



Unapproved Draft Minutes

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, December 20, 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. 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 November 2022. Checking was -\$3,986.47 on paper, but also notes the two transfers to pay for the vendor payment for the sidewalks, one on 11/21 for \$18,729.64 and the other for \$6,069.14; Savings/MM was \$503,062.03; and LGIP was \$1,139,872.42. She also shared that she transferred \$75,000 from the Savings/MM account into the Checking account, but it will reflect on next month's report. It is the first of the fiscal year and won't be until January that we see the new property tax income.

WATER REPORT- Lori submitted a November written report and read the totals aloud. November usage was at 2,895,430 gallons and coin haulers were 189,800 gallons. Coin Haulers money deposited in November was \$19,135.50. Metered water billed was \$20,592 and overage billed was \$36.00. Late fees were \$370.00. She shared there are only three accounts that will need shut-off letters and there were 37 accounts getting the late fee this month. Because city hall was closed last Thursday the 15th for a clerks meeting in Rathdrum, and it was Christmas so we did make a few extra reminder calls and didn't run late fees until Monday.

PUBLIC WORKS REPORT – Kevin submitted a written report; no questions for him.

PLANNER REPORT – Rand submitted a written report and gave a few brief reviews of it. Colton Acres- we have received the warranty bond for the street improvements. They also mentioned they may be applying for future phases soon. 2nd Street Road Improvements - we are still waiting for the warranty bonds and starting to get calls from possible builders looking to buy the 6 lots from Levi. The Luxury Garage Condos - Annexation and Conditional Use Permit is just about complete, and we had the public hearing at the meeting on December 6th, and tonight you will approve the order of decision, the Annexation Ordinance, and the Annexation agreement. Probably in January you will have the Order of Decision for the CUP and the condo platting of the units. So, it's moving right along. Code Amendments – we had the workshop last week to review Stillman's initial street standards, but it's necessary to have another workshop with Stillman present to discuss it a bit further, maybe early February. Also, at that workshop we should talk a bit about the next steps on what to tackle next, like a downtown corridor plan updating more code. He will have a list of things to discuss further. There are a few maps and things we should get updated as well. Idaho Forest Group – Annexation is being revived and feels like they will be looking to move forward again. He thinks they have dealt with some of the waterline issues that were requested by the city engineer.

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.

ACTION ITEMS:

1) APPROVAL OF THE December 6th REGULAR MEETING MINUTES:

Motion by Kramer, that we approve the last regular meeting minutes on the 6th, 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 December/January bills as submitted without amendments. *DISCUSSION-All in favor- none

opposed. Motion passed. ACTION ITEM

3) DISCUSSION/APPROVAL of the Order of Decision in the Matter of the Application of Luxury Garage Condos of Athol, LLC for Annexation, and Initial Zoning CASE NO AXA-22-01.

Motion by McDaniel, to approve the Order of Decision for the Luxury Garage Condos of Athol,

LLC as submitted. *DISCUSSION Roll Call: McDaniel-yes; Devine-yes; Cutaiar-yes; Kramer-yes;

Motion passed. ACTION ITEM

4) DISCUSSION/APPROVAL to Suspend the Reading of the Rules for Ordinance #441 The Luxury Garage Condos of Athol, LLC. Motion by Devine, for Ordinance #441 the Luxury Garage

Condos of Athol, LLC. to be placed on its first and only reading by title only, under suspension of

the rules and to waive its second & third readings. *DISCUSSION – Roll Call Vote: Devine-yes;

Cutaiar-yes; Kramer-yes; McDaniel-yes. Motion passed. ACTION ITEM

Mayor then read Ordinance #441 by Title:

AN ORDINANCE OF THE CITY OF ATHOL, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF APPROXIMATELY 3.3 ACRES OF LAND LOCATED BETWEEN THE RIGHTS OF WAY OF OLD HIGHWAY 95 AND THE NEW US-95, NORTH OF STATE HIGHWAY 54 AND NORTH OF LOT 1, BLOCK 1, ALLUND WEST SUBDIVISION. THE PARCEL IS MORE PARTICULARLY DESCRIBED IN EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. THIS ORDINANCE IS PROVIDING ZONING OF THE PROPERTY SO ANNEXED AS COMMERCIAL; PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF ANY CONFLICTING PROVISIONS, AND PROVIDING AN EFFECTIVE DATE.

DISCUSSION/APPROVAL of ORDINANCE #441 The Luxury Garage Condos of Athol, LLC. Motion by Devine to approve ORDINANCE #441 the Luxury Garage Condos of Athol, LLC. Annexation and to authorize the Mayor’s signature and publish by summary only and incorporate the title of the Ordinance into the body of the summary while under suspension of the rules.

***DISCUSSION Roll Call: Devine-yes; Cutaiar-yes; Kramer-yes; McDaniel-yes. Motion passed.**

ACTION ITEM

5) DISCUSSION/APPROVAL of the Luxury Garage Condos of Athol Annexation Agreement

Motion by Devine to approve the Luxury Garage Condo Annexation Agreement. *DISCUSSION

Roll Call: Cutaiar-yes; Kramer-yes; McDaniel-yes; Devine-yes. Motion passed. ACTION ITEM

6) DISCUSSION/APPROVAL on a request for the City to plow Harm’s Way, an alley in the city. This was a request by residents who live along Harm’s Way and were present at the meeting. Lewis Miller also attended and spoke, citing he was the one to have named this street, while Vicki Upchurch was mayor. There was a brief discussion about the pros and cons of plowing this alley way. After a short discussion the following motion was made, and the city attorney was asked to draft up the specifics of this matter in slightly more formal documents for record keeping. **Motion by Kramer to plow Harm’s Way, doing only one pass, and that no additional maintenance will occur on this as it is an alley and not a street; and authorize the mayor’s signature on the document prepared by the attorney.**

***DISCUSSION Roll Call:** Kramer-yes; McDaniel-yes; Devine-yes; Cutaiar-yes. **Motion passed.**

ACTION ITEM

EXECUTIVE SESSION: Idaho Code 74-206(1)(a) “to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.” **ACTION ITEM**

MOTION by Devine, to go into executive session under Idaho Code 74-206(1)(a) “to consider the hiring of a temporary/on-call hourly employee.” ***DISCUSSION Roll Call:** Kramer-yes; McDaniel-yes; Devine-yes; Cutaiar-yes. All in favor. **Passed.**

EXECUTIVE SESSION Began at 6:44pm and Ended at 6:54pm

ACTION ITEMS CONTINUED:

7) DISCUSSION/APPROVAL to Hire a Temporary/On-Call Employee. This is being presented as an option to allow for a speedier clearing of the city streets, and it’s been discussed to begin plowing with two people verse one during winter snowplow operations. It will also free up some of the Public Works’ time to still stay on top of his many other duties. A draft contract like the one used for the Back-Up Water Operator was reviewed, and the council requested only one minor change to the document: striking two words. **Motion by McDaniel to approve the hiring of Bob Rickel as a as needed/temporary employee as per the terms identified in the contract with the one amendment just noted.** ***DISCUSSION Roll Call:** Kramer-yes; McDaniel-yes; Devine-yes; Cutaiar-yes. **Motion passed.** **ACTION ITEM**

ANNOUNCEMENTS Council - none. **Mayor** – none. / **Staff, Lori-** 1) Brought up the Costco renewal is coming up and asked if there were any changes. The only change requested was Jeanette no longer wants it, as she hasn’t used it. 2) Reminder that city hall will be closed all next week until January 3rd. **Staff, Kevin-** none

Public Comments: None

ADJOURNMENT at 7:11pm

ATTEST:

Bill Hill, Mayor

Lori Yarbrough, City Clerk/Treasurer

Approved at Council on