

WELCOME

To a Regular Meeting of the
City of Athol City Council

Held in the Council Room at City Hall 30355 N. 3rd Street

The purpose of the Agenda is to assist the Council and interested citizens in the conduct of the public meeting. Careful review of the Agenda is encouraged. Testimony from the public will be solicited for any item or issue listed under the category of Public Hearings.

The Mayor called meeting to order at: 7:00 P.M.

OCTOBER 7, 2014

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL Visitors please sign in, on the back counter.

- a. Mayor Kuhman Here
- b. Councilwoman Zichko Here
- c. Councilman Miller Here
- d. Councilman Spencer Here
- e. Councilman McDaniel Here
- f. City Attorney Here

C. AMENDMENTS TO THE AGENDA: None

D. APPROVAL OF LAST MONTH MEETING MINUTES:

Motion by Spencer, seconded by Miller that we approve last month's meeting minutes. *DISCUSSION

Roll Call: Zichko yes Miller yes Spencer yes McDaniel yes Motion passed.

E. APPROVAL OF BILLS AS SUBMITTED: Motion by McDaniel, seconded by Zichko that we approve paying September's bills as submitted. *DISCUSSION

Roll Call: Zichko yes Miller yes w/ except* Spencer yes McDaniel yes

*Miller accepts with one exception- the kitchen equipment purchase from Knead n Dough Bakery for \$1,610.00. The mayor also stressed her disapproval of the same purchase. **Motion passed.**

F. ANNOUNCEMENTS:

1. City Council

- a. Zichko brought up upcoming training in CDA on 10/29/14, all council and mayor please let the city clerk know if you're planning on attending; the sooner the better. She will get you registered. Mayor Kuhman, Council members Zichko and McDaniel confirmed then; and Miller and Spencer to notify clerk as soon as they look at their schedules.
- b. Zichko also wanted to make a statement regarding an email she received dated 9/25/14 from the mayor regarding the treasurer position. Mary said, "I never was the

NOTE: The City will make reasonable accommodations for anyone attending this meeting who require special assistance for hearing, physical or other impairments. Please contact the City Clerk at (208) 683-2101 at least 24 hours in advance of the meeting date and time.

treasurer and never said I was, and I only signs checks when the mayor is not there.” She says she only signed checks; during the recent circumstances, until a new city clerk was hired.

2. Mayor

- a. **Sit Down with the Mayor** October 15th, 2014 at 7pm- Mayor stated hoping many citizen will stop in give some input on thoughts and ideas for the city.
- b. **Office coo-coo clock history**- does anyone know who or where it came from? The office is no longer using this item, but would like any information or history on it before getting rid of it.
- c. **Printer Purchase/Lease**-Mayor looking to purchase new office printer, city clerk provided some options, a LaserJet from Staples and an option from H & H for a more industrial or commercial machine (Ricoh Aficio Mpc 5501-used excellent condition). Clerk stressed her opinion for the machine from H & H. A citizen also had input also as to thinking the machine being discussed was a good price for the quality of the machine. Council advised to purchase and see how much a maintenance contract will be in addition. Mayor also said we are keeping the old printer and will continue to use until it no longer works. Zichko motion to make a motion to Mc Daniel second.

G. TREASURY REPORT: City Clerk, Lori stated that going forward there will be quarterly reports for both the council and the mayor; and that these reports will also be posted in the CDA Press. This is required and allows for more transparency to our citizens. **(Presented at Jan, April, July, & Oct council meetings)**. And monthly she will provide a list of the bills and payroll, as for today’s meeting she reported that for the month of September there was \$20,610.72 written in checks and \$18,043.56 in September deposits made. The bank balance as of the last statement on 9/15/14 was \$23,373.71.

H. WATER Usage: September, 2014 - **3,569,700 gallons**; City Clerk-Lori as submitted by Public Works Director. Lori also mentioned that going forward she hopes to also report the approximate total amount collected in each month as well as the total outstanding balances. She also brought forward a list she is seeking a decision from council on regarding those citizen who are missing receipts or proof of payment for their water bills. Council advised to continue to gather names for two months, then they will make one decision at the December 2014 meeting; rather than continuing to do it monthly.

A statement from the city clerk, Lori- regarding this month’s city water bills:
“You might have seen a larger balance due on your water bill this month, this is due to two things. First, since the city did not print or send out April or May water bills-then resumed sending them in June, July, August and now Sept- it went unnoticed that the actual billing for April and May had also not been charged. So that was done. Second, we found that unfortunately while the former city clerk was taking and depositing your payments for the months of April and May; she had not given anyone credit in our water system. We were asking for citizen to continue to make their water payments in April and May though bills were not sent out, and many of you did, we do not have any record of it.”

We are asking for you to review your records and bring in any receipt, copy of check, statement or check register even and we will review your account history to be sure credit is given- thank you

for your patience during this challenging time. – I hope going forward your bills will be accurate and this does not happen again.

I. PUBLIC COMMENTS: (Each speaker will be allowed a maximum of 3 minutes to address the City Council on matters that relate to City government business. Please be advised that the City Council can only take official action this evening for those items listed on the agenda.)

1) **Dan Homes**- brought up concerns with the name change of Hwy 95, which is now bypassed, being changed to Blair Castle Rd. He stated and give a business card of a Kootenai County planning Department that he spoke with who gave a suggestion as to what he can do to try to get the name changed. The mayor asked what name he would like and he as well as several other land/business owners whom will be affected stated they like, “95 Business” road or loop. There was some discussion with the council and mayor then the city clerk was asked by the mayor to make contact with Kootenai County Planning department and find out more information on how and what the process is to make this change. The council and mayor was more than open to helping accommodate this name change.

2) **Steve Cutairar**- wanted to know if the city’s grader is broke as he stated he never seen it last year. There was a brief discussion, Public works director was not present at meeting, so Councilman McDaniel commented, saying he’s seen and believes it is fully running and operational.

3) **Mark Dane**- wanted to know why there’s was so much questioning on Tamie’s pay; that we should all be appreciative of the job she stepped in to do and help the city out in a time of need.

4) **Gerald Fasold**- Brought up a concern on a 4 way intersection and wants to know why there is only one stop sign at 2nd & McTavish. After a brief discussion, the mayor said she would have the Public Works Director look into, but it was noted that there are a number of intersections in the city that are similar.

5) **Quirkey Hughes**- wanted to know if Hill Street gets plowed or maintained by city, Councilman McDaniel answered, “yes”, a pass with the grader only because of the ease, not as actually scheduled.

J. OTHER BUSINESS (Formerly New/Old Business):

1. ORDINANCE NO. 400 Approval of 2014-15 Budget

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, APPROPRIATING THE SUM OF \$ 520,425.00 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF ATHOL FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY, DIRECTING THE CITY CLERK TO FILE CERTIFIED COPIES OF THIS ORDINANCE WITH THE COUNTY COMMISSIONERS AND IDAHO SECRETARY OF STATE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Athol, Kootenai County, Idaho:

Motion by Spencer, seconded by Zichko that we approve by reading the title only, moving to dispense with the rule requiring ordinances to be read on three separate days and once in full, and that the ordinance be read once by title, hence waiving the 3 meeting rule.

There was a motion made that passed for the 2014-15 Budget, at last month’s September 2, 2014 city council meeting; however it was not actually approved as an ordinance. ***DISCUSSION**

Roll Call: Zichko yea Miller yea Spencer yea McDaniel yea

Motion by Spencer , seconded by Zichko that we approve Ordinance No. 400- the 2014-15 Budget, pursuant to last month's September 2, 2014 city council meeting.

***DISCUSSION**

Roll Call: Zichko yea Miller yea Spencer yea McDaniel yea

OTHER BUSINESS CONTINUED:

2. **City Clerk**, Lori Yarbrough – Excited to be here, creating standard operation procedures or SOP's, and is hoping to get everything up-to-date and in order in the office.
3. **Kitchen Items Purchased-** Was discussed under the approval of bills section.
4. **Forensic Audit Update/ICRIMP-** Mayor informed council that Anastasia and Moore trying to get forensic audit done, they are still waiting on the sheriff's dept., with hopes to have something finished by the end of October one way or another. She also mentioned the ICRMP letter received 9/22/14 stating, "that because timely audits may not have been performed for the fiscal years the embezzlement occurred; we must respectfully reserve our rights to decline insurance coverage for this claim." After a discussion, the City Attorney advised might be best to hire another attorney that is more familiar with insurance claims and pursue that avenue. The Mayor is looking into some possibilities. Mayor also urged the council to refrain from making additional phone calls to various other entities, doing so makes it harder for those entities to know who to talk with, and may slow down or confuse the process.
5. **Grandmother's Club-** City Clerk had questions regarding the lack of signed agreement. Council again accepts the conditions of the previously drawn up but never signed dated sometime before, acknowledging that not all conditions of the proposal were accepted. City Clerk will get that re-typed out and signed with the Grandmothers club so that both parties will have something official in writing and on file. This was ok with council and will be reviewed annually.
6. **Real Life Ministries-** City Clerk had questions regarding the new rental agreement/contract. Since this group has been helping the city in various events and plans on helping for future events, we are asking that a discount be given to Real Life Ministries. Currently, two rooms for two hours each for every Monday night would cost \$300 a month, we are purposing instead for the cost to be a flat \$200 a month. This was ok with council and will be reviewed annually.
7. **Lady A's & AA Saturdays-** City Clerk had questions regarding no Rental Agreement/Contract for either of the local AA groups. Council agrees to continue to accept donations as they are able, waiving the room fees for the 2 groups meetings (Thursday mornings and Saturday nights) City Clerk will have both parties sign the rental agreement so that there is an official records of such agreement. This will be reviewed annually.
8. **Employee Medical/Dental/Vision Status-** City Clerk gathering quotes and will present at next council meeting.
9. **Tanya Ziegler** – Clerk brought up concern over the previously agreed upon contract with Tanya for her bookkeeping services was never actually signed. Mayor and council would like to discuss this further in Executive session.

K. PUBLIC HEARING: NONE

L. SITE DISTURBANCES:

Randy Krieg- applied last month, but did not attend the city council meeting. An exception was made to seek approval in writing from all council, in lieu of the fact that the city form did not spell out the correct or full procedures when turning in a site disturbance form. Further, the city clerk is in the process of revising and updating the form. **Motion by McDaniel, seconded by Zichko** to accept the written approvals by council to approve Randy Krieg's site disturbance application.

***DISCUSSION Roll Call: Zichko yes Miller yes Spencer yes McDaniel yes**

Mike & Peggy Cutler- applied 10/2/14 for approval to build a 3 sided out building at 30440 N 1st St. **Motion by McDaniel, seconded by Miller** to accept the written approvals by council to approve Mike & Peggy Cutler's site disturbance application. ***DISCUSSION**

Roll Call: Zichko yes Miller yes Spencer yes McDaniel yes

Todd Hughes- applied 10/6/14 for approval to put 2 mobile homes on his lots 3 at 5700 E Hill Ave. **No Motion made** to approve, by council, to approve Todd Hugh's site disturbance application.

***DISCUSSION** -Lead to item being tabled until such time that additional research is done regarding the road access to these lots. Councilman McDaniel stated sewer and water are not an issue, the road access is what is not there, it's an alley not a street, and that he believed that the former owner, had the same issue. **No Action Taken: ITEM TABLED**

(Mayor asked for a small recess at 9:06pm, and was back in order at 9:11pm)

M. EXECUTIVE SESSION: Motion by Zichko, seconded by McDaniel to enter in Executive Session as provided by Idaho Code 67-2345 § (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, unless a vacancy in an elective office is being filled; (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. ***DISCUSSION**

Roll Call: Zichko yea Miller yea Spencer yea McDaniel yea

Time begins: 9:17pm Time ends: 10:02pm

END EXECUTIVE SESSION: Motion by Zichko, seconded by Spencer to end executive session and go back in the regular meeting. **All in favor/opposed; motion passed.**

O. Motion by Spencer, seconded by Zichko that we keep Tanya Ziegler's service as, is for 2 additional months (so through end of November 2014) then as needed after that.

***DISCUSSION Roll Call: Zichko yea Miller yea Spencer yea McDaniel yea**

P. ADJOURNMENT: Motion by McDaniel, seconded by Spencer that there being no other business this meeting be adjourned at 10:05pm. **All in favor/opposed; motion passed.**