

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
JUNE 19, 2012**

CALL TO ORDER

Mayor Beck called the regular meeting to order at 6:00 p.m. Council members present were Ed Graves, Tom Gorman, Tommy Frey and Jim Ackerman. Attorney Pete Bredeson, Chief Glenn Johnson and Code Enforcement Officer Dick Pelton were also present as representatives of the Council. Clerk Lynn Hagman recorded the minutes of the meeting.

Visitors present were Chet and Debbie Morris, Matt Gillis, Cora Campbell, Dave Campbell, Kathy Salvadore and Sydney Frey.

Chief Johnson led the pledge of allegiance.

AGENDA

Clerk Hagman amended the agenda to add Matt Gillis to speak to the Council about the Miles Ave. project. His attendance was not known until the day of the meeting. **Councilman Gorman moved to approve the amended agenda, seconded by Councilman Frey. The motion carried.**

Councilman Graves moved to approve the consent agenda including the minutes of June 5, 2012 and the invoices for payment. Councilman Gorman seconded the motion. The motion carried.

OLD BUSINESS

Mr. Matt Gillis addressed the Mayor and Council on the Miles Ave. /Strahorn Rd. project. Mr. Gillis informed the council that the City received federal funds from KMPO through LTAC. The bill that the City received for \$9,878.28 would be part of the match for the funds. Councilman Gorman stated that the City hasn't received any funds yet, just the awarding of the grant. Idaho Transportation Dept. thought the City would have the funds in 2015. Now, there are funds available again for next year and the City needs to be "shovel" ready to be able to receive the funding. Councilman Gorman informed the Council that this may take some engineering of the street right of ways.

Mr. Gillis felt that there could be a good chance to get the funds early. Councilman Gorman explained that he had met with the Hayden Lake Recreational Water and Sewer District who would like to possibly participate in the Miles Ave. and Strahorn Rd. project and they may possibly be ready in 2013. Mr. Gillis stated that the City may need a right of way acquisition. Councilman Gorman would like the lanes on Miles Ave. to be small lanes with swales and a pedestrian path on the south side of Miles. Mr. Gillis felt that this would damage the parking area at the Porch Restaurant. Mayor Beck directed Mr. Gillis to check with Larry Comer at Welch Comer on any previous surveys of the right of way on Miles Ave. Mayor Beck clarified that the bill received is partially a Lakes Highway District bill also. Mayor Beck questioned Mr. Gillis on paying this bill, would the City get the money back if the City decided to do the project themselves. Mr. Gillis replied that if nothing was done, the City could get the money back, however, if some work is done on the project a deduction would be made and the City would get back the remainder.

Mr. Gillis informed the Council that the street widths and shoulders would be done to ITD specifications. Clerk Hagman gave the Council an update on the Sewer district position with this project stating that the project is on the Sewer District capital improvement plan for 2013. Mayor Beck asked the Council for a decision on paying the \$9,878.28 which would start the ITD project or wait. Mr. Gillis stated that it would not make a difference if the Council decides at this meeting. Welch Comer will hold the notice to proceed until the Council is ready to decide.

Councilman Gorman moved to direct Matt Gillis to research the issues and Clerk Hagman to research the survey issue. Councilman Frey seconded the motion. The motion carried.

BUILDING PERMIT EXTENSION

Mr. Chet Morris addressed the Council on his request for a six month extension on his building permit. Mr. Morris informed the Mayor and Council that he will have the home complete by November 30, 2012.

At this time Councilman Fey recused himself from this conversation due to his being an adjacent neighbor of Mr. Morris.

Councilman Ackerman questioned Mr. Morris on his definition of complete. Mr. Morris replied that he would be ready for a permanent occupancy permit. Mayor Beck asked building inspector Jeryl Archer to discuss the certificate of occupancy and when the electrical and plumbing will be signed off. Mr. Archer explained the portions of the home that are going to be occupied need to be complete and the electrical and plumbing need to be signed off by the inspectors as well as the furnace. Mr. Archer explained that a temporary permit can be issued at that time. Mr. Archer felt that once the temporary permit is issued, the other structure should be removed. Attorney Bredeson explained that the City Code allows Mr. Morris 60 days to remove the other home. Mr. Archer stated that a temporary permit would have stipulations attached. Councilman Gorman questioned if the exterior would be included in the temporary occupancy permit. Mr. Archer felt that this could be one of the stipulations the City may want to impose on the temporary permit.

Councilman Gorman questioned Mr. Pelton when the first building permit was taken out. Mr. Pelton replied it was October, 22, 2009. Councilman Graves questioned Mr. Morris on the removal of the other structure and if this would be done by November 30, 2012. Mr. Morris stated it would. Mayor Beck questioned if the landscaping and driveway would be done. Mr. Morris stated that it would. Mayor Beck clarified that the only thing that would be left unfinished would be the basement. Mr. Morris replied yes.

Councilman Gorman voiced his concern with the roofs not matching and what will be done about that. Mayor Beck questioned Attorney Bredeson for the definition of match. Attorney Bredeson quoted from the City Code, "match in exterior appearance". Mayor Beck questioned if Nancy Morris's home would meet the accessory building definition. Attorney Bredeson replied that it would. Mayor Beck stated that the roofs are two different colors and don't match in appearance. Mr. Morris stated that the roofs will be the same. Councilman Gorman questioned the stucco on the home to match the stucco on the accessory building. Code Enforcement Officer Dick Pelton replied that Mr. Morris was to put stucco on Nancy Morris's home to match his. Mr. Morris stated this would be done by November 30, 2012.

Councilman Graves suggested stipulations with the proposed extension on a contract for Mr. Morris to sign. Mr. Archer informed the Council that the rough in is done and the next inspection will be on the drywall. Councilman Gorman asked Mr. Archer if five months would be a long enough extension. Mr. Archer felt that it would. **Councilman Gorman moved to extend the building permit for six months to end on November 30, 2012 with stipulations. A document will be drafted by Attorney Bredeson and Councilman Graves with the issues discussed including a statutory fine of \$100.00 a day being imposed if not completed. This document will be presented at the next meeting and will be signed by Mr. Morris. Councilman Ackerman seconded the motion. The motion carried.**

STORMWATER

Mr. Pat Walters, 10680 Lakeview Dr., addressed the Council on storm water issues. Mr. Walters informed the Council that he had sent a letter to the City when Todd Walker was on the Council regarding the water that runs through his property. Mr. Walters stated that all of the storm water from the crown of the hill going north ends up in his basement. The situation has gotten worse with the new construction on Lakeview Dr. Mr. Walters has offered to donate a right of way to pipe the water to the lake. After speaking with Todd Walker he realized this would be a source of pollution to the lake.

Mayor Beck questioned how much room was between Mr. Walters and the property north of him. Mr. Walters replied there was approximately 15' to the fence. Councilman Gorman questioned Mr. Walters on where the spring water goes. Mr. Walters explained that the spring water comes into the right of way but not into his basement. Mr. Walters feels that some kind of drainage needs to be in place. Mayor Beck felt it would be reasonable to have the City Engineer, Larry Comer look at this problem. There may be new treatments to solve the problem. **Councilman Ackerman moved to have the City Engineer, Larry Comer look into the drainage problem at Mr. Walters's residence on Lakeview Dr. Councilman Gorman seconded the motion. The motion carried.**

PT HAYDEN DRAINAGE

Cora Campbell addressed the Council on the drainage problem she is still having at her home in Pt. Hayden. Ms. Campbell informed the Council that the new ditch and rock that was placed did not take care of the problem of the water coming onto her property. Ms. Campbell questioned why the City did not put in a pipe for the water to drain past her house. Councilman Ackerman explained what Ken Bettis had done and stated that a pipe would not take care of the surface water. Ms. Campbell informed the Council that it was not the surface water she had a problem with, it is the ground water. Mayor Beck informed the Council that Dustin Jacobson from the Sewer District looked at the water while there was a lot of rain and said there was water running down the ditch. Ms. Campbell informed the Council that Mr. Jacobson put dye in and when he dug holes the water streamed out.

Mayor Beck questioned Councilman Ackerman on how much culvert or pipe would be needed. Councilman Ackerman stated there would be approximately 150' of culvert and this would most likely cause problems down the road to other neighbors. Councilman Ackerman felt that the water on Pt. Hayden would be better maintained to go down the ditch. Mayor Beck explained that the overall drainage plan does not fit in the scope of the city budget.

If a pipe would help and not affect anyone else, the City would be happy to do this. **Councilman Gorman moved that the City re-address this issue and have the City Engineer review the site. Councilman Graves seconded the motion. The motion carried.**

PAINTING

With all quotes not being in, Councilman Graves moved to table this issue to the next meeting. Councilman Frey seconded the motion. The motion carried.

POLICE REPORT

Chief Johnson gave a report on police activities for the month of May, 2012. Mayor Beck explained what a vacation check was to the public. Councilman Frey questioned Chief Johnson if he had any calls on a suspicious person walking around on Lakeview Dr. Mayor Beck asked Chief Johnson to keep an eye on Morris Rd. and Lakeview Dr.

ATTORNEY

Attorney Bredeson informed the Mayor and Council that he had received the draft letter from the County Prosecutor that will be sent to the people who owe the City a development impact fee.

CODE ENFORCEMENT

Dick Pelton informed the Council of a home that is being torn down on Bozanta. A new home will be built. Mr. Fazio's building permit extension will expire on June 27, 2012 and will be on the next agenda for the city to review his status. Mr. Fazio will meet with Dick Pelton and Clerk Hagman to discuss with him the information the Council will want to know if he intends on applying for another extension. **Councilman Gorman moved to allow Mr. Fazio to continue construction until the July 3, 2012 meeting. Councilman Graves seconded the motion. The motion carried.**

FINANCIAL

Clerk Hagman reviewed the financial statement for May, 2012. **Councilman Graves moved to approve the financial report, seconded by Councilman Gorman. The motion carried.**

COUNCIL CONCERNS

Councilman Frey reported on prices for new buoys. For the pencil buoys the cost would be approximately \$200.00 each. Most of the buoys are where they are supposed to be right now. Councilman Frey felt that the Idaho Department of Lands may have a problem with placing buoys out 500'. Councilman Frey will purchase the buoys and the City will reimburse him.

ADJOURN

With no further business before the Council, at 7:35 p.m. Councilman Gorman moved to adjourn, seconded by Councilman Ackerman. The motion carried.

Chris Beck, MAYOR

Lynn M. Hagman, CITY CLERK

