

Approved Minutes

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

Tuesday, January 7, 2020  
7:00pm Regular Council Meeting

Mayor Zichko was not present so Council President-Shane McDaniel called the meeting to order: 7:00 P.M He asked visitors to please sign in.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Councilman McDaniel; Councilman Hill; Councilman Spencer; Councilwoman Denis; Clerk/Treasurer, Lori Yarbrough and Public Works-Anthony Brandt; Rand Wichman-Planner; & Caitlin Kling-Attorney. Not Present: Mayor Mary Zichko.

REPORTS:

- 1) Public Works Report- Anthony submitted written report and had a brief recap of things that have been happening. He’s been busy with plowing preparations. The fence around the big shop, and new gate is finally in and finished. This will make the shop more usable, so he can better store equipment. He also asked about water hauling for commercial use for the building of the sewer infrastructure over at the Crossings. Normally, we only allow water hauling from the hydrant behind city hall on Bennett and 2<sup>nd</sup>. After a brief discussion it was agreed to allow use for this sewer project, but all further construction will need to use the regular designated hydrant for water hauling.

ACTION ITEMS:

- 2) APPROVAL OF THE December 17<sup>th</sup> REGULAR MEETING MINUTES: Motion by Hill, second by Denis that we approve the last regular meeting on the 17<sup>th</sup> minutes without amendments. \*DISCUSSION All in favor-none opposed. Motion passed. ACTION ITEM

- 3) APPROVAL OF BILLS AS SUBMITTED: Motion by Spencer, second by Hill that we approve paying December/January bills as submitted without amendments. \*DISCUSSION-All in favor-none opposed. Motion passed. ACTION ITEM

-----SWEARING IN OF NEWLY ELECTED OFFICIALS-----

- Clerk swore in new Mayor, William “Bill” Hill
- New Mayor swore in Council #1 Pamala Baldwin
- New Mayor swore in Council #2 Joshua Spencer
- New Mayor swore in Council #3 Cindi Denis

The newly elected officials then took their seats at the table. Mayor Hill asked to entertain a motion for the council to now select a new council president, (2yr term).

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.

4) **DISCUSSION/APPROVAL of the council to select a council president, for a 2-year term. Motion by Denis, second by Baldwin that Shane McDaniel continue to serve as the council president. \*DISCUSSION Roll Call Vote: Spencer-yes; McDaniel-yes; Baldwin-yes; Denis-yes. Motion passed. ACTION ITEM**

**PUBLIC HEARING** Mayor Hill opened the hearing at 7:12 pm and reminded everyone this is the opportunity for any and all public comment related to this amendment request regarding the Crossings at Athol. *This hearing is regarding:*

Case No. S-18-01, the Crossings at Athol subdivision, a request by HJ Grathol to amend the Order of Decision granting preliminary plat approval of a 22-lot subdivision on 29.4 acres in the Commercial zone. Specifically, the request is to delete or amend condition 5.09 which precludes development on individual lots until the subdivision infrastructure is complete. **The City Planner, Rand Wichman**, then was asked to give a brief introduction of the matter before us. He referred to his written report, which already stated and recapped his recommendation. He does not support the request and recommends denying this request to amend or delete condition 5.09. **Applicant, Geoff Reeslund**, spoke on behalf of the request to delete or amend condition 5.09. He first congratulated the new council on their positions and then shared that he disagrees with the Planners report and that he takes offense, as this is not self-serving or just about marketing. He stated the true reason for this request is to help enable buyers to get started sooner, two of which are ready to start construction as soon as possible. He assured the council they (developer) is motivated and diligent to get this going and finished as it is costly to them to drag it out. The well and water system were way more costly than they anticipated but they got that done. He shared a bit about the groundbreaking 1<sup>st</sup> class sewage treatment facility they are putting in and that it is in their schedule to have this completed by the end of April. He shared that they have been working hard to accelerate this and that further they have not been keeping the buyers in the dark on this matter. He also acknowledged their error in their request letter on the matter regarding DEQ needing businesses to tie into the system to get it up and approved, agreeing that he completely forgot about Super 1 being the first and large enough to make that happen. They are asking for the city to allow those tenants/businesses to be able to get started on their buildings, so they are not delayed any longer. Further, Mr. Reeslund shared that the private agreements between them as developers and the newly purchased property owners wanting to build was not anything on the city, it won't hurt the city, no downside. He asked once more to please approve this request and let the buyers decide as to when or how soon they want to build. Mr. Reeslund then asked for Mr. Kelvin Shin, owner of the new gas station to be built on lot 13 of the subdivision to speak for a minute. **Mr. Shin** shared his excitement in beginning a groundbreaking as soon as possible and how spring/summer groundbreakings are always more successful. He supported the developer's request to allow for building to begin before the sewer was complete. **Then Geoff Reeslund** addressed council once more to add that at this time there is only one other business ready for building to begin besides the gas station. So, it's not a lot of businesses who would be requesting to build. -----**The Mayor asked for anyone wishing to make a public comment on this matter, please do so now. He reminded that there were yellow half sheets at the table in the back of the room that each comment was to be submitted on and brought up to the council table. -----In total there were no public comments read or shared in the position of: For; 2 comments that were for the position of Neutral; and lastly none that were Against. The neutral comments were as follows: Gil Coombs from Walking Horse Lane in Athol, ID (county resident)- who asked more about the overall nature and location of the project, as he was unfamiliar and was concerned about infrastructure on Howard Road and how the road will be affected. - The Mayor responded that this is all commercial and shouldn't impact Howard Road much, and the Athol Crossings Road will not be open to Howard Road until further development. The second comment was by Dave Theirl at 109 Lodgepole Rd Athol, ID (county resident)- who wanted to ask what the overall cause for the delay with the completion of this sewer**

system was from. - The Developer respond and said DEQ was very careful and hesitant with getting the initial approval done and that took longer than we hoped since it is a groundbreaking system over the aquifer. **With a total of only 2 public comments the Mayor offered if the Applicant had any additional, he wished to say.** *Mayor Hill then closed the hearing at 7:33pm*

**5) DISCUSSION/APPROVAL to consider Amending the condition or Delete the condition; in Case No. S-18-01, the Crossings at Athol Subdivision-Condition 5.09- which precludes development on individual lots until the subdivision infrastructure is complete. The Mayor asked for the Council to discuss the action item before them.** **Councilman McDaniel**- Asked the planner if the project fails or the developer goes broke who is liable for that. **Planner Rand**- responded with several possibilities or examples, ultimately his biggest concern is that the anticipated timeline the developer has not even close to reality of when he believes the sewer systems will be complete done and approved. While **City Attorney, Caitlin** added there's always liability. But further she did suggest the city could add an "agreement to indemnify the city for any potential damages or claims of liabilities"; this, in addition to the already in place financial guarantee. There's always a concern and a reason to use caution, but this could provide some additional assurances to the city. **Rand** also shared his concern that because the city does not have a Certificate of Occupancy there's not a lot of other tools for the city to best ensure that checks and balances and that thing get done as they should be. **Councilman McDaniel**- one last question if the bond was forfeited and the city needs to use the bond? **Rand** gave a brief run down to the council the general procedures and timelines that accompany the use of using the bond. Overall, it's generally a pretty cumbersome process unless the facility is very close to completion. **Councilman Spencer**- next commented on the planner's report and shared his appreciation to the planner for calling out that condition 5.09 is a benefit for the public, it watches out for the public's best interest and not so much the business owners/developers. It's the best form of enforcement we have, and he believes this results in protecting the City of Athol and its citizens. **Councilman Spencer** shared that he believed that the way the developers rolled out their comments tonight, like if the city didn't do this it would be hurting these business owners. He strongly believes this is something the city did purposefully to protect it and further he is looking forward to the new businesses in Athol, just doesn't want the risk of vacant buildings or incomplete jobs; It is just not the fault of the City, to have to make this kind of amendment. This condition is a tool and we encouraged the developer to stay the course and keep moving forward with getting the project done. **Councilwoman Baldwin**- commented her concerns are more with businesses getting upset with the city for not being allowed to open after their buildings are built and us holding them up. DEQ could stop the project and thus leaving the city liable to businesses who are unable to build and move forward. City Attorney added that's why she would suggest the indemnification mentioned earlier. **Councilman McDaniel** says if no buildings are started it doesn't hurt anyone but the developer; this gives them motivation to get it finished. **Councilman Spencer**-Rand has been right on his timeline from the beginning.

**Motion by McDaniel, second by Baldwin to deny the request to change or preclude condition 5.09 for the Crossings at Athol Subdivision.** \*DISCUSSION-nothing further. Roll Call Vote: McDaniel-yes; Baldwin-yes; Spencer-yes; Denis-yes. Motion passed. **ACTION ITEM**

**6) DISCUSSION/APPROVAL regarding Staff request for direction on Veteran Cemetery Plots.** Lori to discuss. 20% or 18 plots still available in the Veteran's section of the Mountain View Cemetery owned and ran by the City. Staff is still working on drafting a policy to clarify several cemetery related questions. Today this is an action item because we have a request right now from someone who is not a veteran who wants to purchase a plot in the veteran section, to be near his father who is in the veteran's section. **Motion by Spencer, second by Denis to allow this purchase request today, but that no further non-veterans may be in the plots located in the veteran section until the city has create a**

policy to further define this issue. \*DISCUSSION- Roll Call Vote: Denis-yes; Baldwin-yes; Spencer-yes; McDaniel-yes. Motion passed. **ACTION ITEM**

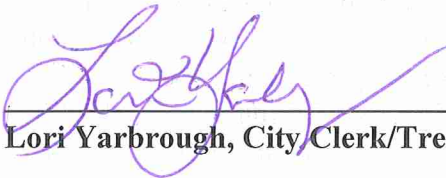
**PUBLIC COMMENTS:** Margret Whallon- asked if an urn can be placed with a full casket after the casket has been buried? Anthony responded that yes, it is possible to do that.


**CHAMBER OF COMMERCE – not present.**

**ANNOUNCEMENTS** City Council- none / Mayor-none / Staff Lori- Needs to know who wants the Costco Membership Benefits for this year as the renewal is coming up quick. Please let Lori know.

**ADJOURNMENT at 8:18pm**

**ATTEST:**

  
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Lori Yarbrough, City Clerk/Treasurer

  
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Bill Hill, Mayor

Approved at Council on 1/21/2020