

PUBLIC NOTICE

A Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho will be held on Thursday April 10th, 2025 at 6:00 pm, Lava City Hall 115 West Elm Street, Lava Hot Springs, Idaho.

In attendance: John Head, Leah Navarro, Rickey Frandsen, Vicky Lyon, Amantha Sierra, Bryan Phinney, Rodney Burch, Lyle Fuller, Matthew Henry, Mandy Frandsen.

Absent: Jeanie Avery

Guests: Nessa Hansen, Wyatt Hansen, Cindy Irick, Jessica North, Kim Harris, Jeff Fullmer, John Crowder, Lorrie Lowe, Nadia Cedeno Mihalache, Jared Smith, Julie Hill, Susan Thomas, Sam Netuschil, Kris Lyon, Lora Gunter, Nancy Petrun

REGULAR AGENDA

- a) Call meeting to order-** Mayor Lyon calls meeting to order at 6pm.
- b) Roll Call** Roll call. Head -Here, Navarro -Here, Avery-Absent, Frandsen-Here
- c) Pledge of Allegiance**

REPORTING

- a) Sheriff** Deputy Fullmer reports.
- b) Ambulance Coordinator** Lorrie Lowe reports.
- c) Fire Chief** No report
- a) City Engineer – March Engineering Progress Report** Bryan Phinney reports.
- b) City Planner** No report
- c) Attorney** No report
- d) Chamber of Commerce** No report
- e) Event Coordinator** No report
- f) Code Compliance Officer – A summary Positon on the Parking Ordinance**
Matthew Henry reports
- g) Mayor** No report
- h) Council** Leah Navarro reports
- i) City Clerk / Treasurer** No report

DISCUSSION - items from the audience – Note: This time has been set aside to hear discussion from citizens. No decisions on any matter may be approved or denied on issues brought before the council under this agenda item. Issues needing consideration will have to be posted on the next agenda. Speakers are limited to 2 minutes. The meetings are recorded and in order for the recorder to pick up the audience question you must stand at the podium and speak clearly.

Jessica North addresses the council about the future plans for wagon rides from Lava Horseback Adventures.

Julie Hill addresses the council about the senate bill for short term rentals.

ROWDY LARKINS

a) Project Permit Application - KOA West Pizzeria - West KOA - two (2) retaining walls located within the landscaping at the KOA West Courtyard Landscaping Plan review Progress report Rowdy Larkins reports the framing inspections are the next step for the KOA Pizzeria.

b) Project Permit Application/Check list Submitted - Heidi Patha 355 W Main – Plan review Progress report Rowdy Larkins reports, fire suppression is the next step.

c) Greg Croft - Suites of Lava - 63 s 1st E - Progress report Rowdy Larkins reports, insulation inspection is complete. They are ready to start drywall. Letters have been sent out about the party wall between the properties being taken care of before a CO is issued.

d) Mark Oyler – Progress report – 9.24.2024 t/w mark retaining wall no c/o due to a large tree trunk difficulty remove it, they are going to cut it down to ground level, then install railing. Once down he will call the state for inspection. Rowdy Larkins reports, final inspection is all that is left to do.

e) Project Permit Scott Sherman – LAV2025-01 – 227 Main ST – Project permit paid Rowdy Larkins reports things didn't meet code so the project is on hold.

BRYAN PHINNEY

a) Agenda Request Form from Matthew Hill

- **Motion to approve change order #1 for the test well and authorize Mayor to sign – ACTION ITEM** Councilperson Navarro made a motion that we do a change order for \$3,360 to High Plains drilling for the extended drill depth. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye. Councilperson Navarro made a motion to authorize the mayor to sign change order #1. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye.

Motion to approve contractor pay application #1 and authorize Mayor to sign

– **ACTION ITEM** Councilperson Head made a motion that we approve the contractor's application for payment, number one for the test well drilling progress, \$78,859.50 and authorize the mayor to sign that payment. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

- **Test Well - end the test well or deepen the test well – ACTION ITEM**

Council President Frandsen made a motion that we go with option two, which is the drilling the 12 inch diameter well, an additional 100 feet for the production well and abandoning the test well. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

RODNEY BURCH

a) JUNTO Development Agreement Update - Motion to modify current agreement to address project schedule – ACTION ITEM

Councilperson Navarro made a motion to amend the development agreement for Junto section H, the developer desires to amend section eight of the previous agreement to define a new project schedule, thereby extending the development deadlines. Section I, The City desires to amend section two of the previous agreement to establish additional affordable housing criteria beyond the R2 zoning designation, and for the option of additional language, the developer agrees to incorporate owner occupied/ long term rental requirement into project CC&R documents with language restricting modification without city approval and the final platting in phases. The City agrees to allow final platting and construction improvements to be phased, as indicated in Section Eight above, first city ordinance 2006- two, section 8d prior to recording the final plat for each phase, developer agrees to complete all improvements or post a bond in the amount of 110% of the amount of work to be completed, and that the date of the agreement to start will be from the date of the start to eight months. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

b) Affordable Housing RFQ - Consultant Selection – ACTION ITEM Councilperson Navarro made a motion that the city council approve the recommendation to select LEAP as the preferred partner for phase one of the affordable housing efforts. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

c) Legislative Update - Short Term Rentals - Discussion regarding final legislative action on Short Term Rental regulations - Discussion

Special Event Permit Application

a) Sara Ries – Founder's Day Celebration – July 26, 2025 – Buddy Campbell Park - approve event and waive fee for park pavilion – ACTION ITEM Council President Frandsen made a motion to approve them same thing as last year and waive the pavilion Park fee. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

b) Megan Reno – Bunnyland - April 19, 2025 - Buddy Campbell Park- approve event and waive fee for park pavilion – ACTION ITEM Councilperson Navarro made a motion that we approve the special event permit for the bunny land and waive the pavilion fees. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

c) Cindy Irick – Spring Fling – Lava Elementary Gym – May 3, 2025 approve event – ACTION ITEM Councilperson Navarro made a motion to approve the special events permit for the spring fling with the change that Amantha and Mandy will take the forms up and the cards and visit with each vendor for the local option tax and that the form has been changed to reference it is not a nonprofit organization. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

Agenda Request

a) Matt Henry

Motion to approve or deny Request to accept payment for Non-property tax without submitting the City's official tax form documents for past taxes on short term rental for George and Lola Place – ACTION ITEM Councilperson Head made a motion that we work directly with the family, Vicky's going to address the family, have a conversation, let them know that we'll accept affidavit statement that will outline with the guidelines for that statement, and then if they can come to current with the estimates of past due delinquent amounts, and we'll be current to get their issued business license. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

Submission of draft for updated Noise Ordinance - DISCUSSION

Motion for Noise Ordinance draft put forward to City Attorney – ACTION ITEM Council President Frandsen made a motion to have Lyle take Matt's suggestions on the ordinance with the existing ordinance and come back to us with a draft ordinance at the next council meeting. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

Motion to approve taking deposits and contract on Animal Trap use– ACTION ITEM Council President Frandsen made a motion to accept taking deposits and a contract on animal trap use. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

b) Brett Call – Requesting to appeal the fines and obtain a business license – ACTION ITEM Tabled until next meeting

c) Justin & Tony – Motion to approve to approve purchase of camera's for city Park, Veterans Park & City Hall – ACTION ITEM Councilperson Navarro made a

motion to table Tony and Justin's request for the cameras and make sure that we put it on the line item budget for next year, also to check into grants. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

d) Mandy Frandsen

☐ **Motion to approve Non-Property Tax submitted at the lower rate on lodging for Gail Palen - ACTION ITEM**

☐ **Motion to approve Non-Property Tax submitted at the lower rate on lodging for Spa Motel - ACTION ITEM** Councilperson Head made a motion that regarding the increase in the L O T for January. Those businesses that did not receive notification of that increase or weren't aware of reservations that were made for January that we waive that amount of increase for them. Council President seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

e) Leah Navarro

☐ **Purchase 4x6 POW, IDAHO and AMERICAN FLAGS to replace old flags at Veterans Park before/during Motorcycle ceremony for Memorial Day- ACTION ITEM**

☐ **Amend Lava Ordinance/Code 3-1-14, BUSINESSES MUST COMPLY WITH CERTAIN ADDITIONAL CONDITIONS to include Mandatory Bloodborne Pathogen training as a city requirement to open, be employed, or participate in any special use permit/convention/meeting that includes any Body Art/Piercing activities. Special Use Permit requestor responsible for verifying requirements of attendees-ACTION ITEM** Councilperson Navarro made a motion that we amend Lava ordinance, code three, dash one, dash 14. Businesses must comply with certain additional condition, conditions and include the blood borne pathogen verbiage and also the definitions and with what certification requirements and the certification requirements for business license as outlined in the packet, with the addition of recertifying. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

☐ **Amend Ordinance/Code 3-1-2 Definitions to include Bloodborne Pathogen Training and Body Piercing-ACTION ITEM** Councilperson Navarro made a motion that that also gets done. 312, definitions include blood borne pathogen training, body piercing. Definitions. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

☐ **Discuss if above needs to also be in Chapter 4 Public Health and Safety Definitions 4-1-1 and 4-1-3 -ACTION ITEM** City attorney was asked to look into 4-1-1 and 4-1-3 to see if it needs to be amended for blood borne pathogens and training.

☐ **Review Lava Personnel/Compensation Policy and City adoption/compliance to FLSA ACTION ITEM** No action

☐ **Office Hours be changed to reflect employee hours worked– ACTION ITEM**
No action

OLD BUSINESS

a) Agenda Request Steven Hooper Tabled from March 13th Council Meeting – ACTION ITEM Councilperson Head made a motion to not waive the penalties and interest. Councilperson Navarro seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

b) Motion to publish Ordinance 2023-01 per motion made on March 13, 2025 – ACTION ITEM Councilperson Navarro made a motion that we pass ordinance 2023-01, and that that we waive the reading on the three separate occasions, and that this ordinance is passed and approved on the 10th day of April, 2025. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

c) Budget FY26 Calendar – DISCUSSION

NEW BUSINESS

a) Contract law enforcement for summer time months –ACTION ITEM

b) Budget FY26 Calendar - discussion

CONSENT AGENDA - All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion without separate discussion. If discussion is desired, 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 16580 – Business Type: Restaurant – Walk up window with delivery – Tillotson Pizzeria Holdings LLC, DBA Tilly's Pizzeria – Kody Tillotson - 89 North Center Street

Councilperson Navarro made a motion to table items b and c until inspection is completed. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

c) Non-Property Tax Permit Application and Permit 689.1 – Business Type: Restaurant – Walk up window with delivery – Tillotson Pizzeria Holdings LLC, DBA Tilly's Pizzeria – Kody Tillotson - 89 North Center Street

d) Sign Application Permit SP25-03 - Business Type: Restaurant – Walk up window with delivery – Tillotson Pizzeria Holdings LLC, DBA Tilly's Pizzeria – Kody Tillotson - 89 North Center Street Councilperson Navarro made a motion to approve the sign permit application. Council President Frandsen seconded the motion. Head - Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

e) New Business License Application and Business License 16586 – Business Type: Excavation – General Excavation – KT Excavation – Kris & Victor Lyon – Outside City Limits Councilperson Head made a motion to accept the business license application for Chris and Victor Lyon's KT excavation. . Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

f) New Business License Renewal Application and Business License 16853 – Business Type: Mobile Market – KPAC Enterprises LLC – DBA Lava Food Truck – Mobile Market, Food Trucks and Farmer's Market - Clinton Pagnotto – 38 E Elm Yard Council President Frandsen made a motion to approve based on his application. Yeah, that they'll get licensing and etc through the city, all food trucks come and get their own licenses. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

g) New Business License Application and Business License 16581 – Business Type: Retail Sales & Tarot Readings – Moon & Mage – Rachael Crawford – Riverside Inn 255 E Portneuf Councilperson Navarro made a motion that we approve, the moon and mage, under the G H and I. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

h) Non-Property Tax Permit Application and Permit 695 – Business Type: Retail Sales & Tarot Readings – Moon & Mage – Rachael Crawford – Riverside Inn 255 E Portneuf

i) Sign Application Permit SP25-04 - Business Type: Retail Sales & Tarot Readings – Moon & Mage – Rachael Crawford – Riverside Inn 255 E Portneuf

j) New Business License Application and Business License 16581 – Business Type: Retail Sales – sale and weld jewelry – Emily Martinez – 235 W. Elm Street – Councilperson Head made a motion based on our application and the description business operation, I'll go ahead and say that we accept. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

k) Non- Property Tax Permit Application and Permit 694 - Business Type: Retail Sales – sale and weld jewelry – Emily Martinez – 235 W. Elm Street Main Street

l) New Business License Application and Business License 16585 Type: Contract Roofing – Repair and Replacement of Residential and Commercial Roofing – Franklin Freelance, Inc. DBA Roof Rescue – Mark Franklin – Outside City Limits Councilperson Navarro made a motion that we approve, roof rescue for business license. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

m) New Business License Application and Business License 16584 – Business Type: Food Truck – Indian & Nepali Cuisine Foods – Roshan Kumar – 195 N Center Swimming Pool Lease approved by Tyson Koester leases will be issued and signed closer to opening date Councilperson Navarro made a motion that we approve the business license for the Himalayan flavor food truck. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

n) Non- Property Tax Permit Application and Permit 694 - Business Type: Business Type: Food Truck – Indian & Nepali Cuisine Foods – Roshan Kumar – 195 N Center Swimming Pool Lease approved by Tyson Koester leases will be issued and signed closer to opening date Councilperson Navarro made a motion that we approve the Non property tax permit. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

o) Expired Business License Application and Business License 16514 Type: Construction – Construction & Remodeling – Micheal Gunter Construction LLC – Micheal Gunter – 10255 E Old Oregon Trail #15 Councilperson Navarro made a motion that we approve the expired license of Michael Gunter construction LLC. . Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

p) New Business License Application and Business License 16582 – Business Type: Retail Sales & Dance classes – Basic Latino dance classes and sales of good, T-shirts, perfume coffee, premade drinks and snacks – Nadia Cedeno Mihalache – 280 S 6th W Councilperson Navarro made a motion to table. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

q) Non- Property Tax Permit Application and Permit 697 - Business Type: Retail Sales & Dance classes – Basic Latino dance classes and sales of good, T-shirts, perfume coffee, premade drinks and snacks – Nadia Cedeno Mihalache – 280 S 6th W Councilperson Navarro made a motion to table. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

r) Updated Business License Application and Business License 16562 Type: Service Provider updating Business License to include Yoga for beginners – Your Spiritual Advisor DBA My yoga Studio – Ellen Pulido – 222 E Main Street

Councilperson Navarro made a motion that we approve your my yoga studio in Midtown. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

s) New Business License Application and Business License 16587 – Business Type: Retail Sales Shaved Ice – Broken Barn LLC DBA Tropical Sno – Nessa Hansen – 150 N Center Senior Community Center Parking Lot

Councilperson Navarro made a motion that we approve the tropical snow. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

t) Non- Property Tax Permit Application and Permit 699 - Business Type: Retail Sales Shaved Ice – Broken Barn LLC DBA Tropical Sno – Nessa Hansen – 150 N Center Senior Community Center Parking Lot

Councilperson Navarro made a motion that we approve the tropical snow. Council President Frandsen seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

u) Expired Business License Application and Business License Type: Retail Sales - Retail Sales – Handcrafted soaps & Body Care Products – OZOTZ soaps LLC – Malaina Guzman - 202 E Main Street Shoshone Bannock Property

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

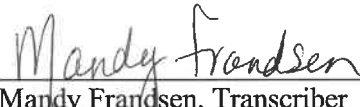
COMMUNITY INVOLVEMENT


a) Spring Cleanup/Dumpster day – Discussion – ACTION ITEM Council President Frandsen made a motion we do the spring cleanup day on the 16th, if possible. Councilperson Head seconded the motion. Head -Aye, Navarro -Aye, Avery-Absent, Frandsen-Aye

ITEMS TO BE REMOVED FROM CONSENT AGENDA REPORTING – ACTION

Announce next meeting May 8th, 2025 Deadline April 28th, 2025 Mayor Lyon announces the next meeting date

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


Mandy Frandsen, Transcriber


Vicky Lyon, Mayor


Amantha Sierra, City Clerk