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CITY OF HAUSER

11837 N. Hauser Lake Road, Hauser, Idaho 83854

HAUSER CITY COUNCIL

MINUTES (ZOOM Meeting)

SPECIAL MEETING – July 18, 2025, 5:30 p.m. Budget and RIZR Legal Matter

1. **CALL TO ORDER** – Mayor Ray at 5:29 p.m.
2. **PLEDGE OF ALLEGIANCE** – Council member Duchesne
3. **ROLL CALL** – *Council*: Hoerner, present; Pomykala, present; Finley, present; Duchesne, present.
Staff: Mihara, zoom; Wheeler, zoom; Espe, not present; Sauter, not present; Fondahn-Baker, present.
4. **AMENDMENTS TO THE AGENDA, DECLARATION OF CONFLICT, EX-PARTE CONTACTS** – Per the City Attorney's request, Council member Finley moved to have the Executive Session after the Attorney's segment. Council member Hoerner seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Duchesne, aye. Motion carried.
5. **MAYOR, Bill Ray**: No report.
6. **CITY ATTORNEY, Kinzo Mihara**
Offer of Settlement – RIZR Representative/s: Bonner County Attorney Brandon Dockins, representing his client and owner of the Lakeview Mobile Park, Gabriel Hamel, explained that they made an offer to the City of Hauser in July 2025 in reference to last year's lawsuit against the Park (in Hauser city limits), that had septic disputes. The local courts issued a default judgement of \$33,000 in favor of the City. Since it has been a year, the interest accumulated to \$35,000 which the defendant wants reduced considerably. Mr. Dockins expressed that his client was never served, nor the complaint published. Mr. Hamel, from Eugene, Oregon, countered that he was notified in 2022 of the park's septic system needing pumped and since, has been trying to resolve the issue. He got Kootenai County engineer, Erik Illum, DEQ, and Panhandle Health involved in 2024, spending \$1,000 per month. He is presently working with Mr. Illum designing a septic system so that the sewage will not surface and harm the homes. Mr. Hamel owns other mobile parks in Eugene and wants to be compliant with the City and county like he is in Oregon. His number one priority is to clean up the septic problem. However, another violation is that Mr. Hamel removed several mobile homes and brought in RVs without permission. Council member Hoerner asked, "Didn't you know not to remove or bring in RVs into the park?" Mr. Hamel replied that he spoke with our City Planning and Zoning enforcer, Cindy Espe, who stated there should be no removing of or setting up new mobiles or RVs in Lakeview Mobile Park. Obviously, Mr. Hamel knew he was in code violation. Council member Finley questioned if the seller disclosed the faulty septic system to Mr. Hamel and acted in good faith? Mr. Hamel

stated that the information was never disclosed. The previous drain field supplied 18 mobile homes, now there are 14 long-term mobiles. Mayor Ray asked where the new drain field is to be located, and Council member Duchesne questioned if the new proposal was submitted for approval. Mr. Illum explained that he submitted the septic proposal to Planning and Zoning (P&Z) in January 2023 showing the system having two drain fields which are currently up to county standards. Attorney Mihara interjected that the City of Hauser admonish Council, that we cannot review their plans until P&Z reviews them first. Mayor Ray suggested moving into Executive Session.

ACTION ITEM:

- Executive Session – Discussion of Litigation Options Under Idaho Code 74-206(f):*** To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options or pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Council member Finley moved to go into Executive Session citing above Idaho Code 74-206(f) at 5:52 p.m. Council member Hoerner seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Duchesne, aye. Motion carried.

Council member Finley moved to close the Executive Session at 6:25 p.m. Council member Hoerner seconded the motion. Roll call: Hoerner, aye; Pomykala, aye; Finley, aye; Duchesne, aye. Motion carried.

7. TREASURER, Lee Wheeler

- Preliminary Budget Review:*** He has drafted a proposed budget for next year and told Council they have budget ownership, needing their approval posted on July 28, 2025 in time for the August 12 Agenda. Since residential permit revenues were slow, there is a net of \$20,000 in building revenue; There is \$13,000 extra revenue in the highway fund; The audit fee is only a review for 2023 and 2024, wrapping up four years, and will negotiate the final fee; The Comprehensive Plan should be complete next month. The budget from last year was \$30,000 and this year has a balance of \$15,000. Council member Hoerner expressed adding a safe \$3-4,000 more to get the Comp Plan done. Council member Finley said that we are only getting information from P&Z and should get it directly from the consultant, possibly via zoom at the August 12 meeting. Wheeler wanted clarification since we have a pre-paid set fee. Council member Pomykala added that, per P&Z, there is \$13,000 left on this contract which should be carried over to next year if work is not completed in this fiscal year. Further discussion revealed that the work would be complete in the current fiscal year, so Council agreed that no adjustment is required. Wheeler will check and make an amendment if needed; Street repair and maintenance will eventually charge the City and funds will drop considerably; Council member Duchesne asked about the timing for Transparent Idaho submissions. The Treasurer said to wait on publishing anything until the Aspen audit is complete. They are presently working on 2024; Duchesne also asked about the IT budget. Mayor Ray said Inland Northwest gets paid a minimal amount and both Council members Hoerner and Finley agreed to raise his budget to \$2,000 to keep our website, computers, and internet up to date, noting that it doesn't have to be used all at once; The Treasurer confirmed the Clerk's budget includes COLA increases. The Mayor said they are on-going for clerks, based on federal rates, and suggested that staff and Council's wages be covered. Council member Finley proposed an extra Wednesday for the City Clerk so both clerks can work together. Council member Hoerner would also like the Mayor's wages be increased. The Council budget is a small window during election year; Council all agreed to raise miscellaneous funds to \$1,000 for the Ice Breaker Run, Hauser Daze, etc.

8. COUNCIL MEMBERS & STAFF

- Jeff Hoerner, Public Works – Streets & Roads:*** No report.
- Alice Pomykala, Land & Buildings:*** No report.
- Daniel Finley, Special Projects:*** No report.

. **Mark Duchesne, Council Member:** No report.

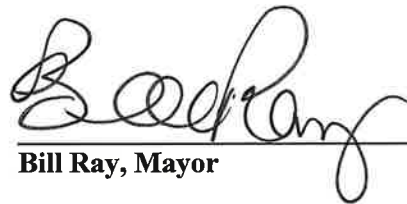
. **Kristin Sauter, City Clerk:** Not present.

. **Laurie Fondahn-Baker, Deputy Clerk:** No report.

9. COUNCIL COMMENTS

10. ADJOURNMENT: 7:19 p.m.


Laurie Fondahn-Baker, Deputy Clerk


Bill Ray, Mayor