

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
JUNE 5, 2018**

CALL TO ORDER

Mayor Beck called the regular meeting to order at 5:00 p.m. Councilmembers present were Ed Graves, Jim Ackerman, Tommy Frey and Dan Baker. City Attorney Pete Bredeson, City Planner Rand Wichman, Code Officer Mark Durant and Chief Johnson were present as representatives of the Council. Clerk Hagman recorded the minutes of the meeting.

Visitors present who spoke were Chris Luck, Bart Luck, and Kathleen Kolts.

Mayor Beck led the pledge of allegiance.

AGENDA/CONSENT AGENDA

Councilman Graves moved to approve the agenda and consent agenda including the minutes of May 15, 2018 and the invoices for payment. Councilman Ackerman seconded the motion. The motion carried.

OLD BUSINESS

Mayor Beck entertained a motion to re-open the public hearing for the variance application submitted by George Ogle, 10260 N. Fir Ln.

Councilman Baker moved to re-open the public hearing, seconded by Councilman Frey. The motion carried.

Attorney Bredeson reviewed the variance and the continuance of the public hearing, reminding the Council there must be undue hardship.

Chris and Bart Luck addressed the Council informing them they had met with Code Officer Mark Durant on site and looked at the setbacks. Mayor Beck questioned the property lines versus the edge of the road as shown on the map. Mayor Beck suggested there may be room on the south side of the property for the carport. Councilman Frey asked if the carport would be open and Mr. Luck replied it would. Councilmen Ackerman and Graves questioned the trees taken down for parking. Mr. Luck replied cars will be further off the street this way. Councilman Frey voiced his concern with only 2 vehicles being able to park in the carport and where will others park. Mr. Luck replied other cars will park where they do now.

Code Enforcement Officer Mark Durant informed the Council he had met with Mr. Luck and stated he had concern with the large tree as it is bringing up the concrete pad that is there now. The current pad is 15' by 20'.

At 5:22 p.m. Mayor Beck closed the public hearing and reminded the Council the decision is to be based on current city code. Councilman Frey felt he should physically look at the property.

Attorney Bredeson informed the Council if there was a visit to the property by Councilmembers it would be deemed a public meeting and would need to be posted as such. Councilman Graves voiced his concern with the zero set back and how this would affect the snow plowing or street maintenance.

Councilman Ackerman moved to deny the variance for a zero set back from the front property line based on the safety concerns associated with the carport being on the edge of the right of way and the applicant unable to show undue hardship. Councilman Graves seconded the motion. The motion carried.

COMPREHENSIVE PLAN AND CODE AMENDMENTS

Council began deliberations on the comprehensive plan amendments with Attorney Bredeson reviewing Ms. Kolts procedural objections. Attorney Bredeson explained there are two components, the comprehensive plan and the zoning code. All requirements have been met by the City. Mayor Beck stated there was a new comment from the County Commissioners that stated they are neutral on the amendments. Attorney Bredeson informed the Mayor and Council that it was too late for any new comments to be entered into the record.

Rand Wichman addressed the Council and discussed the draft amendments stating the median lot size in Hayden Lake is .36 of an acre. Councilman Graves stated that not much land would be affected by the amendments. Mr. Wichman informed the Council there is 35 parcels that are 1 acre or larger and only 8 could be sub-divided. The amendment decreases the lot size to 1/2 acre and how this would be implemented. Mr. Wichman reminded the Council this is a draft document and the numbers are not final, however any changes would require a new public hearing.

Mayor Beck discussed the Council's options with Attorney Bredeson's input. Councilman Frey would like to see a google earth map of the lots that would be affected. Mayor Beck reminded the Council the Area of City Impact (ACI) is 1 acre and the County is supporting this. Councilman Graves voiced his concern with not having a contract with the County regarding the support of the 1 acre in the ACI. Mayor Beck explained the ACI and why we have it. Mayor Beck felt it would be unlikely the City would ever annex due to the already developed property and the City should not have influence on areas we don't intend to annex. Mr. Wichman informed the Council that most who would want to sub-divide would still have to meet code on road frontage.

Councilman Ackerman felt it would make sense to amend the lot size to .36 of an acre since this is what the median lot size is. Councilman Graves would like to make things consistent in the City. Councilman Baker agrees and Councilman Frey voiced his concerns with how it will affect city traffic.

Councilman Baker moved to adjust the lot size to .33 of an acre rather than the .50 of an acre. Councilman Ackerman seconded the motion. The motion carried with Councilman Frey stating he was not in favor.

Attorney Bredeson announced if an amendment is to be made it is suggested the Council not take final action and a new public hearing will be scheduled. Mayor Beck directed Attorney Bredeson to notice the new hearing.

Kathleen Kolts, 9859 N. Country Club Ln addressed the Council requesting the City address all seventeen elements in the state statute at a public meeting.

Mayor Beck called a 5 minutes recess at 6:15 p.m.

Mayor Beck called the meeting to order once again at 6:20 p.m. and opened the public hearing for the variance request submitted by Sheila Sayles, 1666 E. Evergreen Dr.

Mark Luck, representative for Ms. Sayles addressed the Council and explained they are adding a one bay garage with living quarters above and are asking for a 10' to 12' variance in the front. Mr. Luck explained the new garage will be in line with the existing garage and all side set backs are being met.

Mayor Beck asked what the height of the building would be and Mr. Luck replied it would be 28' high. Mayor Beck asked Attorney Bredeson if there was undue hardship. Attorney Bredeson replied the existing patio and the location of the trees would cause undue hardship.

With no other citizens present to speak and no written comments were received, Mayor Beck closed the public hearing at 6:35 p.m.

Councilman Graves moved to approve the variance for 1666 E. Evergreen Dr., seconded by Councilman Frey. The motion carried.

POLICE REPORT

Chief Johnson reported a vicious dog complaint which will be on a future agenda for discussion. Mayor Beck informed Chief Johnson that traffic on Strahorn Rd. is going too fast.

COUNCIL

Councilman Graves reported on a meeting he had with Intermax regarding wi-fi for the City.

ADJOURN

With no further business for Council discussion, Councilman Graves moved to adjourn at 6:40 p.m., seconded by Councilman Baker. The motion carried.

Chris Beck, MAYOR

Lynn Hagman, CITY CLERK