

Minutes of a Special Meeting/Work Session of the City Council of the City of Lava Hot Springs, Idaho held, Thursday, January 5, 2012 at 6:00 p.m., Lava City Hall, 115 West Elm Street, Lava Hot Springs, Idaho.

Present: Marshall Burgin, Mayor
Phil Beeson, Councilperson
Newt Lowe, Councilperson
Cathy Sher, Councilperson

Canda Dimick, City Clerk

Mayor Burgin called the meeting to order at 6 p.m.

Review and approve Kilroy Construction, LLC pay application #12.

The mayor explained that the bills to be considered were Kilroy Construction's pay application #12 for \$97,350.67 and Keller Associates bill for November, 2011 Wastewater Improvement Project Phase II engineering services for \$5,527.50.

A motion was made by Councilperson Sher approving Kilroy's \$97,350.67 and Keller's \$5,527.50 bills for payment. The motion was seconded by Councilperson Lowe. All voted aye.

Approve Lucian Danese's building permit for a change of use, residential to vacation rental – 89 South 4th West.

Mayor Burgin reported that he had visited the site and that the developed off-street parking is sufficient and that the sign posted needed to be changed to meet ordinance requirements. It was decided to address the sign issue as a condition under the business license approval. A motion was made by Councilperson Sher approving the building permit application by Lucian Danese. The motion was seconded by Councilperson Beeson. All voted aye, unanimous.

Approve business license application for Rock Ridge, Lucian Danese, Owner/Applicant

Councilperson Beeson reported that the state requires that each DBA (doing business as) must possess its own business sales tax ID number. He suggested that the city require each business owner to get their own sales tax ID number and provide those currently operating to do the same. The city clerk is going to confirm the requirement with a State Tax Commission auditor.

A motion was made by Councilperson Beeson approving the business license application for Rock Ridge as written with the requirement that the owner of the business obtain a state sales tax ID# and also to inform the owner of what they must do to comply with the ordinance for signage. The motion was seconded by Councilperson Sher. All voted aye, unanimous.

Consider and discuss reader board for Riverside Inn.

Councilperson Sher reported that she visited the site and considering the brightness and flashing; she feels it would be intrusive and an imposition to neighboring businesses. Councilperson Sher reported that she talked with Gail Palen, owner of the Riverside Inn.

Gail was defensive at first, but understands. Councilperson Sher feels that to keep the historical esthetics, the city needs to be careful on what they permit. The ordinance does not allow, “flashing, blinking or moving” signs. Councilperson Sher feels that the sign was flashing and is distracting.

A motion was made by Councilperson Sher to deny the reader board sign because the ordinance prohibits flashing signs. The motion was seconded by Councilperson Lowe. All voted aye, unanimous.

Councilperson Lowe commented that the ordinance pretty much covers it.

Main Street Banners

The city clerk reported that some larger vehicles are hitting the lower Main Street banner bracket. The city crew had tried cutting off part of the lower bracket post. They feel that the wind will cause the banners to wear if the brackets are cut off. The city clerk reported that the crew suggested that the brackets be turned 180 degrees which will put them over the sidewalk. The council agreed to turn the banner brackets as suggested.

10 minute recess

Work session with Lava Planning & Zoning Commission @ 6:30 p.m., Lava City Hall to discuss proposed RV Occupancy Ordinance.

Present: Marshall Burgin, Mayor

Phil Beeson, Councilperson

Newt Lowe, Councilperson

Cathy Sher, Councilperson

Fred Hinz, Commission member

George Linford, Commission member

Dave Sanders, Commission member

Curtis Waisath, Commission member

Canda Dimick, City Clerk

Trish Avery, Assistant City Clerk

The mayor opened the discussion on the RV Occupancy Ordinance. He explained that the council would like to see a 5 day limit and P & Z prefers 10 days with an option giving the council the authority to extend the permit once. The city attorney recommends not to grant the council extension authority. Dave and George both feel that 5 days is too restrictive for family visits. The one permit per year restriction was questioned and discussed. It was explained that the single permit would be easier to track and enforce.

Councilperson Beeson commented that he hates to see the town be opened as a campground and the fact that residents in the commercial zone are not permitted or allowed the same privilege. He stated that there are campgrounds within walking distance of any place in town. The campgrounds collect the city’s local option tax.

Councilperson Sher feels that the family guests visiting residents are contributing to the town through supporting the restaurants, pools, shops, etc.

Councilperson Beeson feels that the proposed ordinance should not be adopted.

The city clerk reported that at the present time the ordinance does not list RV occupancy as a permitted use. If staff is asked about the use the inquirer is told that it is not a permitted use. If there are any complaints, the city will have to address the problem. She can see that there can be some enforcement issues. It was suggested that the staff keep track of what issues there are and then possibly relook at it in the future.

A motion was made by Councilperson Beeson to abandon the ordinance as presented and to monitor the situation to see if this issue needs to be addressed at another time in the future. The motion was seconded by Councilperson Sher. All voted aye, unanimous.

The mayor and council thanked the P&Z Commission for all their work.

Adjournment

A motion was made by Councilperson Lowe to adjourn. The motion was seconded by Councilperson Sher. All voted aye, unanimous. The meeting adjourned at 7:07 p.m.

Trish Avery, Transcriber

Marshall N. Burgin, Mayor

Canda L. Dimick, City Clerk (proof read)

Approved January 12, 2012