

**CITY OF FERNAN LAKE VILLAGE
REGULAR CITY COUNCIL MEETING**

May 3, 2010

The Mayor called the meeting to order at 6:30 p.m. There was a quorum present of Council members, Jurvelin, Myers, and Job and Tierney. Cheri Howell, Steve Ayers, Charyl Stornetta, and Jim Coleman were present. Jim Kujula the City deer trapper was there to report on the years deer trapping and transport. Rita Whiteford from the Planning Commission was present. Council President Tierney made a motion and Councilmember Job seconded the addition to the agenda of the Bening request for a fence variance to increase the height of the fence. Motion carried with Tierney, Job, Jurvelin and Myers.

The Mayor asked for an update from Mr. Kujula. He reported that a total of 17 deer had been trapped and transported with one fatality. The Council briefly discussed the reduction in deer in the Village and that they would decide later in the fall whether to continue the project.

Fence Variance – Bening: The Mayor introduced the case which was a request from Lois Bening to increase the height of the fence adjacent to the lakefront from 48” to a range of 52” to 72” in height. The application packet was reviewed by Council and the staff report was presented by Cheri Howell. Ms. Bening was given the opportunity to provide a presentation. There was one public comment from an adjacent property owner, Gridley. He provided testimony that a taller fence would impede his view of the Lake. There was no other public testimony. The Mayor closed the hearing and the Council deliberated. The Council in their discussion found that a fence exceeding the requirements in this ordinance was not necessary to preserve or protect the life, property and safety of the property; and the Council found that a fence exceeding the requirements in this ordinance would adversely affect the health or safety of the adjoining property owners or the general public. A motion was made by Jurvelin, seconded by Job to deny the request to increase the height of the fence. Motion carried with Jurvelin, Job and Myers. Tierney voted Nay to the motion.

April Minutes The minutes for the March City Council meeting were reviewed. There was a motion made by Councilmember Jurvelin, seconded by Councilmember Job to approve the April 5, 2010 minutes. Motion carried with Tierney, Myers, Job and Jurvelin.

Payables and Financials. Ms. Stornetta reviewed the financials and the payables. The Council reviewed the spreadsheet, the financial reports for March 2010 and pavables for April 2010 There was a motion made by Job, seconded by Tierney to approve the financial report for March, 2010 and the payables for April 2010. Motion carried with Tierney, Jurvelin, Myers, Job.

Engineer Report: The Engineer gave a brief overview of the activities in the City related to the sewer system. He discussed the Commercial District issues related to sewer. Mr. Coleman discussed the Zoeller pumps, Motor Electric, procedures for installation and repair of the Zoeller pumps and the procedures for residents calling for repairs. The Council discussed the electrical panels, locking the panels and when the letter would go out explaining this to the residents. Cheri will head up the project to ensure that the boxes are locked, the instructions are placed on the electrical panels and the letters go out right away. Mr. Coleman also briefly discussed the Fernan Road project and there is a possibility that there are insufficient funds to complete the roads.

NUISANCE PUBLIC HEARING. The Mayor opened the public hearing. There was a sign up sheet for public comment. Cheri Howell explained the history of the nuisance ordinance and stated that the Planning Commission had adopted the ordinance at a public hearing in December 2009 after several workshops and direction from the Council. Cheri Howell explained the ordinance provisions. The City attorney had a few minor corrections. There was two public comments, one from the Planning Commission member, Whiteford and one comment from Mr. Gridley. There was a motion made by Jurvelin, seconded by Job to suspend the rules and adopt Ordinance 168 known as the Nuisance Ordinance of Fernan Lake Village. Roll call vote, Tierney, Myers, Job and Jurvelin.

Mayor Report: The Mayor mentioned that Steve Ayers is retiring and that his last day would be June 30, 2010. Cheri would coordinate the project to find Steve's replacement with Steve's assistance. The Mayor explained that the dam was closed early this season. He also informed the Council that he had spoken with Major Maddos from the Kootenai County Sheriff Department about the report that was provided last month and it appears that the report encompasses a geographic area that is larger than the corporate limits. He would work with the Sheriff's Department to see if we could narrow down the reporting to reflect just our City. There was a brief discussion about the foreclosure of the Lakeview and the Mayor mentioned that he may attend the auction.

Council Reports: Council President Tierney mentioned that the flowers were planted and there was a brief discussion about watering the flowers and the reimbursement of Jan Daugherty.

Adjournment: The meeting was adjourned at 8:06 p.m. Motion made by Councilmember Tierney, seconded by Job to adjourn. Motion carried.

Respectfully Submitted
Cheri Howell, Clerk