

## Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

### MINUTES

May 17, 2016

Mayor Wachter called meeting to order at: 7:01 P.M.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

Present: Mayor Wachter; Councilman Spencer; Councilwoman Zichko; Councilman McDaniel; Councilman Hill & City Clerk/Treasurer Lori Yarbrough, PT Office, Laurie Fondahn-Baker, City Attorney J. Cafferty; Public Works-Stephen Williams and Planner, Rand Wichman

#### APPROVAL OF LAST MONTH (March 15th) MEETING MINUTES:

Motion by McDaniel, seconded by Spencer that we approve the March 15<sup>th</sup> meeting minutes submitted.

\*DISCUSSION All in favor- **Motion passed.**

#### APPROVAL OF LAST MONTH (April 19<sup>th</sup> 7:00pm) MEETING MINUTES:

Motion by Zichko, seconded by Spencer that we approve last month's special 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 April/May's bills as submitted again with the exception of Railroad Management. \*DISCUSSION- All in favor- **Motion passed.** Mayor will be trying to meet some contact at an event this week and hopes we might be able to discuss the contract with the current representative; he will keep council posted as he knows more. Attorney also added the RR are generally more concerned with the public relations rather than the financial benefits, so he believes this is a good route and we should look into it further.

**TREASURY REPORT-** Lori submitted report; STCU checking \$23,513.65; STCU saving/mm \$125,181.44; and the LGIP balance: \$429,172.38.

**WATER REPORT-** Lori submitted; March usage was: 2,252,900 gallons; **April usage was: 2,328,600 gallons.** We billed for \$5,940.00 and collected \$5,331.70. Approx. 10 accounts are over 60 days past due for this month. This month Stephen did begin reading meters, 1<sup>st</sup> time off winter estimate. Contact the city of you have any questions regarding your billing.

#### OTHER BUSINESS:

1. **Howard Lunderstadt with the USDA Rural Development Office** – Gave a brief introduction of himself and the services and resources that the UDSA can potential assist the city with. They help with rural development, community facilities like city halls, libraries, new or refurbished and in the waste and water arena. He also briefly mentioned other programs such as subsidized housing loans and rural renting housing. He states he can be a good “resource”, and if they can't fund a project they can help the city to find someone who does or can. So once we have a CFP, consider making contact

*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.*

with them to help us move forward, as they will work closely with our engineer to help with the funding or to secure funding pieces with future/planning projects. Their services do not cost the cities anything, low interest bonds voted on by my citizens. Briefly- he then introduced Stephanie with the Panhandle Area Council (PAC) who also wanted to add that PAC is a non-profit and can also help with things like an Urban Renewal Agency and a number of other resources. Helps to also secure funding for economic development, and CDBG's.

2. **Planner Report, Rand Wichman** –Rand reported briefly on the following: 1) lots of preparation/staff reports on the upcoming public hearing for 6/2/16; notices all mailed out. 2) other city business was he had yet to have the opportunity to get out and review some of the properties previously identified for code enforcement; but plans on doing so before the end of the month. 3) looking at which amendments need to be made to the city code to best get us on track with where the council wants to be 4) prioritizing his time to balance all the things going is why he's asking for a review of his contract, to be discussed further in this meeting 5) has meet with Hughes investment again- they had some concerns with areas of city code such as the parking requirements/standards, thinking they might be excessive and double what the county requires. They also said they have been working with Lakes Hwy and ITD and are negotiating access for Robert's road. Lastly, he said you might see the clearing of the property as Hughes has plans to begin with some minor site preparation- as they are already allowed to do so. Councilman Spencer did ask again if its known yet who the grocery store anchor might be and Rand said he wasn't at liberty to say at this time yet. Finally, Rand added that its looking like they are leaning towards the possible connection to the city's water system- which he feels will be good for the city, those discussions will continue. Them helping with any improvements to the city's water system is good for the city.
3. **Decision on Site Disturbance Applications – 4 new applications:** Bloom on Lorraine; McDonough on Lorraine; Hester on Grove; and Fast on N Old Hwy 95.
  - a. **Motion by McDaniel** “to approve Mr. Blooms application for deck project, as it complies with the requirements of the city code.” Second by Spencer. **Roll Call Vote:**  
\*DISCUSSION- Planner recommends approval, this is an after the fact application- transition period. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**
  - b. **Motion by Spencer** “to approve McDonough application for his shed, as it complies with structure permits under the code as required.” Second by McDaniel. **Roll Call Vote:**  
\*DISCUSSION- Planner recommends approval, this is an after the fact application- transition period. Also a side conversation- the planner said he feels it may necessary to amend the city code to not need permits for this type of thing. The attorney also suggested you don't ignore your current city code, but rather you go thru the steps to change those requirements. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**
  - c. **Motion by McDaniel** “to approve Mr. Hester's application to place a new trailer on the property on Grove street, and appears to have addressed and in compliance with the city code requirements.” Second by Spencer. **Roll Call Vote: \*DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**
  - d. **Motion by Zichko** “to approve as recommended by the planner, the 5-part application for Gary Fast at the White Pine Property and to further identify that Title 8, chapter 10 of the city code does not apply, not required, which is related to the mobile manufacturing and modular structures.” Second by Spencer. **Roll Call Vote: \*DISCUSSION-** There was a lengthy discussion going over each of the 5-part request. 1) request to fence in behind the restaurant, Planner Rand says the request states its less than 8ft and it appears to be in compliance with the city, so he would recommend council approval. 2) a trench for the water/electric and gas

to the very back area of the property, again Rand felt it was good and in compliance, he would recommend council approving. 3) Dig holes for the pit privy- which is for service for the campground- 4) footing for the restroom/shower building, and 5) KEC gas and electric lines. With the remainder of the items Rand says is up to how council wants to interpret the term campground, first mentioning to council that it is not listed as a use in the city code. RV park is, but RV park is similar to mobile home park- so how closely does RV park/ Mobile home park/ and campground all fit together- sort of a push. He ultimately encourages council since this has been an on-going work in progress and that was started back in 2012, and that there appears the have PHD current approval (an in current order with PHD) and a past approval from former city council that it might be best if council does allow for the 17 space campground as identified back in 2012. These are RV's with no sewer hook-ups but rather that's the reason for the pit privy's. Mr. Fast spoke briefly adding that the RV/campground, and the store/shower building was all part of his plan just taking longer than he thought to get it all complete. He also confirmed that there is no dumping for any sewers. The city attorney, John Cafferty, then added his recommendation on conditional uses and stated he feels council has 2 paths here: 1) try and make the unlisted uses fit under conditional uses; which he does not recommend, or 2) approve it as a prior-approved conditional use and that this is just a continuation of what was previously approved. He also cautions council that even here only what's been previously approved and that any new changes must then comply with the current city code. Only what been identified is grandfathered in, other issue may still come up such as parking. Planner Rand also mentioned the lack of past applications and forms being completely filled out stating the time frames in which completion is required. This current application and request will be subject to the time line identified on the form, be sure to keep that in mind. An overall list of what council has approved will be documented. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**

**4. Discussion of Amendments to City Code** – Rand began identifying the past several months' time frame since he's been with the city; the issues and topics of site disturbances, sub-divisions, annexations and a number of other areas like parking are all now clearly in need of being reviewed. This is something that both the planner and the city attorney need to work on but feel it is outside of the current contract scope of work. John added that the current city code is not bad, it just hasn't been updated in probably 10 years, but state law especially in land use changes has changed nearly every year. They suggest land use, zoning, annexation, comp plan are important enough areas that a bandage just won't cover them. Rand says there's been a lot of deferred maintenance. This is a time commitment but very recommended that the city gets done. Rand said he believes back in 2006 when the city hired Kathy Marcus was the last time an amendments or updates were done. They both identified is more cost effective for the city to re-peal current ordinances than just passing new ones. Many other local cities do this 3-4 times a year to stay current and keep costs down. There should also be consideration of the costs to update the city comp plan also. **The Mayor and council were overall in agreeance that in order to be effect and move forward this is something that just needs to get done; they asked for Rand and John to come up with a cost estimate and a scope of what will be covered for a decision.** *(10 Minute Bathroom break)*

**5. Approval for Joint Services Agreement/Contract update with Kootenai County Sheriff's Office for police protection in the city.** – The Attorney identified the new updated version of a contract with them, for no charge; it was formerly \$100 annually. We will also be sure they monitor and document any revenues to be tracked back to the city by the district court. **Motion by McDaniel** “to approve a new law enforcement contract with the Kootenai County Sherriff department for services and authorizing the Mayor to sign the contract.” Second by Spencer. Roll Call Vote:

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

6. **Approval of a Request for Qualifications (RFQ)** – Update by Stephen regarding the 6 total applications received. Today was the closing period for applications, a list of them will be made available in the city website, if anyone wants to review. (Those include: Morrison Maierle out of Helena, MT.; Keller Assoc. out of Clarkston, WA.; Mountains Waterworks out of CDA, ID.; Welch-Comer out of CDA, ID.; JUB Engineers out of CDA, ID.; and Manion Engineering out of Missoula, MT.) Terri Ottens with QBS has arranged for Keith Watts from the City of Meridian to fly up Wednesday 6/1/16 to help with the conducting of interviews. The goal is to have a recommendation for the council at the regular June council meeting.
7. **Athol Beautification Week-** Lori gave an update to how the event went, also read from an email written by Linnie who helped to organize the volunteer groups for the event. “Bill Hill was a rock star, we had 45-50 volunteers help approximately 23-25 homes in the city. The biggest request was clean-up or burn and removal of tree limbs and brush. A number of very appreciative of the event.” A suggestion/comment from a few volunteers is that hopefully next year there will be more local citizens/individuals who might want to help out and volunteer. Some of the primary groups that help or were involved were members of the Church of God, Athol Baptist, Real Life ministries, Careywood Eager Beavers 4-H, American Legion Juniors, Richard Cole Automotive and the Grandmothers Club. Lori added we will meet on 5/24/16 for the Athol Daze meeting but will discuss things we can work on for next year’s event, since its primarily the same volunteers helping out.
8. **Athol Daze- Saturday August 13, 2016** - Next Planning meeting is set for Wednesday May 24<sup>th</sup> at 3pm. Updates to discuss: electrical bid w/ Kootenai Electric, parade info- ITD application going good and the banner information regarding Kootenai Electric and ITD. Lori shared 3 options for banners ranging from one big one being draped across the road at Little Town Market, smaller one on the electric poles maybe 4 of them through town, or maybe just a pennant pole type thing similar to the Saddle Up flags alongside the road. **Motion by Zichko** “to approve exceed the \$500 minimum purchase limit for staff, not to exceed a \$1500.00 limit for the Banner for Athol Daze.” Second by Spencer. Roll Call Vote: \*DISCUSSION- Lori also shared another party was interested in having a 2nd beer garden, and the Little Miss Athol is still being considered, more to come. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**
9. **Approval for Kootenai Electric power upgrades in the park-** Stephen shared with council his costs involved to do the upgrades in the park. A 400-amp series, 1 meter. **Motion by Spencer** “to approve the Kootenai Electric power in the park bid not to exceed \$6,000 limit for costs including extra supplies.” Second by Zichko. **Roll Call Vote: \*DISCUSSION- Roll Call: Councilman Spencer -yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**
10. **Request to Update the Planner Contract – Mayor Wachter** **Motion by Spencer** “to approve and authorize the Mayor to sign an updated contract for professional services with Rand Wichman, as City Planner, with provisional changes suggested by the city attorney; this will also include the last 3 comp plan map amendment application he’s been working on.” Second by Zichko. Roll Call Vote: \*DISCUSSION- Attorney also recommended he provide proof of insurance of professional liability insurance, as well as indemnification & add language regarding the title 6 of non-discrimination clause, because it is part of the Hwy funds requirements. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes and Councilwoman Zichko - yes. Motion Passed.**
11. **Approval for Sprinklers in the Baseball & BB fields – Stephen** **Motion by Spencer** “to approve purchasing the sprinkler equipment/supplies needed from HD Fowler/for the city baseball and park areas, not to exceed \$5500.00; also to include a signed document for anyone who works on the

project, even if its 5 minutes.” Second by Zichko. Roll Call Vote: \*DISCUSSION- The Athol Baptist will do the work all as volunteers. The clerk was asked to contact IRCRMP to see if there is a form they can all sign to ensure coverage/liability if anyone gets hurt. Stephen did mention there might be a few other misc. expense involved late for example the back-flow \$300 and others but won’t know until we excavate the ground. **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion Passed.**

**12. Approval for an Amendment to the Employee Policy – (Mayor Wachter) Motion by Spencer “to again table any amendments to the employee policy until job descriptions can be complete.” 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 COMMENTS** – Stephanie from Panhandle Area Council (PAC)- has business cards if anyone wants one.

**ANNOUNCEMENTS** Staff- Lori /Stephen – None; City Council– None & Mayor Wachter- wanted to say thank you to Cheri for the yummy snacks on behalf of the Floating Patio down in Bayview.

**ADJOURNMENT at 10:00pm**

**ATTEST:**

---

**Bob Wachter, Mayor**

---

**Lori Yarbrough, City Clerk/Treasurer**

Approved at Council on