

Regular City of Athol City Council Meeting
Held in the Council Room in City Hall

MINUTES

April 19, 2016

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

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

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

Motion by Zichko, seconded by McDaniel that we table last month's meeting minutes, as they were not ready for approval. *DISCUSSION All in favor- **Motion passed.**

APPROVAL OF LAST MONTH (March 29th 4:45pm) SPECIAL MEETING MINUTES:

Motion by McDaniel, seconded by Zichko that we approve last month's special meeting minutes, with no amendments. *DISCUSSION All in favor- **Motion passed.** Mayor Wachter said this meeting to discuss a letter written on behalf of the city; conduct our 1st budget workshop, and to discuss what to write in for the application to the Idaho Rural Partnership for the possible selection of a Community Review in September 2016.

APPROVAL OF BILLS AS SUBMITTED: Motion by Zichko, seconded by McDaniel that we approve paying April/May's bills as submitted with the exception of Railroad Management. *DISCUSSION-All in favor- **Motion passed.** Clerk will to look further into the bill, it's not due until July as well as get a copy of the contract on file for the office and we find out more information on it.

TREASURY REPORT- Lori submitted report; STCU checking \$31,238.59; STCU saving/mm \$125,145.54; and the LGIP balance: \$409,720.69. The 2nd Qtr. YTD Financial Stmt was also submitted for review. This will be posted in the CDA Press, on the city website and available in the office.

WATER REPORT- Lori submitted; February usage was: 2,202,300 gallons; **March usage was: 2,252,900 gallons.** We billed for \$5080.00 and took in \$5,478.00. Approx. 7 accounts are over 60 days past due for this month- Clerk mentioned this month Stephen will begin reading meters. 71 of the 305 about 23% have been returned so far, hopefully citizens will continue to mailed them in. Watch for overages on your bills, some people may see a higher bill, if there are leaks. The bills now have two line items to breakdown the billing, one line for the base rate and the other for overage, any questions call the office and we can explain it. Contact the city of you have any questions regarding your billing.

CITY NEWSLETTER – Lori did not submit, a draft copy as it was not done yet. Planned topics were update of surveys received, Athol Daze, Public Hearing in June for the Comprehensive Plan Map

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.

Amendment Applications, Library program information, Update from Mayor regarding meetings and trainings for this past month. Water bill information, lead in the water testing and tidbit on what to do with the old city hall building in the park.

OTHER BUSINESS:

1. **Community Library Network** – John Hartung, Director, to address council regarding the upcoming Plant Facilities Levy. It will be on the May 17th ballot, just wanted to bring attention to this and hope you will learn more about it before its time to vote. He also introduced the new Athol Manager, Jill Rosch.
2. **Hughes Investments** – Presentation of Economic Development Study and Proposal- Alan Johnson spoke briefly as to the proposed a preliminary site plan they are working on. Currently the property is just outside the city limits, located just west of Hwy 95 and north of Hwy 54. He had a site plan drafted up for citizen and council viewing. This plan includes in phase 1, a 50,000sq ft grocery store that is committed to the site, with an additional phase with things such as a bank, some fast foods locations and maybe a minor urgent care facility. He stated they will be looking at applying with the City of Athol for annexation in the near future. He then introduced Alivia Metts, who conducted an Economic Impact Study on the benefits of the proposed development on the local community and city. She discussed and gave out information regarding the increased number of jobs and the property tax revenue and sales tax revenue to the city. Their plan was broken up into phases and they hope to get the first one underway as soon as possible. Mr. Johnson said at this point they have only submitted the Comprehensive Map Plan Amendment, and thought they would soon be ready to submit an annexation application. There were some minor questions and answer with citizens and the developer. The Mayor restated this is just a presentation and not an annexation application yet. The city attorney also added this is a process and more notice will be coming. Once we have set a date for the public hearing on the Comprehensive Plan Map Amendment we will put the information out for citizens to know about and get the information.
3. **Planner Report, Rand Wichman** –Rand submitted a written report to council, as he was not present. His report discussed: 2 new Site Disturbances and one Order of Decision. The Comp Plan Map Amendment applications that have been received, reviewed and determined to be complete for 3 different parties. (Hughes Investments, Chan Karupiah, and Cole et al.) He then was requesting a hearing date to be determined by council, since the comp plan map can only be amended once every 6 months. After a brief conversation we will try to plan for Thursday 19th of May at 7:00pm but, will need to confirm it first. Brief update on the Hughes annexation application- still not yet received been working with them, and mention of his working towards a draft of the text amendment for site disturbances etc. He also mentioned not yet having the time to pursue any of the code enforcement cases.
 - a. City Attorney, John Cafferty, briefly added -since this a land use matter the process is a little more formalized and described that this is a “quasi-judicial” public hearing. What that means is that it will be recorded so that we can have a reproducible, verbatim documents of the meeting should be they need to be reproduced. You will state your name and address, one person speaks at a time, in addition to that council are the one sitting as a body as a judge and are not allowed to discuss or have contact with anyone regarding the application, limited to what’s being presented there during the hearing, which does include a packet of info that might be handed out a few days before. The idea is that you are to consider the same information that has been present, like a jury. The public with have an opportunity to speak at the hearing, but no discussion with Mayor or Council any time before. It’s just a lot more formal.

4. **Decision on Site Disturbance Applications – 3 new applications:** Joe & Joy Davis on Colin; and the American Legion, **and one final Order of decision for 6030 E Lorraine Ave.** (Kuhman) from March meeting, and the last new application for Ellis on Lorraine.
- a. **Motion by McDaniel** “to approve the application for Joe & Joy Davis on Colin, he’s replacing the existing fence as well as adding a short fence in the front of the home of the property, noting that it will not be put into the city’s right of way.” Second by Zichko. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; & Councilwoman Zichko - yes. **All in favor. Motion Passed.**
 - b. **Motion by McDaniel** “to approve application for the American Legion to build the addition to the legion.” Second by Zichko. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**
 - c. Final order of decision for 6030 E Lorraine Ave. Applicant stood and interrupted - wanted to object to this. It was explained, by the attorney, that this is not a public comment period and there is a process in which she can make public comment, but that it is up to the mayor/council if they want to hear her speak. The Mayor didn’t think it was necessary to discuss any further, and it was further explained that upon receiving the final decision in writing, she has remedies available once a decision has been made, and is entitled to follow the dispute process laid out in the documents with the order of decision. The applicant continued to speak stating she’s feeling like the council is picking and choosing who they are enforcing, the Mayor said your speaking about past history of decisions for the city, the current council is going to look at the codes and enforce them as they are written, not as they were done in the past. The applicant continued to speak and the Mayor said he’s not going to argue with you. The city attorney then reminded the council that you have the finding of fact and conclusions of law before you, in accordance to your direction from last meeting; if you would like to review it to be sure it meets your approval, the council could make a motion to authorize the Mayor to sign the decision. **Motion by Zichko, Second by McDaniel to accept the order of decision for Darla Kuhman regarding the denial of the application dated 10/14/15 to build a new house/shop 60’ x 100’ in size as written.** Roll Call Vote: *DISCUSSION - Note: City Code Section 8-8A-3. A. allows for “Detached garages or carports for the private use of the residence, having space to accommodate not more than three (3) vehicles.” A 60’ x 100’ “shop” far exceeds the 3-vehicle size limitation for this type of accessory use. Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko – yes. **All in favor. Motion Passed.**
 - d. **Motion by McDaniel** “to approve John Ellis application for addition to a shed on Lorraine.” Second by Hill. Roll Call Vote: *DISCUSSION-All the setbacks have been met, no concerns. Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**
5. **Approval of Contractor for LED Lighting Upgrades** – Stephen has 2 bids plus info from Mr. Rickel for work by outside party for the LED Lighting upgrades. He also said these do not include any painting touch-ups. **Motion by Hill** “to approve the bid from Thompson Electric and to purchase the fixtures for the building upgrades from Stoneway.” Second by McDaniel. *DISCUSSION Roll Call Vote: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**
6. **Approval of Communication Policy Update - (Mayor Wachter)** **Motion by Spencer** “to approve to make the updated changes in the Communications policy as presented by Mayor Wachter, and a few minor grammar changes. Thus removing the requirement of the newsletter being presented to the council at the regular council meetings, but rather just an email of it sent out a minimum of 3 days in

advance of its mailing” Second by McDaniel. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**

7. **Approval needed for Contract with One Call (Password) – (Mayor Wachter) Motion by McDaniel** “to approve the 5-year term, contract with One Call -Password” Second by Zichko. Roll Call Vote: *DISCUSSION- A similar contract was previously signed by the city and the City Attorney has reviewed it. Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko – yes. **All in favor. Motion Passed.**
8. **City Attorney request this item to be removed from the agenda today. Approval for Joint Services Agreement/Contract update with Kootenai County Sheriff’s Office for police protection in the city. – (Mayor Wachter/Attorney) Motion by Hill** “to defer a decision for a new contract with the Kootenai County Sheriff department for services until we have gotten more information.” Second by McDaniel. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**
9. **Approval of a Request for Qualifications (RFQ) – (Stephen)** this request will select an engineer/consultant for a Capital Facilities Plan related to a comprehensive water plan; which maybe partially funded with an award from DEQ in July or shortly thereafter. **Motion by McDaniel** “to approve the RFQ as presented and begin looking for an engineer; to help with the possible DEQ grant.” Second by Spencer. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.** Clerk was told to place the ad and Stephen asked about us using a neutral engineer on the interview committee council was comfortable with that. The actual choosing of the engineer will come before council to make that decision.
10. **Athol Beautification Week-** Coming soon on Saturday, April 30th being the Volunteer Clean-Up Day. We currently have approx. 22-25 homes on the list for help and approx. 35+ volunteers to do the work. In addition, the 2nd Annual City-Wide Yard Sale is a go- we currently have 9 locations in the city ready to have sales; there still little more time to get added to the list if you want. Call Lori at City Hall to add your home.
11. **Athol Daze- Saturday August 13, 2016** - Next Planning meeting is set for Wednesday May 4th at 4pm. Updates discussed: Stephen will meet with w/ Kootenai Electric guy on Thursday. Lori mentioned a few areas she is working towards- a Little Miss Athol program, vendors for the event such as the ID a kid, possible square dance demo, Farragut -State Park. Still looking for a band, applications for the Parade and Vendors will be available hopefully by the end of this month. Placing ads in the newspaper soon, looking for anyone with the interest to help in design of a flyer, banner info/rates; working on a draft rough budget for this year. Some discussion about banners, Lori to verify with ITD if it’s possible still.
12. **City Liquor Licenses Transfer Request-** (Lori) for 5487 E Hwy 54 Liquor, Beer & Wine. **Motion by McDaniel** “to approve the transfer of Liquor, Beer and Wine licenses for 2016 for the business located at 5487 E Hwy 54 in Athol; contingent upon all state and county licenses are presented in the new name.” Second by Hill. All appropriate city fees have been paid. *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**
13. **Approval for updating all city street signs** – Stephen looking for one overall approval to place order for signage updating, will be close to \$3,500. **Motion by Spencer** “to approve the updating of Street and stop signs without the block numbers on them within the city.” Second by McDaniel. *DISCUSSION- Stephen did mention he will not be updating the signs on Hwy 54 & 95 as the state is responsible for them. Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**

PUBLIC COMMENTS - None

ANNOUNCEMENTS

City Council & Mayor Wachter – None

Staff- Lori Reminder- Special Meeting for the AIC District Qrtly meeting is this Thursday in CDA, Monday May 9th at 6pm in CDA -ICRMP/AIC will be holding a Planning and Zoning commission guidelines, And finally there is a Budget & Levy training on May 2nd at 8:30 in CDA put on by the county.

Stephen – Has a meeting with a guy from Kootenai Electric this Thursday to discuss the costs for the electric upgrades in the park. Bob and Stephen attending a training with DEQ regarding the revised total coliform, copper and lead sampling. He finally has the sprinkler system bid and the Athol Baptists Church representatives are willing to install. Council was interested in the experience level of the volunteers and wanted to know if there if a site plan has been done? Stephen will verify and ask.

EXECUTIVE SESSION – Motion by Spencer “I move that the council enter executive session pursuant to Idaho Code 74-206 subsection (b) to consider an annual evaluation of employees, Lori and Stephen and request a roll call vote on the motion. Second by Hill. Roll Call Vote: *DISCUSSION-

Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.** Break at 8:57pm

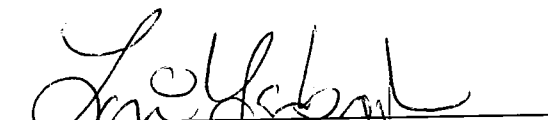
Time: 9:05pm began Executive Session- Returned from Executive Session at 9:38pm


14. Approval of annual increases for City employees, Lori Yarbrough and Stephen Williams. – (Mayor Wachter) Motion by McDaniel “to approve the first step in a tier system of 5% increase to their existing salary for both Lori Yarbrough and for Stephen Williams, effective for both as of today.” Second by Spencer. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**

15. Approval for an Amendment to the Employee Policy – (Mayor Wachter) Motion by Zichko “to table any amendments to the Employee policy till we have job descriptions completed and they can added to the policy also.” Second by McDaniel. Roll Call Vote: *DISCUSSION- Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. **All in favor. Motion Passed.**

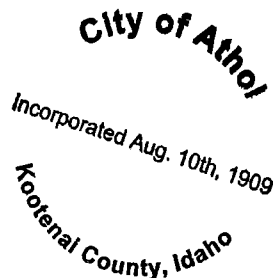
ADJOURNMENT at 9:43pm

ATTEST:


Lori Yarbrough, City Clerk/Treasurer


Bob Wachter, Mayor

Approved at Council on 5/18/2016



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