



Approved Minutes

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

Tuesday, May 17, 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; Councilwoman Kramer; Councilman Cutaiar; Clerk/Treasurer-Lori Yarbrough; Public Works- Kevin Foster, Rand Wichman, City Planner; and Jason Wing, Attorney. Not Present: none.

REPORTS:

Treasurer Report – Lori submitted the April reports and she read aloud the ending bank account balances as of the end of April 2022. Checking was \$56,218.94; Savings/MM was \$627,321.82; and LGIP was \$979,367.60.

Water Report – Lori submitted April written report and read the totals aloud. April usage was 3,143,316 gallons and coin haulers were 201,677 gallons. Coin Haulers money deposited in April was \$958.75, and bulk water payments received was \$14.00. Lori said about 6 accounts would be getting a letter for shut offs, and there were 50 accounts getting the late fee this month.

Planner Report – Rand submitted written report and briefly ran through it by subject matter: Colton Acres- Council approved the final plat at the April 5th meeting. The owners are still working through final issues to get the plat recorded. The City's part in this final approval has been completed. Pastime/Freemont Street Improvements – The request to vacate the old Freemont Street right of way will be heard as a separate agenda item at tonight's meeting. Fast Subdivision –The request for final plat approval is also on tonight's agenda. Jennie's Lot Subdivision will be queued up for a public hearing at the June 21st meeting. Road Improvements on 2nd Street – The construction plans to be reviewed and approved. It is anticipated construction will begin before the end of the month. We are working on the deeds to grant the new right of way and water line easement. Code Amendments – He has started drafting the text amendments for the subdivision and PUD requirements of the code. They are lengthy, but he is making progress, and Councilwoman Kramer has been assisting him. Likely be a bit longer before he will have a draft, as he will be going out of town for a few weeks for vacation.

ACTION ITEMS:

1) APPROVAL OF THE May 3rd REGULAR MEETING MINUTES:

Motion by McDaniel, that we approve the last regular meeting minutes on the 3rd, without amendments.
***DISCUSSION *** All in favor-none opposed. **Motion passed. ACTION ITEM**

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 48 hours in advance of the meeting date and time.

2) **APPROVAL OF BILLS AS SUBMITTED: Motion by Kramer that we approve paying the May/June bills as submitted without amendments.** *DISCUSSION-All in favor-none opposed. **Motion passed. ACTION ITEM**

PUBLIC HEARING To consider public comment on the Vacation of a Portion of Right of Way within Bennett's Second Addition located north of Grove Street, between Pastime Street and Railroad Street as requested by HMH on behalf of Jeremy Hester with AJ Homes LLC. (Freemont Street - east of Pastime)

The Mayor opened the public hearing at: 6:08pm. Mayor Hill invited the City planner to start this out and introduce the Right-of-Way Vacation Request. Then the Mayor opened it up for any public comments. He gave the public the opportunity to address the council through public comments, first anyone who would like to comment For the Vacation, then he offered for those who are Neutral, and finally those Opposed to the vacation. Hearing no one, for any position, he asked one more time and then closed the public hearing. The Mayor closed the public hearing at: 6:21pm.

3) **DELIBERATION/DECISION on the Vacation of Freemont Street a Public Right of Way (the portion to the east of Pastime Street.) Motion by McDaniel to approve the request for the Public Right-Of-Way Vacation.** *DISCUSSION- The council had a brief discussion before making the motion. Staff clarified the next steps being an Order of Decision to be drafted that lists the conditions, then a Vacation Ordinance will need to be published for a public hearing and the dedication of the new Road Right of Way will need to be done. These will be filed concurrently. **Roll Call: McDaniel-yes; Kramer-yes; Cutaiar-yes; Devine-yes. Motion passed. ACTION ITEM**

4) **DISCUSSION/APPROVAL of Gary Fast Final Plat Subdivision Application – Planner, Rand introduced the process thus far and did a basic review of the prior issues and what has been done to remedy them. His recommendation to the council is to approve the final plat. After a brief discussion, the following motion was made: Motion by Devine, to approve the final plat for the Gary Fast Subdivision request, remove the Fire District Easement from the plat, and authorize the Mayor's signature.** *DISCUSSION- **Roll Call Vote: Kramer-yes; Cutaiar-yes; Devine-yes; and McDaniel-yes. Motion passed. ACTION ITEM**

5) **DISCUSSION/DIRECTION Regarding the Old Hwy 95; UPRR Bridge Replacement Notice of Public Hearing, received from Lakes Highway District. Rand to lead discussion. Motion by Devine to table a response to Lakes Highway District regarding the Old Hwy 95; UPRR Bridge Replacement.** *DISCUSSION- **Roll Call: Cutaiar-yes; Devine-yes; McDaniel-yes; and Kramer-yes. Motion passed. ACTION ITEM**

6) **PRESENTATION/DISCUSSION/APPROVAL of the Fiscal Year 2021 Annual Financial Statement conducted by Anderson Bros Audit. Presented by Toni Hackwith. Motion by McDaniel, to accept the Audit as presented, for the Fiscal Year 2021 audit.** * DISCUSSION - **Roll Call Vote: Devine yes; McDaniel-yes; Kramer-yes; and Cutaiar-yes. Motion passed. ACTION ITEM**

Mayor called for a quick break.

EXECUTIVE SESSION: Idaho Code 74-206(1)(f) "to Discuss litigation with the City Attorney **ACTION ITEM**

7) **MOTION by Devine, to go into executive session under Idaho Code 74-206(1)(f) "to Discuss litigation with the City Attorney."** All in favor. **Passed.**

8) **DISCUSSION/DIRECTION regarding direction for Attorney action. Motion by Devine to direct the Attorney to take action consistent with the discussions in executive session.** *
DISCUSSION Kevin will try to verify the property line pins and get that information to the attorney.
Roll Call Vote: McDaniel-yes; Kramer-yes; Cutaiar-yes; and Devine-yes. **Motion passed. ACTION ITEM**

ANNOUNCEMENTS: City Council- Cutaiar- asked when the new landscaping place was going to get paved, as he heard from multiple people that they planned on opening next weekend. Lori shared what she knew on the permit application and said that some follow-up was still needed before a permit can be issued there. **Kramer** then shared her concerns over the deliveries and truck traffic that is occurring in the neighborhood and blocking the roads at times, leaving their trailers and such while they unload the truck. A series of conversations began regarding this matter with no real result in the end. Staff will continue to work towards a decision of their application, once the applicant has responded with the additional information needed. Staff shared the challenge right now with staff changeover and how it is impacting communications temporarily. / **Mayor-nothing.** / **Staff Lori-** 1) Lori shared that the City attorney was drafting up a Road Easement for the city and the Tallents for the cemetery road. 2) Lori shared she can get about 100 ponderosa pine saplings from the Spokane Conservation District before memorial day. Her question is who is going to plant them. She has a call into a few local companies, but it may be too much for the High School kids coming. A brief conversation giving her some direction on next steps was had. 3) Lori shared the Menser sidewalk survey was complete and there was about \$1500 remaining in the approved budget, and Keller asked about them using those funds and moving forward with the design layouts. Council agreed and staff will give updates once that is done. 4) The Ordinance for the Fire District Impact Fees was previously scheduled to be at the meeting tonight, but there was a problem in making the timeline publication notice, and so it will now have to happen at the June 21st regular council meeting. 5) She had hoped to have a proposed next budget workshop date but does not have one at this time. 6) Next Athol Daze meeting is May 24th at 1:00pm. 7) We are selling tickets now for the Culpepper Merriweather Circus on Wednesday June 8th, 2022. Two shows, one at 5pm and one at 7:30pm. 8) Craig from Great West Engineers called to tell us that the City is being awarded the DEQ Grant for \$40k (50% funded). Lori asked about now using them to help us apply for a Rural Development (RD) Grant. They have agreed to not charge us for this application either. RD grant could be as much as \$30k but often it's more like \$20-\$25k. Council agreed she should now begin working on a RD grant application.

PUBLIC COMMENTS- Matt and Kimberly Garrett (30750 N Alice Ct.) – Present to express their concerns with the Colton Acres construction and lack of courtesy to those already in this neighborhood. They are leaving their trucks running all day, not turning them off, blocking their driveway, and they've seen them break up the edges of the road with their trucks. **Nichole Krause – (30675 N Alice Ct)** – Also present to express her concerns with the truck traffic and construction of the Colton Acres development. Same sentiment as the Garretts.

ADJOURNMENT at 8:12m

ATTEST:



Bill Hill, Mayor

