



Approved Minutes

Regular City of Athol City Council Meeting

Held in the Council Room in City Hall

Tuesday, July 15, 2025

6:00pm Regular Council Meeting

Mayor Ruch called the meeting to order at 6:00 P.M. and did roll call.

ROLL CALL: Present: Mayor Ruch; Councilwoman Kramer; Councilwoman Porter; Councilman McDaniel; Councilwoman Devine; Attorney, Zach Jones; City Clerk-Lori Yarbrough; Public Works-Pete Weigman and Rand Wichman, City Planner.

REPORTS:

TREASURY REPORT – Lori submitted the June 2025 report; Lori read the ending STCU Checking account balance on the report was \$74,824.80; the ending Savings/Money Market account was \$82,039.38; and the ending LGIP account balance was \$1,531,596.27. The P1FCU Money Market is \$118,265.92 and the savings were \$45,507.05.

WATER REPORT- Lori submitted a written report. Pete also shared information regarding locks that he would like to purchase for the fire hydrated due to the current ones being cut off. Lori shared the June usage was 8,535,521 million gallons; coin haulers were 480,000 gallons. June billed utilities were \$23,364.00, overage of \$6,244.00 and collected was \$24,146.04. Lori said there might be about 49 accounts that will receive a late fee this month.

PLANNER REPORT – Rand submitted a written report and recapped: the Area of Impact Map, amendments were made and sent off to the county, they have acknowledged receipt of them but have not heard anything back regarding their process. Code amendments - the sign code draft is done waiting for a workshop date to be set. The miscellaneous amendments we have been discussing over the past few months have been noticed up for a hearing as a separate item on tonight's agenda. Development Projects – Several calls and emails with the applicants for Colton Acres First Addition. He expects they will complete their preliminary subdivision application within the week. The Conditional Use Permit for a personal storage building in the commercial zone will be heard by the council as a separate item on the agenda tonight.

ACTION ITEMS:

1) APPROVAL OF July 1, 2025, REGULAR MEETING MINUTES:

Motion by Devine that we approve the last regular meeting minutes for the 3rd, with the one minor typo correction. *NO DISCUSSION NEEDED. All in favor-none opposed. **Motion passed. ACTION ITEM**

2) APPROVAL OF BILLS AS SUBMITTED: Motion by Devine that we approve paying the July/August bills as submitted without amendments. *DISCUSSION-All in favor-none opposed. **Motion passed. ACTION ITEM**

3) DISCUSSION/APPROVAL to authorize the Mayor's signature on the Fiscal Year 2025 Audit Engagement letter with Alpine Summit CPAs. Lori shared the new engagement letter with the council, sharing that there was a 3% increase this year but would like to continue to stay with them. She also mentioned the FY24 audit should be done here anytime. Motion by Devine to approve the mayor's signature on the

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.

FY2025 Audit Engagement letter with Alpine Summit CPA; not to exceed \$19,050.00. *DISCUSSION
Roll Call: McDaniel-yes; Kramer-yes; Porter-yes; Devine-yes. Motion passed. ACTION ITEM

PUBLIC HEARING – **CONDITIONAL USE PERMIT (CUP25-01) Nettleton** – to take public comment on purposed personal storage in the commercial zone and waive parking and landscaping standards required in the commercial zone. The Mayor opened the hearing at 6:15pm and asked the city planner, Rand Wichman, to introduce the case to the council. Rand first briefly outlined his staff report, sharing further what the request entailed and the location of the property. He shared that the city code does not specifically address design standards for this use, the applicant is asking not to apply any design standards. This report included the course of proceedings, analysis and the staff recommendation of approval with conditions. Planner Rand told the council that this decision could set a precedent for interpretation of the design standards and council should discuss why you would waive it or why the code as is should be applied uniformly the code as is, is ambiguous in standards. He also encouraged the council that if they are considering approving personal use then approve with the six conditions he has listed in the staff report that will help address future use, if the use does change to commercial use, so that design standards can then be met at that time. No agencies responded with any comments. Councilwoman Porter asked Rand why this should be allowed and further what section 1.13 regarding wastewater DE's and asked for some clarity. He shared it is what the city code allows for and briefly explained the DE circumstances. She also asked about future commercial use in that location. Councilwoman Kramer asked if the property was really two parcels and why there was only one DE, Rand explained how that may have come to be since the county does that part. City Attorney wanted to read for the records, he was passed a note by Councilwoman Porter, which is not advised, so he wanted to read it out loud for the record, "Can I ask why it looks like a warehouse facility" Next the applicant Wayne Nettleton was invited to address the council with any comments he had. Mr. Nettleton said the parcel would be split, he had already started the request with the county. He shared his request is to create a new space for him to store his toys and frees up space in his current business location, not adding much more. He does debate the easement footage a bit but there's room for him to push the building back a bit more. The attorney asked to clarify for the records if all the notices were provided for meeting the statutes, clerk responded yes. The mayor next asked for any public comment, he asked a second time but hearing no one he then closed the public hearing, no written comments were received either and then the mayor asked the council to begin their deliberations. This ended at 6:39pm. **Deliberations:** Councilwoman Kramer says we have been working on changing code to be more deliberate and require parking and landscaping requirements that help meet the comprehensive plan. Trying to get away from willy-nilly so she feels like they should not approve of the CUP for this use. Councilwoman Porter – what happens if later it is found that that location is using it as a commercial aspect, it would fall with regular code enforcement like anything else and siting the conditions of this CUP. Councilman McDaniel doesn't think enforcement is any different than what we do now; he would not want it to be a residential/home use in a commercial zone. He doesn't want to stop someone from using their property but feels like this is a unique situation. He did ask the planner to explain the commercial standards that would be required if they didn't waive them. Rand briefly explained them. The conversation then was more about placing this building in a position that would allow for meeting the commercial design standards if it were to change in the future.

4) DISCUSSION/APPROVAL of CUP25-01 Nettleton for personal storage building in the commercial zone. The council, after deliberating, made the following motion: **Motion by Porter to approve the CUP25-01 Nettleton, with all six conditions of approval as recommended by the planner.**
***DISCUSSION Roll Call: Kramer-yes; Porter-yes; Devine-yes; McDaniel-yes. Motion passed. ACTION ITEM**

The mayor allowed for a quick break from 7:05 until 7:10pm.

DISCUSSION ITEM: Request by Councilwoman Kramer, regarding setbacks in the residential zone. Kramer wanted to have a conversation prior to discussing the code amendments. She felt the setbacks also needed to be discussed as they are what started the discussion about lot widths in the first place. They began a short conversation on whether they should change them and what everyone would like to see as well as the consequences of making the changes. After the discussion Rand recapped his understanding of what the council was leaning towards for 90-foot-wide lots, changing setback on those lots only to 10ft and 15 feet for the sides, he will draft these changes up but shared that they cannot be included in the code amendment ordinance on tonight's agenda. The council was fine with that.

PUBLIC HEARING - Draft of Ordinance Amendments - Lot widths, Completion Certificates, Minimum Residential Home Sizes and provisions for allowing a delay in parking, loading, and landscaping in the commercial zone by exception. The Mayor opened the hearing at 7:24pm and asked City Planner, Rand Wichman, to introduce the code amendments. He listed the background and legal standards as per his staff report for the four changes the council is considering changing. City Clerk, Lori, asked for clarification regarding her concern for the certificate of completion, while it was much needed, and it might provide for confusion for others to treat it as though it is a certificate of occupancy leading some to think it had been inspected for building standards. Rand clarified that it will be noted clearly on the certificate of completed that it is not a building occupancy or inspection and that should be fine. The Mayor then asked if there was anyone wishing to speak on the matter for public comment. There was only one comment, in favor, Chad Foust, owner of Sweet Lous restaurant - shared that it's really because of his request that the council consider the last change regarding the delayed standards for parking etc. in the commercial zone. He believes passing this exception on a case-by-case basis will be a good thing for the whole community and appreciates councils' consideration of it. There were no other comments given, the Mayor closed the public hearing at 7:43pm. **The mayor asked the council to deliberate and when ready to make the following motion.** Councilwoman Porter asked staff about the concern on the home sizes, there was a brief discussion and Rand summed up staff concerns are for the city to be treating all types of homes the same. Porter was concerned this rule would hinder the public's land use rights for no other purpose and she felt the increase of the dwelling size might cost a person more money to have a larger home. The attorney also tried to explain why it is good to make this change and the code to be the same for any type of home. No other council's comments on the following motion were made:

5) **Motion by Kramer to place proposed Ordinance #448, related to lots widths, completion certificates, minimum residential home size amendments, and add provisions for allowing a delay in parking, loading, and landscaping in the commercial zone by exception on its first and only reading by title only while under suspension of the rules.** Roll Call: Kramer-yes; Porter-yes; Devine-yes; McDaniel-yes. Motion passed. **ACTION ITEM**

The Mayor then read the proposed Ordinance by Title.

AN ORDINANCE OF THE CITY OF ATHOL, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE ATHOL CITY CODE BY AMENDING TITLE 8, CHAPTER 8A, SECTION 8-8A-2 TO INCREASE THE MINIMUM SIZE FOR SINGLE FAMILY DWELLINGS TO 850 SQUARE FEET, AMENDING TITLE 8, CHAPTER 8A, SECTION 8-8A-5 TO INCREASE THE LOT WIDTH REQUIREMENT FOR LOTS IN THE RESIDENTIAL ZONE AND REQUIRE LOT ACCESS THROUGH THE REQUIRED LOT FRONTAGE; AMENDING TITLE 7, CHAPTER 1, SECTION 7-1-2 TO ADD A NEW SUBSECTION H. REQUIRING A CERTIFICATE OF COMPLETION PRIOR TO OCCUPYING A NEW BUILDING OR INITIATING A NEW USE AS AUTHORIZED BY A BUILDING LOCATION / LAND USE PERMIT; AMENDING TITLE 8, CHAPTER 12, SECTION 8-12-2 TO ALLOW DELAY OF PARKING, LOADING, AND LANDSCAPING PROVISIONS IN THE COMMERCIAL ZONE BY SPECIAL EXCEPTION; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

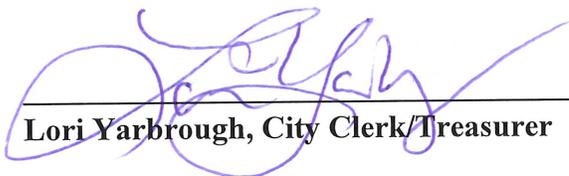
6) **DISCUSSION/APPROVAL of Ordinance #448 that makes amendments to the Athol City Code – Motion by Kramer, to approve ORD #448 related to a lot’s widths, completion certificates and minimum residential home size and add provisions for allowing a delay in parking, loading, and landscaping in the commercial zone by exception while under suspension of the reading of the rules and direct the clerk to publish by summary only. *DISCUSSION Roll Call: Kramer-yes; Porter-yes; Devine-yes; McDaniel-yes. Motion passed. ACTION ITEM**

ANNOUNCEMENTS: Council -none. / Mayor – none. / Staff – Lori reminded the council we have a special meeting for Thursday the 17th at 8am to pass the tentative, high, budget and then we will plan for one more workshop to discuss the setting of water rates before the public hearing on August 19th. Pete – shared he got a new seasonal worker hired his name is Scott and he already started last week. He also shared that he got 10 more meters installed.

PUBLIC COMMENTS: Broderick Pellow, 29876 N 1st Street, introduced himself as the one with the code enforcement violations with his fence and wanted to ask the council if they had seen his appeal request and if the council would talk with him. The city attorney stepped in and advised the council to not comment and let the appeal process happen. Mr. Pellow said he understood he just wanted to try talking to the council if they had any questions. Neil Smith, 5505 N Fremont Street, wanted to keep the council up to date on the newest regarding the lot to the north of him. It was last October when he came last. He recently spoke to someone working for the new owner who is in the process of building a professional dirt track. He has been on contact with Lori in the office and they are aware but he wanted to share that it is continuing to be an issue and they have moved a lot of dirt around already, he has also been trying to keep in contact with the county and hasn’t seen or heard of any applications yet, but was told the guys use might require a conditional use permit in the county and therefore the council may have an opportunity to comment on the matter. He thanks them for their time.

Adjourned the meeting at 8:12pm

ATTEST:


Lori Yarbrough, City Clerk/Treasurer


Steven Ruch, Mayor

Approved at Council on 8/5/2025