

**CITY OF HAYDEN LAKE  
MINUTES OF REGULAR MEETING  
APRIL 7, 2020**

CALL TO ORDER

Mayor Ackerman called the meeting to order at 5:00 p.m. A roll call was taken and those present by video were Councilman Baker, and Councilman Weinstein. Councilman Graves and Councilwoman Brodie were present in person. Attorney Bredeson and Chief Egbert were also present by video. Clerk Hagman recorded the minutes of the meeting.

AGENDA AND CONSENT AGENDA

**Councilwoman Brodie moved to approve the agenda and consent agenda including the minutes of March 3<sup>rd</sup> and the invoices for payment. Councilman Weinstein seconded the motion. The motion carried.**

ATTORNEY/CODE ENFORCEMENT

Attorney Bredeson informed the Council Mrs. Borowski had filed for an extension on her building permit. During the beginning phase of construction there were several setbacks and delays. Attorney Bredeson recommended the Council grant a 6 month extension.

**Councilwoman Brodie moved to approve the 6 month extension, seconded by Councilman Baker. The motion carried.**

Attorney Bredeson discussed the access easement on Hayden Ave. and informed the Council Mr. Radoor's building permit shows he is clear from the easement.

POLICE

Mayor Ackerman stated the police report had been emailed out to the Council members and asked if there were any questions. Council had no questions. Councilman Graves informed the Council he and Mayor Ackerman had met with Chief Egbert and he felt the Chief was just doing his own thing and needed some direction from the Council. Councilman Graves explained a spreadsheet he had emailed to the Council and stated this will help the Chief to better keep track of his time and what he is spending time on. Council would like to see the Chief's response to the spreadsheet before they respond.

ADJOURN

**With no further business before the Council, at 5:30 p.m. Councilman Graves moved to adjourn, seconded by Councilwoman Brodie. The motion carried.**

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Jim Ackerman, MAYOR

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Lynn Hagman, CITY CLERK

## **RESOLUTION NO. 125**

A RESOLUTION OF THE CITY OF HAYDEN LAKE, KOOTENAI COUNTY, IDAHO, INSTITUTING A MORATORIUM ON THE ENFORCEMENT OF CITY CODE SECTION 8-4-7.C.2; PROVIDING FOR SEVERABILITY, PREEMPTION AND PRECEDENCE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE; PROVIDING A DATE OF PASSAGE AND APPROVAL, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hayden Lake, Idaho as follows:

### **SECTION ONE: MORATORIUM ON THE ENFORCEMENT OF CITY CODE SECTION 8-4-7.C.2**

#### **A. Background**

City Code Section 8-4-7.C.2 states that no political signs “shall be erected for more than four (4) weeks beginning the first day that the sign is erected. All signs must be removed by the second day following the election.” In light of recent court cases, the City is in the process of preparing amendments to this Section. These amendments may not be adopted prior to the 2020 elections and campaigning has already begun for some of the offices to be contested at the elections. Therefore, fairness and caution dictate that a moratorium be instituted on the enforcement of City Code Section 8-4-7.C.2. Such moratorium is in the best interests of the City and its citizenry.

#### **B. Action**

It is hereby resolved by the Mayor and City Council that a moratorium on the enforcement of City Code Section 8-4-7.C.2 shall be instituted and that the City’s Code Enforcement Officer and staff shall not enforce City Code Section 8-4-7.C.2 prior to the adoption of amendments to the Code Section.

### **SECTION TWO: SEVERABILITY, PREEMPTION AND PRECEDENCE**

This Resolution is hereby declared to be severable. Should any portion of this Resolution be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the Resolution before the declaration of partial invalidity. In the event that federal or state laws, rules or regulations preempt a provision or limit the enforceability of a provision of this Resolution, then the provision shall be read to be preempted to the extent and for the time required by law. In the event such federal or state law, rule or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision hereof that had been preempted is no longer preempted, such provision shall thereupon return to full force and effect, and shall thereafter be binding without the requirement of further action by the City, and any amendments to this Resolution as a result of such provision being preempted shall no longer be of any force or effect with respect to that provision.

**SECTION THREE: REPEAL OF CONFLICTING RESOLUTIONS**

All Resolutions and parts of Resolutions in conflict with the provisions of this Resolution to the extent of such conflict are hereby repealed.

**SECTION FOUR: EFFECTIVE DATE**

This Resolution shall take effect and be in full force from and after its passage and approval.

**SECTION FIVE: DATE OF PASSAGE AND APPROVAL**

Passed and approved at a regular meeting of the City Council of the City of Hayden Lake, Kootenai County, Idaho, held on the 21<sup>st</sup> day of April, 2020.

DATED this 21<sup>st</sup> day of April, 2020.

CITY OF HAYDEN LAKE  
Kootenai County, Idaho

By: \_\_\_\_\_  
Jim Ackerman, Mayor

ATTEST:

\_\_\_\_\_  
Lynn Hagman, City Clerk

( S E A L )

**RESOLUTION NO. 127**

**A RESOLUTION RATIFYING A DECLARATION OF LOCAL DISASTER EMERGENCY; AUTHORIZING THE CONTINUANCE OF THE LOCAL DISASTER EMERGENCY DECLARATION AND ITS TERMS FOR A PERIOD OF THIRTY (30) DAYS; AUTHORIZING THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE, HEALTH AND PROPERTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 2019 novel coronavirus (COVID-19) pandemic represents an imminent threat to the life, health, and property of the City of Hayden Lake and its citizens; and

**WHEREAS**, a local disaster emergency, as defined in Section 46-1002, Idaho Code, is in existence in the City of City of Hayden Lake due to the imminent threat to life and property; and

**WHEREAS**, pursuant to the authority granted the Mayor of the City of Hayden Lake in Section 46-1011, Idaho Code, the Mayor of the City of Hayden Lake, on March 23, 2020, declared a local disaster emergency; and

**WHEREAS**, Section 46-1011, Idaho Code, requires the consent of the Hayden Lake City Council for such local disaster emergency declaration to continue for a period in excess of seven (7) days; and

**WHEREAS**, it is deemed necessary by the Council of the City of Hayden Lake to extend such local disaster emergency declaration for a period of thirty (30) days to provide for the ongoing response to the COVID-19 pandemic; and

**WHEREAS**, Section 67-2808, Idaho Code, authorizes the Council of the City of Hayden Lake to declare an emergency authorizing the immediate expenditure of public money to safeguard life, health or property; and

**WHEREAS**, the Council of the City of Hayden Lake deems it necessary for the health and safety of the citizens of the City of Hayden Lake to continue the authorization for the immediate expenditure of public money to safeguard life, health and property;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HAYDEN LAKE, IDAHO:**

**Section 1.** That the Declaration of Local Disaster Emergency, issued by the Mayor of the City of Hayden Lake on March 23, 2020 and filed with the Kootenai County Recorder, is hereby ratified as to both form and content and that such Declaration shall continue to remain in effect for a period of thirty (30) days from the date of this Resolution unless terminated, modified or unless extended for thirty (30) day increments.

**Section 2.** That the immediate expenditure of public money to safeguard the life, health and property of the City of Hayden Lake is hereby authorized.

**Section 3.** That a copy of this resolution shall be promptly filed with the Kootenai County Recorder.

**Section 4.** That this Resolution shall be in full force and effect immediately upon its adoption and approval.

**ADOPTED** by the Council of the City of Hayden Lake, Idaho, this 21<sup>st</sup> day of April, 2020.

**APPROVED** by the Mayor of the City of Hayden Lake, this 21<sup>st</sup> day of April, 2020.

ATTEST:

APPROVED:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR JIM ACKERMAN

City of Hayden Lake

**RW Phase:**

|                               |                     |
|-------------------------------|---------------------|
| 2 acquisitions                | \$10,000.00         |
| 2 Appraisals                  | \$4,000.00          |
| Postage                       | \$400.00            |
| Mileage at allowable IRS rate | \$600.00            |
| Total.....                    | <b>\$ 15,000.00</b> |

**Services**

Weekly status report to City of Hayden lake

Negotiations to commence after just compensation is determined by appraiser and approved by City of Hayden Lake

**Assumptions**

Design consultant to provide current RW maps that show all impacted areas to be acquired

Legal descriptions describing easement area(s) provided by Welch Comer

Title reports to be provided by Welch Comer

Recording and escrow fees are not included in pricing above

No relocation costs have been included in this scope

Any changes to the acquisition areas that require additional appraisal valuations and acquisition may require additional scope of fees.

# Hayden Lake Marathon

## Nancy E. Lowery, Race Director

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9892 Lamson Lane, Hayden, ID 83835 | 208.772.6753 | nancert@yahoo.com

**April 14, 2020**

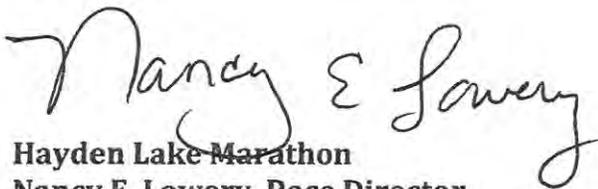
City of Hayden Lake  
9393 N Strahorn Rd  
Hayden Lake, ID 8383

Hayden Lake City Council :

The Hayden Lake Marathon Committee is once again requesting approval for our event on October 17, 2020. I have our Operations Plan and Insurance with this letter. The traffic plan is the same as last year.

Please let me know what else you need from me and when we will be scheduled for the City Council Meeting.

Sincerely,



Hayden Lake Marathon  
Nancy E. Lowery, Race Director

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|   |   |
|---|---|
| <b>PRODUCER</b><br>Western Community Ins Co<br>PO Box 4848<br>Pocatello, ID 83205-4848  | <b>CONTACT NAME:</b> SPRAY JERRY <span style="float: right;">Y</span>   |
|   | <b>PHONE (A/C, No, Ext):</b> 208-772-6662 <span style="float: right;"><b>FAX (A/C, No):</b> 208-232-3608</span><br><b>E-MAIL ADDRESS:</b> commcerts@idfbins.com |
| <b>INSURED</b><br><br>GEM COMMUNITY CITIZENS<br>PROJECTS GROUP INC<br>9428 N GOVERNMENT WAY<br>HAYDEN ID 83835 | <b>INSURER(S) AFFORDING COVERAGE</b> <span style="float: right;"><b>NAIC #</b></span>   |
|   | <b>INSURER A:</b> Western Community Ins Co <span style="float: right;">39519</span>   |
|   | <b>INSURER B:</b>   |
|   | <b>INSURER C:</b>   |
|   | <b>INSURER D:</b>   |
|   | <b>INSURER E:</b>   |

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:** AF0418

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE   | ADDL INSR                                | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|---|--|----------|---------------|-------------------------|-------------------------|--|
| A        | <b>GENERAL LIABILITY</b>  | N  | N        | 8D622201      | 1/23/20                 | 1/23/21                 | EACH OCCURRENCE \$ 1,000,000                         |
|          | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY  |  |          |               |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 |
|          | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  |  |          |               |                         |                         | MED EXP (Any one person) \$ 5,000                    |
|          | GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC |  |          |               |                         |                         | PERSONAL & ADV INJURY \$ 1,000,000                   |
|          | <b>AUTOMOBILE LIABILITY</b>   |  |          |               |                         |                         | GENERAL AGGREGATE \$ 2,000,000                       |
|          | <input type="checkbox"/> ANY AUTO   |  |          |               |                         |                         | PRODUCTS - COM/OP AGG \$ INCLUDED                    |
|          | <input type="checkbox"/> ALL OWNED AUTOS  | <input type="checkbox"/> SCHEDULED AUTOS |          |               |                         |                         | \$   |
|          | <input type="checkbox"/> HIRED AUTOS  | <input type="checkbox"/> NON-OWNED AUTOS |          |               |                         |                         | \$   |
|          | <b>UMBRELLA LIAB</b>  |  |          |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$               |
|          | <input type="checkbox"/> EXCESS LIAB  | <input type="checkbox"/> OCCUR           |          |               |                         |                         | BODILY INJURY (Per person) \$                        |
|          | <input type="checkbox"/> DED  | <input type="checkbox"/> CLAIMS-MADE     |          |               |                         |                         | BODILY INJURY (Per accident) \$                      |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>  |  |          |               |                         |                         | PROPERTY DAMAGE (Per accident) \$                    |
|          | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N/A  |  |          |               |                         |                         | \$   |
|          | If yes, describe under DESCRIPTION OF OPERATIONS below  |  |          |               |                         |                         | \$   |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

|   |  |
|---|--|
| <b>CERTIFICATE HOLDER</b><br><br>CITY OF HAYDEN LAKE<br>9393 N STRAHORN RD<br>HAYDEN LAKE ID 83835 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br>AUTHORIZED REPRESENTATIVE <i>Donald B. Jewett</i> |
|---|--|