

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
JUNE 1, 2010**

CALL TO ORDER

Mayor Morris called the regular meeting to order at 7:00 p.m. Council members present were Councilman Grant, Councilman Beck, Councilman Gorman and Councilman Walker. Attorney Pete Bredeson and Dick Pelton were also present as representatives of the Council. Clerk Lynn Hagman recorded the minutes of the meeting. Citizens present were Mr. Gorman (Councilman Gorman's father), William Bentz, Chad Labato, Braden Mowry and Kevin Moore.

AGENDA

Mr. Bredeson recommended the deliberations and passage of Ordinance 239 be continued to the June 21, 2010 meeting due to the map not being available. Councilman Gorman moved to approve the amended agenda; Councilman Walker seconded the motion and the motion carried.

Councilman Beck then moved to approve the consent agenda, including the invoices for payment and the minutes of May 17, 2010 for approval. Councilman Grant seconded the motion. The motion carried.

CITIZENS ISSUES

Mr. Bozarth's leak, which had been previously brought to the council's attention, was discussed. Clerk Hagman informed the Council that Mr. Bozarth had another large bill for the month of May. Mayor Morris felt that the city should credit Mr. Bozarth the difference between what the city pays Avondale and what Mr. Bozarth was charged. Councilman Grant suggested changing out the meter and finding the problem before giving any credits.

DAKOTA AVE

Councilman Beck informed the Council that he is scheduled to meet with Stephan at the City of Hayden to discuss Dakota Ave and will report at the June 21, 2010 meeting.

PUBLIC HEARING ON ORDINANCE 239

At 7:12 p.m. Mayor Morris recessed the regular meeting and opened the public hearing on Ordinance 239, an ordinance to expand the overlay district.

Mr. William Bentz gave testimony and voiced his concerns that the Hayden Lake Country Club will have the right to add a hotel or other commercial uses. Mr.

Bredeson explained that the existing language already includes private lodging. Mr. Bentz questioned if the new status would allow someone else to build a private hotel. Mr. Bredeson replied that it would.

Mr. Bentz questioned if the Country Club could develop Miles Ave. to add another restaurant. Mr. Bredeson replied that it could, however, the Country Club is a non profit and they would have to sell that property for someone else to build a business. Mr. Bentz requested the council to consider the possible businesses that this ordinance would allow.

With no further testimony, Mayor Morris closed the public hearing at 7:18 p.m.; and reconvened the regular meeting. The deliberations on this ordinance will be continued to June 21, 2010.

ATTORNEY REPORT

Mr. Bredeson informed the Mayor and Council that he had met with Mr. English, the Hayden Lake Country Club's attorney regarding the Gibson Rd. easement. Mr. English stated that the easement belongs to the Country Club.

Councilman Grant stated that he would like to have the access open to the public as it was in the past. Councilman Grant questioned Mr. Bredeson if the city has an easement by usage. Mr. Bredeson informed the council that the public can acquire easement by prescription or other possible means. Mr. Bredeson stated that he will need to research the use interest if this is the council's direction.

Councilman Walker suggested speaking with Les Hintz, manager of the Country Club, for his opinion. Councilman Grant stated that there is a sign posted that says, "No public access" and sooner or later it will be enforced. Councilman Gorman felt that the city taxpayer's money should not be spent on what a few would like to have. Maybe this dispute is between the citizens who want this access and the Country Club and the city should not be involved.

Mayor Morris suggested going to the Country Club Board and explain that there are citizens who want to use this access and ask that the sign be removed. Councilman Beck reminded the council of the issue that the City of Coeur d'Alene had with Sanders Beach, and in the end, the judge ruled that it was a private beach.

Council Grant is in favor of speaking with the Country Club Board and suggested Mayor Morris is the one to do this and explain the city's position. Councilman Walker moved to direct Mayor Morris to speak with the Country Club's Board to explain the issue of the public wanting to use this access. Councilman Grant seconded the motion. Councilman Grant suggested the motion be amended to include Pete Bredeson in this meeting. Councilman Walker amended his motion to include Mr. Bredeson attending the meeting with Mayor Morris. Councilman

Grant seconded the motion. The motion carried with two (2) yes votes, two (2) abstain and Mayor Morris breaking the tie with a yes vote.

STREETS

Councilman Gorman informed the Mayor and Council that the Miles Ave. grant should be here anytime. Mr. Gillis is working on the design for Strahorn Rd. Councilman Gorman suggested we do the design ourselves to save money. Councilman Grant is not in favor of this and stated that the city needs an engineer's approval of the correct signage and barriers to be used. Councilman Grant felt that the design should not exceed \$2,500.

CLERK

Clerk Lynn Hagman informed the council of her trip to Reno to the IIMC Conference in May. It was a very informative conference with good speakers and new technology. New ideas were brought back as well as new knowledge on how to update things we have in place.

ADJOURN

With no further business before the Council, at 7:45 p.m. Mayor Morris adjourned the meeting.

Nancy E. Morris, MAYOR

Lynn M. Hagman, CITY CLERK