

Approved Minutes Draft

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

Tuesday, March 19, 2019
7:00pm Regular Council Meeting

Mayor, Mary Zichko called the meeting to order at 7:00 P.M.
PLEDGE OF ALLEGIANCE ROLL CALL:

Present: Mayor Zichko; Councilman McDaniel; Councilman Hill; Councilman Spencer; Councilwoman Denis, Clerk/Treasurer-Lori Yarbrough; Public Works- Anthony Brandt; City Planner- Rand Wichman; and City Attorney- John Cafferty.

REPORTS:

Treasurer Report – Lori submitted written report and read the ending account balances. STCU Checking = \$69,024.09; STCU Savings = \$106,008.77; LGIP = \$701,279.81; Misc. income was Shane’s regular insurance \$50.00; HJ Grathol \$2,668.00; Josh insurance for a total of \$738.65, DEQ \$1,125.00, STCU cc error \$585.92 for a total of: \$2,499.57.

Water Report – Lori submitted written report. January usage = 2,915,300 gal. (haulers 137,800) and **February usage = 3,019,737 gal. (haulers 131,699)**; Late fees this month, approximately 31 getting the fee and 15 accounts that are 60 + days past due and needing shut-off letters. **A reminder the March billing, payments due by April 15th is the last one at the old rates. New rates effective April 1, 2019 for payments due by May 15th!**

Public Works Report- Anthony submitted written report, there were no questions or comments by council.

Planner Report – Rand submitted a written report and summarized the following: **DH Holdings/Krivor Annexation** – We had the public hearing, tonight it’s on the agenda to discuss the park dedication land. **Building Location Permit** No new permits issued. **The Crossings** – Lots of activity, construction on an access road and water main extensions and irrigation line installations have begun. Have met with developers a couple of times, working towards the list of things needed for final approval of the sub-division. The developer is making a little progress towards a DEQ approval for the sewer system- they have received a preliminary approval and a preliminary engineering report. But still a few steps that DEQ will require before they will approve the plans and allow construction to begin; there are different opinions on how long that might take. Phase 1 improvements are still needing to be ironed out, which include the driveway approach and how the well system works, and the recent water leak, and concerns over the warranty and integrity of the work. Developer would like this all done as soon as possible, but planner doesn’t see it happening anytime too soon. **Code Enforcement** – Continue to monitor others, and nothing new to report. **Comprehensive Plan update** – A public hearing for tonight’s meeting, nothing new. **Second St Vacation/Water Line Easement** – There will be a public hearing tonight on the vacation. **Lastly** – Working with Idaho Forest Group who is looking at some possible boundary line adjustments; and Gary Fast who is looking at possibly sub-dividing his lot at the White Pine, to sell a part of it off; Rand advised him that he will need to remedy the violations before a sub-division would be allowed and so Rand hopes to see some progress there soon. Councilman McDaniel- asked for clarification regarding the Crossings and the steps necessary to move forward. Rand briefly outlined those again saying its quite possible to not be able to do anymore construction until

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.

early fall; thus, no final plat approval, meaning no additional business would be able to buy and build on because the individual parcels do not yet exist. Only infrastructure improvements can happen right now. There will be lots of speculations around town, we don't know who any of those businesses will be yet. There are lots of inquiries by businesses, but nothing can actually be done yet because there are no parcels yet.

ACTION ITEMS:

1. APPROVAL OF THE March 5th REGULAR MEETING MINUTES:

Motion by Spencer, seconded by McDaniel that we approve the regular meeting on the 5th, minutes without amendments. *DISCUSSION All in favor- Motion passed. ACTION ITEM

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

3. DISCUSSION/APPROVAL for the (was ABC) now Athol Farmer's Market Annual Agreement for use of the outdoor city basketball court area, at the agreed upon rates as per the agreement and authorize the Mayor's signature on the contract. Market president, Nikki Conley, addressed the council, sharing around 13 vendors and hoping to get more. One who's considering is Philly Express- but he is interested in having a permanent building to use and for others to use as city events occur. Council asked for more information on the building and location and such. Opening day for the market is May 10th, 2019. Motion by McDaniel, second by Denis that we allow the ABC Farmer's Market use of the city property at the agreed upon rates as per the agreement and authorize the Mayor's signature on the contract. *DISCUSSION – Roll Call: Denis-yes; McDaniel-yes; Spencer-Abstained- as he is a member of the Athol Farmer's Market; Hill-yes. Motion passed. ACTION ITEM

4. DISCUSSION/APPROVAL of a new laptop computer for the Mayor. – Mayor Zichko asked Lori to explain the numbers to the council. A cheap personal laptop you see advertised for \$300.00 plus, was not recommended by Michael the IT Guy; his recommendation was more around the \$800 range; that being said he also suggests we use the Dell Outlet and feels we could possibly get the right computer for around the \$600 range and this will meet all the cities needs and more. Budget- this could come from the Mayor's budget, since the office supplies budget is already over budget. Motion by Spencer, second by McDaniel to approve the purchase of a new laptop computer for the Mayor and other city employees, taken out of the Mayor's fund, and not to exceed \$800.00. *DISCUSSION Council confirmed this computer will not be networked to the cities system. Roll Call: McDaniel-yes; Spencer-yes; Hill-yes; Denis-yes. Motion passed. ACTION ITEM

5. DISCUSSION/APPROVAL of DH Holding Annexation park plan dedication. Council to review proposed boundary of parkland dedication from the DH Holding annexation park dedication. Casey Krivor was also present for this discussion. Rand shared that we need to be sure the city agrees as to what this park land dedication boundaries should be. It could also allow for a future extension of Meadow Street. After a short discussion the following was made: Motion by Hill, seconded by Denis to approve the DH Holdings Annexation-Parks plan boundaries as proposed. *DISCUSSION – Councilman McDaniel shared his concerns with this annexation and wishes the city would have handled this annexation a little differently, there was a brief discussion about the build out and how/when things may evolve for these newly annexed parcels. Roll Call: Spencer-yes; Hill-yes; Denis-yes; McDaniel-No; Motion passed. ACTION ITEM

Mayor called for a SHORT BREAK for 10 minutes.

PUBLIC HEARING #1 To take testimony on the City's new Comprehensive Plan Draft

Mayor opened at 8:25pm and stated: "the purpose of this public hearing is to take and consider public comment on the City Comprehensive Plan. Remember a Comprehensive Plan is a broad outline for guiding the growth and development of our community." Mayor asked that those wishing to make public comments, speak loud and clear, state your name- as it is being recorded, those wishing to speak will come up to the podium one at a time. The city planner, Rand made a brief introduction recapping the events that lead to this public hearing and that he had submitted a memo for the council. Public review and comment had been going on now for some time, public meetings, a booth at Athol Daze, but unfortunately, we haven't received much public comment on it. Because the last few adjustments were made after the public notice, we will have to hold one more public hearing. So tonight, if you have any comments or wishes for changes, now is the time so that we don't have to keep going through this. Kudos to Lori for adding the pictures and making this a much more attractive document for presentation. **The Mayor then asked if there was anyone wishing to make comment. No one present wished to speak or make a comment on the Comprehensive Plan, so the Mayor closed the hearing at 8:39pm.**

6. DELIBERATIONS/DECISION of the Draft Comprehensive Plan Time for the council to discuss and make any final changes to the comp plan and then set the final hearing for the April 16th meeting. **Motion by Spencer, second by Hill to accept the staff changes and set a final public hearing for the April 16th regular council meeting.** *DISCUSSION **Roll Call: Hill-yes; Denis-yes; McDaniel-yes; Spencer-yes. Motion passed. ACTION ITEM**

PUBLIC HEARING #2 To consider public comment on the Right-Of-Way Vacation Ordinance #423 Mayor opened at 8:51pm Mayor again reminded everyone this a public hearing so please speak loud and clear- it is being recorded, those wishing to speak we ask you to wait until, I open it up for public comment. Mayor asked if any council wanted to remove themselves or say anything regarding this matter for conflicts, to which Councilman McDaniel said he would not be commenting as a council, nor voting on this matter, due to personal conflict. – 1st- the City planner introduced the Right-of-Way Vacation ORD. and a brief history of the events leading up to this hearing. Then it was opened to the public, affording them the opportunity to address the council through public comments. Rand shared that 3 property owners petitioned the city requesting to vacate an alley. This alley is not used nor maintained by the city, but the legal process had not taken place . He doesn't believe this will adversely affect anyone of the surrounding property owners. The required mailings and notice of publications have been made, just need to do the public hearing for any comments. The Mayor asked for first those For the Vacation- hearing no-one, she moved on to those who are Neutral- to which the clerk shared a neutral comment that was brought into the office earlier in the day and read their brief comment- basically saying they didn't have enough time or information to weigh in on this decision and they just wanted that noted on record. And finally, the Mayor asked for those Opposed to the vacation- to which there was no-one wishing to comment. In total there was only the 1 neutral comment, no for's or against the vacation request. The Mayor then closed the public hearing and asked the council if they wanted to deliberate on the matter. **Mayor closed at 8:55pm.**

7. DELIBERATION/DECISION on ORD#423, The Vacation of a Public Right of Way Alley Between Division Street and East Hill Avenue. Motion by Hill, second by Spencer to place proposed ORDINANCE #423 which is the Public Right-Of-Way Vacation, on its first and only reading by title only while under suspension of the rules. *DISCUSSION **Roll Call: Denis-yes; McDaniel-Abstained for personal conflict in the matter; Spencer-yes; Hill-yes. Motion passed. ACTION ITEM**

Mayor then read the proposed ordinance by title: ORD #423- AN ORDINANCE OF THE CITY OF ATHOL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE LANDS DESCRIBED IN SECTION 1 OF THIS ORDINANCE TO BE VACATED CITY PUBLIC RIGHT-OF-WAY OF AN ALLEY BETWEEN DIVISION STREET AND EAST HILL AVENUE, SOUTH OF NORTH SECOND AVENUE WITHIN BLOCK 9 OF PLAT OF STATE'S ADDITION TO ATHOL, INCLUDING ANY PORTIONS NOT

PREVIOUSLY VACATED BY ORDINANCE 183 AND/OR 109; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion by Spencer, second by Hill to approve ORD #423 the Vacation of the Public Right of Way of an alley between Division Street and East Hill Avenue, South of North Second Avenue within block 9 of Plat of States Addition to Athol. *DISCUSSION Roll Call: McDaniel-Abstained; Spencer-yes; Hill-yes; Denis-yes. Motion passed. ACTION ITEM

8. DISCUSSION/APPROVAL of the next steps for the Water Facility Plan and

Improvements, Kyle Meschko with Keller Associates to give update. Kyle summarized- Keller has been actively working over the last year and half on the city's water facility plan and prioritize the biggest projects necessary for the city to continue to provide the best water it can to its citizens and keep in compliance with DEQ requirements. They have also been working with the city for grants and funding options. So today is about the applications for those funding options which is the EJCDC (Rural Development), its about timing and really needs council to be aware of what portions the city would be required for in the event the block grant is not received; but at the same time allow for Keller to begin working on the next step, the preliminary design phase- about \$65,000.00 to keep the city in the timeline of going out to bid next spring. He's asking for that approval today.

a. Review/Approval of the EJCDC Contract required by the USDA Rural Development for use of their funding sources. *DISCUSSION

Motion by Spencer, second by Hill to approve the preliminary design phase funding for \$65,810.00 for Keller to move forward, and to approve the EJCDC contract that has a draft completed by Keller, contingent upon the attorney's and Rural Development's comments. Roll Call: Spencer-yes; Hill-yes; Denis-yes; McDaniel-yes; Motion passed. ACTION ITEM

9. DISCUSSION/APPROVAL of Repairing the Public Works Shop/Roof on 6th St. - Anthony

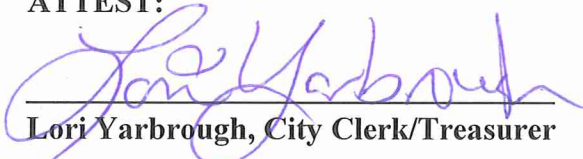
No action was taken on this matter, it was tabled until another bid could be included for the council's consideration.

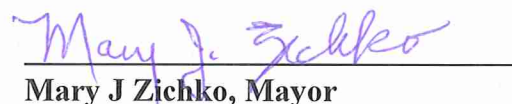
PUBLIC COMMENTS: Janet Ellis, citizen of Athol and Chamber President, commented she found that the Spaghetti Feed is coming up Friday, April 5th. She also found out that the Judo group have about 45 plus students who range in age from 4 to 60 years old and the instructor is a Black Belt – Olympian level. Jim Whallon- citizen of Athol, commented he doesn't think a shed/lean to is necessary; The equipment can sit outside.

ANNOUNCEMENTS City Council- None Mayor- reminded everyone that the 2nd Beautification and Athol Daze planning meeting will be Thursday, March 28th at 1:00pm at city hall. Also, a reminder the quarterly AIC meeting coming up Tuesday, April 30th; would be nice to see the council attend; let Lori know if you are planning to go. **Staff – Lori-** the annual tracking for 2018 for the Septic Management Plan (SMP) has been sent to Panhandle Health District and is happy to report we are 73% pumped to date. She also shared some of the theme suggestions the Athol daze planning committee is considering is: Hometown Hoe-down, country; A Splashing Good Time, water; Athol Daze, Simply Marvel-ous! superheroes are a few. Lastly, a reminder the Circus will be coming to town again this June 11th. **City Attorney-John Cafferty-** added a reminder that the legislative session will likely have a lot this time that may affect the city, which you will get at the AIC meeting. Also, elections coming up this November 2019- who take office January 2020. Four of the five seats will be up for election.

ADJOURNMENT at 8:58pm.

ATTEST:


Lori Yarbrough, City Clerk/Treasurer


Mary J Zichko, Mayor

Approved at Council on 4/2/19