

Approved Minutes

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

Tuesday, May 4, 2021
5:00P.M. Budget Workshop
6:00pm Regular Council Meeting

FY2020 Budget Workshop

5:12P.M.

Discussion Items:

- 1) Current Year's Budget to Date – Lori shared with the Council the current year's budget.
- 2) FY2022 Projects draft list. – Since, the legislature is still in session and the AIC has not yet been able to do the budget manual, Lori still does not have any hard numbers to propose. She felt it would be best then to just discuss some of the possible projects the staff has thought of and wondered if the Council had anything to add. Various projects were mentioned by staff; staff will write them up and get some rough numbers to discuss at the next budget workshop. Ended at 5:56pm

Mayor Hill called the meeting to order at 6:00 P.M.

ROLL CALL: Present: Mayor Hill; Councilwoman Denis; Councilman Stack; Councilman McDaniel; Clerk/Treasurer-Lori Yarbrough; Not Present: Caitlin Kling, Attorney; Rand Wichman, City Planner; Councilwoman Baldwin; Public Works-Anthony Brandt.

REPORTS:

Public Works – Anthony submitted April written report and was not present at the meeting. Council did not have any questions.

ACTION ITEMS:

1) APPROVAL OF THE April 20th REGULAR MEETING MINUTES:

No motion- this item was tabled, as the minutes were not ready. **NO ACTION TAKEN**

2) APPROVAL OF BILLS & NNAC Pay Request #4, AS SUBMITTED: Motion by McDaniel, that we approve paying April/May bills and the NNAC Pay request #4; (DEQ Loan Draw #2) as submitted without amendments, with the other agencies agreeing (DEQ and USDA). ***DISCUSSION-** All in favor-none opposed. **Motion passed. ACTION ITEM**

3) DISCUSSION/APPROVAL Regarding the April High Use Water Bill for Beacon Pizza at 30401 N Old Hwy 95. Lori shared that we had the 1st read after winter estimates, which resulted in 1,394,000 gallons used, and a bill in the amount of the \$52.00 base rate plus \$2,548.00 in overage = \$2,600.00 total billed in April. Beacon Pizza is a new tenant there and only for a month or two. **Business Owner, Vince Austin,** also addressed the Council, sharing he felt that since he only just took over the place as the renter for 1 of the last 6 months in which the city does not read the meter, he felt that the property owner who was responsible for the bill for 5 of those months, should be the one to pay for them. He asked to divide the bill in to the 6 months, and he would pay one month as his portion. After a brief

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discussion, he then asked the Council if there could be any forgiveness on his portion of his one-month bill. The Council discussed it a little bit more and agreed to bill property owner for 5 of the 6 months, and Beacon Pizza for one of those months and to split that with him. Motion by Denis, to approve billing Beacon Pizza for only the base rate plus 1 of those months, of the overage divided in half; and bill property owner, JD's Resort, for 5 of the 6 months as the water bill was theirs for 5 months.

**DISCUSSION (Overage = \$2,548.00 divide by 6 = \$424.67. \$424.67 split in half to Beacon Pizza is \$212.34 plus the \$52.00 base rate = \$264.34 and then JD's Resort at \$424.67 x's 5 months = \$2,123.35.)*

Roll Call: McDaniel-yes; Stack-yes; Denis-yes. **Motion passed. ACTION ITEM**

4) DISCUSSION/APPROVAL of a New Beer and Wine License for Beacon Pizza located at 30401 N Old Hwy 95. - Lori to discuss. Motion by Denis, to approve a Beer and Wine License for Beacon Pizza. *DISCUSSION Roll Call: McDaniel-yes; Stack-yes; Denis-yes. **Motion passed.**

ACTION ITEM

5) DISCUSSION/APPROVAL of two Catering Permits requested by Bent Tree Brewing and Trails End Brewing Company for the Athol Farmers Market Opening Day "Spring Fling Music Fest" Friday May 7th. – Nancy with the Farmers Market was present, and the Mayor read the emailed request to have a beer garden at 3 separate events during this season's farmers market: May 7th, July 2nd, and the Sept 24th Fall Festival. Nancy reshared their plan to have a beer garden in a designated area, just like at the final event last season. Same conditions and the time are noted on the permit. After a brief discussion, the following motion was made. Motion by Denis to approve both one-day catering permits for the opening day of the Farmers Market, under the terms just discussed. *DISCUSSION Roll Call: Stack-yes; Denis-yes; McDaniel-yes. **Motion passed. ACTION ITEM**

6) DISCUSSION/APPROVAL to move the existing food stand built by Ron the Cheesesteak Guy a few seasons ago, into the Big city park. Since the Farmers Market is moving into the Big City Park, they now have a food vendor that might want to use it during the season. Lori shared a small list of concerns Anthony had regarding moving it to the park; his final recommendation would be just leave it where it is near the basketball court. – Nancy from the Farmers Market said they have since spoken to the possible food vendor and it is not as necessary as they thought it might be. Motion by Stack, to deny moving the food booth to the big park. *DISCUSSION Roll Call: Denis-yes; McDaniel-yes; Stack-yes. **Motion passed. ACTION ITEM**

7) DISCUSSION/APPROVAL of a Water Line Easement in Gross from Idaho Forest Group. Anthony, not present, so Lori gave a brief update. Anthony has been working with IFG for a while now identifying the water line locations within the IFG properties, and they have mapped it, which council now has a copy of. This map was also used by staff to better identify where the septic tanks are located. IFG has purchase 3 new meters and those will be going in next week. The final piece to the water is the Water Line Easement in Gross. This document will allow the City access with a two-day notice, to read or repair water meters anywhere on their property. The City attorney has also reviewed the documents and was okay with it. – Motion by McDaniel to approve the Easement in Gross Agreement with Idaho Forest Group and authorize the Mayor's signature. *DISCUSSION Roll Call: McDaniel-yes; Stack-yes; Denis-yes. **Motion passed. ACTION ITEM**

8) DISCUSSION/APPROVAL of the Order of Decision in the Matter of the Application of Badger Athol, LLC for Annexation, and Initial Zoning CASE NO AXA-20-02– Motion by McDaniel, to approve the Order of Decision for the Badger Annexation as submitted.

***DISCUSSION Roll Call:** McDaniel-yes; Stack-yes; Denis-yes. **Motion passed. ACTION ITEM**

9) **DISCUSSION/APPROVAL to Suspend the Reading of the Rules for Ordinance #433 The Badger Annexation– Motion by McDaniel, to Suspend the Reading of the Rules for Ordinance #433 the Badger Annexation Ordinance. *DISCUSSION Roll Call: Stack-yes; Denis-yes; McDaniel-yes. Motion passed. ACTION ITEM**

Mayor read ORD #433 by Title:

AN ORDINANCE OF THE CITY OF ATHOL, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF APPROXIMATELY 10.3 ACRES OF LAND LOCATED ON THE WEST PORTION OF THE PLAT OF ARTHUR’S SYLVANIAN ACRES, A PORTION OF OLD US-95 RIGHT-OF-WAY, STATE HIGHWAY 54 RIGHT-OF-WAY AND NEW US-95 RIGHT-OF-WAY ITD PLANS. THE PARCELS ARE MORE PARTICULARLY DESCRIBED IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. THIS ORDINANCE IS PROVIDING ZONING OF THE PROPERTY SO ANNEXED AS COMMERCIAL; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF ANY CONFLICTING PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

10) **DISCUSSION/APPROVAL of Ordinance #433 The Badger Annexation– Motion by McDaniel, to approve Ordinance #433 the Badger Annexation and to authorize the Mayor’s Signature and direct staff to publish by summary only. *DISCUSSION Roll Call: Denis-yes; McDaniel-yes; Stack-yes. Motion passed. ACTION ITEM**

11) **DISCUSSION/APPROVAL of the Badger Annexation Agreement – Motion by McDaniel, to approve the Badger Annexation Agreement as presented and authorize the Mayor’s signature. *DISCUSSION Roll Call: McDaniel-yes; Stack-yes; Denis-yes. Motion passed. ACTION ITEM**

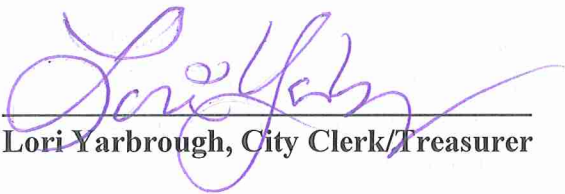
PUBLIC COMMENTS: Marge Whallon – asked where the Badger annexation is located? Mayor gave her a brief on the location being just south of Hwy 54; and between the east side of N. Old Hwy 95 and the on-ramp, of the new Hwy 95. Jeanette Kramer – Shared she was just here to watch and educate herself; then she suggested that maybe the City should cut & split the wood from the trees that are to be taken down and sell the wood at the Athol Daze auction.

ANNOUNCEMENTS City Council- Denis wants to know if or when the property on 29800 N 6th Street (Price) will be looked at for too many vehicles? / **Mayor-** He now understands that the Council must declare the nuisance in a meeting, in order to begin charging the \$50 a day fine. There was a brief discussion on what the process looks like and how it connects to the sheriff’s office and prosecuting offices. Council would like staff to have a list to review and deem as nuisances at the June 2nd meeting or June 15th at the latest. / **Staff-Lori** 1) Restated as mentioned earlier that the council will have one more resident coming to them regarding their high use water bill during the estimate period. 2) She already shared earlier with the Council about Timberlake High School doing a Community Service Day on May 28th. Staff is thinking about 3 projects: raking the cemetery, trash pick-up along city roads, and putting woodchips at the playground in the park. 3) Lori wanted to share with the Council that staff had some concerns regarding the Agreement with Timberlake Fire District, and they feel it needs to be worked out before bringing it to the Council to approve. The council was fine with that, as they did not expect it to happen this fast and some of the Council still had some reservations. 4) Lastly, Lori reminded the Council that since the city has received official notice in writing that Pam Baldwin will no longer be serving on the Council effective May 14th, 2021, the Mayor will begin looking for a replacement to appoint and then the Council must confirm. But this needs to be done before Calvin Stack leaves the Council in July (he is

moving out of the city limits); or the Governor will need to step in to appoint; as there would not be a quorum. They understood.

ADJOURNMENT at 7:32pm

ATTEST:



Lori Yarbrough, City Clerk/Treasurer



Bill Hill, Mayor

Approved at Council on May 18th, 2021