

TROY CITY COUNCIL
February 24, 2021
REGULAR MEETING MINUTES

CITY COUNCIL MEETING: 5:00 p.m.

PRESENT: Mayor: Steve Corr, Councilors: Bill Abbott, Mike Yenney; Cindy Gray, Patrick Cordova; Employees Present: Clerk/Treasurer: Sabrina Moyer; Attorney: Susan Wilson

GUESTS: Byron Cannon (Via Phone), Sean Wilson, Lori Smith, Jerry Mack, Michael West, Renee Skrypchak.

MEETING CALLED TO ORDER: Mayor, Steve Corr called the meeting to order at 5:03 P.M.

MINUTES: Bill Abbott moved and Mike Yenney seconded to approve the minutes from the regular meeting on February 10th 2021 and the special meeting on February 16th, 2021. *Motion passed by unanimous consent.*

ACCOUNTS PAYABLE: A motion was made by Bill Abbott and it was seconded by Cindy Gray that the city pays the bills presented for February 2021. *Motion passed by unanimous consent.*

MAINTENANCE REPORT: Danny Haskell submitted a written maintenance report for himself, Dal and TJ which included a lot of plowing, sanding and snow/slush removal due to current weather conditions in addition to vehicle maintenance.

FOREST MANAGEMENT REPORT: No report

POLICE REPORT/CODE ENFORCEMENT: The council discussed current ongoing nuisance complaints regarding 305 S Main Street and how to go about handling the situation. Many have complained about the excessive amount of trash and cars that are displayed all around the property. The Code Enforcer (Jerry Mack) is aware of the situation and will be moving forward to address it. The city is currently in the process of getting Jerry set up with his own phone and phone number.

AGENDA:

- **PUBLIC HEARING:** Mayor Corr opened the Public Hearing at 5:09 pm to consider a variance request for Lori Smith on 301 S Main St., Troy, for the setbacks on the home and cottage as presented by the applicant, and to allow the home to be rebuilt in the event of destruction. The city received no written comments in favor of or against the variance request proposed.

- Mr. Sean Wilson, of Latah Realty presented the variance request on behalf of owner Lori Smith. Mr. Wilson testified that the primary objective of the application was to ensure that in the event of a loss such as one caused by a fire or a flood that all the pre-existing structures of the property could be rebuilt as is and without any expansion. He explained that the main concern in an event of a sale is insurability, because one cannot get lending on a property if it cannot be rebuilt as it's being purchased. More specifically, insurance companies will follow the City ordinances and if the city ordinances won't allow for a property to be rebuilt then that is what they will inform the lender. Mr. Wilson testified that the subject property is zoned Industrial which typically has 0 setbacks unless it is adjoins residential zone. In this case, the property across the highway to the north is zoned residential; hence requiring 20 foot setbacks for the side, rear, and front yards. Mr. Wilson presented a site plan showing the current setbacks the applicant is requesting setbacks for. Mr. Wilson asked that the Council consider amending the City Code to benefit all residents by helping prevent financing issues with residential loans when trying to sell or purchase a property. He added that the City of Moscow changed their code four years ago to allow for re-building which in turn has brought property values up and made it easier to acquire financing on what was previously unfinanceable.
- Council member Bill Abbott voiced his concern regarding the setbacks and the already tight spaces that garages in that area occupy all the way to the alley and the city streets. He further indicated he would rather see a survey showing what the exact footprints are of the existing structures to confirm the exact setbacks. In response to these concerns, the applicant discussed off street parking options.
- Council member Cindy Gray expressed concern about requiring the applicant to have a survey, as she feels that the Council would have to require all other property owners in similar situations to have surveys completed. She is concerned about the hardships that the costs and time delays would cause in requiring surveys, especially if a property owner wanted or needed to sell. She further questioned the need for a survey if all that is requested is that the property be rebuilt on the same footprint in the event of a loss.
- Council member Patrick Cordova asked for clarification on what would qualify as a hardship from a legal perspective to which Susan explained the different criteria for hardships outlined in the Code. Susan indicated that if the Council were to approve the request, a letter would be generated that would indicate the City's approval for the property to be rebuilt within the same footprint in the event of a loss.

After further discussion, Council member Mike Yenney made a motion to grant the variance with the setbacks presented by the applicant and with the condition that if the property is destroyed it could be rebuilt on the existing footprint regardless of what a survey may show in the future. The motion was seconded by Council member Cindy Gray.

Council member Mike Yenney: Aye
Council member Cindy Gray: Aye
Council member Bill Abbott: Nay
Council member Patrick Cordova: Nay
Mayor Steve Corr: Aye

- Mayor Steve Corr agreed to grant the request as long as the property is rebuilt on the same exact footprint without any gain or expansion. **Public hearing closed at 6:05 PM.**

- **RENEE SKRYPCHAK** - Renee Skrypchak approached council regarding fallen trees on the trail as a result of bad weather and what can be done in such a situation. Suggested creating a group of local volunteers who would be equipped with the appropriate tools to safely remove the downed trees therefore keeping the trail clear. Council member Bill Abbott suggested it would be best to contact the city hall and the clerk could contact the appropriate person(s) who would be able to assist. It was established that Fire Chief John Bollman would be the point of contact.

- **SOLID WASTE AGREEMENT WITH LATAH COUNTY** - Roll call vote to approve the first amendment to solid waste agreement with Latah County. Council members Bill Abbott, Aye; Patrick Cordova, Aye; Mike Yenne, Aye; Cindy Gray, Aye *Motion Passed by unanimous vote.*

- **COMPREHENSIVE PLAN RESOLUTION** – Council member Bill Abbott made a motion to approve resolution number 2021-01, a resolution of the City Council of the City of Troy, Idaho. Municipal Corporation of the State of Idaho approving and adopting pursuant to Section, 67-6509, Idaho Code a comprehensive plan for the City of Troy, repealing plan resolution number, 98-2 adopted on March 9 1998 and providing an effective date. It was seconded by Council member Cindy Gray. *Motion passed by unanimous vote.*

- Council to consider approving logging contract for the Punch Bowl project. *No discussion or action was taken at this time.*

- Council to consider approving amendments to the proposed Deters Easement. *No discussion or action was taken at this time.*

- **EXECUTIVE SESSION** – *No executive session was taken*

- **MAYOR CORR’S REPORTS/CORRESPONDENCE:** Mayor Corr spoke with Danny Haskell in regards to the snow at the firehall and the city will be plowing it in order to keep the area clear. Also discussed was the phone for Jerry and making final decisions so that he can have an active phone number.

- **COUNCIL REPORTS:**
BILL ABBOTT - Parks & Rec: No report
CINDY GRAY - Public Safety: No report

MIKE YENNEY- Streets, Solid Waste, Library: No report.

PATRICK CORDOVA - Water & Sewer Services: No report.

- **TREASURER/CLERK REPORT:** No report.
- **ADJOURNMENT MOTION:** A motion was made by Mike Yenney to adjourn 6:43 P.M.
A second was made by Cindy Gray. Motion passed.
- **Adjourned at 6:43 P.M.**

Steve Corr, Mayor

Sabrina Moyer, City Clerk/Treasurer