

**CITY OF HAYDEN LAKE  
MINUTES OF REGULAR MEETING  
MARCH 1, 2011**

CALL TO ORDER

Mayor Morris called the regular meeting to order at 6:00 p.m. Council members present were Tom Gorman, Bob Grant and Chris Beck. Councilman Todd Walker arrived late. Dick Pelton, Larry Comer and Attorney Pete Bredeson were also present as representatives of the Council. Clerk Lynn Hagman recorded the minutes of the meeting. Visitors present were Mr. and Mrs. William Bentz and Mr. Mac Cavasar, representing Ironman triathlon.

AGENDA AND MINUTES

**Councilman Grant moved to approve the agenda for this meeting, seconded by Councilman Gorman. The motion carried.**

**Councilman Gorman then moved to approve the consent agenda including the invoices for payment and the minutes of February 1, 2011. Councilman Grant seconded the motion. The motion carried.**

UNFINISHED BUSINESS

Mr. Cavasar addressed the Council regarding the Ironman Triathlon to be held in June. Mr. Cavasar said he will make every effort to make the race safe by using flags, signs and extra patrol if needed. Councilman Gorman questioned a possible different route next year. Mr. Cavasar replied that he is working with the Dept. of Transportation on using Hwy 95 going south.

Councilman Grant questioned if the intersection of Pt. Hayden and Rimrock would be blocked. Mr. Cavasar stated there will be two flaggers at the intersection of Pt. Hayden and Rimrock and it will not be blocked off. Councilman Beck questioned what the alternate route would be if the City of Hayden Lake did not approve this route. Mr. Cavasar stated there were two options, possibly using Maple St, which would cause one-way traffic on the street, or Government Way up to Lancaster. There has not been enough research on these routes. Councilman Beck voiced his concern with the month leading up to the race. This is when the bicycle traffic is bad and therefore, would encourage Mr. Cavasar to research a new route for next year.

Mr. Cavasar informed the council that signs will yellow warning signs this year. **Councilman Gorman moved to approve the route through Hayden Lake this year only. Councilman Beck seconded the motion with the understanding that the approval is for this year only. The motion was carried with a 3 to 1 vote. Councilman Grant made the "no" vote.**

CAPITAL IMPROVEMENT PLAN

Attorney Bredeson explained to the council that every 5 years, the city needs to update the capital improvement plan. Larry Comer discussed intersection safety and traffic calming improvements and presented maps to the council. Mr. Comer discussed adding projects such as Miles Ave. to the plan. Miles Ave. is due for construction in 2014. Mr. Comer questioned whether Strahorn Rd. should become part of the Miles Ave. project.

Councilman Gorman informed the Council that he had discussed Strahorn Rd. with Mr. Gillis regarding funding. Mr. Gillis stated that a federal grant would not be possible; however, we could try to add it to the Miles Ave. project. Councilman Gorman stated that Mr. Hoisington, from City of Hayden, is supposed to be contacting him with some type of plan for two-way traffic with a pedestrian path on Strahorn Rd. Mr. Comer felt that adding Strahorn Rd. to the Miles Ave. is the best chance for funding.

Mr. Comer informed the council that the Hayden Lake Recreational Water and Sewer District may be asking Hayden Lake to put a gravity sewer line down Miles Ave. and Strahorn Rd. Cost sharing may be possible for this as well.

Mr. Comer asked the council to review the capital improvement plan and at what degree to update and at what cost. A public hearing on this will be held on March 15, 2011.

Mr. Comer informed the council that if the Miles Ave. project were going to be amended to add Strahorn Rd. then it will need to be ready within the next 3 months before LTAC meets on the Miles Ave. project. A proposal to amend will need to be taken to KKAT, the City of Hayden and Lakes Highway District for approval.

#### LIQUOR LICENSES

**Councilman Gorman moved to approve the new liquor licenses for the Hayden Lake Country Club and the Porch Restaurant. Councilman Walker seconded the motion and the motion was carried.**

#### FENCE APPLICATION

Attorney Bredeson explained the application submitted by the Country Club for a fence with a gate across Bozanta. Attorney Bredeson informed the council that he has discussed this with Larry Comer and they have found major issues with the right of way in the annexation agreement. Attorney Bredeson suggested tabling this issue until further research can be done.

Larry Comer presented maps that were attached to the annexation agreement and stated that the agreement was to transfer right of way and this was never done. The right of way was never deeded to the city and was not recorded at the county. Mr. Comer informed the council that a legal description needs to be prepared and recorded with a map. The legal description would also show where Bozanta terminates. Councilman Gorman questioned if the title report shows what the Country Club owns. Mr. Comer stated that the city owns Bozanta by prescriptive easement. Mr. Comer suggested the right of way issue be resolved before a fence permit is issued. There may need to be some negotiation with the Country Club on where Bozanta stops.

Councilman Grant asked what needs to be done now. Attorney Bredeson replied that the fence issue needs to be tabled until further research on the right of way can be done. Mr. Comer proposed to prepare a scope of work to prepare the legal description and a map and this may include some field work. **Councilman Grant moved to table the fence application pending further research. Councilman Walker seconded the motion. The motion carried.**

10181 GIBSON RD

Clerk Hagman reminded the council of the issues with this property. One year ago a tree fell on the home and the owners have since been in negotiations with their insurance company on what can be done. This issue has gone before the code review committee and the recommendation is to send Mr. Parry a letter to declare the property a nuisance. Councilman Gorman felt that acting accordingly with the code is not always in the best interest of the city. Councilman Gorman stated that a report from the building inspector on the condition of the house is usually sent to the homeowner. Clerk Hagman presented such a letter to the council. Councilman Grant felt that this is not a council issue. Councilman Gorman felt that the city should declare the home a public nuisance.

Attorney Bredeson explained the procedures for declaring a public nuisance. There is a 30 day notice letter from the code enforcement officer. Councilman Grant suggested this letter be sent to the homeowner and the homeowner’s insurance company. Councilman Gorman felt that Parry’s should be the one to forward the letter to their insurance carrier. **Councilman Grant moved to have the city attorney draft the preliminary letter to the Parry’s outlining the city code and procedure regarding the nuisance and give them 30 days to respond. Councilman Gorman seconded the motion. The motion carried.**

ORDINANCE 244

Ordinance 244, an ordinance to adopt the current editions of the International Building Code was presented. **Councilman Walker moved to adopt Ordinance 244 by reading of title only. Councilman Grant seconded the motion. A roll call vote was taken; Councilman Gorman, “aye”, Councilman Walker, “aye”, Councilman Grant, “aye” and Councilman Beck, “aye”. The motion carried.**

Mayor Morris read Ordinance 244 by title.

**Councilman Walker then moved to approve Ordinance 244 under suspension of the rule requiring the reading of the ordinance on three separate occasions. Councilman Gorman seconded the motion. A roll call vote showed: Councilman Walker, “aye”, Councilman Grant, “aye”, Councilman Beck, “aye” and Councilman Gorman, “aye”. The motion carried.**

**Councilman Walker moved to approve Ordinance 244 as presented. Councilman Grant seconded the motion. The motion carried.**

**Councilman Gorman then moved to approve the Summary of Ordinance 244 for publication. Councilman Walker seconded the motion and the motion carried.**

ORDINANCE 245

Ordinance 245 is an ordinance amending Ordinance 148 of the city code and will require a public hearing. **Councilman Grant moved to direct the clerk to publish Ordinance 245 in its entirety. Councilman Gorman seconded the motion. The motion carried.**

## COUNCIL REPORTS

Mayor Morris informed the council that she had attended the Mayors meeting in Coeur d' Alene and Mr. Ken Harwood, AIC Director was present.

Attorney Bredeson informed the council that Kootenai County has passed an impact fee ordinance that the code review committee will discuss at their next meeting.

Following review of the financial report for January, 2011, **Councilman Walker moved to approve the report, seconded by Councilman Gorman. The motion carried.**

## STREETS

Councilman Gorman discussed a street repair that was done in Pt. Hayden. A drainage issue on Morris Rd. was discussed. Councilman Gorman requested the council's permission to research the problem and cost to fix it. Councilman Grant asked Mr. Comer for his suggestion to solving the problem. Mr. Comer said he will speak with Dustin Jacobson of the Sewer District and discuss how to fix the drainage.

The meeting with the City of Hayden was discussed briefly. Mayor Morris was surprised at seeing the entire Hayden Council show up with part of their staff and a reporter. The meeting was to be with the Mayor's and two council members. Councilman Gorman informed the council that he will meet with Mr. Hoisington, Planner for the City of Hayden.

## ADJOURN

**With no further business before the council, at 7:25 p.m. Councilman Grant moved to adjourn, seconded by Councilman Gorman. The motion carried.**

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Nancy E. Morris, MAYOR

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Lynn M. Hagman, CITY CLERK