

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
SEPTEMBER 18, 2006**

CALL TO ORDER

Mayor Prince called the regular meeting of the Hayden Lake City Council to order at 4:00 p.m. Council members present were Jim Riley, Bob Grant and Evelyn Meany. Councilman Todd Walker arrived at 4.15 p.m. Also present as representatives of the Council were Attorney Pete Bredeson and Dick Pelton. City Clerk Lynn Hagman recorded the minutes of the meeting.

AGENDA

Mayor Prince entertained a motion to approve the agenda for this meeting. Councilman RILEY moved to approve the agenda, seconded by Councilwoman MEANY. The motion carried.

Councilwoman MEANY then moved to approve the consent agenda including the minutes of September 5, 2006 and the unpaid bills for approval. Councilman RILEY seconded the motion. The motion carried.

WEBER LANDSCAPING

Councilwoman Meany informed the Council that she had spoke with Mrs. Weber regarding their encroachment application. The application is not complete as far as all questions being answered; however Mrs. Weber did turn in a map showing the location of the shrubs. Councilwoman Meany felt that several of the questions did not apply to the Weber's. **Councilwoman MEANY moved to approve the Weber's application with the new map.**

Councilman Riley suggested Councilwoman Meany asked Mrs. Weber to give the distance from the back property line to the shrubs to identify how far into the right of way they are. Councilman Grant stated that he would like to see a complete application. Councilman Grant questioned the requirement of surveying the property as stated in the Ordinance. **Following discussion, Councilwoman MEANY amended her motion to approve the application, contingent upon Mrs. Weber clarify where their understanding of the back property line is to the shrubs. Councilman RILEY seconded the motion. The motion carried.**

Council discussed the Encroachment Ordinance and the application for encroachment into the right of way. The permit application does not include having a survey done on the property. Councilman Riley suggested a review of the Ordinance and the application.

Councilman Grant felt the application should state that a survey may be required and there should possibly be two phases of approval. Mayor Prince directed Attorney Bredeson to review the application and add that a survey of property may be required. Council will review changes at the next regular meeting.

WATER RATES

Phil Boyd from Welch Comer was not in attendance at this meeting. Attorney Pete Bredeson informed the Council that he had researched the legal limits for raising water rates. The law states that rates may be increased to any amount as long as it is not generated for revenue. The City increase would be for cost recovery. Clerk Lynn Hagman informed the Council that a public hearing could be held at the first meeting in November and bills could go out right after with new rate. Council requested Clerk Lynn Hagman contact Mr. Boyd and request he present water rate and depreciation information at the next meeting.

PT. HAYDEN WATER / N.K.W.D.

Councilman Grant questioned if the City had received a response from North Kootenai Water District on the replacing of water lines in Pt. Hayden. City Clerk Lynn Hagman informed the Council that a copy of N.K.W.D. minutes were received and the answer to the City's question was no, by Board vote, however, they will look into replacing bad sections as it fits into the Capital Improvement Plan. Mayor Prince questioned the possibility of making North Kootenai Water District accountable for the condition of the roads in Pt. Hayden.

Councilman Grant presented pictures of leaks in the road in Pt. Hayden and feels that the City should put pressure on the Water District to fix them. Councilman Grant suggested Mayor Prince speak with N.K.W.D. on fixing the leaks if Council decides against the LID.

Council discussed the proposed LID for Pt. Hayden and Attorney Bredeson explained the LID procedure to the Council. Councilman Riley questioned the Council on their feelings of the Pt. Hayden road plan from Welch Comer. Councilman Riley questioned also if the City could possibly define a special road cut standard for the Pt. Hayden area. Councilwoman Meany felt that the survey was misleading in that citizens felt they were voting on whether or not to have an LID. Results of the survey showed most chose option 3, which was to only maintain the streets and to have no LID.

Following further discussion, Councilman GRANT moved to table the LID discussion, seconded by Councilman RILEY. With further discussion to not move forward with the LID in Pt. Hayden at this time, Councilman Grant withdrew his motion to table the discussion. **Council decided not to move forward on the LID due to lack of public support.**

Councilman Grant suggested that the funds budgeted for the Pt. Hayden LID is used to repair the Pt. Hayden roads or to keep the funds available for possible future projects with N.K.W.D.

CONCERNS

Councilman Grant voiced his concern with Tom Frey's dock business being conducted at the public access to the lake on Gibson Rd. Mr. Frey is using the City ramp for his dock building business and would like the City to address this problem. Attorney Bredeson suggested that this is a code enforcement issue and a letter from Mr. Pelton would be in order. Council directed Dick Pelton find out if the dock belongs to Mr. Frey and if so, send him a letter to disband his business from the public access.

AFLAC

City Clerk questioned the Council on participation in the AFLAC insurance. Mayor Prince and Councilman Walker voiced their interest in certain policies. Payment would be deducted from their paycheck. City Clerk Lynn Hagman has interest in the personal accident indemnity policy and asked the Council if this would take the place of the disability policy in which she does not qualify. Council stated that the accident policy would take the place of the disability policy and the City would pay the premium. City Clerk will have the AFLAC representative, Paula Laws contact Mayor Prince and Councilman Walker.

ORDINANCE 215

Mayor Prince entertained a motion to adopt Ordinance 215, and Ordinance renegotiating the Area of City Impact with attachments, by Title. Councilman RILEY moved to adopt Ordinance 215 by Title only, seconded by Councilwoman MEANY. A roll call vote showed: Councilman RILEY, "aye", WALKER, "aye", GRANT, "aye" and Councilwoman MEANY, "aye". The motion carried.

Mayor Prince read Ordinance 215 by Title and entertained a motion to adopt Ordinance 215 under suspension of the rules. **Councilman RILEY moved to adopt Ordinance 215 under suspension of the rules. Councilman WALKER seconded this motion. A roll call vote was duly taken: Councilman WALKER, "aye", GRANT, "aye", Councilwoman MEANY, "aye" and Councilman RILEY, "aye". The motion carried.**

Councilman RILEY then moved to adopt Ordinance 215 as presented, seconded by Councilman WALKER. The motion was unanimously carried.

Councilman Riley questioned Attorney Bredeson about the legal authority to collect development impact fees within the ACI. Attorney Bredeson was asked to consult with Dana Wetzel on this issue and to research who would be collecting the fees and where the trigger would be to collect.

Councilman Riley also discussed English Pt. Park and questioned asking the Federal government to allow the park to be part of an annexation package. Councilman Riley volunteered to contact the Forest Service and research this possibility.

RESOLUTION 81

Councilman GRANT moved to adopt Resolution 81, a Resolution establishing fees for applications for credit, reimbursement or refund of Development Impact Fees. Councilman RILEY seconded the motion. The motion carried.

FINANCIAL

Councilwoman Meany discussed the financial report. The new reporting by class will begin Oct. 1st.

POLICE

Councilman Grant informed the Council that Officer Johnson is working out good and will begin a regular schedule soon. Councilman Riley questioned Councilman Grant on any extra time Officer Johnson may have to trade with City of Hayden for plowing. Councilman Grant stated that Officer Johnson already dedicates some of his time to the County, whom the City of Hayden already contracts with.

STREETS

Councilman Riley asked the Mayor and Council to review the proposed 5-year Capital Improvement Plan for streets for discussion of priorities at the next meeting.

MCCALL PARK

The progress on McCall Park is the restrooms are ready for framing. Mr. McKinley has volunteered his labor for this and the work should begin in the next couple of weeks.

ADJOURN

With no further business before the Council, the meeting was adjourned at 6:00 p.m.

Bob Prince, MAYOR

Lynn M. Hagman, CITY CLERK