

Approved Minutes Draft

## Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, May 15, 2018

7:00pm Regular Council Meeting

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Mayor Wachter called meeting to order: 7:02 P.M Visitors please sign in.  
PLEDGE OF ALLEGIANCE

**ROLL CALL** Present: Mayor Wachter; Councilwoman Zichko; Councilman Hill; Councilman McDaniel; Councilman Spencer; Clerk/Treasurer, Lori Yarbrough; City Planner, Rand Wichman; Public Works, Mark Mitchell; and City Attorney, J. Cafferty

### **APPROVAL OF LAST (May 1st) REGULAR MEETING MINUTES:**

Motion by Zichko, seconded by McDaniel that we approve last month's regular meeting on the 1<sup>st</sup> without amendments. \*DISCUSSION All in favor- Motion passed.

APPROVAL OF BILLS AS SUBMITTED: Motion by Hill, seconded by McDaniel, that we approve paying April/May bills as submitted, without amendments. \*DISCUSSION-All in favor- Motion passed.

**TREASURY REPORT**-Lori submitted written report and read aloud the following ending balances: STCU Checking = \$66,399.88; STCU Savings = \$55,754.83; LGIP = \$615,602.15; Misc. income was Shane's regular insurance premiums, \$1,176.76 Kootenai capital credits and \$100 refund for a class not attended from DEQ.

**WATER REPORT**-Lori submitted written report and read aloud the March usage = 2,327,600 gal. (haulers 132,400) and **April usage = 2,392,100 gal. (haulers 167,500)**; Late fees this month, approximately 29 getting the fee. Only 1 account is 60 days past due. We seen a few accounts that must have had some leaks.

- a. Discussion/Decision on the Request to split water bill for D. Holmes- Clerk Lori explained the request by Mr. Holmes who acknowledges this was an error on his part in not turning the valve all the way off. This resulted in a high usage of 662k gallons of water in 6 months and a bill of \$483.20. He's asking if the city may have any forgiveness since the city doesn't read meters in the winter; it could have been noticed sooner. He's asking if the council would even consider splitting the bill with him. He is not present tonight because he had family in town visiting. Council had discussion on this matter: There were concerns with other people asking for similar things. Councilman Spencer wanted to discuss ways to help avoid situations like this, maybe if home/property owners monitor their homes more often; he hates to see anyone get a large bill like this. Understanding it is a semi-vacant building, but its not a city error/fault so he can't see waiving this bill. Consensus was just trying to monitor your home more often even when vacant. Clerk shared there were several other accounts that had this same issue this month, but not quite as large of a bill as Mr. Holmes. The others ranged from \$150 and \$300 bills for overages or leaks. They have all paid their accounts and didn't request any forgiveness. Council overall said that meters have never been read during the winter and it still the property owners responsibility to watch for leaks. Council did say they would allow these people to take a couple months if they need to pay the balance and not charge the late fees. Motion by McDaniel second by Hill to not

*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.*

do any forgiveness on Dan Holmes water bill at 29777 N Old Hwy 95. All in favor yes, **Motion passed.**

#### **OTHER BUSINESS:**

1. **Water Facilities Plan** – Update by Lori. Related to budgeting for additional water rights in the current fiscal year Lori had inquired if or when is the right timing to move forward with it. She spoke to Dana Hofstetter at Hawley Troxell who said that once additional rights are approved the city has 1 year to begin construction, not design which comes first, but actual construction. With that being said, it does not make sense or seem likely for the city to begin applying for them yet or even in this fiscal year. She suggests waiting until after the vote for the bond in November to then begin applying for the additional water rights, based upon the city securing the appropriate funding for the water improvements which then drive the reason for securing those additional water rights. Basically, meaning we would need to reallocate those funds for additional water rights in the next FY19 budget, council agreed. Also, about the water facility plan, Lori received a phone call from Keller Assoc. (Kyle and Stillman) who said they did speak to Katie at DEQ- whom we are still waiting for her approval. There are 2 piles, yes, the city is at the top of one pile, but the other pile is getting looked at and growing faster each week- which has priority because funding is already attached and therefore more time sensitive. There are only 2 people doing these reviews and they are receiving approx. 20-30 applications a week. Keller suggested maybe giving them another 2 weeks to see if she gets to it and then if still nothing the Mayor or city writing an email inquiring and sharing the concerns and timeline we are under. Kyle did shed light on the fact that they(DEQ) is nearing the 1-year mark of our request sitting on their desk. Council in general was also for the Mayor contacting Katy even sooner and not waiting a few weeks.

2. **Review/Approve letter to LHTAC for the selection of Engineer and Scope of Work for the \$50,000 Transportation Planning Grant and authorize the Mayor's signature.**

**Motion by Spencer** seconded by McDaniel to Approve the Mayors signature on the letter to LHTAC for the selection of Engineers and the Scope of Work for the Transportation Plan \*DISCUSSION

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

3. **Decision on Cell Tower Lease Proposal- First Amendment to Option and Lease Agreement (CCATT Holding aka AT&T)** – City attorney, John Cafferty shared his bulleted review of the proposed contract(attached). He did a little research Crown Castel is a 3<sup>rd</sup> party. After a discussion this item was tabled until the City Attorney investigate a little further and bring it back to the council.
4. **Discussion/Decision to update the Community Center (downstairs) floors with carpet tiles & Laminate Vinyl Planking-** Mark not present, but Mayor put him on conference call on his phone, the council asked several questions and clerk shared the funding availability for the project.

**Motion: 1<sup>st</sup> Zichko, 2nd McDaniel to approve** using Aladdin Carpet to upgrade the community center (downstairs) floors with carpet tiles and laminate vinyl planking; not to exceed the bid of \$17,003.00.

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

Councilman Spencer said he felt the Mayor and staff may select the colors and such related to this project, the rest of the council were in agreeance.

5. **Planner Report-** Rand Wichman written report submitted written report, but then summarized: 1) Taylor annexation: last month we have learned that the fire district will require fire hydrants on the east side of Old Highway 95 which will require extension of the water main in this area. The applicant's representatives have been notified of this requirement and we are waiting on an engineering proposal from them on how they will accomplish those improvements. 2) An annexation application has been formally submitted, a reimbursement agreement has been sent to the applicant for signature, and we are starting the process of review. Planner will work more with the Mayor on if there any asks from the city for the annexations. 3) The HJ Grathol phase 2, Crossings at Athol,

subdivision nothing new to report. The developer is continuing to work on infrastructure issues. 4) Code enforcement- a notice of violation sent to Gary Fast on 5/1/18 about the campground. He responded by email acknowledging receipt of the letter but has not applied for any new permits or made any other notable progress toward compliance. The council may want to consider revocation of the 2012 campground approval soon as he's still not in compliance with it. 5) Comprehensive Plan to be discussed later in the meeting and introduced Collin. 6) lastly, the Mayor, Mark and the planner met with Idaho Forest group- big plans for the mill site soon. They will continue to use finger joint mill but adding shipping because of the two railroad lines and thus more jobs. The lot will likely be paved as well. Councilwoman Zichko and Hill added that this will also be then adding to traffic on Hwy 54. Councilman McDaniel- asked the Planner where we are at with the completions of the transfer of the Howard Rd Well to the city. Mayor said waiting for generators and probably finished soon, but Rand then added that there is a process of conveyance including warranty and such with it all. It was agreed there will be quite a punch list to address at that site.

6. **Discussion/Decision of Trail (north of Hwy 54, between Super 1 & Old Hwy 95)**- Councilman Spencer wanted to bring up and discuss when the trail will be done. It is in the annexation agreement for the developer, HJ Grathol to reimburse the city up to \$10,000 for the trail, but we heard that its possible that the state (ITD) will pay for the whole thang, but its going to be at least 2 years. Councilman Spencer is not interested in waiting 2 years. Mayor Wachter and Mark did get one bid so far, waiting on another for the costs to install. Mayor talked to Jim Coleman (engineer for HJ Grathol- who also wears the hat on the ITD board) said get 2 bids and he'll see if he can't get ITD to do something sooner. After the discussion, it was TABLED until the 2<sup>nd</sup> bid and Mayor to give to Jim Coleman before the council makes a decision on this matter.

7. **Discussion about the Comprehensive Plan (1<sup>st</sup> Draft) review and to identify** the next steps; the public participation aspects as well as City Council's review of the plan. – Rand spoke sharing before the council you have a first draft. Wants to further discuss the next steps and what process the council wants to do. Specifically, public participation and it what form. The planner encouraged council to do more than the bare minimum, and Lori too feels its necessary for the city to do more than the minimum. Rand spelled out that we will have this review process including the Council and some citizens before having a public hearing and adopting it. Councilwoman Zichko asked how the Area of City Impacts (ACI) works into this plan? Rand shared in general this should be a plan of what you want the city to look like and be in 20 years. There was a small discussion on the population forecasting and Councilwoman Zichko also asked how much of the community review was taken into consideration? Some basic larger topics that could lead into a specific direction such as city sewer? Building codes? Design or theme? Main street program etc. **Overall, Rand suggested starting with an Open House with exhibits and issues putting the Comprehensive plan draft out on the website to start reviewing it. Mention in the newsletter and set a date for that open house. There should also be a council workshop for comments and public hearing and then if there are no major changes move towards approving the document.** This document will guide the zoning. This is a legislative matter and the council is free to talk to everyone on this matter, unlike the Quasi-judicial or land matter related issues. Council was in agreeance of the suggestions by Rand. Spend a month or two to review and gather citizen/council input (includes having an open house) on the draft and a workshop with the council and then maybe a public hearing and approval. Play it by ear as we go down this path.

8. **Approve Order of Decision for the Subdivision Application by H J Grathol for the Crossings at Athol subdivision in the commercial zone and authorize the Mayor's signature.**

Motion by Spencer seconded by Zichko to Approve the Order of Decision for the Subdivision Application by HJ Grathol for the Crossings at Athol subdivision in the commercial zone and authorize the Mayor's signature. \*DISCUSSION

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

**CHAMBER OF COMMERCE UPDATE-** No one present.

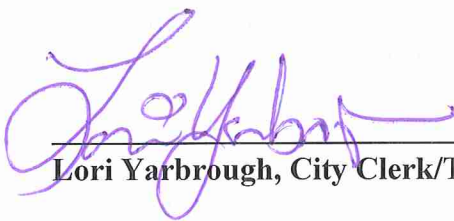
**PUBLIC COMMENTS:** Jim Whallon, Athol, ID – The railroad and mill comment. (It was unclear what his question was.) Planner Rand briefly discussed the Idaho Forest Groups plan, which will increase rail traffic.

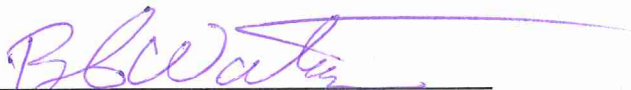
**Mayor Wachter-** Welcomed and introduced Deputy “Brett” Clausen, as Solar Larsen has been assigned to a different area now. Deputy Clausen said he grew up in this area and was looking forward to working in our community and he’s going to try to continue what Solar had started.

**ANNOUNCEMENTS City Council – Councilman Spencer** reported that last week was the first Farmer’s Market and they had about 11 vendors there, season off to a good start; the ABC Farmer’s Market- every Friday 2pm-6pm, and it was suggested we consider having a city table out there for week or two for the comprehensive plan to gather more input. Everyone seemed to like that idea. Attorney Jon Cafferty- shared with the council some new laws that go into effect July 1, 2018 regarding how the agendas are written out, using the term “action items”. Lori does a stellar job for you here and he feels that this law would not be necessary if more clerks would do as good as a job as her. Another change in the law is related to public records, you will need a resolution naming an alternative back-up in the event the clerk is absent for the public records requests. Councilwoman Zichko- Wanted to know what is going on with the “finger” sign in the city right of way on grove street. Rand aware and attorney cautioned how we go about it. The property owner was called, and there are other violations happening on that property as well.

**City Staff- Lori** 1) Reminder the next Athol Daze and Beautification planning meeting coming up on June 24<sup>th</sup> at 1:00pm. and 2) Beautification itself is May 19<sup>th</sup> we have about 31 houses signed up so far and about 17 or so yard sale locations.

**ADJOURNMENT at 9:21pm**  
**ATTEST:**

  
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Lori Yarbrough, City Clerk/Treasurer

  
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Bob Wachter, Mayor

Approved at Council on 6/5/18