

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, January 17, 2017

7:00pm Regular Council Meeting

Mayor Wachter wanted to thank everyone who attended the Presentation and Recommendations Session we just finished upstairs for the Community Review and specifically to the Idaho Rural Partnership group for coming to Athol again to do that. The full written report and recommendations; will be available in City Hall and on our city website. Stressed his excitement to see what we can use from this great event and how it can now begin helping us with some direction and decision-making in the city. **Mayor Wachter called meeting to order: 7:00 P.M**

PLEDGE OF ALLEGIANCE and ROLL CALL:

Present: Mayor Wachter; Councilwoman Zichko; Councilman McDaniel; Councilman Spencer; Councilman Hill; Clerk/Treasurer, Lori Yarbrough; Public Works, Stephen Williams; City Planner, Rand Wichman; City Attorney, J. Cafferty.

APPROVAL OF LAST MONTH (December 18th) MEETING MINUTES:

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

APPROVAL OF BILLS AS SUBMITTED: Motion by Zichko, seconded by McDaniel that we approve paying Dec/Jan's bills as submitted with the additional 2 bills presented (Computer Guy & Coleman Oil) for a total of \$16,762.10. *DISCUSSION- Lori also shared that invoices for DEQ reimbursement so far is \$5,262, and Hughes Annexation is \$5,463.30. In addition, the property taxes from the county should be receiving on the 25th of this month, which will build our working supply back up. All in favor- **Motion passed.**

TREASURY REPORT - Lori read aloud the ending balances; STCU checking: \$28,242.80; STCU saving/mm: \$55,459.32; and the LGIP balance: \$476,162.67.

WATER REPORT- Lori reported November usage was 2,268,800 gallons; **December usage was 2,449,500 gallons.** We billed for \$5,335.50 and collected \$5,935.30. At this point, approx. 24 letters may need to be sent out with an outstanding balance of \$199.36. For those over 60 days, the real outstanding balance is closer to \$600.00. Haulers was previously 127,000 gallons, now 102,300 gallons.

-----**OPENED PUBLIC HEARING at 7:08pm:** To consider all comments on Case No. OA16-02 to amend the Athol City Code dealing with land use matters and procedures, to clarify the process and to ensure compliance with existing requirements. The changes and modifications to be addressed at this hearing include adding procedures for appeals, addressing annexation studies and procedures, adding standards for work within streets and alleys, addressing administration and enforcement procedures, addressing permitted primary and accessory and special uses, and addressing signs. All interested persons are invited to comment on these proposed amendments to the City Code.

***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.*

Mayor stated how the public hearing will proceed: Be sure to speak loud and clear- it is being recorded. Those wishing to speak please have your information listed on the appropriate colored sheet – identifying those For, Against, or Neutral. **First**, the City Planner, Rand Wichman, will speak giving a brief background, identify the legal standards and how they apply to the Comprehensive Plan; **then** we will hear comment from those For, Against, or Neutral; **then** Rand again adding anything further to be considered if needed. Then the Public Hearing will be closed.

Athol City Planner, Rand Wichman – Council commissioned this effort last summer with him, as the planner, and the city attorney, John, working on it through the fall. There has been a workshop in November to thoroughly go over these changes. As it is today, it is as was directed by council. With these changes, it brings the code into compliance with some language that has been changed through state code changes that have occurred through the years also makes the whole site disturbance process more functional. Also, these changes will relieve council from the daily or administrative side of things. In addition, these changes will also relieve some much badly needed code enforcement procedures. It will also do some major changes to our subdivision process and appeals. He had received an inquiry about Section 8-8A-3 deals with permitted accessory uses- existing code reads detached garages are no more than 3 cars, which, what is that size? This will clarify a specific amount of feet, 1200. The Council may feel inclined to change some additional language to read total square footage in aggregate, and address an exception for lots 2 acres or larger and increase the allowed square footage.

Finally, he encouraged council to listen to testimony tonight and then decide if you need more information, want to make additional changes or pass as is, that is what the public hearing process is for. Then you will need to be able to draw and answer the 3 conclusions to determine the findings as he has provided them.

Public Comment “For”- Troy Baldwin of Miller Rd in Athol, ID. – spoke stating he would like consideration for those people who own lots in the city that are larger, to be allowed a detached garage or shop be greater than the currently recommended 1200 square feet.

“Neutral” – None

“Against” – None

Athol City Planner, R. Wichman – Can make a recommendation for the revision, considering the testimony. Attorney- reminded last chance to take any additional testimony. Hearing none...

-----**CLOSED the PUBLIC HEARING** at 7:25 pm by the Mayor.-----

The Mayor then asked the council if they need more time, more information, or if they want to decide now. **Council Deliberation/Decision/Findings on the Amendments for: Case No. OA16-02, “Amending Athol City Code dealing with land use matters and procedures, to clarify the process to ensure compliance with existing requirements.”** There was a brief discussion of proposed amended language presented by planner, Rand Wichman.

Motion by Spencer, seconded by McDaniel that the city council has determined the 3 following conclusions:

- 1) The proposed amendments as modified ARE reasonably necessary and in the public interest. It updated the code with existing state laws.
- 2) The proposed amendments as modified ARE in general conformance with the goals and policies of the comprehensive plan.
- 3) The proposed amendments as modified WILL NOT adversely impact the delivery of services by the City or other political subdivisions, including schools. Planner Rand noted that there was not any public agency response or had objections, clerk confirmed.

***DISCUSSION Roll Call: Zichko- yes; Hill- yes; Spencer- yes; McDaniel-yes; - Motion passed.**

ADOPTION of ORDINANCE #410:

Motion by Spencer, seconded by Zichko to place proposed ORD #410 which deals with land use matters and procedures, and to clarify the process to ensure compliance with existing requirements, 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 title in full.

Motion by Spencer, seconded by Zichko to approve the passing of ORD #410, which amends the Athol City Code dealing with land use matters and procedures, to clarify the process and to ensure compliance with existing requirements, and direct city clerk to publish by summary only incorporating the title as to body of the summary. ***DISCUSSION Roll Call: Zichko- yes; Hill- yes; Spencer- yes; McDaniel-yes - Motion passed.**

Planner Rand Wichman wished to address council and ask that the council begin moving quickly to the next step of codification, as the interim business of interrupting the old and the new can be very confusing to both stay and citizens, as it's very hard to administer. Clerk, Lori also added that one more ordinance modification is needed, water, then everything shall be ready for council go-ahead. After researching, there are no ordinances that were passed while Sally was in this position other than budget ordinances, which are not part of the codification. So, it will be just the 10 or 11 ordinances we have passed since Lori has been here, which should make things easier.

OTHER BUSINESS:

- 1. ABC Farmer's Market Introduction & potential agreement– Julie McKerracher-** She addressed Council and shared their mission of creating a local Farmer's Market. Started a facebook page and has approximately 15-20 groups interested in being a part. They meet next Tuesday, Feb. 7th at 7pm. Her discussion with council was regarding their possible use of the grounds on 3rd street next to the basketball court, under the treed area. They are hoping to do it every week on Fridays from 2-5pm starting Mother's Day through October, not sure yet. She asked the city if there was interest in having some sort of contract or agreement in support of their efforts of putting together a Farmer's Market on city property. Additional miscellaneous conversations of what this might look like. The council shared their interest and openness to discussion sometime regarding an agreement. City attorney will try to provide a draft contract to begin that conversation.
- 2. Annual review & renewal of Grandmother's Club rental contract – Sue Fevold,** no changes other than dates and they will no longer be having the craft fair in May. They would like to do another year with the city at the community center. Motion by McDaniel, second by Spencer to renew the annual contract with no changes (except specific dates, due to new calendar year). **DISCUSSION Roll Call: Zichko- yes; Hill- yes; Spencer- yes; McDaniel- yes; - Motion passed.**
- 3. Athol Area Chamber of Commerce Introduction & potential agreement – Janet Ellis** shared her work towards the establishment of an Athol Chamber of Commerce; she has had a tremendous response so far. Hoping for an organization meeting the 2nd week of February. This is essential to establish officers and approval of by-laws. Bayview chamber has been assisting in the process, showing them the ropes. Wants to know if the city would entertain the use of the community center/city hall to use and designate it as the official general membership meeting location for the monthly Athol Chamber meetings. Janet explained, good reasons for local businesses and individuals to become members of the chamber isn't just to promote your own business but, also the opportunity to give back to your community, do fund raisers and activities for the community. Mayor asked

council if they would be interested in paying city dues in advance to help support and give support to the chamber. After a brief discussion, Janet said the biggest need right now, for the chamber, would be allowing the use of the building for monthly meetings. Council was in agreement to allow for the use of the building for their monthly meetings.

4. **Planner Report – Given by Rand** still working towards an annexation agreement, a 1st draft done, but will keep you posted as to when he would like to visit and get some direction from council about their needs. He's recently received the fire flows information from the fire district, which was slightly different from what was anticipated. Basically, the city could not meet the necessary needs based upon a 4-hour duration- so we'll have to work and negotiate those types of things. This might cause some delay. The hold up as a whole has been more with the applicant, we haven't gotten specific enough information to fully move forward yet. But, he's hoping to have a workshop in February and public hearing a month or so after. Sewage treatment is also still not yet determined. Other things he's been working on updating application forms and the fee resolution.
5. **Site Disturbances- None**
6. **Discussion of Annual Fee Updates** Based upon the last discussion of water hook-up rates/late fees etc. from the special meeting on 11/29/16, council now has an updated list of city fees. A public hearing date is planning to be set for the February 21st regular council meeting, assuming the water ordinance is ready for adoption at that time as well.
7. **Discussion on Modification of the Athol City Code Title 6, Chapter 2 Water Use Regulations-** Continued from past discussion from the council workshop on 11/29/16- Since this recent copy of the water ordinance was not ready we do need to have a workshop, set for 1/23/17 at 4:00pm to discuss it further before amending the ordinance.
8. **Purchase approval for a projector- Mayor Wachter - Motion by Zichko, Second by Hill to authorize the purchase, not to exceed \$1,000 on a projector and screen/accessories as requested by the Mayor.** Discussion – **Roll Call: Councilman Spencer – yes; Councilman Hill – yes; Councilman McDaniel – yes; and Councilwoman Zichko - yes. Motion passed.**

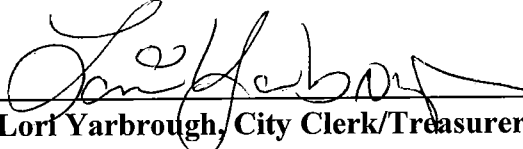
PUBLIC COMMENTS – Alan Littlejohn, Athol, ID. – wanted to know or suggest if the city can put the city codes on the website. Clerk responded that once we get codified again, we will then be able to put them on there. But right now, proposals and drafts related to public hearings are listed on the website. Agendas for council meetings are posted on the Friday before the Tuesday meetings.

ANNOUNCEMENTS -City Council- Councilman Spencer – Asked about considering some purchases of properties for the city in the near future. He felt that property prices are still somewhat reasonable, and could make sense to do it now before prices go up, could be used in the future. Could be a good investment.

Staff – Lori- nothing; **Stephen-** had an informal sit down with representative from the library, they are interested in either making the current library building larger, or even relocating it. Stephen also believes that there might have been a condition that if the library does move- that library building and property will revert back to the city; and **Mayor** had no announcements.

ADJOURNMENT at 8:52pm

ATTEST:


Lori Yarbrough, City Clerk/Treasurer


Bob Wachter, Mayor

Approved at Council on 2/21/17