



Unapproved Draft Minutes

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, December 15, 2020

6:00pm Regular Council Meeting

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

Join Zoom Meeting **No one called in.**

<https://us02web.zoom.us/j/81599456378?pwd=Z3psNmNYUDZUUUt6aTZLMng2VmZDQT09>

Meeting ID: 815 9945 6378 Passcode: 085246

Dial by your location +1 253 215 8782 US (Tacoma)

Roll Call: Present: Mayor Bill Hill; Councilman McDaniel; Councilwoman Baldwin (via phone); Councilwoman Denis; Councilman Stack; City Clerk/Treasurer-Lori Yarbrough; Public Works- Anthony Brandt. City Attorney- Caitlin Kling and City Planner- Rand Wichman. Not Present: n/a

REPORTS:

Treasurer Report – Lori submitted the new version of report styles that the council approved last month, due to the new computer software, Pelorus. This month Lori found yet another report she felt the council might like better; after a brief review comparing the various reports, the council agreed to use the Cash Summary report versus the Standard Financial Report. Lori then gave the ending totals for each of the city accounts: STCU Checking = \$209,543.39; STCU Savings = \$61,791.32; LGIP = \$826,757.69. Lori shared that she would be doing another transfer of \$160,000 from the LGIP to Checking Acct for the 2nd payment to NNAC and the \$20k Keller invoice.

Water Report – Lori submitted written report and read aloud. Oct usage = 2,474,321 gal. (haulers 151,300) and Nov usage = **1,640,840 gal. (haulers 180,336)**; **Billing in November was \$14,780.00 plus \$410.00 in late fees and collected was \$18,696.75.** Late fees this month, there are 38 or 39, and 10 accounts to get notices of shut-off for being greater than 60 days past due. There was a brief discussion on how to best track the coin from the water hauling station to the cash deposited. Lori has started to compare the numbers and work on a report to verify the income to the reported usage. She will work with Pelorus to get a receivables account set up for the coins so we can have better tracking and accountability in this area.

Planner Report – Rand submitted a written report. Recapping: One new Building Location/Site Disturbance Permit approved for Idaho Forest Group at 5400 E Hwy 54 (SDP21-02). They requested to clear and grade the area south of the existing mill site at their facility. An additional permit will be required before they can make other improvements to this area. Idaho Forest Group annexation- nothing new this month, still waiting. Code enforcement: 1 new violation this month, for Timberlake Fire Dept. They completed grading of a new parking area without a site disturbance permit at 5959 E Hwy 54 (the lot immediately west of the fire station, which is vacant). There was a brief discussion during the meeting on this matter. Rand has since spoken to Rudy R., Commissioner for the Fire Department, and it was pointed out that the Athol city code does have an exemption for government entities for the requirement to have a Site Disturbance Permit. So, Rand will rescind that first notice for the violation, of not having a site disturbance permit approved. That was something in the code we did not realize was there. Rand then explained that he does plan on issuing a new notice however, for the violation of the improvements that were made, as they do not meet the

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.

commercial development standards described in the code. There are no government exemptions on this matter. The exemption is specific to site disturbances only, not any other permit types, and only means they do not have to get a permit first. It does not allow for them to not comply with the code standards; things such as commercial development standards for parking lots, access/approach, stormwater, and landscaping. It was agreed there was some confusion or disconnect between city staff and the fire district, both being newer to these situations, but that does not mean the code does not apply. This is why we use Rand on each permit request because we are still learning and there is so much to the code and every approval/decision is always followed up with written notice that tells them they can proceed. It is unfortunate when there is a disconnect and having things in writing helps to clarify those things. Rand said, after council recommended, he would talk with Rudy again before the 2nd notice/reissue is sent to help him understand and maybe work out some more comfortable language. Rand was clear that a Notice to title, on the vacant lot, really allows for the Fire District to continue as is, and not have to remove the improvements or return to original condition but also allows for the city to have correctly identified a non-conforming use/violation in the city. The notice is there until they sell the property or need to request a permit to build. He felt it was a win-win for both parties really. Or the fire department can appeal Rand's decision and it would go to the council. The council hoped that having that 2nd phone conversation with Rudy would help the situation and make the fire department feel better about it all. Cole Annexation – Nothing new to report; waiting for the applicant. Fast Subdivision- nothing new to report; waiting on applicant to demonstrate how he has complied with the conditions for approval of the final plat. Badger Annexation- Keller issued a formal recommendation on water improvements. Rand has met with the applicant to discuss those recommendations. Waiting to hear back from the applicant before proceeding with drafting an annexation agreement. Code Amendments- are completed and were approved at the last council meeting. They have been published in the paper and sent to codifiers. Should be available on-line soon. Misc. Item - There may be a possible presentation from the guys at the Crossings Subdivision at the January council meeting. They may be looking at a future potential for a residential development in there. One last item, since his report was submitted: The Bellante, now Busch property on Miller Road, has now resolved the compliance issues at 29475 N Miller Road. Once they pay the fee, Rand will release the Notice of Violation with the county.

ACTION ITEMS:

1. APPROVAL OF THE November 17th REGULAR MEETING MINUTES:

Motion by Baldwin, that we approve the regular meeting on the 17th, minutes without amendments.

**DISCUSSION All in favor-None opposed. Motion passed. ACTION ITEM*

2. (Mayor MOVED FROM #4 to #2) DISCUSSION/APPROVAL of the Good News Club (GNC) Building Rental Waiver Request by Sheryll Benson and Lori to discuss. Sheryll introduced herself and spoke a little about what her group is. The GNC is a non-profit Christian organization with the goals of teaching children the truths from the Holy Bible and helping them grow in faith in Jesus Christ. They are non-denominational and everything to the kids is provided for free. They would like to meet once a week. Lori then shared that she reviewed the stats of who all is using the community center at a free or reduced rate, per past Mayor and City Council requests. She found that the council has allowed for free or reduced rates to less than 25% of the groups/users who use the community center. (There are approx. 7 groups using for free; these are generally government entities. About 7 other classes/groups have a reduced rate, they are a mix of community groups and various support groups. There are 12 plus HOA's, Water Districts, religious groups, 4H groups and then about 60 additional other private parties who generally pay full price.) **Motion by McDaniel to approve the use of the community center free of charge for the Good News Club, once a week; will revisit in 1 yr. * DISCUSSION- Roll Call Vote: **Stack-yes; Baldwin-yes; Denis-yes; McDaniel-yes.** Motion Passed. **ACTION ITEM****

3. (Now #3) APPROVAL OF BILLS AS SUBMITTED: Motion by Denis, to approve paying the December/January bills as submitted and include the 2nd payment for \$134,485.99, to NNAC for the water improvements and upon funding agencies, DEQ and USDA's approval of the bill. *DISCUSSION- Lori reminded the council that the large Fatbeam bill for the \$121,612.00 will not be paid out until we receive the funds from the state for the Broadband Grant. She also shared we are close to our match money of the \$400k and that other than a few smaller engineer invoices and miscellaneous; we will begin using the DEQ funds for the next (#3) payment to NNAC. *All in favor-None opposed.* **Motion passed. ACTION ITEM**

4. DISCUSSION/APPROVAL of Change Order #1 for NNAC; the City Water Improvement Project - Anthony to discuss. **Motion by Stack to approve the request accepting the change order #1 by NNAC as recommended by the Engineers.** * DISCUSSION- **Roll Call Vote:** McDaniel=yes; Stack=yes; Baldwin=yes; Denis=yes. **Motion Passed. ACTION ITEM**

DISCUSSION/APPROVAL of the GNC Building Rental Waiver **Request (Moved up to #2)**

5. DISCUSSION/APPROVAL of the Ednetics Service Contract- Lori to discuss and give overall update on Broadband Grant to date. Everything is done, Lori shared locations of nodes, and basic parameters she and Michael the IT Guy, were taught to manage the system. Everything appears to have gone smoothly and there is no longer a Wi-Fi password required, it is an open and faster network. The city computers are all on their own separate networks and should be very secure. Neither Lori nor Michael knew if there will be a need for the support service agreement at the end of the 1 year. It is a \$5,000 value they are giving us currently to help through transition and learning curves of management. Lori said she expected the grant reimbursement to take a couple of weeks, but we should likely receive it before the next council meeting. **Motion by McDaniel to approve the signing of the 1-year free service contract from Ednetics for the new network connections.** *DISCUSSION- **Roll Call Vote:** Denis=yes; McDaniel=yes; Stack=yes; Baldwin=yes. **Motion Passed. ACTION ITEM**

DISCUSSION ITEMS:

Code Enforcement- Rand started by saying he and staff just wanting to touch base again and ask How active you want the city staff to be for Code Enforcement? Rand shared he really has not gone looking for any new cases, only those he has been made aware of through city staff, or citizen calls. The same for staff. If we notice something new happening that we know is not allowed, we are obligated to follow up. This makes for a consistent standard towards everyone. We all know there are a lot of non-conforming pre-existing properties out there. But it was generally agreed that if we notice a change (something new) or received calls from other concerned citizens, we feel obligated to do the proper follow-up to ensure the best compliance we can. The backlash to the council could be large or strong at times; council and the Mayor will likely hear about it. Staff needs to know we are just doing what we are expected to do. We always start with the friendly reminder by city staff, then if no, resolution it gets passed onto Rand for more formal correspondence. After a brief discussion on that, council and the staff began discussing the process and procedures for how to implement the new \$50 daily fee for non-compliance for the Nuisance for Junk Abatement. First, each location must be an agenda item for the council to declare the nuisance and then letters are sent out by staff. Then, after 2 citations for junk abatement, it becomes a misdemeanor and must be sent to the prosecuting office at the county. This includes a daily inspection, notices to property owner etc.; it will be very time consuming. After a discussion it was thought to reach out to Captain Stu Miller with the Sheriff's office and see if we can work with them to iron out the details and procedures in a partnership type fashion. The last topic of discussion was more related back on the waiving of governmental entities' fees for rentals and various permits. Considering the fire district's past 2 permit incidents, staff feels the direction of the council and mayor is to waive the fees for these entities. But the City Attorney advised that the city should do it in one of two ways. Through its own Resolution- making it a full policy on how we handle various fees for various entities. Or just in the next revision of the City's Fee Resolution, by

identifying or adding some notation in the various sections in which waivers would be used. The council agreed that having it identified somewhere in some fashion would make sense. As of current, there is no such written policy or procedure for who and how fee waivers would be handled, without each going through the city council. Staff will work towards drafting up said documents to present in the near future.

PUBLIC COMMENTS: None

ANNOUNCEMENTS: **City Council**-None. / **Mayor**-1) shared he violated a policy he was not aware of; he hopes to bring updates to the Employee policy next month to change some areas of the policy to address this in the future. / **Staff- Lori** 1) Coronavirus Relief Fund is another separate funding stream related to the Cares Act and \$1,195.02 were the costs to the city for various items that were not planned for and due to the pandemic. Lori was able to submit for reimbursements \$927.54 of those costs; 2) The Street & Road Report, is coming up and she must have it turned in before she is off for the year; 3) Reminder of City Hall closed X-mas through New Year's; this is vacation time Tanya and Lori are using, Anthony will still be around. So, no first meeting in January (would have been on Jan 5th), only January 19th. **Anthony**- the council should have all received a copy of the November Water Progress report done by Keller in their packets. NNAC is still finding random old service lines, but they are getting faster and almost done with 3rd Street.

ADJOURNMENT at 7:54pm

ATTEST:

Bill Hill, Mayor

Lori Yarbrough, City Clerk/Treasurer

Approved at Council on