

# CITY OF HAUSER, IDAHO

Location: Hauser City Hall, 11837 N. Hauser Lake Road, Hauser, Idaho 83854

## CITY COUNCIL MEETING MINUTES

**Regular Meeting – December 8, 2010 – 6:30 p.m.**

**CALL TO ORDER:** 6:29 p.m. - Mayor Olita Johnston

**PLEDGE OF ALLEGIANCE:** Lead: Claire Hatfield

**ROLL CALL:** Councilmembers: Mallon, present; Hynes, present; Hatfield, present; Lefebvre, present

**MINUTES:** Minute of November 10, 2010 – Councilmember Mallon moved to approve the minutes with one correction noted. Councilmember Hatfield seconded the motion. Roll call: All ayes - motion carried.

### **TREASURER’S REPORT: Tina McCoy**

McCoy explained that the Treasurer’s Report is presented at the first meeting of each month, noting the new member of City Council. Councilmembers receive complete reports of income, disbursements and breakouts of the General Fund and the Street Fund. Accounts Payable shows all the details of disbursements. Payables are always approved by City Council twice each month, except those which are directed by Resolution to be paid at the first of the month such as paychecks, etc. She said if any Councilmembers have questions, or wish to see more, or less, in the reports, to give her a call for explanation. Councilmember Lefebvre asked to clarify annexation fee waivers. Howell explained that the Application Fee itself is waived but the hard costs of publishing are paid by the applicant and the applicant actually does the work of the publication of notices and legal notices.

McCoy explained that the two-year audit is coming up, after which the Quarterly Report will be published in the paper. The Annual Street and Road Report was just completed. Councilmember Lefebvre moved to approve the Treasurer’s Report. Hatfield seconded the motion. Roll call: All ayes - motion carried.

### **REPORTS:**

#### **Councilmembers:**

##### **a. Claire Hatfield, City of Hauser Properties:**

- Hatfield stated a letter from Tate Engineers has been received which reports that they have approved all that has been done on the City Property.
- Hatfield reported that a City Hall Housekeeper has been hired. She read the letter, which was sent to Kristi Farr, describing details of work, hours, pay rate, and days of work into the record.

##### **b. Lacey Hynes, Milfoil Rinse Station:**

- The letter to the County Commissioners regarding the Memorandum of Understanding between City of Hauser, State of Idaho Fish and Game, and Kootenai County Parks and Waterways has been found by the County and they have stated they will not return it until we contact their lawyer. Hynes stated she would call their attorney and report back at the next meeting.
- D.J. Nall contacted Hynes regarding the City of Hauser Minutes of October 13, 2010 and is requesting that the two statements she made at that meeting be taken off record, or change them to match what is says on the tape. City Clerk Ray stated she also talked with Ms. Nall and told her she would review the tape at her first opportunity.

**c. Roger Lefebvre:**

- Councilmember Lefebvre stated he has volunteered himself to work with Planning and Zoning Commission member, Steve Hatfield, on a cell tower project for the City of Hauser. Lefebvre said Hatfield was present and will make a report on this topic to City Council under New Business.
- With Council's approval, Lefebvre stated he would like to pursue at least learning about and investigating what it will take to get egress and ingress on Hauser Lake Road from Hwy. 53. Howell stated she would be willing to help him with the project. Councilmembers voiced agreement.

**d. Gary Mallon, Public Works:**

- Mallon reported he has had the Chevrolet snow plow and spraying truck serviced and everything is now in working order, and followed by reviewing the repairs made by Westside Towing. The bill was \$165.00 The next project will be to get a backup snow plow driver, since councilmembers cannot drive the equipment. McCoy inserted that there is a hiring policy that states drivers must be drug tested. Mayor Johnston asked Cheri Howell if insurance was available for City snow plow drivers. Howell stated there are two options: 1. Contract with someone who has their own equipment, insurance, license and is bonded; or, 2. Hire an employee who would be covered under the City insurance policy (ICRMP). It could be an on-call employee. The Mayor made it clear that the City cannot afford a \$60.00 rate charged in the past.
- Kabota: Mallon stated he has called Coeur d'Alene Tractor to get information on the Kabota. It is twelve years old with 232 hours on it. All fluids need to be replaced. Coeur d'Alene Tractor will go through it bumper to bumper including the snow blower, blade, side bar, sweeper and bucket, etc. Once in working order, it can be used to maintain City property and trails. Mallon said Coeur d'Alene Tractor can come to the City where the Kabota is housed to check it and also get it to their shop to do the service and he asked for Council approval to do so. He said it is estimated that to change the fluids would be \$650.00 and \$85.00 an hour to check the machine to see what else may be needed. Discussion followed. Hynes moved to have Coeur d'Alene Tractor estimate what is needed to get the Kabota in good working condition. Hatfield seconded the motion. Roll call: All ayes - motion carried.

**Code Administration/Enforcement: Cheri Howell**

- Howell requested that the Comprehensive Plan Public Hearing be put on the Hauser City Council Agenda for January 26, 2011 since there has to be a 30 day public notice. She also said a workshop with the Planning and Zoning Commission prior to the Public Hearing might be of help for Councilmembers.
- The State mandates that we Adopt the US 2009 International Building Code. It has been legally noticed in the paper for a Public Hearing and will be on the Hauser City Council Agenda for January 12, 2011. This building code covers residential code, mechanical code, abatement of dangerous buildings.
- Howell stated the City Clerk, Ray, asked to have some amendments to the Business License Ordinance. It was discussed later in this meeting.
- Howell announced that the Planning Commission is working on the priority list of all the implementations that will be needed on the Comprehensive Plan. Their next step will be to rewrite the Development Code, which includes zoning and subdivision ordinances.

Lefebvre moved to hold the Public Hearing on the Comprehensive Plan on January 26, 2011 at the regular City Council Meeting, and to hold a Public Hearing on the International Building Code at the regular City Council Meeting on January 12, 2011. Hatfield seconded the motion. Roll call: All ayes – motion carried.

- Howell stated Dennis and Leslie Shipp have appealed and actually postponed their appeal until January, 2011, so Howell requested to hold another Public Hearing in January 2011 or February 2011 on the appeal of two conditions on their Class II Permit. Lefebvre stated that in view of the importance and time of reviewing the Comprehensive Plan at the January 26, 2011 meeting, it may be better to schedule the Shipp Public Hearing for a February 2011 City Council Meeting. Discussion followed. Lefebvre moved to hold the Shipp Public Hearing at the February 23, 2010 regular City Council Meeting. Hatfield seconded the motion. Howell stated information will be forthcoming. Roll call: Mallon, aye; Hynes, conflict, recused; Hatfield, aye; Lefebvre aye. Motion carried.

**City Clerk: Donna Ray**

- Chef in the Forest:** Ray received an application for a business license, liquor, beer and wine licenses, but they have not yet received a Certificate of Occupancy. Howell stated that Certificate of Occupancy is required, and that the owner, Debbie Mustered, was present and requested that licenses be approved with the contingency that the Certificate of Occupancy be submitted before licenses are given. Discussion followed. Hatfield moved to authorize the licenses with the contingency that proper certifications be received first. Hynes seconded the motion. Roll call: All ayes - motion carried.
- Flag:** Ray reported that she went to the American Legion and got a flag for the City of Hauser, and stopped at the Fire Department to see if Chief Simms would be willing to hang it. He came to the City and hung the new Flag. There was snow/ice on the light fixture for the flag so she was unsure if the light was working. Hatfield said she would call Rady Electric again for their bid.

**PUBLIC HEARING – Quasi Judicial and Legislative**

- Ingebritsen Annexation:** 7:10 p.m. – Howell stated Dale and Laurie Ingebritsen are requesting annexation into the City of Hauser. The application was submitted on September 7, 2010. The City Council has waived the annexation fees on August 25, 2010. The Public Hearing with the Planning Commission was held on October 19, 2010. The Planning Commission has recommended approval of the request for annexation. Cindy Espe represented the owners, and Howell read further details of the staff report into the record. The Annexation Agreement includes the owners agreement to participate in any LID for the purpose of constructing a municipal sewer system. Cindy Espe then stated she has read the Annexation Agreement and stated she had no issues with it and then asked if there were questions for her. Councilmembers had none. There were no public comments. Hatfield moved to accept the Annexation Agreement as written. Mallon seconded the motion. Roll call: All ayes - motion carried. Hatfield then moved to dispense with rules to read the Ordinance three times and to read the title once. Hynes seconded the motion. Roll call: All ayes - motion carried. Howell read the Ordinance Title 165 - Annexation and Zone Classification of Properties into the record. Roll call: All ayes – motion carried. Hatfield moved to annex the Ingebritsen property. Hynes seconded the motion. Roll call: All ayes – motion carried.
- Title 2, Chapter 1, of the Hauser Municipal Code - Business License Ordinance 166 Amendment:** Howell stated the City Clerk, Ray, has brought to her attention that the license fee in the Ordinance is listed as \$25.00 but the 2010 Fee Schedule shows it as \$50.00, so she requested that the Ordinance be amended to change the fee to match. She also asked to amend the termination date to coincide with the liquor licenses, which would be February 28 effective March 1<sup>st</sup>, rather than the calendar year as in the past. Howell stated she has since changed the Ordinance to add some definitions, change the fees listed, change the date, and clarify the application process. The application process was then described in detail. Howell asked for clarification from Councilmembers on what “all businesses” within the City of Hauser require

business licenses covers. Bars and restaurants need business licenses. What about mobile home parks, and home occupations conducted on a residential site which require a Class I Permit and fall under the definitions and standards of Title 8-1-3 of the Hauser Municipal Code. Much discussion and explanation followed. Howell clarified that Home Occupations conducted on a residential site require a Class I Permit and fall under the definitions and standards of Title 8 of the Hauser Municipal Code. There are two separate permits, one is under Title 8; one is under Title 2. Commercial businesses require a Business License. Howell then explained State laws regarding noticing, publishing, and the differences between the two licensing processes, and we have technically met all the legal requirements of the State of Idaho and the Hauser Municipal Code. Discussion then continued on what to do about the fees for the two month difference in the deadline date. It was decided to waive those fees of two months and begin the new business year 3/1/11. Hatfield moved to dispense with the rules and read the Title once. Hynes seconded the motion. Roll call: All ayes - motion carried. Howell read the Title of Ordinance 166 into the record. Hatfield moved to adopt Ordinance 166. Lefebvre seconded the motion. Roll call: All ayes - motion carried.

**NEW BUSINESS:**

- . Disbursements: Tina McCoy  
McCoy asked Councilmembers if they had any questions. None were voiced. Lefebvre moved to approve the Accounts Payable as submitted. Hynes seconded the motion. Roll call: All ayes - motion carried.
- . Cell Tower: Steve Hatfield  
Hatfield introduced himself, distributed handouts to Councilmembers, and reviewed the documents. He described what is necessary for a cell tower to be erected in the City of Hauser. The real estate portion of Verizon Wireless now has the information regarding locating the cell tower on the City Hall property. Hatfield thanked Dick Coddling, Roger Lefebvre and Cheri Howell for their support in getting this started again. There are blank spots in this area inhibiting law enforcement, fire and emergency communication as well as public and residents. The tower must be land-built, and Howell then explained what the next processes will be. Discussion and questions followed.
- . December 22, 2010 Council Meeting: Hatfield asked if there would be a Council Meeting on December 22, 2010. Discussion followed. Hatfield moved to cancel the December 22, 2010 meeting. Hynes seconded the motion. Roll call: All ayes - motion carried.

**ADJOURNMENT:**

Councilmember Lefebvre moved to adjourn the meeting. Hatfield seconded the motion. All ayes. Meeting was adjourned at 8:08 p.m.

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Donna Ray, City Clerk

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Olita Johnston, Mayor