



Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

**Tuesday, December 21, 2021
6:00pm Regular Council Meeting**

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

ROLL CALL: Present: Mayor Hill; Councilwoman Devine (formerly Denis); Councilman McDaniel; Councilwoman Kramer; Clerk/Treasurer-Lori Yarbrough; Public Works-Anthony Brandt; and Rand Wichman, City Planner; Jason Wing, Attorney & Caitlin Kling, Attorney (via zoom). Not Present: Councilman Cutaiar.

REPORTS:

Treasurer Report – Lori submitted November written report and read aloud the bank account balances. Checking was \$114,553.97; Savings/MM was \$217,107.41; and LGIP was \$883,369.75. And reminder the 4th Quarter financial statement was included in the packet for the last meeting that was cancelled and can also be found on the city website.

Water Report – Lori submitted November written report and read the totals aloud. November usage was 2.7mil gallons and coin haulers were 244,900 gallons. Coin Haulers money deposited in November was \$741.50, and bulk water payments received was \$82.80. There are 23 Accounts getting a late fee and 3 letters going out for shut off's.

Public Works – Anthony did not submit his November written report; was super busy and will include in next month's packet. Councilman McDaniel asked for him to give a brief update on the filling or completion of the water standpipe up at the cemetery and where that's all at.

Planner Report – Rand submitted written report and briefly ran through it by subject matter: Colton Acres- Road and utility construction continued through November but is now shut down for the winter. He anticipates they will be seeking final plat approval with a financial guarantee to ensure completion of the infrastructure soon. Pastime/Freemont Street Improvements – Hester's engineer has submitted revised plans for the street improvements and water line extension in the area of Pastime and Freemont. It's possible we may see a road vacation request in January or February. Idaho Forest Group – nothing new to report. Fast Subdivision – Consultants for Gary Fast were working towards finalization of the Fast Subdivision, but there has not been any activity on it in the last month. Active West Development – Has submitted a PUD and a Subdivision application for 35 residential units on 4.38 acres on Lot 22 at The Crossings. The application is scheduled for a public hearing in January. Road Improvements on 2nd Street – A road vacation associated with 2nd Street road improvements is scheduled for a hearing later during this meeting. A separate report was prepared for that.

***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.*

ACTION ITEMS:

1) APPROVAL OF THE November 16th REGULAR MEETING MINUTES:

Motion by McDaniel, that we approve the last regular meeting on the 16th, 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 November/December bills as submitted without amendments; and with the list of those under \$500 that were already paid, due to the last meeting cancelation. ***DISCUSSION**-All in favor-none opposed. **Motion passed. ACTION ITEM**

3) DISCUSSION/APPROVAL to accept the Election Canvas Results for the November 2, 2021 Elections for the City Council positions. Motion by Devine, to accept/acknowledge the **Kootenai County November 2, 2021 City Election results as presented**. Lori shared this was the results of the election, sent by the county, and this shows acknowledgement by the Athol City Council. ***DISCUSSION** **Roll Call:** McDaniel-yes; Kramer-yes; Devine-yes. **Motion passed. ACTION ITEM**

4) DISCUSSION/APPROVAL to update the two contracts with Panhandle Area Council (PAC) (the Labor Monitoring and the Community Development Block Grant) related to the Water Improvement Project; no additional funds are being requested, just an extension of time. - Lori shared that because the water project as a whole is being delayed, we need to again address our contract with PAC to extend their contract dates. They are only asking for the extension in time and no additional costs are being asked for. **Motion by McDaniel**, to approve the time extensions on the two PAC contracts as presented and authorize the Mayor's signature. ***DISCUSSION** **Roll Call:** Kramer-yes; Devine-yes; McDaniel-yes. **Motion passed. ACTION ITEM**

5) DISCUSSION/APPROVAL to accept the American Disability Act (ADA) Transition Plan just completed by Staff and Dorian with (PAC). – Lori shared this was a required project/plan in relation to the Community Development Block Grant funds the city received, and staff worked closely with Dorian from PAC to get this done. While there are not any current mandatory changes required, it does give the city a reference point to use when making any future repairs, or as other projects come up, to ensure the best possible compliance in relation to the ADA standards. **Motion by McDaniel** to accept the **ADA Transition Plan as discussed and presented**. **DISCUSSION** **Roll Call:** Devine-yes; McDaniel-yes; Kramer-yes. **Motion passed. ACTION ITEM**

PUBLIC HEARING To consider public comment on the Right-Of-Way Vacation Request of Levi Thomason and Shane McDaniel for a portion of street and alley right of way located south of Menser Ave. between 1st and 3rd Streets. (*Mayor OPENED at: 6:26pm*) The Mayor asked the City planner to introduce the Right-of-Way Vacation Request. City Planner, Rand Wichman, recapped this was a formal request to vacate a portion of road and that his staff report helps show the full picture or plan as there are a lot of moving parts, with the ultimate goal being to straighten out and then construct the road in this specific area. If the council approves the vacation there will be some other timing issues to address, but those will be handled administratively, and the vacation is the part needing approval by the council at this time.

Next, the applicant, Levi Thomason was invited to speak. He asked that his Civil Engineer, Merle Van Houten, be allowed to speak on his behalf. He thanked Rand for the introduction of the project and recapped their request of the city to grant this vacation, as that will make 2nd St. a more desirable shape of street. The current configuration has issues and is just not as desirable as a clean, straight street. This vacation request also includes 6 lots with an alley. He had no concerns with the staff report.

The Mayor then allowed the council a moment to ask any questions they might have. Rand requested council to direct those questions to himself or the applicant's engineer. Councilman McDaniel recused himself from this matter as he is also a party to the vacation request. After a few minor questions for clarification the Mayor then asked for any public comments.

First those For the Vacation, those who are Neutral, and finally those Opposed to the vacation. Hearing none, the Mayor closed the public hearing and told the council they may begin to deliberate on the matter. (Mayor CLOSES at: 6:37pm.)

6) DELIBERATION/DECISION on the Vacation of a Public Right of Way Alley and a portion of street Between 1st Street and 3rd Streets, south of Menser Avenue. Motion by Kramer to approve the request for the Public Right-Of-Way Vacation. *DISCUSSION Roll Call: McDaniel-recused; Kramer-yes; Devine-yes. **Motion passed. ACTION ITEM**

7) DISCUSSION/Consideration of lot status (nonconforming parcel) corner of Menser Ave. & new 2nd St. – Rand briefly explained the results of realigning the road is creating a parcel that is nonconforming in size but the applicant wants to be able to build a home on this lot, which is why it is being discussed before the council now. **Motion by Devine to approve the request by Levi Thomason to consider the portion of parcel number A-1999-008-001-A lying east of the new 2nd Street right-of-way together with the vacated right of way, consisting of approximately 7893 square feet in total, to be a legal parcel, eligible for building location permits.** *DISCUSSION- Rand restating this parcel will still need to meet the required setbacks for buildings. **Roll Call: McDaniel-recused himself; Kramer-yes; Devine-yes; Motion passed. ACTION ITEM**

8) DISCUSSION/APPROVAL to direct Staff to post a Request for Qualifications for Engineering Services for a Wastewater Facility Plan, in the event we receive grant funding for a study to be done. Lori shared this is in combination with the next action item. Securing an engineer better prepares us to be ready in the event we are awarded a grant for the study. Posting for this does not obligate the city to do anything yet; if we don't get the grant nothing more will be done. – *DISCUSSION **Motion by Kramer to allow staff to post the request for qualification for engineering services for a Wastewater Facility Plan.** Roll Call: McDaniel-yes; Kramer-yes; Devine-yes. **Motion passed. ACTION ITEM**

9) APPROVAL to submit the DEQ Letter of Intent for the Wastewater Facility Planning Grant Application and authorize the Mayor's Signature. Lori referenced that in the council packets, council received a copy of the DEQ Letter of Intent for the grant and this was just to approve the submission of the application that Great West Engineering helped the city with. **Motion by Devine to approve the submission of the DEQ Letter of Intent for a Wastewater Facility Plan Grant and authorize the Mayor's signature on the completed application.** *DISCUSSION – A brief discussion by the council on why this is important to start looking at what a sewer system might look like in the future. Kramer shared some concerns for not overusing our water system and has concerns for costs to residents for such systems who are on limited incomes. McDaniel said we have the option at some point to take over the system at The Crossings or it goes to a private owner at some point in the future, we don't know when. We don't know if we would even want the system at The Crossings or what options we may have in the future and he feels it's important for the council to find more information about this to be able to make better decisions when the time comes. Silverwood is another closer system to look at and get more information about. **Roll Call: Kramer-yes; Devine-yes; McDaniel-yes. Motion passed. ACTION ITEM**

ANNOUNCEMENTS:

City Council – none. / Mayor – none. / Staff – Lori 1) Auditors came and did their review, and the audit is nearly complete; just waiting for PERSI information. Then the draft will be ready to present to the council. Lori asked if the council wanted them to come present in person or not? We have done it both ways. After a short discussion, **the council wished to have the auditors come and present the audit to them in person.** 2) Food Bank is again interested in the Circus coming back this next June of 2022. Lori wants to know if the city is again ok with allowing this to happen on the city property and staff to help sell the tickets. **Council was good with the Circus coming again.** 3) Christmas gathering on Thursday the 30th at 5:30pm. Lori will get more information out to everyone by the end of the week.

PUBLIC COMMENTS- 1) Aaron & Keri Mead- been looking for property in the city for a church. They are interested in buying one of the 3 acre lots owned by the city and wanted to know if the city would be interested in such thing. Further, they shared they are open to leasing, buying or exchanging. From there the City Attorney, Caitlin, spoke briefly about the legal steps and processes of how the city could be allowed to sell, lease or exchange one of its parcels, etc.

ADJOURNMENT at 7:26pm

ATTEST:

Bill Hill, Mayor

Lori Yarbrough, City Clerk/Treasurer

Approved at Council on