

Mayor David Sims called the regularly scheduled meeting of January 3, 2017 to order at 7:00 p.m. Present for the meeting were Mayor Sims, Council President Rick Alonzo, Council Members Ron Smith and Adam Arthur, Clerk Kris Larson, City Administrator Mike Klaus, City Attorney Andrakay Pluid, City Planner Lisa Ailport, Police Chief Vic Watson, and Fire Chief Pat Warkentin. Also present were Marcia Cossette, Jerry Higgs, Jessica Tingley, Owen Plato, Mike Listman, Rita Pensmith, Dave and Marianne Duarte, Clare Marley, Linda and Robert Case, and Steve and Deanna Galbraith.

Dave Duarte said he is hopeful that the council read their letter. He said in 2005 Mike Woodward met with Duarte's about an easement through their property for 1350 feet for a six inch water main. Duarte's were an alternate option for the City because the other neighbor did not want to work with the City. Duarte's realized the value of a six inch main and thought it was great news for them. Duarte's requested three free water hook ups for the Duarte's, one for Dave and Marianne and one for each of their sons, as well as \$420. Mike agreed to this and then he retired. Stephen Boorman came out to the Duarte's three weeks later and spoke to them but did not think the hookups were to be included. Stephen talked to Mike Woodward and found that this was part of the agreement. Stephen told Duarte's about the value of the line going through their property and asked if they understood this. Dave said he did and had the idea of putting a tee off the main line, a stub main. Stephen said the City would not do this for them. Dave said he would and understood that they would be responsible for the costs of this. Dave got the impression from Stephen that this would be possible. Duarte's are in the area of impact for the City. They hired JRS Surveying to subdivide the property and they did a simple survey in 2010 that was approved by the County. Dave said he has had a few conversations with people regarding the subdivision, and it came as a big surprise to Duarte's when they met with the City and found they could not have more than three meters already granted. They want 15 lots over the 35 acre subdivision. There would not be infrastructure costs to the City, only revenue from the hookups. Duarte's are asking to have the City help them out. Mayor Sims said our current policy is to have people annexed if they want services. Rick Alonzo said he would like to discuss this further at another meeting. Ron Smith asked if annexation would be the first step. Mayor Sims said the property is not adjacent to the City boundary. Marianne said there is a piece of property between them and the City that is owned by Mark Brinkmeyer.

Dave and Marianne left the meeting.

Mayor Sims said no testimony will be held regarding the vacation hearing that was heard at the last meeting.

Jerry Higgs said Councilwoman Wells did not want to be videotaped and he previously said she should resign. He said he appreciated Connie's service to the City and that she was a budget hawk and he is hopeful that his comments are passed along to her. Jerry went on to comment about regional sewer and thinks the City should explore this issue. He said it will help future growth on the North Bench and thinks this would be productive and hopes the City pursues this in a positive manner. Jerry would like to suggest Melody Braden or someone in their family to serve on the National Trail Committee for the Forest Service.

Police Chief Vic Watson said since the last meeting there has been one custodial interference case, one case of providing false information to a law enforcement officer, one driving without privileges, one trespass order issued, one felony parole violation, one felony warrant arrest, two felony possession of controlled substance, two non-injury vehicle crashes, and one felony DUI. New Year's was uneventful and all was safe.

Fire Chief Pat Warkentin said in the month of December there were 13 call outs. The total call volume for 2016 was 60. The New Year has had four calls. The Fire Fighter One class is still ongoing.

City Administrator Mike Klaus said there is logging going on at the golf course. This is being done now due to the snow and cold weather to minimize damage on the course. Mike said there is a bit of hand falling to be done, and then the logs will be hauled. The golf clubhouse roof project is nearly complete, and he encouraged the council to stop out and see it.

Rick Alonzo moved to add the following items to the agenda: Add the Case alleyway vacation file deliberations to be added as it was omitted in error; authorize the Mayor to sign a contract with Kendall Deaton for powerline tree trimming; and executive session per Idaho Code 74-206 (1) (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”.

Mayor Sims said the alleyway vacation would be included with agenda item 9. The other late items will be numbered items 13 and 14.

Adam Arthur moved to approve the consent agenda. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”. The consent agenda contained the following: roll call; approval of accounts payable; approval of December 20, 2016 council meeting minutes; and approval for Mike Klaus to attend leadership training in Vancouver and Coeur d'Alene.

Adam Arthur moved to have the third reading by title only of the ordinance repealing and replacing Bonners Ferry City Code Title 12, Chapter 5, concerning minor subdivisions. Rick Alonzo seconded the motion. Motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”. Attorney Andrakay Pluid read the title of the ordinance.

Rick Alonzo moved to adopt Ordinance 560 Repealing and Replacing Bonners Ferry City Code Title 12, Chapter 5, Concerning Minor subdivisions. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”.

Lisa Ailport said the replat of Amended Plat of Lots 1 and 2, Block 4, Nixon Hillcrest Addition is coming before council for approval tonight. Staff reviewed from a planning and zoning point. Lisa said once the plat comes to us it should be ready to be recorded so signatures need to be on it before we sign it. The lots are on the corner of Grant Street and El Paso Street. The property is owned by the First Baptist Church and Ken Baker. Rick Alonzo moved to approve the amended Plat of Lots 1 & 2, Block 4, Nixon Hillcrest Addition and authorize the Mayor and City

Clerk to sign it upon return of the Plat with all the required signatures for recording. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”.

Mayor Sims said the hearing for the Case Alleyway Vacation File VC02-16 was held at the last meeting so no new information can be heard tonight. Lisa Ailport said at the December 20, 2016 meeting the deliberations were scheduled for tonight’s meeting. If the deliberations were tabled to a date uncertain the applicant would be required to pay the fees again and we would have to re-notice the hearing again. Clare Marley said during the hearing testimony at the previous meeting that there needed to be clarification. She said they are asking for a date certain of February 21, 2017 for information to be submitted to the City for a public hearing on March 21, 2017. Adam Arthur moved to approve the request to table deliberations for Bob and Linda Case petition to vacate for March 21, 2017 at 7:00 p.m. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”. Mayor Sims reminded all that the issue is still quasi-judicial and no information can be received by the Council.

Clare Marley, Linda and Robert Case left the meeting.

Mayor Sims said the City of Moyie has had sewer system problems. They have been working with DEQ for nearly ten years and DEQ did not like where the effluent was going so Moyie hired Welch Comer to look at sewer system options for them. The sewer system options included rates ranging from \$177 per month to \$205 per month. These rates are not feasible for the City of Moyie. The subject of a regional sewer system was discussed today with the Commissioners. A regional sewer system would include the City of Bonners Ferry, City of Moyie, and the Three Mile. The regional sewer system may include land application. Boundary County could apply for a grant for this regional sewer system. Mayor Sims said at some point the City of Bonners Ferry will need to upgrade our sewer system and this may be a possibility. If we do not discharge into the river we will not have the EPA Discharge Permit requirements. Mike Klaus said there may not be a cost for the City to get the answer for the regional sewer system. Mayor Sims said the planning grant application is due next week, and it will take about a year to get an answer on the regional sewer system. Ron Smith commented that when the Border Patrol was building at Three Mile that the City would not provide sewer unless there was an annexation.

Mike Klaus said he spoke to a landowner about property near the Kootenai River on lots located on Dakota and Florida Streets. He drew an illustration on the white board for the group to view. He said the lots are close to our Kootenai River intake. Mike spoke to the landowner about the cost of the lots and also had DEQ look at the site to give a preliminary approval for the site. He said if the test well is successful and meets our needs we would go forward with the property purchase. The water must be of quality and quantity that meets our needs. If the well meets our needs we will purchase the property for \$45,000 but if the well is not what we need we will pay the property owner \$5,000 for their trouble and restore the site to the original condition. If the well is successful we will go forward with a production well and file for a water right. An independent permit will have to be filed to get a water right. The well site is 250 feet from the

River so we need to make sure there is not surface water in our well water. Mike said if there is surface water in the well we can pump it up to the plant for treatment. If there is no surface water in the source, we can just chlorinate it and use it in the system. Mayor Sims said we don't have to immediately develop the site if the well is suitable for our needs. He said it is a great thing to do for the future of our water system. Rick asked about the City lot near the river. Mike said our lot near the river is not big enough to allow the required space for a well. Mike asked for approval to go forward with the agreement as presented. Adam Arthur moved to approve the agreement as presented. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”. (Clerk's note: The agreement is with Gary Falcon.)

Mike Klaus said Heiko resigned as of December 31, 2016 so we would like to change the employment status of Bruce Dally from temporary to full time. Ron Smith asked if Bruce will assume all of Heiko's duties. Mike said not at this time. He said the conservation duties will be transferred to Lisa Ailport. Rick Alonzo moved to approve the employment status of Bruce Dally to full time. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”.

Steve and Deanna Galbraith left the meeting.

Mike Klaus said the tree trimming contract for Kendall Deaton was not available at the time the agenda was prepared. Ron Smith moved to authorize the Mayor to sign the contract with Kendall Deaton for powerline tree trimming. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”.

Rick Alonzo moved at 7:54 p.m. to go into executive session per Idaho Code 74-206 (1) (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”. Executive session ended at 8:20 p.m. No action was taken.

There being no further business, the meeting adjourned at 8:20 p.m.

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David Sims, Mayor

Attest:

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Kris Larson, City Clerk