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Mayor
Jon Thomson

Clerk-Treasurer
Canda Dimick

Council Members
Rickey Frandsen
Randy Benglan
Leah Navarro

Minutes of the Regular City Council Meeting November 10, 2022

Mayor Jon Thomson called the meeting to order and the pledge was recited. The next meeting will be December 8, 2022 at 6:00 pm.

There a couple items we need to add to the agenda: 1) updated well report from Bryan Phinney. 2) Resolutions. 3) Chamber of Commerce 1% needs to be made an action item.

MOTION TO ADD WELL UPDATE FROM BRYAN PHINNEY FROM KELLER ASSOCIATES TO THE AGENDA AT 7:10.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO ALL AYE

ADD RESOULTION 2022-4 AND 2022-5 TO THE AGENDA AT 11:05 PM.

MOTION BY RANDY BENGLAN.

SECOND BY RICKEY FRANDSEN. ALL AYE

MAKE THE 6:55 PM CHAMBER OF COMMERCE ITEM AN ACTION ITEM.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO. ALL AYE

Conformation of Mark Oyler.

Council Roll call vote: Rickey Frandsen Nay
Randy Benglan Abstain
Leah Navarro Nay

Mayor Thomson – At this time statute allows me 14 days to make a second appointment before the council has the opportunity to make an appointment. I will hereby, for the record, waive the option to do so and pass the nomination directly on to the council. So please have your nomination ready submit for consent at the December meeting.

Ireland Bank presentation on services. Renee McBride – Okay, first of all I just want to thank the City of Lava. I don't know if you are aware that you have banked with Ireland Bank for 36 years and Ireland Bank has been in Lava for 36 years. So we really appreciate that. The bank owns the building here in town so that we pay property taxes. So we are contributing to the taxing district which is our ambulance, our library, the city, itself, the cemetery, the school. We know that our customers work hard for their money and you have other choices that are available to you, We recognize that. That's why we're here to offer some choices that might be appealing to you that you are not utilizing. So in your packet the first one is a business credit card. Which was asked for when your clerk retired and the new ones came in they asked for a business credit card. There are two to choose from one is the standard and one is the preferred card. The standard card has no annual fee but the preferred card has an annual fee. So a business may link up to five cards to one account. The city decides who gets the cards. There is a way to track. A summary billing and a sub-billing so that you can see who made each purchase. You can set limits on their purchases and controls on what can be purchased. Leah Navarro, "I have a question. Do they have to sign on the signature card for the account?" Renee McBride, "The city itself is applying for the card. The city would decide who uses the cards." In the folder, it shows the types of accounts. Ireland bank has your general account right now. Another option is the remote capture. There is a fee for that." Randy Benglan, "What is that fee?" Renee McBride, "That fee is \$50.00." Jill Makuaole, "Can you waive that fee?" Renee McBride, "No." Mayor Thomson, "Is there anything we should be taking advantage of that we aren't or something we should be doing differently than we are currently doing?" Renee McBride, "No, just the things in the folder." Mayor Thomson, "Council any questions or comments for Renee? Nothing else? Ok, thank you, Renee."

Mayor Thomson, "I have another presentation- Key Bank. So you have heard what our other institution has had to say. I'll place the same information in front of you guys. You're one of our multiple banks and we're all new to this and wondering what we can do to do our job better. If there is suggestions, financial guidance or anything we can do to improve our business. Please let us have what you've got to say and what you can do for us. You might reiterate for me and the council what we have with you now because we are all learning." "My name is Sonya Hawley, area retail leader for Key Bank and this is

Braxton Farnsworth. He is the manager in Pocatello. You currently have a savings account with us. Braxton is prepared to talk to you about all kinds of things. What perked my interest was that you were talking about investments and we have a team that does invest with city and county. But I was not under the impression that you were interested in that." Braxton Farnsworth, "Investment is a wide world but one thing that we have in the banking aspect is a sweep account that are similar to other institutions but ours are fully collateralized. We don't go off the \$250,000 FDIC insurance. So anything you have on deposit with us can be fully collateralized and then it sweeps into a sub-account every night and these funds are then invested in US government agencies and bonds. Which then keeps secure and helps you earn interest. Each time you write a check or have a transaction out of this account it just moves that amount out of this account to pay those items. The bulk of the account is still earning interest. This is just one of the options. One of our main goals is to keep our fees way below what our fees are.

Chamber

One percent- Sherill Tillotson-Updated information \$15,750 is the Chamber is contributing to advertising and marketing. Randy Benglan – What was the amount budgeted for last year?

Sherill Tillotson – For 2022 the Chamber budgeted \$ 19,500 that included a new website.

Randy Benglan- What was the one percent request? This one is \$60,000.

The request from the one percent was \$50,000.

Remember the amount we were charged exceeded the amount we had budgeted. We have limited the amount of hard copy to the brochure and the Idaho Adventure guide (both hard copy and digital). We are trying very hard to do more digital. Everything is up. So it's costing about 10% more.

MOTION TO APPROVE THE REQUEST OF \$60,000
FROM THE ONE PERCENT FUNDS TO
BRANDCRAFT CONTRACT.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN

ALL AYE

Gingerbread Tour – Chamber agreed to pay Bone Frog but the Chamber needs to pay the city because they can only pay non-profits.

Amy Manning – iiiA Yearly update.

Bryan Phinney - On the new well. We have reached out to a hydrogeologist after meeting with a property owner who may be interested in allowing the city to place a well on that property. The hydrogeologist has confirmed that he is willing to look at the property and give us his opinion on it. He hasn't gotten out there yet, but he will. We are pretty hopeful on the location. We will keep you informed as he reviews that and as we get conformation from the property owner on their willingness to allow the well drilled there.

Randy Benglan – Do we need a task order or anything for the hydrogeologist to do his stuff?

Bryan Phinney - I am going to see if I can get him to do that under the existing contract. I will keep you posted as soon as he gets a chance to glance at his original report to see what he put in there.

Item number 2 is the water grant agreement sent to the city by DEQ for the Mayor's signature. We that will get that signed and that will put everything in place for that 50% grant for the water study update. Item number 3 is the wastewater grant. I was concerned that I had missed an email. I reached out to DEQ to find out where that one was at because everything else that we've come through where we have a water and wastewater they come through together. Yours did not. I got ahold of Zoe McCardy, with DEQ she said that they were having to dig up some information on the wastewater so they haven't sent yours. they are expecting it to come out tomorrow or Monday. We will get that forwarded as soon as we get it for the Mayor to sign.

Law Enforcement – The deputy had a call in Downey so he took that and he didn't really have anything for us.

Retirement Gift for Canda – Leah Navarro

MOTION TO TABLE UNTIL DECEMBER MEETING.

MOTION BY LEAH NAVARRO

SECOND RANDY BENGLAND

ALL AYE

New Website Platform – Hud Saffel

Can have unlimited pages and folders. I am familiar with the WordPress format. Can teach a class to all staff.

MOTION TO MOVE FORWARD WITH WORDPRESS
AS OUR NEW PLATFORM FOR OUR WEBSITE.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN

ALL AYE

Rocky Mountain Power Beautification Grant - \$1500

MOTION TO APPROVE THE MAYOR'S
APPLICATION FOR THIS GRANT

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN

ALL AYE

Bills – Fire station participation awards: we do this every year for our volunteer firefighters. It correlates with their training hours.

MOTION TO APPROVE BILLS.

MOTION BY RANDY BENGLAN

SECOND RICKEY FRANSEN

ALL AYE

Tree lighting -

MOTION TO APPROVE TREE LIGHTING FUNDS.

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN

ALL AYE

Water bill Write –off – Senior Center asked city to wave water bills.

Martha-Fay Frymire- Since covid fewer people have been coming down. So we are starting a revitalization campaign with more community events, classes and activities. Decrease in funding and increase in grocery prices. We are trying to bring it back up to where it was and beyond. Asking for a break for one year.

MOTION TO ALLOW THE SENIOR CENTER A YEAR MORITORIUM (JANUARY TO DECEMBER 2023) ON THEIR WATER AND SEWER BILLS.

MOTION BY RICKEY FRANSEN.

SECOND BY RANDY BENGLAN

ALL AYE

MOTION TO DISMISS UTILITY BILL FOR KRIS CHAPMAN AS HE IS DECEASED.

MOTIOIN BY RICKEY FRANSEN.

SECOND BY RANDY BENGLAN.

ALL AYE

Approval of Minutes – September 7,8,15 &30, October 13, 2022

MOTION TO APPROVE MINUTES FROM
SEPTEMBER 7, 8, 15, 30 AND OCTOBER 13, 2022

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Advertise for an Event Coordinator

MOTION TO OPEN EVENT COORDINATOR
POSITION FOR APPLICATIONS NOVEMBER 14-25
AND ACCEPT THE 2 WE HAVE ALREADY RECEIVED.

MOTION BY RANDY BENGLAN.

SECOND BY RICKEY FRANSEN ALL AYE

Review Chapter 10 State Staute 50-1017
Discussion on procedure for purchases.

Start process to change authority definition for B. Temporaty Approval
Pending City Council Action and change fees established in Resolution 3-1-
5

MOTION TO TABLE UNTIL NEXT MONTH'S
MEETING AFTER WE REVIEW AND WORK ON IT
SOMEMORE AND GARY COOPER, CITY ATTORNEY
HAS HAD A CHANCE TO REVIEW IT.

MOTION BY LEAH NAVARRO.

SECOND BY RANDY BENGLAN ALL AYE

Non-permanent Business License – Hudson Safell
It is already in our ordinance. Tube trailers. Concerned about
safety, garbage, restrooms, changing facilities. Licensed

shuttles may help especially if we develop parking somewhere.

Planning and Developmental Services

Mayor Thomson – Last month I asked you to review contracting services with Bruce Parker as city planner, comprehensive plan and Bryan Phinney as City engineer. I had Jill make some spreadsheets of our contracting folks. I felt like we have two types of contracts here. One for services i.e. planning services or engineering services. A couple of the contracts like the one for the Developmental Ordinance and the Comprehensive Plan have deliverables attached to them. It was my thought that they were yearly contracts that were up at the end of the fiscal year, which was September 30th and need to be renewed. But I felt like we should at least have a review particularly on those that have deliverable products of where we are at and where we need to go. Then we can rewrite the contracts with some direction in mind. I will also point out that at the time we did our budget we didn't have any information on actual costs to these contracts. All we had is what we had budgeted and we used that as a guideline for next year. They all exceeded the contract for various reasons.

Randy Benglan – There are two contracts. Bruce sent over a new contract to me. I sent it to Gary for review. So my thinking is, there has been some discussion about liking to go more local with our planner. I'm not necessarily opposed to that but I think at this moment where Bruce is pretty involved with the comp plan, the permitting resolution, the Jesse lawsuit, the short term rental lawsuit I would recommend we keep him on for this year. We can review it again next year. 3 separate contracts Developmental contract deals with the Developmental Ordinance. The engineer also works on that.

MOTION TO HAVE GARY MAKE A CONTRACT
THAT EXTENDS THE TERM BASED OFF LAST YEARS
ONTRACT THAT MAINTAINS THE \$6000.00 FEE
AND ATTACHES THE ALREADY APPROVED
DIRECTIVES.

MOTION BY RANDY BENGLAN

SECONDED BY RICKEY FRANDSEN

ALL AYE

Randy Benglan – Update on comprehensive plan. There is a list of seven deliverables from phase one of the Comprehensive Plan.

Technical Assessment was \$3000

Introduction, Purpose and Process was \$4000

Land Use was \$10,500

Housing was \$6000

Area of Impact and Joint Powers Agreement \$4500

Implementation \$3000

8. And number eight was Main Street Design, Vitality and Use Strategy \$6000

So the total was \$37000

So number eight was where he had students helping but he had so many he also used them in the technical Assessment. So if you do the math he is over by \$117. Phase one is not complete yet and I have the same concerns that you do. I don't want to put together a phase 2 contract until phase 1 is complete. So I asked Bruce how long do you need? He said, "probably the beginning of January." So I said, let's extend the term of the agreement through January 30th.

MOTION TO HAVE GARY COOPER, CITY ATTORNEY
PREPARE AN ADENDUM TO EXTEND THE TERM OF
THE AGREEMENT COMPREHENSIVE PLAN PHASE
ONE TO JANUARY 30, 2023.

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANDBSEN

ALL AYE

Change of Use/Occupancy permits

MOTION TO TABLE THE CHANGE OF
USE/OCCUPANCY PERMITS DISCUSSION

MOTION BY RICKEY FRANDBSEN

SECOND BY RANDY BENGLAN

ALL AYE

Resolution Number 2022-3 to Destroy Documents per Idaho Code 50-907

MOTION TO APPROVE RESOLUTION 2022-3 TO
DESTROY DOCUMENTS.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO

ALL AYE

Authorize a Credit Card from ICCU

MOTION TO AUTHORIZE A CREDIT CARD FROM
IRELAND BANK FOR CHANDRA, TONY AND KEN.
AT THE NEXT MEETING WE WILL SET THE LIMITS.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO

ALL AYE

Building Inspection Reports

DLR Enterprises

Excavation and Commercial Retaining Wall

MOTION TO ACCEPT HUDSON SAFFELL'S
RECOMMENDATIONS AND APPROVE THE
BUILDING PERMITS FOR THE EXCAVATION AND
RETAINING WALL. (2 SEPARATE PERMITS)

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN

ALL AYE

Shawn Midkiff

Commercial Small Roof Structure

MOTION TO APPROVE THE COMMERCIAL SMALL
ROOF STRUCTURE.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN ALL AYE

John Head

Residential Retaining Wall

MOTION TO APPROVE CONDITIONAL ON
DEPARTMENT OF BUILDING SAFETY APPROVAL.

MOTION BY RANDY BENGLAN

SECOND BY LEAH NAVARRO ALL AYE

Bonanza Apartments

Wheelchair Ramp (Residential)

MOTION TO APPROVE BONANZA APARTMENTS
WHEELCHAIR RAMP.

MOTION BY RICKEY FRANSEN.

SECOND BY LEAH NAVARRO ALL AYE

John & Leena Tolman

Residential Remodel

MOTION TO APPROVE RESIDENTIAL REMODEL
FOR JON & LEENA TOLMAN.

MOTION BY RICKEY FRANSEN.

SECOND BY RANDY BENGLAN ALL AYE

Discounted Pet Licenses and Business Licenses

MOTION TO CONTINUE OFFERING DISCOUNTED
LICENSES IF RENEWED PRIOR TO THE FIRST OF
THE YEAR.

MOTION BY RICKEY FRANSEN.

SECOND BY RANDY BENGLAN

ALL AYE

Business Licenses

Pita – the form is blank. Chandra Taylor, City Clerk – That's the way she turned it in. When Jill asked her to fill it out she threw it at her and said, "I'm not doing that." We then called her and told her she was \$10 short so she put a \$10 bill in the water payment box with a note. Still no form of any kind.

MOTION TO TABLE THE PITA APPLICATION UNTIL
THEY GET EVERYTHING FILLED OUT.

MOTION BY RANDY BENGLAN

SECOND BY RICKEY FRANSEN

ALL AYE

Get Together Inn – Much discussion about parking for 10 rooms. One space per room.

MOTION MADE TO APPROVE CONTINGANT ON
HUSON'S APPROVAL OF PARKING.

MOTION BY RICKEY FRANSEN.

SECOND BY LEAH NAVARRO

ALL AYE

Ethan Sunday - New

Much discussion about whether or not he is or is not online only.

MOTION TO APPROVE.

MOTION BY RICKEY FRANSEN.

SECOND BY RANDY BENGLAN

ALL AYE

LEAH NAVARRO WITH RESERVATIONS.

Julie Hill – Name change

MOTION TO APPROVE.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO.

ALL AYE

Linde Gas & Equipment – Name Change

MOTION TO APPROVE.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO.

ALL AYE

Riverside Hot Springs Inn - Renewal

MOTION TO TABLE

MOTION BY RANDY BENGLAN

SECOND BT LEAH NAVARRO

ALL AYE

Municipal Non-Property Tax Permit

MOTION TO APPROVE NON-PROPERTY TAX
PERMITS FOR OUTDOOR VOICES AND LINDE GAS
AND EQUIPMENT.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO. ALL AYE

Annual Lava Hot Springs Appreciation Potluck – December 2, 2022

Resolution 2022-4 for the water rate increase

MOTION TO APPROVE RESOLUTION 2022-4 FOR
WATER RATE INCREASES.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO. ALL AYE

Resolution 2022-5 Employee salary increase.

MOTION TO APPROVE RESOLUTION 2022-5
EMPLOYEE SALARY INCREASE.

MOTION BY RANDY BENGLAN.

SECOND BY LEAH NAVARRO. ALL AYE

Motion to Adjourn

MOTION TO ADJOURN.

MOTION BY RICKEY FRANSEN

SECOND BY RANDY BENGLAN ALL AYE

