

Approved Minutes

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

Tuesday, April 19, 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: Public Works-Anthony Brandt.

REPORTS:

Treasurer Report – Lori submitted the March reports and she read aloud the ending bank account balances as of the end of March 2022. Checking was \$463,739.28; Savings/MM was \$327,259.28; and LGIP was \$931,625.34.

Water Report – Lori submitted March written report and read the totals aloud. March usage was 3,463,512 gallons and coin haulers were 202,400 gallons. Coin Haulers money deposited in March was \$1,044.80, and bulk water payments received was \$128.40. 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. There was a brief conversation regarding updating the map we have with parcel addresses and how it might also be useful for Kevin to mark where a meter is located on each parcel. Lori also shared after meters were read at the end of March there were only 2 or 3 accounts that had high usages and that she thought there would not be any issues coming to the council.

Planner Report – Rand submitted written report and briefly ran through it by subject matter: Colton Acres- the council approved the final plat at the April 5th meeting. There was a minor amendment in the CCR's required for approval, as well as the financial guarantees needed to be submitted with the final mylars. Once those are done and received by the city, the Mayor will sign off on them. Pastime/Freemont Street Improvements – there is nothing new to report. They will still need to submit a request to vacate the old Freemont Street right of way. Fast Subdivision – Consultants for Gary Fast have submitted a request for final plat approval of the Fast Subdivision. The code required a written recommendation within 45 days of acceptance of a complete application. There are a few outstanding issues that need to be resolved by the applicant before he can draft a favorable recommendation for approval. It will come before council at a future meeting. Jennie's Lot Subdivision by Jennie and Robert Peak for property at 29029 N. Miller Rd. Agency review letters have gone out. It is anticipated to be heard by the council in May. Active West Development – The council denied the PUD/subdivision application and an Order of Decision was approved and mailed out. The city has since received a request for reconsideration by the applicant. Road Improvements on 2nd Street – No new developments. The road vacation was approved by the council in December. The proponents are working on construction plans to be reviewed and approved by the city engineer. Athol Elementary – Lori, Shane, Anthony, and Rand met with several school district representatives to discuss traffic and parking issues at the school. Rand

***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.*

prepared a site plan to start discussion of potential changes in the area to reduce congestion and improve safety at the end of the school day. No one has responded to his email or site plan yet, so it is not clear if they are serious about addressing these issues, or if it is just going to take a long time to work through. The immediate issue is the school still needs to address their prior removal of required landscaping along Menser Ave.

DISCUSSION:

Dr. Mike Mihlfried w/ Northwoods Vet/People Pets & Vets addressed the Council regarding city parking lot design standards. He shared that as his company has gotten bigger and busier, he has needed to find overflow parking for his additional employees. His other two paved lots are just not big enough. He started using the western most part of his lot, that also has the gas pipeline running underground through it. He got a bid of \$20,000 to pave that lot, but it could be damaged at any point when utility work needs to be done. He is asking to leave it as it, not even graveled.

After a brief discussion, council asked him to provide something to the city from the pipeline as grounds for a possible variance. He said he just doesn't want to pay for the expense of paving a parking lot but he will investigate further with the pipeline.

ACTION ITEMS:

1) APPROVAL OF THE April 5th REGULAR MEETING MINUTES:

Motion by Kramer, that we approve the last regular meeting on the 5th, minutes 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 the April/May bills as submitted without amendments. *DISCUSSION-All in favor-none opposed. Motion passed. ACTION ITEM

3) DISCUSSION/APPROVAL of a new City Alcohol/Beer/Wine License for Giorgi's

Steakhouse and Martini Bar at 30625 N Old Hwy 95. – Lori said this is at the old Crossroads Café and he is leasing the building from Chan. He has presented the state and county licenses and she would recommend approving this license. The Crossroads did not come in by the March deadline to renew so this is considered a new application for the city and the fees are matched as such, even though it was renewed and considered transfers through the state and the county. **Motion by Devine, to approve the liquor, beer, & wine license #2022-11 for Giorgi's Steakhouse and Martini Bar.** * DISCUSSION - **Roll Call Vote:** Devine-yes; Kramer-yes; McDaniel-yes; Cutaiar-yes. **Motion passed. ACTION ITEM**

4) DISCUSSION/APPROVAL regarding Clearing of Trees at the Cemetery Lot -

Shane shared with the council his concerns of additional trees falling and hitting the cemetery tank. The integrity of the trees now that one has already fallen, he believes will compromise and pose risk to more trees falling near the cemetery tank. After looking at the parcel, they found additional trees with concerns such as several dead trees, and many trees with root rot. He thinks the city needs to get rid of those trees as well as those that are located too close to the water tank at the cemetery. So, he contacted Mike Cutler with Cutler logging and together he, Mike, Anthony, and Kevin all walked through the parcel looking at the trees. They came up with a plan on how to address this issue. The agreement is for Cutler Logging to come and remove the problem trees and others from designated areas near the water tank and the hillside of the cemetery parcel, in exchange for the wood. There are no costs to the city. Cutlers also agreed to clear a new section for the city to add an additional row of plots in the cemetery.

Motion by Devine to approve the clearing of the trees by Cutler Logging and authorize the Mayor's signature on the contract after the city attorney has reviewed it. *DISCUSSION- Roll Call Vote: Kramer-no; McDaniel-yes; Cutaiar-yes; Devine-yes. **Motion passed. ACTION ITEM**

5) DISCUSSION/APPROVAL of the Resealing of the Joint Parking Lot with the Library
*DISCUSSION- Lori shared that Randy, the Library maintenance manager, made contact and it is time to reseal the joint parking lot. They have a 3-year maintenance plan for this unless the city objects. After a short discussion the following motion was made: **Motion by McDaniel to approve the resealing of the joint parking lot with the library, not to exceed \$2,000.00.** Roll Call: Devine-yes; Kramer-yes; McDaniel-yes; Cutaiar-yes. **Motion passed. ACTION ITEM**

6) DISCUSSION/APPROVAL of an Emergency Moratorium Ordinance #435 as a result of the current uncertainty surrounding the health district and its rules regarding water quality and sewage disposal. **DISCUSSION-** City Attorney, Jason Wing, started the discussion by sharing the concern is really with the uncertainty of Panhandle Health District's (PHD) rule making authority and ultimately the City's responsibility of water quality and sewage disposal. He encourages this ordinance as a stop gap measure to cover the exposure to the city in the absence of PHD authority. It is only good for 182 days, and maybe by then we may know more regarding PHD's authority or can fully adopt our own permanent solution. After a brief discussion the following motion was made:

1st Motion by McDaniel to place proposed Ordinance #435, an Emergency Moratorium, on its first and only reading by title only while under suspension of the rules. Roll Call: McDaniel-yes; Cutaiar-yes; Devine-yes; Kramer-yes. **Motion passed. ACTION ITEM**

Mayor read the proposed Ordinance by Title.

2nd Motion by McDaniel to approve the Emergency Moratorium Ordinance #435 and publish by summary only incorporating the title as to body of the summary. *DISCUSSION Roll Call: McDaniel-yes; Cutaiar-yes; Devine-yes; Kramer-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 Cutaiar, to go into executive session under Idaho Code 74-206(1)(f) "to Discuss litigation with the City Attorney." All in favor- none opposed. **Motion Passed.**

EXECUTIVE SESSION Began at 6:52pm and Ended at 7:44pm

No further action items; but Councilwoman Kramer stated for the record that the Council has decided to, "not respond to the Active West request for reconsideration".

PUBLIC COMMENTS- None

ANNOUNCEMENTS: City Council- none. / **Mayor-**nothing. / **Staff Lori-** 1) Next Athol Daze meeting is May 24th at 1:00pm. 2) Culpepper Merriweather Circus is Coming Wednesday June 8th 2022 Two show one at 5pm and one at 7:30pm. 3) Mayor asked Lori to give any AIC meeting updates from the training the day before. She shared one topic regarding other cities and counties that mentioned their concerns over the local sheriff departments that are coming to cities and asking for money because of increases calls from that jurisdiction. They felt it is double dipping that as individual citizens are paying their taxes.

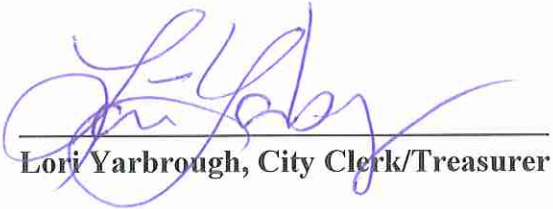
4) Last reminder Lori shared was to remember the budget workshop one hour before the next city council meeting at 5pm on May 3rd.

ADJOURNMENT at 7:54m

ATTEST:



Bill Hill, Mayor


Lori Yarbrough, City Clerk/Treasurer

Approved at Council on 5/3/2022