

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

Tuesday, March 15, 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; Rand Wichman, City Planner; and Jason Wing, Attorney. Not Present: Public Works-Anthony Brandt.

REPORTS:

Treasurer Report – Lori submitted both the January and the February written reports as she realized after the last meeting, she provided the December totals in error as the January. She read aloud the ending bank account balances as of the end of February 2022. Checking was \$63,503.89; Savings/MM was \$327,217.59; and LGIP was \$931,484.27.

Water Report – Lori submitted February written report and read the totals aloud. February usage was 3,463,512 gallons and coin haulers were 202,400 gallons. Coin Haulers money deposited in February was \$1,101.00, and bulk water payments received was \$217.20. Lori didn't know yet how many accounts getting a late fee or how many letters going out for shut offs, as the closing date was just today.

Planner Report – Rand submitted written report and briefly ran through it by subject matter: Colton Acres- they submitted for final plat approval, there is no requirement for an additional public hearing for a final plat approval, and they are requesting to come before the council at the April 5th meeting. They are willing to pay for both Rand and the Attorney's time to attend the meeting on the 5th as it is not a normal meeting they attend. They will likely have a performance bond agreement for the infrastructure that has not yet been completed. Pastime/Freemont Street Improvements – The revised plans for the street improvements and water line extension around Pastime and Freemont has been approved by the city's engineer. They will need to get a site disturbance permit application so they can begin road construction once the weather allows. They will also need to do the road vacation request, and he thinks that may be coming here anytime. Idaho Forest Group – nothing new to report. Fast Subdivision – Consultants for Gary Fast have submitted a request for final plat approval of the Fast Subdivision. That will be coming up probably at an April meeting. We have a new 2-lot subdivision, called Jennie's Lot by Jennie and Robert Peak for property at 29029 N. Miller Rd. Road Improvements on 2nd Street – Nothing new to report this month. Active West Development – A PUD and a Subdivision application for 30 residential units on 4.38 acres on Lot 22 at The Crossings was decided by the Council on the March 1, 2022 meeting. The Order of Decision has been prepared and will be reviewed by the Council at this meeting tonight.

ACTION ITEMS:

***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.*

1) APPROVAL OF THE March 1st REGULAR MEETING MINUTES:

Motion by Kramer, that we approve the last regular meeting on the 1st, minutes without amendments.

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

2) APPROVAL OF BILLS and NNAC Reimbursement Request #8 AS SUBMITTED: Motion by Kramer, that we approve paying the March/April bills as submitted without amendments and authorize NNAC's reimbursement request #8 (#10 total) for DEQ. *DISCUSSION-All in favor-none opposed. Motion passed. ACTION ITEM

3) DISCUSSION/APPROVAL to Approve/Deny the Order of Decision for the Active West PUD and Subdivision Application for Athol Grove. – Rand reminded the council the path of this application process and that this Order of Decision is merely the summation of their determination from the last meeting. This is the official notice that will be sent to the applicant. Motion by Devine, to approve the Order of Decision for the Active West PUD/Subdivision for Athol Grove. *Note the Order of Decision reflected a “Denial” of the PUD/Subdivision application. DISCUSSION – **Roll Call Vote:** Devine-yes; Kramer-yes; McDaniel-yes; Cutaiar-yes. **Motion passed. ACTION ITEM**

4) DISCUSSION/APPROVAL for the Acceptance of the LHTAC 2021 Children Pedestrian Safety (CPS) Grant for \$250,000.00. - Lori shared this is the city saying they agree to the terms of how the grant money is to be used, and that if for some reason we have not used it we will give it back. Around July they will check in to see our progress. We must have our projects completed by December 9, 2022. Motion by McDaniel, to accept the 2021 CPS grant in the amount of \$250,000.00 and authorize the Mayor's signature. *DISCUSSION- This was awarded for a project to add 2 sets of Rapid Reflective Flashing Beacon's (RRFB's) on Hwy 54 and a sidewalk along the north side of Menser Avenue, from 3rd St. to the school. **Roll Call Vote:** Kramer-yes; McDaniel-yes; Cutaiar-yes; Devine-yes. **Motion passed. ACTION ITEM**

5) DISCUSSION/APPROVAL to select an Engineering Firm for a potential Wastewater Facility Plan should the city be awarded a grant from DEQ. – Staff shared the matrix scoring for the two applicants. There was only 1.25 points difference. After a discussion the following motion was made: Motion by Kramer, that we approve the selection of Great West Engineering to Facilitate a Wastewater Facility Plan in the event the city is awarded a DEQ Grant based upon the points of the matrix evaluations. *DISCUSSION- Staff reminded the council they would still need to sign a contract with the engineering firm, that this doesn't really commit them yet, and that we still haven't heard back on the DEQ grant application. **Roll Call:** Devine-yes; Kramer-yes; McDaniel-no; Cutaiar-yes. **Motion passed. ACTION ITEM**

6) DISCUSSION/APPROVAL of using Keller Associates for the “2022 Street Project” (Bennett full reconstruct/Menser resurface) for the Project Contract and Specifications Manual etc. to gather bids for spring/summer construction. Lori shared that there was an additional \$8k due to the required topographic map if we want to consider doing the overlay on Menser verses chip seal. Keller offered both as an option and would still do the \$43 original quote if we just wanted to say now, we would only do chip seal. After a brief conversation it made more sense especially due to the potential costs being higher than we originally planned and the following motion was made. Motion to approve the Contract with Keller Associates for the engineering of the Bennett-Menser Street Project with the condition to revise back to the \$43k which means no overlay on Menser, just chip seal; and authorize the Mayor's signature on the contract. *DISCUSSION NOTE- this whole street project will be partially funded with the LHTAC LHRIP Grant we were awarded, but the engineering costs must be paid by city funds. **Roll Call:** McDaniel-yes; Cutaiar-yes; Devine-yes; Kramer-yes. **Motion passed. ACTION ITEM**

7) **DISCUSSION/APPROVAL of a New City Alcohol License for Beer & Wine on premises for Sweet Lou's in Athol** – Lori shared that Sweet Lou's is a new restaurant in the city, that is planning to open in mid-April (15th, or 19th) and this gets them one step closer. They provided the state and county approved licenses, and she recommends council approve the request. **Motion by Devine to approve the new Beer & Wine on premises alcohol license for Sweet Lou's in The Crossings.** *DISCUSSION
Roll Call Vote: Cutaiar yes; Devine-yes; Kramer-yes; McDaniel-yes. **Motion passed. ACTION ITEM**

EXECUTIVE SESSION: **Idaho Code 74-206(1)(b)** “to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.” -Annual employee reviews; Public Works Vacancy. **ACTION ITEM**

8) **MOTION by Cutaiar, to go into executive session under Idaho Code 74-206(1)(b)** “to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.” All in favor. **Passed.**

NOTE: Annual employee merit review is for all 3 employees.

EXECUTIVE SESSION Began at 6:55pm and Ended at 9:00pm

ACTION ITEMS CONTINUED:

9) **DISCUSSION/APPROVAL of Annual/Merit Increases for all 3 City Employees, Lori Yarbrough, Anthony Brandt, and Tanya Ziegler.** **Motion by Devine, to approve the annual increase of 5% for Lori Yarbrough, 5% for Anthony Brandt and 5% for Tanya Ziegler; and there will not be any cola increase, but there will also be an additional \$3.00 increase adjustment per hour for each employee this year; and is effective the pay period beginning March 1st, 2022. Also, Council directed staff to increase the pay scale ranges by title, by \$3.00.** *DISCUSSION –**Roll Call:** Devine-yes; McDaniel-yes; Cutaiar-yes; Kramer-yes; - **Motion passed. ACTION ITEM**

PUBLIC COMMENTS- 1) **Janine Lilja** (county) – Wants to know if the City Attorney can answer questions or just listens; can he advise the council? She was told yes that is what he is here for. 2) **Joe Sheasby** (county) – Asked 1) if he can ask the Attorney to clarify the next steps or procedures for the appeal process related to Active West. **Attorney, Jason Wing**, then gave a brief rundown of possible next steps, but that it really depends on what the applicant does next. Active West will have 14 days from today to seek a reconsideration regarding their PUD/Subdivision application. Then if the City receives a Request for Reconsideration, the City will have, he thinks, 60 days to respond. 2) Does the Council plan to have an action item to change that ordinance allowing the PUD? Mayor responded that we haven't gotten that far along yet but do want to discuss soon. Councilwoman Kramer then requested it to be addressed at the next council meeting. City Attorney then asked, there's a few different options to discuss, what are you wanting to do...are you wanting to eliminate the section of PUD in the code? are you wanting to amend the code? It's also been talked about an Emergency Ordinance that lasts for about 6 months, to allow for the city to amend the code, before any more applications come in. He shared there really are a number of different options for the council to consider. Councilwoman Kramer wanted it as a topic at the next council meeting. It was then clarified that it wouldn't be at the next meeting but rather the April 19th meeting.

ANNOUNCEMENTS: City Council- Kramer nothing more than what we just discussed. / **Mayor-** wanted to bring up a circumstance that he feels is unjust and wants to know what can be done about it. It was regarding one of the properties that recently was given a time frame to connect their second home to the new meter the city put in because DEQ required the city to address these circumstances that fall in the scope of the current water project. After a brief discussion, Council agreed to give them a credit (\$44.00)

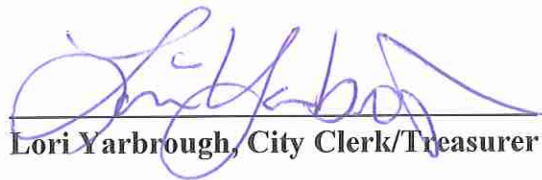
on their water bill for this month, as they plan to have the trailer moved out soon and it is not being used. / Staff Lori- 1) Next Athol Daze meeting is April 12th at 1:00pm. 2) Timberlake Little League got their schedules done and their games will be on Tuesdays and Thursdays. There are 2 dates that land on the same Tuesdays as council meetings. Is this a concern for parking in case we have large turnout at one of those meetings? After a brief discussion, Council didn't feel there was any reason for concern regarding the schedules.

ADJOURNMENT at 9:23pm

ATTEST:



Bill Hill, Mayor



Lori Yarbrough, City Clerk/Treasurer

Approved at Council on 4/5/22