

Mayor David Sims called the regularly scheduled council meeting of June 19, 2017 to order at 5:00 p.m. Present for the meeting were Mayor Sims, Council President Rick Alonzo, Council Members Ron Smith, Ken Toline, and Adam Arthur, Clerk Kris Larson, City Administrator Mike Klaus, City Attorney Andrakay Pluid, Police Chief Vic Watson, and Planner Lisa Ailport. Also present were Eduardo Dos Ramos, Janet Dos Ramos, Jerry Higgs, Dave Gray, and Eric Anderson.

The first order of business was a hearing for the Dos Ramos annexation request File AN01-17. Mayor Sims called the hearing to order at 5:01 p.m. He went over the hearing procedures to be followed this evening. There were no conflicts of interest by the mayor or council. Planner Lisa Ailport asked the applicant to present. Eric Anderson said he is representing Dos Ramos' for their annexation request. He read quoted language from page 6 of the staff report referring to wording on the plat in Exhibit A that said "Lots shown on this plat will receive water and sewer services from the City of Bonners Ferry". Eric said the applicant believes the plural nature of the word "lots" implied both the lot and the remainder of the property were given the rights. He asked that the word believes be corrected to be believed. He said about a year ago the Dos Ramos' started communicating with the Wilson Law Firm over the plat language and as it turned out the best route to go was to ask for annexation. He asked the group to look at the staff report's final page. He wanted to go over the conditions of approval on pages 14-15. Eric said (item a) there is no intent to build more than one home on the annexed property and the applicant would agree to this. There will be minimal density and Dos Ramos' have already contacted IDEQ and are willing to comply with the standards required (item b). The applicant agrees to item c, costs and/or fees of improvements of city systems that are directly related to bringing city services to the property. They are looking to enter into an agreement with the City to dictate inspection regarding International Building Codes (item d). There is an easement for access to the property and the applicant will agree to sign an agreement regarding acceptable grade and standards (item e). Eric said the Dons Ramos's will also agree to payment of the direct costs and fees associated with the amendment of the official zoning map. Lisa Ailport said she has spoken to the building inspector, and they have the ability to detect rebar in concrete so they can inspect this also.

Lisa Ailport said when condition #2 was developed it was based on assumptions. She said we are hopeful to bring an agreement back to Council at a future date. There is a sunset clause for the agreement. Lisa gave the staff report. She said the Dos Ramos application is requesting to annex a 3.41 acre portion of a 12 acre parcel. A home is under construction currently on the site located north of Browne Street. Lisa showed power point pictures of the home being constructed and the nearby structures and streets. The Dos Ramos application is considered a Category A annexation according to State law. She said the area of city impact has not been planned in the comp plan of the City. Lisa spoke regarding an amendment to the future land use map. If supported by Council, staff is recommending a designation of residential on the future land use map. Planning and Zoning met and made a recommendation to Council for approval. Lisa said the Dos Ramos' have expressed interest in an annexation agreement to address concerns of the City. Condition #3 was added this evening. It included that annexation approval shall be valid for a period of two years from the date of approval.

Jerry Higgs, 7612 Wildhorse Lane, is in favor of this application. He has met Mr. Dos Ramos and is looking forward to having him as a neighbor. Jerry is hopeful that a better and more firm memorandum of understanding be in place between the City of Bonners Ferry and Boundary County so in the future when a home is being constructed in the area of impact the City be notified especially as it affects utilities. He spoke about the water and pounds per square inch, negative pressures, and backflow problems. He also spoke about elevations of the meter, pressures, and shut off valves. He strongly urges approval of the application.

Ken Toline asked if there will be negative impact for the City for connections to water and sewer. Mike said if we can go to the edge of our right of way with our services then he does not see negative impact. Ken asked about the wording on the plat by the previous city administrator. Mayor Sims said this does not have bearing on this discussion tonight.

The public hearing closed at 5:34 p.m. Deliberation toward a decision was had.

Mayor Sims said if the restriction is agreed to limiting to one home then the impact to the water system is minimal. Adam Arthur said he is still slightly concerned about emergency vehicle access. Rick is glad to see that the applicant has agreed to the City's requests and they are trying to make it work for both parties.

Rick Alonzo moved to approve the amendment of the City of Bonners Ferry Comprehensive Plan, amending the Land Use Map for lands in the ownership of Eduardo and Janet Dos Ramos commonly known as 7584 Yakima Street which include incorporating an additional plus or minus 9.27 acres of land and designate those lands residential on the official land use map finding that it is in accord with the requirements of Idaho Code 67-6508 and the procedures of Idaho Code 67-6509. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Rick Alonzo moved to approve the annexation of 3.41 acres of land as described in the legal description prepared by John Marquette, PLS dated March 7, 2017 and the zoning of those lands to Residential A to the City Council, finding that it is in accordance with the goals and policies of the City of Bonners Ferry Comprehensive Plan. I also move to adopt the findings of fact and conditions of approval as amended. Lisa read the amended conditions: (2a) maximum density for the annexed property of one dwelling unit; (3) as stated in the staff report. (Clerk's note: Condition 3 reads as follows: The annexation approval shall be valid for a period of two years from the date of approval. Failure to complete the conditions of approval within the time provided will result in expiration of the decision and will require reconsideration before final action can be taken. The applicant may petition the City council for a one year extension of approval. However, the applicant shall make petition prior to the date of expiration). Rick further moved to direct staff to prepare the ordinance to annex said lands and to bring forward an ordinance to amend official zoning map in accordance with Idaho Code. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Eric, Eduardo, and Janet left the meeting.

Jerry Higgs spoke regarding the recreational vehicle ordinance and changes he thinks should be made. He suggested that the title be changed to Recreational Vehicle Parking, Accessory Storage, and Occupancy. He also thinks campers/pickups should be included as well as

occupancy added. Jerry also said no person should be allowed to occupy storage containers or campers not attached to a pickup. He said we need to be creative with our wording. The suggested changes were submitted to the City Attorney for consideration.

Police Chief Vic Watson said since June 7<sup>th</sup> we have had one trespass case, two felony warrant arrests, one felony possession of controlled substance, two driving without privileges, one petit theft, one harassment, one medical assist, one unlawful entry, one county assist, one civil standby, two battery charges, one domestic, one resist and obstruct case, one DUI crash, and one disturbing the peace. Mike Martinez just completed a week long course for School Resource Officer at POST and is now certified in Idaho. Willie Cowell just received and qualified for his intermediate certificate. Ron Smith asked about a stolen vehicle. Vic said a person was cited in Montana for possession of a stolen vehicle. Andrakay said we could not charge the person with stealing the vehicle due to Idaho law.

City Administrator Mike Klaus said unit 4 at the hydro is not operational due to a thrust bearing that is out. It is being looked at by Riverside in southern Idaho. Unit 4 was rebuilt in 2007. Mike said it is possible that some of the silt that went through the generator this spring could have caused the problem. Mike is looking at the condition of the unit and so far the thrust bearing is all that is out. He said we could gain some efficiency by cleaning the rotor and stator. Mike said we could gain three to five percent on a new turbine because designs are different now. They will pull the cover on the runner to see what it looks like and will have more information for the next meeting. He said we may need to go out to bid to re-do the unit. Unit 4 is our biggest generator and there is definitely money being lost due to the unit being down because it produces 1.7 megawatts. The river level is dropping so we would have to take a unit off line shortly anyway.

Mike said Idaho Transportation Department (ITD) met with the City Traffic Safety Committee and gave results of a study they had done on the Alderson Lane signal light. There is not much difference in the wait time for left hand turning from Alderson Lane onto Highway 95 when the light is in flash mode versus full operating mode. Mayor Sims spoke about a power point slide of the study ITD did on the Alderson Lane signal light. Mayor Sims said it may be worthwhile having ITD come speak to Council regarding the light.

Mike Klaus said there was a sizable water leak on our water main in the valley. He showed pictures of the water guys working on the 16 inch water main leak. Mike said the life of the water main is nearly over so we are considering replacing portions of the pipe. This is the raw water line coming to the City. If the line is replaced it will likely be plastic pipe. Mike also informed council that we met with FEMA representatives today. FEMA looked at the sites of our mudslides. We will be responsible for driving the projects and will bear about ten percent of the costs. Mike thinks the cost to fix the slides will be about \$600,000. Drainage issues will be worked on also. Mayor Sims said we do the design and bidding and seek reimbursement. Mike said another project is at the top of Oak Street. He said we can add this in the next 60 days. Mike said there is a lot of water to capture.

Ron Smith gave an update on the SPOT bus meeting. He said there were four rides on the Moyie Route recently, and discussion will be had as whether to continue this route.

Adam Arthur moved to approve the consent agenda. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; and approval of June 6, 2017 council meeting minutes.

The group discussed the Swimming Pool Lifeguard Policy and Procedures Manual. Ken Toline asked about continual training. Adam thinks this could be covered under “in service” trainings. Mike said we had Kathy Zech do some refresher courses with the guards this year. He also said our head lifeguard, Abby, has been doing trainings with the guards. Ken wants to keep the people sharp with skills. Mike asked Ken to give him suggestions if he has them. Ken Toline moved to adopt the Swimming Pool Lifeguard Policy and Procedures Manual as written. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Rick Alonzo moved to hire Jaeda Schnuerle, Hannah Lysne, and Sierra Brown as lifeguards. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Lisa Ailport spoke regarding the Master Development Agreement with the Catholic Church for vacation of alleyway. Rick asked where the location of the new utility lines will be. Mike said the sewer line will be in El Paso Street and the water line size will be upgraded and will be moved to Grant Street. Lisa said the agreement sets out bonding for 125 percent of cost of the improvement and also warrants the construction for 18 months. She said if there is a problem, the public risk is minimal. Lisa said the warranty is based on the engineer’s estimate. A construction schedule is also in the agreement. She said the Church is working on the bonding requirements. Ron asked if this project will affect the neighbors. Mike said there will possibly be a couple shut downs during the project. Lisa said the vacation ordinance will be brought forward at the next meeting if this agreement is approved tonight. Ron Smith moved to authorize the Mayor to sign the Master Development Agreement with the Catholic Church for vacation of an alleyway. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mike Klaus recommended HDR Engineers for FERC Part 12 inspection of the Moyie Hydro facility. Adam Arthur moved to select HDR as the firm to use for the FERC Part 12 inspection. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”

Mike Klaus recommended tabling the agenda item requesting permission to develop a scope of work for Tetra Tech for the inundation study. This will be included on the next agenda.

The draft recreational vehicle ordinance was discussed. Suggestions were made to the City Attorney and it will be reviewed at the next meeting.

The next council meeting will be on July 5, 2017. Adam will be gone that week.

Rick would like to be closed on July 3, 2017 so he would like to have a special meeting to discuss this.

The meeting adjourned at 6:42 p.m.

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David Sims, Mayor

Attest:

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Kris Larson, City Clerk