

Approved Minutes Draft

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

**Tuesday, August 15, 2017**  
**7:00pm Regular Council Meeting**

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

**PLEDGE OF ALLEGIANCE and ROLL CALL:**

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

**APPROVAL OF LAST MONTH (July 18th) REGULAR MEETING MINUTES:**

Motion by Zichko, seconded by McDaniel that we approve last month's regular meeting minutes without amendments. \*DISCUSSION All in favor- **Motion passed**

**APPROVAL OF LAST MONTH (August 2nd) SPECIAL MEETING MINUTES:**

Motion by McDaniel, seconded by Hill that we approve the August 2<sup>nd</sup> meeting without amendments.  
\*DISCUSSION All in favor- **Motion passed**

**APPROVAL OF LAST MONTH (August 8th) SPECIAL MEETING MINUTES:**

Motion by Zichko, seconded by Spencer that we approve the August 8<sup>th</sup> meeting without amendments.  
\*DISCUSSION All in favor- **Motion passed**

**APPROVAL OF BILLS AS SUBMITTED: Motion by Zichko, seconded by Hill that we approve paying July/August's bills as submitted.** \*DISCUSSION: All in favor- **Motion passed**

**TREASURY REPORT** - Lori read the balances of each account: STCU checking = \$69,769.00; STCU savings = \$55,588.30; LGIP balance = \$538,826.35; Misc. income was Josh Spencer's insurance premiums = \$778.50; Fax = \$4.00; Restitution from A. Wolfinger - \$402.00 & HJ Grathol invoice - \$15,725.18 = \$16,909.68.

**WATER REPORT**- Lori read the usages: June usage = 3,639,100 gal. (haulers 157,800); July usage = 10,884,200 gal. (haulers 464,100); Now the 5<sup>th</sup> month of late fees in effect = 48 people hadn't paid and will get a late fee. Approx. 9 Shut-off letters need to go out. It was noted that the fire at the lumber yard (Merritt Brothers) contributed to the high usage this month.

**PUBLIC HEARING: Fee Resolution 2017-02**

*Mayor OPENED at 7:11 pm to take and consider public comment on the adoption of City Fee Resolution 2017-02 regarding the institution of new or increased municipal planning and zoning fees and water rates. Mayor stated how the public hearing will proceed: speak loud and clear- it is being recorded,*

*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.*

*those wishing to speak please have your information listed on the appropriate blue colored paper. **There were no public testimony requests, no one present. Mayor CLOSSES PUBLIC HEARING**) at **7:12 pm.***

**PUBLIC HEARING: FY2018 Budget Appropriation ORDINANCE #414**

*Mayor OPENS at 7:13 pm to take and consider public comment on the adoption of ORDINANCE #414 the FY2018 Annual Budget Appropriation. Mayor states how the public hearing will proceed: speak loud and clear- it is being recorded, those wishing to speak tonight will need to complete a blue form. **There were no public testimony requests, no one present. Mayor CLOSED PUBLIC HEARING** at **7:14 pm.***

**OTHER BUSINESS:**

1. **Adoption of Resolution 2017-02 City Fees – Motion by Spencer**, seconded by Hill to approve Resolution 2017-02, the updating of the city fee schedule with the one change under catering permits from 3 days to 5 days. \*DISCUSSION: All in favor- **Motion passed**
2. **Adoption of ORDINANCE #414 – Motion by Zichko**, seconded by McDaniel to place proposed ORD #414 which is the Fiscal Year 2018 Annual Budget Appropriation, on its first and only reading by title only while under suspension of the rules. \*DISCUSSION Roll Call: Zichko- yes, Hill- yes, Spencer- yes, McDaniel- yes. **Motion passed**

Mayor then read the proposed Ordinance by title: **ORD #414, AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, APPROPRIATING THE SUM OF \$918,788.00 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.**

**MOTION by Spencer**, seconded by Zichko to approve the passing of **ORDINANCE #414**, the FY2018 Annual Budget Appropriation without changes as presented and to direct the clerk to publish by summary only incorporating the title as to the body of the summary. \*DISCUSSION Roll Call Vote: Councilman Spencer- yes, Councilman Hill- yes, Councilman McDaniel- yes, Councilwoman Zichko- yes. **Motion Passed**

3. **Approval of the L-2 Property Tax Levy paperwork – MOTION by Zichko**, seconded by Hill to authorize the mayor's signature on the 2018 Property Tax Levy forms and submit to the county. \*DISCUSSION Roll Call Vote: Councilman Spencer – yes, Councilman Hill- yes, Councilman McDaniel – yes, Councilwoman Zichko – yes. **Motion Passed**
4. **Athol Daze Review** – Lori said it went well this year. Briefly, she discussed the various events and mentioned a few items for discussion when it comes time to plan for next year. We will probably have a follow-up meeting with those who were involved throughout the whole planning process. Some items to discuss will include parade descriptions and judges' sheets; the races and blocking off 1<sup>st</sup> Street in advance; consideration of handicapped children in the money in the straw; adding tank tops in addition to T-shirts and more larger sizes; Make an event schedule flyer; have more port-a-potty's around; and the possibility of Rudy's car show to use 2<sup>nd</sup> Street and run through the baseball field to Hwy 54. All in all, looks like we did pretty good, more than broke even on event costs. Not as many people were in attendance as some previous years, but we had 44 vendors this year.
5. **Planner Report** – Rand's written report submitted to council and recapped that it was a very busy month--logged over 37 hours so far. 1) HJ Grathol property: various meetings happening, one with a fire district representative and the not having building codes concerns. Also, the inquiries by the property owners about the subdivision requirements and how to begin moving into phase 2;

2) Building location/Site Disturbance permits: Lori and Rand have come up with a tracking spreadsheet to better monitor the status of applications and active permits; 3) Coles annexation applications: will discuss further in a few minutes as it's a line item for discussion tonight; 4) Special Use permit has been received by Gary Fast to amend the previous approval of an RV Campground at 30625 N. Old Hwy 95, but not yet reviewed for completeness. It will require a public hearing and public agency comment period; 5) Code enforcement: several new cases are being investigated and the violation for unlicensed/inoperable vehicles at 5777 E Menser has been resolved. Rand continues to work with Dan Holmes on the RV Park at the corner of 7<sup>th</sup> and Bertsch and the Simpson property on 1<sup>st</sup> St. also has incremental progress; 6) A few comments: still getting many inquiries about the requirements of setting manufactured homes, setbacks, and zoning as well as a representative from the Crossroads Express Conoco has made contact to discuss possible future uses on the recently cleared property.

6. **Council Deliberation/Decision/Findings on BLP application by Tamara Ratcliff for a coffee stand in town** – Councilman Spencer recapped the following findings for this application for Ratcliff. They find that the parcel size is adequate for the proposed coffee stand and that the width of the parcels frontage is adequate as well. MOTION by McDaniel, seconded by Zichko to approve the BLP17-05 for Tamara Ratcliff's coffee stand in town upon a site inspection by planner. If Rand feels the road surface and access is appropriate, then approval is granted. If he feels it is not appropriate, then a special meeting will have to be requested to bring it back to the council. \*DISCUSSION **Roll Call Vote:** Councilman Spencer- yes, Councilman Hill- yes, Councilman McDaniel- yes, Councilwoman Zichko- yes. **Motion Passed**
7. **Council Deliberations/Decision/Findings on Cole Annexation consideration application** – Planner, Rand, gave an introduction as to the request for an annexation consideration for the Cole properties (5 acres and approximately 15.8 acres). After a discussion, the council found the following: the property is a logical extension of the city limits. They were generally amenable to allowing the continuation of the automobile recycling/wrecking yard by amending the code in some fashion, with some stipulations, and as a condition of annexation, the city would require extension of, and connection to, the municipal water system. Some discussion of the property already being serviced by a well; it was noted that that is not adequate to meet fire flow. The city's policy is to use city services if you are in the city, and it's too complicated to begin allowing miscellaneous other services not ran by the city in the city; just as they would not allow those outside the city to connect into city services. The applicant was not present so the council had no more discussion on the matter.
8. **Discussion/Determination on planner fees** – Rand gave a summary of what he's been doing for the city and the number of hours put forth and the number of things he hasn't gotten to (he averages about 20 hrs./month). He offered the council a few options he's willing to try: 1) Do a monthly flat rate plus compensation for code enforcement; 2) Bump up the monthly rate to \$2,000.00 a month, or; 3) Go with a straight hourly rate. After further discussion, the council would like to be considerate of his time, so it was determined to go with hourly billing, hoping it will both compensate Rand for his time and allow for him to address the numerous things going on in the city. MOTION by Zichko, seconded by Spencer that effective August 1, 2017, the city will begin paying Planner, Rand Wichman, an hourly rate of \$110.00 per hour instead of the monthly flat rate of \$1,400.00. \*DISCUSSION **Roll Call Vote:** Councilman Spencer- yes, Councilman Hill- no, Councilman McDaniel- yes, Councilwoman Zichko- yes. (3 yes, 1 no) **Motion Passed**
9. **Approval of a new year with Real Life Ministries Build Rental Usage (Beginning Sept 11, 2017 - May 2018)** – Request same as they have been (\$200/month for full building, every Monday night for youth group). MOTION 1<sup>st</sup> by Zichko, seconded by McDaniel to allow another year of use of the building at the rate of \$200 a month, every Monday night from September through May (same understanding as previous years). \*DISCUSSION: All in favor. **Motion passed**

10. **Approval of the Farragut Flyers Rental Use on Saturday's – MOTION by Hill, seconded by Spencer to allow the use of the building, at no charge 2 Saturdays each month from September through April (same understanding as last time, 2 weeks' notice if there is a paying rental customer).**  
 \*DISCUSSION: All in favor. **Motion passed**
11. **Discussion/Determination on Water Rate Fee for the Hughes Development site install – MOTION by Spencer, seconded by Zichko to waiver the 3' water meter installation fee for Hughes Development due to the annexation and the fact that they are buying and installing the meters.**  
 \*DISCUSSION: All in favor. **Motion passed**

**BREAK at 9:35pm-9:50pm -----**

**MOTION by Hill, seconded by McDaniel to go into Executive Session under Idaho Code 74-206(1)(a) to consider hiring a public officer, employee, staff member or individual agent and 74-206(1)(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. Specifically, to consider an individual's qualifications for the part-time office position and on how to proceed with 30625 N. Old Hwy 95 (Gary Fast).** \*DISCUSSION **Roll Call Vote:** Councilman Spencer- yes, Councilman Hill- yes, Councilman McDaniel- yes, Councilwoman Zichko- yes. **Motion Passed**

-----EXECUTIVE SESSION: START 9:59 ----- END 10:49pm -----

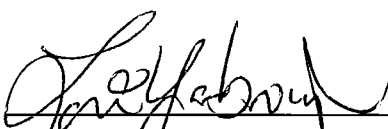
12. **Determination on how an individual's qualifications for the part-time office position – MOTION by Spencer, seconded by McDaniel to allow the clerk to make an offer to the person discussed for the part-time office position.** \*DISCUSSION: All in favor. **Motion passed**
13. **Determination on how to proceed with 30625 N. Old Hwy 95 (Gary Fast) – Nothing to discuss.**

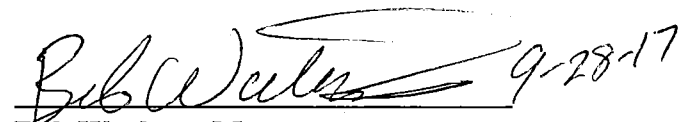
**PUBLIC COMMENTS - Gary Fast, Athol, ID,** wanted to know what was discussed, if it was something about him. Mayor Wachter said we cannot discuss anything about our executive session, but at this time there is nothing further (line #13 is not needed). He may inquire with Rand, Planner, if he has questions.

**ANNOUNCEMENTS - City Councilman Spencer-**Hoping to get a podium done soon and to be built for free by Mr. Spencer with Mark's help and the city will purchase the supplies. / **Mayor- nothing/Staff, Mark –** Planning to attend the IRWA Conference in Worley, spending under \$300 to attend on 9/13 & 9/14/17. **Lori –** 1) Open enrollment insurance packets due to her by Friday 18<sup>th</sup>; 2) In your packets is the most recent Sheriff's report; 3) Diane (IRWA) and Lori contacted each other finally and she has been out of the office a lot recently as her father has been very ill. Lori will be talking with her soon to get a timeline for the study done; 4) Lori did receive 2 scholarships towards her attendance at the AIC Conference in Boise for this September; 5) After getting all caught up with codification, the enclosed list are suggestions that Sterling came up with that will need some updating/clarifications to avoid conflict in the code.

**ADJOURNMENT: at 11:01pm**

**ATTEST:**

  
 \_\_\_\_\_  
 Lori Yarbrough, City Clerk/Treasurer

 9-28-17  
 \_\_\_\_\_  
 Bob Wachter, Mayor

Approved at Council on 9/19/17