

Minutes of the Regular Meeting of the City Council of the City of Lava Hot Springs, Idaho held, Thursday, February 12, 2009 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
Phillip E. Beeson, Councilman
Katherine Smith, Council member

Canda L. Dimick, City Clerk
R.B. Scott, Animal Control/Code
Enforcement

Guests: Christopher Bost, Willie Parris, Randy Benglan, Mark Patterson, Marylu Irick, Misty Irick, Nancy Turecek, Mark Lowe, Scott Pearhill, David Grosso, Alice Grosso, Paul Davids, Retha Davids, Irene Bergendorf, Mike Miller, Amy Pike, Cori Rife, Jesse Dunn, Julie Hill, Patty Kruse, Don Kruse, Roger Chermine - CHAT TV and Lt. Dan Argyle, Bannock County Sheriff's Department.

Mayor Burgin called the meeting to order at 5:30 p.m.

Agenda Amendment Motion was made by Council member Smith and seconded by Councilman Beeson amending the agenda to move the law enforcement monthly report to the first and added conditional use permit violation - R.B. Scott, Code Enforcement Officer in its place. All voted aye. Unanimous.

Law Enforcement
Monthly Report Lt. Dan Argyle, Bannock County Sheriff's Department, reported that following the meeting with the Bannock County Prosecutor that it was confirmed that they feel comfortable with allowing R.B. to serve citations because of his experience. Information on purchasing city citations forms was given to the city clerk. Plan is to use up the forms on hand first while others are ordered. Citations will help resolve the confusing matters at the county level. Lt. Argyle reported that he did check into how far back the department can look at citations and they can find them but it will require the department to go through every single citation by address to determine if it is in city limits or not then involve a lot of work at bonds in fines to pull each citation and determine if they were reimbursed or not, what the disposition was or dismissed. Bonds and fines only keep hard copies for a year, but computer information is kept longer but not as detailed. Mayor asked Lt. Argyle to talk with the Sheriff Nielsen and Mark Hiedeman, Prosecuting Attorney to see how they feel about a fair reimbursement. City Council will discuss it more also. The department needs sixteen citation books. Officers have been directed to scratch out Bannock County on the citations and write in Lava for now. Monthly report was not available for review. Lt. Argyle explained that he has

Law Enforcement
Monthly Report cont.

reformatted the report form to eliminate personal information for privacy reasons and that January's reports should be delivered to the city soon. Lt. Argyle addressed intent to open communications and invited city officials to call him if the city has any problems, even daily if needed.

Minutes

City Clerk reported that she still is trying to get caught up from surgery and that there are two more sets of meeting minutes to transcribe. Motion was made by Councilman Beeson and seconded by Councilman Lowe approving the November 13, 2008 Regular Council Meeting minutes. All voted aye. Unanimous. Motion was made by Councilman Lowe and seconded by Councilman Vice approving the November 25, 2008 Special Council Meeting minutes as written. All voted aye. Unanimous. Motion was made by Councilman Beeson and seconded by Councilman Lowe approving the December 18, 2008 Special Council Meeting minutes as stated. All voted aye. Unanimous.

Bills

I.A.S. EnviroChem's \$12. bill for a water test was added to the bills to be paid. Western States Equipment's \$361. bill for backhoe vehicle maintenance was questioned. Travel and labor are not covered under warranty only parts. Service call was to check a noise in the front end and the mechanic determined nothing was wrong. Bill to replace the Chuckwagon's sidewalk was questioned and explained that the city removed the concrete to repair a water leak. R-Co has agreed to credit the city \$3,200 for the sewer blower and bill \$300 for a rebuild kit. Trade off was acceptable. Motion was made by Councilman Beeson and seconded by Councilman Lowe accepting the bills as stated. All voted aye. Unanimous.

Garbage/Public
Restrooms

Mayor Burgin explained that the purpose of the agenda item is to talk with the business owners renting tubes about their garbage and public restroom facilities. Patterson' supply a portable toilet facility at Four Falls and Lava River Rat. They provide changing rooms and garbage cans at all three locations. Their employees pick up garbage along the river every Monday morning during the season and they keep the Chuckwagon Restaurant restrooms open for public use. City Council has discussed requiring each business to have a city garbage container and portable restroom facility at each location or for all tubing rental businesses to cooperatively fund several portable restrooms at one location. The plan is to treat the seasonal tubing business like every other licensed business that is paying for city services and provide more garbage containers and public restrooms in the community by involving the tubing industry to pick up their share. Effort is to work out a cooperative solution. Patterson's pay for water service at one location. Portneuf Rapid Tube Rental is

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Garbage/Public
Restrooms Cont.

going to provide a portable restroom facility on site this year. TPD River Run provides restroom and changing area if guests ask. They have a city garbage can, water service and provide first aide. City Clerk informed council that Ava Dean Drew owner of the Rivers Edge Campground contacted her today explaining that she would not be able to attend. Rivers Edge Campground provides public restrooms and garbage cans for their customers so they feel that they are complying with council's interests. Benefit of posting cautionary informational signs explaining the dangers of floating the river at each business was mentioned. A lot of tubers are losing valuable personal items. Some have provided informational signs on site and advise guests to use life jackets. Posting the river "enter at your own risk" was suggested. People ignore the information. Insurance companies are not allowing businesses to rent tubes to anyone under the age of eighteen unless they have a parent or guardian sign. Businesses are providing safe floating tips when guests register. Tourists are also using their own tubes. Discussion followed regarding ways to keep the tubers off Main Street and direct them to walk up Alley 1st North or the pedestrian path along the North side of the river. Lava Foundation prefers them to use the pedestrian path also. The city has a sign post available at the alley entrance. Tubing businesses were asked to come up with a sign to post directing tubers to use the alley. People are complaining about getting bumped into and the tubes scrapping their vehicles. The tubes have gotten bigger. Mark Lowe reported that it is the intent of the Lava Chamber to create a map that is posted on the internet with river access information, dos, don'ts and dangers. An honest efforts has been made addressing litter issues since the email was received last year from a guest expressing disgust about the condition of the river. Lava Pride is organizing volunteers to pick up litter after major holidays and possibly on a weekly or monthly basis. Similar efforts have been organized but do not last. Council's interests are to cooperative work things out to every ones benefit. Tubing businesses seem to be on top of the issue. Everyone was thanked for their input.

Recycling

Nancy Turecek, Lava Pride representative, invited the tubing businesses owners leaving to stay and thanked mayor and council for supporting the McCammon Transfer Station recycling project. Lava Pride is asking the tube rental businesses to consider voluntarily providing one recycling container for aluminum cans at each stand. The opportunity would help resolve the litter situation and portray a positive "Lava Cares" statement. Each business would be obligated to transport their cans to the transfer station in McCammon or participate in a can pooling program where stands would take turns

Recycling cont.

transporting cans. The community is supporting the recycling boxes at the Post Office. Cans could be labeled with the participating businesses name for advertising benefits. Interested businesses were advised to contact Amy Pike to obtain information on the cost of containers and grant opportunities. Establishing a central area to deliver cans to for transport would be beneficial and up to the participating businesses to organize. Comments were made that more of the litter is plastic then aluminum because most beverages are sold in plastic containers. The aluminum cans are probably beer cans that shouldn't be promoted with a recycling project because of the open container law. The reason plastic wasn't suggested is because they are bulky and have to be transported to Pocatello. McCammon Transfer Station is not accepting plastics at this time.

Main Street Litter

Nancy Turecek explained that Lava Pride would like to spear head a project that "Cigarette Butts Are Litter No Buts About It". Cigarettes are strewn along the street and receptacles are not being maintained. Lava Pride is asking for responsibility. Nancy presented a sack of cigarette butts that she picked up off of Main Street and out of receptacles the Friday before Fire and Ice. She also questioned the collection responsibilities of the Main Street trash containers. The Monday before Fire and Ice one was overflowing and there was a broken glass bottle on the sidewalk. Both neighboring business owners felt that it was the city job to empty the can. The city's policy is to empty the containers every Friday and Monday and butts will be mechanically swept up when weather permits. Maintaining the receptacles is the responsibility of the business owner who owns them. Mike Miller mentioned that the garbage can Nancy was taking about had not been emptied for three straight weeks. Mayor Burgin will talk with staff to make sure that the can in front of the Wagon Wheel/Chuckwagon is not overlooked. David Grosso stated that Lava Pride would like to put more garbage cans and cigarette receptacles out. The city's responsibilities to furnish and maintain more containers was questionable. Everyone needs to work on the problem.

WIFI Project

Scott Pearhill, Lava Chamber President, proposed plans to provide free wireless internet to the downtown area from the Thai Restaurant to the first sharp corner on Maughan Road west of city limits. The purpose of providing free wireless internet service is for economics and communication benefits. Tourists and permanent residents can access internet information more easily. Visitors accessing the internet by cell phone or lap top in the downtown area will first see the Chamber of Commerce's page. The page will provide information on tubing, public restroom facilities, EMT emergency services along with available lodging which will double or triple the

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WIFI Project number of page views. Nampa, Idaho recently completed a project for \$18,000. The Chamber is requesting the city consider allocating \$2,700 to the project from the 1% tourism promotion/development tax for the initial installation. The Lava Chamber of Commerce will pay for the on going costs, monthly service charge and any other charge that comes up in relation to the project. The service will be installed and maintained by Jesse Dunn, a local resident. Motion was made by Council member Smith and seconded by Councilman Vice approving the WIFI project. All voted aye. Unanimous.

Ordinance 2009-1 Ordinance 2009-1 amending Ordinance 1983-2 and 2006-5 eliminating bed and breakfast establishments and boarding and rooming houses in the Residential R-2 zone, increasing penalties for violations, repealing ordinances in conflict, waiving the three separate reading and establishing an effective date was introduced. Motion was made by Councilman Beeson and seconded by Council member Smith waiving the three separate readings of Ordinance 2009-1. All voted aye. Unanimous. Ordinance 2009-1 was read in full.

ORDINANCE NO. 2009-1

AN ORDINANCE OF THE CITY OF LAVA HOT SPRINGS, IDAHO, AMENDING ORDINANCE NO. 1983-2 AS AMENDED BY ORDINANCE NO. 2006-5, THE ZONING ORDINANCE OF THE CITY, TO ELIMINATE BED AND BREAKFAST ESTABLISHMENTS AND BOARDING AND ROOMING HOUSES IN THE RESIDENTIAL R-2 ZONE OF THE CITY; INCREASING THE PENALTY FOR VIOLATION OF THE ZONING ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; WAIVING THE RULE REQUIRING THE READING OF THIS ORDINANCE ON THREE SEPARATE OCCASIONS; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, AS FOLLOWS:

Section 1: Chapter 3, Section 3B of Ordinance 1983-2 as amended by Section 2, Ordinance No. 2006-5 is hereby amended to read as follows:

CHAPTER 3

GENERAL PROVISIONS
SECTION E: Regulations

B. Bed and Breakfast - Permitted use in the C-1 and C-2 Commercial and R-3 Residential zones ~~and a conditional use in a R-2 residential zone~~, the following restrictions and requirements shall apply:

Section 2: Chapter 4, Section 2g of Ordinance No. 1983-2, as amended by Section 4, Ordinance 2006-5, is hereby repealed.

Section 3: Chapter 4, Section 2e of Ordinance No. 1983-2 is hereby amended to read as follows:

CHAPTER 4
USE DISTRICTS

2. Conditional Uses Permitted:

e. ~~Boarding and rooming house~~, homes for ambulatory, aged, rest home, elderly housing and hospital.

Section 4: Chapter 6, Section 4-2 of Ordinance No. 1983-2 is hereby amended to read as follows:

SECTION 4: Violation and Penalty:

2. Upon conviction of any violation of any of the provisions of this Ordinance, such person shall be punished by a fine of not more than ~~one hundred (100)~~ one thousand (1,000) dollars, or by ~~imprisonment~~ confinement in the county jail ~~for not more than thirty (30) days up to six (6) months~~, or both such fine and ~~imprisonment~~ confinement.

Section 5: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6: The rule requiring that this ordinance be read on three separate occasions is hereby waived.

Section 7: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

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PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAVA HOT SPRINGS, IDAHO, this 12th day of February, 2009.

IDAHO

CITY OF LAVA HOT SPRINGS,

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Marshall M. Burgin, Mayor

ATTEST:

Canda Dimick, City Clerk

Ordinance 2009-1	Motion was made by Councilman Lowe and seconded by Council member Smith adopting Ordinance 2009-1. Roll call vote taken. Lowe-Aye, Vice-Aye, Smith-Aye and Beeson-Aye. Motion carried.
Business License(s) & Non-Property Tax Permits (AAA Advanced Pest Control, LLC; ABC Seamless Siding; Caribou Chuckwagon; Four Falls; Gator Tubes; Lava River Rat; Gate City Real Est; Hall Excavation; Lava Sprgs Apts; Loren Losee; Lott Builders; Louie's Electric and Reid's Plumbing & Heating)	List of licenses and permits to be considered was read. Loren Losee's application didn't describe business operations and was questioned. Loren is installing the roll up garage door at the fire station. Motion was made by Councilman Vice and seconded by Councilman Lowe approving business licenses and non-property tax permits A through N. A) AAA Advanced Pest Control, Electrical; LLC/Montelle Pike, Owner (Renewal); B) ABC Seamless Siding/Linda Quinn, Owner/Applicant; C) Caribou Electrical/Todd Froehlich, Owner/Applicant; D) Chuckwagon/Dennis Buzzell, Owner (Renewal); E) Country Store/Four Falls/Julie Patterson, Hot Owner (Renewal); F) Country Store/Gator Tubes/Julie Patterson, Owner (Renewal); G) Country Store/Lava River Rat/Julie Patterson, Owner (Renewal); H) Gate City Real Estate, Gordon Wilks, Owner/Applicant; I) Hall Excavation, Inc/Mike Hall, Owner (Renewal); J) Lava Hot Springs Apartments/Julie Hill, Owner (Renewal); K) Loren Losee, Owner/Applicant; L) Lott

Business Licenses/ Nonproperty Tax Permit cont.	Builders/Glass, M) Louie’s Electric, Inc. (Renewal) and N) Reid’s Plumbing & Heating, Inc./Brent Martinsen, Owner/Applicant. All vote aye. Unanimous.
Building/Zoning Permits (89 So. 4 th West)	Motion was made by Councilman Beeson and seconded by Councilman Lowe accepting the building/zoning permit to install a cement floor in basement at 89 So. 4 th West - Lou Danese, Owner/Lott Builders, Contractor. All voted aye. Unanimous.
(311 West Fife Bed & Breakfast - Milan Zabka)	Occupancy discrepancy was noted. Mr. Zabka was granted a six person occupancy limit under his bed and breakfast conditional use permit and his building/zoning permit application states fourteen. Discussion followed. Planning & Zoning recommended and the city council granted the occupancy limit of six because the house is only a three bedroom home; seven totaling the onsite owner/manager. The building inspector’s letter regarding the fourteen occupancy limit was considered. The building official inspects the home to make sure that it meets fire code, (access, window sizes, etc.) not occupancy limits. It was questioned if Ordinance 2009-1 restricts Mr. Zabka from operating his bed and breakfast and clarified that his conditional use permit was granted prior to adopting the ordinance and that it would not be effected. The new ordinance prohibits any new bed and breakfasts in the R-2 zone when it becomes effective. Motion was made by Council member Smith and seconded by Councilman Beeson denying the permit to increase the occupancy to fourteen. All voted aye. Unanimous.
(Residential Addition - 311 West Fife Street)	Milan Zabka’s plans to construct and finish a bedroom addition on the existing concrete foundation attached to the Northwest corner of his home at 311 West Fife Street were reviewed. Sketch was hard to determine exact plans. Sketch also showed an accessory structure located on the vacant lots to the West of the home that Mr. Zabka recently purchased. The accessory structure does not require a building permit because it is under two hundred square feet. Mr. Zabka has been notified in writing that he needs to combine the parcels into one before building the accessory structure. It was noted that Mr. Zabka’s home encroaches into side yard set backs. It behooves the city to deny the permit at this time. Motion was made by Councilman Lowe and seconded by Councilman Beeson denying Mr. Milan Zabka’s residential addition. All voted aye. Unanimous.
(Lava Foundation Maintenance Shop)	Plans were reviewed and discussion entertained. Motion was made by Councilman Beeson and seconded by Councilman Vice accepting the site layout and grading plan for the State Foundation maintenance garage. All voted aye. Unanimous.

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- Variance & Conditional Use Permit Fees City is absorbing a lot of costs on variance and conditional use permits. The \$10 fee is not covering administrative and legal fees. Written report compiling the costs absorbed over the last year was reviewed. City Clerk was asked to contact other cities to see what they are charging and schedule the matter on next months agenda for discussion.
- Conditional Use Permit Violation R.B. Scott, Code Enforcement Officer, reported that on November 25, 2008 Milan Zabka was issued a conditional use permit for a bed and breakfast and under the permit there were conditions he had to follow. Because of the conditions, R.B. feels that Milan has to rent the resident as a bed and breakfast not as a thirty day vacation rental. On January 2, 2009, R.B. checked the residence and two vehicles from the state of Utah were there. He contacted Milan and questioned the situation. Milan stated that he was renting under on a thirty day contract. R.B. informed Milan that he had established his bed and breakfast permit and that he was no longer allowed to rent the resident out on a thirty day contract. Milan informed him that it was his constitutional right to do so. R.B. informed Milan that until everything was in order that he could not operate his bed and breakfast. R.B. has continued to monitor as advised. On February 7, 2009 R.B. found three vehicles on site from the state of Utah. R.B. went to the door and made contract with a male subject. Milan nor Katherine were on site. The male subject claimed that they were renting the home under a thirty day contract. R.B. feels Milan is violating his conditional use permit. Revoking the permit as provided in the conditional use permit was discussed. R.B. tried to contact the city attorney for a ruling but he was not available. Vacation rentals are not a permitted use in a residential zone. Because of the vacation rental definition, Milan believes that he can rent his home as a vacation rental if he rents it for thirty days or more. Enforcement measures were considered. A letter has been received from Milan stating that he isn't going to open his bed and breakfast until July because of contracts that he is obligated to honor. Milan has informed R.B. that guests rent under a thirty day contract, stay for three, four, five days and then he voids the contract and enters into a contract with another renter. Mr. Zabka's letter asked council to grant him time to get his bed and breakfast in order but he still wants to rent the home out on a thirty day basis. R.B. reported last weekend he had talked with Katherine DeMott and she informed him that the house was rented under a thirty day contract and that she had the contract. R.B. asked her to provide him a copy and no copy has been received to date. Council felt Milan should have disclosed the status of his contracts when he applied for the

(Condition Use Permit Violation cont.)	<p>conditional use permit. The thirty day vacation rental contracts are violating the ordinance all along. Appeal process was questioned. If the conditional use permit and license is revoked, Milan will not be able to apply for a new permit because of the ordinance amendment. Expectations are that he will continue to rent his home. All the city asks is that Milan complies with the ordinance. The city has been trying to work out the situation with Milan for the last year and a half. Motion was made by Councilman Lowe and clarified to send certified notice to Mr. Zabka for violating the conditional use permit and inform him that his license and permit are revoked. Motion was seconded by Councilman Vice. All voted aye. Unanimous.</p>
Anna Hooper's Non-Commercial Kennel License	<p>Application was reviewed. R.B. Scott, Animal Control Officer reported that she has three small house dogs and he has never had any problems with them. Motion was made by Councilman Beeson and seconded by Councilman Lowe accepting Anna Hooper's application for a non-commercial kennel license. All voted aye. Unanimous.</p>
Project Safe Place	<p>Consensus was to continue participation and possibly send staff to training.</p>
FEMA Flood Hazard Determination Compliance	<p>Notice has been received that FEMA recently re-evaluated the existing flood hazards in Lava Hot Springs. The new Flood Insurance Study and FRIM will become effective July 7, 2009. The city is required to update its flood plain ordinance prior to July 7, 2009 as a condition of continued eligibility in the program.</p>
Meetings/Announce.	<p>Councilman Vice presented a copy of James Ruthci's weekly (AIC Legislative Bulletin) briefing along with the most recent AIC Legislative Bulletin. Councilman Vice noted that he is also staying in contact Ken Andrus and will stay on top of things.</p>
(Comprehensive Plan)	<p>Councilman Vice presented a flow chart showing that the committee is at the point of creating a vision from the communities input. Things are a little behind schedule but moving along.</p>
(Horizons)	<p>Councilman Vice reiterated that Lava is among fifteen Idaho participating communities and provided status update. The study circle phase has been completed. Lava is in Leadership Plenty training now which will end early April, 2009.</p>
(Community Clean Up)	<p>June 19 & 20, 2009 and October 9 & 10, 2009 are scheduled for Lava's community clean up days. Bannock County will be providing free roll-off bins west of the Lava Elementary School. No</p>

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- (Community Clean up cont.) commercial dumping will be allowed. Manning the bins were discussed. The city can't afford to pay any comp time. City will man the bins on Friday. Bins serve county residents as well as city. Relocating bins to County property along Blazer Highway if complaints are received was mentioned. County should help police.
- (Miscellaneous - Land Use/Development Training) A combined pot luck training session was scheduled for February 19, 2009 at 6 p.m. Lava City Hall for Lava Planning & Zoning Commission members and City Council. City will provide meat and cheese tray.
- Projects (Street Light Relocation for Slide) Work order for the relocation of the street light at Highway 30 and North Center for the slide project has been called in. All costs involved will be passed on to Lava Foundation. Plans are to see how the slide is installed. There may be a possibility to reinstall the wire underneath the slide. If not the power company will have to install an underground service line. The line will be taken down when construction starts. The light will be out during construction.
- (Street & Wastewater Stimulus Projects) Forsgren Associates has submitted a number of project funding requests for the city. Letters will be sent to congressional delegates as advised. Amy Pike commented that she had seen information on the city's street projects on the internet, stimuluswatch.org/projects. She questioned why the city hadn't proposed projects in other areas such as wastewater improvements. Mayor Burgin explained that the city is working with a different engineer on the wastewater project. The city's wastewater project isn't listed on the US Conference of Mayor's list but the city has been working with local agencies to make sure the project is considered. Wastewater funds are going to pass down through the State's Revolving Loan Program and Lava is sitting at the top of that list. The city submitted a request for a federal appropriation for the sewer project and another application for additional 2010 funds was submitted today. Engineers submitted projects for everything listed in the city's transportation plan. The sidewalk project is eligible for the Safe School Program but is a low priority at this time. The city is more interested in repairing surfaces. Amy mentioned that residents aren't going to be able to afford the proposed wastewater rate increase.
- (Wastewater Improvement Project) DEQ has notified the city that they have completed the Environmental Information Document review and the project meets state and federal criteria for issuance of a Finding of No Significant Impact. The environmental completion should wrap up the feasibility study. Feelings are that the project is over designed

- (WW Improvement Project cont.) which will be negotiated with the engineers after the inflow/infiltration study is completed.
- (Aerator Project) Mayor has signed the notice to proceed and change order #1 for a \$2,050 savings. Contractor has ordered the motor control center which will be shipped within six weeks. Last sewer test results were within allowable limits.
- (Inflow/Infiltration Study) Contract revisions were reviewed. Section 4 was not stricken as recommended by the attorney but revised so that the city is not obligation to obtain permission to reproduce project documents. Section 5 was revised changing the termination notice time from thirty to ten days with no consultation. The reimbursement for completed service clause was also added. Task 5 was revised addressing the city's obligation to negotiate the flow meter rental with the vendor to avoid mark up costs. A clause was included in the engineering compensation provision addressing need to obtain prior approval for any additional work not included in the Scope of Work and covered payment provisions. Motion was made by Councilman Vice and seconded by Councilman Lowe authorizing the mayor to sign the agreement for engineering services for the infiltration/inflow study. All voted aye. Unanimous.
- (Miscellaneous - Church Farm) Mayor Burgin reported that he had talked with Frank Todd, an individual in the L.D.S. Church Land and Real Estate Office in Salt Lake City, about Lava's interest in the church farm for a wastewater land application site. The Church is more interested in selling the ground than leasing. The city is interested in keeping the option open.
- (Miscellaneous - Law Enforcement) Guests were made aware that the city found an issue with the law enforcement contract. The city hasn't been receiving 90% of the magistrate fines as provided by Idaho Code and has faithfully paid fees for prosecuting services. City officials have met with the prosecuting attorney and county sheriff about the issue and there seems to be some confusion because the citations are written on Bannock County's. It has been determined for Lava to purchase city citations for deputies to use. The prosecutor and sheriff is also going to work on trying to get a reimbursement for the funds the city was entitled to.
- (Miscellaneous - Law Enforcement) Mike Miller questioned patrol hours and why there are sometimes three officers patrolling on a Monday night. City contracts for 8 ½ hours a day. The department has the discretion to set their own hours. Officers are actually patrolling more hours then contracted.

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(Miscellaneous - Law
Enforcement cont.)

City Hall has been set up for officers to complete reports, etc. Mike expressed that it would be nice for officers to introduce themselves to business owners. Lt. Argyle will be informed. City officials were able to negotiate a discount with the prosecutor for 2008 services. Bill was reduced to \$3,000.

(City Hall Hours)

City Clerk proposed closing City Hall at 2 p.m. as posted to give staff some time each day to work on things that need to be caught up without interruptions. Doors and phones will not be answered. Council was supportive and there were no objections.

Discussion

There was no discussion.

Motion was made by Councilman Lowe and seconded by Councilman Beeson to adjourn. All voted aye. Unanimous. Meeting adjourned at 7:45 p.m.

Canda L. Dimick, City Clerk

Marshall N. Burgin, Mayor