

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

Tuesday, November 2, 2021
6:00pm Regular Council Meeting

Mayor Hill called the meeting to order at 6:01 P.M. After the pledge of allegiance, he asked for a brief moment of silence for those who have recently passed from our community.

ROLL CALL: Present: Mayor Hill; Councilwoman Denis; Councilman McDaniel; Councilwoman Kramer; Clerk/Treasurer-Lori Yarbrough; Public Works-Anthony Brandt. Not Present: Councilman Cutaia; Caitlin Kling, Attorney; Rand Wichman, City Planner.

With three council present a quorum was met.

ACTION ITEMS:

1) **APPROVAL OF THE October 19th REGULAR MEETING MINUTES: Motion by McDaniel, that we approve the meeting minutes from Oct 19th, without amendments. *DISCUSSION All in favor-none opposed. Motion passed. ACTION ITEM**

2) **APPROVAL OF BILLS AS SUBMITTED: Motion by McDaniel, that we approve paying October/November bills as submitted without amendments. *DISCUSSION Councilman McDaniel asked if anyone had met with Howard from USDA yet regarding the possibility of including a new device and location for the commercial bulk water haulers. Lori shared she had a phone call with Howard and the Bond Council, Danielle with Hawley Troxel. He said he wouldn't rule it out but that he wants to first be sure that there are no other outstanding deficiencies and that all the other priority options have been addressed before adding in something additional. All in favor-none opposed. Motion passed. ACTION ITEM**

3) **DISCUSSION/APPROVAL for Resolution 22-01 to Transfer Fiscal Year-End 2021 Funds into Equity Fund Savings with specific designations.** Lori shared and apologized for not having anything in writing for each of them as she just finished getting the information together. After Lori explained her recommendations for the equity fund designations and the balances for each of those accounts, the following motion was made: **Motion by Denis to approve Resolution 22-01 to transfer and designate as restricted funds in the General Fund/Water Fund as just discussed. Clerk, Lori then recapped those as: \$5,000 each from General Fund and Water Fund to Savings equity account; \$31,500 in Water Funds to the Future Equipment equity account and \$24,500 in General Funds to the Future Equipment equity account; \$45,000 in Water Fund to Water Capital Improvements account; \$45,000 in General Fund to Street Improvements account; \$20,000 in General Funds to Legal/Litigation account; \$20,000 in Water Funds to Additional Water Rights account; \$5,000 in General Funds to Park Improvements account and \$85,178 in General Funds to ARPA equity account.** *DISCUSSION This leaves the following fund balances after this transfer for the start of Fiscal Year 2022: **Equipment Fund \$93,000** (\$41,500 in General and \$51,500 in Water); **Savings \$40,000** (\$20k each Water/General); **Legal Litigation \$40,000** (General); **Water Rights \$20,000** (Water); **Parks \$12,500** (General); **Streets \$153,343** (General) and **ARPA Funds \$85,178** (General). **Roll Call:** McDaniel-yes; Kramer-yes; Denis-yes. **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 24 hours in advance of the meeting date and time.

4) **DISCUSSION/APPROVAL of a Watermain Line Abandonment & Service Connection for Mr. Tire/Rock Springs RV; not to exceed \$6,000.00** – Anthony shared that this is a project to get Mr. Tire and Rock Springs RV onto the new water line just installed by Allund West, hopefully preventing this line from future freezing. **Motion by Kramer, to approve the work to abandon the existing watermain and connect Mr. Tire/Rock Springs RV to the new larger line along N Old Hwy 95; not to exceed \$4,000.00.** *DISCUSSION Roll Call: Kramer-yes; Denis-yes; McDaniel-yes. **Motion passed.**

ACTION ITEM

5) **DISCUSSION/APPROVAL on the Fatbeam contract to extend the dark fiber line from City Hall to the 6th Street City Shop.** The previous terms presented to the council were a flat \$19,500.00 down and a monthly recurring payment of \$159.00 for 10 years. Lori had brought this to the council a few months ago and council approved the terms. This is the formal agreement for the contract work. But before the council entered into an agreement with Fatbeam, she wanted to make the council aware that the City will also need to pay for costs of installation to Ednetics to bring or connect the Fatbeam fiber into the City shop. They just received an estimate of \$7,700 but she believes it's possible this number may also include things we do not need but had not yet gotten the chance to review it. After a brief discussion on the items in the Ednetics estimate the following motion was made: **Motion by McDaniel to approve the contract with Fatbeam as presented and authorize the Mayor's signature on the agreement.**

DISCUSSION Council understands that there will be additional costs with Ednetics as there was with the broadband grant for them to connect the dark fiber and bring it into the shop. This will also allow for future projects such as new security camera updates, like we have discussed in the past, and voiceover IP for phone lines. **Roll Call:** Denis-yes; McDaniel-yes; Kramer-yes; **Motion passed.**

ACTION ITEM


PUBLIC COMMENTS: 1) Chris Antone, Senior Pastor of Athol Baptist Church (county resident)- First he gave a thank you to the council for everything they do. He said councils come and councils go, but Lori's time here is timeless and incalculable, and he wanted to thank her for everything she does. Next, he brought up the previous discussion about the polling location potentially being changed from the community center to their church. He felt there was some logical but debatable reasons for the election polling location to be moved but he said the church didn't seek that change out and were just happy to serve the community if it was needed. Lastly, he wanted to further address a comment, from that meeting from a moral standpoint. That being the term "separation of church and state" that was used, as it is not a constitutional issue. He went on to speak to his interpretation of this paraphrase and that it is used to understand the Establishment Clause of the First Amendment. He read quotes of Thomas Jefferson and John Adams to share his explanation of how the city may not use this notion to exclude the church from participation, citing that he feels the clause was never intended to exclude religion from political decision making. He went on to say he is not saying that is what happened in this case, but they are saying it cannot be done. He thanked the Council for their time and offered further conversations for anyone interested in learning more about the notion of church and state in the establishment clause and referenced a legal case, Lemon vs. Kurtzman, that can be related to this as well. First amendment right prevents the government from establishing a religion that we in Athol must adhere to. Mayor Hill- Commented about being open to citizens speaking during this time. He added that the city did have a lot of concern over moving the polling location, when this location is still adequate. Councilwoman Kramer- Does not feel the city has excluded anyone from speaking during the public comment, twice a month at meetings, and people are not screened for spiritual or other comments. Chris- said he agrees but doesn't want to hear a councilman comment "separation of church and state" as a viable idea to not do it. That is a problem.

ANNOUNCEMENTS: City Council- Denis wants to know what can be done about the Cooke's on 4th Street having 4 dogs that are not contained or kept in their fence. After a short discussion staff said they

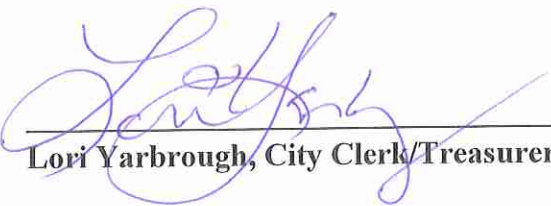
can do a friendly reminder, but staff would always encourage anyone to call Kootenai county animal control to report. **Mayor-** none. / **Staff-** Lori -1) Lori shared she attended the last Chamber of Commerce meeting where they have decided to give the Tree Lighting portion to the city. They will not be doing that piece of their holiday event. They do still plan on hosting an event on the second Saturday in December, that includes a meal and free fun for the community. They just didn't feel like they are able to handle the outside part in addition to the inside, and hoped for a grander event, that just wasn't happening. With short notice to the staff, Lori offered the actual lighting of the lights (the act of turning them on) to the Real-Life Youth Group that meets here every Monday night. Titus the leader will plan for something for the kids to do on the Monday following thanksgiving. So, lights will be on as of November 29th 2021. This gives the city time to see if there is something they would like to do or not going forward for a lighting ceremony or event.

ADJOURNMENT at 6:56pm

ATTEST:



Bill Hill, Mayor



Lori Yarbrough, City Clerk/Treasurer

Approved at Council on 11/16/2021

