

Minutes of the Special Meeting of the City Council of the City of Lava Hot Springs, Idaho held Monday, December 22, 2008 at 5:30 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present:

Marshall N. Burgin, Mayor  
Michael Vice, Councilman  
Newton J. Lowe, Councilman  
Katherine Smith, Council member

Canda L. Dimick, City Clerk

Guests: John Clark, Tammy Clark and Mark Lowe

Mayor Burgin called the meeting to order at 5:35 p.m.

- Minutes                    The word abirritated in the October 9, 2008 minutes under Greg William's duplex discussion was questioned. Definition read. No changes made. Motion was made by Councilman Vice and seconded by Councilman Lowe approving the August 20, 2008 Special Council Meeting, September 9, 2008 Regular Council Meeting and October 9, 2008 Regular Council Meeting minutes as transcribed. All voted aye. Unanimous.
- Bills  
(Computer)                Computer Warehouse's estimate for a computer for the maintenance department was discussed. The city should be able to get more memory for a comparable price. Memory will be needed for the City Transportation Plan maps. Council member Smith will research prices on the state's website after the holidays.
- (Acetylene Tanks)        Mayor Burgin recommended purchasing the acetylene tanks. Costs \$345.43 to purchase verses \$342 to rent. Motion was made by Councilman Vice and seconded by Councilman Lowe to purchase an acetylene tank rather than renting since prices are almost the same. All voted aye. Unanimous.
- (Billy's Drill Press  
Reimbursement)        Reimbursing Billy Thompson for his drill press motor which burnt up when they were mounting the frame onto the sander was considered. Repair cost \$90. Motion was made by Council member Smith and seconded by Councilman Lowe to reimburse Billy \$90. All voted aye. Unanimous.
- Aeration Replacement  
Contract/Notice of  
Award                    American Electric was low bidder and the reductions they offered will have to be handled as a change order. Motion was made by Councilman Vice and seconded by Councilman Lowe awarding the aeration replacement project bid to American Electric and authorizing the mayor to execute contract. All voted aye. Unanimous.

Wastewater Solar Relocation Project to Fire Station	Engineers estimate to relocate the project to the fire station is \$33,800. Engineers advised that the project needs to be relocated to City Hall or the Fire Station to get the best pay back return. Engineers were supposed to contact Rocky Mountain Power for relocation approval and additional funding assistance. The solar power area is 9 x 18 and could be mounted on a pole. The fire station receives more direct light. Motion was made by Councilman Vice and seconded by Council member Smith to relocate the project to the fire station if Rocky Mountain approves. All voted aye. Unanimous.
Wastewater Wetland Determination Report	Rocky Mountain Environmental's wetland determination report was reviewed. Rocky Mountain sent letter of findings to Army Corp of Engineers and J-U-B Engineers. The consultant noted two potential locations along the wastewater pipe line to the lagoons where wetlands may exist. Report provided information on applying for a permit to install a culvert to pipe the spring flow across the driveway to the river. Authority to pipe the flow was questioned. The flow is on private property and should be the responsibility of the owner. . The city is going to wait for J-U-B's advices. The consultants overall observation was that there are no wetlands.
Lion's Gate Manor Signs	John Clark presented plans proposing two off-premise sign permits for advertising purposes; one to be located on Shoshone Bannock tribal property and the other on Berti's vacant lot next to the city park. Lion's Gate Manor will bear all costs. Sign on the tribal property is a joint effort, advertising Lion's Gate Manor and the businesses and attractions available at the Fort Hall Indian Reservation. The sign on tribal property will be placed to avoid interference with existing signs, leave plenty open space for community opportunities with room for snow removal. Signs will not be installed until after February, 2009. Permission from property owners has been obtained. It was mentioned that the proposed stage was to be located on Berti's vacant lot also. Signs will not be lighted. Mr. Clark reported that the signs would not jeopardize the TODD's program because they are not visible from Highway 30. Size limitations were checked. Motion was made by Councilman Lowe and seconded by Councilman Vice accepting Lion's Gate Manor's application for a sign permit at both locations. All voted aye. Unanimous.
Vacation Rental/Zoning Ordinance Amendment	Authorizing the Lava Planning & Zoning Commission permission to proceed with a public hearing to amend the vacation rental/zoning ordinances to eliminate bed and breakfasts from the R-2 zone and place a moratorium on conditional use permits until amendment is in effect. Legal advice was considered and discussed. A moratorium would require the city to declare that an imminent peril exists to the

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- Vacation Rental/Zoning Ordinance Amendment public health safety or welfare of the community. It can not be effective longer than 182 days and requires a public hearing. Adopting an interim ordinance or resolution was questioned. The commission would like to schedule their public hearing on the amendments in January, 2009. The time frame involved for all options are comparable. Motion was made by Council member Smith and seconded by Councilman Vice to allow the Planning and Zoning Commission permission to proceed with their amendment to the ordinance without a moratorium. All voted aye. Unanimous.
- Healing Hands Massage Business License Motion was made by Council member Smith and seconded by Councilman Lowe approving Healing Hands Massage's business license. All voted aye. Unanimous.
- Winter Festival Banners Mark Lowe, Lava Chamber of Commerce representative, requested \$1,100 from the 1% tourism promotion development funds with the intent of purchasing double sided banners to be displayed on the existing arms extending from the lamp posts. The long range plan is to always have rotating seasonal banners displayed. The banners being proposed now will be used through the winter; January, February and probably March. Banners will not be dated. The Chamber is requesting the council approve the concept now and when the particular design and concrete costs are finalized the Chamber will report back and present specifics. The Chamber is not asking for the city to pay the whole cost, just a 50% share. Banners would be changed out three or four times a year. It was questioned if the city would be expected to install and remove them. The Chamber would appreciate it but the mechanics will have to be worked out. Mayor and council felt that the city crew could post them. Size was questioned and to be determined. Proposal was voted on at the last Chamber meeting with majority in favor. The winter set will be customized for Fire and Ice. Storage was questioned. The Chamber has discussed renting a storage unit for holiday decorations, stage, etc., to consolidated everything into one place. The Chamber has organized an advertising committee to lay out an annual plan. The 1% tourism tax generated \$19,000 in its first year. The total estimated cost for banners will be less than \$9,000. Not all of them will be customized. The Chamber will be back in the spring with another proposal. The prior 1% tax expenditures/commitments were reviewed. Motion was made by Councilman Vice and seconded by Council member Smith approving the Chamber's concept with funding support on half the cost. All voted aye. Unanimous.

Annual Appreciation  
Dinner

The annual pot luck appreciation dinner will be scheduled for either January 16<sup>th</sup>, 17<sup>th</sup>, 23<sup>rd</sup> or 24<sup>th</sup> at the Community Building. Fire fighters, planning and zoning commission members, tree committee members and comprehensive plan committee members will be invited. City Clerk will work with the Fire District to finalize plans.

Motion was made by Councilman Lowe and seconded by Council member Smith to adjourn. All voted aye. Unanimous. Meeting adjourned at 6:30 p.m.

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Canda L. Dimick, City Clerk

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Marshall N. Burgin, Mayor