

City of Clark Fork

Minutes of the 11/8/2021 Special Meeting for Public Hearing Clark Fork City Council Meeting

Mayor Russell Schenck called the November 8, 2021 Public Hearing of the City Council to order at 5:45pm in the Clark Fork City Hall, 110 East Third Avenue.

Mayor Schenck led the Pledge of Allegiance.

Roll Call of Council Members: Council Members Shari Jones, Sharon Banning, Stanley Spanski and Jay White were present constituting a quorum.

ADDITIONS to the AGENDA: No.

Agenda:

A. Public Hearing to discuss Kearns Plat Vacation & PUD Replat , ACTION ITEM.

Mayor Schenck presented the reasons for the second Public Hearing for the Plat Vacation & PUD Replat of Elk Meadows Blk 2. The reason being the shortened time for the previous publication of the Public Hearing held on December 7, 2021 and to have Council ratify the decision made on this day.

Mayor Schenck read the written comments that were submitted – 1 Pro, 2 Neutral, 1 Con.

There was one Pro, one Neutral and three Con comments from the public.

The one Pro speaker was Mr. Kearns affirming that he has done nothing wrong and has followed the rules set down by the City of Clark Fork.

The one Neutral speaker had concerns with the listed easements, but because the easements were not under the City of Clark Fork's control and were not being discuss decided not to speak.

The first Con speaker read a letter aloud from his attorney questioning the validity of the easements and stated that if the Council ratifies the replat that the City of Clark Fork validates the listed easements. He had copies of his lawyer's letter with him and shared them with the Council.

The second Con speaker had concerns about available parking, easements, and building sizes.

The third Con speaker had concerns about easements.

Mayor Schenck rebutted the Con comments explaining that the City of Clark Fork does not have control over the easements listed on the replat, that by state law all recorded easements are supposed to be listed on the mylars and that the City of Clark Fork cannot determine the validity of any easements. Mayor Schenck also allowed Mr. Kearns a short amount of time to rebut the comments.

The Public Hearing was closed at 6:15.

The Council discussed the presented concerns with the Plat Vacation and PUD Replat of Elk Meadows Ranch Blk 2.

Council Member Banning moved to approve the ratification of Council's decision made during the December 7, 2020 Public Hearing regarding the Plat Vacation and PUD Replat of Elk Meadows Ranch Blk 2. Council Member Spanski seconded the motion.

Roll Call Vote of Council Members:

Shari Jones – Y

Sharon Banning – Y

Stanley Spanski – Y

Jay White – Y

Motion carried.

Adjournment: Council Member Banning moved to adjourn. Council Member White seconded the motion. Motion carried. The meeting adjourned at 6:18 p.m.

Respectfully submitted,

Amber Burgess, City Clerk/Treasurer

Russell W. Schenck, Mayor