

CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
AUGUST 20, 2013

CALL TO ORDER

Mayor Beck called the meeting to order at 5:00 p.m. Council members present were Ed Graves, Tom Gorman, Tommy Frey and Jim Ackerman. Code Enforcement Officer Rand Wichman, Matt Gillis from Welch Comer Engineers and Attorney Pete Bredeson were present as representatives of the Council. Mr. Ron Kostelecky was a visitor and City Clerk Lynn Hagman recorded the minutes of the meeting.

AGENDA / MINUTES

Councilman Gorman moved to approve the agenda and the consent agenda including the minutes of July 16, 2013 and the invoices for payment and the paid pending invoices. Councilman Frey seconded the motion. The motion carried.

CITIZENS ISSUES

Mr. Matt Gillis reported on the storm water issue on Lakeview Dr. Mr. Gillis discussed the previous history of this issue and what the City has done to remedy the situation. The new problem is the water causing the rock face to fall away. The area where the rock is sliding down the bank is within 10 to 15 feet of Mr. Walters' tram. Mr. Gillis explained to the Mayor and Council that he has worked on some solutions with Mr. Walters and Mr. Hodges. The concept presented to the Council would be to get the swale down off the edge of the embankment and this would be at a cost of approximately \$12,000 to \$15,000.

Councilman Graves reminded the Council why the swale was done to begin with and how it was to take care of the storm water runoff. Councilman Frey questioned the high cost. Mr. Gillis replied that this will take a lot of man power because machines cannot reach down the hill. Mr. Gillis stated that he feels the rock that is left is solid. Councilman Frey questioned who will be responsible to maintain the new solution. Mr. Gillis replied that the City would be responsible. Mr. Gillis explained what the solution would be a catch basin at the top where the swale is and the water would be piped down the hill and then the water would be disbursed through perforated pipe towards the bottom of the hill.

Mayor questioned Attorney Bredeson on the City's legal obligation. Attorney Bredeson explained that the first solution was done as a good neighbor on the City's part. Mayor Beck gave the Council some options of how to handle this issue. Councilman Graves felt that the City should monitor the water for the winter and if it gets worse, he would recommend some possible cost sharing with the homeowners in a new solution. **Councilman Gorman moved to monitor the water and revisit this issue in the spring. Councilman Graves seconded the motion. The motion carried.**

Mr. Gillis will convey the Council's decision to Mr. Walters and Mr. Hodges. Mayor Beck requested a periodic visit to the site by Mr. Gillis.

WM. BENTZ

Mr. Bentz, who could not attend the meeting, had previously submitted a plan for landscaping and raising the berm in front of his house. **Councilman Gorman moved to table this issue until the next meeting so Mr. Bentz could attend and comment. Councilman Graves seconded the motion. The motion carried.**

LOT SPLIT

Mr. Kostelecky addressed the Mayor and Council regarding a lot split on Miles Ave. Mr. Kostelecky explained that the lot is owned by Nancy Morris and all of the lots on this block have been split except this one. Mr. Kostelecky informed the Council that he had met with the County who told him he needed to have a recommendation from the City since this property is within the City area of city impact.

Code Enforcement Officer Rand Wichman stated that the City can offer an opinion but the County will need to move forward on the decision of the lot split. Mayor Beck discussed possibly setting precedence with this opinion. Mr. Wichman explained that the City Code has one acre lots but this lot is not in the City limits. Attorney Bredeson stated this would be a minor sub-division though the County. **Councilman Ackerman moved to send a letter to the County for the approval of the lot split. Councilman Gorman seconded the motion. Councilman Frey asked Attorney Bredeson to explain the reasons why the City is approving the lot split in the letter to the County. The motion carried.**

BUDGET HEARING

At 5:42 p.m. Mayor Beck opened the public hearing on the budget for fiscal year 2013-2014. There were no citizens present to speak on the budget. Mayor Beck closed the public hearing at 5:43 p.m. Clerk Hagman reviewed the budget with the Mayor and Council and discussed the increase in the street funds.

Councilman Graves moved to approve Ordinance 263, the annual appropriations ordinance, to suspend the reading on three separate occasions and be read in full. Councilman Gorman seconded the motion. A roll called vote was taken; Councilman Graves, "aye", Councilman Gorman, "aye", Councilman Frey, "aye" and Councilman Ackerman, "aye". The motion was unanimously carried.

Mayor Beck read Ordinance 263 by title only. Councilman Gorman moved to adopt Ordinance 263 and to publish in full. Councilman Frey seconded the motion. A roll call vote showed; Councilman Gorman, "aye", Councilman Frey, "aye", Councilman Ackerman, "aye" and Councilman Graves, "aye". The motion was unanimously carried.

Councilman Gorman moved to approve the L-2 form, seconded by Councilman Graves. The motion carried.

ORDINANCE 264

Ordinance 264, an ordinance allowing golf carts on city streets was presented and reviewed by Attorney Bredeson. **Councilman Gorman moved to approve Ordinance 264, to suspend the rule requiring the reading on three separate occasions and to be read in full. Councilman Graves seconded the motion.**

A roll call vote showed; Councilman Frey, “aye”, Councilman Ackerman, “aye”, Councilman Graves, “aye” and Councilman Gorman, “aye”. The motion was unanimously carried.

Mayor Beck read Ordinance 264 by title only. Councilman Gorman moved to adopt Ordinance 264, to publish by summary and to adopt the summary. Councilman Frey seconded the motion. A roll call vote showed; Councilman Ackerman, “aye”, Councilman Graves, “aye”, Councilman Gorman, “aye” and Councilman Frey, “aye”. The motion was unanimously carried.

SERVICE AGREEMENT

Attorney Bredeson presented a services agreement between the City and the Hayden Lake Recreational Water and Sewer District. Councilman Graves disclosed that he is on the Board for the Sewer District. Attorney Bredeson stated that Councilman Graves is a paid Board member and therefore has a remote interest and he should declare his interest and recuse himself from the vote on this agreement. Councilman Graves declared his interest and recused himself from the vote.

Clerk Hagman questioned the wage of \$30.00 an hour in the agreement and Attorney Bredeson explained that this is what was in the existing agreement. Council discussed a possible annual amount or monthly rate and asked Clerk Hagman to research what the City has paid in the past for their services on an hourly rate. This issue was continued to the next meeting.

FENCE VARIANCE

Attorney Bredeson discussed the previous memo that was sent via email to the Mayor and Council regarding the variance for a fence that was red tagged for code violation at 10291 Fir Lane. Mr. Wichman gave the Council a brief review of the violations. Mr. Wichman stated that this project needs a building permit and the variance or the homeowner needs to make the fence comply with the city code.

Following a brief discussion and reviewing pictures of the fence, Councilman Gorman moved to deny the variance, seconded by Councilman Ackerman. The motion carried. Attorney Bredeson will draft the decision for approval at the next meeting.

POLICE REPORT

Chief Johnson gave the police report for the month of July, 2013 noting there were 60 traffic stops and 48 citations issued.

CODE ENFORCEMENT REPORT

Code Enforcement Officer Rand Wichman reported two new building permits issued and an inquiry from Paul Harrington exploring the possibility of subdividing property on Chalet Rd.

ATTORNEY

Attorney Bredeson discussed the EPA storm water program and informed the Council that this program applies to small storm water systems.

Attorney Bredeson explained that we need to find out if the City of Hayden Lake qualifies as a regulated entity. Attorney Bredeson will research this further with the Council's permission. Council approved the research.

FINANCIAL REPORT

Clerk Hagman reviewed the financial report for June, 2013. **Councilman Gorman moved to approve the financial report, seconded by Councilman Ackerman. The motion carried.**

MAYOR

Mayor Beck informed the Council that the Miles Ave. project is complete. The bid for the Strahorn Rd. project was rejected due to being over budgeted amount. This project will be re-bid in the spring. Councilman Gorman questioned if Miles Ave. would be stripped and would the City share in this cost with Lakes Highway District.

ADJOURN

With no further business before the Council, at 6:20 p.m. Councilman Gorman moved to adjourn, seconded by Councilman Frey. The motion carried.

Chris Beck, MAYOR

Lynn Hagman, CITY CLERK