



Approved Minutes

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, January 17, 2023

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. Attorney, Zach Jones, and Rand Wichman, City Planner.

REPORTS:

TREASURY REPORT - Lori submitted the report and she read aloud the ending bank account balances as of the end of December 2022. Checking was \$26,482.89; Savings/MM was \$428,443.77; and LGIP was \$1,142,517.48. She also shared that on 12/1/22 she transferred \$75,000 from the Savings/MM account into the Checking account.

WATER REPORT- Lori submitted a December written report and read the totals aloud. December usage was at 4,381,386 gallons and coin haulers were 184,232 gallons. Coin Haulers money deposited in December was \$844.92. Metered water billed was \$20,608 and overage billed was \$16.00. Late fees were \$555.00. She shared there are only two or three accounts that might need shut-off letters and there were 34 accounts getting the late fee this month.

PUBLIC WORKS REPORT – Kevin submitted a written report; Shane asked about the high usage in the water. There was a brief discussion with Kevin sharing a few recent water shut off requests for leaks.

PLANNER REPORT – Rand submitted a written report and gave a few brief reviews of it. Colton Acres- nothing more yet for future phases. 2nd Street Road Improvements - we are still waiting for the warranty bonds, nothing new. The Luxury Garage Condos – The order of decision for the Conditional Use Permit is on tonight's agenda. He still anticipates the condo platting of the units will need to come before the council, possible ready at the Feb. 21st meeting. Code Amendments – Still waiting to have another workshop with Stillman present to discuss it a bit further. Lori is working on a time for that. Idaho Forest Group – No movement yet here. Misc. – Still a number of code amendments that are needed, and a number of plans that should be done to assist the City with future planning and managing growth.

ACTION ITEMS:

1) APPROVAL OF THE December 20th REGULAR MEETING MINUTES:

Motion by McDaniel, that we approve the last regular meeting minutes on the 20th, 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 December/January bills as submitted 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.

3) **DISCUSSION/APPROVAL of the Order of Decision in the Matter of the Application of Luxury Garage Condos of Athol, LLC for a Conditional Use Permit for Storage Units CASE NO CUP-22-01. Motion by Devine to approve the Order of Decision for the Luxury Garage Condos of Athol, LLC as submitted for Storage Units. *DISCUSSION Roll Call: McDaniel-yes; Devine-yes; Cutaiar-yes; Kramer-yes. Motion passed. ACTION ITEM**

PUBLIC HEARING: Regarding the Application for the Conditional Use Permit by John Sinclair for 5550 E Grove Street. Asking for residential use in a commercial zone.

The Mayor opened the hearing at 6:20pm to take public comment on the conditional use permit.

He first invited the City Planner, Rand Wichman, to introduce the application. Rand gave a brief introduction to the application request, and steps taken to get here. Shared brief comments by various agencies and ultimately recapped his staff report, recommending approval of the permit.

Then he asked the Applicant if he wanted to say anything: The applicant just added that he decided to purchase this lot so he can place a trailer there for his kids to live in it.

Then he asked if anyone wanted to make any **comments** to come forward. There was only one comment by Wes Sefert on behalf of the American Legion Post #149. He shared a **neutral comment** for the record. His overall concern is that the Legion is a bar and often has outside events, music and people, and was concerned a residential use may complain about noise. He feels the applicant should have to have a 6-foot privacy fence to prevent any issues in the future. **There were no other comments made.**

The Applicant didn't really have any rebut but said he was amenable to putting up a privacy fence.

The Mayor closed the hearing at 6:30pm. The Council began deliberations, and the City Planner reminded the council to discuss the 4 findings and the 3 conditions before they make any motions. There was a short discussion regarding the condition of adding a fence, as it sounded appropriate and necessary.

4) **DISCUSSION/DECISION for the Application for Conditional Use by John Sinclair for Residential Use in a Commercial Zone. Councilman McDaniel then read the following findings:**

- 6.01 The proposed use **WILL** be consistent with the various elements and policies of the comprehensive plan.
- 6.02 The use and its associated structures and facilities **WILL NOT** be detrimental to the public health or safety, the general welfare, or the environment.
- 6.03 The use and facility **WILL NOT** adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.
- 6.04 Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation measures **ARE OR WILL BE** provided for the proposed use.

He then added 7.04 to the CONDITIONS OF APPROVAL -

7.01 A building location permit shall be required prior to development of the site. Approval of the building location permit by Panhandle Health District shall be required prior to issuance of the permit.

7.02 A manufacturer's home setting permit be obtained from the State of Idaho Division of Building Safety prior to issuance of the City's building location permit.

7.03 The shed at the rear of the property shall be relocated to meet the 10' rear setback requirement.

7.04 Requiring a 6 ft privacy fence on the east side and south side of the parcel.

Motion by McDaniel to approve the application for Conditional Use Permit (#SUP23-01) for Residential Use in a Commercial Zone, by John Sinclair, with all of the conditions just discussed of approval as listed in the staff report. *DISCUSSION Roll Call Vote: Devine-yes; Cutaiar-yes; Kramer-yes; McDaniel-yes. Motion Passed. ACTION ITEM

5) **DISCUSSION/APPROVAL of a Copier/Scan/Fax Machine for City Hall.** Lori shared we last purchased the current printer in October of 2014, and we have been told for the past few years now that parts are harder and harder to get as the machine is over 10 years old. Well, we have something wrong

that can't be fixed as there are no parts for it. Time has come, we need to get a new one. We have been using H & H and they got her a couple of options for a new machine, which was given to council in the packets. After a brief discussion the following motion was made: **Motion by McDaniel to approve the purchase of a refurbished Ricoh C4500 from H & H, Inc.; not to exceed \$5,500 and to authorize the mayor's signature on a new maintenance agreement.** *DISCUSSION Roll Call: Cutaiar-yes; Kramer-yes; McDaniel-yes; Devine-yes. **Motion passed. ACTION ITEM**

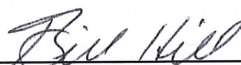
6) DISCUSSION/APPROVAL for a request for a Catering permit for Greenbriar for the Falconer Wedding on Saturday, January 21, 2023. Lori shared a couple has rented the facility to have their wedding here this weekend and they would like to have a hosted bar. They also were required to do the event permit and secured additional insurance. The request for a catering permit is from a licensed bar in CDA and they have paid for and submitted their city, state and county licenses and she recommends approval of the permit. **After a brief conversation the following motion was made: Motion by Kramer to approve Catering permit #2023-01 for Greenbriar for the Falconer wedding; this is for beer, wine, and liquor.** *DISCUSSION Roll Call: Kramer-yes; McDaniel-yes; Devine-yes; Cutaiar-yes. **Motion passed. ACTION ITEM**

ANNOUNCEMENTS Council – Councilwoman Devine asked Kevin if he got the piano figured out with charlotte? **Mayor** – none. / **Staff, Lori**- 1)AIC Leadership Training- sharing if any council was interested in it, let Lori know. Kramer was interested but had a few additional questions that Lori would find out for her. 2) Workshop w/ Stillman for Street Standards – Was going to offer this Wednesday 18th or Friday 20th but Wednesday is not possible as it's too close, but how about Friday. After a brief discussion, council agreed to Friday the 20th at noon. 3) Harms Way Agreement - Lori shared that Zach has drafted it and we will work on getting the signatures of the 5 property owners to finish and make it final. 4) Keller and ACEC Award- Your packets had a copy of the letter sharing that our Engineers received a 1st place award for our water project. They have offered to print a canvas or something and the staff thinks it would be great to frame and put it on display here in city hall. 5) Lori and Kevin are planning on going to the next BCATT meeting at the end of the month, there will be some ITD contacts present who we have been hoping to meet and get a meeting of some type scheduled. Staff are also considering starting to attend the KCATT meetings. 6) The Railroad Administration Multi-Modal, National Grade Crossing Summit is January 23rd online. The council received an email and paper copy regarding it, if anyone is interested. She understands it will be recorded so if you cannot catch this one, you may be able to watch it later. & **Kevin** 1) Durapatcher is here, just waiting for some type of registration type documents on it. This will help us to fix the edges of roads, potholes, and break-up. 2) Doing some research on a De-ice system for our parking lots. He hopes to have some information and costs by the next meeting.

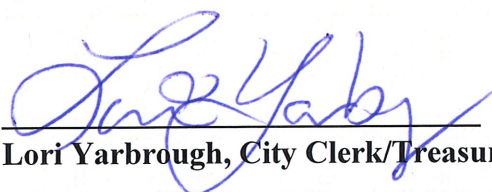
Public Comments: None

ADJOURNMENT at 7:13pm

ATTEST:



Bill Hill, Mayor



Lori Yarbrough, City Clerk/Treasurer

Approved at Council on 2/7/2023

