

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
MAY 7, 2013**

CALL TO ORDER

Mayor Beck called the meeting to order at 6:00 p.m. Council members present were Ed Graves, Tommy Frey and Jim Ackerman. Council member Tom Gorman was absent. Bev Davis, Deputy City Clerk and Attorney Pete Bredeson were present as representatives of the Council. Clerk Lynn Hagman recorded the minutes of the meeting.

Deputy Clerk Bev Davis led in the pledge of allegiance.

Councilman Graves moved to approve the agenda and the consent agenda including the invoices for payment and the minutes of April 2, 2013. Councilman Frey seconded the motion. The motion carried.

ORDINANCE 259

Mayor Beck announced consideration of ordinance 259 designating council seats. Mayor Beck explained that the elections have been done previously as a horse race format, the most votes win.

Councilman Frey moved to approve Ordinance 259, to suspend the rule requiring the Ordinance to be read on three separate occasions and to be read in full. Councilman Graves seconded the motion. A roll call vote showed; Councilman Ackerman, “aye”, Councilman Graves, “aye” and Councilman Frey, “aye”. The motion was unanimously carried.

Mayor Beck read Ordinance 259 by Title.

Councilman Graves moved to adopt Ordinance 259, to publish by summary only and to adopt the summary. Councilman Frey seconded the motion. A roll call vote was taken; Councilman Graves, “aye”, Councilman Frey, “aye” and Councilman Ackerman, “aye”. The motion was unanimously carried.

NOXIOUS WEEDS

The annual noxious weeds agreement with Kootenai County was presented to the Council. Clerk Hagman explained the agreement is for spraying weeds in the park. Attorney Bredeson reviewed the agreement and stated that section 6 is an indemnification clause which requires the City to indemnify the County. The City insurance carrier, ICRMP says the City should not be indemnifying another entity and if something were to happen ICRMP would deny coverage... Attorney Bredeson informed the Council that ICRMP has a standard indemnification clause between two governmental entities. Attorney Bredeson contacted a deputy at the County and sent the alternative language for review. The response was that the County will not change the language. Attorney Bredeson recommends not signing the agreement.

Clerk Hagman informed the Council that the weeds that were being sprayed by the County are in the park and it is a small patch in the wooded area. It may be possible to have the Sewer District spray this small patch.

Attorney Bredeson stated that the County will allow us to borrow the spray back packs. Councilman Graves questioned why the language changed this year, and was it to tighten up the language. Councilman Graves questioned our liability if we have the Sewer District employees spray on our behalf. Clerk Hagman explained that we have an agreement with the Sewer District for doing small jobs such as reading the meters.

Mayor Beck asked Attorney Bredeson to review the agreement with the Sewer District.
Councilman Graves moved to deny the weed spraying agreement due to the indemnification language. Councilman Frey seconded the motion. The motion carried.

CODE ENFORCEMENT/POLICE REPORTS

Mayor Beck informed the Council that the Code Enforcement report and the Police report will be given at the next meeting. Councilman Frey questioned the stop work order on a fence. Clerk Hagman explained the red tag is on the fence because there was no permit for it and the homeowner is out of town.

Mayor Beck stated that at the next meeting the Council will consider the draft fee schedule provided by Rand Wichman, Code Enforcement Officer and Attorney Bredeson.

ATTORNEY

Attorney Bredeson discussed the memo previously emailed to the Council regarding Code revisions. Attorney Bredeson asked that he be able to coordinate these revisions with Mr. Wichman for discussion at a future meeting.

FINANCIAL REPORT

Clerk Hagman reported on the financial status of the City for March, 2013, stating that the revenue is coming in according to the budget. Street expenses are being monitored and the water fund is now showing revenue due to monthly billings. **Councilman Graves moved to approve the financial statement, seconded by Councilman Frey.**

PUBLIC WORKS

Mayor Beck informed the Council that Welch Comer has been doing surveying on Strahorn Rd. and Miles Ave.

COUNCIL COMMENTS

Councilman Ackerman questioned some outstanding impact fees on building permits and the City was going to send out letters. Attorney Bredeson stated that the County sent out the letters and there has been no response. Mayor Beck asked Attorney Bredeson to follow up on the letters.

Councilman Ackerman questioned keeping the old patrol car and do we need the expense. Mayor Beck explained that the reserve officer is using the car.

Mayor Beck discussed the schedule for the next meeting and stated that May 21st the Sewer District will be holding their election on that day. Mayor Beck suggested rescheduling the Council meeting to Monday, May 20th. **Councilman Graves moved to move the meeting to May 20th, seconded by Councilman Frey. The motion carried.**

Mayor Beck discussed the meeting time of 6:00 p.m. for the City meeting and asked the Council if a change to 5:00 p.m. would work with their schedules. Council members all felt that 5:00 p.m. would work for them. **Councilman Graves moved to change the City Council meeting time to 5:00 p.m... Councilman Frey seconded the motion. The motion carried.**

ADJOURN

With no further business before the Council, at 6:20 p.m. Councilman Graves moved to adjourn, seconded by Councilman Frey. The motion carried.

Chris Beck, MAYOR

Lynn Hagman, CITY CLERK