

CITY OF HAUSER, IDAHO

CITY COUNCIL SPECIAL MEETING MINUTES

October 27, 2008

6:00 p.m.

The Mayor called the meeting to order at 6:01 p.m. Roll call for Hatfield, Miller, and Danford. There was a quorum present. The Mayor stated that this special meeting was to continue deliberations on a request by Bill Madigan to waive the appeal time period under Title 8 of the Hauser Municipal Code. The Clerk, Cheri Howell and the City Attorney, Nancy Stricklin were present. Mr. Madigan was present. JoAnn Wallace, Chairman of the Hauser Planning Commission was present.

The Clerk stated the purpose for the meeting and stated that she had provided the Council with copies of Mr. Madigan's request, and the letters he had provided the City from the previous mayor, Ed Peone.

The Council queried Ms. Stricklin on the Municipal Code, and what options, if any they had to wave the appeal time period. She stated that there were no provisions in the Code that allowed the extension of the 10 day requirement to file an appeal of the Planning Commission decision. She also stated that Mr. Madigan had the option of filing a claim against the city, requesting a reconsideration of the application with the Planning Commission or retaining the approval of two lots from the original decision. She also stated because the City was in the midst of amending the regulations during the time period that Mr. Madigan's application was considered, that the Planning Commission had the option of reconsidering the application themselves. She recommended that the Planning Commission reconsider the case. She explained that because the amendments were "less strict" than the current regulations, it would be in Mr. Madigan's interest to have the Commission reconsider the application. If the amendments to the regulations had been stricter, then it would not be wise to reconsider the application.

The attorney stated that since there was no official appeal, due to the missed deadline by Mr. Madigan, there was no decision to be made by the Council.

There was additional discussion from the Council. Councilmember Hatfield expressed concern and stated that the regulations needed to be followed. Council President Danford expressed his frustration that the regulations did not allow a waiver of time, and hoped that the Planning Commission would reconsider the application. Councilmember Miller expressed support for the position by Council President Danford and reiterated that she hoped that the Commission would reconsider the application.

The Mayor asked Ms. Stricklin if a motion was necessary to decide on the waiver of the time period. The city attorney said no.

The Mayor adjourned the meeting at 6:25 p.m.