

A Public Hearing - FY2026 City Budget of the City Council of the City of Lava Hot Springs, Idaho will be held on Tuesday August 12, 2025 at 6:00 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho.

In Attendance:

Vicky Lyon, Jeanie Avery, Rickey Frandsen, John Head, Leah Navarro, Amantha Sierra.

Via Zoom:

Rodney Burch City Planner

Guests:

Lora Gunter, Nancy Petrun

1. REGULAR AGENDA

a Silence Cell Phones

b Call meeting to order Mayor Lyon called the meeting to order at 6pm.

c Roll Call Head -Aye, Navarro -Aye, Avery-Aye, Frandsen Aye

d Pledge of Allegiance

2. OPEN HEARING - ACTION ITEM Councilperson Navarro made a motion we open the public hearing for the fiscal year, 2526 annual appropriate budget. Councilperson Avery seconded the motion. Head -Aye, Navarro -Aye, Avery-Aye, Frandsen Aye

3. COMMENTS FROM THE PUBLIC - ACTION ITEM Discussion between Council, Mayor, and Rodney Burch City Planner about the proposed budget.

4. CLOSE HEARING – ACTION ITEM

Council President Frandsen made a motion to close the public hearing. Councilperson Avery seconded the motion. Head -Aye, Navarro -Aye, Avery-Aye, Frandsen Aye

5. MOTION TO ACCEPT THE PROPOSED BUDGET – ACTION ITEM

Councilperson Head made a motion to accept proposed budget for fiscal year 25-26. Council President Frandsen seconded the motion. Head -Aye, Navarro -Nay, Avery-Aye, Frandsen Aye **Vote passed 3-1.**

6. RESOLUTION 2025-005 – to reserve future foregone amount for future use - ACTION ITEM No action taken

7. RESOLUTION 2025-006 to recover 3% of existing foregone amount for capital projects - ACTION ITEM Council President Frandsen made a motion to approve resolution 2025-006, to recover the 3% of the existing Forgone amount for capital improvements the 5,318 for the streets. Councilperson Head seconded the motion. Head - Aye, Navarro -Nay, Avery-Aye, Frandsen Aye **Vote passed 3-1.**

8. RESOLUTION 2025- 007 to recover 1% of existing forgone amount for operations - ACTION ITEM Councilperson Head made a motion that we approve. Resolution number 2025- 007 resolution of the city of Lava Hot Springs, Idaho recovery, \$1,773 foregone amount for fiscal year. 2026, for maintenance operations described in Idaho code 63-802. Councilperson Avery seconded the motion. Head -Aye, Navarro -Nay, Avery-Aye, Frandsen Aye **Vote passed 3-1.**

9. ORDINANCE 2025-006 FY2026 Annual Appropriation Ordinance – ACTION ITEM Councilperson Head made a motion that recruit ordinance number 2025-006 an ordinance entitled The annual preparation ordinance from fiscal year 2026 beginning October 1 2025 appropriating some \$5,360,098 to defray the expensing liabilities of City Lava Hot Springs, authorizing a limited sufficient tax taxable property, specifying the objects and purposes for which site appropriations bid is made. Also waive the three readings and have city planner read the summary. Council President Frandsen seconded the motion. . Head -Aye, Navarro –Nay based off of there's some states on this, on the input, and there are questions that have arisenp and the local option tax, Avery-Nay, Frandsen Aye. **Tie Breaker** Mayor Vicky Lyon voted aye as the vote was tied 2-2. Motion carried 3-2.

Rodney Burch reads the summary of Ordinance 2025-006.

Councilperson Head made a motion in which we approved ordinance number 2025-006, that was just read by in summary by city planner Rodney Burch. Council President Frandsen seconded the motion. . Head -Aye, Navarro –Nay, Avery-Nay, Frandsen Aye. **Tie Breaker** Mayor Vicky Lyon voted aye as the vote was tied 2-2. Motion carried 3-2.

10. ANNOUNCE NEXT REGULAR MEETING: August 14th, 2024

that item will be removed from the Consent Agenda and will be considered separately - All ACTION ITEM

- a) Council approval of Bills – List of bill provided to councilmembers prior to council meeting for review**
- b) New Business License Application and Business License 16595 – Business Type - Construction – CRT Construction – outside city limits**
- c) Updated Business License add dba – Rapid Fire Protection dba Pye Barker Fire & Safety – Application and Business License 16385 Business Type –Installation of Fire Sprinklers – outside city limits**
- d) Non-Property Tax Permit application and permit 710 - Business Type: Lessor – First American Commercial Bancorp Inc. – Lessor of Business tangible personal property - outside city limits**
- e) Non-Property Tax Permit application and permit 712.1 – Business Type: Airb&b – A&E Properties dba Lolli's Cottage – 154 W Elm - Everett was told he didn't need to apply for new permit when he got his Business license on 5/10/2022, he could use the old permit.**

August 6th, 2025 he noticed the language on the permit, non-assignable.

Council President Frandsen made a motion to approve all the action items on the consent agenda. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

4. ITEM REMOVED FROM CONSENT AGENDA REPORTING – ACTION ITEM

5. SHERIFF REQUEST

- a) Sheriff is requesting a motion for the city to purchase a License Plate Reader – ACTION ITEM – moved to the first item on the agenda**

6. AGENDA REQUEST - LOCAL OPTION TAX BALLOT QUESTION/INCREASE

- a) Alice Egley - Seniors Center Motion to approve funding question on ballot – ACTION ITEM** Councilperson Head made a motion to approve the funding question on ballot for the November 2025,election to include a funding for the senior center. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

b) Mark Oyler – Discussion of Idaho State Statute 33-5206 in regard to Charted School - ACTION ITEM

Mark Oyler discussed State Statute 33-5206 with council in regards to the Charter School.

c) Mark Oyler – Introduce a Ballot initiative in regard to Charted School - ACTION ITEM

d) Mark Oyler – Discuss alternate funding mechanisms in regard to Charted School - ACTION ITEM

e) Randy Benglan Tax Ballot Question(s) on November Ballot to increase LOT in retail, beer, wine and Lodging by ½% in each Category designated to support local elementary school – ACTION ITEM

Randy Benglan discussed the tax ballot questions for Lava Hot Springs Academy on the November 2025 ballot to support the local elementary school.

f) Approve Resolution 2025-08 Ballot Questions to be placed on Ballot in the General election held November 4, 2025 - ACTION ITEM

Council President Frandsen made a motion to make two resolutions and revise the ballot questions as to the ideas that we talked about tonight, and then to review the changes at a special meeting. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

Councilperson Head made a motion that we scheduled a special meeting to go over the ballot question resolution with Lyle on August 26 at 9am. Councilperson Avery seconded the motion. . Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

7. SPECIAL PERMIT REQUEST

a) Octoberfest – Lava Chamber of Commerce - October 3rd & 4th 2025 - ACTION ITEM

Council President Frandsen made a motion to approve the Octoberfest special event application. Councilperson Avery seconded the motion. . Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

b) Witches & Warlock's Parade - Blue Jay Inn / Mark and Kathy Oyler – October 10th, 2025 ACTION ITEM

Councilperson Head made a motion that we approve the special event permit application for witches and warlocks parade and to put in a flyer in the September water bill. Councilperson Avery seconded the motion. . Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

8. ROWDY LARKINS

a) Project Permit LAV2024-08 - KOA West Pizzeria - West KOA - two (2) retaining walls located within the landscaping at the KOA West Courtyard Landscaping - Temporary CO issued ADA compliance required. – *Done needs removed from the agenda*

b) Project Permit LAV2024-03 Greg Croft - Suites of Lava - 63 s 1st E - Progress report – Temporary CO issued ADA compliance required.

Permit for Greg Croft. They're pretty much done, other than finishing up some ADA or accessibility compliance stuff other than that, they're done. They fixed a bunch of stuff that I read. Asked them to change on their final walk through, just waiting on that.

c) Alan Spidell Building remodel application Surrounding LLC - 204 W Main - Myrna Beery - Spidell Construction Progress report – Building Permit issued LAV2025-04 , we've approved that permit, just waiting to be contacted for the next stage on inspections.

d) Riverside Hot Springs/Eruption Brewing retaining wall – Building Permit Application in review process, Engineer firm working on updating plans with a rail and will submit stamped plans once completed. With the retaining wall. I just received the stamp plans for that.

e) Mark Oyler – LAV2025-03 Retaining Wall inspection

Needs removed from the agenda

f) Mark Oyler - Blue Jay Inn - LAV2024-02 -"Phase II" remodel old bottle company - event center upstairs – Salt cave downstairs – Progress Report couple things finishing up there on bathrooms and again, accessibility.

g) Project Permit LAV2024-07 – Heidi Patha 355 W Main Close to finishing those just got done doing sheet rock inspections. So they're pretty close there too, other than to clean up as well.

h) Jared & Natalie Roper house 517 West Elm Street permit with the State expired and they will not do a final on LAV2022-002 BLD2203-00006 expired 07.14.22 –New Build New permit submitted to complete final inspection for a Certificate of Occupancy So ropers are waiting on their finals from the state for their trades, electrical from UJC, and then I'll be going over there completing their final.

i) Project Permit Alex Drokin 305 W Main permit with the State expired and they will not do a final on LAV2021-012 BLD2106-00038 expired 06.24.21 – Windows and LAV2021-021 BLD2110-00067 expired

06.24.21Fire suppression (fire Marshall signed off with contingencies).

New permit submitted to complete final inspection for a Certificate of Occupancy. I met with Drokins the other day and went through theirs, and we've kind of come to an agreement on same concept as Mark's and Roper's on how we can finish their final up, and cleared up some of them questions on what the state had inspected or not expected. So I think we're on track there too. They've just got a couple things they need to tighten up on that and do the application. We'll finish that out there as well. Yeah, which I mean, like I said, on my end, there's just a couple little things to take care of, pretty small. There were there. The biggest thing was, is there's fire suppression and take care of so that was good, because that would be hard to inspect.

j) Sam Netuschil – 44 & 48 Purple Moon Roof - Building Permit

Application in review process – progress report. We did just finally receive some plans, and, well, we had a permit, but upgraded permit plans for Sam, so the Purple Moon, we've been waiting on some engineering to show that the work he's going to be here with doing was going to meet standards on that, so we're just barely getting those.

k) Windows replacement at 171 W. Booth is a building permit required?

As long as they're not knocking out a wall and changing the structure straight a different size. So, and that's smaller is on the building code side. The only time they would need it is if, if it was a required egress window and they made a smaller, then it would be a problem. It was smaller. It is smaller. But I don't know if it's yeah, so that's where the question comes in. But I just want to clear that up.

9. OLD BUSINESS

a) Expired Business License Application and Business License 116346

– Business Type – Hotel – Suitus LLC dba The Suites of Lava Hot

Springs – Brittney Croft / Greg Croft – 61 1st Ave E - ACTION ITEM

Council President Frandsen made a motion to approve their business license. Suites of Lava. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

b) Holladay Will-Serve Letter - ACTION ITEM Council President Frandsen made a motion to direct legal counsel to work out an annexation agreement with the Holladay's.

Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

c) Short Term Rental Survey - DISCUSSION Rodney Burch City Planner discussed with council.

d) Short Term Rental Rough Draft Ordinance – DISCUSSION Rodney Burch City Planner discussed with council.

e) Bannock County ACI Agreement Update – DISCUSSION Rodney Burch City Planner discussed with council.

NEW BUSINESS

a) Motion for Conditional Use to follow sale of house 553 W Booth – ACTION ITEM Council President Frandsen made a motion that we accept the conditional use permit to follow the sale of the house on 553, West Booth. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Nay, Frandsen Aye **Vote passed 2-1**

b) Motion to accept Pocatello Sweeping and Snow Removal LLC dba Iron Horse Asphalt Contract not to exceed \$43,322.00 Estimate # 1435 and authorize the Mayor to sign contract – ACTION ITEM Council President Frandsen made a motion to approve, Pocatello Sweeping contract to repair that asphalt there, according to the contract to not to exceed \$43,322. . Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

ORDINANCE/RESOLUTION

a) Noise Ordinance no. 2025-003 Draft July 10th meeting – ACTION ITEM Councilperson Avery made a motion to adopt the ordinance. 2025- 003 and a motion to waive three (3) separate readings and publish a summary. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

b) Design Review Staff update to ordinance no. 2025-004 to remove language directed by council from the motion made at the July 10th meeting exclude P&Z & CC and include progress report at each

Council meeting – ACTION ITEM Councilperson Head made a motion to table the design review staff update until the next special meeting on August 26th 2025 at 9 am at City Hall. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

c) Parking Ordinance 2025- 005 rough draft tabled on June 12th –

ACTION ITEM Council President Frandsen made a motion to approve the parking ordinance 2025- 005. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye. Council President Frandsen made a motion to waive

three (3) separate readings and publish a summary. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye.

d) Connections United Credit Union – Resolution 2025-009 – CD matures on September 30, 2025, Initial amount \$117,295.55 – ACTION ITEM

ITEM Council President Frandsen made a motion to table the CD until the special meeting on August 26, 2025 at 9 am at City Hall. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye.

APPROVAL OF MINUTES

- a) May 12, 2025 – ACTION ITEM**
- b) May 27, 2025 – ACTION ITEM**
- c) May 29, 2025 – ACTION ITEM**
- d) June 12, 2025 – ACTION ITEM**
- e) June 25, 2025 – ACTION ITEM**
- f) July 10, 2025 – ACTION ITEM**
- g) July 15, 2025 – ACTION ITEM**
- h) July 17, 2025 – ACTION ITEM**

Council President Frandsen made a motion to approve the minutes. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye.

13. COMMUNITY INVOLVEMENT

- a) Residence Appreciation Day 2025**
- 1) Set date – ACTION ITEM**
- 2) Authorize Foam for Fire Truck – ACTION ITEM**
- 3) Authorize any or all activities introduced to the schedule and the cost associated approved activities – ACTION ITEM**

Councilperson Head made a motion to table the resident appreciation for Fall of 2025. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

4) “L” Mountain suggestion and authorize cost – ACTION ITEM

Councilperson Head made a motion to table the L mountain item. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

14. Motion to adjourn into executive session under Idaho Code 74-206(f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. Councilperson Head made a motion to adjourn into executive session under Idaho Code 74-206(f) to

communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. Councilperson Avery seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

15. Motion to Executive session under Idaho Code 74-206(f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated – ACTION ITEM

16. Motion to return to open meeting – ACTION ITEM Councilperson Avery made a motion to come out of executive session and return to open meeting. Councilperson Head seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye

17. Motion regarding Executive Session – ACTION ITEM

18. Announce next meeting September 11th, 2025 Deadline September 1st, 2025 Mayor Lyon announces next meeting

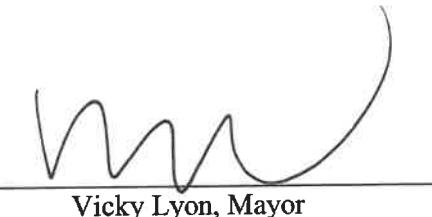
19. Adjourn regular meeting – ACTION ITEM Councilperson Avery made a motion to adjourn the meeting. Council President Frandsen seconded the motion. Head -Aye, Navarro -Absent, Avery-Aye, Frandsen Aye.

Meeting adjourned

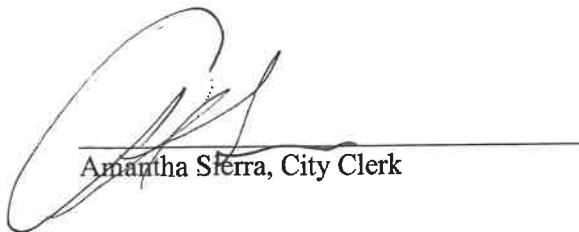


Mandy Frandsen

Mandy Frandsen, Transcriber



Vicky Lyon, Mayor



Amantha Sierra, City Clerk

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