

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
FEBRUARY 21, 2006**

CALL TO ORDER

Mayor Prince called the regular City Council meeting to order at 4:00 p.m. Council members present were Jim Riley, Todd Walker, Bob Grant and Evelyn Meany. Also present were Attorney Pete Bredeson, Dick Pelton and City Clerk Lynn Hagman as representatives of the Council.

VISITORS

Visitors present were Kent Bailey, Gerry House, Kirk and Twila Heiner, William and Leah Bentz.

AGENDAS

Councilwoman MEANY moved to approve the agenda for this meeting. Councilman WALKER seconded the motion. The motion carried.

Council discussed the bills to be paid and the minutes for adoption. Councilman Grant requested an addition to the minutes to reflect the feelings of the citizens who were contacted about annexation. With this change to the minutes,

Councilman GRANT moved to approve the consent agenda, Councilwoman MEANY seconded the motion. The motion carried.

CHAIRMAN HOUSE-HAYDEN LAKE RECREATIONAL WATER & SEWER DIST.

Chairman Gerry House addressed the Council on the issue of proposed annexations to the City and the implementation of new sewer lines. Mr. House disclosed to the Council that he initially was involved in the Cities attempt to enlarge the Area of City Impact. Mr. House was on the County Planning and Zoning when the application was submitted and he stated that he was very much in favor of the City enlarging their ACI.

Chairman House then spoke about the ER's that are currently available with the Sewer District and how the City and County will be making important land use decisions in the future. How land use is decided will have a bearing on the sewer service in those areas. County and City zoning are very different which would make sewer capacity in the lines very different. Chairman House informed the Council that the cost for a hook up is on the rise. The Sewer District has a lift station at the Country Club which is a concern because it is in close proximity to the lake. Capacity at the plant and funding for more capacity is a growing concern also.

Chairman House stated that the Sewer District would like to work with the City on future developments and annexations into the City. This would help the District when planning for new lines and capacity issues.

KIRK HEINER

Mr. Heiner addressed the Council regarding his fountain on Hayden Ave. Mr. Heiner informed the Council that his contractor has moved out of town and he felt that the fountain was grandfathered since the new ordinance was passed. After receiving a letter from City Attorney Pete Bredeson, he now feels like he is being targeted. Mr. Heiner also felt that the City Council minutes did not reflect his exact words and requested to hear the tapes of the meetings.

Councilman Grant asked for a time line of events that have taken place since Mr. Heiner was first contacted. Attorney Pete Bredeson will submit a time line to the Council and review the tapes of the meetings in question. Council will continue this discussion at the next regular meeting.

ANNEXATION FEASIBILITY STUDY

Councilman Walker discussed the area's that were analyzed and stated that there were four different analogies. Councilman Walker felt that taking the new proposed area of city impact along with Avondale area would be the most desirable. Councilman Grant felt that all expenditures were not in the feasibility study; however, those expenditures would vary depending on area. Councilman Grant felt that it would be fiscally responsible for the City to annex.

Council discussed the revenues and expenditures that the different areas would bring. Surplus of the revenue may not cover the expenditures that the City would incur and this is a concern of the Council.

Councilman Walker stated that the Avondale area is already built out and feels the City would be using their tax dollars yet the only extra services they would be getting is the Hayden Lake police instead of the County.

Councilwoman Meany stated that the infrastructure concerns are not factored into the feasibility study and these could be rather large expenditures. Councilman Riley questioned the tax base between the City and County. City Clerk Lynn Hagman stated that the tax levy is smaller for the City and as stated in the letter to the proposed annexation citizens, the cost for being in the City would be approximates \$56.00 per \$100,000 valuation on the tax records. Councilman Walker felt that this study was one of the things that the County wanted to City to do and more planning is needed.

Councilman Walker suggested sending a letter to all citizens who would reside in the newly proposed Area of City Impact to get their feelings on being in the City ACI and possible annexation in the future.

Mayor Prince felt that a letter would not be sufficient; more education would be needed and could not be provided in a letter. Councilman Riley suggested tabling the Feasibility Study until the McCall annexation is decided.

Councilman Grant felt that the City needs to move ahead on the current ACI. Councilman Riley felt that the County should be the ones to ask county citizens whether or not they would approve of being in the new ACI for the City of Hayden Lake.

Councilman Riley volunteered to speak with the County Commissioners to get their recommendations regarding the ACI decision. Councilman Riley will also speak with the N.I.B.C.A. regarding the traffic and infrastructure. Councilman Grant was in favor of this and stated that the City needs to know what the road blocks are so they can be taken care of and a decision made.

LEGAL

Attorney Bredeson informed the Council of a proposed property development issue regarding the Hexagon property. Code Enforcer Dick Pelton, Councilman Walker, City Clerk Lynn Hagman and Attorney Bredeson met and discussed the City Code regarding condominiums which were suggested by the representative of the property owner. Attorney Bredeson informed the Council that the approval for condos would be through the County and would not need city approval. After researching the code, Section 9-3-3, Attorney Bredeson stated that the code specifically states single family dwellings and no condominiums are allowed. This code may be interpreted in more than one way. Councilman Grant felt that this was just a way to try to get around the existing ordinance. **Councilman GRANT moved to direct Attorney Bredeson to amend the existing zoning ordinance to specifically not allow condominiums. Councilman WALKER seconded the motion. The motion carried.**

FINANCIAL

Councilwoman Meany requested the financial report be tabled to the next meeting to allow her to discuss the report with the clerk first. Council approved the request.

McCALL PROPERTY

Mr. Jim Coleman addressed the Council regarding the McCall property. Mr. Coleman informed the Council that it is still the intent of the McDougal brothers to purchase the McCall property and they will be submitting plans for subdividing to

the County. Mr. Coleman stated that the buyers of the property would like to have the annexation as part of the process.

Councilman Grant asked if the McCall property could be annexed without the other property owners. Attorney Bredeson informed the Council that the annexation has to be contiguous or adjacent to the subject property. Councilman Grant asked the attorney to review the map to see how many property owners were needed for the annexation. Mr. Coleman stated the developer would make an agreed annexation into the City as part of the plat. Anyone who purchases a lot would know that at some point they could be annexed into the City of Hayden Lake. Councilman Riley suggested informally hosting another discussion with the citizens in the proposed annexation area about the terms of the Developers plans.

It was suggested that Mr. Coleman work with Councilman Riley on this matter.

STREETS

Councilman Grant questioned Councilman Riley on the burm that is on the road at Bervan Bay Court. Councilman Walker will have Dustin Jacobson look at the burm to see what utility may have placed it there.

ADJOURN

With no further business before the Council, the meeting was adjourned at 5:15 p.m.

Bob Prince, MAYOR

Lynn M. Hagman, CITY CLERK