



Approved Minutes Draft

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, September 18, 2018

7:00pm Regular Council Meeting

Council President, Mary Zichko called meeting to order: 7:19 P.M Visitors please sign in.

PLEDGE OF ALLEGIANCE **ROLL CALL:**

Present: Councilwoman Zichko; Councilman McDaniel; Councilman Hill; Councilman Spencer; Clerk/Treasurer, Lori Yarbrough; Public Works-Anthony Brandt; City Planner & City Attorney.

REPORTS:

Treasurer Report – Lori submitted written report and read the ending account balances. STCU Checking = \$86,219.47; STCU Savings = \$55,830.02; LGIP = \$646,598.60; Misc. income was Josh & Shane's regular insurance premiums, restitution from Sally Hansen of \$80.00.

Water Report – Lori submitted written report and reviewed the report with the council. July usage = 11,633,236 gal. (haulers 524,000) and **August usage = 9,128,897 gal. (haulers 454,500)**; Late fees this month, approximately 34 getting the fee. Only 2 accounts that are 60 days past due.

Planner Report – Rand submitted a written report and summarized the following: DH Holdings/Krivor Annexation- still working through development concepts and drafts of the annexation agreement with the applicant's representative. He's optimistic that its close to an agreement than can be considered by the City Council soon. Permits- 2 Building Location permits issued, IFG for a temporary employee lunchroom and Hester for the setting of a manufactured home at 5563 E Grove street. The Crossings- the developer still working on infrastructure issues, working on the master sign program still and thinking the dedication of the water system to the city should happen in the near future. Code Enforcement- ITD has been non-responsive regarding the Robert Allen's parking lot expansion at 5717 Hwy 54, and Gary Fast and Ratcliff will be discussed later in this meeting agenda. Comprehensive Plan update- feels like were probably going to get as much public comment as we can at this point, would like to move forward with a council workshop to review the draft and then plan for a public hearing after, this too is on tonight's agenda to be discussed later. Finally, Second St (Division) vacation/water line easement- he's reviewed a draft request for the right-of-way vacation and requested a more detailed legal description of the area to be vacated. The surveyor is ready to perform the survey of the water line, but waiting for the locates, asking Anthony to get that done soon.

ACTION ITEMS:

1. APPROVAL OF THE September 4th REGULAR MEETING MINUTES:

Motion by Spencer, seconded by Hill that we approve the last regular meeting on the 4th, minutes with/without amendments. *DISCUSSION All in favor- **Motion passed.** ACTION ITEM

2. APPROVAL OF BILLS AS SUBMITTED: Motion by Spencer, 2nd by McDaniel to approve paying August/Sept bills as submitted with/without amendments. *DISCUSSION-All in favor- **Motion passed.** ACTION ITEM

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.

3. DISCUSSION/DIRECTION of 2018 Draft Comprehensive Plan and to discuss the public participation aspects and what the next steps might be. Rand outlined his ideas for the next steps being a council workshop to review in detail and then a public hearing before adoption of the plan. He feels we have probably done all we can for getting public input at this time, though it's not been great input. Motion by McDaniel, seconded by Spencer to schedule a workshop for the council to review and then plan for a public hearing as recommended by Rand. *DISCUSSION **Roll Call: Zichko-yes; Hill-yes; Spencer-yes; McDaniel-yes. Motion passed. ACTION ITEM**

4. REQUEST TO ADDRESS COUNCIL by Tamara Ratcliff regarding the paving of the lot where Pit Stop Espresso operates. Mr. Ratcliff says business barley staying afloat, property owner spoke up sharing it's a waste of time to pave it all, because of the big rigs parking on the aprons. He purposed doing it in 2 sections, because he doesn't have all the money to do at once. Also, wanted to remind the council this coffee stand is not a permanent fixture and could go elsewhere. Councilman Spencer reminded that a year ago a break was given, and now a year ago your asking for more time. Councilman McDaniel says trying to be fair to all, the same rules have to apply. Rand, city planner spoke sharing he did meet just prior- they discussed the concrete alternative, which he believe should meet the city code requirements. Doing most of it himself and his own crew. Councilman Hill- asked Ratcliff's would you like a grace period to find another location, where this would not be an issue? He responded that they would like to stay where they are as they have been building a customer base. Motion by Hill, seconded by Spencer to allow till Nov. 6th meeting to complete all of the full project of paving; and concrete in leu of asphalt is fine. *DISCUSSION- much discussion was made prior to the motion, this included (a) below. **Roll Call: Zichko -yes; Hill -yes; Spencer-yes; McDaniel-no. - Motion passed. ACTION ITEM**

a. Evaluation on whether or not to revoke building location permit #BLP17-5 dated July 2017.

5. APPROVE Order of Decision for the Rezoning of Grove Ave Lots #1-4 from Light Industrial to residential and authorize the Council President's signature.

Motion by McDaniel, seconded by Spencer to approve the Order of Decision for the rezoning of Hester's Grove Ave Lots#1-4 from Light Industrial to residential and authorize the council president's signature. *DISCUSSION **Roll Call Vote:** Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -yes; **Motion Passed. ACTION ITEM**

6. APPROVAL of Appropriation ADOPTION OF ORDINANCE #421 AJ Homes Zone Map.

Motion by Spencer, seconded by Hill to place proposed ORD #421 which is the AJ HOMES, LLC ZONE MAP AMENDMENT 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 ACTION ITEM**

Council President then read the proposed ordinance by title: ORD #421- AN ORDINANCE OF THE CITY OF ATHOL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR CHANGE IN ZONING CLASSIFICATION FOR THE LANDS DESCRIBED IN SECTION I OF THIS ORDINANCE FROM LIGHT INDUSTRIAL TO RESIDENTIAL; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT THESE CHANGES; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO THE LANDS DESCRIBED IN SECTION I ARE HEREBY SUPERCEDED; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

MOTION 1st by Hill, 2nd by McDaniel to approve the passing of ORDINANCE #421 the AJ Homes, LLC Zone Map Amendment 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; and Councilwoman Zichko -yes; **Motion Passed. ACTION ITEM**

7. APPROVAL of a Contract with Robert Wachter for Water Operator License: Motion by Spencer, seconded by McDaniel to approve the contract as presented to contract with Robert Watcher as the licensed water operator for the city, this is a 6-month contract and will go month to month after that. *DISCUSSION **Roll Call**

Vote: Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -yes; **Motion Passed.** ACTION ITEM

8. DISCUSSION/APPROVAL- on Athol Daze budget- staff is recommending approval to purchase a sign in the park as well as candlesticks street cones- Council President Zichko and Lori. **MOTION** by Spencer second by Hill to make the purchase as discussed; a double-sided park sign with tack board and 20 candlesticks and a roll of orange fencing. *DISCUSSION also brought up by Councilman Spencer to consider improving our cameras and video equipment, in the near future. **Roll Call Vote:** Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -yes; **Motion Passed.** ACTION ITEM

9. DISCUSSION/APPROVAL a Motion regarding council commitment to keep water bills at \$55.00 or less when considering the funding of this future water improvements covered in the November Bond Election. **MOTION** by Spencer second by Hill to state they are committed to keep water bills at \$55.00 or less when considering the funding of this future water improvements covered in the November Bond Election. *DISCUSSION points: Councilman McDaniel the bond is necessary to pass so that we can at least look at what types of loan forgiveness and loans we can get. Councilman Spencer doesn't want bills getting to high, as \$42-\$75 has been a range previously discussed, he likes the council committing to not being over the \$55.00, and if the numbers turn out to be higher- the council agrees to not commit to those terms. Councilman Hill come to the Town Hall and find out the state of the city, what's wrong with our water system and understand why these improvements are needed before you vote! The city attorney also explained the need to further explain that state law prohibits the council and staff for advocating for the bond, but rather they can only educate, at least while on city property using city resources. Outside of the city council may shall or advocate for the bond. **Roll Call Vote:** Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -yes; **Motion Passed.** ACTION ITEM

Approval to go into an Executive Session

MOTION by Hill second by McDaniel to go into executive session under **Idaho Code 74-206(1)(b) & (f).**

(b) "to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent." **Specifically, to review the received Letters of Interest for the vacant Mayors position and**

(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 discuss the Dan Ratcliff Code Violations and the Gary Fast Code Violations.** *DISCUSSION **Roll Call Vote:** Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -yes; **Motion Passed.**

EXECUTIVE SESSION: Began at 8:08pm Ended at 9:16pm. and Break till- 9:21pm

BACK TO REGULAR OPEN MEETING:

ACTION ITEMS:

10. DISCUSSION/APPROVAL for possible appointment of the City Mayor's position. **MOTION** by Hill, second by Spencer, to approve Mary Zichko for the mayor's position. *DISCUSSION **Roll Call: Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -yes; and Councilwoman Zichko -abstain;** **Motion Passed.** ACTION ITEM

11. DISCUSSION/APPROVAL for possible appointment of a current council seat that may become vacant. This item was tables until the October 16th meeting. Mary would like to take applications and post in the newsletter to see who might be interested in filling this council seat. NO ACTION TAKEN

12. DISCUSSION/APPROVAL for possible action or direction related to Dan Ratcliff Code Violations. **MOTION** by Hill, second by Spencer, to not take any action at this time and defer till October 16th.

***DISCUSSION Roll Call: Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -no; and Councilwoman Zichko -yes; Motion Passed. ACTION ITEM**

The Oath of office was then conducted and City Clerk/Treasurer, Lori Yarbrough, and Mary J Zichko, was sworn in as the new City of Athol Mayor.

13. DISCUSSION/APPROVAL for possible action or direction related to Gary Fast Code Violations.

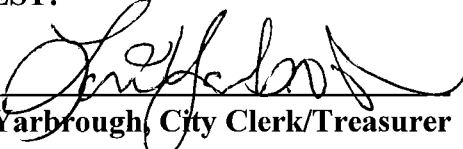
MOTION by Spencer, second by Hill, to allow Mr. Fast until November 20th to come into compliance with the most recent notice of violations that were issued this last summer. If not, then the council will consider revocation of the 2012 permit. *DISCUSSION **Roll Call: Councilman Spencer -yes; Councilman Hill -yes; Councilman McDaniel -no; Motion Passed. ACTION ITEM**

PUBLIC COMMENTS: None

ANNOUNCEMENTS City Council - none / Mayor - none / Staff- Lori -none; Anthony- city truck needs tires will be more than \$500, is this something he can get purchased? Council didn't seem to have a problem, it will be on the next agenda for council approval for next month.

ADJOURNMENT at 9:29pm

ATTEST:



Lori Yarbrough, City Clerk/Treasurer



Mary J Zichko, Mayor

Approved at Council on 10/2/18