

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

Tuesday, April 5, 2022  
6:00pm Regular Council Meeting

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

**ROLL CALL:** Present: Mayor Hill; Councilwoman Devine; Councilman McDaniel; Councilman Cutaiar; Councilwoman Kramer; Clerk/Treasurer-Lori Yarbrough; Jason Wing, Attorney; Rand Wichman, City Planner; Public Works-Anthony Brandt. Not Present: none.

**REPORTS:**

**Public Works** - March Report submitted by Anthony, Councilwoman Kramer had a few questions regarding when the water tank is going to be lifted. Anthony replied we still do not have anything beyond some time in late April 2022.

**ACTION ITEMS:**

**1) APPROVAL OF THE March 15<sup>th</sup> REGULAR MEETING MINUTES:**

**Motion by Cutaiar**, that we approve the last regular meeting on the 15<sup>th</sup>, minutes without amendments. **\*DISCUSSION** \* All in favor-none opposed. **Motion passed. ACTION ITEM**

**2) APPROVAL OF BILLS AS SUBMITTED: Motion by Kramer, that we approve paying the**

**March/April bills as submitted without amendments.** \*DISCUSSION-All in favor-none opposed. **Motion passed. ACTION ITEM**

**3) DISCUSSION/APPROVAL of the Annual Renewal for the Athol Farmers Market.** Nikki

Conley, President of the Athol Farmers Market, briefly spoke sharing how much they have really enjoyed using the big park and would like to continue. She asked about the use of horses on a few occasions, the 4H Friday, and again offering some beer gardens for the 3 big events. Clerk, Lori, shared that the only change or addition to the contract was related to the charge of electricity for music when they are using the stage. Both she and the Farmers Market agreed to what is being presented and she recommends council approving the agreement. **Motion by Devine, to approve the contract agreement for the 2022 Season as presented.** \*DISCUSSION **Roll Call:** Kramer-yes; McDaniel-yes; Cutaiar-yes; Devine-yes; **Motion passed. ACTION ITEM**

**4) DISCUSSION/APPROVAL of Resolution 2022-03, The Fair Housing Resolution**

**Declaring April as Fair Housing Month – Lori to discuss. Motion by Kramer, to approve Resolution 2022-03 declaring April as Fair Housing Month.** \*DISCUSSION Mayor Hill read aloud the full resolution, declaring April as Fair Housing Month. **Roll Call:** Devine-yes; McDaniel-yes; Cutaiar-yes; Kramer-yes. **Motion passed. ACTION ITEM**

**5) DISCUSSION/APPROVAL of two Catering Permits requested by Bent Tree Brewing and**

*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.*

**Trails End Brewing Company for the Athol Farmers Market Opening Day “Spring Fling Music Fest Friday May 6<sup>th</sup>.”** – Clerk, Lori shared they both were beer vendors last season and there were no problems, and she would recommend council approving the two permits. **Motion by McDaniel, to approve both one-day catering permits for the opening day of the Athol Farmers Market, under the same terms as last year.** \*DISCUSSION Roll Call: Cutaiar-yes; McDaniel-yes; Kramer-yes; Devine-yes. **Motion passed. ACTION ITEM**

**6) REVIEW/APPROVAL/DENY/REMAND Final Plat Application for Colton Acres Subdivision.** – Rand recapped the steps that have brought us to this point. He reminded everyone that the remaining 122-acre parcel is being left as is until there is a sewer solution and is not part of what is being decided tonight. Tonight, is about the 25 1/3-acre parcels. The property owners have done all the water and dry sewer lines, they are installed; just the road needs to be paved. They will provide the city with a financial guarantee for the emergency egress road and those documents are being drafted and will have them before the Mayor signs the plat. So, a total performance bond to the city for just shy of \$530k for the work to be done. Rand briefly explained the second bond will be done for warranty work, at 50% of the cost of improvements, \$91k, and then finished by saying that the Developer has completed all the conditions of approval for the preliminary subdivision, and the health district is satisfied. Same with the fire district, they are satisfied.

There was then a discussion by the council. Councilwoman Kramer’s concerns regarding weight limits on our city roads, and how the code reads, lead to concerns as to how this development is then accessing this area with their heavy equipment. The planner said, “that is something for the council to look into, but it doesn’t have a bearing on what is before you today for approval”. The Planner explained to the council they cannot impose/place new conditions on the applicant today, that was not already placed on then at the time of preliminary plat approval. Another area of concern for Kramer was whether there is enough room in the cul-de-sac at the end of Alice Court to put snow? We follow the same requirements as the highway district’s standards, but at this point this is not a permanent cul-de-sac. Another question was regarding the feasibility of connecting to future sewer. She asked who decides that feasibility, Rand said the city does, not the developer. She also asked a clarifying question regarding who or what fees are being paid for connection fees for future sewer connection. Finally, the CC&R’s section 9.6 talks about the emergency egress maintenance being a cost of the association, but further that it does not include snow removal. Her concern is what happens if there is an emergency, and the road gets snowed in and cannot be used. Rand explained that the thinking behind that was in case of wildfire, which happens in the summer. Kramer stated a fire can happen year-round and not just seasonally. She feels it negates the whole reason for having an emergency road access. Rand agrees that this would be within the discretion of the council and would like to include that as a condition in the CC&R’s. The following motion was made: **Motion by Kramer to approve the final plat for Colton Acres Subdivision with a condition that they revise the CC&R’s to include the plowing of the emergency egress access road to the city standards and authorize the Mayor’s signature; and they are required to submit the final bond documents prior to the Mayor’s signature.** Roll Call: McDaniel-yes; Devine-yes; Cutaiar-yes; Kramer-yes. **Motion passed. ACTION ITEM**

**BREAK (6:51 to 6:59)**

**DISCUSSION ITEM:**

**Review of the FY2023 Budget Process Timeline** - Lori shared we do not yet have the timeline cheat sheet. But she briefly explained the process and how we set date going backwards. After a short discussion council agreed, **we will plan to hold the Public Hearing for the FY2023 Budget for Tuesday August 16<sup>th</sup> at 6pm; and the first budget workshop date will be Tuesday May 3<sup>rd</sup> at 5pm just before the regular council meeting at 6pm.**

**Code Amendment Update Workshop Dates** – Lori and Rand offered the council a few dates to get started working on the Code Amendments. After a brief discussion it was decided to meet on Tuesday April 12<sup>th</sup> at 3pm. Bring your notes or areas you want to do some updates to in the code.

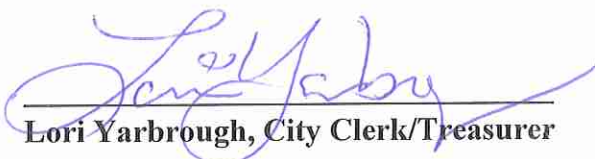
**ANNOUNCEMENTS City Council- Kramer** asked if we could add more location description on the agendas when referencing Colton Acres. / **Mayor-** A resident brought forward a concern regarding a tree on 4<sup>th</sup> street, and that it might fall. She asked if we would consider even cutting the tops of it off. After a brief discussion, there was no interest in doing anything with those trees. / **Staff Lori-** 1) Next Athol Daze meeting set for Tuesday, April 12<sup>th</sup> at 1:00pm 2) upcoming trainings: AIC Spring District is Monday April 18<sup>th</sup> 9am-3pm at the CDA Best Western, Lori needs to know who wants to attend. The Budget and Levy April 28<sup>th</sup> or 29<sup>th</sup> in CDA; and she also spoke briefly about a new program “The Tandem Tour, an educational raising Mental Health Awareness in our local teens. 3) Graffiti in the city is starting to pop up more and more in town and wants to know what we can do about it. She wondered about some public outreach in the newsletter as most of this is happening on private property and the city cannot really be the ones to get it removed. A local business owner came by city hall who professionally removes graffiti, and we have his contact information if something happens on city property. Nothing further was suggested. 4) The City received a Notice for Public Hearing in the county regarding the Magnuson Property, on the other side of Howard Rd and their creating 27 residential lots approx. 5-acres each. Lori wanted to know if the council wanted to comment. After a short discussion, council directed staff to reply with a Neutral position and list the various areas of concerns. Highest being the added traffic, and the impacts it will have on the schools, fire district and police services. **Anthony-** Shared the damage and results of the windstorm we had yesterday. And just wanted to let the council know we are looking into costs to replace the fence at the cemetery tanks, what our insurance coverage is, as well as had to call in a guy to take care of the big tree that fell in the city park.

**Mayor-** then introduced Anthony’s replacement, Kevin Foster, who will be starting with the city on Monday April 11<sup>th</sup>, 2022. He and Anthony will have 3 weeks to work together before Anthony leaves and goes back to the City of Spirit Lake.

**PUBLIC COMMENTS:** 1) **Susan Pargee (county)** – wanted to know if Active West responded within the 14 days for a request for reconsideration. City Attorney, Jason replied yes, a request for reconsideration was received. She wanted to know then the next timeframe, how long does the city have to respond. Jason responded 60 days. This is something that will come before the council in an executive session to discuss with the attorney. 2) Wanted to know if workshops are open to the public to attend? Mayor responded, yes, they are open to the public, there is not any comment taken from the public though. 2) **Marge Whallon (city)** – Will there be a City Clean-Up or Beautification this year? Mayor replied that he did not want to head that up, Clerk responded with her workload if full she has not time, and the Deputy Clerk did not want to. But Real-Life youth group who was interested in volunteering has found another option to do some little patrol along the roads in the area.

ADJOURNMENT at 7:41pm

ATTEST:

  
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**Lori Yarbrough, City Clerk/Treasurer**

  
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**Bill Hill, Mayor**

Approved at Council on 4/19/2022

