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Mayor
Jon Thomson

Clerk-Treasurer
Canda Dimick

Council Members
Rickey Frandsen
Randy Benglan
Leah Navarro
Craig Knutson

Minutes of the Regular City Council Meeting August 11, 2022

Meeting called to order at 6:06 pm.

Deadline for the September 8, 2022 meeting will be 5:00 pm September 1, 2022.

Pledge of Allegiance

Changes to agenda item # 1- Building permit – Shane Wassem. Needs to be an ACTION ITEM.

Discussion #A Discussion to amend ordinances for nightly rental requirements needs to be moved from open meeting to executive session.

MOTION TO MOVE DISCUSSION TO AMEND
ORDINANCES FOR NIGHTLY RENTAL
REQUIREMENTS AND INCREASING FEE FOR
INFRACTIONS TO EXECUTIVE SESSION AND SHANE
WASEM BUILDING PERMIT NEEDS TO BE AN
ACTION ITEM.

MOTION BY LEAH NAVARRO

SECOND BY RANDY BENGLAN ALL AYE

Approval of Minutes

MOTION TO APPROVE THE MINUTES FROM THE
AUGUST 4, 2022 CITY COUNCIL MEETING.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Approval of Bills

Mayor Thomson, "In the past we have used Search & Rescue personnel for extra patrols on busy weekends. However, they are not covered on the Bannock County Sheriff's Workman's Comp. So we had to cover them on ours but they are not city employees. We need to address this and find a better way to get them covered in the future."

MOTION TO APPROVE BILLS AUGUST BILLS.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Executive Director of the State Foundation Tyson Koester. Introduces himself. "I want to make bridges and not walls. We need each other."

Monthly Law Enforcement Report/ City Code Compliance

A) Law Enforcement Report

Copies to read. Sheriff out on a call.

B) Building Inspection Report

Hudson Saffell, Code Compliance Officer- "Neil Hirschi is left for me to inspect. The deck beam and railing are good to go so I can issue a certificate of occupancy.

1) Building permit – Shane Wassem

Matthew Hill, engineer from Keller Associates, "We have submitted a memo to address all of the items. Bruce, "We received the planning report and the ten items were identified with recommendations." Bruce reviews the list. Matthew agrees that all are compliant. This should be subject to future review. Landscaping plan requires vegetation. They are not proposing any landscaping on the site. No permits will be issued by the city until all Departments sign off.

MOTION TO APPROVE LAV2020-10 FOR PARCEL RPRLAH3001702 WITH THE FOLLOWING REVISIONS AND REQUIREMENTS BEING THE FINAL USE SITE ON CONSTRUCTION DRAWING.

1) A 13-D FIRE SUPPRESSION SYSTEM BE INSTALLED IN EACH TINY HOME. PROVIDED A FIRE SUPPRESSION CONTRACTOR SUBMITS FIRE SUPPRESSION PLANS TO THE IDAHO STATE FIRE MARSHALL FOR REVIEW AND APPROVAL AS SOON AS THEY ARE AVAILABLE.

2) ALL DRIVEWAYS FROM ELM STREET SHALL REMAIN CLEAR FOR EMERGENCY VEHICLE ACCESS AND SHALL NOT BE USED FOR PARKING.

3) ALL SITE PLAN DRAWINGS PROPOSED FOR CONSTRUCTION SHALL BE PRESENTED TO THE CITY FOR FINAL CITY ENGINEER REVIEW AND STAMPED BY A LICENSED ENGINEER MARKED 100% COMPLETE BEFORE CONSTRUCTION.

4) PLANS BE REVISED TO ELIMINATE ANY REFERENCE TO THE CITY OF INKOM. AND THE APPROPRIATE REFERENCES TO THE STANDARDS OF THE CITY OF LAVA HOT SPRINGS.

5) NECESSARY FENCING DETAILS TO INCLUDE ALL SAFETY FENCING ASSOCIATED WITH RETAINING WALLS.

6) LANDSCAPING PLAN NOT REQUIRED.

7) THESE TINY HOMES SHALL COMPLY WITH THE LICENSING OF THE CITY AS IS APPLICABLE TO A VACATION RENTAL (TOURIST HOME) INCLUDING A SIGN WITH THE BUSINESS NAME AND TELEPHONE NUMBER WHERE ASSISTANCE IS AVAILABLE TO THE RESIDENTS 24 HOURS A DAY.

8) EACH TINY HOME SHALL BE LOCTED ON AND AFFIXED TO A FOUNDATION MEETING ALL BUILDING PERMIT REQUIREMENTS OF THE CITY OF LAVA HOT SPRINGS AND/OR THE STATE OF IDAHO.

9) EACH TINY HOME TO BEAR THE NECESSARY INSIGNIA FROM THE STATE OF IDAHO.

10) IDENTIFICATION OF THE USE OF THE STRUCTURE OF THE PARCEL RPRLAH 3001701 IF SUCH USE SITE PLAN OR CONSTRUCTION DRAWINGS REQUIRE ADDITIONAL REVIEW BY CITY DEPARTMENTS AND/OR AN AMMENDEED SITE PLAN INCLUDING ANY PLANNING COMMISSION RECOMMENDATIONS OR CITY COUNCIL APPROVAL. SUCH REVIEWS AND APPROVAL SHALL OCCUR BEFORE ANY SITE CHANGES OR GRADING ON SAID PARCEL. NO CITY OF LAVA HOT SPRINGS PERMIT OF ANY KIND SHALL BE ISSUED FOR RPRLAH 3001702 OR RPRLAH 3001701 UNTIL EACH CITY DEPARTMENT HAS PROVIDED THEIR RESPECTIVE FINAL APPROVAL. WITH THOSE APPROVALS INCLUDING CITY COUNCIL REQUIREMENTS AND PROVISIONS AS IDENTIFIED BY THIS MOTION.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO **ALL AYE**

2) Revision of Business License & Building Permit Application Forms

Hudson Saffell, Code Compliance Officer – Business License has been updated to reflect current codes. I Am still working on the building permit application.

MOTION TO APPRECIATE HUDSON'S WORK.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

C) Fire Inspection Report Management System – Zero Cost – LIV
Free to us as reporting member. Tracks fire inspections that are required annually and increases the ISO rating.

MOTION TO APPROVE A CONTRACT FOR LIV
INSPECTION REPORT MANAGEMENT SYSTEM;
INCLUDING CORRECTIONS TO A ONE YEAR
CONTRACT AND THE CHOICE OF IDAHO ON PAGE
15.

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN ALL AYE

Fire House Bids 2 bids received Cornerstone bid \$692,242.00
Visions Construction and Design \$749,957.00

MOTION TO TABLE DECISION FOR FIRE HOUSE
UNTIL FURTHER REVIEW.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Planning Grant Study for Water & Sewer

Bryan Phinney (engineer for Keller Asso)- A water & sewer study required every 5 years. We are proposing this because Idaho received money for projects. This year all applications for studies have been approved, usually only 20% get approved. In order to be approved for future project we need a current study (our water study is 5 years old and sewer is 7 years old) to be eligible for future grants.

Discussion continues identifying other projects that we could get grant help on if we have current studies. Bryan Phinney- We have not seen funding like this since the 1970's. These are a 50/50 match. We need to let them know by Sept. 2nd if you are interested.

MOTION TO HAVE KELLER SUBMIT A LETTER BY
SEPTEMBER 2ND.

MOTION BY RICKEY FRANSEN

SECOND BY LEAH NAVARRO

ALL AYE

Business Licenses

A) Red Log House – Review

Hudson Saffell, code compliance officer, this is in an R3 zone and licensed to be a B-N-B. According to guests no one is on-site & no breakfast is served. Two separate weekends. A citation was issued for lack of a sign. And I informed them that their license would be under review at the city council meeting.

MOTION TO ACCEPT HUDSON'S
RECOMMENDATION AND HAVE A HEARING.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN

ALL AYE

B) Taylor's Rental – John & Michelle Taylor -2 licenses (55 E Fife & 99 E Fife)

MOTION TO APPROVE 2 BUSINESS LICENSES ONE FOR 55 E. FIFE AND ONE FOR 99 E. FIFE UPON PROPER PAPERWORK SIGNED OFF BY CODE COMPLIANCE OFFICER

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

C) Lava Rental Management Group – Darwin Bosen

MOTION TO APPROVE LAVA RENTAL MANAGEMENT GROUP.

MOTION BY RICKEY FRANSEN

SECOND BY LEAH NAVARRO ALL AYE

D) Anna Knight – Anna Knight

MOTION TO APPROVE ANNA KNIGHT MONTHLY RENTAL, CONTINGENT ON SUBMITTION OF A PARKING PLAN.

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN ALL AYE

Lava Chamber of Commerce

A) Marketing Report – Sherril Tillotson

Sherril also talked about the Octoberfest. Will include a Lumberjack Show, inflatable carnival, face painting and other events. Vendors will report their sales to the chamber and the chamber will report income and pay taxes. Is it ok to put signs up in September?

Greater Lava Hot Springs Prosperity Foundation – Folk Festival- Friday, September 16, 2022- Sunday, September 18, 2022

A) Would the City sponsor a musical group?

MOTION TO SPONSOR A DUET GROUP FOR \$500.

MOTION BY RANDY BENGLAN.

SECOND BY CRAIG KNUTSON

ALL AYE

Changes to Nightly Rental Requirements and Temporary Business Licenses – Leah Navarro

A) Discussion to amend ordinances for nightly rental Requirements. Also increase fees for infractions. This item was moved to Executive Session

B) Temporary Seasonal Business License (End of May through September 5). \$300 - \$350 for summer months add a prorated rate for single days. Or flat \$350 for the season.

- C) Review Ordinance regarding Mayor's authority to issue a temporary business license.
Council member Leah Navarro, "We have had some issues with business licenses as to whether they are temporary or annual. Instead of labeling it as temporary.

MOTION TO TABLE B AND C

MOTION BY RANDY BENGLAN

SECOND LEAH NAVARRO ALL AYE

Randy Benglan

A) Development and Permitting Resolution Update

B) Draft Agenda for Council and Staff

MOTION TO HAVE RANDY KEEP MOVING FORWARD

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN ALL AYE

Nominate Mark Lowe to Planning and Zoning Commission - ACTION ITEM

MOTION TO NOMINATE MARK LOWE TO THE PLANNING AND ZONING COMMISSION

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Authorization to have Jill & Chandra added to Ireland Bank Signature Card and Remove Canda and all other bank accounts – ACTION ITEM

MOTION TO ADD JILL MAKUAOLE OR CHANDRA TAYLOR (OFFICE WORKERS) TO SIGNATURE CARDS AND REMOVE PRIOR CITY CLERK WHEN THE TIME COMES.

MOTION BY RICKEY FRANSEN

SECOND BY CRAIG KNUTSON ALL AYE

Prepare the Ballot Questions for Submission to Bannock County Election Office – ACTION ITEM

MOTION TO APPROVE QUESTION ONE AND TWO AS WRITTEN AND QUESTION FOUR ADD CAPITAL IMPROVEMENTS.

MOTION BY RANDY BENGLAN

SECOND BY CRAIG KNUTSON ALL AYE

Meetings/Announcements/Miscellaneous

A) Pickle Ball Courts Improvements – Ron Hunt – ACTION ITEM

1) The Hunts donated a Pickle ball Net valued at \$180

MOTION TO TABLE UNTIL MAYOR GETS A BID ON FENCING FROM JR FENCING

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN ALL AYE

B) MR & E Discussion – Nekelle(from MR& E) - Commercial Rate Increase – ACTION ITEM

Nekelle- There has not been increased since 2018. We would like a 10% increase.

MOTION TO PUBLISH THE RATES FOR APPROVAL
AT THE NEXT CITY COUNCIL MEETING SEPTEMBER
8, 2022.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO

ALL AYE

C) Estimate for pond liner installation

Mayor Thomson – There is damage to the liner. We are not sure if it is from the rodents or the ice or both but it needs to be repaired right away.

MOTION TO GO FORWARD WITH THE SEWER
POND LINING.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN

ALL AYE

Randy Benglan – “I want to acknowledge Council member Craig Knutson for his service.”

Craig Knutson – “It has been a pleasure serving on this council.”

MOTION TO ADJOURN INTO EXECUTIVE SESSION
TO COMMUNICATE WITH LEGAL COUNSEL TO
DISCUSS THE LEGAL RAMIFICATION OF AND
LEGAL OPTIONS FOR PENDING LITIGATION; OR
CONTROVERSIES NOT YET BEING LITIGATED BUT
IMMINENTLY LIKELY TO BE LITIGATED BY IDAHO
CODE 74-206 (1) (F)

MOTION TO ADJOURN INTO EXECUTIVE SESSION
AND ROLL CALL BY MAYOR

MOTION BY RANDY BENGLAN

SECOND BY CRAIG KNUTSON

RICKEY FRANSEN – “**AYE**”

RANDY BENGLAN – “**AYE**”

LEAH NAVARRO – “**AYE**”

CRAIG KNUTSEN – “**AYE**”

MOTION TO RECONVIENE

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO

ROLL CALL VOTE

RANDY BENGLAN – “**AYE**”

RICKEY FRANSEN – “**AYE**”

CRAIG KNUTSON – “**AYE**”

LEAH NAVARRO – “**AYE**”

MOTION TO ADJOURN

MOTION BY RICKEY FRANSEN

SECOND BY LEAH NAVARRO **ALL AYE**

Those in attendance: Mayor Jon Thomson, Councilmembers: Rickey Frandsen, Randy Benglan, Leah Navarro and Craig Knutson. Office Staff: Hudson Saffell, Code Compliance Offocer, Jill Makuaole, Chandra Taylor.
Guests: Cole Harding, Scott Conlin, Shane Wasem, Tyson Koester, Ken Fagnant, Matthew Hill, Pat Navarro, Tel Wasem, John and Michelle Taylor, Vickie Hansen, Sgt. Durham, Bannock County Sheriff, Sherill Tillotson, Ron & Lisa Hunt, Hallie Lloyd







