

**CITY OF HAUSER, IDAHO**

Location: Hauser City Hall, 11837 N. Hauser Lake Road, Hauser, Idaho 83854

**JOINT MEETING MINUTES OF HAUSER CITY COUNCIL AND  
PLANNING AND ZONING COMMISSION**

**AGENDA**

**Topic:** Long Range Planning within the Comprehensive Plan

**Date:** February 24, 2010

**Time:** 5:30 p.m.

**Council Attendance:** Roll Call: Olita Johnston, Mayor, present; Claire Hatfield, President, present; Council Members Ed Peone, present; Lacey Hynes, present. Laura Ward, absent.

**Planning and Zoning Attendance:** Roll Call: Cris Justus, Chair, present; Richard Coddling, present; Debbie Mustered, present; Mike Curry, present; Joanne Wallace, present.

**Code Administration/Enforcement:** Cheri Howell, present.

Cris Justus opened the meeting at 5:30 p.m. She stated that we have one hour to go through the questions presented by Planning and Zoning to City Council. Cris read each question aloud after which questions were answered and council members were poled for yes or no response as follows.

**1. THE PLANNING COMMISSION ANTICIPATES COMPLETING THE COMPREHENSIVE PLAN BY SUMMER OF 2010 AND WANTS TO ADOPT AND PUBLISH THE PLAN BY SEPTEMBER 30, 2010. WILL YOU SUPPORT THE PLANNING COMMISSION'S EFFORT TO COMPLETE THE COMPREHENSIVE PLAN IN 2010? THE COST ASSOCIATED WITH ADOPTION OF THE PLAN WILL INCLUDE PUBLIC NOTICES, WEBSITE, MAILINGS, PRINTING, COPIES AND MAPS. THE ESTIMATED COST OF ADOPTION OF THE PLAN IS APPROXIMATELY NOT TO EXCEED \$2500.00.**

- Hynes: Yes, I would support it, definitely, if we can afford it to do things like Hauser Days, we should be able to mix in this expense also.
- Peone: Yes, I definitely would support it.
- Mayor: When is the plan expected to be completed or is there any set time?
- Cris: September 2010.
- Mayor: Does the \$2500 include attorney fees going over the plan?

- Cris to Cheri: I doubt it, but I aimed high in regards to what we would use for publications and copies and maps. I am hearing from our Treasurer that we do have money to complete this.
- Peone: Do we have it in the budget already for P&Z, or is this something we'd have to budget to pay by then?
- Tina McCoy, Treasurer: Most of the costs will be absorbed in this fiscal year, so any outstanding costs would add to your budget for next year.
- Peone: Right, but we do have it budgeted in? Yes - Okay.
- Howell: Where you usually use your attorney is when you are writing new rules, not the plan.
- Peone: Right
- Mayor: Can you tell me what the estimated costs involved?
- Howell: Public notices, the web site, mailings to property owners, printing, copies, and redoing the maps.
- Mayor: Redoing the maps? Are we going to get a large one to put in this room?
- Howell: We can. Sentry Dynamics is the map service we use. If we are going to redo the maps, we are going to need not only maps within the plan itself, but a map for the wall.
- Mayor: Ok, this is definitely planned, it seems, to be completed prior to the new budget.
- Howell: The Planning Commission chatted about this, because if they are going to redo the regulations, they would like that in the next budget period.
- Mayor: That is fine with me.
- Hatfield: Definitely.

**2. WHEN WE REFER TO THE AREA OF CITY IMPACT, DO YOU UNDERSTAND WHAT THAT MEANS?**

- Hynes: Yes
- Peone: Yes

- Mayor: Yes. Can I ask a question?
- Justus: Yes
- Mayor: The people that were holding those meetings – I forget what is was called – popcorn meetings?
- Justus: Sure, the Focus Group meetings.
- Mayor: Are they here?
- Justus: They are not here.
- Mayor: Do we get to ever hear from them?
- Justus: We will. They are still conducting the meetings. In fact, some are meeting later this week. We wanted to give the community as much time as possible. In fact, if anyone wants to fill out a survey, we would accept that.
- Mayor: Was there good input from those meetings?
- Justus: So far, we have been receiving very good input. I just don't think we are ready to put it all together yet. We need to wait until we get everybody's input.
- Howell: There is a Town Hall meeting scheduled for March 23<sup>rd</sup>.
- Justus: Yes
- Howell: We will advertise.

**3. Do you want to include the properties south of Highway 53 in the Area of City Impact?**

- Hynes: I answered Yes to four, five and six, because I think the more property we have, we get more benefits.
- Peone: We already have property south of Hwy. 53 within our ACI. I would like to continue to do that and as soon as we can break the hurdle of crossing the railroad tracks, I would like to see annexation come in.
- Mayor: I agree with that.
- Hatfield: Me too.

**4. DO YOU EVENTUALLY WANT TO ANNEX THE PROPERTIES SOUTH OF HIGHWAY 53 INTO THE CITY LIMITS?**

- Hatfield plus several head shakes yes.

**5. DO YOU WANT TO ANNEX PROPERTIES IN THE UPPER WATERSHED?**

- Mayor: I think where we are looking at larger pieces of property up that way, it would be difficult to move forward up the creek, so to speak.
- Hynes: I think it would be a yes.
- Mayor: Also, I wouldn't like to see us continue waiving fees for annexation. It is my opinion, we are losing a lot of funds to continue doing this. And being we are eventually, there on Hwy 53, will be our, I am assuming, I shouldn't use that word, will be our commercial area. If we get commercial down there, I think they should be paying the annexation fees. That is my opinion.
- Justus: I think that is your decision
- Peone: As far as upper watershed, yes, definitely, we need to look in favor of chances to annex within the upper watershed. Everything up there is contributing to the lake, contributing to the traffic through city streets and it is a natural procedure for us to look in the direction of annexing in that direction.

**6. DO YOU WANT TO ANNEX ADDITIONAL PROPERTIES INTO THE CITY OF HAUSER SUCH AS EXISTING SUBDIVISIONS (FOR EXAMPLE WATERFORD, HOLLISTER HILLS)?**

- Hynes: Yes
- Peone: Yes
- Hatfield: Yes

**7. DO YOU WANT MUNICIPAL SEWER IN HAUSER? ON THE HIGHWAY 53 CORRIDOR?**

- Mayor: We had several studies on the sewer here in Hauser and there is absolutely no way, but on the highway area, the corridor, I think that would be one of the suggestions to the people that annex that they form a, I mean, the city can't afford to pay for it.
- Curry: Can I ask a question, something associated with that?
- Peone: Yes.

- Curry: If the City did not have to pay for it, and it was shown that it could be achieved, would the City like to see sewers in the city area?
- Peone: City area, or highway corridor?
- Curry: The whole city of Hauser. If it was shown something that was feasible, if it was shown that, or mitigated by other entities, that there was a possibility someone else would pay for it, would the city like to have a sewer system?
- Peone: Yes, I think we'd be interested in looking at it. The main hurdle the City has faced in the past, is the City is so hit and miss around the lake that it is not financially feasible to do the City until we can annex between portions.
- Curry: I am trying to understand, short of the feasibility, we all know there are issues.
- Peone: As far as the sewer, I think that is a good thing for the lake and city.
- Hynes: Yes
- Hatfield: Yes – city and corridor, if it is feasible – yes, sure.
- Mayor: I think it was three feasibility studies done for the sewer and all were turned down. It was impossible.
- Curry: Due to cost, or?
- Mayor: You can't say that this county road all the way around is city.
- Peone: I think your question (directed to Curry) is hypothetical.
- Curry: Yes, it is very hypothetical.
- Mayor: Yes

**8. DO YOU WANT TO INVEST MONIES INTO PLANNING AND DEVELOPING A SEWER SYSTEM IN CONJUNCTION WITH THE COMMERCIAL PROPERTY OWNERS ALONG THE HIGHWAY CORRIDOR? (NOTE – GRANTS OR LIDS ARE NOT AVAILABLE TO PRIVATE PROPERTY OWNERS AND THAT IS WHY MUNICIPAL SEWER IS TYPICALLY USED WITHIN CORPORATE LIMITS – TYPICALLY ONCE YOU HAVE DETERMINED THAT YOU WANT TO PURSUE SEWER, THEN YOU BEGIN AN LID SO THAT THE COST IS PASSED TO PROPERTY OWNERS OVER A TWENTY OR THIRTY YEAR PERIOD AND THE CITY LOOKS FOR OTHER FUNDING SOURCES)**

- Hynes: Yes, but I would want to hear more from the property owners who have to pay for it.
- Peone: Yes. I think to an extent some monies into it. A lot of our monies coming in right now, we don't have commercial or residential zoning taxing set up so I think it would be unfair for the residential living on the lake paying for commercial without the commercial paying for an added expense to it.
- Howell: And typically, how that would work is you would LID a portion, like for example highway, and then they would bear the brunt of paying that over a period of time.
- Peone: Right. And I think with both of these questions, I think the highway corridor would be a good for the City to start sewage direction and then just the feasibility of extending from that in the future.

6:46 p.m. Laura Ward arrived.

- Justus: We are going through the questions and we are on Number 8. We are trying to get through as many as possible and will continue doing down the line.
- Ward: Right.
- Justus: Mayor? Do you have any questions on 8, Mayor?
- Mayor: I don't like to spend the people's money without them being involved, a hearing, or whatever it takes. It is the people's money we are dealing with. They should have a vote.
- Justus: Of course.
- Hatfield: Yes.
- Justus: Are you up to speed on this yet, Laura?
- Ward: Almost. Pause
- Ward: How many commercial properties do we have on the highway corridor?
- Howell: In the whole area, we probably have 15 at this point. If we annexed more property into that area, then the more property would dilute the money they would have to spend on it.
- Ward: OK. I don't know how to really answer this one. I guess if the sewer system is necessary, I would say yes, if we could get a sewer out here. I

don't know if we could have sewer out here. I don't know. If there is no plan to have a sewer within the next ten years, I think it would be silly to pursue that at this point in time.

## 9. ARE YOU IN FAVOR OF COMMERCIAL USES AROUND THE LAKE?

- Hynes: Yes
- Peone: I am in favor of existing commercial, but I would disapprove of expanding more commercial within the residential areas.
- Mayor: And that is my opinion.
- Hatfield: Mine also.
- Ward: Mine as well.
- Howell: Can I clarify the existing uses themselves, for example, like the types of uses we have currently are fine to stay but you would, or would not, be interested in having different kinds of commercial uses?
- Peone: Well, what I am saying is, we have commercial property within here already. Whether they want to change their use or whatever, but if someone wanted to purchase, say, the property just outside the city between Waterford and here and turned that into commercial and annex into the city, I would not be in favor of something like that.
- Curry: One of the reasons the question was asked is for example, in the county, they have non-conforming commercial uses and to expand that use or to modify that use later on, it would be denied because the county position is that commercial use should go away.
- Peone: Right
- Curry: I guess our clarification is, without a commercial zone, we are in essence saying, commercial needs to go away.
- Peone: Right
- Mayor: Commercial is down on Hwy. 53. I think we ALL feel that way, but to bring it inside here, NO. I say NO.
- Peone: I want to clarify, that is a matter of bringing new commercial. We have pre-existing commercial and these people are vested in there and they have commercial rights.

- Mayor: Right.
- Peone: As far as expanding more properties and bringing in commercial, that should be done in the highway corridor.
- Curry: I think another issue to bring in is that if on the existing uses, which I think most of us think are fine, if we just designate them commercial and lets say we have a restaurant or resort, someone wants to change it into a tire shop...I guess what we are asking here is that the existing commercial needs to have more of a definition of exactly what kind of commercial we want to see around the lake.
- Peone: Right.
- Howell: And these guys will not only be designating in the plan but potentially rezoning property, and if they rezoned a piece of property commercial, would you want something more specific?
- Hatfield: Yes
- Mayor: I don't think the city wishes to take away anything from the people who have businesses here already. If their place burned down or something happened, and they wanted to put something else in there, I think they should be able to do that because the property has always been knows as a business.
- Ward: Well, I would say with the exception that I wouldn't want it zoned heavy industrial commercial where something industrialized could then go in. But as far as another small community business, grocery store, mini-mart, bar, restaurant, whatever, I don't see a problem with that. I just think that I wouldn't want a heavy industrial or even a light industrial commercial zoning.
- Codding: I think we need to ask for a new yes or a no, because we....
- Justus: I think they are wanting to be very specific on a commercial use.
- Hatfield: Yes.
- Peone: Yes, I think what we are wanting is to protect the existing businesses, the businesses that they are.
- Curry: I think, Ed, you wouldn't want to see their defined use ever changed. If they proposed a change, you would be opposed to that?
- Peone: If it is to an extreme nature.

- Justus: So there might be some flexibility?
- Peone: If they are still operating under the guise of a resort, or things that tie into a resort, I have no problem with it. But, if they want to turn it into a tire shop or something like that, then no.

**10. THE PLANNING COMMISSION WANTS TO USE PHOTOGRAPHS FROM HAUSER HISTORY IN THE PLAN. DO YOU BELIEVE THAT IS A GOOD IDEA?**

- Justus: We are trying to get the format of what the plan will look like.
- Hynes: Photographs? Like for visual references? Yes.
- Peone: Yes, I think it would be good to look at what is was and see what it could become.
- Hatfield: Yes
- Ward: Yes
- Mayor: Yes, we have some pictures hanging on the wall, if you would like to use them without me knowing about it. I had to sign a thing that I would not duplicate any of the material that the museum gave me.
- Justus: Okay.

**11. DO YOU WANT TO MAINTAIN ROADS FOR RESIDENTS THAT DO NOT LIVE IN THE CITY LIMITS OF HAUSER? IF WE ARE CURRENTLY MAINTAINING ROADS OUTSIDE OF THE CITY LIMITS, SHOULD WE CONTINUE TO DO SO, ANNEX THE PROPERTIES INTO THE CITY OR STOP MAINTAINING THE ROADS OUTSIDE THE CITY LIMITS UNTIL THEY ARE ANNEXED?**

- Hynes: I would say yes and no. If we plan on annexing them in or even if they are in our area of city impact, we would have to look at it to see if we could actually afford to do that. If we could, I say yes.
- Peone: It reads as a trick question. I mean I can look at it in one sense, road to residents that do not live in the city. Is it a city road? I think we should maintain all city roads. But some of the city roads we are maintaining give people outside the city access. Just because they are passing through our city roads, it doesn't mean we have to require them to annex into the city. Another one I think we may refer to is a road that only serves one family that is outside the city but the road is inside the city, and should we be maintaining that road? I think it is still in the city's inventory, and yes, I think it should be maintained.

- Mayor: It depends on whether that road is brought up to city qualifications on roads. That would be my answer to your (Ed's) concern. But, no, I do not believe in do anything as far as keeping up roads outside the city limits.
- Peone: If the road is not a city road, then no, we should not be maintaining it in any way.
- Howell: So, we should stop at the city limits?
- Mayor: I can't understand this. Why would you want to use tax payers money to fix somebody else's road who hasn't paid a nickel tax? Why would we want to do that? Does anyone have an answer for me?
- Peone: There are all kinds of ways this question can read.
- Hynes: I do want to say, too, people who are not necessarily in the city limits that still consider themselves in Hauser Lake.
- Peone: Right.
- Hatfield: For the most part, I think all city roads need to be in our jurisdiction and control. Where the roads come together – like where the city road intersects with the private road – you've got more city and have to use the private road to get again to the city, then yes, that is fine. But I wouldn't go out of my way to look for roads outside the city to control.
- Mayor: I don't understand, Claire. What – tell me a place you are talking about. The road around the lake is a county road.
- Hatfield: It is all county?
- Peone: No, it is part city.
- Mayor: When the county used to do it. Now Post Falls Road District does it. When Post Falls Highway Districts comes around plowing, whenever they pass a city resident driveway, wherever their property starts and where it ends is what they charges us through the ad valorem tax.
- Peone: These sections of road through the city are in fact city roads.
- Mayor: Well, no map shows it. It shows them county roads, and I don't know if the school district has to pay for keeping the road for the school buses, or I don't know who pays for that. But I know when they come by with the trucks, and this was prior to being charged to the city, they would lift the plow.

- Peone: Right, but that was during a time when the city decided not to pay the ad valorem tax to the highway district. That is an agreement between the city and the highway district that we do refund a portion for ad valorem on the roads that they maintain for the city as routine going around the lake.
- Mayor: Yes, we get a letter from Kootenai County, the tax people, and they let us know how much money we have to give back of our ad valorem to give to Post Falls.
- Peone: Yes, these in fact, are city roads that are maintained by the highway district.
- Mayor: Then why does the county have to take so much out?
- McCoy: I hope I am not speaking out of turn, but, in looking at question 11, I think basically what the Planning Commission is asking is more like how you feel about roads in general. I understand that the conversation you are having is relative and important, but that is a financial discussion that the Council needs to have and I was just thinking that if they are going to stay on schedule with their calendars, could we mark this question for more discussion and go on to the yes and/or no ones?
- Mayor: That is fine with me.
- Mayor: I think it would have been really nice if the people saw all these questions that you expect us to answer.
- Curry: That is the whole idea. We are going to take this information to a town hall meeting, but it is important for us to have an understanding of the Council position before we enter into meetings with the public.

**12. DO YOU PLAN ON HIRING AN ENGINEERING FIRM TO CONDUCT A STREET INVENTORY FOR FUTURE STREET PLANNING AND CAPITAL IMPROVEMENTS WITHIN THE NEXT YEAR?**

Hynes: I don't know what is in the next year. It depends what can be budgeted. It is something Tina can probably answer later.

Peone: I think it is a necessary thing from what I understand from our staff. I still think it is one of those cans of worms that will be opened and we will have trouble putting the lid back on, but in the future we need to look at it.

Mayor: I think this will involve a huge amount of expense and I don't think we should do it within the next year.

Hatfield: I think we should bite the bullet and do it.

Ward: I think we should do it. For next year it depends on where the comp plan goes and how we perceive the city. I would like to see it done – yes. Whether we can get it done in the coming year – question mark, question mark, question mark.

**13. DO YOU SEE OTHER USES AROUND THE LAKE OTHER THAN RESIDENTIAL SUCH AS PERMITTED HOME OCCUPATIONS?**

- Hynes: Which is what?
- Howell: Home based businesses.
- Hynes: Yes
- Peone: Yes, to an extent.
- Mayor: What would be the other uses?
- Hynes: Hairdresser
- Curry: Daycare
- Peone: I think each would have to be looked at – traffic, location, etc.
- Mayor: I just don't like the question.
- Hatfield: Yes, but I think you need to look at parking availability, type of street.
- Hynes: Conditions should be placed.
- Mayor: What I can't understand when I said I don't like the question, we've already said we don't want any more commercial type business on the lake other than what is existing. But then you say "see other uses around the lake *other than*" residential such as.....
- Ward: I think the question is more like me having a daycare out of my home that I do during the day but I still live there and not just a commercial business.
- Peone: I am interpreting the question, are we in favor of allowing residential home occupations, or are we opposed to it, and I think I am in favor of it.
- Hatfield: Like selling Avon out of your house.
- Mayor: Yes, I understand that.

- Peone: It is just something they have to look at while they are doing their draft, Oly. We have to have answers to all the different questions. It is better than not looking at it now and then overlooking it when you go through the final plan.
- Mayor: I guess what I am looking for is building towards the future. What do we want IN the future, Not building a bunch of regulations. Regulations don't belong in a Comp Plan, as far as I am concerned, do they, in your opinion, P & Z people?
- Curry: We're not regulating here. We are putting together a plan for the future based on the information we are gathering here.
- Cris: We are trying to gather the lay of the landscape, if you will, how to *foresee* home occupations, how to *foresee* more commercial down the way.
- Hynes: And we have to answer these because if we don't have some kind of regulation, then we could have something we really don't want to see happen.
- Peone: Right.
- Mayor: Well, I just think regulations belong say in the Development Code. I don't know. Maybe I think wrong, I don't know.

**14. THERE ARE MULTI-FAMILY AND DUPLEXES NOW IN HAUSER, SOME OF THOSE STRUCTURES HAVE BEEN MODIFIED WITHOUT PERMITS. DO YOU WANT THE CITY TO CONTINUE THE PRACTICE OF ALLOWING THOSE USES? DO YOU WANT TO ENCOURAGE DUPLEXES, TRIPLEXES?**

- Hynes: Why are the duplexes being modified without permits? Is this already being addressed? Do we allow them to do that now?
- Peone: No. They just snuck it under our nose.
- Hynes: I do not think it should be allowed. They should have to get a permit, and I think it is important to look at where they are going, and if the immediate surroundings have capacity to have two households in one. And, what about the sewer?
- Howell: Do you see in the long term that we are going to have duplexes.
- Peone: I think in the long term, we need to look into a zoning area where these would be allowed. It is something we just can say we're not going to allow, period. There may be an apartment complex want to come in some

area, so we need to leave the door open to that, but it needs to be looked at in a zoning restricted area.

- Mayor: I think everything that refers to building, structures, yes, we need permits. No, I do not want to encourage duplexes or triplexes.
- Hatfield: I don't want to encourage those things in beautiful downtown Hauser, but a little bit outside the area, certainly you could zone for that.
- Ward: I wouldn't want to see apartment buildings, by any means. I think that the current multi-family duplex dwellings need to be permitted and brought up to code, because certainly they probably are not coded either. Obviously if the current zoning is not appropriate, that needs to be addressed. I wouldn't want to see any apartment complexes, four-plexes, triplexes, duplexes around the lake edges or anywhere in the downtown area. Basically, I wouldn't have a problem with duplexes outside of the downtown area. I wouldn't want anything bigger than duplexes. I think that would be just too industrial looking in my eyes.

**15. DO YOU WANT THE CITY TO REGULATE WHETHER A PROPERTY OWNER LIVES IN THEIR HOUSE OR RENTS IT OUT? DO YOU WANT THE CITY TO ALLOW TIME SHARE RENTALS (BY THE WEEK OR MONTH ON ANY RESIDENTIAL PROPERTIES)?**

- Hynes: I don't think it should be regulated. I think that is going too far.
- Peone: I agree with Lacey to a point, other than that there should be some type of rule in there to watch out for residents around it, some type of protectionism for the people around the property. You get a lot of people who move in and they don't care about the property.
- Mayor: I know people that had a small place and they built a bigger place elsewhere around the lake that is in the County area. Now, are you asking me if the city wants to regulate that property owner, whether he can rent that place out or not? I think that is absolutely ridiculous! That would be, absolutely No.
- Howell: Basically, what we are hearing from the public is that there is an increase in the amount of time-share going on. People are renting their houses out by the week, like a rental for the summer is by the week, \$1,000 for the week. So, I just want to make sure you know that is what we are hearing from the public – if that is ok or not.
- Codding: The other issue here, too, is that parking becomes rather critical. If the allowed use is single family dwelling, and then there are incidences where the upper floor has been converted into a rental (a single family

residence on the bottom floor and a rental on the top floor,) now you have five or six cars trying to find parking spots, too.

- Peone: What you are describing is going back into question 14, as a duplex, not question 15 is talking about the people actually move out of their house and rent it out.
- Curry: We heard complaints last summer where concerns were condition of the lake, folks coming and spending a week and it is a party group, and that is an issue. Lake protection is needed.
- Peone: That is why I said there needs to be some sort of protection for the residents around.
- Mustered: If we have four or five couples renting a house at \$1,000 a week, then you've got all that traffic, etc.
- Hynes: How common is it to regulate on that in other cities?
- Howell: In Idaho several communities do regulate that. They are more in resort communities like Haley. They do set up some off street parking areas. Do I know of a community that prohibits that? No. Do they regulate it? Yes. But those are in resort communities and these guys have heard that feedback from the public saying all of a sudden the lake is turning into time-shares. Is there a law? And that is why they are asking this question.
- Hynes: I think, too, regardless of that, it isn't just the time shares doing the partying. People who live here do too.
- Mayor: I am just wondering how much authority does the city have to regulate a property owner's life or house, or rents it out? How much can you dictate to those property owners? I don't think you can get by with it. Now as far as renting it out as time-share, I don't know. This is a resort area. Can we allow that?
- Curry: You can dictate to them whether than can have duplexes or triplexes.
- Mayor: That place was already built as a duplex.
- Curry: No, if you wanted to build a new one.
- Peone: But on the same token, they could take an existing home, remodel it unto two, and they could rent it out as a time-share, but it is still a single family occupancy.

- Curry: If they did that now, Cheri, it would violation of the code. Is that correct Cheri?
- Howell: Correct. They can't have two dwelling units on a piece of property.
- Hatfield: As far as somebody renting out their house to long-term tenants, I don't have a problem with that. I do have a problem with time-shares. I don't know that we can do a whole lot about it, if we could I would.
- Ward: I don't think you could regulate to a property owner what they can and cannot do with their property. If there is some sort of zoning issue, point that out to the them, but you can't tell a property owner you can't do this. They bought the property. They are in no type of violation, unless it is some sort of zoning violation or county ordinance, or some sort of legal violation. Yu just can't tell a property owner, no, you can't do this.

**16. DO YOU WANT TO CONTINUE ALLOWING LOGGING, CROPS AND CATTLE PRODUCTION IN THE CITY LIMITS? IN THE AREA OF CITY IMPACT? NOTE: THERE ARE SOME STATE LAWS THAT REGULATE THOSE USES. DO YOU WANT US TO FOLLOW THE STATE LAW REGARDING THOSE USES?**

- Hynes: I think to an extent we should follow the state. Logging, get rid of. But I think we need to think about the majority of people wanting a rural area and in rural areas, you have crops and cows.
- Peone: As far as the logging, in most instances within the city, it is a matter of clearing off property for development. We don't have any real stands as far as logging – anyone coming in for the sake of logging. Crops: I see no problem with. Cattle: I think we need it to monitored a lot closer than it is now as far as polluting the lake. And that would be in the area of city impact.
- Mayor: There isn't any logging within the city of Hauser but Inland Paper which is way up there. They bring out a few logs now and then. Cattle, or large animals for that matter, I believe they have rules that they have to live by, so many feet has to be fenced off from the creeks coming in. We have removed horses in certain areas near the lake. We have a problem, as far as I am concerned, with large animals along our outlet that some people think is a creek, but it is Not a creek. That flows across the street and out into our recovery area and that is bringing pollution that goes into the aquifer. But I think this is all covered.
- Hatfield: As far as logging goes, none in the city, but I would not want to see clear cutting. Crops and cattle is fine but they need to follow the state laws, and watch out for pollution.

- Ward: I would have to agree with Claire as far as logging. As far as crops and large animals, I personally would like to see it continue to be an agriculture with large animals/resort, unless you want to turn it into an area like Sun Valley or McCall, which is ok but I wouldn't want to live there.

**17. DO YOU WANT COMMUNITY DESIGN STANDARDS FOR THE CITY SUCH AS LANDSCAPING, BUFFERING, OPEN SPACE REQUIREMENTS, FENCE REQUIREMENTS? IN THE RESIDENTIAL DISTRICTS? IN THE COMMERCIAL DISTRICTS?**

- Hynes: Yes on both, especially on new developments we might have in the next 25 years. I think the green space is very important in the coming years.
- Peone: Yes on both.
- Johnston: I don't know. I guess I would have to see what the community design standards were before I start telling people what they what they are going to do about them.
- Hynes: I thought it was for the larger plans where they actually do landscape efforts.
- Mayor: I don't want it to look like a gated community where everybody's is the same way. I don't like that.
- Hatfield: Yes
- Ward: Yes

**18. SHOULD THE AREA OF CITY IMPACT BE USED TO PROTECT AND BUFFER THE CITY FROM OTHER JURISDICTIONS OR SHOULD IT BE USED AS A GROWTH TOOL TO HAVE THE CITY ANNEX AND EXPAND?**

- Hynes: Annex and Expand
- Peone: By definition of the area of city impact, it is to be annex and expand.
- Mayor: I don't want to answer that question.
- Hatfield: For the most part, yes.
- Ward: Yes.

**19. DOES THE CITY PLAN ON THE ACQUISITION OF OPEN SPACE OR RECREATIONAL LAND?**

- Hynes: Yes, if we can afford it.
- Howell: So far, what we have is about 60 acres of land that has been donated to us.
- Hynes: Yes, and if we could get more and have some sort of recreational area for baseball or basketball, or something like that for the kids.
- Peone: What you are talking about by the city already having the land is question 20. Question 19 is do we have plans for acquisition, and for my part I am in favor but we don't have an active program in force yet or money set aside for acquisition. If it came across the table, I would be in favor of it.
- Mayor: The city has been given land that was no use to the developer, as we used that as our trails system. I see nothing going on there any more than a trail system, but I would like to see the city eventually get some land so that we can build a community center or senior center or combination of all. I think we need to give something to the citizens.
- Hatfield: If open space or recreational land becomes available, I think we should look at it.
- Ward: I agree with Claire.

**20. DO YOU SEE TRAILS AND PARKS ON THE EXISTING RECREATIONAL LAND THAT THE CITY OWNS?**

- Hynes: Yes
- Peone: Yes
- Mayor: I think we already have, haven't we?
- Peone: Well, we already have one bike path through Waterford.
- Mayor: I am not sure about along our right-of-ways.
- Peone: That is our next question.
- Hatfield: Yes
- Ward: Up until this question, I had no idea we had that stuff. That's my answer.

**21. SHOULD THE CITY BEGIN PLANNING TRAILS AND BIKE PATHWAYS ALONG RIGHT OF WAYS AND THE LAKE?**

- Hynes: Yes, either that or extending the road. The right-of-way, you mean around the lake road?
- Peone: Right
- Hynes: I get scared riding my bike around the lake over there, and the people are driving fast. You really have to hug the corners.
- Peone: To an extent, the think the city already has been looking in that direction. Most any property that buffers the main road, we have been trying to coerce property owners to into giving up a portion of the property for right-of-way. If have had meetings with Post Falls Highway District in deciding, and we have sorta come up with a plan that the best way to put in a bike path rather than it being separate from the road, is to expand the roadway with a separate division line where everything can be plowed in wintertime. It is in the works.
- Mayor: I think I already answered that question.
- Hatfield: Yes
- Ward: Yes
- Justus: Unfortunately, I think that is all we have time for.
- Peone: Let's do the next one though.

## **22. SHOULD THE CITY ACTIVELY PURSUE A CELL TOWER IN THE AREA?**

- Hynes: Yes, and we are trying to do that right now.
- Howell: We are not getting much response out of Verizon. I'd love to but I don't know about the rest of you.
- Peone: My answer is yes but we need to work harder at it.
- (All yes responses.)
- Mayor: I think I mentioned some time ago that I saw in the paper in the legals that the county was having a meeting about somebody wanting to put a cell tower in our area.
- Hynes: Verizon
- Mayor: I never did see any more in the paper about it.

- Ward: I wouldn't want to see it on the corner, but yes, do need one here, yes.
- Hynes: I have better cover in Priest Lake than I do at my house.
- Hatfield: I have to stand in the middle of my front yard.
- Coddling: When we were at the Planning Meeting and didn't have a quorum, it was indicated that if this meeting ran over we would continue. So, since we are all here, I'd like to finish the questions.
- Howell: That is up to the city council.
- Peone: Did we get it on our agenda?
- Peone: I have no problem other than it works out good because we're getting to dodge the really hard questions. Laughter. The next five questions aren't going to be fun.

6:32 p.m.

- Mayor: I would like to have a motion from council to continue.
- Peone: I move that we continue this meeting.
- Mayor: Do we have a second?
- Hynes: I'll second it.
- Peone: We need to call our official council meeting to order.
- Mayor: Madam Clerk, will you call the roll please.
- Clerk: Hynes, here; Peone, here; Hatfield, here; Ward, here.

Special Note: We have by-passed our regular council meeting and will continue with the special meeting.

### **23. SHOULD THE PLANNING COMMISSION DEVELOP A PARK PLAN?**

- Hynes: Yes, and I like the idea of getting a community center.
- Peone: Yes, we should.
- Mayor: Yes

- Hatfield: Yes
- Ward: Yes

**24. SHOULD WE COORDINATE WATER SERVICE WITH THE HAUSER WATER ASSOCIATION AND RIGHT OF WAYS AND STREETS?**

- Hynes: Yes
- Peone: Yes
- Hatfield: Yes
- Ward: Yes
- Mayor: Could you explain that to me?
- Howell: Water lines run along out right-of-way and our streets. Should we (the city) be coordinating that with the water association?
- Peone: Should the city have full knowledge of where our lines are
- Mayor: We have a map of their lines
- Peone: I don't believe they ever presented us with a map.
- Mayor: I brought one to the city. The city should have a copy of all the water lines.
- McCoy: We can look that up. The point is if the Mayor believes there is a need to coordinate. We can look at the records and find out what we do have. The question, to me, is if this is something bigger than having a map.
- Peone: Also following with that, should they be contacting us and making arrangements before any new lines and digging up our streets and things like that.
- Peone: Yes

**25. SHOULD WE REQUIRE A FRANCHISE FEE FOR WATER SERVICES WITHIN THE CITY LIMITS RIGHT OF WAY?**

- Hynes: I don't understand that.

- Howell: A fee for actually utilizing our right-of-way within the city. For example, we would need a fee for Vista to come in and pull lines into our community. We receive a franchise fee.
- Hynes: Yes
- Mayor: ...and which is added to your property tax record.
- Peone: This question is, should we do the same for our water service/district.
- Hynes: For our water district?
- Peone: Yes.
- Curry: Hauser does not have a water district.
- Peone: They have a water association.
- Howell: Hauser has a private water association. There is no water district. A district is an actual taxing entity.
- Hynes: Well, I think if we would, then we would have to charge them also. It wouldn't be fair to charge one on top of the other, if that makes sense.
- Curry: You say collect fees from the water district or association for being in our right-of-way?
- Hynes: If we were to charge Avista – like you were saying, then also charge the water association, too.
- Wallace: The association has been around for a long time (Mayor: since 1967), so since then there must have been some agreement.
- Peone: This has been a buddy system. This is what we are doing.
- Mayor: They have a list of rules and regulations and by-laws.
- Peone: But it was not a formal agreement with the city. It was just water association rules and by-laws. We worked about six years ago trying to draft an agreement with the water association and it was not completed by the time I left office, and I don't know where it got left off.
- Curry: Is that a question, or is that in line with the question that that process should be completed, that there should be an agreement?

- Peone: Yes, I think it should.
- Peone: So, should we require a franchise fee? I shall say no in lieu of the questions that we have coming up.
- Hatfield: No at this time. I think it is something that could be worked out in the future
- Mayor: Franchise fees are just another way of taxing. It is added to our bill when we receive it. If the company that is in our city limits pays a fee to come into our city, then they add to our billing. So it is just another way of taxing, and I am Against That! The Hauser Water Association gives us our water. We should be damn thankful!
- Ward: I don't know about the water association and franchise fees, so I am not going to answer that one.

**26. SHOULD WE REGULATE ACCESS TO THE RIGHT OF WAY WITHIN THE CITY? FOR EXAMPLE IF AVISTA OR HAUSER WATER ASSOCIATION NEED TO MAINTAIN THE LINES OR THERE IS AN EMERGENCY, SHOULD THERE BE REGULATIONS ON ACCESSING THE RIGHT OF WAY (CUTTING A HOLE IN THE ROADWAY AND REPAIR)**

- Hynes: Yes, and yes
- Peone: I am going to say yes, and probably not. In most cases in the event of a busted gas line or water line that is really damaged, a lot of times to get through the permit process to get authorization to dig into it and fix it, it could cause more damage than what was already done. I think we can retroactively give them a permit to finish the repair of the roadway.
- Howell: Ed, most districts where there is an emergency, do a permit after the fact, and they do require a permit.
- Mayor: The water association, many times had busted lines, repair them, and completed the roadway exactly as when they got there. They have Never defaulted on that.
- Justus: So your answer is No.
- Mayor: NO, I will not go in approval of a franchise fee for our water association.
- Peone: We are on a different question now, Oly.
- Mayor: Are we on 25?

- Peone: We are on 26.
- Mayor: Oh, excuse me. I am either behind or ahead.
- Peone: On 26, I am assuming, should we regulate access if they want to dig and put new lines in should they be required to get permits. That is a yes. As far as emergency for me, no.
- Mayor: That is a yes
- Hatfield: Yes
- Ward: Yes, as far as access in an emergency, they should just come in and get it done.
- Mayor: I think they should receive a letter and be made aware of it.
- Hynes: Is emergency defined? It is like a total emergency, right? If someone is injured or if...
- Peone: Gas line ruptured...
- Ward: Something that can't wait a few hours.
- Hynes: Like for some an emergency is in their front yard and in no one elses.
- Howell: Typically, those are negotiated in your agreement.
- Hynes: Okay.

**27. SHOULD THE CITY HAVE A NEGOTIATED AGREEMENT WITH THE WATER ASSOCIATION ON WATER LINES WITHIN THE RIGHT OF WAY?**

- Peone: Yes
- Hynes: Yes
- Hatfield: Yes
- Mayor: Yes
- Ward: I don't know enough about the water association.

**28. IF THE WATER ASSOCIATION CHOOSES NOT TO RAISE THE WATER RATES AND DOES NOT HAVE THE ABILITY TO IMPROVE THE WATER SYSTEM (FLOWS, LINE SIZE) SHOULD THE CITY COORDINATE LONG RANGE PLANNING EFFORT FOR FUTURE WATER FOR THE CITY RESIDENTS?**

- Hynes: Without a question, yes. We clearly need long range planning and we clearly need to get on the same page as the water association so that we can hear what they have to say about it.
- Peone: I think yes, the city needs to get probably it's own water association or water system. I think the water association is maxed out on what they can and will be able to do in the future without major costs to them expanding. Rather than having individual water systems put in all over, I think the city needs to look at developing a city water system.
- Mayor: The water association raised their rates, what was it, last year so they are saving money for any future problems.
- Hatfield: Yes
- Ward: Yes

**29. SHOULD THE CITY HAVE STRICT ENVIRONMENTAL REGULATIONS ON DEVELOPMENT OF PROPERTY (IMPERVIOUS COVERAGE, LOT SIZE, AND STORM WATER, FLOOD REGULATIONS) TO PROTECT THE LAKE OR SHOULD THE CITY RELY ON OTHER JURISDICTIONS, AGENCIES, DISTRICTS AND NON-PROFIT ASSOCIATIONS TO ENFORCE ENVIRONMENTAL REGULATIONS?**

- Hynes: I think all the agencies need to work together in their code and our code and be on the same page, but I don't think we should have strict environmental regulations and there should be an extent to where we can tell them like lot size – maybe too small. It depends.
- Peone: To my understand that the city at the current time has one of the strictest in the area. Where I can agree is with the lake which needs to be protected and we need to be strict. But I think it might be a little bit too much so at present.
- Mayor: I thought we already had this covered in our plans.
- Justus: We are updating our plans, so...
- Mayor: Well isn't it already covered – these questions?

- Howell: In the current plan it is, but the planning commission is looking at amending the plan and we want to make sure you guys still want to keep doing that or not.
- Mayor: yeah.
- Hatfield: I think we need to have environmental regulations. As far as enforcing environmental regulations, maybe we should have MOU's with these jurisdictions and agencies, input and help.
- Ward: I agree with Clair.

**30. DOES THE CITY WANT TO REGULATE:**

- a. **JUNK YARDS**
- b. **EXCESSIVE GARBAGE OR OTHER NUISANCES**
- c. **INOPERABLE VEHICLES**
- d. **NOISE**
- e. **LIGHTING**
- f. **PARKING**
- g. **DAYCARES**
- h. **DOG KENNELS**

- Mayor: We, we do have a couple of junk yards over on the east side that have never been cleaned up and that includes not only garbage but junk and other stuff. I think we need to regulate everything that is listed there.
- Hynes: I am asking why about the dog kennels, and I think about the noise ordinance, I think that is fine the way it is now.
- Peone: I am going to assume that by dog kennels, you are referring to breeding kennels as opposed to just penned up dogs.
- Howell: Yes
- Hynes: Yes, but why?
- Peone: Well, you don't want a puppy mill going in next door to you.
- Howell: These are complaints that we have received and I actually put this one in here because of those complaints. These are things that I chronically deal with.
- Mayor: That would be considered a business, wouldn't it?
- All: Yes – Yes –

- Howell: It could be considered a home based business.
- Peone: And if we don't have regulations controlling it, they can do it.
- Ward: Are we the ones handing out kennel licenses or is that a county thing?
- Howell: It is currently the county.
- Ward: Is that something the city is able to do so we could regulate?
- Mayor: We have done that in the past, Laura.
- Howell: Do you want us to consider that, or just leave it up to the county?
- Peone: As long as we are redoing it, these are all issues that need to be addressed and we need to have control of.
- Hynes: Noise: The one that we have now is pretty much basic. Keep it the same.
- Hatfield: Yes
- Ward: Yes
- Mayor: I noticed one thing we didn't have is the ability to regulate the after hours – kids out (curfew).
- Peone: I don't know whatever happened to the law but we used to have one.
- Mayor: Yes, it was 11:00 p.m.
- Peone: No, it was 10:00 p.m.
- Mayor: But, at the same time, there was an article, and I don't remember which city in Idaho, as suing the city because the curfew was taking away the rights of children.
- Peone: I think our old curfew was 10:00 p.m., unless you were in a motorized vehicle with an adult.
- Justus: Thank you for your participation.
- Mayor: I would like to have heard more from our P & Z people. We didn't get much input.

- Peone: I think this Was their input.
- Wallace: We were supposed to listen to you tonight.
- Ward: As far as I know, Cheri had given me the map to the city with the area of city impact and the city limits, and thank you. As far as the back half of the lake goes, it appeared that none of it was city. Is there any plans in the comp plan to annex that so the city goes around the lake – or?
- Curry: It is in the ACI so we would anticipate they would annex into the city.
- Howell: Thank you very much. There is a calendar on our website of P & Z activities and they've got a workshop on the 16<sup>th</sup>, the 23<sup>rd</sup>, one on the 30<sup>th</sup>, and I think the one on the 23<sup>rd</sup> is the Town Hall meeting. They will be sending out a post card to everyone to come to the Town Hall meeting. We want to discuss the following chapters. And those are resource, recreation, and all those kinds of things. It is a legislative matter and everybody can attend.
- Curry: You have no idea how valuable this meeting has been to answer the questions presented.
- Coddling: Thank you, city.

Meeting Ended: 6:50 p.m.

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Donna Ray, City Clerk  
022410jntmtg