty (10 to 30) minutes visit to that business with your smartphone and then being able to turn around and use that data in a smartphone environment on a response rather than having to pull a manual out and thumb through to try to find a plan for that particular business. It's just all right there and the automation aspect of having it tied to our dispatch calls, that's a cool factor, not just a cool factor, but, it's a very big time savings. Gary Cooper, City Attorney ask just out of curiosity do business file evacuation plans. Fire Chief replies not with us, not under the code or the fire code they're not necessarily required to file those with us. If they are a public access, assembly type building like a restaurant, churches, school, nursing homes, something of that nature they're required to have one and posted in the facility, but, there is no requirement for them to share that with us. City Attorney ask is that's something that you could add. Fire Chief respond absolutely, if they have those, especially those that are required to have

them, it would be a real easy thing for us to ask them, do you mind if we have a copy of that, we convert it to a PDF, throw it in the preplan and it there, in their file. Councilperson Benglan ask who is in control of the Rural District dollars, is there a board. Fire Chief responds yes, there's a board commissioners your chief maintenance guy, Tony Hobson, is one of the commissioners, Chairman of the commissioners is Tom Prather, a fellow that lives out on the old Oregon Trail road by Bob Smith, Cody Stoddard is the other commissioner. Three (3) zones in the district and each zone has a district commissioner. Councilperson Benglan comment I would think that we, I like it but, maybe that's something that we should see, like Canda said see if the rural fire district would be able to share in the cost. Fire Chief replies sure, I can certainly do that, I have not approached them. Councilperson Benglan ask do they get an annual budget, or how does that work. Fire Chief respond yeah, they're just like any other special taxation is district. They establish an annual budget, they sit down with the city at the start of the year and pay the city a certain amounts. Councilperson Benglan comments so they collect the dollars and then our fire department actually covers the rural district. Fire Chief responds correct. Councilperson Benglan continues and so their job is to budget money. The Fire Chief replies they actually pay the city of lava a contract to have us do fire protection in the district. Councilperson Benglan I got you. The Fire Chief replies because they are taxing authority, they don't have their own department, we're it. Councilperson Benglan ask so is it likely that they have any money to contribute to something like that this. The Fire Chief replies let me say it's not unlikely, I think it's a good bet that they probably can. I know they have some projects it's involved in the apparatus that we have, the five (5) apparatus for those rural districts. So they put quite a bit of money to maintaining those, doing equipment improvements and that sort of things. Councilperson Benglan comment got you. The Fire Chief replies so they're not opposed to throwing extra money our way and helping the city do things like that. If they have the money available and can see a tangible benefit outside the city, because that's where their tax dollars come from. Councilperson Benglan comment got you, that make sense. Mayor Thomson comments what I'm hearing with the council is there's encouragement to go forward with this. What I would suggest, budget wise, is that ken has a budget that has been finalized for this year and hasn't been spent all of it. You might work with Canda a little bit to see how you can balance other things against this. Venture forth and see what the district will do. Possibly even the Chamber, because it is a business, I think concern and then see what we really have to come up with and where we can find money in other budgets. I would say go forward with this and not approve the funding but, approve the idea and let's look into the funding and see where we can find money and just basically table it for next month, review it then and see what we come up

with for money. Councilperson Frandsen suggested doing the fifteen hundred (1,500.00) dollars, to get the ball rolling, if we can come up with that and then for next year budget lets go for a three (3) years plan, we can plan for that. Mayor Thomson comment I think that is a long term goal next year's budget to try to figure out where we are going to find the money out of this year's budget.

Inaudible – cross talking. Councilperson Knutson comment the contracts that you have to provide the service and the areas outside the city limits. How often is that renewed? The Fire Chief respond that would be a question between the city council and the district commissioners. I'm not involved in that so, I can't answer it right at the moment. Councilperson Knutson ask do we know how often that comes up for renewal. The Fire Chief respond Canda might know. City Clerk respond I don't know off the top of my head. Councilperson Knutson comments because we might look, I'm assuming that they're also getting the insurance benefits outside the city limits. They're subject to the same scores. The Fire Chief respond well, yeah, a whole different scale, because they're there outside of a municipal area that does not have fire hydrants. So, if you don't have a municipal water system with hydrants that meet certain entity of standards, then automatically there's a benchmark that is the best your ISO rating will ever get. Councilperson Knutson ask are they at that point now, where they wouldn't derive any benefit at all. The Fire Chief response no, anything like that that helps out there as well. Yeah, there's still room for improving the ISO scores there. There's some inherent problems in that whole ISO system in that your volunteer fire department. There's almost like a glass ceiling because, you're not a full time, twenty four/seven (24/7), always somebody on at a stationed type environment. Unless you get to that level, you will never beyond the ISO score. The City of Lava is actually doing quite well. Do you remember offhand what ISO rating is? City Clerk responds no. The Fire Chief continues we're at a five (5) now I remember years ago when I first joined this department, because we added department for a lot of years, but, there was just not a lot of the exterior things being done ISO required. You know, the City was like at an eight (8). The worst you can be, it goes one through nine (1-9) and then zero, basically it's a fire coverage, there's no fire response or entity. Nine means you have an organization but, there are limitations because of know hydrants, your volunteers, response times are too great, that sort of thing. So that whole ISO scale is based on a huge volume of things that are addressed. But yes, out in the district they have never been but, the city is better than it's ever been but, there is still room for improvement. Preplanning is one of the biggest benefit or the biggest chunk we can corner a lot of points in your ISO ratings by doing that. That aside, it's the right thing to do, it the smart thing to do and it's the safe thing to do. Everybody gets better and safer, that's what started us down this road.

Councilperson Frandsen made a motion that we proceed with trying to see what kind of funds we can get put together and have a decision next month and what we can do. Whether we go with the one (1) year. Mayor Thomson comments on the three (3) obviously, we'd like to have three (3) if we can find the money for that. There are other sources available and plus, we need to kind of go through your budget to see where we can squeeze air and what we can spend that on and then where the city can find some extra funds and that sort of thing to fulfill the difference up. Councilperson Benglan seconded the motion. All voted aye, unanimous. Leah Navarro from the audience asks is there a time period for the special they are offering. The Fire Chief responds I'm not sure if it says in here how long their offers is good for but, in talking with him, I know there's quite open. Inaudible – cross talking. The Fire Chief asks the Mayor if he needs anything else. Mayor Thomson responds I don't think so, I would ask you meet with Canda and myself let's talk about what we can do to get our budget together, where we can find the money, different avenue of that and see what we can come up with and then at the next meeting we'll do a lot whatever we can.

D) Motion to approve February, 2021 bills – ACTION ITEM 5:55 pm Law Enforcement/Code Enforcement: Councilperson Knutson made a motion to approve. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

A) Building Permit Report – Lindsey McCulloch, Code Enforcement Officer: Lindsey McCulloch, City Code Enforcement Officer reports Yvette Cadeaux, the bright blue, I didn't get it, but, they said they passed it, but it's not on their web site and they haven't sent me the CO, yet. That's the only thing. Mayor Thomson comments okay, next month we will have to issue the CO. City Code Enforcement Officer responds hopefully, he said he would have it to me by Monday. Mayor Thomson comments it doesn't help us on Thursday, does it. Okay, no other items on building permit reports, or anything, no.

B) Monthly Law Enforcement/Code Enforcement Reports: Officer Jeff Fullmen, Officer Trent Smith in attendance. Councilperson Knutson comments I have a question and I'm new to this, so this is the first time I've seen one of these reports. If there is a citation or some action or court date linked, where would that be? Officer responds unsure if it shows up on the monthly report. Councilperson Knutson comments I seen a few items that looked like citable offenses but, I didn't see a place on the report. I don't think that's a report that we give because that's all done through the court system. Councilperson Frandsen explains the report is

for calls only. Inaudible – cross talking. Officer announces other than that nothing mayor to report. Inaudible – cross talking.

Disannexation Request - Ordinance 2021-1– Cameron Salt - ACTION ITEM:

Cameron & Annie Salt in attendance. Mayor Thomson ask Gary if he had something here that he put together. Gary Cooper, City Attorney responds you should have the ordinance. Mayor Thomson comment I think we have latest and greatest mapping they're. Is that what you have laid out Randy? Councilperson Benglan ask does the new line follow the river and this is the current line, right? Mayor and Council reviewed survey map showing property proposed for dis-annexation. Councilperson Knutson ask why would it benefit the city to dis-annex. Councilperson Frandsen responds because Cameron's trying to build a house, it's all on his property but, part of it is in the city annexation and part of it is out. Councilperson Knutson ask there was a permit issue for that, right. Cameron Salt respond yeah, I mean, the county issued a permit in the city limits. Councilperson Knutson comment the county has a drawing that you submitted a plan, right. Cameron respond right. Councilperson Knutson ask in your plan, the building was fully on County Land, wasn't on city land, right? Cameron respond yeah, so they come out you give them a drawing of where you want to put it right. They come out, they GPS and they take it back to their engineer. They check it, they check the setback, they look it at all over and then they issue you a permit. Somewhere on the lines they screwed up and they never checked the setback. So how is this helping the city? It's probably not helping the city. It's more the city is helping me, more than anything because of the county screw up, is what it boils down too. Councilperson Knutson ask do you have a copy of that plan that you submitted to the county. Cameron comment yeah, they got it I don't have it with me tonight. Councilperson Knutson comment it would be good to take a look at that. The county when I called the county today, to ask them about it. They said that the plan that was submitted with the city limits were drawn in the plan and the house is located on county land not on city. Councilperson Knutson ask wasn't the map from you. Cameron respond no they had a different map. Annie Salt comment the map they went off was parcel viewer it shows, on parcel viewer it show the property is in the county property but, when the city alerted them and said this is a city limits, we don't want you guys to build this, it was the month after they've given us the permit. The city's like, actually, I think that's in city limits. They had their survey come out, and survey it, so the county actually told us, we think it's actually in county. If still thought it was in county, even after the surveyor came out and said, No, this is in city. So it's not that they weren't confused and the city thought it was their property, the county thought it was their property and we're kind of in the middle of it. Cameron comment we weren't for sure on it. The city

wasn't for sure. They were pretty sure that there was no rebar in the ground. So I got a survey done a year prior to all this. When they had the description for the city limits, they went off of my new survey. So the city went off my new survey. Councilperson Knutson ask you mean the county went off yours. Cameron responds no, the City. Annie explains because the county did their GPS, they said it's in the county. When we drew the map, if you looked at the county maps that they give you online, and our map, it looks like it's in the county, you know, basically, nobody knew exactly where the lines were. Inaudible – cross talking. Mayor Thomson comment I had a discussion with your county planner last Wednesday and they had the county parcel viewer up, the county parcel viewer clearly shows the city line to be where it's at right now. And then they're questioning how did we make that mistake? And I go, I don't know, you'd have to ask yourself that. Inaudible – cross talking. Mayor Thomson Councilperson Frandsen comment the bottom line of this, this just clears up everything. Because there's three point four (3.4) acres, just over three (3) acres of ground and the whole piece of ground, there's this little tiny sliver of ground that is in the city limits, the rest of his property isn't and there's really no advantage for the city to have that little part of his ground, in my mind, in the city limits, because we can't really provide utilities at this point to him. And so just to clear this thing up, it's just better that he takes care of that. Cameron comment we'll still being the impact zone and annexation is always an option later on when city services go but, when you got two (2) different entities you're working with, it makes it a little bit more concerning and a lot more discomfort dealing with two (2) different kinds. City Clerk Canda Dimick comment I guess it needs to be on the record though, the City doesn't extend the service it's the developer. Cameron replies it has to be within thousand (1000) feet or whatever it is. City Clerk respond I mean the City doesn't extend services the developer has to bring it to the line. So it's not that we can't provide services, it's they can't afford the cost. Someone asked isn't that private property. Annie comments and there's private property and the river between us and there is no easement. Councilperson Benglan comment there's not any city right of way. Cameron comment there's no just no possible way. Councilperson Knutson ask is there plans to develop more of this land that's currently on county. Cameron ask developed, what do you mean. Councilperson Knutson like an RV park. Cameron respond it is an RV Park, you never know, expansion is always an option, for sure. Mayor Thomson comment one question I have, are you willing to step up and cover the cost of the effort from the city to de-annex you. You're asking the city to flip the bill from the mistake the county and you guys made. At what point, should we be responsible for any of this? Inaudible – cross talking. Mayor Thomson continues there will be Gary legal fees for putting together the paperwork here and then there'll be the filing, the recording, changing the limits

and that kind of thing. I don't know what the cost will be that will be one issue we'll need to clarify and resolve, there's going to be some additional costs in writing and publishing an ordinance to the de-annex, and there's got to be some cost, according to the new boundaries. Obviously, we've already paid costs for surveys. Gary Cooper, City Attorney comment here's what the costs are about a hundred and fifty (150.00) dollars for my attorney fees, about sixty five (65.00) dollars to publish this in the newspaper, probably about ten of fifteen (10.00 or 15.00) dollars to record it. We're going to have to have Wade draw a new map of the city limits, so that we can file that with the Secretary of State. I don't know what he'll charge for that shouldn't be too much more. Mayor Thomson comment we've already got the description. Inaudible – cross talking.

City Attorney continues you've got to give him the math. Mayor Thomson responds it's not major expanse. Inaudible – cross talking. City Attorney comments we're right around two (200) bucks right now. Inaudible – cross talking. Cameron comment just like, just like when the county showed up to the other day I said get over there and GPS foundation so we know where it is at right now. Inaudible – cross talking. Mayor Thomson comment the one thing that I have found that's ran uniform through this whole thing is I have not heard admission from the county that they screwed up, it's blatant who's made the mistake. Annie comments they're saying it's the city fault, they are like, and the city has something against you. We're like, I don't know so the city is trying to help us. Cameron comment I'm like, it's an act of God to de-annex. Councilperson Knutson comment I guess my concern would be taking three (3), almost four (4) acres of potential benefit to the city is there a way of making a smaller adjustment where it is located. Cameron comments it's all like marsh ground there's no. Councilperson Knutson comment no, I mean, you have it plotted out where you it to go? Annie comment I think it has to be so far from the setbacks. Councilperson Knutson comment do you require three point eighty four (3.84) acers to satisfied setbacks. Cameron comment it's already been surveyed so, it makes it an easier line is why, it matches are parcel. Inaudible – cross talking. Survey map reviewed. Mayor Thomson comments it's never been on the property tax rolls at all. Councilperson Benglan comment so, it shouldn't it should have been but, it hasn't been. Mayor Thomson comments it should have been but, it never has been the suburban city. Cameron comments it's never been city taxed basically, the county has considered it there's the whole time. Inaudible – cross talking. Cameron comments it's a very odd situation, the river, creeks and mountain line. Then benefit would be for the city to work with whatever owner it is, and gain all of that land at one point with city sewer and water is established and that would benefit both parties more than anything. But to take two hundred (200) square feet or three (300) square feet or a thousand (1000) square feet and leave this and jaunt

that it just makes entries. That's the problem? Councilperson Benglan comment there is one (1) or two (2) ways you can approach it. You can either de-annex like we're talking about doing or else we grant them waiver from the city services and it would stay in city limits then they would work with us to get there permitting and all that done or else move the house to the county. Annie comments which we can't do it's a different parcel. Annie reviewed location on survey map. Mayor Thomson comment that puts you back on the same parcel as your existing house is on, right if you move it in that direction. Annie explains it puts it on the camp ground parcel. It would put it basically in the RV spots. Councilperson Benglan comment got you, so basically there is one of two (1 of 2) solutions well three (3) don't move the house or dis-annex or we grant them a waiver on city utilities. Mayor Thomson comments from the cost standpoint looks like de-annexation is cheaper. Councilperson Benglan comment yeah, and I just think that it's with the understanding because we don't want to set a precedent where whenever someone feels like there's some kind of hardship well, we'll just be de-annex because we let these guys do it. Inaudible – cross talking. Mayor Thomson comment that's not the case here. I see that there's a legitimate argument that the county just flat messed up. The county should have never issued a building permit in the first place if you're in the city limits. Annie respond no. Mayor Thomson continues should have never done that and because they won't come back and refund it. To me that says, they are not willing to admit they made a mistake. I'm looking at this from, from what Gary's indicated the cost of his legal fees to write the ordinance, the cost of filing the cost of the publication, this is by far the cheapest route to go. There are ramifications of giving a variance. I don't think we'll have a lot of requests to de-annex but, we might have a lot of requests for variances because of a variance like that. Councilperson Benglan comment of the two (2) that's the precedent we probably want to avoid more. Mayor Thomson responds I think so, that in my opinion. Cameron comment because people will say they want sewer and all that. Councilperson Benglan comment because they will want to put in the septic within city limits, because they're beyond or it's a hardship to bring utilities to their project. We don't want to open to open up that can of worms. Mayor Thomson comments I really don't want to de-annex, but, I think is simplest and cheapest way to go here in this case, and they're willing to foot the expensive of doing that, then I think that it's probably the best way for the city to approach this with the thought in mind that in the future, we still go back and annex if and when get to the point where we can provide services out that direction, that's still in the impact zone and that's something that we're going to be dealing with here in the future is how we're going to expand this city. Councilperson Knutson so, the total cost for they would be absorbing. Cameron comments it just in the hundred's,

right, whatever. Inaudible - cross talking, multiple conversations. Mayor Thomson ask council if there are any other questions? What do you want to do?

Councilperson Frandsen made a motion to go ahead and accept the de-annexation on the basis Cameron and Annie are willing to pay the cost of the de-annexation. Councilperson Knutson seconded the motion. All voted aye, unanimous.

Gary Cooper, City Attorney comment if you're going to pass this ordinance, okay, you're going to waive the reading three times and then you have to read the title of it and then vote on the ordinance. Mayor Thomson comments I need first of all a motion to waive three readings of the ordinance.

Councilperson Guthrie made a motion to waive three (3) readings of ordinance 2021-1. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Councilperson Benglan ask do we do that in a form of a motion, or do we just read it beforehand and then do a motion. City Attorney respond read it beforehand, and you can vote on the passing of the ordinance. Title only read by Mayor Thomson.

ORDINANCE 2021-1

*AN ORDINANCE ALTERING THE BOUNDARIES OF THE CITY OF LAVA HOT SPRINGS AND EXCLUDING THEREFROM APPROXIMATELY 3.47 ACRES WHICH IS MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE BY METES AND BOUNDS DESCRIPTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; WAIVING THE RULE REQUIRING THE READING OF THIS ORDINANCE ON THREE SEPARATE OCCASIONS; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.
BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, AS*

Councilperson Frandsen made a motion to adopt ordinance 2021-1. Councilperson Guthrie seconded the motion. Roll call. Guthrie Aye, Benglan Aye, Frandsen Aye, Knutson Aye, unanimous.

Mayor Thomson comment the ordinance has been passed. The next step is to have Wade do the legal description. City Attorney comment I'll have summary which I have provided published in the newspaper, I'll get Wade to draw the new map. Mayor Thomson comment based on their boundary lines. City Attorney comment right and then I have to file with the county, file it with the state tax commission, and then it will be in effect. City Clerk Canda Dimick announces Wade has the map and legal. City Attorney comment the new map. City Clerk respond yes, that's correct. City Attorney comments it's got to be the entire city boundary and

not just there's so, they have a map on record of exactly what the new city boundaries is. Inaudible – cross talking. City Attorney continues I sent an email to Wade, it shouldn't be that difficult to do.

Lava Hot Springs Planning & Zoning Commission:

A) Yvette Cadeaux Parcel Split Recommendation - ACTION ITEM: Yvette Cadeaux online. Mayor Thomson announces we're looking at a parcel split recommendations on Booth Street at the end of fifth, were it hits that hill. Lindsey McCulloch, City Code Enforcement Officer comment that the house I was talking about earlier, the blue house. City Clerk Canda Dimick announces this went before Planning and Zoning and they have recommended the parcel split. I forwarded an email to you after they meet and you do have a copy of the map there so, they do recommend a few feet in the one lot to go with the existing house. It meets the ten (10) foot setbacks on the side yard. Mayor Thomson comments okay, that establishes setbacks, then. Okay, any questions on that guy's? We've got the recommendations from P&Z (**Planning and Zoning commission**) to approve the split in this manner. Because the road has been taken out of service going up the hill there, that leave them more than adequate space on the new lot to build as well. Plus it establishes the setback line on the property that has the house on it.

Councilperson Frandsen made a motion to that we go with Planning and Zoning recommendation and approve the properties split of having the extra three (3) feet from lot two (2) added to a lot three (3). Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Thomson ask Yvette is she heard that. Yvette respond yes, and it's my understanding that there's a letter that will be sent to the county, is that right? Or something like that? City Clerk responds we'll give her a letter that she takes to the county. Mayor Thomson respond yes, we'll provide you a letter you can take to the county and then it'll file the two (2) parcels under the new boundaries. Yvette respond okay, very well, then Wade will write it all up as well, I believe, that's my understanding, he has to survey it and redefine the description of the property. I think he's still needs to follow up and do that. Talking softly indiscernible. Mayor Thomson comment Yeah, I think so, what we have here is kind of a sketch in front of us that just shows the addition of three (3) feet coming off the one of the lots, to be added on. So, I would think that they would have to have an official survey but, I don't know whether that's been accomplished or not. Yvette responds yeah, so I'll contact Wade that was my understanding. I'm going to have him now, go and write it up officially and submit it. Mayor Thomson comment and he can come to the city and pick up any

paperwork that he needs to go ahead. Yvette respond excellent. Thank you very much.

B) Zoning Ordinance Draft – Mayor Thomson – ACTION ITEM: Mayor Thomson reports what this next item is guys is and Ricky I want to have you helped me out here with this. We've been at this what four) years? Councilperson Frandsen respond yes. Mayor Thomson continues two (2) years, Rick was still on the planning and zoning they went through this this zoning ordinance pretty meticulous. They had at that time, our attorney over in Soda Springs he has subsequently retired was helping them with that. We've had it in Council here for about two (2) years now. We just don't seem to find time to sit down and thoroughly go through it. We got through a lot of definitions but, that was about as far as we got. Total it's been almost a four (4) year struggled since the beginning in planning and zoning, it's been two (2) years in our hands. I think it's time we just went ahead and pass this thing and got it out on the street and if we need to make a change, if there an error somewhere in the body of it we can a comeback in the future, but it is something that if we don't get out here pretty quick. We're going to be right, because it's going to be too old. Craig and Randy probably haven't had that luxury of being involved with this too long but we've been dealing with this thing for quite a while at council here, I know Lisa and Ricky have and I have. So it's just a matter of how long do we keep massaging it versus let's just get it on the street and make the changes later. I'm just recommending that guys, if you want to say no, we want to keep massage it, then that's you guys decision to make but, I'm kind of just requesting that we get it out there and I've had this same request made from my Planning and Zoning commission. My Planning and Zoning president. Councilperson Benglan comments so, this is already in use. Councilperson Guthrie they've added new stuff. Councilperson Benglan continues the only thing that would change so, there's a zoning ordinance right now. Mayor Thomson comment this isn't it, this is the new zoning ordinance and some of the red stuff you see in here, we're changes that we've made in council. This is all brand new isn't it? Councilperson Frandsen responds yeah, it's updated. Mayor Thomson comment this is not the zoning ordinance that we're currently using. Councilperson Frandsen respond some of it is. Councilperson Benglan ask so what's the difference between the red and black. Councilperson Frandsen comment there is some slight changes. Councilperson Benglan ask is the red the only changes. City Clerk Canda Dimick responds there is actually more than the red. Red is just what the city council has made changes too. What changes the P&Z (Planning and Zoning commission) made we would have to go clear back through there's. Mayor Thomson comment we have gone through there and we've got through most of the first twenty (20) pages or so, that go the definitions on it.

Councilperson Benglan ask that the city council made. Mayor Thomson continues to the approved markup that came from are planning zoning people and then once you get into the body of it thing we haven't really touched anything in the body. Basically it was just a revise of the ordinance that we had, and we're still using. Trying to improve it and bring it up to 2021 timeframe. Councilperson Benglan comment got you. Mayor Thomson continues I know there are certain things that I know of that took place in there is we kind of redefined what a parking stall was and that's where we've kind of get our definition of a park area. Some of the stuff was do a deal with setbacks from the corners for visual things, we've dealt with height on fences, and we've dealt with overall height on buildings. How many stories, I think it's dropped from five (5) stories to three (3), is that correct do you remember. Councilperson Knutson that in the commercial zone but, not in the residential. Mayor Thomson comment no, the residential area is twenty five (25) feet from average grades or from the four (4) center points. There's been some changes to it, the thing is here, we're struggling at four (4) years after the fact, we're still running on the old ordinance and here's the new one just sitting here. Gary Cooper, City Attorney ask isn't right, what you guys are actually doing is sending it back to planning and zoning to have the public hearing on it, to approve it. Isn't that what happens next Canda. City Clerk respond yes. Mayor Thomson comment yea, I think it's time for us to quit massaging, send it back, start the process of getting approved, out on the streets and then if we have to make changes for some reason downstream then we make changes. Councilperson Benglan comment I think my initial reaction is I haven't read through it so, my initial thought is maybe we take this month read through it and maybe we have one work session as a city council to work through our notes, one more work session and then send it to P&Z (**Planning and Zoning commission**). Mayor Thomson and I'll use that as a very classic example of why this thing is taking so long. What the problem is its taking longer, now I've got down to where I have two (2) of my council members that are new and believe it or not guys, as old as I am, there's guys on my planning and zoning that are just as old or older, they may not even see the end of this, so I take that as a very good recommendation. The council would like to take a month and review this and review what we've got and bring up any questions and then and then next month, proceed and make an action on it, I'm more than happy with that, but I'm just saying guys we haven't done anything for six (6) months with it except set there. Councilperson Guthrie comment I think it's been longer than that. Councilperson Knutson comment you know, we've talked a little bit about affordable housing and the effect that are R1 zoning has on affordable housing, profound and cities and municipalities all around the country are adopting strategies that involve major revisions and the traditional post 1950s building codes is what this represents and in effort to break up, indiscernible.

That's part of our comprehensive plan is to address that, and it's only going to become a bigger problem. So I really think that we need to have a little working session where we talk about some of the stipulations in R1 & R2. Mayor Thomson comment and that's this guy right here. All right, I want to hear a motion out of you that we just table this for a month, let people review it and we will reconvene with this topic next month and proceed on. Is that the motion you made?

Councilperson Benglan comment yeah. Councilperson Frandsen responds second. Councilperson Benglan comment yeah, I think there needs to be some kind of work session put in there and so, I don't know how you've handled that in the past. Mayor Thomson comment we just look calendar and say when can we all get together for a work sessions. Councilperson Frandsen comment and in the past we had so many things wrong with knife River and every time we had a work session, most of our work sessions was tied up with that other stuff. Councilperson Benglan comment well, I think we designate a work session specifically, zoning ordinance or nothing else comes in. Councilperson Guthrie comment we always say that and things come. Councilperson Benglan comment that's the first time I've said it. Laughter. Councilperson Benglan comment I mean the Mayor has control over this agenda. Mayor Thomson responds I totally agree with what my council desires, so. I hear a motion that we table this thing for a month and we re-plan a work station, turn around and take a look at this calendar there. That's the job that end of the table gets because the calendar right above you, find us a date for a workstation that we can all make it, usually takes place along five (5) to six (6) o'clock on a weeknight sometime. Councilperson Knutson ask how do you all feel about Mondays. Councilperson Guthrie comment I would rather do it on a Thursday. Councilperson Knutson responds Thursday and we need a little time, I think, to look at this so maybe the 25th. Councilperson Guthrie that works, two (2) weeks. Mayor Thomson comment okay, that works, two (2) weeks from tonight, five thirty six (5:30/6:00) o'clock. Council agreed with five thirty (5:30).

Councilperson Benglan made a motion that we take a month, till next meeting to review the zoning ordinance, schedule a work session on the 25th of February to make final recommendations for next month meeting. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

Lava Chamber of Commerce:

Fire & Ice Event Report: Sherril Tillotson online. Bryce Church in attendance report we feel like Fire & Ice was a pretty good success, I'm interested in hearing any input from you guys. We had a lot of events, kid's events, and a lot of activities that we're all pretty well attended. The weather, obviously didn't, it was more like fire & water. We didn't do the ski down the hill but, other than that all

the activities went on as planned and went pretty well. The new things we did, I thought that a Friday night parade and the race was cool, although there was no snow for the race. The kid's activities were good, the beer garden there by the stores seemed to do well and people enjoyed that. We had music, and stuff, a lot of activity up in downtown. I know Sherril was doing the chili cook off and every time I went down, there was quite a few people going in to do that. I didn't stay for the fire dancers because I was beat for the day but, I did the duck race, we did almost, probably close to three (3) times as many ducks sold, as we did for Oktoberfest because, of Cody in a Penguin suit, I guess they're not ducks their penguins, and Cody was out selling those and he did a really good job. The Polar float, I was there with Jody helping folks out of the river. Mayor Thomson comment my understanding was that we had a great turnout for the Polar float. Bryce continues the polar float we ran out of tubes at both stands. So, anyway, overall we'll call it success, I think, you know, there was a couple of things, we don't have an event coordinator so, it was all ran by the chamber board. Mayor Thomson comment and I think you guys did a good job, you probably should continue to do that. Bryce respond don't think so man, I disagree. Laughter! Mayor Thomson comment well, I will say from my standpoint here with the city, I got one (1) or two (2) minor complaints, which I always get complaints about something that didn't please somebody, but all in all, I got a lot more positive input than we got negative input or the negative input. The negative input came because the flags went lowered on Thursday and somebody was offended by that. We didn't get the message from the governor until that day, whatever, that had nothing to do with the Fire & Ice. Someone else complained that they didn't like one of the events, the way it was handled, maybe their kids didn't win or something, I don't know. For the most part, I heard nothing but positive comments about it. So I think it was a success from my stand point. Bryce comment I feel like, the event coordinator position that wasn't there, that was probably the biggest opportunity we had, it's just the details. You know, I mean, as we're all trying to run our full time job and then our other full time job. Mayor Thomson interrupts it give you an appreciation for what the event coordinator does. Bryce comment Oktoberfest taught me that. Yeah, overall, I felt like it was a very good success, there's things that we can do. I think the parade and that Friday night activity is something you can build on. Also, I talked with American Legion, the folks who did the breakfast and we didn't do a great job at promoting that but, they had over fifty (50) breakfast that morning, so. Mayor Thomson comment plus the fact that we're in the middle of COVID, I think that it was a success and we keep the thing going and next year we can look forward to something that's a little bit more robust and back to normal.

B) Event Coordinator Employee/Independent Application Deadline &

Interview Process - ACTION ITEM: Mayor Thomson comment I don't know what the status is on that, did we put out application for that Canda? City Clerk Canda Dimick no, I need a deadline. There's a notice in your thing, you've got to establish a deadline to accept. We have to have a deadline for how long you are taking application for. Mayor Thomson comment okay and ask we've put out the apps out. Councilperson Benglan comment yes. Mayor Thomson continue okay, so we just need a deadline to stop them. Do we have any applications? City Clerk responds I don't have any yet but, there are some people who talked about picking them up tomorrow. Mayor Thomson respond okay, what do you guys feel like from the standpoint, I know the next event is the health fair, and now it's backtracked. Bryce respond we don't have much until the fall so, I would probably try and extend it to just get a better pool. A little more time because we don't we don't have the wellness festival coming up. City Clerk ask you're not going to do that. Bryce respond no, music is in the fall, right. Councilperson Knutson respond August 27th. Mayor Thomson comment so we can run this thing out to March. Bryce respond I think so. Mayor Thomson ask City Clerk what sounds good to her, March 15th and March 31st. Sherrill Tillotson, online, comment Mayor and Bryce if I could just interject some comments regarding the timeframe. We don't have a lot of chamber activities, we do have our wellness festival in May, which we had pretty well planned for last year and had to cancel. So those plans can probably be brought forth with not a lot of effort and move forward but, I would remind the city that there's the fireworks, which you've asked the Chamber to help with that process and that's a big fundraising effort that somebody needs to man and I would assume your event coordinator would do that, because she works for the city too. So even though as a Chamber, once we get through wellness, there's a lot of activities going on, I hate to see you put that out there to the end of March. Because there's a training timeframe in there to acquaint them with what happens in the city and in the chamber. Mayor Thomson comment give me a date. Sherril responds well, I'm leaning to no more than a month from now, whatever that would be. If you leave you it open for thirty (30) days, or next city council meeting? Mayor Thomson comment March 15th. Councilperson Benglan comment and then you have to do your interviews. Bryce comment you guys got to do your interviews because you did them last time. Mayor respond well, that was that was a temporary position. Councilperson Benglan comment but it was still it was still an employment position. Bryce respond correct. Councilperson Benglan ask so this, you want to handle this differently. Mayor Thomson comment well, the interviews they did was for the temporary position for a onetime, what we are doing is the fulltime, which is a city employee. Councilperson Benglan comment but the part time was a city employee as well.

Bryce comment for that one event. Councilperson Benglan it's still a city employee. Bryce comment you're right, it is a city employees, and it's a temporary position. Councilperson Benglan we want to handle the interviewing, however we want to do. Bryce comment I mean, I would love to be involved, I have no problem with that. Councilperson Benglan what I'm getting at is, if we close it, then you got to do interviews so, it would still be clear in April before we approve someone. Bryce comment put someone in place, correct. Mayor Thomson comment because we would go to the following, once we do the interviews and the approval process, we go to the next available meeting to actually hire. Bryce comment which would April city council meeting to actually approve the hire, I would assume. Someone from the audience comment which is pretty far out, you are talking about a May activity. Maybe you look at a date, so you can close it and have interviews done before the March city council meeting. Mayor Thomson comment that would be today. Audience person responds I'm sorry, you are right. Mayor Thomson comment time flies when you're having fun. I would ask you since you've handled the firework in the past how far forward did we have to order those to get that discount, was it several months. Bryce comment it was several months, I'll dig up some emails on that and find out what. Mayor Thomson comment as Sherril mentioned, that might be something the event coordinator would be involved in, as I recall that was several months out there. Bryce comment it was two (2) or three (3) months out to get that order in place. City Clerk talking softly indiscernible. Councilperson Benglan comment so, to get someone in place by next meeting, you'd have to have the window open for two (2) weeks, interview per week and then make a recommendation. Bryce comment correct. Councilperson Benglan comment so, I mean I don't know if two (2) weeks is long enough. I mean, I don't know, traditionally. Someone from the audience comment it's kind of been hanging out there for several months. It shouldn't be shock to everybody. I mean, it's been on the agenda for two (2), three (3) months. So if anybody's interested they know about it. I mean, I know it's a short time but I guess, I'm saying people have known about it for a while. Inaudible – cross talking. Councilperson Benglan respond I'd prefer sooner rather than later because we've been talking about it. Bryce comment I do too, but I would rather hire the right person, the available person. I don't know, it's a catch twenty two (22). We feel like we have applicants coming in. City Clerk report we had a couple from the temporary that were interested when it became open for fulltime. One called today and they are coming in tomorrow. Councilperson Frandsen ask should we go till March 1st that way it gives us opportunity to get in more to interview. Inaudible – cross talking. Bryce comment interview and then approval at the March meeting, sounds good. Councilperson Benglan comment it's one of those things if, you don't like any the applicants we don't have to hire them. Bryce

responds correct. Someone from the audience ask Bryce if he is going to be interviewing with them. Bryce respond whatever the city wants, I happy to do it. Inaudible – cross talking. Mayor Thomson ask Sherril is that alright with her, the first (1st) of March. Sherril respond sounds good and also whatever Bryce feels. Mayor Thomson comment well, that that gives us a week or so to do interviews and possibly get everything online by the next city council meeting, which is February, excuse me, which is March 11th. Yeah, trying to find the right date here. So that that cuts it as short as we can possibly cut it still hopefully get good quality person intact. Sherril comment sounds good. Mayor Thomson comment all right. City Clerk asked are you going to have a chamber representative, one (1) or two (2) set in on interviews, so we got that clarified. Mayor Thomson comment at least Bryce yeah, a least one. Councilperson Benglan comment I'll be there, do we need anybody else from the city? I mean, I thought our committee was pretty good last time. Bryce comment I agree. Councilperson Benglan comment Sherril was planning on. Bryce comment she did a different one, my March is pretty tight so, I would want to have it done before. Mayor Thomson comment the way we're talking here if we close the recommendations by the end of this month, twenty (29th) or thirty (30th), or whatever, twenty (28). Then we're starting interviews the first week of March. Councilperson Benglan comment I would say that myself, Bryce and then Bryce whatever two (2) other chamber board members you want to bring in, you can do that. Bryce respond the first week of March is good for me, after that I get real busy. Mayor Thomson comment after that we should be done. Once the interview process is done we can. Bryce comment yeah, you guys do what you do. City Clerk confirmed there will be Randy, Bryce and two (2) other members from Chamber. Bryce respond yeah. Mayor Thomson comment I may set in on that as well, Canda. Bryce asked Canda to forward the job notice onto me or Ann so, we can get it on the Chamber Web site as well. City Clerk respond okay.

Councilperson Benglan made a motion that we set the deadline for applicate application for the event coordinator position to march 1st and then we'll create a hiring committee, consisting of myself, Randy, the mayor, Bryce and one (1) or two (2) other chamber board members at his discretion. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

C) Meeting with ITD District Engineer regarding reducing Highway 30 speed limit through City limits and developing turn lanes. – Mayor Thomson:

Mayor Thomson reports Sherril Tillotson, was involved in the meeting, we also invited Devaney Morrison from the state Foundation, because she had some ideas

and input on turning lanes. We had the gentleman from ITD (Idaho Transportation Department) who is their state planner, and we discussed reduction of speed limit through the city limits out on highway 30. Given all the political rhetoric that goes on in that type of meeting of the hand waving and what have you, and we apparently are going to have to run a series of tests, you know, traffic controls, and so on, so forth again. The discussion went from there to when we want to do that and they don't want to do it during the snow season, because they use a little air tubes across the highway and the snow plow tend to tear them up. We wanted to wait till after the snow season, which is actually better for us, because I think we get a better head count as we get closer into this summer season, as far as the traffic up and down to there. Then a lot of it was discussed as determined not only by the amount of traffic, the rate the traffic moves through which they can tell the speed, but also how many turn lanes, how many different things are actually out there and I, the other day, just out of curiosity, I started counting at Sunnyside and counting all the turn offs between Sunnyside road and Blazer highway there's a fifteen (15) in that mile section. That's just a curiosity note. Sherril did you take anything else out of the meeting? Sherril Tillotson respond no, all I took out of it was they had to do a study and they couldn't give us a timeframe of how long this study would take or when it would start or when it would end. I was really a little disappointed, I felt like we kind of got put off. Mayor Thomson respond yes, kind of disappointed in the lack of commitment anyway, but at least that they gave me at least the indication that we can move forward, put pressure on them and hopefully get, at least those studies started here in a timely fashion. Bryce Church comment we met with them about a year ago. Mayor Thomson comment I know clear back to when T Paul was Mayor, this was one of his issues that he had with him, he actually got some reductions of speed, he actually got some of those flashing speed signs. It's not like its non-win battle, it's just going to be a long time. Anyway, we've got it started and I think as long as we stay on the guy, and keep pursuing, we'll get some progress. With that in mind. I'm with Sherril, I was kind of overwhelmed by the rhetoric. Not that unexpected, I guess.

D) Forrest Design Contract Amendment for 2020 Marketing Plan– ACTION ITEM: Sherril Tillotson report she got a final accounting from Birgitta. City Clerk Canda Dimick announced to the final accounting in council package. Sherril continue when I came to you, I asked for that amount that she had given us was

thirty one forty five (3145) or something like that, it could be transferred to the video to finish the video, I will report that the video is finished, they're doing some final editing on it and then Birgitta is dropping everything into a hard drive and a system that the chamber will have access to everything that that she has done for us throughout her marketing time with the chamber. So that will be accessible. I should have something there that I can report on or keep your copies or show you some little clips or something. There is about five thousand (5,000.00) dollars from the one (1) percent that was approved, in addition to what we asked for the addendum change that was not used during the 2020 marketing year. If you have that little spreadsheet in front of you it shows that. I'm not going to ask for an addendum, I guess what I would like to say is that we have several things that we have backburner and put on hold in marketing or that we could use to further the marketing as this COVID starts going away and so I would like to maybe just send a heads up that, that the chamber, the Marketing Committee is going to talk about them and then of course, but I'll take it to the Marketing Committee a proposal to submit an additional request for 2021 for those monies that were not expended, because they are still in the in the budget, they're still in the system. They were not used. Did I say that correctly? I will make the comment that we are actually getting in invoices. I got the first one, I'm really happy with the way the invoicing is going to be going with the new marketing agents. I think we'll have a better view of what's happening all year long, instead of an ending view of what did or didn't happen. City Clerk comment when we are going through an addendum Gary should we be reducing the amount where we are going to using that on a different contract. Gary Cooper, City Attorney respond you've got me on a bad side again. City Clerk responds I'm just checking to see if we go with addendum I just wondering if should be reducing Forrest Designs contract because there won't be anything new there. Inaudible – cross talking.

Sherril comment I can't hear Canda very well, someone needs to repeat that.

Mayor Thomson comment I'll make her come out here. City Clerk respond I just wanted to see with Gary if we go with the addendum I wonder if we should be reducing the contract amount with Birgitta, since you're going to go for a new proposal. City Attorney respond sound right. Sherril comment that a good suggestion. City Attorney respond then she can't come in with anymore. Sherril comment yeah, I think I forwarded to you the email that stated she had some little wrap up things. I've never got anything more and its mid-February, wrap up as done as far as I'm concerned. Inaudible - noise interruption from phone line.

Councilperson Benglan comment so we're talking about, you have fifty six hundred (5,600.00) dollars and what are you wanting to do with that? City Clerk to use it for different purpose, it won't be under that contract. Councilperson Benglan continue okay, so this doesn't have anything to do with the Forrest Design Group,

you're done with it. Bryce comment that's what we're are trying to do. City Clerk comment it will be five thousand (5000) left. Councilperson Benglan comment we're going to remove that five thousand (5000) from this contract. Bryce comment from Forrest Design and add it to Carew Company. Councilperson Benglan ask and do we need to line item that. Bryce comment we would. City Clerk comment it would be addendum to that. If we went with Carew it's an addendum to them, but this one would be in an addendum making it less. Bryce respond reducing and I made myself a note to send her an email that we need to close it out, ASAP. Councilperson Benglan comment we already have an agreement with Carew on services. Does the money needs to be removed and spent on marketing? I'm mean can be spent, if we're going to remove it out of here, it doesn't necessarily have to. Bryce comment it's from 2020 marketing to 2021. Councilperson Benglan comment what I'm getting at is does it have to go into there? I mean we budgeted for them, they didn't spend it. So it would return to us, right? It's not necessarily their money? Sherril comment that's correct. Councilperson Benglan comment and they've already budgeted what they need for this year. City Clerk comment they're going to add it to this year. Councilperson Benglan I know, what I'm getting at is, is it necessary to add five thousand (5000) more dollars a marketing when they've already made their plan for the whole year 2021. We could put it someplace else like fireworks or whatever? That's my question. City Clerk comment their plan now is to use it for a marketing position. Bryce comment just take the marketing that wasn't spent on last year add it to this year. Councilperson Benglan comment no, I get that's your plan but we don't necessarily have to follow their plan. City Clerk respond no. Councilperson Benglan comment we can do what we want with it. City Clerk respond but I think in the meantime, though, we still need to lower. They're going to be presenting a new proposal. Bryce comment agree, we need to lower Birgitta's. City Clerk continues you have the opportunity to address that then. Bryce comment and then we can, I say we and I mean you, can you figure out what to do with that five thousand (5000) whatever dollars, but we do need to reduce Birgitta's budget because it hasn't been spent. Councilperson Benglan comment that's what we need an addendum for. Bryce respond correct. Councilperson Benglan comment got you, so that's the first step.

Councilperson Knutson made a motion to move that we reduce Birgitta's budget by five thousand (5000). Councilperson Benglan is it five thousand six eighty five sixty six (5685.66). Someone ask do you want it completely closed out. Bryce comment the email that went out said she had a few things left. I don't know what that means my note is to send her an email saying we've got to close out 2020,

what it is. City Attorney comment and delay. City Clerk suggest given her a deadline like the 25th when we have our special meeting.

Councilperson Knutson made a motion to adopt the amount that we get on the 25th. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

E) Travel Writer Articles and Distribution Update: Sherril Tillotson reports the travel writer articles, I got the draft last week, sent back some comments.

I had a phone conference with him Friday, I believe was and he told me that he would have the final draft for our approval, and then we can submit for the city to review. We have contacted High Country to see if they will participate in helping to get them published, or going to put a landing page on the website that they can be digitally published there. The Carew Company has identified an agency that works specifically with doing that sort of thing, and also works with Carew. They have quoted us two thousand (2,000.00) dollars to be a whole lot of publications, digital publication, and so forth with those articles. So he's close to having that finished. I'll be able to have them because I think he had a deadline in his agenda, but he's not getting ready for us. One of them is going to deal with, at least it's been written about the top ten (10) things to do in Lava Hot Springs and the other one is going to be kind of a kickoff into a four (4) season's wellness promotion. So they're both pretty well written I was pleased with them and I'm anxious to see the final draft I think we'll have a massive Marketing Committee next week sometime. Thank you, appreciate all your support Council and Mayor.

F) Miscellaneous:

Building Permit(s) /Development Permit(s):

A) 189 E. Main – Demo interior and remodel – Mark Oyler, Owner/Applicant
- ACTION ITEM Mayor Thomson report the first building permit is for a demo interior including sheetrock, kitchen, bath counter tops, fixtures and lighting, Mark Oyler. Lindsey McCulloch, City Code Enforcement Officer EZ Livin Inc. Mayor Thomson continue as you guys have probably noticed throughout the last couple of months he has been doing a lot of work down there and they are getting ready to upgrade everything.

Councilperson Frandsen made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous. City Clerk Canda Dimick

explained is contingent on the building inspector approval. City Code Enforcement Officer she still hasn't heard back from the State yet. Mayor Thomson ask is he doing fire suppression. City Code Enforcement Officer report he has already went there. I went with Jim but, I haven't got the report from him. Mayor Thomson comment so, we really don't know what the state might put on it. City Code Enforcement Officer comment they approved but, they have not sent me the paperwork on it. Councilperson Frandsen added to his motion contingent on approval from the State. Councilperson Benglan seconded the motion. All voted aye, unanimous. Mayor Thomson comment okay, so contingent upon the State report, is that how you make that motion.

B) 42 West Elm - Downtown Abbey – Change of use nightly, monthly, weekly rental and installation of fire suppression system – Downtown Abbey, Owner/Applicant; Paradise Fire Protection, Contractor - ACTION ITEM: Mayor Thomson ask who is this. Lindsey McCulloch, City Code Enforcement Officer respond Megan Reno. Mayor Thomson comment Megan is taking the resident and taking it to a nightly rental. City Code Enforcement Officer respond change of use.

Councilperson Frandsen made a motion to approve. Councilperson Knutson seconded the motion. All voted aye, unanimous. Councilperson Benglan ask is this the same with the State, have we gotten there sign off on their approval. City Code Enforcement Officer respond no. Mayor Thomson respond so the State is still looking at it too. City Code Enforcement Officer respond yes, she just barely submitted it. Councilperson Benglan comment so contingent upon on State approval. Councilperson Frandsen added to his motion contingent on approval from the State. Councilperson Knutson seconded the motion. All voted aye, unanimous.

C) 60 East Booth Street – Refurbish Basement into 3rd Apartment – Jade Beus, Owner – Certificate of Occupancy - ACTION ITEM: Mayor Thomson reports this is Jade Beus, he has been working on it for a while and looks like he has it done, so we have his certificate of occupancy here.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) Building Permit Extension – Permit #L20-02 – 130 West Fife – Apartment over garage - Jeanie Avery, Owner: Lindsey McCulloch, City Code

Enforcement Officer report Alice Jeanie Avery has a building permit that expires at the end of this month. She asked for an extension and the State did approve it. Councilperson Benglan ask how long are those extensions. City Code Enforcement Officer respond she asked for six (6) month and they gave it to her.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Business License(s) - ALL ACTION ITEMS:

A) Blue Jay Construction – 81 West Booth – General Contractor - Mark Oyler, Owner/Applicant (New License): Mayor Thomson asked so it's a license for his construction business. Lindsey McCulloch, City Code Enforcement Officer respond yes, he doing his own construction. Mayor Thomson verified it's not a license for doing his business down there. City Code Enforcement Officer respond it's a contractor. Mayor Thomson respond his contractor license.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Bone Electric – Heath Bone, Owner/Applicant (New License):

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) Candlelight Cottage DBA Lava Adventures – 286 West Main - Kathryn DeMott, Owner/Applicant (New License/Updated Information): Mayor Thomson comments that's Kathryn DeMott nightly rental at 3rd & Main. Councilperson Benglan ask this is a new license. City Clerk Canda Dimick explains this is a split off of Lava Adventures license as we discussed at last month meeting. Councilperson Benglan respond okay.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

City Clerk Canda Dimick comment I do want to know do we treat this as forty five (45.00) dollar license or fifty five (55.00). You were going to set some criteria's and we haven't done that. So, what the recommendation, what can we legal do. Councilperson Benglan comment you mean for this new ones. City Clerk responds do we treat these as a renewal because we are basically spitting it off a business that was license. So we are splitting it into two (2) licenses. Do we treat is as a

renewal or do we treat it as a new license? Lindsey McCulloch, City Code Enforcement Office comment especially for the people who were on time doing and then we are making them get another license. Mayor Thomson comment I personally think they should get the forty five (45.00) dollar rate because they are actually taking one (1) license that they were going to renew and now they are going to be renewing into two (2) licenses. To me that sounds like they should get the renewal rate. Gary do you have a problem with that. Gary Cooper, City Attorney respond there's no problem, as long as you do it consistently with everybody. Mayor Thomson comment we're kind of splitting that out and forcing them into a second (2nd) license so. Councilperson Benglan comment okay. City Clerk ask Gary if we need a motion that it's okay. City Attorney respond yes, you should probably make a motion.

Councilperson Knutson made a motion to approve to approve the forty five (45.00) dollar rate for additional licenses caused by the split. Councilperson Benglan seconded the motion. All voted aye, unanimous.

D) Dempsey Creek Inc., DBA Adventure Vacation Rentals – 151 1st Alley North and 162 East Main #B – Sam Netuschil, Owner/Applicant (New License/Updated Information): City Clerk Canda Dimick comment this is the same thing. This is for his nightly rentals. Mayor Thomson explained he has multiple nightly rental and this is the one that's off of 1st Alley north, behind the bank and then the next one is Penny Lane, so he has two (2).

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

E) Dempsey Creek Inc. DBA Adventure Vacation Rentals – Penny Lane – 344 West Main - Sam Netuschil, Owner/Applicant: Mayor Thomson comment same thing, Penny Lane is the individual house, between 3rd and 4th street and Main.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

F) Greystone Manor – Lyon House – 228 West Elm - Conestoga Leisure, Owner/Applicant (New License): City Clerk Canda Dimick comment this is the same thing.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

G) Greystone Manor – The Cabin – 280 West Elm - Conestoga Leisure, Owner/Applicant (New License): Mayor Thomson comment same thing.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

H) JD Construction Services, LLC – 10255 E. Old Oregon Trail Rd. #17 - Jerry Dunn, Owner/Applicant (Expired license renewal): Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

I) Lee's BBQ Truck, LLC DBA Lee's BBQ Truck – 289 East 1st Alley South - Jager Lee, Owner Applicant (New License): Mayor Thomson report Lee's BBQ truck, this is a new way. This is a food vending truck it's coming in and sitting on the Hillside Suites. Councilperson Knutson comment this requires a permitting through the Southeast Idaho Health District. Mayor Thomson comment yeah, I'm assuming has its permit form that. Lindsey McCulloch, City Code Enforcement Officer yeah, he is already located in Soda. Mayor Thomson comment as an existing food truck. Councilperson Benglan so, do we need him to provide a copy of that to us. Mayor Thomson comment I don't know we don't do the board of health inspection. Councilperson Knutson comment I would think that we would need to require that permit to before we license them to operate and there is some language in the Idaho code that deals with existing business that have been licensed already, that there is no problem with transferring license. There's also a web site where we can verify with that license has been issued to that food truck. Mayor Thomson comment okay, you're talking about what, the food and beverage permit. Councilperson Knutson respond there's a health permit. Mayor Thomson comment the food and beverage permit, yeah. Councilperson Knutson continue right, that the owner any. Inaudible – cross talking. Mayor Thomson comment I've not seen that, I don't disagree with what you're saying, but I have yet to see one attached to any business license in this town that we've issues for a restaurant or any place else that serve food. They all have them from reward to health to stay in business but I've yet to see us require one to issue a business license. So I'll just throw that out there. I'm not saying we can't do it. Councilperson Knutson respond I kind of think that certainly, we should do that. We require an EIN and a state tax ID. Gary Cooper, City Attorney that's what I'm trying to look up here and I don't have it up yet. Councilperson Knutson comment we have a State Tax ID we require. Mayor Thomson comment no. Councilperson Knutson continues and an EIN. Mayor Thomson comment no. Councilperson Knutson continues none of that, it's on our form. Mayor Thomson comment no, you can have it if

that's what you want to provide but, you don't have to have it to get the business license. Lindsey McCulloch, City Code Enforcement Officer comment it can be your social security number. Councilperson Knutson continues the EIN number can be used for your social security. Mayor Thomson comment and as far as the state tax license, everybody that's doing business in the State requires that. What we do require is the city tax license, for the two (2) percent. Councilperson Knutson respond right. Well, I guess all I'm saying is, do we have a responsibility to ensure that there abiding by the health codes before we issue them a license. Mayor Thomson comment well, I would answer that in do you want to accept the responsibility of policing them. Councilperson Knutson respond they're operating in the city limits, then we are responsible for policing. City Clerk Canda Dimick comment under H, if the business is a food establishment as defined in Idaho code food code in addition any other information required in the application for a business license, the applicant shall provide a current and valid food establishment license issued by the Southeastern Idaho Department Idaho Public Health. Councilperson Benglan ask that in our ordinance. City Clerk respond yes. Mayor Thomson ask how many of those do we got. Inaudible – cross talking. City Code Enforcement Officer comment yes and the health permit comes to those business. Now you have to go back Inaudible – cross talking. City Clerk respond this is in the new ordinance that we just adopted in July. City Attorney respond so, this starts tonight. City Clerk comment there was something to the extent that they had to have it in the old one, but I don't know if they had to have a copy. In this one it says you have to provide. Mayor Thomson comment I only made that statement because of all the business license I've have approved, I've never seen one. Now leasing and all that stuff are normally required. We have a packet on every business license that includes like the lease agreement, now they have that lease agreement attached here, parking if that required, so and so forth. Councilperson Knutson comment they should have their health permit attached as well. Mayor Thomson respond that's what I'm hearing. Councilperson Benglan ask so this is at the Hillside Suite. Do we have they have the space for this? City Code Enforcement Officer comment this is what you guys did at the last city council meeting you approved them having a food truck there. Councilperson Guthrie comment we said it had to be a food truck not just a camper. Councilperson Benglan respond right, it was based on your and Tony's analysis that there was an adequate parking. City Code Enforcement Officer respond food truck don't require parking. Councilperson Benglan continues what I'm getting at is it doesn't encroach on the existing parking. City Code Enforcement Officer respond well its walk up. Councilperson Benglan comment what I'm talking about is where you place it. You and Tony was going to go measure and make sure the spot they wanted to put in in is okay. City Code Enforcement Officer respond we did that

last month. Mayor Thomson comment there is a forthcoming and I'll just throw this out there, this is News that hasn't been brought to you yet. There's some reshuffling of the leases with Cookie Bergendorf on the folks that she leases parking problems with so there's some kind of shuffling around. So, they went down today and did some measurement and there is going to be a new parking plan. Same location, just shuffling them around a little bit different. Mark is picking up some more space and moving some people around. They are taking a little bit different direction on their lease but, it's still in the same location. We did approve the food truck. This is going to be the food truck that comes in there. Councilperson Frandsen ask do we need to reach out because of the new ordinance now requires the certificate. City Code Enforcement Officer comment yea, we should probably put in on the application. Mayor Thomson comment I think if we're going to require per the new ordinance that that attachment takes place then we're going to have to, I would think, require it from all food establishments. City Attorney comment the ordinance requires it, doesn't Canda? Mayor Thomson comments that's what I'm hearing. City Code Enforcement Officer comment she said three (3) dash one (1) dash seven (7). City Clerk respond eight (8) not seven (7). Mayor Thomson continues all of the licenses that we've already renewed, what are we going to do go back and tell them. Councilperson Guthrie comment most of them have them in their place, they have health inspections. City Code Enforcement Officer comment most of them have it, they just don't provide it to the city. Councilperson Knutson I think there is a data base for those that are operating right now and we can verify or something. Inaudible – cross talking. Mayor Thomson comment I ask that we send out a notice to all of our food supplying vendors in town that have been issued licenses this year. That if we haven't provided that please provide it for the new code. Shouldn't be a problem. They've all got it, it's just a matter of putting it in the packet so it is available here for inspection with the City. Good Catch Kraig, that's why we hired you, buddy.

Councilperson Benglan made a motion to approve Lee's barbecue truck contingent on a Southeast Idaho Health Department certificate. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

J) Milan Zabka – 311 West Fife Street - Home Rental (New License): Mayor Thomson reads business operation detail from application “Home is my residents, whom I feel like to rent my place, I do so.” Lindsey McCulloch, City Code Enforcement Officer comment I think you should issue it just like that. Mayor Thomson continues not a short term rental. Okay, what do you make of that council? Councilperson Frandsen ask it a monthly rental. Mayor Thomson

respond I don't know. What does it say? Councilperson Guthrie he can't do nightly rental he is not in the right zone. Mayor Thomson comments "whom I feel like to rent my place, I do so" does that mean monthly. Gary Cooper, City Attorney comment monthly.

Councilperson Benglan made a motion to approve contingent on clarifying on the business license that it's for monthly long term rental only. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

K) NW Extreme Installers, Inc., DBA Premier Service Group – Richard Smothers, Owner/Applicant (New License): Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

L) Pizza and More – 291 East Elm Street – Home based food bus. – Sandra Drummond, Owner/Applicant (New License): Sandra Drummond online. Councilperson Benglan comment Lindsay is recommending that it goes back to P&Z (**Planning and Zoning commission**). Mayor Thomson respond yeah. Councilperson Knutson comment this also requires the Southeast Idaho permit. Mayor Thomson comment the discussion in the past was whether she could do a trailer in her backyard or whether it needed to be part of the permanent structure. Lindsey McCulloch, City Code Enforcement Officer comment well she previous said it would be part, it would be in her home. It just needs to go back to P&Z. Mayor Thomson comment the caveat there is that she is in a residential zone, not in a commercial zone. There is no extension for food trucks parked in your yard. Councilperson Benglan because it's not a home based business anymore. City Clerk Code Enforcement Office comment it's an accessory structure. Sandra ask can you hear me. Mayor Thomson respond yes ma'am. Sandra comment okay. So initially, I have a pizza oven that I wanted to put on my patio, and do pizza and Brats and do a home based business. The State came out and I talked to the health department, and it cannot be a part of the home, I cannot keep food in the house with my own. And I can't like do the dishes. So the trailer itself is going to be just for the food to be and because I need refrigeration. And I need somewhere to wash the things I use for business. The actual pizza oven is an outdoor oven. And I'm using an outdoor smoker for all of my cooking. And it would be just by phone order only. And delivery only. No people appear at all. A delivery service.

Code Enforcer talking softly indiscernible. Councilperson Benglan comment so they'll analyze whether it meets the business license and the zoning ordinance and

all that. Mayor Thomson comment I think the issue here is you've got the State health code. I'm assuming who she is talking about there. Is questioning the viability of her house not being a commercial kitchen for sales or whatever or storage or food prep. Versus the city ordinance. Sandra comment yeah, I have to have like four (4) things. You have to store that food away from your own personal food. And it can't be like on the patio like we talked about before. When I was getting through for that gas line. So I cancelled the gas line. And I just decided the best thing and the health department agreed that I can have just a small mobile trailer food trailer, I'm not even going to be cooking at it. It's not even going to be set up for cooking inside. Because it's going to have like a patio part on it. Mayor Thomson comment basically what's happened is the food and health administration has agreeing that you could violate a city ordinance by placing a trailer in your backyard in a residential area. Of course they would because they don't have to enforce that I do. So what we are saying is we have to review this from the standpoint that you're wanting to put a trailer in a backyard in a residential zone that can only be done in a commercial district. And so that's what we're going to review and we're going to take it back to our planning and zoning and let them do review that issue. Sandra comment okay. Mayor Thomson continues it has nothing to do with how you have to prep food.

Councilperson Benglan made a motion to take the Code Enforcement Officer's recommendation to send this back to P&Z (Planning and Zoning commission) for further review. Councilperson Frandsen seconded the motion. All voted aye, unanimous. Sandra ask do you know when they are meeting. Mayor Thomson respond the 22nd.

M) The Lava Spa – 196 East Main – Massage Studio - Riley Sorensen, Owner/Applicant (New License): Mayor Thomson explains they are wanting to put in a massage studio which is upstairs when Evelee did the upstairs. Councilperson Benglan ask so they already have. Mayor Thomson comment they already have it built, there's not really a building permit just the business license. Lindsey McCulloch, City Code Enforcement Officer reports this is another one of those things were they already have a business license. Councilperson Benglan comments we're spitting it out.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

N) Russell R. Benson – 115 East Booth – Monthly Rental (New License): Lindsey McCulloch, City Code Enforcement Officer reports he is not currently

renting it but, he previous has. So he just going to get his license. Mayor Thomson comment he may or may not do it in the future. City Code Enforcement Officer respond yes. Mayor Thomson comment this a monthly rental for the first time we've required licensing of course. Something we're requiring.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

O) True Power Electric, LLC – Josh Fisher, Owner/Applicant (Expired Renewal): Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

P) US Foods, Inc., - Food Wholesale (New License): Lindsey McCulloch, City Code Enforcement Officer reports we actually went through the ordinance, me, Canda and Amantha and US Food is actually exempt from a business license but, they want to go ahead and get one anyways. Whole sale is exempt from a business license. Mayor Thomson comment this is equivalent to Cisco, equivalent to Nicolas, all the big vendors that supplies food to your restaurants and stuff. I guess we don't tell them no, they can't have a business license if they ask for one. Councilperson Benglan comment so, they fall under exempt. Mayor Thomson comment Just because they don't need one. I don't know why they would want one. Councilperson Benglan comment do you have any thoughts on that Gary. They're exempt but they still want to get a business license. City Code Enforcement Officer they sent in their renewal or whatever. Inaudible – cross talking.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Q) Whimsy – 63 S. 1st East – Gift Shop – Lava Hot Springs Suites, LLC, Owner (New License/Updated Information): Councilperson Benglan comment this is Julie Hills gift shop.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Non-Property Tax Permit(s) - ALL ACTION ITEMS:

A) Dempsey Creek DBA Adventure Vacation Rentals – 151 1st Alley N., 162 E Main #B and 344 West Main: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

B) Lee's BBQ Truck, LLC DBA Lee's BBQ Truck – 289 East 1st Alley South: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

C) New West Knifeworks: Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

D) Pizza and More – 291 East Elm Street table: Councilperson Benglan made a motion to table Pizza and More – 291 East Elm Street table. Councilperson Guthrie seconded the motion. All voted aye, unanimous. Mayor Thomson comment table until we hear from P&Z (**Planning and Zoning commission**).

E) SPO84, Inc., DBA misterb&b: Mayor Thomson ask what is this. City Clerk Canda Dimick respond online booking.

Councilperson Benglan made a motion to approve. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Top of the Town Sign Permit Application – Scott Sherman, Applicant – ACTION ITEM: City Clerk Canda Dimick announces Scott Sherman is online. Councilperson Benglan ask Lindsey if it looks good to her. Councilperson Guthrie ask does it meet all requirements. Lindsey McCulloch, City Code Enforcement Officer respond yeah, the ordinance it didn't really require any because he's staking it into the ground, it doesn't really require a size or anything. Its business name, area code, telephone number. Mayor Thomson comment the question we had this afternoon when we were looking at this is the size is eighteen (18) by twenty two-ish (22). City Code Enforcement Officer respond yeah and there wasn't a size requirement. Mayor Thomson respond the frame is like eighteen (18) by forty three (43). I don't know why we would have that big of frame on it but, there is no requirement on size limit.

Councilperson Frandsen made a motion to approve. Councilperson Knutson seconded the motion. All voted aye, unanimous.

Discussion on Direct Communication Right-of-Way Use Agreement and New Connection Route – ACTION ITEM: Mayor Thomson reports they have basically not pursued an agreement so, we are back to talking to them Nathan is the representative for Direct Communications out in Rockland. The problem that's occurred guys on a day to day basis, is Nathan is the business arm of this thing that does contracts and that kind of thing. Then you have another arm that actually

does physical installation, it's someone else's in control of. And I don't think the two (2) talk to each other quite enough to be on the same page, because we've had proposals coming into town wanting to do some work, wanting to do customer service and so on so forth. And we haven't been following along with Nathan and getting the agreement that we wanted to get them to do business in town. I don't think they even have a business license to do business in town. We have been discussing, I know Gary's been working on this for six (6) seven (7) months for some kind of agreement. This all got started back when and I know this is reiterate to most of the guys, when they stopped providing TV and their franchising money went out of the window. So the only reason that we ask certain questions about this particular company and not the other internet providers is they have actual physical hardware buried in our right of way whereas everybody else is wireless. So the question becomes, do we charge them a certain fee either a onetime fee and some kind of service agreement fee or what place to replace last fee that we lost, that we can no longer charge for internet providing stuff. The latest entity is they came in and laid fiber optic cable down are alleys, well actually down this alley right done here, all the way from their shack up on 4th and Fife, they went down 3rd Street to the alley down here and then down this alley all the way to the second or First Street East, and then across the Main Street, branched out, went back down the alley on the other side of Main Street and hooked up Mike's Market, Home Hotel, the Lava Hotel. Now they're wanting to expand out a little bit farther. The last that I heard and the correspondence I seen last I think, came from Gary over here that says guys still haven't come together with us on an agreement to direct how we're going to proceed. Councilperson Knutson comment isn't there also the issue of shoddy installation, and the need to manage to insure that they actually don't damage City property. Mayor Thomson respond yes and no, that came in from my standpoint, they hired a second (2nd) party to do the physical tunneling that actually boring. They wanted to do a trenching operation, what they call micro trenching and wanted to do that down Main Street, and we refuse to allow them to cut our main street with a trench because we have too many lines buried underneath it that we have to get to. So, we asked them to stay in the alley right of way where they already have buried cable. So they went from micro trenching to a boring operation and they hired a secondary vendor to do the boring, they wanted a substandard performance on the work. I would invite you all to come down and take a look at the sidewalks where they have knocked out chunks sidewalk and then replaced it. A lot of the trenching is settling because poor backfill, just certain things. I would say that Direct Communication seems to be responding by saying we will come in and be responsible for this and fix it. The primary question now I think is how do we go about? Or how do we proceed forward in getting some kind of an agreement with them that satisfies them and satisfies the city that we can at

least get notifications and have a little bit of control where they work and how they go about it. Someone else talking softly indiscernible. Mayor Continues at that point we're still back to square one trying to get some kind of agreement. I think the last correspondence that I saw was coming from your desk, reaching out to them trying to re-open the line of communication. Gary Cooper, City Attorney reports no, that's not the last thing, then they responded, apologize profusely that they had dropped between the cracks that he thought Adrian Peterson was doing it and apparently she had, she's the person that you've been working with about these permits that have come up. So now we're in a position where they've got nine (9) new permits that they want, there's still no agreement in place. And I can't tell you how far away we are on negotiations. I'm going to say we're a long ways away because of a number of issues. But you hold these things up, there's people that you know, do business here and live here that aren't going to have internet services that want it. So there's that consideration. Nathan said that they would immediately rectify the problem with the business license and get a business license, you know, that's an issue but not the huge issue and that they will sit down with us and negotiate an agreement, so. Mayor Thomson comment Nathan is basically the corporate is going to do the agreement and as the lady that I mentioned is actually the production people that when we had a problem she come out and I will say she responded in a timely fashion come out to the look at the situation and started rectified. But I don't think the communication between her and Nathan was adequate enough to get the message across that we don't have an agreement for us to be doing work here yet. City Attorney respond hopefully if we have an agreement in place it will solve some of those problems about communication when and how they put things in. Councilperson Knutson ask did they have specific objections to the proposed contract we gave them. City Attorney respond yes. Councilperson Knutson ask what kind of objections were they. City Attorney respond number one (1), they didn't want to pay the fee that we had proposed. I think that there were objections to some of the notification requirements, things of that nature and I think originally when we were negotiating this we thought that it was going to be micro trenching. So, there was there was those issues that were, I think we're past that, but I don't really know that for a fact. So honestly, we didn't get very far and then the main CEO of the company was the one that was going to sit down with us last November and negotiate. Somehow he couldn't be at the meeting and we got nowhere at the negotiation meeting, and then he never showed again. Now we're in February, and we're kind of back to square one. Mayor Thomson comment their choice method of installation is a process called micro trenching, which amounts to a two (2) inch wide cut through the asphalt, they wanted to go right down Main Street and right through the asphalt, and then down about twelve (12) to eighteen (18) inches in depth, they would put

in a two (2) inch diameter conduit and run the fiber optic cable through the conduit, allowing them to replace by fiber optic without having to re-dig and re-trench and then they backfill it and pack it. Then instead of putting asphalt because you are only two (2) inches wide they put form of a sealer or a tar, kind of like what we would do for a crack type of thing. Our objection to that was twofold. One (1) is Main Street is very busy with sewer lines, storm drains, gas lines, electric lines, water or mains and stuff like that right down there. Even as it sits today, other than the secondary issue, we said why you don't utilize the right of way that you've already got cable buried, because you you've already established those right of way and they're in the alleys. I would assume micro trenching through dirt would be easier than micro trenching through asphalt, but I don't know and they balk at that, because they didn't like the route. They ended up using that route but, boring instead. So they still crossed the street in two (2) or three (3) locations, which runs their cables across the top. I mean they're at eighteen (18) inch and we're at four (4) to six (6) foot, eight (8) foot in some cases. And the other thing they objected to was we asked them when you come in to, do an installation and to do some boring stuff like this, let us know ahead of time because you're going down our alleys and we need to plan ahead because a lot of our allies, particularly in the downtown area, our business folks will tell you are being used for delivery trucks and they're quite busy, there's as busy as Main Street. So they have one blocked off for a number of days, doing some kind of a fiber optic installation really needs to be addressed before that takes place. So that was kind of our argument. Their argument was we shouldn't have to ask at all. We just want free rein to do when and what we want too, kind of. That was kind of their response and so my personal opinion is that we need to have something in place some form of an agreement that gives and takes on both sides until we can reach an agreement and a price that they can live with and we can live with. I think at the very least, you know, another issue in this town was they came right down the alley between Main Street and the river and when they crossed over Center Street to go to Mike's Market they didn't realize they were an ITD (**Idaho Transportation Department**) territory now, you know so all of a sudden you got to get a permit from the State of Idaho to bore underneath that street. They we're just boring along and I'm having a good time and I'm going those are type of issues that need to be addressed prior to. You know, just like you call Dig Line when you dig up your yard or your neighbor's yard. So, I think at the very medium we need to have some form of agreement that says, guys, before you do major undertaking, now repair, that's one of the things, you know, but if you're going to go down and block Main Street for any appreciable time, like anything else, we need to know about it and our city maintenance guys will come in block the street or whatever it takes to do that, you know. We need to have a fee that's acceptable on both parties. We're

not trying to robe you and run you out of business, but at the same time, you know, you're occupying our streets and our right of way, it's something that we don't feel like we should get away. So I think at this point, we just need to direct Gary to pursue trying to get back to the table and if it takes another meeting with him. City Attorney comment it's going to take another meeting and I think we ought to have you, Mayor, there, and at least one member of the city council, Tony, should be there. He was instrumental at the last meeting, we should sit down, see if we can hammer this thing out and then come back to the council, hopefully, next month's meeting, and you know, that we can present something to the council for approval. Mayor Thomson comment I think what's going on here is they're knocking on our door and to do more installations. They kind of did this, their track record is we negotiated in early summer, didn't hear a word back from the guy until the middle of August and all of a sudden, here comes the young lady in and it says, Hey, I have contractual deadlines to meet and I need to start installing, and can you help us do this? And so we graciously said, yes, go ahead, and the thinking was that the negotiation would continue fruitfully and they just died a happy death on the vine and now we have all the installations in and it looks to me like we're trying to play the same game again. Now that's my personal opinion guys, don't take that too the heart, but it looks to me like we're pushing towards that same threshold again, where are they ready to come and say, guys, I've got four contracts, and we need to get to work on and we still don't have an agreement in place, so. Councilperson Frandsen comment I think we should hold up not approving any more service connections until we get an agreement. Inaudible – cross talking. Mayor Thomson comment I totally agree and I think the motion that needs to be made is we direct Gary to open lines of negotiation, and I'm willing to sit in on those meetings and Tony will be there and someone from the council that available can also set in on those. I don't think that the negotiation, the amount is a big thing, perhaps we just drop back to service or something like for city hall. I think the monetary thing is a token but the real crux of this issue is that we've got to have some form of control, or at least some form of where we're notified that they're going to do work. That doesn't mean maintenance workers, they're in town every day. They have a whole cable network in town. You see trucks all over the place working on residential. At this point, they're not offering optics to the residences yet but it's starting to spread out on down Main Street at pretty rapid pace. I mean, they went from five (5) customers now, I think there is ten (10) more on this next one. City Attorney comments nine (9). Mayor Thomson continues nine (9) on this next increment. That's pretty much covering the downtown area.

Councilperson Benglan made a motion to direct Gary to open negotiations with Direct Communications and include the mayor and councilperson Knutson in those discussions. Councilperson Guthrie seconded the motion. All voted aye, unanimous. City Clerk Canda Dimick ask are we issuing any permits. Councilperson Benglan I wouldn't issue any permits until we have the agreement. Last time we let them do it and then they disappeared on us. Mayor Thomson comment there track record doesn't support the olive branch, I don't think. Does that get you where you need to be? City Attorney respond it does. Mayor Thomson comment let me know when and where, I'm available for any kind of meeting you want to setup. City Attorney responds I'll reach out tomorrow.

Meetings/Announcements/Miscellaneous

A) Area of Impact Agreement – Nomination and confirmation of elected officials to work with Bannock County – ACTION ITEM: Mayor Thomson report the next item is Randy and I have been in discussion with the County Commissioner's and the County Planning and Engineer discussing an area of impact agreement between the city of lava hot springs, and the County Commissioners and Planning and Zoning people to give us a little bit more say in what goes on just outside our city limits in our impact zone and the action that is required in order to move this along is that we have to define an impact area, we have to put together an ordinance of city impact, area of city impact and in order to do those things, we should be required and are required by state statute to have or Idaho code to have a committee that is comprised of three (3) county commissioners and three (3) people off of our city council and so tonight, one of the things that we need to do to get that started is for me I guess, is to propose the folks that are going to participate from our city council and I would ask myself. Councilperson Benglan ask would you be included. Gary Cooper, City Attorney respond yes, because he is an elected official, three elected. Mayor Thomson interrupts I'm going to ask myself, and Randy, and Kraig to be are our three (3) representatives from the City of Lava. The three (3) representatives from the county have already been defined as three (3) representatives that are the County Commissioners. So that comprises what is known as the board or the commission or whatever you want to call it. City Attorney comment just one correction to that Jon. There's three (3) more, once the three (3) from the city and the three (3) from the County are chosen, they get together, and they choose three (3) people at large from area the entire area, and you will be able to vote on that. It's not designated exactly, if I remember right, I don't think it's designated that it's somebody from the city. Councilperson Benglan comment city or county. City Attorney continues

from the county or anything, but that would be residents of the county. Megan Reno from the audience ask can they be in the impact zone. Should it be someone from the impact zone? Mayor Thomson comment we would hope so. City Attorney comment well yeah, that would make sense. You'll be able to nominate those. Councilperson Benglan ask are those three (3) chosen by the city or do we work with the Commissioners to choose those. City Attorney comment work with the commissioners and choose three (3) more. Councilperson Benglan so they'll basically probably take our recommendation. City Attorney respond, I think they would think so. Mayor Thomson comment I understand and the way I see it. Is we nominate, recommend and they are part of the approval process. In other words there is six (6) votes at that point and it says. What you've got in your package is the "ordinance of the City of Lava Springs area of impact agreement written in nineteen seventy-eight (1978). This is a copy of the ordinance that was infect then. It kind of spells out some of the things that Gary said. It refers right back to the same Idaho code and it kind of gives you a rundown of what we're looking at doing and I think that's it's a good guideline or a map to just upgrade to our 2021 ordinance and just change the names and players and pursue on. It also if you look at the page, Randy I want you to look at this you were involved in the conversation. The area of impact that's shown on here is pretty much what we had discussed with the planners. Councilperson Benglan agreed. Mayor Thomson continues you go out a mile and a quarter that's almost to Merrick Road. That actually goes right to Casperson. It goes out south, past the cemetery almost to the golf course. Councilperson Benglan ask is this what they showed us on the parcel viewer. Mayor Thomson comments I don't think it is. Councilperson Benglan comment this is different. Mayor Thomson comments this is what we have in are ordinance. You remember they talked about sometimes it rounded off and kind of made, they took the distances like a mile out and this apparently has been has been set to the section line. Councilperson Benglan comment and they talked about several times that are area of city impact should along with our annexation plan in that if utilities can't be provide reasonably within the ten (10) to twenty (20) period then it shouldn't be in our annexation plan. Inaudible – cross talking. Mayor Thomson comment this is exactly what we talked about the area of north of the highway, the area west of town, the area south of town, some of this area east of town it's mountainous and obviously we are not going to build a residential addition up on "L" mountain or firework mountain's but, other than that it encompassed within this. It would take very little tuning to get this tuned but, I'm saying this is a great guideline to progress forward and once we've got that committee in place we can start to fine tune this. Have Gary go through it for the legalities of it and I think all we need to do is upgrade this and put it back out on the street. Once we've got this done and the area of impact defined then we can

start to work on the agreement and so I think this is a good start. So with that in mind I would nominate myself, Randy and Kraig as those three (3) folks to serve on that council. I take it that, that is an action item.

Councilperson Frandsen made a motion to nominate and confirm Kraig, Randy and Jon to be the elected official to be on the area of impact agreement committee.

Councilperson Guthrie seconded the motion. All voted aye, unanimous.

Councilperson Benglan ask as far as getting our other three (3) what process are we going to follow. Mayor Thomson comments that was a new one. I hadn't read those words yet. Councilperson Benglan ask do you want to put a notice up. City Attorney comments I think you need to discuss it with the three (3) county commissioners on what process they want to go through. But I think you guys ought to start getting some names in mind of people that are in the area. Probably the area of impact makes since. Mayor Thomson comments and I've got a couple people in mind that I would like to nominate, I'm sure, Randy does as well and Kraig does as well. Councilperson Knutson ask are there some criteria for those committee memberships. City Attorney comment no, you want to be promoting somebody that's in the area of impact. Inaudible – cross talking. Mayor Thomson comment I would think who is knowledgeable, we can discuss that as a committee, at that point, and progress on and then the next step is, once we get the impact, kind of roughly defined and this ordinance upgraded and passed and released, then we can start discussing the agreement details and what our twenty (20) year forward look going to be which, address some of the issues that you and I talked about and I'm sure you've talked with Randy about as well, so. That was kind of the first step again, the first step was to get the county involved, which Randy and the commissioner seem to be kind of that sounds alright but their planning and zoning people were all over it. We did a follow up meeting with those guys and they were very enthusiastic, I thought. That's what I came away from that meeting with. Councilperson Benglan agreed. They had kind of had this in back of their head already and they're kind of glad that we kind of suggested.

B) Temporary Seasonal Positions Application Deadline & Interview Process–

Mayor Thomson - ACTION ITEM: City Clerk Canda Dimick ask need to know if we are going with the same deadline. Mayor Thomson comments I don't know on that one. Whether we want to push this out a little bit more, this is for our summer maintenance help again, these guys will be doing the trash pickup, emptying of the trash and cleaning the bathrooms both in the city park.

Councilperson Benglan ask is this is being advertised right now. City Clerk responds I haven't put the advertisement out. Mayor Thomson comment this is kind of the thing that we were going to put out, we need to start advertising and

start taking applications. Now, obviously, we've got two (2) people that are already working for us that will be at the top of the list. But I don't know, there's a couple of things, lessons learned from last year is number one, one guy can't do an all day long. I've got to have somebody doing mornings, somebody doing evenings to kind of split the day up, I can't keep one person here for ten (10) hours at work. So in my mind, that means four (4) people, instead of two (2) and then kind of rotate the shifts, whether working evenings or mornings. So we can get somebody to open the bathrooms, empty the trash cans downtown, stock the bathrooms and then he or she is done for the day. That evening the person comes in, and they restock the bathrooms when they first get there. So their stock for the evening. Check the trash is empty those as required and then close the bathrooms down at night. The problem that we had in the summer and the problem that we've got going on right now is they kind of come and go whenever they feel like it. I'm think that we need to set both hours and schedules because we want the bathrooms open at a certain time and we want them open until a certain time. I don't know what that is eight (8) o'clock in the morning until eight (8) o'clock at night. Whatever hours we decide upon but, they need to be consistent. Obviously they have to have a clean enough driver's license that they can drive city vehicles. Typically what they do is they go downtown, they take a city vehicle, park it downtown there and they empty out the trash cans, what to do, they just take the bag out, but at the back of the truck, put in a new bag, and they bring the trash up here and put it in our big dumpster up here. So we've got to have, either that or their going to pull a little red wagon all over town but, typically it'd be nice, where they can have one of the city trucks to move around or I'll have to put a third person out there to haul them around, I don't know how that going to work. Councilperson Benglan comment so as far as the agenda item we need to pick out a deadline. Is that what the purpose of this is? Mayor Thomson comment yeah, I think we need to say, this looks good, let go ahead and put it out and start getting people lined up, start interviewing, and then put a deadline out, I would like to have at least four (4) people maybe five (5) on board no later than the early part of May and I think this is going to take probably a few weeks to get them trained and what we want them to do and how we want them to do because come the end of May and first part of June it's going to be balls to the wall all summer long again. Councilperson Frandsen suggest going until March 31st for the deadline so you can get it for April. Mayor Thomson comment do interviews and hiring in April depending on what kind of response we get.

Councilperson Frandsen made a motion to that we set the deadline for the janitorial positions, part-time for the applications to be in by March 31st. Councilperson Guthrie seconded the motion. All voted aye, unanimous.

City Clerk Canda Dimick ask to interject, can you let Tony do his introduction so he can go. He's the garbage contractor I put a copy of the contract in your council package. I'm Tony Salvi, this my wife Teresa. I don't want to take up your time, you guys are very busy. Inaudible – cross talking. Tony explains MRE phone number will be transferred to his cell phone so far because we are in the process of trying to get the office and the trucks all in one place so that it's works a little more efficiently. That'll be happening here in the next month or two. So I'm the guy answering the phone right now, she'll be doing that later on. Mayor Thomson ask did they give you the good rundown of how we set up over here, we've got our commercial people dealing directly with on contract, the residential all go through the city it's part of their water bill so you don't have to deal with me as a citizen just me as a Mayor. We did that because you know our commercial people get double trash during the summer months. Mainly because of the high times use ad lower times, they sometimes want additional containers brought in and out. This made it so much easier to deal directly with you guys. When do you officially take over? I took over January 1st, I wasn't even here when we did it but we are moving here we're in the Cobblestone Inn right now and that's where we're at but we're really excited to work with you guys I this is like a dream come true for me. I've been in Portland in the last ten (10) years running a garbage company up there. This piece is so much nicer here. If you guys have any suggestions anything please contact me, any time. I can't wait to work with people. Mayor Thomson comment you got a whole county you're taken care of, because you do Soda's, you do Caribou county, you do our county out here locally and you do us so, you got a big area to work and the drivers I've met, I don't know whether you keep the same staff everybody. Tony respond yes everybody is the same so far. Mayor Thomson continue everybody I've dealt that's on your staff has been pretty accommodating, nice guys. They sometimes they get a little stressed out, we like to throw things at them here in Lava that stresses you out but they just the way it is. You'll find this as a kind of unique town you have to deal with but, we welcome you on board and good to see you. I'm sorry I made you set there all evening. Inaudible – cross talking. Teresa Salvi comment thank you and if you need anything be sure to call us. Mayor Thomson comment you'll get more phone calls than you really want be careful what you ask for but the same thing holds true. If you have problem, if you have schedule if you have anything come work with the city and we'll work with you. We pretty much know the downtown area, the folks over there earlier that was the chamber of commerce that represents the downtown area. They're pretty easy to work just as long as you do everything their way. Councilperson Knutson comment your transition was absolutely seamless. Tony comment it went pretty smooth. I didn't even try to get in here until October 2nd and all of a sudden it's

January 1st and it was ours, it went very well, it was nice. Councilperson Knutson comment we didn't even know you were here. Tony comment that why I thought I needed to come here and introduce us. Talking softly indiscernible. Inaudible – cross talking. Teresa comments I hear it gets really busy in here in the summertime. Mayor Thomson comment if you're coming from Portland it's pretty busy area up there. Discussion followed.

Mayor Thomson comments thank you guys. So we did the seasonal positions. Get those out the end of the month do interviews in April, try to get those folks on board in May.

D) Memorandum of Understanding with Bannock County for the exchange of salt and sand for water - ACTION ITEM: Mayor Thomson comment Randy do you want to talk to us a little bit about landmarks comprehensive plan proposal, I looked at that I'll say one or two things I looked at that is kind of like the Cadillac of proposals versus ICRMP, being the other end of the spectrum and maybe we need the best one, maybe we don't? Councilperson Benglan comment I'll kind of take you through my thought process. I reached out to landmark to get their attention on Lava Hot Springs and to get it put together a proposal for us to look at, there was a little bit of a ulterior motive for me to look out to see what proposals look like. They're a pretty reputable firm. I'm not necessarily saying this is who we should go with. At least we get an idea of what services are out there, what firms should be offering to us. What I've been doing is I've been reaching out to some other recreation tourist town destinations in Idaho, to see who they hired or who they use to consult on their comprehensive plan. I've reached out to Driggs, McCall, Island Park, Ketchun, Coeur d'Alene, and Sandpoint. I've received two (2) responses so far. They both use the company out of Colorado called Logan Simpson. The thing about this proposal is, it's a little bit generic in that it's not necessarily specific to Lava Hot Springs. So my thinking is we probably should, or I can continue to work on getting a list of firms that could fulfill this consultation for us and then we put together an RFP or something like that specific to our needs in Lava, what we want to see in the comprehensive plan, and then that way, we send it out to those firms. And then we get we get responses from them and then go from there. That's my thought process. Mayor Thomson comment I would suggest two (2) more. One would be Riggins simply because they are a tourist town. Councilperson Benglan comment oh yeah, they're kind of up there by McCall. Mayor Thomson continue and the other one believe it or not, would be Inkom and the reason I would suggest Inkom is because they've expanded and I kind of wonder what their views are on annexation and how they handle their impact zone and that sort of thing. That would be what would be interesting to

them, to me anyway. Councilperson Benglan continues I'll be building this list of firms, at least what these other cities have used. I'll need help from Gary and Canda on crafting an RFP but, be thinking about things that you would like to see in a request for proposal like affordable housing element, trail system element, annexation plan and parking. There's a lot of things that are specific to Lava that we would want in the RFP. Mayor Thomson comment yeah, when you look at this guy here, like I said, I looked at this and it shines as being like a Cadillac version. We have to have somebody that's a given, we can't do this on our own. You start moving and taking out the gloss and the pat's on the back and that sort of thing and take a look at the real work they've done in here, it's tremendous, but it doesn't deal a whole lot with the intricacies of the city itself. It's more like you know, and they're great. They they've obviously worked on a lot of resort towns and it's geared towards that. It's going to be hard to find somebody better than that but, we might be able to do with less than that. Councilperson Benglan responds yeah, and I was looking at my McCall's comprehensive plan, its one hundred and eighty (180) pages. That's pretty robust, and I'm like a third of that would probably be good for us. Because you want to be able to have a document that you can work off of because if it's so intricate and so thorough, and it's just kind of like you get lost in. Mayor Thomson comment I look at our comprehensive plan we've got out there off the street now and it doesn't address any of the issues I'm concerned with. It really doesn't, I look at things from the standpoint, of course, I run this day to day, but I look at things like what's our sewer going to look like in twenty (20) years. What's are water systems need to be in twenty (20) years. What if we have to have new wells? What kind of streets am I going to have? I can't deal with double the amount of streets with what I've got for what I've got for a maintenance crew, I'm going to have to double my crews. There's a whole lot of issues like that. That have to do with growth that aren't even addressed in our comprehensive plan. So those are the issues that I'm concerned about. I know you guys are both concerned. Ricky has a long overview of what's going to happen with the State. Where they're going to grow to and what they're going to do and that has a major impact on how we grow in this city. I think Lisa has probably has our best fit with our school system and what's going on up there. I think we've got a good team here it's just a matter getting everybody on the right page and picking the right player to work with us. Councilperson Benglan responds yeah, and I don't want to put together a plan just for the plan that meet the state statue or I'd like to see something that actually dresses what our issues are, and then we can work off and implement. Mayor Thomson comment and I would also say make it a little bit more than we can achieve. Councilperson Benglan responds yeah and the thing that I was impressed with landmark is they have pretty good plans as far as getting community input all the way through the process. Mayor Thomson comment and

notice their last page, what do I want to say, a proposed schedule and cost analysis but that's really what you're paying for, is someone to come out here and drive the ship and make sure that you hit the tick marks and you get all this planning put together. To me, this last page is more important than the whole rest of their document put together. Councilperson Benglan responds yeah, because a lot of their document is projects they've done, which is helpful. It gives you an idea that they can they can do it, and they have experience doing it. But really the nuts and bolts of it, you can, like you said is on that last couple pages there. Mayor Thomson comment and I have kind of a big fear from guys that their resume says will I did Sun Valley, Jackson Hole and I did Park City and I'm going yeah but we're none of those. We are more of a Riggins, more of a small town resort type, unique resort type community. Councilperson Benglan come and we have to think about implementation because you take someone like Park City and they have thirteen (13) planners on staff. I mean, they've just they have buckets of money and we're limited in resources and implementation but we've got to balance growth with new city employees, whether it's on contract, city attorney's great. Eventually we want to look at getting a city engineering planner on contract, that might be the next step for our city government and something like that would help us implement our comprehensive plan. Mayor Thomson comment I agree. Councilperson Benglan continues so I'll keep working on that and then I'm open to input from you guys on things as we work through requests for proposals, and let's keep working on it. Councilperson Guthrie comment you're doing a good job. Mayor Thomson comment I think we take a look at the one we've got today, as a baseline, we take a look at this one and maybe pick out a couple more that Randy been talking to and say somewhere in there we've got a medium that we can live with and we start going. I don't know who actually does the physical writing of putting together the facts and issues. Councilperson Benglan ask you mean, as far as actually creating the plan. Mayor Thomson respond yeah. Councilperson Benglan respond they would do that. Mayor Thomson comment I know, they kind of set up all the meetings, committees and the time factoring. This is not a two (2) week thing. This is a year plus. Councilperson Benglan respond yeah, they've got seven (7) month timeline. It's pretty similar to like a development project, you have your concept, your preliminary stuff and then you have your final and all through that we review and then get public input and all that good stuff. Councilperson Knutson ask do we have a budget target for a firm to come in and help us put this together. Councilperson Benglan comment we earmark ten thousand (10,000.00) for this year but I was kind of thinking, if we decide on someone this year, we could maybe do like the first phase out of this year's budget, and then the rest on the next on the next year's budget. Mayor Thomson comment it's also something we need to keep in mind, we better have a game plan by the time the budget season

rolls around in August, again. Because this is something that probably when we get started this spring is going to have to be finished by next spring or to the point where we can start thinking about publishing it on the streets. It's a long term thing, no doubt about that. Councilperson Frandsen I think this here memorandum of understanding is a good thing and we should go forward with it. Mayor Thomson comment it's a renewal of the existing memorandum that we have with Bannock County we trade water out of the church well for sand mixed with the salt that we use for our streets.

Councilperson Frandsen made a motion authorizing the Mayor to sign it. Councilperson Benglan seconded the motion. All voted aye, unanimous.

Projects:

A) Xcell Engineering Service Contract for Development Ordinance – Randy Benglan, Council Member - ACTION ITEM: Councilperson Benglan report so as far as the land development ordinance Gary sent over examples of the City of Chubbuck as well as the city of McCall. I think the city of McCall's is again pretty robust kind of like their comprehensive plan, probably more than we're wanting to do. I think the city of Chubbuck would be pretty good framework for us to follow, as far as developing our own. As far as this contract with Excel Engineering, Paul is just too busy right now and we've talked several times on the phone and it's just not coming together. So my thought process is we look elsewhere for consultation on the development ordinance. Mayor Thomson comment let me throw out a few thoughts, my thoughts on the developmental ordinance. I think that we need to go ahead and take a look at some of the ordinances that we already have and we need to kind of define what we want a developmental ordinance to accomplish. I've got quite a little bit already written in building codes, planned unit development requirements for like condominium projects and things like this. I think that in my understanding of the developmental ordinance it's kind of hard to apply that to a plat, for a guy building a house in town. It's more geared towards if we were to annex say that six (6) acres behind the fire station and put in a whole development unit, or someone were to take over the school district up there and develop two (2) blocks, and we're talking about putting in water, sewer and everything out there, even though that's already platted in the city limits. Then we need to talk about the larger scale project than we have right now. I don't see that as being quite as requiring the aggressiveness as the joint communications thing or the other. I think it's something we need to look and see what we've already got, and then try to develop what we're missing. Councilperson Benglan respond the prime examples of where the land development ordinance would apply not only with the big

projects you're talking about, but any commercial project in town. So you would have like the Hillside Suites would have fallen under that. The Hooper project over on 4th and Main Street would have fallen under that and so, they would have to follow the guidelines. So you would have you would have things like a site plan that shows the topography, the drainage, where the manholes are, the storm water plan, legal description, utility plan, grading and drainage, geotechnical if necessary, environmental stuff and then you have the same process for everyone. Mayor Thomson comment in that example, everything was already define in that list, with the exception of one (1) or two (2) items. Councilperson Benglan respond yes, so when we do that by ordinance, and we have someone in charge of that, so if we worked towards having our development ordinance, land development ordinance done, then we'd have to designate someone on staff to make sure that that ordinance is followed, whether it's Lindsay, or as we bring on an engineer on contract, they would do that. Mayor Thomson comment and that's kind of what we're doing now. May need to take the items out of several ordinances and put it in to one ordinance that's a little easier to follow. Right now I look at the zoning ordinance setbacks and I've got to look at this for parking, and so on. Drainage becomes a different issue because I'm draining to a specific directions in site any commercial lot in Lava. I've already got storm drains, curbs and gutters and that kind of thing in place. Mayor mention possible drainage issues. Hopper's project because he has to put in curb and gutter on 4th Street and Main Street. That handles the draining issue. I don't know. Kraig and I talked about this this afternoon. I'm surprised that here in Idaho, maybe you know from being in the real estate, why don't we have some kind of an earthquake zone too that we have to build ? Councilperson Benglan respond I don't know. Mayor Thomson continue doesn't that seem odd to you? Inaudible – cross talking. Mayor Thomson continues you have snow load. I know when I was in Park City, they were building to earthquake zone, whatever it was, or something out there. City Clerk Canda Dimick comments your Building code ordinance. Mayor Thomson comment so it's part of the uniformed building code. I knew it had to be in there somewhere. There are thing like that could probably be dug out. Councilperson Benglan yeah, and that doesn't have to be super robust. It just has to be clear, because we'll have concept plans come in front of us and they want approval for it. Discussion followed on plans submitted with or without proper paper paperwork and plans stamped. Mayor Thomson comments there is a need, it's just that I think we've got a lot of things in place that we don't need to repeat, lets consolidate them think about this ordinance and put it in that one and just have one it makes it easier for if we ever get a planner or an engineer or whatever to review building plans make it easier on because they don't have to go to the ten (10) different ordinances to review things. Councilperson Benglan respond yeah,

it's all in one place and then that way, we don't miss anything and then it's not arbitrary. It's just the same process for everyone. Councilperson Knutson comment we're in a regulatory environment that has a bunch of different players and how do we know when we frame an ordinance or issue a building permit that we're safely within that regulatory? Mayor Thomson comment we don't I mean.

Councilperson Knutson comment that's the reason for hiring an engineer. Mayor Thomson comment when you say that you're adapting the uniform building code 2018, that's a mouthful. That's document covers a lot of things. You can be redundant and write a zoning ordinance or a building code ordinance or a developmental ordinance or any kind of ordinance. I'm not obviously familiar enough with all the ordinance to know what they say, I don't think anybody at this table is but, I wish we were. We're going to make mistakes, not doubt about that but, you never gain anything if you don't venture out there. I'm just saying I think this is not as urgent of an issue as some of the others. I think we need to kind of define it a little bit more. Councilperson Benglan comment I can work on that. Mayor Thomson comment define before we jump in there to an ordinance. An ordinances is kind of a long term thing. It has to be written, approved and so on and so forth. I think we can continue to gather information on that. Thank you Randy for do that leg work. Councilperson Frandsen ask is an action item, so what do we need to do for the action. Mayor Thomson well, I think what I heard Randy say was, Excel was not the winner. Councilperson Benglan comment I think they can do the work for quality, but they're just not giving us the attention we need to get this done through them. Councilperson Benglan ask Gary if there was certain language he need to use, the mayor signed this on October 9th. Do I just say we rescind the service agreement? Gary Cooper, City Attorney respond I think that we need to send them a notification that we're terminating the contract. I need to take a look at it to see what that language is, I'll look at that tomorrow and send an email.

Councilperson Benglan made a recommendation that we terminate this contract with Excel Engineering based on Gary's legal counsel and then I will continue to search for the firm to consult on this. Councilperson Frandsen seconded the recommendation. All voted aye, unanimous.

B) Wastewater Lagoon Seepage Test Notification: Mayor Thomson reports periodically every five (5) years or so we have to have a seepage test on our liners on our water ponds and basically, the guys tell me they need to be full, it's hard to do a seepage test when they're empty. Basically what that is, is the Ponds are full. They go around looking for any major gopher holes, weaknesses in the dam sites, and something like this. This keeps licenses up to date for waste control. City

Clerk Canda Dimick reports we didn't budget for it, it was discussed during budget review. The city will need to get proposals and bring it back to council. Mayor Thomson explains the city just got the notice from DEQ (**Department of Environmental Quality**) that it was due again but, it's not due like today.

Mayor Thomson asked do we have something we need to do with this trash contracts. City Clerk Canda Dimick explains she put it in the council packet as a reference. Mayor Thomson asked do we have to resign it with the new owner. City Clerk Canda Dimick responds she sent a copy over to Gary for him to review.

C) Kofoed Well Fencing The Fence Man Contract - ACTION ITEM:

Councilperson Frandsen ask do we have the funding for the fence. Mayor City Clerk Canda Dimick respond we got the grant money. Mayor Thomson responds yes, part of the money is grant and that's just the fence around the well. The rest of it we surveyed all the way down to the lagoons so we know where the city property is. The only fencing that will be done there will be part of the ongoing project if it goes through with Kofoed and it will be some fencing that takes place up at the turn in. They're going to widen, I think for the first hundred (100) foot or so back off the road they are moving it out on their field. This is just a contract with JT or JR over there that does our fence work to get the fence around and is paid for by grant.

Councilperson Frandsen made a motion to approve the fencing contract.
Councilperson Knutson seconded the motion. All voted aye, unanimous.
Mayor Thomson comments I will sign the contract and get him started on that.

D) Miscellaneous: None.

Discussion: None

Motion to adjourn - ACTION ITEM: Councilperson Guthrie made a motion to adjourn. Councilperson Frandsen seconded the motion. All voted aye, unanimous.

Meeting adjourned at 09:00 p.m.

Amantha Sierra, Transcriber

Jon Thomson, Mayor

Canda L. Dimick, City Clerk