

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

**and Special Meeting, Tuesday, August 16, 2016
6:00pm- Public Hearing, and 7:00pm Regular Council Meeting**

Mayor Wachter called meeting to order at: 7:31 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Mayor Wachter; Councilwoman Zichko; Councilman McDaniel; Councilman Spencer; Councilman Hill; City Clerk/Treasurer Lori Yarbrough; Public Works- Stephen Williams; City Attorney- J. Cafferty all present. Not present Planner- Rand Wichman;

PUBLIC HEARING to consider any and all comments on Case NO. OA16-01, a request by HJ Grathol to amend the Athol City Code. The request is to amend Title 8, Chapter8, Sections 8-8B-2 and 8-8B-4 to amend the permitted primary uses and the special (conditional) uses in the Commercial zone.

1st Speaker- Denny Davis of CDA, spoke on behalf of HJ Grathol. Only 2 areas in which there is a disagreement in the written staff report by the city planner. The Electronic instruments and technology businesses and the placement of mini storage uses in conditional verses just as an approved commercial use.

2nd Speaker- John Cafferty, Athol City Attorney (Planner Rand Wichman-submitted written report) Really just trying to find the balance between control by the city verses predictability by the applicant. If it is listed under conditional uses then the city may approve on a case by case basis, rather than just completely allowed.

Public Comment: For: 2 received at the meeting, nothing written in comments. Speaking was Denny Davis and then Alan Johnson of Hayden, spoke regarding his feelings of the placement of the mini storage usage in the conditional use section verses just defining it in the commercial section- would really only add more layers to the process for them or others to jump through. He no longer had a disagreement with the electronic instruments and technology businesses. Neutral: 0 received, 1 unmarked speaking (Deborah Rose) Concern about hazardous waste possibly being stored in the storage units and who's going to monitor, she prefers the mini storages to be under the conditional uses sections, so that it is case by case rather than general; she's worried about the aquifer. Opposed: 0 received, with none speaking. Rebuttal by Denny Davis- nothing at this time.

A Motion was made by Zichko, seconded by McDaniel to close the Public Hearing. Roll Call: Councilman Spencer - yes Councilman Hill - yes, Councilman McDaniel – yes, and Councilwoman Zichko - yes. **Motion Passed.**

The Mayor Closed the Public Hearing at 7:11pm

A Motion was made by Zichko, seconded by Hill to accept the proposed code text amendments, exhibit C, with the changes of putting back in the mini storage use under approved commercial rather than in

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.

the conditional uses, as well as to include the language that mini storages are allowed only on parcels not less than 3.5 acres provided outside storage must be within a sight obscuring fence or other enclosure. Roll Call: Councilman Spencer - no Councilman Hill - yes, Councilman McDaniel – no, and Councilwoman Zichko -yes. **Votes are tied, Mayor votes- yes. Motion Passed.**

A Motion was made by Zichko, seconded by Hill to place proposed ordinance #406 Permitted Primary Uses of Title 8, Chapter 8, Section 8-8B-2 on its first and only reading by title only while under suspension of the rules. Roll Call: Councilman Spencer - yes Councilman Hill - yes, Councilman McDaniel – yes, and Councilwoman Zichko -yes. **Motion Passed.**

A Motion was made by Zichko, seconded by Hill to pass and authorize the Mayor to sign ordinance #406 Permitted Primary Uses of Title 8, Chapter 8, Section 8-8B-2 and publish by summary only. Roll Call: Councilman Spencer - yes Councilman Hill - yes, Councilman McDaniel – yes, and Councilwoman Zichko -yes. **Motion Passed.**

A Motion was made by Hill, seconded by Zichko to place proposed ordinance #407 Off Street Parking of Title 8, Chapter 12, Section 8-12-4 on its first and only reading by title only while under suspension of the rules. Roll Call: Councilman Spencer - yes Councilman Hill - yes, Councilman McDaniel – yes, and Councilwoman Zichko -yes. **Motion Passed.**

A Motion was made by Hill, seconded by Zichko to pass and authorize the Mayor to sign ordinance #407 Off Street Parking of Title 8, Chapter 12, Section 8-12-4 and publish by summary only. Roll Call: Councilman Spencer - yes Councilman Hill - yes, Councilman McDaniel – yes, and Councilwoman Zichko - yes. **Motion Passed.**

-----BREAK at 7:05pm- Resumed regular council meeting at 7:31pm-----

APPROVAL OF LAST MONTH (July 19th) MEETING MINUTES:

Motion by Zichko, seconded by McDaniel that we approve the July/last month’s meeting minutes as submitted. ***DISCUSSION All in favor- Motion PASSED.**

APPROVAL OF BILLS AS SUBMITTED: Motion by Spencer, seconded by McDaniel that we approve paying July/August’s bills as submitted again with the exception of Railroad Management. ***DISCUSSION- All in favor- Motion PASSED.**

TREASURY REPORT- Lori submitted report and read aloud recapping the ending balances; STCU checking \$54,081.54; STCU saving/mm \$90,294.40; and the LGIP balance: \$442,454.89.

WATER REPORT- Lori submitted and read; June usage was: 7,237,200 gallons; **July usage was: 5,906,300 gallons.** We billed for \$7,970.64 and collected \$6,574.00. Approx.5 accounts letters were sent out, with an additional 20+ accounts that are now over 60 days past due for this month.

There was previously a discussion regarding bringing back and charging the late fee or penalty; clerk found that due to wording we will have to wait until we have conducted a public hearing in October for the fee schedule to include it then. Also presented in the report was a listing of the new rates that will be increased as of the October (new fiscal year) billing, as council made a motion to increase water rates. (Since the increases are less than the 5%, no public hearing is required; however, the Mayor will be sure it is mentioned in the September newsletter. Motion by McDaniel “to approve the proposed increases on the city water rates for all categories effect October 1st, 2016. Rates listed below, increases are in \$0.50 increments, and are less than 5%, and therefore a public hearing is not required.” Second by Zichko. Roll Call Vote:

*DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.

PUBLIC HEARING: Cancelled and rescheduled for Tuesday Sept 6th, 2016 at 7:00pm. (Council decided to take the Forgone amounts in Property Taxes, which meant we needed to repost to identify and include those funds.)

OTHER BUSINESS:

1. **Decisions on Site Disturbance Applications – 3 new applications:** Bertsch, Schwartz, & McCorkle
 - a. **Motion by Zichko** “to approve Bertsch on Hwy 54 to construct a concrete wall as requested, and recommended for council approval by the planner as it meets all city code requirements.” Second by McDaniel. *DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.
 - b. **Motion by Spencer** “to approve Schwartz on 6th Street building a new 8 x 4 ft chicken coop, as recommended by the planner and it meets the city code requirements.” Second by Hill. *DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.
 - c. **Motion by McDaniel** “to approve McCorkels on Colin Drive to build a new 30x40 shop, provided that a 10ft set-back be met on both (south and east sides) Also note- an additional site disturbance is required for any additional actions that fall within the parameters of site disturbances- this would also include drafting an agreement of a temporary living quarters on the site, while they are building a new home.” Second by Hill. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.
2. **Planner Report, Rand Wichman** –Rand not present, written report submitted and read by Mayor Wachter.
3. **Approval for Engineer for Annexation Contract-** Rand not present, contract submitted w/ JUB **Motion by Spencer**, 2nd by McDaniel to authorize the Mayor to sign the Engineer contract for the upcoming annexation applications, though we are still waiting to hear back from Ellery at JUB. *DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.
4. **Sylvia Kelly**, Discussion of possible Annexation – Mrs. Kelly has purchased a lot on 1st street just south of Jean Hills property, the first just outside of the city limits. She’s wanting a general idea from council as to if she could apply for annexation as she is most interested in using city water. It was explained to her where the city water lines currently run and how she would be the one responsible to extend city water lines both to and through her property. She was encouraged to discuss some rough costs with an engineer so she could get a better picture of some real costs and figures and compare those to the cost of getting a well. Council could not tell her definitively if she would be annexed in because it is a process and there must be public hearings and through that process other things might come up that they hadn’t thought of beside the water issue. She was told it is her choice if or when she wants to turn in an application for annexation, and the city would be willing to discuss and review her application if she submitted one.
5. **Approval of Contract to Update City Codes** -An agreement w/ Rand & John for cost and time needed to amend various city codes to allow for better operations and enforcement. **Motion by Zichko**, second by Spencer to Authorize the Mayor to sign the contract with Rand & John for update the city codes previously discussed. *DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed.
6. **Community Review (Oct. 4th, 5th, & 6th)** - Mayor Wachter/Lori, we have begun the weekly Thursday morning conference calls at 9:30am. So far a rough timeline for the review is Oct 4th Tuesday- Home Team Listening session, city tour, town hall meeting ay 7pm; then the 5th will be an

all-day event, and the 6th will be another final town hall meeting at 7pm. It will be in the city newsletter as well as the website. Please encourage citizens to participate as much as they can.

7. **Athol Daze- Saturday August 13, 2016** – Update from Lori/Mayor; parade had approximately 16 entries, we had 5 food vendors and about 30 other vendors. It appeared to have lots of children around, but overall fewer people this year compared to last year. The live auction went great, raffle so-so. Next year we'll need to be sure not to have the 4H quarter games closes down that early, and a final total of income and expenses Lori hopes to have for you at the next month's regular council meeting. Thank you to everyone who helped out and attended.
8. **AIC Conference in Idaho Falls-** Lori/Mayor Lori would like to attend this year's fall AIC (ICCTFOA) conference Sept 20-23rd in Idaho Falls. Because her son is still so small she will have to bring both him and a sitter. She has applied for a scholarship, but has not heard back yet from AIC. Council had a brief discussion and then made a motion: Motion by Spencer, second by Hill to allow Lori to attend and set- her budget to not exceed \$2500, for the conference in September in Boise.
*DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill –yes; Councilman McDaniel –yes; and Councilwoman Zichko -yes. Motion Passed
9. **Review & Approval to authorize Mayor's signature on ORD/RES 2016-03 for FY2017 Budget Appropriation** – tabled until Sept 6th, 2016.

PUBLIC COMMENTS

Jim Whallon (Athol, ID) – Concerns over his fence, with the approval on the McCorkle property/site disturbance, he says the South-end of building Amy will be continuously backing into their fence.

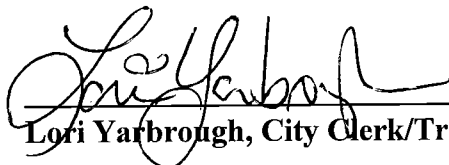
Connie Stone (Athol, ID) – felt/commented that she thinks the babysitter for Lori's baby should be paid for by the city.


ANNOUNCEMENTS

Staff – Lori- None. Stephen – None. Council/Mayor- None.

ADJOURNMENT at 9:05pm

ATTEST:


Lori Yarbrough, City Clerk/Treasurer


Bob Wachter, Mayor

Approved at Council on 9/20/16