



## Unapproved Minutes

### Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

**Tuesday, November 17, 2020**

**6:00pm Regular Council Meeting**

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

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

#### **REPORTS:**

**Treasurer Report** – Lori submitted the regular written report she normally prepares and then a couple of new report styles that the new computer software offers. There was a brief discussion on which to use going forward, as it is easier and saves Lori more time, while still providing the council with the information they want. STCU Checking = \$72,206.74; STCU Savings = \$111,755.23; LGIP = \$926,323.52; Misc. income was Shane and Cindi's regular insurance for \$673.52 total; and Grant \$2,779.00, misc. fax 19.50 = total \$3,472.02. Lori shared that she would be doing a transfer of \$100,000 from the LGIP to Checking Acct for the payment to NNAC this week.

**Water Report** – Lori submitted written report and read aloud. Sept usage = 4,341,688 gal. (haulers 253,300) and Oct usage = 2,474,321 gal. (haulers 151,300); **Billing in October was \$15,522.00 plus \$370.00 in late fees and collected was \$13,811.05.** Lori shared she does not think this number is 100% accurate but it is close, as they have been working on some of the conversion water deposit files and feels they still need to double check a few to be sure they are correct. Late fees this month, there are 38, and 10 accounts to get notices of shut-off for being greater than 60 days past due. Councilman McDaniel asked again about if we are tracking bulk/hydrant use verses coin. There was a brief discussion on how it is being tracked and Lori will work on a report to verify the income to the reported usage.

**Planner Report** – Rand submitted a written report. Recapping: Two new Building Location/Site Disturbance Permit approved for a new home for King Enterprises at 29900 5th St (BLP21-01) That property has been a vacant lot. The second was for the same location but for detached shop (BLP21-02). Idaho Forest Group annexation- had a meeting with the engineer for IFG and they are ready to begin working on it again. They will come back to the city with their proposed amendments to the draft annexation agreement soon. Most of the discussion has been related to how water is served to this property. No new Code enforcement cases this month, but Dan Ratcliff has been making some good progress on his rental property. The 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- Lee Badger's annexation application and the reimbursement agreement has been fully signed. There have been some meetings to discuss the evaluation of how water will be served to this property and other infrastructure issues such as access. Keller should be getting us a report on their recommendations next week. Code Amendments- a public hearing is scheduled for tonight. Misc.- receiving inquiries from people interested in parcels within the Crossings subdivision, but not yet aware of any additional new businesses that have committed to purchase. Former DH Holdings Annexation- property has been sold to a new party who is working with Panhandle Health District to see if there is a way to create a sewer system to

*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.*

serve their property so they can do more than the 1 per 5 acres in a subdivision cluster. Not sure if they will get anywhere with it but will keep you posted.

### **ACTION ITEMS:**

#### **1. APPROVAL OF THE November 3<sup>rd</sup> REGULAR MEETING MINUTES:**

**Motion by Denis, that we approve the regular meeting on the 3<sup>rd</sup>, minutes without amendments.**

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

#### **2. APPROVAL OF BILLS AS SUBMITTED: Motion by Baldwin, to approve paying the**

**November/December bills as submitted and includes the 1<sup>st</sup> payment to NNAC for the water improvements and upon funding agencies, DEQ and USDA's approval of the bill. \*DISCUSSION- *All in favor-None opposed.* Motion passed. ACTION ITEM**

**3. DISCUSSION/APPROVAL of the Athol Radio Group to use the community center for another year at the 50% discounted rate. ACTION ITEM Motion by McDaniel to approve the 50% discount for another year for the Athol Radio Group, & their use of the building for meetings. \* DISCUSSION Roll Call Vote: McDaniel-yes; Stack-yes; Baldwin-yes; Denis-yes. Motion Passed. ACTION ITEM**

**4. DISCUSSION/APPROVAL of the County Request for Comments on Minor Subdivision in Area of City Impact – Rand shared with the council the application before the county and wanted to know if the City had any concerns. After a brief discussion, No Formal Motion was Made. \* DISCUSSION resulted in the City Planner, Rand will send an email sharing the city's concerns on the additional use on Sheep Springs Road, as it is currently a substandard road. But they are otherwise not concerned with the subdivision. NO ACTION ITEM**

**5. DISCUSSION/APPROVAL to Amend Bob's Contact as the Back-up Water Operator, to add other miscellaneous duties as needed, like snow plowing. Motion by McDaniel to amend Bob's Back-Up Water Operator contract to include additional duties as needed such as snow plowing, as requested by the Mayor, at \$20 per hour, and to update the end date to March 2022. \* DISCUSSION- the current contract was for the use of Bob's water license as our water back-up. Roll Call Vote: Baldwin-yes; Denis-yes; McDaniel-yes; Stack-yes; Motion Passed. ACTION ITEM**

### **PUBLIC HEARING:**

#### **APPROVAL of Ordinance #430, an Update to various City Code Amendments**

The Mayor opened the hearing at 6:40pm. This is to take and consider any public comment on the adoption of ORDINANCE #430 - various City Code amendments. City Planner, Rand Wichman, briefly ran through the various changes that are proposed, and the attorney added in a few she and Lori had worked on and then the Mayor asked if there was anyone wishing to comment. There were only 3 citizens present at the meeting and no-one wished to comment. **The Mayor closed the public hearing at 6:48pm.**

**DISCUSSION/APPROVAL Motion by Denis to place proposed Ordinance #430, on its first and only reading by title only while under suspension of the rules. \*DISCUSSION – Roll Call: Denis-yes; McDaniel-yes; Stack-yes; Baldwin-yes. Motion passed. ACTION ITEM**

Mayor then read the proposed ordinance by title: **ORD #430 - AN ORDINANCE AMENDING THE ATHOL CITY CODE -THE CITY OF ATHOL, KOOTENAI COUNTY, IDAHO, HEREBY GIVES NOTICE OF THE ADOPTION OF ATHOL ORDINANCE No. 430, AN ORDINANCE OF THE CITY OF ATHOL, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE ATHOL CITY CODE BY AMENDING TITLE 1, CHAPTER 6, SECTION 3 TO CHANGE TO TIME OF CITY COUNCIL**

MEETINGS, AMENDING TITLE 2, CHAPTER 1, SUBSECTIONS A, B, AND C, TO REVISE REQUIREMENTS FOR SELLING ALCOHOLIC BEVERAGES, AMENDING TITLE 2, CHAPTER 4, SECTION 3 TO EXTEND THE LICENSE PERIOD FOR TEMPORARY BUSINESSES AND ADD REQUIREMENTS FOR MOBILE BUSINESSES; AMENDING TITLE 2, CHAPTER 4, SECTION 4 TO CLARIFY EXEMPTIONS TO BUSINESS LICENSE REQUIREMENTS; AMENDING TITLE 2, CHAPTER 4, SECTION 5 TO ADD A REFERENCE TO MOBILE BUSINESS LICENSES; AMENDING TITLE 2, CHAPTER 4, SECTION 6 TO ADD A REFERENCE TO MOBILE BUSINESS LICENSES; AMENDING TITLE 2, CHAPTER 4, SECTION 7 TO ADD REFERENCES TO MOBILE BUSINESS LICENSES; AMENDING TITLE 2, CHAPTER 4, SECTION 8 TO CLARIFY REQUIREMENTS FOR BUSINESS LICENSE HOLDERS; AMENDING TITLE 2, CHAPTER 4, SECTION 10 TO CREATE PENALTIES FOR FAILURE TO COMPLY WITH BUSINESS LICENSE REQUIREMENTS; AMENDING TITLE 3, CHAPTER 1, SECTION 7 TO CLARIFY PENALTIES FOR FAILURE TO ABATE A NUISANCE; AMENDING TITLE 3, CHAPTER 2, SECTION 4 TO CLARIFY REQUIREMENTS FOR SEPTIC PUMPING; AMENDING TITLE 3, CHAPTER 2, SECTION 5 TO CLARIFY REPORTING TO THE HEALTH DISTRICT AND NOTIFICATIONS FOR SEPTIC PUMPING; AMENDING TITLE 4, CHAPTER 3, SECTION 1 TO ADD A DEFINITION FOR AT LARGE ANIMALS AND EXOTIC ANIMALS; AMENDING TITLE 4, CHAPTER 3, CHAPTER 2 TO ADD REQUIREMENTS FOR THE CARE OF ANIMALS; AMENDING TITLE 4, CHAPTER 3 TO ADD A NEW SECTION 3 TO ESTABLISH PROCEDURES FOR IMPOUNDMENT; AMENDING TITLE 6, CHAPTER 2, SECTION 8 TO REQUIRE WATER LINES TO BE EXTENDED THROUGH PROPERTIES TO THE PROPERTY LINE; AMENDING TITLE 6, CHAPTER 2, SECTION 9 TO DELETE THE SECTION IN ITS ENTIRETY; AMENDING TITLE 6, CHAPTER 2A, SECTION 7 TO CLARIFY REQUIREMENTS FOR BACKFLOW PREVENTION DEVICES AND YEARLY TESTING REQUIREMENTS; AMENDING TITLE 6, CHAPTER 5, SECTION 2 TO UPDATE PROHIBITIONS ON LITTER IN CITY PARKS; AMENDING TITLE 6, CHAPTER 6, TO ADD A NEW SECTION 4 CONTAINING STANDARDS FOR ACCESS FROM PRIVATE PROPERTY TO PUBLIC STREETS; AMENDING TITLE 6, TO ADD A NEW CHAPTER 7 ADDRESSING PARADES AND PUBLIC ASSEMBLY; AMENDING TITLE 8, CHAPTER 1, SECTION 4 TO REVISE AND DELETE DEFINITIONS OF CERTAIN TERMS; AMENDING TITLE 8, CHAPTER 8A, SECTION 6 TO CLARIFY THE USE OF THE TERM “LOT COVERAGE”; AMENDING TITLE 8, CHAPTER 8A, SECTION 8 TO DELETE THE REFERENCE TO CITY COUNCIL; AMENDING TITLE 8, CHAPTER 8B, SECTION 2 TO REVISE PERMITTED USES IN THE COMMERCIAL ZONE AND DELETE THE REFERENCE TO CITY COUNCIL; AMENDING TITLE 8, CHAPTER 8B, SECTION 3 TO REVISE PERMITTED ACCESSORY USES AND REVISE STANDARDS FOR OUTDOOR STORAGE; AMENDING TITLE 8, CHAPTER 8B, SECTION 4 TO ADD KENNELS AS A SPECIAL USE IN THE COMMERCIAL ZONE; AMENDING TITLE 8, CHAPTER 8B, SECTION 6 TO CLARIFY THE USE OF THE TERM “LOT COVERAGE”; AMENDING TITLE 8, CHAPTER 8B, SECTION 8 TO DELETE THE REFERENCE TO CITY COUNCIL; AMENDING TITLE 8, CHAPTER 8C, SECTION 3 TO ELIMINATE RESIDENTIAL USE AS AN ACCESSORY USE AND CLARIFY REQUIREMENTS FOR OUTDOOR STORAGE IN THE LIGHT INDUSTRIAL ZONE; AMENDING TITLE 8, CHAPTER 8C, SECTION 6 TO DELETE THE OPTION TO HAVE CITY COUNCIL DETERMINE VIEW TRIANGLE REQUIREMENTS; AMENDING TITLE 8, CHAPTER 12, SECTION 4 TO CHANGE PARKING REQUIREMENTS FOR CERTAIN USES; AMENDING TITLE 8, CHAPTER 12, SECTION 5 TO CLARIFY REQUIREMENTS FOR DRIVEWAY AND PARKING LOT DESIGN; AMENDING TITLE 8, CHAPTER 12, SECTION 6 TO CLARIFY DRIVEWAY STANDARDS; AMENDING TITLE 8, CHAPTER 12, SECTION 10 TO DELETE THE SECTION IN ITS ENTIRETY; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

**MOTION by Denis, to approve the passing of ORDINANCE #430 Code Amendments without changes 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:** McDaniel-yes; Stack-yes; Baldwin-yes; Denis-yes. **Motion Passed. ACTION ITEM**

**PUBLIC COMMENTS:** 1) Bob Wachter-commented on his liking that the council meetings are now at 6pm. He would have liked to see it happen a long time ago; glad it finally has.

**ANNOUNCEMENTS: City Council-None. / Mayor-1)** Wanting to know how the council felt about him sharing during the next governor conference call to ask why he isn't locking down our borders as to not allow Washington or out of state people coming into Idaho, in reference to the coronavirus. Council agreed it might be a good question. 2) He also just wanted to confirm we are still good with canceling the first council meeting in December (1<sup>st</sup>), to which all were in agreeance. / **Staff- Lori 1)** Lori shared that the LHRIP application was completed and mailed out on time, meeting the deadline. 2) She shared that in light of the Governor's orders going back to a modified stage 2, and not more than 10 people in a meeting or gathering we will have to probably cancel the Christmas party on the 12<sup>th</sup>. Also, the Chamber of Commerce has decided to cancel their annual tree lighting event that was also on the 12<sup>th</sup>. We have also had to give notice to a few groups to cancel misc. building rentals due to this order. There are a few however, such as the morning seminary classes and Real-Life Ministries, that can continue because they fall under the exception for religious gatherings. There were no comments by the council on this matter. 3) Lori is still working on the land ownership regarding the Idaho Dept of Lands thinking some of the park lots are still owned by them in trust. She had Rand pull a title report to see if he can find anything further; to which she is now asking for Caitlin's input. Rand felt the attorney may be able to figure something out, but staff wanted the council to know she may have some additional hours for this task. They were ok with that. They would like to see this figured out once and for all too. 4) Finally, Lori gave an update regarding the collection of Fines and Fees from the county. She has been in contact with the County Auditor's office and then Captain Stu Miller with the Sheriff's office. He will be doing some research and talk with the auditor's office as well and will also try and get the officer's ticket books to add Athol in the next printing round. The auditor's office said that it was April of 2010 when the last check/payment was ever sent to the City of Athol for fines. **Anthony-** Lori shared for Anthony that the council should have all received a copy of the 90% completion report done by Keller on the progress of the Water Improvements.

**ADJOURNMENT at 7:16pm**

**ATTEST:**

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**Bill Hill, Mayor**

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**Lori Yarbrough, City Clerk/Treasurer**

Approved at Council on