

Minutes of a Regular Meeting of the Lava Planning & Zoning Commission of the City of Lava Hot Springs, Idaho held Monday, November 25, 2019 at 6:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Neil Anderson, Commission Chair  
Fred Hinz, Commission Member  
Curtis Waisath, Commission Member  
Vicky Lyon, Commission Member  
James Page, Commission member  
Canda L. Dimick, City Clerk

Excused:

Guests: Rickey Frandsen

Neil Anderson, Commission Chair called the meeting to order at 6:30 pm.

### **Approval of Minutes**

Canda Dimick, City Clerk reported that she is still trying to get caught up on the minutes and that she only has the one set completed for approval at this time. Motion was made by Fred Hinz, Commission Member and seconded by Vicky Lyon, Commission Member approving the minutes. All voted aye, unanimous.

### **Oath of Office**

James Page was sworn into office of the Lava Planning and Zoning Commission Member by Canda Dimick, City Clerk. James was welcomed to the commission.

### **City Impact Area – Cameron Salt, 11759 E. Fish Creek, Lava Hot Springs, Idaho variance application before Bannock County Planning & Development Services to reduce the setback from the stream and riparian areas from 100 feet down to 50 feet.**

Canda Dimick, City Clerk reported that the City never gets the notices from Bannock County on a timely basis. The City only had a week to get a meeting scheduled and respond so an email was sent to commission members when the notice was received to see if a special meeting should be scheduled.

Neil Anderson, Commission Chair and Curtis Waisath, Commission Member, stopped into City Hall and talked with the City Clerk about the application and there did not seem to be a whole lot of concern about reducing the set back so no response was submitted from the Lava Planning & Zoning Commission.

Canda Dimick, City Clerk, informed commission members that the City Council did respond not on the variance application but had addressed input in regards to a parcel split that Mr. Salt

previously proposed. A map of the proposed parcel split was included in the commission's packet. Cameron Salt met with the City Council in October, 2019 wanting the City to support a parcel split,

The City figured that the variance application was for the parcel split that he was working on with Bannock County. The proposal was to split the parcel into three parcels. Existing home site in one, existing campground into another and then a parcel for another home site. City Council felt that the parcel split was not a big impact, he was only going to build himself another home and they weren't going to require annexation at that time.

The City Council submitted written testimony that the City supported the proposed parcel split. Bannock County responded back wanting the City to address annexation. The City Council addressed the parcel split issue again at a November 14, 2019 meeting and they agreed that as of the date of the meeting the City is not proceeding with annexation so that Cameron could build his home and then the next day the City received the variance showing that Cameron is expanding his RV Campground.

The information the City has received is misleading The City has never received anything from Bannock County regarding the parcel split. Bannock County only sent notices out on the variance request.

Canda Dimick, City Clerk, brought it to the Commission's attention that part of Salt's property, two triangular areas are located within City limits. A portion of the campground is in one of the triangular areas.

Salts have applied for and obtained a city business license and is collecting local option tax on tenting sites located within the City limits.

James Page, Commission Member, questioned how many of the tent sites are within city limits. Number of sites unknown.

Fred Hinz, Commission Member, questioned if the variance is needed for sewer and water services. The variance application explains that the Salts will be connecting sites to a water and sewer system. Canda Dimick, City Clerk, informed Commission Members that the City does have a mandatory water hookup requirement. Parcels located within a thousand feet of a main line within city limits have to be connected. Bannock County may have been questioning the mandatory water connection when they requested that the City address annexation.

Neil Anderson, Commission Chair, questioned if the black line on the map was designating the city limits. Canda Dimick, City Clerk, reported that Cameron had drew the black line in on the map for city limit designation purposes.

James Page, Commission Member, questioned if the City has any anticipation of annexing any properties to the east of City limits in the near future. Canda Dimick, City Clerk, reported that the City Council is not against annexation, it is the obligation of the developer to extend city

services to their property. Extending sewer service to Salt's property would be tough. The City's water main currently runs through Salt's property. The only concern about a water connection off of the main running through Salt's property is that a study would need to be done to verify chlorine contact time. There are systems that can be installed on individual service lines to address chlorination. The City's chlorine is added to the system at the Fish Creek well site. Canda Dimick, City Clerk, reported that according to Tony Hobson, City Maintenance Supervisor, there has to be one hour contact time in order to kill bacteria. Salt's connection would be before the city's storage tank. The system meets the contact time at the storage tanks. The City has two reservoirs. One over flows into the other to meet the contact time. Bristol Park's and Mary's Place connections are also before the storage tanks. Salt has informed the City that there is not enough contact time but to the City's knowledge no study has been done. Salts would have to extend sewer service from the KOA Campground across the river and the existing lift station is on State land and is maintained by Kody Tillotson, Owner of the KOA Campground. Salt's service would have to pump into the KOA Campground system. Everything is up in the air.

The City Council did send a letter address the parcel split and no anticipation of annexing the property the day of the meeting.

Canda Dimick, City Clerk, reported that Cameron Salt visited City Hall on the day of the hearing before the Bannock County Planning & Development Board wanting the City Council's letter. Canda Dimick, City Clerk, reported that she explained to Cameron that the letter from City Council was not in regards to the setback variance; the letter is a parcel split for another home not for a campground expansion, two different projects. The City gave Cameron the letter supporting the parcel split to build another home.

The City has not heard what happened at the hearing. It appears that Salts are working on two different projects. Canda Dimick, City Clerk, explained that she just wanted to bring the Commission up to date on where things were and what City Council had done and questioned if the Commission wanted to address any input on the variance hearing.

Fred Hinz, Commission Member, stated that the City doesn't really have a say in the setback variance because the property is in the county.

Canda Dimick, City Clerk, explained that the property is located within the city's impact area, so the commission does have a say and the city can force annexation because the property adjoins city limits.

Fred Hinz, Commission Member, stated that Bannock County will be governed by the Idaho Department of Water Resources on the river encroachment; the City doesn't control the river bank outside city limits. The floodplain and FEMA (Federal Emergency Management Agency) should control the river bank encroachment. It is unknown if Salts are asking for a floodplain variance.

Neil Anderson, Commission Chair, questioned why the development needs to be fifty (50) feet closer. Other Commission Members responded with so he can get in more campers.

James Page, Commission Member, commented that the river and up to the high water mark on the bank is supposed to be public property and questioned the regulatory agency that requires the one hundred (100) foot setback. It is believed to be a Bannock County regulation.

Canda Dimick, City Clerk, explained development requirements in the designated floodway and floodplains within city limits. Normally no development is permitted in a floodway. Development in a floodplain have elevated requirements.

James Page, Commission Member, questioned if the City has a representative who deals with the county issues. Canda Dimick, City Clerk, explained that there is no representative and that all decisions have to be made in a public meeting.

The City received the public hearing notice on November 15, 2019 and the public hearing was scheduled for November 20, 2019. It was not feasible to schedule a special meeting to properly address input. Canda Dimick, City Clerk, suggested expressing to Bannock County that the City needs more time to review public hearing applications. Commission members agreed. Legally notices have to be mailed fifteen (15) days prior to the meeting date.

Neil Anderson, Commission Chair, stated that he personally objects to granting a fifty (50) foot variance. He feels that there is already so much up against the river, the river is full of moss, the fishing that Portneuf used to be famous for is gone and the closer development gets to the river the more crap is going to get dumped into it whether it is done on purpose or accident or whatever. The Portneuf River used to be known as a Blue Ribbon trout fishing river.

Some of the proposed development next to the river appears to be located within City limits.

James Page, Commission Member, expressed tourist impact concerns on the river and need to protect it.

City Clerk was asked to prepare a letter from the Commission expressing the commission's notification concerns. Canda Dimick, City Clerk, reported that she knows that notices have to be mailed out fifteen (15) days prior to the meeting date and it should not have taken ten (10) days for a notice mailed from Pocatello to arrive in Lava Hot Springs. All mail does go to Salt Lake City to be sorted. The City received the notice the day after the November, 2019 Regular City Council Meeting.

Canda Dimick, City Clerk, reported that a lady from Bannock County Planning and Development had called Jon Thomson, Mayor the day of the November, 2019 City Council Meeting to see if the City had gotten the notice.

Neil Anderson, Commission Chair, recommended having Bannock County send a copy of the notices by email to the City when the legal notice is mailed. In their email it could state that the

legal notice has been sent by mail. Motion was made by Fred Hinz, Commission Member, and seconded by James Page, Commission Member, to prepare a letter and send it to Bannock County Planning & Development Services requesting more time before public hearings. All voted aye, unanimous.

### **Proposed Building Permit and Supplement Information Forms**

Canda Dimick, City Clerk, reported that she is still working on making the Commission's changes to the template form received from the Idaho Division of Building Safety. There were no copies in the Commission's packets. Commission members have been given copies at a prior meeting.

Copies were given to James Page, Commission Member and time was taken to review the existing building permit form, the marked up building permit form with changes along with emailed correspondence to the Idaho Division of Building Safety who the City works with to do plan reviews and inspections.

Agenda item was not an action item. The forms are still a work in progress. Commission members were asked to let the City Clerk know of any changes or corrections they see need to be made during their review.

### **Building Code Ordinance Draft Work Session**

The marked up changes received from the Idaho Division of Building Safety secretary and inspectors were reviewed.

On page three (3) under Section 8 – Adoption of Codes they have recommended that the City adopt the codes like the State of Idaho has adopted them as follows: ~~B. International Residential Code, 2012 edition, (IRC) Published by the International Code Council, Inc., parts I – IV, and IX~~ 2017 Idaho Residential Code with 2012 Idaho Residential Code parts I, II, III & IX with Idaho Amendments C. ~~International Energy Conservation Code, 2012 edition. (IECC) Published by the international Code Council, Inc.~~ 2017 Idaho Energy Conservation Code (2015 commercial provision & 2012 IECC residential provision with Idaho amendments.

Canda Dimick, City Clerk, informed Commission Members that the City has to adopt the codes like the state has adopted them unless the City wants to be more restrictive. Neil Anderson, Commission Chair, questioned if there is any reason to restrict it anymore.

Canda Dimick, City Clerk, mentioned that the Commission may want to look at the parts of the Residential Code that are referenced and the Idaho amendments.

Copies of Idaho Administrative Rules (IDAPA) were given to Commission Members and members were shown where the Idaho amendments for the International Residential Code were on page three. The Idaho Amendments for each code are adopted under the IDAPA rules.

Commission Members were advised that when they referencing the codes back and forth that they need to go to the IDAPA rules to see how the state adopted it and what they are referring to for amendments and changes.

The state has also advised the following changes on page three under Section 8 – Adoption of Codes: last paragraph – The adopted versions of the 2015 edition of the International Building Code (IBC), 2012 edition of the International Residential Code (IRC) for one and two family dwellings, ~~parts I—IV and IX~~, parts I, II, III & IX, 2012 edition of the International Energy Conservation Code (IECC), 2015 edition of the International Fire Code and the 2015 edition of the International Existing Building Code shall deemed superseded by successive versions of such codes ~~and~~ as they are adopted or approved by the Idaho Building Code Board or Idaho Department of Insurance/State Fire Marshal, effective on January 1 of the year following adoption by the Idaho Building Code Board or Idaho Department of Insurance/State Fire Marshal.

Canda Dimick, City Clerk, stated that the Commission Members have had the marked up changes and copies of the codes for some time and questioned if anyone has done any comparisons. Neil Anderson, Commission Chair, commented that he gets lost in all of the legal mumble jumble.

Canda Dimick, City Clerk, asked Commission Members to work through what Kalleen Streeper, Secretary of the Idaho Division of Building Safety, has proposed and to make notes.

Neil Anderson, Commission Chair, questioned if the Commission should start going through the changes now or do it individually. Canda Dimick, City Clerk, advised Commission Members to take some time and individually go through it.

James Page, Commission Member, questioned if it is good enough for the state why is the Commission making changes. Neil Anderson, Commission Chair, agreed unless there are things that the City should have more control on. Fred Hinz, Commission Member, commented that unfortunately Lava is unique and that there may be some provision hidden in the proposed changes where Lava is unique. Canda Dimick, City Clerk, mentioned that for an example the provisions for flag poles. The Commission had chosen to be more restrictive on them then what the state adopted.

Vicky Lyon, Commission Member, questioned Section Eleven (11) on Manufactured Homes on page four (4) of the copy marked up by the building inspector and asked where the provisions were in the IDAPA rules. City Clerk explained that the provisions for Manufactured Homes is only in the proposed ordinance and that there are no changes to that provision in the IDAPA rules. Vicky Lyon, Commission Member questioned B. Completion Time: on page five (5). Fred Hinz, Commission Member referred Vicky to page twenty (20). It was explained that Kallen's note clarifies that the City standard to give written Notice of Violation by certified mail is a city decision and is not a requirement of the International Code.

Motion was made Fred Hinz, Commission Member and seconded by James Page, Commission Member, to table and to take personal time to study. All voted aye, unanimous.

### **Zoning Ordinance Draft Work Session**

Canda Dimick, City Clerk, reported that she has looked back through notes. The City Council hasn't had a work session since the Commission met last month but they do have one scheduled for December 5<sup>th</sup>.

The Commission still has assignments to work on. One of them is the definitions for Official Grade and Building Height. The Commission had some discussion previously on striking the two and a half stories and the word or from the height restrictions and just referencing height by twenty-five (25) feet for clarity purposes but it is unsure if a final decision was made.

There was also some discussion on the off-street parking diagrams. City Clerk is working with Keller Associates on the diagrams to include sidewalks in front of the parked vehicles.

There is also one matter that the City Attorney was wanting done. City Clerk will look back through minutes regarding the City Attorney's matter.

Commission Members will spend time doing some researching.

Neil Anderson, Commission Chair, commented that he has a hard time understanding the official grade situation. Curtis Waisath, Commission Member, agreed and questioned where the measurement is taken from. The City's ordinance has an official grade definition that references measuring points based on different factors. Commission Members need to review the official grade definition in the zoning ordinance. Neil Anderson, Commission Chair, suggested simplifying things and establishing the measuring point as the highest point that the building is going to set to the peak of the roof. Curtis Waisath, Commission Member, questioned if Neil's suggestion would be appropriate. James Page, Commission Member, questioned why not measure from the street. City Clerk explained situations with walk-out basements and the current process of averaging of all four sides. The City currently takes the center of the wall measurement at all four sides and averages them. Some home owners have had to backfill up next to the foundation wall where the measurements are being taken to comply. When homes are built into a slope, heights can vary and with a height restriction the lower area is going to prevent the structure from becoming a skyscraper.

The history of the home built at 562 West Fife Street was explained. By the time that the builder got the footings and foundation walls built the exposed foundation was the height of another story which exceeded the height restriction and forced the property owner to proceed with a variance after the fact for the third story. The structure is three stories on the North side and one story on the South side next to the street. If the structure was two stories on the South side it would have been four stories on the North side.

The City does not have a ladder truck to fight multi story building fires. The City needs to keep the firefighting limitations in mind when trying to control height for fire protection purposes. James Page, Commission Member, expressed that he feels if a building is built over a certain height that the owner is on their own as far as fire protection goes. The City is limited on the height that the department can effectively fight fires so height does need to be controlled.

Rickey Frandsen, Council Member, commented that maybe the height should be measured from the average grade between the adjoining street/alley, front and back. James Page, Commission Member, stated “wouldn’t you want to measure from the center of the front street?” City Clerk explained that if you measure height from the front street level the home at 562 West Fife Street could have been built four (4) stories which is taller than the majority of the commercial businesses along Main Street.

Builders have found ways to comply with the twenty-five foot height restriction. Taylors recently submitted plans for a home on East Fife Street and they modified plans to comply.

#### **Other Business – Annual Appreciation Pot Luck – December 17<sup>th</sup> 6 pm, City Hall**

Commission members were invited to attend the Annual Appreciation Pot Luck with their spouse/families scheduled for December 17<sup>th</sup>, 2020 at 6 p.m., Lava City Hall. The City will be furnishing the meat and potatoes. Commission Members are asked to bring a salad. City Council has been assigned desserts. Curtis Waisath mentioned that he will not be able to attend.

#### **Other Business – Skateboard Ordinance**

A copy of the skateboard ordinance and the sign that the City Council is intending to make modifications to was included in the commission member’s packets.

The City Council’s intentions is to update the ordinance to include the newer equipment (hover boards, long boards, etc.)

Neil Anderson, Commission Chair mentioned that he has noticed that the City of Idaho Falls and Rexburg are currently dealing with electric scooters and he feels that Lava should be looking at them also.

The only skateboarding sign that the city has posted is located in Veteran’s Park and it has been vandalized. The sign in Veteran’s Park will be replaced as soon as the ordinance is revised.

The ordinance prohibits skateboarding on Main Street and one block north and south of Main Street.

Commission Members questioned enforcement. Bannock County Sheriff’s Department should be enforcing the ordinance.



**Other Business – Beckstead’s Porch and Parking (165 South 5<sup>th</sup> West)/Intersecting Traffic Vision Impairment (Intersection of South 5<sup>th</sup> West and West Booth Street) - Parallel Parking Problems**

Fred Hinz, Commission Member, reported that the porch that was allowed to be attached to Mrs. Beckstead’s home and the parking at the home is a hazard. Every vehicle (truck) that parks is extending out into the street which is going to impede snow removal efforts this winter. There is currently three pickup trucks that are parking in there now.

Fred Hinz, Commission Member, also mentioned that on the left side, at the intersection of South 5<sup>th</sup> West and West Booth, hedges are impeding intersecting traffic view. City Clerk reported that the City is aware of the vision impairment and that it is on the notification list.

The trucks at Mrs. Beckstead’s house are parking (east and west) straight into (facing) the porch addition instead of parallel with the street and the back of the trucks are extending out over the city’s right-of-way. The initial building plan showed a curved driveway but the home was not set according to plans so the applicant had to proceed with a variance for the front porch addition. There is no room for a curved driveway.

Neil Anderson, Commission Chair, commented that it is one of the cases where the commission probably should have taken a tougher stand. Canda Dimick, City Clerk, informed the Commission that the structure has not been approved for occupancy. The property owner is supposed to be submitting an application for a variance for the garage roof extension into the front yard setback requirement.

The variance approved was for the porch addition attached to the front of the home and for the side yard setback next to the alley for the garage. The garage roof extension into the front yard setback has never been approved.

Curtis Waisath, Commission Member, commented that that the builder did a beautiful job and it looks nice.

Fred Hinz, Commission Member, commented that if the case goes along without being contested, the city is setting a precedence and anybody that wants to do something is going to just go ahead and do it. Fred Hinz, Commission Member, expressed that he feels the city has done enough of setting precedents in the past. The commission is trying to avoid setting precedent. Ignoring this case is putting the City back into the same boat.

The width of the approved porch was questioned. Width approved was six (6) feet. Neil Anderson, Commission Chair, commented that it should have been four (4).

Rickey Frandsen, City Councilman, suggested requesting that the vehicles park parallel with the street.

Fred Hinz, Commission Member, stated that the City needs to post a bunch of signs for parallel parking all over town. The angle parking along North 1<sup>st</sup> East needs to be stopped. The adjoining property owner painted the diagonal parking lines that are on the street without permission before the water project started.

The City needs a code enforcement officer.

### **Other Business – Sorenson's Business Plans**

City Clerk informed Commission Members that the Mayor and she had met with the prospective owners purchasing property from Evelee Hill last week. The property sale is scheduled to close on December 10, 2019. The property owners mentioned some business ideas that they are interested in doing. One idea was a small bakery in the lobby of the motel to sell cookies to guests. Another idea was to pursue tent camping along the river.

The motel that the Sorenson's are purchasing is Aura Soma Lava. Vicky Lyon, Commission Member, questioned if the Sorenson's had purchased the property from Main Street to the river or did it include Evelee's other two vacation rental homes (South Center and West Elm). The two vacation rental homes have already been sold and ownership transferred. One vacation rental was bought by Jake Winterton and the other one was purchased by Piper Ferrell.

Sorenson's has expressed interest in purchasing the Home Hotel. The Home Hotel is still owned by Evelee's daughter and son-in-law, Scott Pearhill.

### **Other Business – Noise Ordinance**

City Clerk asked Commission Members if they had done any research on provisions for a noise ordinance.

Neil Anderson, Commission Chair, has dropped off a copy of Park City's ordinance to the City Clerk.

James Page, Commission Member, questioned if the purpose of the regulations is to control noise after ten (10) p.m.

Vicky Lyon, Commission member, reported that the assignment was to obtain noise ordinance samples from other cities.

James Page, Commission Member, questioned the outdoor bar noise. The intentions of the ordinance is to also control outdoor bar noise. James Page, Commission Member, commented that it will never fly; if the City tries to shut down noise at ten (10) p.m. or whenever he feels it could be a real can of worms. Commission Member, Fred Hinz, agreed it could be a nightmare.

### **Other Business – Annexation**

Various comments regarding annexation ideas west and east of City limits were expressed and discussed.

Acreages over forty (40) acres can't be annexed without property owners consent.

Rickey Frandsen, City Council, commented that the City needs to keep in mind with annexation that the City has to be able to provide sewer and water service. The City has to be able to provide the service but it is the responsibility of the developer to extend the main lines.

James Page, Commission Member, questioned the water sources and location of the City's water system. City Clerk explained that the main source is springs approximately two miles east of city limits. The water is chlorinated at the Fish Creek well. Springs water has to be chlorinated.

### **Other Business – City Code Enforcement Officer**

Fred Hinz, Commission Member, questioned the status of hiring a code enforcement officer. City Clerk reported that the City Council is still trying to figure out what to do. The City Council has made several attempts to try and fill the position but they haven't been able to successfully do it.

City Council has talked about possibly changing the job description and maybe separating job duties but no action has been taken to move forward. The position as written in the job description involves a lot of duties including helping the maintenance crew with various duties, picking up garbage, etc.

James Page, Commission Member, stated that there are some City ordinances that you can't enforce unless you have a badge but there are some ordinances that a code enforcement officer could enforce.

Fred Hinz, Commission Member, reported that there is going to be a problem with it until the City can afford to pay someone that is capable of doing the job properly. He commented that the Commission is sitting month after month, year after year fighting the ordinances that are not being enforced. He feels that the Commission is doing a lot of nothing and he is getting tired of it. Fred commented that he has been on the Commission for the past fifteen years and he used to enjoy it but he doesn't enjoy it anymore because the ordinances are not being enforced.

Vicky Lyon, Commission Member, commented on experiences of enforcing ordinances with Bannock County Officers, for example overnight camping behind a vacation rental the officer will flat out tell you that they can't do anything and that the City has to enforce that.

James Page, Commission Member, commented that several people camp in their camper trailers in the LDS Church's parking lot across from his house but what do you do.

Vicky Lyon, Commission Member, commented that the ordinances really need a Sheriff to enforce, but the Sheriff turns around and says that it is not their responsibility.

Canda Dimick, City Clerk, reported that the Sheriff's Department pretty much focuses on traffic violations and they feel that anything to do with a zoning regulation, animal running at large, trimming trees, cleaning sidewalks etc., is up to the City to enforce and that has proven to be a tough situation to handle. James Page and Vicky Lyon, Commission Members, expressed that cleaning sidewalks and those types of stationary issues should be able to be enforced by a code enforcement officer.

Vicky Lyon, Commission Member, commented that she is surprised that there hasn't been a bad accident or somebody fall out of a pickup truck or get run over by somebody else. She doesn't understand why everyone turns a blind eye to whatever goes goes.

There are signs posted that say no open containers on the streets. Neil Anderson, Commission Chair, reported that a couple walked into the Lava Library with open beers when his wife was working and she informed the couple of the City's open container law and the couple's response was who is going to enforce it. All Commission Members agreed that the open container ordinance needs to be enforced by a police officer with a badge. It is not safe for a City Code Enforcement Officer to enforce an open container violation.

The City has a contract with Bannock County Sheriff's Department for eight and one-half (8 ½) hours of patrol time per day. Rickey Frandsen, City Councilman, commented that there has been quite a few times that officers have addressed open container violations according to the monthly police report but to really address it efficiently officers would have to patrol all the time.

Fred Hinz, Commission Member, commented that officers use to patrol on bicycles.

Canda Dimick, City Clerk, informed Commission Members, that Bannock County Sheriff's Department is dealing with a shortage of staff. They have positions open constantly and they are lucky if they get one or two qualified applications and some of the applicants that they have hired have not worked out. Law enforcement agencies, fire departments and emergency service departments are all suffering.

Rickey Frandsen, City Councilman, reported that City Council has agreed to raise the hourly rate for the Code Enforcement Officer position. Vicky Lyon, Commission Member, commented on modifying the Code Enforcement Officer's job duties. She feels that a code enforcer should be code enforcing not emptying garbage cans. Garbage pickup needs to be done but if the City wants to get someone to be a code enforcer they do not want to be emptying the garbage cans.

Canda Dimick, City Clerk, explained that the past experiences with the code enforcement officers is that the individual looks at the position wanting to be a cop and it is not that type of a position.

The creation of the code enforcement officer position hasn't been that long ago.

James Page, Commission Member, questioned if the City has a Park and Recreation Department or if the parks are just taken care of by the City. Rickey Frandsen, City Councilman, explained

that the parks are maintained by the City's maintenance employees, Tony and Justin. Canda Dimick, City Clerk, commented that there is no specific department.

James Page, Commission Member, commented that he used to see a guy drive around in the city pickup dumping garbage. It was mentioned that it was probably Dennis the Code Enforcement Officer that retired. Dennis was asked to work weekends and dump the garbage and check on public restrooms to make sure that they were open and clean. Tony and Justin would dump the garbage cans during the week.

Canda Dimick, City Clerk, explained that all of the City's positions kind of overlap; employees get in the habit of looking and taking care of things even though it is not in your job title because the town is so small.

Vicky Lyon, Commission Member, questioned why the business owners don't help dump the Main Street cans. If the can is overflowing by her business, Victor goes out, pulls it and throws it in their garbage because they don't want the trash flowing on the ground but she doesn't think very many other businesses do it they just let it overflow. Most businesses do not want to through the garbage from the Main Street cans into their garbage cans because they do not want to pay for it because it fills their garbage can up with city garbage.

### **Schedule Next Meeting**

Motion was made by Fred Hinz and seconded by Curtis Waisath cancelling the December 23, 2019 regularly scheduled meeting unless otherwise needed. All voted aye, unanimous.

### **Adjournment**

Motion was made by Fred Hinz, Commission Member and seconded by Curtis Waisath to adjourn. All voted aye, unanimous. Meeting adjourned at 7:40 pm.

Transcribed by:

Signed:

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Canda Dimick, City Clerk

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Neil Anderson, Commission Chair