

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
FEBRUARY 4, 2014**

CALL TO ORDER

Mayor Beck called the meeting to order at 6:00 pm. Present were Council members Tom Gorman, Ed Graves and Jim Ackerman. City Attorney Pete Bredeson and Code Enforcement Officer Rand Wichman were present as representatives of the Council. Also in attendance was Linda Felsing.

AGENDA AND CONSENT AGENDA

Councilman GORMAN moved to approve the posted agenda for the meeting along with the consent agenda. The consent agenda included the minutes from the January 7, 2014 regular meeting, the list of invoices for approval and the paid invoices pending approval, along with the draft Findings of Fact, Conclusions of Law and Order on the rehearing of a fence variance request submitted by Pine Cone Properties, LLC. Councilman GRAVES seconded the motion. The motion carried.

CITIZEN ISSUES

I. ZONING CONCERNS REGARDING ASSISTED LIVING – LINDA FELSING

Ms. Felsing, 11012 Lakeview Drive, voiced her concern with group homes being allowed in and around the City consisting of troubled youths and other sorts. Ms. Felsing referenced the definition of a “family” contained in the City’s Zoning Ordinance and expressed frustration that it allows up to 8 unrelated people to live together. City Attorney Bredeson explained that the language referenced by Ms. Felsing is mandated by Idaho Code and the Federal Fair Housing Act. The City cannot discriminate against persons with disabilities and must provide reasonable accommodations for them. Mayor Beck and the Council thought Ms. Felsing’s concern was a reasonable one and asked Mr. Bredeson if there was a way to regulate this type of activity as some sort of commercial business. Mr. Bredeson is going to research the issue and report back to the Council.

Ms. Felsing also complained about the lack of a police presence at the curve of Lakeview Drive where her residence is located with respect to traffic control. Councilman Gorman stated that the City would do its best to address the problem.

OLD BUSINESS

None

NEW BUSINESS

I. STORM WATER ON LAKEVIEW DRIVE

Mayor Beck reported that there had been no change on the issue due to the cold weather. Matt Gillis of Welch Comer Engineers will report on the matter at a later meeting.

II. PROCLAMATION FOR KOOTENAI COUNTY SESQUICENTENNIAL

Mayor Beck gave a brief summary of the Proclamation, which honors the 150th anniversary of Kootenai County. **Councilman GORMAN moved to approve the Proclamation. Councilman GRAVES seconded the motion. The motion carried.**

III. RESOLUTION 111, DESIGNATION OF LOCAL EMERGENCY RESPONSE AUTHORITY FOR HAZARDOUS SUBSTANCE INCIDENTS

City Attorney Bredeson gave a brief summary of the Resolution. Since the Hayden Lake Fire District and the Rathdrum Fire District merged some time ago into what is now the Northern Lakes Fire District, Idaho Code requires the City to update its designated Local Emergency Response Authority for hazardous substance incidents. **Councilman GORMAN moved to approve Resolution 111. Councilman GRAVES seconded the motion. The motion carried.**

IV. RESOLUTION 112, DECLARING CERTAIN ITEMS AS SURPLUS PROPERTY

Mayor Beck gave a brief summary of the Resolution, which declares several computer hardware items surplus property and authorizes the City Clerk to dispose of the same. **Councilman GORMAN moved to approve Resolution 112. Councilman ACKERMAN seconded the motion. The motion carried.**

POLICE CHIEF REPORT

Mayor Beck reported that Chief Johnson will give a report at the 02/18/14 Council meeting.

CODE ENFORCEMENT OFFICER

Code Enforcement Officer Rand Wichman gave a summary of his written Report, which he distributed to the Mayor and Council. A fence permit has been issued to the Hayden Lake Country Club for its perimeter cable fence. The fence will be replaced with a split rail cedar fence. Also, a certificate of occupancy has been issued for George Wigen's

residence on Hofmeister Court. Third, a non-conforming real estate sign at the corner of Lakeview Drive and Hayden Avenue was taken down by the realtor at Mr. Wichman's request. Finally, a remodeling project at a residence along Lakeview Drive did not warrant code enforcement procedures since the subject project is confined to the interior of the residence.

CITY ATTORNEY REPORT

City Attorney Bredeson reported that he attended the 2014 Idaho Municipal Attorneys' Winter Workshop in Boise last week. Based on discussions at the Workshop, Mr. Bredeson suggested that the City may want to look at eliminating the need for a public hearing concerning all subdivision applications since technically it's not required by Idaho Code.

PUBLIC WORKS REPORT

Mayor Beck reported that Lakes Highway District has agreed to perform the design, bidding and construction management for the Strahorn Road maintenance rehabilitation project. The City will provide funding for the entire project. The Highway District will bid out the project in conjunction with some of its other projects, so cost savings for the Strahorn project should be realized. Mayor Beck then questioned the Council on what the project will entail with respect to the dimensions of the Strahorn travel lane. After some discussion, a consensus was reached that the travel lane should be paved to a width of 12 feet, leaving room for a 2 foot wide swale between the travel lane and the bicycle/pedestrian path. The anticipated swale and divider fencing between the travel lane and the bicycle/pedestrian path will not be bid as part of the project. The project will also not include paving of the bicycle/pedestrian path. Mayor Beck then questioned the Council regarding whether or not the project should include work south of Dakota Avenue. After some discussion, it was concluded that the base bid should only include work to Dakota with an optional component to continue work to the relatively new asphalt surrounding the median island in the middle of Strahorn. Mayor Beck will convey this information to the Highway District.

COUNCIL COMMENTS

Councilman GRAVES moved to enter into an executive session pursuant to Idaho Code Sections 67-2345 (1)(b) and (f): personnel and possible litigation. Councilman GORMAN seconded the motion. Roll Call Vote: Councilman Graves voted "aye", Councilman Gorman voted "aye" and Councilman Ackerman voted "aye". The motion passed. Personnel issues and potential litigation were discussed.

MAYOR COMMENTS

None

ADJOURNMENT

With no further business, Councilman GORMAN moved to adjourn at 6:06 pm, seconded by Councilman GRAVES. The motion carried.

Chris Beck, Mayor

Lynn M. Hagman, City Clerk